



STEDHAM WITH IPING NEIGHBOURHOOD PLAN BASIC CONDITIONS STATEMENT

Stedham with Iping Neighbourhood Plan Steering Group

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INTRODUCTION

This Basic Conditions Statement has been produced by Stedham with Iping Parish Council. It accompanies the Stedham with Iping Neighbourhood Development Plan (hereafter referred to as the Neighbourhood Plan) that has been submitted to the South Downs National Park Authority.

The Neighbourhood Plan's plan area is the parish of Stedham with Iping which is situated within both Chichester District and South Downs National Park. The South Downs National Park Authority is the primary authority.

The Neighbourhood Plan is to have effect from its point of being made in 2018 for a period of 15 years to 2033, it does not include provision about development that is excluded development¹, and only relates to the neighbourhood area of Stedham with Iping.

This statement sets out how the Neighbourhood Plan has been prepared in accordance with the Neighbourhood Planning General Regulations 2012 and meets the basic conditions in paragraph 8(2) of Schedule 4B to the 1990 Act as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004. These conditions are:

i) having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood development plan,

ii) the making of the neighbourhood development plan contributes to the achievement of sustainable development,

iii) the making of the neighbourhood development plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area),

iv) the making of the neighbourhood development plan does not breach, and is otherwise compatible with, EU obligations.

¹ Excluded development is defined at para 61K of the Localism Act 2011 as (a) development that consists of a county matter within paragraph 1(1)(a) to (h) of Schedule 1, (b) development that consists of the carrying out of any operation, or class of operation, prescribed under paragraph 1(j) of that Schedule (waste development) but that does not consist of development of a prescribed description, (c) development that falls within Annex 1 to Council Directive 85/337/EEC on the assessment of the effects of certain public and private projects on the environment (as amended from time to time), (d) development that consists (whether wholly or partly) of a nationally significant infrastructure project (within the meaning of the Planning Act 2008), (e) prescribed development or development of a prescribed description, and (f) development in a prescribed area or an area of a prescribed description.

CONFORMITY WITH NATIONAL POLICIES AND GUIDANCE

This neighbourhood plan has been prepared with the policies and guidance contained within the National Planning Policy Framework 2012 (NPPF1) at its core.

It is noted that a new National Planning Policy Framework 2018 (NPPF2) has now been adopted by central government but paragraph 214 confirms that *'The policies in the previous Framework will apply for the purpose of examining plans, where those plans are submitted on or before 24 January 2019. Where such plans are withdrawn or otherwise do not proceed to become part of the development plan, the policies contained in this Framework will apply to any subsequent plan produced for the area concerned.'* Footnote 69 goes on to clarify that *'For neighbourhood plans, 'submission' in this context means where a qualifying body submits a plan proposal to the local planning authority in accordance with regulation 15 of the Neighbourhood Planning (General) Regulations 2012.'* As this plan will be submitted before the 24th January NPPF1 is the correct document to utilize and is considered below.

Paragraph 16 has been at the core of the Steering Group's efforts and it sets out how communities should seek to prepare neighbourhood plans; it states that neighbourhoods should:

1) develop plans that support the strategic development needs set out in Local Plans, including policies for housing and economic development; and

2) plan positively to support local development, shaping and directing development in their area that is outside the strategic elements of the Local Plan.

The NPPF contains a section on neighbourhood plans at paragraphs 183-185. These paragraphs set out what neighbourhood plans should set out to achieve and where they sit within the UK planning system. These paragraphs are set out below for reference:

183. Neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood and deliver the sustainable development they need. Parishes and neighbourhood forums can use neighbourhood planning to:

- set planning policies through neighbourhood plans to determine decisions on planning applications; and*
- grant planning permission through Neighbourhood Development Orders and Community Right to Build Orders for specific development which complies with the order.*

184. Neighbourhood planning provides a powerful set of tools for local people to ensure that they get the right types of development for their community. The ambition of the neighbourhood should be aligned with the strategic needs and priorities of the wider local area. Neighbourhood plans must be in general conformity with the strategic policies of the Local Plan. To facilitate this, local planning authorities should set out clearly their strategic policies for the area and ensure that an up-to-date Local Plan is in place as quickly as possible. Neighbourhood plans should reflect these policies and neighbourhoods should plan positively to support them. Neighbourhood plans and orders should not promote less development than set out in the Local Plan or undermine its strategic policies.

