



**Chidham & Hambrook Parish**  
**Neighbourhood Development Plan**  
**Basic Conditions Statement**  
**(Submission July 2015)**

# Basic Condition Statement

<b>Contents</b>	<b>Page</b>
<b>1. Introduction:</b>	<b>1</b>
<b>2. Why Chidham &amp; Hambrook need a Neighbourhood Plan</b>	<b>1</b>
<b>3. Summary of Compliance Statement</b>	<b>5</b>
<b>4. Neighbourhood Planning Area and Chidham &amp; Hambrook Parish Neighbourhood Plan Working Group</b>	<b>6</b>
<b>5. The Content of the Neighbourhood Plan Proposal</b>	<b>8</b>
<b>6. The Basic Conditions</b>	<b>9</b>
<b>7. Evidence</b>	<b>15</b>

## Appendices

**Appendix 1** Neighbourhood Area designation and CDC Decision Notice.

**Appendix 2** CDC Response to Strategic Environment Assessment (SEA) or Habitat Regulation Assessment (HRA).

## Abbreviations

CHPC	Chidham & Hambrook Parish Council
CHNP	Chidham & Hambrook Neighbourhood Plan
CDC	Chichester District Council
CIL	Community Infrastructure Levy
CLPKP	Chichester Local Plan: Key Policy
AONB	Area of Outstanding Natural Beauty
SEA	Strategic Environment Assessment
HRA	Habitat Regulation Assessment
NPPF	National Planning Policy Framework
EU	European Union
NP	Neighbourhood Plan
CS	Consultation Statement

## 1.0 Introduction

In 2013 the Chidham & Hambrook Parish Council (CHPC) made the decision to produce a Neighbourhood Plan and as the Qualifying Body, registered the decision with the Chichester District Council (CDC). This statement introduces the Chidham & Hambrook Neighbourhood Plan Proposal and sets out the Plan has been prepared in accordance with the Neighbourhood Planning Regulations 2012, here after referred to as the ‘the Regulations’ and how the plan meets the basic conditions of neighbourhood planning and other considerations as prescribed by Paragraph 8 of schedule 4b of The Town & Country Planning 1990 hereafter referred to as the 1990 Act. The statement has been prepared by the Chidham & Hambrook Neighbourhood Plan Working Group on behalf of the CHPC.

## **2.0 Why Chidham & Hambrook need a Neighbourhood Plan**

The Parish of Chidham and Hambrook lays to the west of the Chichester District Councils (CDC) Local Development Plan area. The demand for housing within the Development Plan area has meant the need for a development plan for Chidham and Hambrook that will help guide the location, design and sustainability in the future. The emphasis of the CHNP being on sustainable growth and the environment for the area in the foreseeable future.

As the southern half of the area is a designated AONB future development is being concentrated to the north. A number of prime agricultural sites are now being designated for development changing the shape and appearance of this area. This plan is therefore looking to shape and retain the village atmosphere and community once these developments are complete and look at what additional development may take place in the coming years.

The sudden expansion of the village due to recent and ongoing development in the area, is putting major pressure on the infrastructure and local resources. This plan therefore creates an opportunity to take a greater control over development meeting the desires of the NPPF statement “a high quality built environment, with accessible local services that reflect the community’s needs and support its health, social and cultural well-being”.

The growing community within the Chidham & Hambrook NP area presents a number of challenges and constraints. Social, economic and environmental issues will require a cohesive approach in the management of its sustainable growth.

- We the community need to strengthen our social spirit and integrate recent newcomers, develop a range of local facilities and economically create a range of local employment opportunities.
- There is a general sense within the area that we need to create more of a centre to the Parish while preserving the green open spaces. The Plan will need to utilise new development to create within the Plan area a series of social, historic and commercial to provide a heart to the village integrating its residential areas.
- The area to the south of the village lies within the Chichester Harbour AONB and which a wide range of wild life can be found. Management of this area is shared between the local land owners and the Harbour Conservancy. The NP will strive to support the preservation of future generations to enjoy.