185. Outside these strategic elements, neighbourhood plans will be able to shape and direct sustainable development in their area. Once a neighbourhood plan has demonstrated its general conformity with the strategic policies of the Local Plan and is brought into force, the policies it contains take precedence over existing non-strategic policies in the Local Plan for that neighbourhood, where they are in conflict. Local planning authorities should avoid duplicating planning processes for non-strategic policies where a neighbourhood plan is in preparation.

Set out below are the policies contained within the submission neighbourhood plan cross- referenced to national policies and guidance to demonstrate conformity. It should be noted that the table below is not exhaustive and there may be other cross-references that are not included in the table below:

Stedham with Iping Neighbourhood Plan		National Policies and guidance	
Policy No.	References	Reference	Comments on conformity
SINDP Policy 1	Stedham Settlement Boundary	NPPF para 17	Policy seeks to promote sustainable development in rural areas and ensure sense of place is retained within parish.
SINDP Policy 2	Preserving our rural character	NPPF para 17, 28, 58	Policy seeks to protect the character of the area and character of the countryside in this locality.
SINDP Policy 3	Recreation and Community Facilities	NPPF para 7, 28, 73, 74	Local facilities provide a key social role to the sustainability of the area.
SINDP Policy 4	Local Green Space	NPPF para 7, 76, 77 and 78	Protects spaces that comply with NPPF criteria and provide a social role within the community.
SINDP Policy 5	Local Community Space	NPPF para 7	Local Community Space is not referred to in the NPPF but these are considered important as they provide a key social role.
SINDP Policy 6	Promote Health and Wellbeing	NPPF para 28, 9 and 70	Plan positively for the provision of community facilities
SINDP Policy 7	Stedham Sawmills	NPPF para 7, 17, 47	Policy seeks to support the allocation in the South Downs Local Plan for meeting the housing needs of the Parish during the Plan period.
SINDP Policy 8	Unallocated residential development	NPPF para 7, 17, 47, 50, 53 and 54	Policy seeks to positively plan for the future housing needs of the parish by allowing some development on unallocated sites to come forward.
SINDP Policy 9	A strong local economy	NPPF para 7, 20, 28	Supports the retention of local employment sites within the parish that provide local character and services. Seeks to ensure that local economic activity preserves and enhances the character of the Parish.
SINDP Policy 10	The small business economy	NPPF para 7, 17, 20, 28	Seeks to support and promote a prosperous rural economy.

Stedham with Iping Neighbourhood Plan		National Policies and guidance	
Policy No.	References	Reference	Comments on conformity
SINDP Policy 11	Communication infrastructure	NPPF para 21, 42, 43, 44, 45, 46. NPPF Section 3	Policy to remove barriers to a successful economy by promoting telecommunication infrastructure.
SINDP Policy 12	Wildlife in the wider parish	NPPF para 118 & Section 11.	Seeks to promote enhanced biodiversity.
SINDP Policy 13	Dark skies	NPPF para 115, 125	Seeks to conserve landscape and scenic beauty of the National Park. Seeks to limit the impact of light pollution from artificial light.
SINDP Policy 14	Tranquillity	NPPF para 115, 123 & 125	The whole parish sits within the South Downs National Park, is relatively undisturbed by noise and its outdoor spaces are prized by local residents for their recreational and amenity value.
SINDP Policy 15	Landscape and Views	NPPF para 7, 99, 109, 115	Protection for the National Park and our landscape. Central to both the social and environmental role of sustainable development.
SINDP Policy 16	Parish Heritage Assets	NPPF para 126, 132, 135, 137	Policy seeks to protect a number of currently non-designated heritage assets within the parish.
SINDP Policy 17	Barn conversions	NPPF para 126, 132, 135, 137 & 141	Seeks to maintain character and local heritage by ensuring our historic barns are not lost.
SINDP Policy 18	Sunken Lanes and Retaining walls	NPPF para 126, 132, 135, 137 & 141	These are local historic features that once lost would be irreplaceable. They also contribute to the intrinsic character of the parish.
SINDP Policy 19	Permissive & Public Rights of Way	NPPF para 7, 32, 34, 35	Policy seeks to protect these routes and promote the use of sustainable transport.
SINDP Policy 20	Car Parking	NPPF para 39	Parking on roads should be limited – ensuring adequate provision off road is key to a sustainable local highway network.
SINDP Policy 21	Maintaining and improving accessibility	NPPF para 32, 34, 35	Policy seeks to promote accessibility and the use of sustainable transport.

CONTRIBUTION TO SUSTAINABLE DEVELOPMENT

Sustainable development is defined as ‘development that meets the needs of the present without compromising the ability of future generations to meet their own need’. It is about ensuring better quality of life for everyone, now and for generations to come. In doing so, social, environmental and economic issues and challenges should be considered in an integrated and balanced way.

The NPPF states the Government’s intentions with regards to sustainable development, in particular the need for the planning system to perform a number of roles:

ECONOMIC ROLE – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land and the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure.

SOCIAL ROLE – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of the present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community’s needs and support its health, social and cultural well-being.

ENVIRONMENTAL ROLE – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

There is no specific legal requirement within the Regulations²² for Neighbourhood Development Plans to undertake their own Sustainability Appraisal (SA) and in this instance one has not been prepared following a screening opinion from the South Downs National Park Authority.

That said, the plan has been prepared with the sustainability issues affecting the village being a central consideration. Whilst decisions were made by the Steering Group appropriate thought was given to a range of options and ways of mitigating against any negative impacts where possible were considered. Through this informal process it is considered that the Submission Neighbourhood Development Plan sets out a framework for future sustainable development within the Parish. How the plan contributes to sustainable development is set out below:

In terms of the economic role, a number of options were considered by the Steering Group. These included having no policies directly related to the economy and relying on local and national level policy; having policies to encourage the tourism economy and having policies aimed at reinforcing the current economic trend whilst seeking to ensure employment opportunities do not dwindle. The Pre-Submission plan did not include policies relating to the economy but following the consultation the Steering Group chose the latter option and has included policies relating to the local economy.

The plan sets out three policies to ensure that it positively contributes towards the economic role of sustainable development. These are:

- SINDP Policy 9 – A strong local economy
- SINDP Policy 10 – The small business economy

² Neighbourhood Development Planning Regulations 2012

- SINDP11 – Communication Infrastructure

Space for economic activity is limited within the parish due to its environmental and historical constraints. SINDP Policy 9 seeks to ensure that existing employment space is not lost – the policy will not stifle the changing nature of the local economy but aims to preserve the space for jobs (whatever they may be). That said, the relatively poor transport links and the constraints mentioned above make the parish unsuitable for large scale economic enterprises and this is also highlighted in this policy. This policy seeks to address the balance required locally between need for a vibrant economy, the constraints present and the quality of local lives.

The plan also accepts that new development will be required to support the local economy which primarily consists of small businesses. Appropriate development to facilitate the continued small business economy is supported by SINDP Policy 10. SINDP Policy 11 aims to ensure the area's infrastructure keeps pace with changing times so that the Parish remains a realistic place to work.