By acknowledging the above the community realises it needs to address the opportunities, challenges and constraints by planning locally for its future sustainable growth. The Localism Act of 2011 and the NPPF 2012 have provided the opportunity for creating a Plan for the future of the area. Funding for investment in the area is

limited, however, with new funding streams such as the Community Infrastructure Levy and the New Homes Bonus, together with funding from other sources raises the opportunity for the community to develop and support achievable plans to improve their neighbourhoods.

This Neighbourhood Plan will:

- Clearly describe a full range of social, economic and environmental influences and set out the issues that these raise for the area.
- Set out a strategic plan with a clear vision for the sustainable growth for the Parish which reflects the views of the whole community.
- Provide a planning framework to guide future regeneration, environmental enhancement, community investment and development decisions in the neighbourhood. This planning framework will support the strategic development needs in the existing and emerging local plans.
- Projects that reflect the aspirations of the community and which can demonstrate that when implemented will help deliver the visions for the area.
- The plan will be taken into account when Chichester District Council is making planning decisions, negotiating developer contributions or deciding how to allocate funding derived from sources such as the Community Infrastructure Levy (CIL) and New Homes Bonus.

The basic conditions are:

1. having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the order (or neighbourhood plan)
2. having special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses, it is appropriate to make the order
3. having special regard to the desirability of preserving or enhancing the character or appearance of any conservation area, it is appropriate to make the order
4. the making of the order (or neighbourhood plan) contributes to the achievement of sustainable development
5. the making of the order (or neighbourhood 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)
6. the making of the order (or neighbourhood plan) does not breach, and is otherwise compatible with, EU obligations

7. prescribed conditions are met in relation to the Order (or neighbourhood plan) and prescribed matters have been complied with in connection with the proposal for the order (or neighbourhood plan)

### **3.0 Summary of Compliance Statement**

A qualifying body as designated by the Chichester District Council (CDC) has prepared the Neighbourhood Plan in accordance with the Neighbourhood Planning (General) Regulations 2012, hereafter referred to as ‘the Regulations’ (please see Designation of Neighbourhood Area application and CDC Decision Notice Appendix 1).

The policies described in the Chidham & Hambrook Parish Neighbourhood Plan, relate to the development and use of land in the area designated by CDC in accordance with the Regulations (see plan area). The Neighbourhood Plan will apply for 15 years and does not contain policies relating to excluding development in accordance with the regulations.

Documents required by part 5, paragraph 15 of the Regulations are included in the submission package for the Neighbourhood Plan. The requirements include provision of the following:

- a) A map of the area which identifies the area to which the proposed Neighbourhood Development Plan relates;*
- b) A Consultation Statement;*
- c) The proposed Neighbourhood Plan; and*
- d) Statement explaining how the proposed Neighbourhood Development Plan meets the requirements of paragraph 8 of schedule 4B to the 1990 Act.*

(a) & (c) are referred to later in this statement and are provided as appendices or stand alone documents. A Neighbourhood Plan will be considered to have met the Basic Conditions if:

- 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.
- The making of the Neighbourhood Development Plan contributes to the achievement of sustainable development.
- 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).
- The making of the Neighbourhood Development Plan does not breach and is otherwise compatible with EU obligation.
- Prescribed conditions are met in relation to the Neighbourhood Development Plan and prescribed matters have been complied with in connection with the proposal for the Neighbourhood Development Plan.

The details and evidence documenting compliance with these conditions is provided in sections 4 to 7.