The social role of sustainable development focuses on the people that live and work within the parish and they have been central to the plan as it has developed – many policies within the plan seek to encourage a strong, vibrant and healthy community by supporting the housing provision allocated by the South Downs Local Plan (number set by SDNPA) and seeking to protect the local character and environment which binds the community together. The main policies which contribute towards the Social role are:

- SINDP Policy 3 – Recreational & Community facilities which seeks to prevent the loss of publicly used resources
- SINDP Policy 4 – Local Green Space and SINDP Policy 5 – Local Community Space which provide protection for a number of open spaces.
- SINDP Policy 6 – Promoting Health and Wellbeing are policies aimed at protecting and enhancing local assets that contribute towards healthy living, both mentally through improving social interaction and physically through keeping parishioners active.
- Other policies contribute towards this by ensuring our local footpaths, cycle routes and bridleways remain to provide connectivity within our community.
- SINDP Policy 16 – Parish Heritage Assets, SINDP Policy 17 – Barn conversions, SINDP Policy 18 – Sunken lanes and Retaining walls all contribute towards maintaining our local heritage which contributes towards the cultural well-being of the community.

Due to its location the environmental aspect of sustainable development could arguably be considered to be particularly important. This is not only a result of the National Park designation and SSSI present within the plan area but also because the environment is treasured by the local community. Policies that duplicate those included in local or national policies (such as those relating to Listed Buildings, Conservation Areas or national environmental designations) have been avoided ensuring that policies remain relevant locally. Protecting and enhancing the natural, built and historic environment has formed the backbone of the plan following the support for this approach from the local community. For more details on this please refer to the matrix below.

SUSTAINABLE DEVELOPMENT MATRIX

Below identifies how each policy contributes towards or detracts from sustainable development.

Strong positive contribution	++
Possible positive contribution	+
Neutral contribution	/
Possible negative contribution	-
Strong negative contribution	--

Policy No.	Policy Title	Economic	Social	Environmental
SINDP Policy 1	Stedham Settlement Boundary	-	+	+
SINDP Policy 2	Preserving our Rural Character	-	++	++
SINDP Policy 3	Recreation and Community Facilities	/	++	+
SINDP Policy 4	Local Green Space	-	++	+
SINDP Policy 5	Local Community Space	-	++	+
SINDP Policy 6	Promoting Health and Wellbeing	+	++	/
SINDP Policy 7	Stedham Sawmills	+	++	+
SINDP Policy 8	Unallocated residential development	+	+	-
SINDP Policy 9	A Strong Local Economy	++	+	/
SINDP Policy 10	The small business economy	++	+	/
SINDP Policy 11	Communication Infrastructure	++	+	-
SINDP Policy 12	Wildlife in the wider Parish	/	+	++
SINDP Policy 13	Dark Skies	-	+	++
SINDP Policy 14	Tranquillity	-	++	++
SINDP Policy 15	Landscape and views	-	++	++
SINDP Policy 16	Parish Heritage Assets	-	+	++
SINDP Policy 17	Barn Conversions	-	+	++
SINDP Policy 18	Sunken Lanes and Retaining walls	-	+	++
SINDP Policy 19	Permissive & Public Rights of Way	/	++	/
SINDP Policy 20	Car Parking	-	++	+
SINDP Policy 21	Maintaining and improving Accessibility	-	++	+

GENERAL CONFORMITY WITH STRATEGIC POLICIES IN THE DEVELOPMENT PLAN

The Neighbourhood Plan needs to be in general conformity with the strategic policies in the development plan. As the Parish is located within the South Downs National Park the development plan consists of:

- The saved policies of the Chichester District Local Plan 1999 (CDLP)
- Interim Statement on planning for Affordable Housing adopted September 2007 (ISAH)
- The Submission South Downs Local Plan 2018 (SDLP) which was submitted to the Secretary of State in April 2018. When adopted the SDLP will become the Local Plan covering Stedham with Iping Parish and replace the saved policies of the Chichester District Local Plan 1999.

Other documents that form part of the development plan are the West Sussex Waste Local Plan (2014).

The Neighbourhood Plan needs to be in general conformity with the development plan. When considering whether a policy is in general conformity a qualifying body, independent examiner, or local planning authority, should consider the following:

- whether the neighbourhood plan policy or development proposal supports and upholds the general principle that the strategic policy is concerned with.
- the degree, if any, of conflict between the draft neighbourhood plan policy and the strategic policy.
- whether the draft neighbourhood plan policy or development proposal provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining that policy.
- the rationale for the approach taken in the draft neighbourhood plan and the evidence to justify that approach.