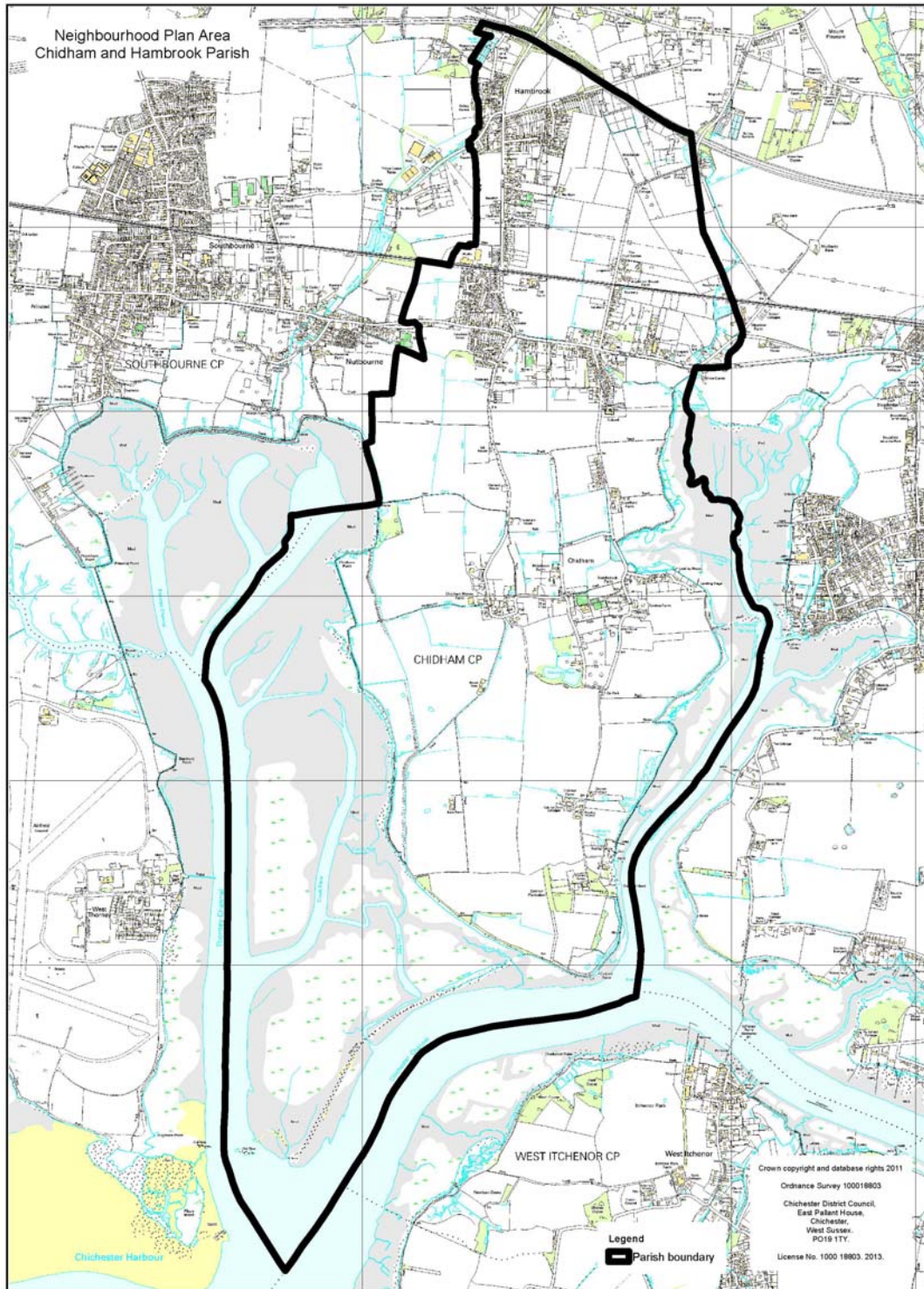
A screening process was carried out by the local planning authority to determine whether a Strategic Environment Assessment or Habitat Regulations Assessment would be required in support of the plan. This determined that an environmental assessment of the Chidham and Hambrook Neighbourhood Plan is not required due to there being no adverse comments from the statutory bodies and for the reasons in the screening report attached. A copy of the determination letter is attached see Appendix 2.

As such it is the opinion of Chichester District Council that the Chidham and Hambrook Neighbourhood Plan is in accordance with the provisions of the European Directive 2001/42/EC as incorporated into UK law by the Environmental Assessment of Plans and Program Regulations 2004.