Paragraph 156 of the National Planning Policy Framework sets out the strategic matters about which local planning authorities are expected to include policies in their Local Plans. The basic condition addresses strategic policies no matter where they appear in the development plan. It does not presume that every policy in a Local Plan is strategic or that the only policies that are strategic are labelled as such. Strategic policies aim to deliver:

- the homes and jobs needed in the area;
- the provision of retail, leisure and other commercial development;
- the provision of infrastructure for transport, telecommunications, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat);
- the provision of health, security, community and cultural infrastructure and other local facilities; and

- climate change mitigation and adaptation, conservation and enhancement of the natural and historic environment, including landscape.

Set out below are the policies contained within the submission neighbourhood plan cross referenced to the Development Plan and where general conformity has been established. It should be noted that the table below is not exhaustive and there may be other cross-references that are not included in the table below:

Stedham with Iping Neighbourhood Plan		Local Plan policies		
Policy No.	Policy Title	Chichester District Local Plan 1999	Submission South Downs Local Plan	Comments on conformity
SINDP Policy 1	Stedham Settlement Boundary	CDLP policy BE1, RE1	SD25: Development Strategy	Policy identifies settlement boundary for Stedham using SDNPA methodology.
SINDP Policy 2	Preserving our Rural Character	CDLP policy BE11, BE13.	SD4: Landscape Character SD5: Design	Policy provides locally specific detail as to how local rural character can be protected.
SINDP Policy 3	Recreation and Community facilities	CDLP policy BE2, RE17	SD43: New & Existing Community Facilities	Policy seeks to protect and enhance local facilities to ensure a vibrant community.
SINDP Policy 4	Local Green Space	CDLP policy R3	SD47: Local Green Spaces	Policy seeks to protect locally important green spaces as identified by the community.
SINDP Policy 5	Local Community Space	CDLP policy R3	SD46: Provision & Protection of Open Space etc	Policy seeks to protect areas of open space that are important to the local community that provide a different function to local green space
SINDP Policy 6	Health & Wellbeing		SD46: Provision & Protection of Open Space etc	Policy seeks provision of additional recreational facilities
SINDP Policy 7	Stedham Sawmills	CDLP policy BE11, H8, H6	SD5: Design, SD26: Supply of Homes, SD27: Mix of Homes, SD28: Affordable Homes, SD34: Sustaining the Local Economy, SD35: Employment Land, SD92: Stedham Sawmill, Stedham	Policy supports the allocation in the Submission SDLP
SINDP Policy 8	Unallocated residential development	CDLP policy BE11, H4, H6	SD29: Rural Exception Sites	Policy seeks to support rural exception sites policy in the Submission SDLP