#### **4.0 Neighbourhood Planning Area and Chidham & Hambrook Parish Neighbourhood Plan Working Group**

The Chidham and Hambrook Neighbourhood Plan has been prepared in the true spirit of the Localism Act 2011 and the Neighbourhood Planning Regulations 2012. The plan was initiated by the Parish Council in recognition of the wishes of the community in both the existing area and those within the new boundary covering Nutbourne East. Preparation of the Neighbourhood Plan was carried out by a specially formed Working Group made up of Parish Councillors and members of the Parish. CDC have supported and advised on the structure and content of the plan in a limited and restricted way. The Working Group has also had regular support from both our County and District Councillors. The Parish Council have been kept informed and consulted throughout the preparation and delivery of the NP.

The Neighbourhood Plan Area has been formally designated as required under the 2012 Neighbourhood Planning regulations. Chidham & Hambrook Parish Council submitted an application for designation of a neighbourhood area on 3<sup>rd</sup> December 2013. Chidham & Hambrook Parish Council published the application on the Chidham & Hambrook website, at public meetings and in the Parish Newsletter. Notice of the application was made by CDC on 3<sup>rd</sup> October 2013 with a closing date of 19<sup>th</sup> November 2013. No objections were received during the 6 week consultation period. The application was subsequently designated on 3<sup>rd</sup> December 2013 (see Appendix 1).



### Designated Neighbourhood Plan Area

Chidham & Hambrook Parish Council (CHPC) was recognised as the qualifying body to prepare the Neighbourhood Plan following successful designation of Chidham & Hambrook Parish Neighbourhood Area taking in the revised boundary to include Nutbourne East. The result was published on the Chidham & Hambrook website, in local Newsletters and public meetings.



The neighbourhood planning process brought together a diverse collection of people from all over the parish. It helped the community to recognise its assets and also how to address the issues it faces in a positive way. The process is making the community stronger, has strengthened its sense of identity and has given it a stronger voice. Local people have engaged with the planning process and, as a result, have a better understanding of the balance of issues that must be considered when planning decisions are made.

It is hoped that a successful referendum and the bringing into legal force of the Neighbourhood Development Plan will be the start of a process for local people to work together to realise their aspirations for Chidham & Hambrook Parish. The future growth of the community is envisaged in the plan as delivering a sustainable, socially cohesive, economically more locally serviced and environmentally enhanced neighbourhood which would be an even better place to live.

## **5.0 The Content of the Neighbourhood Plan Proposal**

A number of documents have been produced in order to support the plan and meet the Basic Conditions. These include:

- The Chidham & Hambrook Parish Neighbourhood Development Plan: This document which includes projects and policies developed by the community.
- The Chidham & Hambrook Parish Neighbourhood Plan Evidence Base: This is a body of information prepared by the community to ensure due consideration of social, economic and environmental issues within the plan area including its early work on the Parish Plan 2005 to date, its draft Neighbourhood Development Plan and supporting core documents.
- The Consultation Statement: This is a statement setting out how the community and stakeholders have been involved in the preparation of the Neighbourhood Development Plan.

## **6.0 The Basic Conditions**

### **6.1 Involvement of the Local community and Stakeholders**

The Neighbourhood Plan has been prepared with extensive input from the community and stakeholders as set out in the accompanying Consultation Statement (CS). The draft Neighbourhood Plan has been consulted on, as required by the Neighbourhood Planning Regulations 2011, and the responses have been recorded, and changes have been made as per the schedule set out in Summary of Consultee Responses in Appendix 1 to the CS. The CS has been prepared by members of the Chidham & Hambrook Neighbourhood Plan Working Group on behalf of the Chidham & Hambrook Parish council and meets the requirements set out in Paragraph 15 (2) of the Regulations.



## **6.2 Conformity with National Policy**

Neighbourhood Development Plans (NDPs) must demonstrate that they comply with the 'Basic Conditions' as outlined within Paragraph 8 of schedule 4b to the 1990 Act: **A draft Neighbourhood Development Plan meets the Basic Conditions if:-**

- having regard to national policies and advice in guidance issued by the Secretary of State, it is appropriate to make the Neighbourhood Development Plan,
- the making of the Neighbourhood Development Plan contributes to the achievement of sustainable development,
- 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 the area),
- the making of the Neighbourhood Development Plan does not breach, and is otherwise compatible with EU obligations, and
- prescribed conditions are met in relation to the Neighbourhood Development Plan and prescribed matters have been compiled with in connection with the proposal for the Neighbourhood Development Plan.