Stedham with Iping Neighbourhood Plan		Local Plan policies		
Policy No.	Policy Title	Chichester District Local Plan 1999	Submission South Downs Local Plan	Comments on conformity
SINDP Policy 9	A strong local economy	CDLP policy B6	SD34: Sustaining the Local Economy, SD35: Employment Land	Policy adds local detail on employment development
SINDP Policy 10	The small business economy	CDLP policy B1, B6	SD34: Sustaining the Local Economy	Policy provides locally specific detail on employment development.
SINDP Policy 11	Communication Infrastructure	CNDP policy RE29	SD44: Telecommunications etc	Policy supports SDLP policy
SINDP Policy 12	Wildlife in the wider Parish	CDLP policy BE14, RE4	SD9: Biodiversity & Geodiversity, SD11: Trees, Woodland & Hedgerows	In general conformity with local plan policy
SINDP Policy 13	Dark Skies	CDLP policy RE4	SD8: Dark Night Skies	Supports SDLP policy
SINDP Policy 14	Tranquillity	CDLP policy RE4	SD7: Relative Tranquillity	Policy seeks to conserve and enhance local areas of tranquillity
SINDP Policy 15	Landscape & views	CDLP policy BE11	SD4: Landscape Character, SD6: Safeguarding Views	Policy seeks to conserve and enhance locally important views
SINDP Policy 16	Parish Heritage Assets	CDLP policy BE4	SD12: Historic Environment	Policy seeks to protect local heritage assets.
SINDP Policy 17	Barn conversions	CDLP policy RE14	SD5: Design	Policy seeks to conserve barns that reflect local character of the Parish
SINDP Policy 18	Sunken Lanes & retaining walls	CDLP policy BE14	SD4: Landscape Character, SD5: Design	Policy seeks to protect these distinctive local features.
SINDP Policy 19	Permissive & Public Rights of Way	CDLP policy R4	SD20: Walking, Cycling & Equestrian Routes	Policy supports local rights of way and seeks improvements to this existing network
SINDP Policy 20	Car Parking		SD22: Parking Provision	Policy seeks to address local parking needs
SINDP Policy 21	Maintaining and improving Accessibility	CDLP policy TR6, TR8	SD19: Transport & Accessibility, SD20: Walking, Cycling & Equestrian Routes	Policy supports development that enable the use of sustainable modes of transport and accessibility for users

COMPATIBILITY WITH EU LEGISLATION

DIRECTIVE 2001/42/EC

This considers the assessment of the effects of certain plans and programmes on the environment and is often referred to as the Strategic Environmental Assessment (SEA) Directive. It seeks to provide a high level of protection for the environment by integrating environmental considerations into the process of preparing plans and programmes.

A Scoping Opinion was sought as to whether a Sustainability Appraisal / Strategic Environmental Assessment was required from South Downs National Park Authority and it was confirmed that it was not.

DIRECTIVE 92/43/EEC & DIRECTIVE 2009/147/EC

This considered the conservation of natural habitats and of wild fauna and flora and the conservation of wild birds and are often referred to as the Habitats and Wild Birds Directives. These aim to protect and improve Europe's most important habitats and species.

The above directives have been transposed into UK law via the Conservation of Habitats and Species Regulations 2010 (as amended), hereafter referred to as the Habitat Regulations. The Habitats Regulations require Natural England to 'secure compliance' with the requirements of the Directives when specifically discharging its nature conservation functions and to have regard to the Directives when exercising all of its other functions (Regulation 9).

Natural England is the 'competent authority' under the Regulations when the exercise of its functions will or may affect European Sites (for example classified Special Protection Areas and designated Special Areas of Conservation).

In accordance with the Habitats Regulations, all English competent authorities, including Natural England, must undertake a formal assessment of the implications of any new plans or projects which are capable of affecting the designated interest features of European Sites before deciding whether to undertake, permit or authorise such a plan or project.

This assessment comprises several distinct stages which are conveniently and collectively described as a 'Habitats Regulations Assessment' (or HRA). For all plans and projects which are not wholly directly connected with or necessary to the conservation management of the site's qualifying features, this will include formal screening for any Likely Significant Effects (either alone or in combination with other plans or projects). Where these effects cannot be excluded, assessing them in more detail through an appropriate assessment (AA) is required to ascertain whether an adverse effect upon the integrity of the site can be ruled out. Where such an adverse effect upon the site cannot be ruled out, and no alternative solutions can be identified, then the project can only then proceed if there are imperative reasons of overriding public interest and if the necessary compensatory measures can be secured.

This HRA process must be applied before a plan or project which may affect a European Site(s) can be lawfully undertaken or authorised.

Natural England have been consulted on the neighbourhood plan and whether there would be Likely Significant Effects. They have confirmed an HRA is not required.

OTHER

Schedule 2 to the Neighbourhood Planning (General) Regulations 2012 (as amended) confirms that the making of a neighbourhood plan should not be likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2017). It is considered the proposed Stedham with Iping Neighbourhood Development Plan is not likely to have any significant effects.