Each of the above and their relevance to the CHNP is discussed in detail in the subsequent section of this statement.

In addition to Basic Conditions outlined above, an examiner will also have to assess the Plan's compliance with provisions made under sections 61E(2), 61J and 61L of the 1990 Act (for NDP's this is compliance with S38A and S38B of the 2004 Act). This statement will deal with both of these elements below.

### **Section 38A Compliance**

1. Chidham & Hambrook Parish Council is a Qualifying Body for the purpose of Neighbourhood Planning and as such is entitled to submit a NDP for its designated Neighbourhood Area.
2. The Chidham & Hambrook Parish Neighbourhood Plan sets out policies in relation to "the development and use of land" within the designated Neighbourhood Area.

It should be noted that the remaining paragraphs within this section of the Act refer to post Examination issues and as such are not relevant to this statement.

### **Section 38B Compliance**

- 1) a) The period set for the CHNP is fifteen years (2014 – 2029).  
b) The CHNP does not make any provisions for excluded development as defined by the Act.

- c) The CHNP does not relate to more than one Neighbourhood Area. It is submitted for the Chidham & Hambrook (plus the revised boundary that includes Nutbourne East) Area which was designated by CDC on 3<sup>rd</sup> December 2013 (a copy of the decision can be found at Appendix 1).
- 2) There are no other Neighbourhood Plans submitted for or in place within the designated Neighbourhood Area to which the CHNP relates.
- 4) This paragraph refers to Regulations that may be made by the Secretary of State, namely the Neighbourhood Planning (General) Regulation 2012. This statement can confirm that these provisions were followed including the pre submission six week consultation (including relevant statutory consultees) as documented in the CHNP Consultation Statement.

The remaining paragraphs of this section (5 and 6) are not relevant to this statement as they relate to the LPA's duty to publish a NDP and clarification of what constitutes excluded development.

## **COMPLIANCE WITH BASIC CONDITIONS**

This section will outline each of the basic conditions in more detail and their relevance to the CHNP before dealing with each of the policies in more detail.

## **NATIONAL POLICIES AND ADVICE**

The reference to national policies and advice refers to the National Planning Policy Framework (NPPF) which the CHNP must have appropriate regard to when expressing its policies.

It should be noted that not all sections of the NPPF will be relevant to the CHNP as there is no legal requirement for a Neighbourhood Plan to provide policies covering all of the provisions within the NPPF. However, where a Neighbourhood Plan expresses a policy it must have appropriate regard to the relevant parts of the NPPF.

A key theme that runs throughout the NPPF is the promotion of sustainable development.

This statement will cover how the CHNP has had appropriate regard to the NPPF in relation to the following relevant elements:

- Conserving and enhancing the natural environment
- Conserving and enhancing the historic environment
- Meeting the challenge of climate change, flooding and coastal change
- Supporting a prosperous rural economy

- Delivering a wide choice of high quality homes
- Requiring good design
- Building a strong competitive economy
- Promoting healthy communities
- Promoting sustainable transport

In order to set out how the CHNP contributes to sustainable development, for each of these elements, set out in the bullet points above, we have considered how the various policies in the CHNP can meet these aims and objectives.

### **General Policy**

The CHNP seeks to support the policy for the presumption in favour of sustainable development. **Policy LP1** states there will be support for the development of affordable housing on rural exception sites and the development of 10 or less units on Windfall Sites when available. The policy has been developed in accordance with paragraphs 6 to 10, 14 and 17 of the NPPF and meeting the requirements of the CLPKP Policy 5 for the number of new dwellings for CHNP area.

### **Conserving and enhancing the natural environment**

CHNP sets out a number of policies relating to conserving and enhancing the natural environment to ensure that Chidham and Hambrook remains an attractive, environmentally healthy and sustainable village. The Chidham Peninsular is a designated AONB which needs to be maintained for future generations. The CHNP therefore seeks to protect and enhance this and the few adjoining green spaces.

**Policy EM 1** defines the need for new development to demonstrate the method by which specific flood risk are addressed.

**Policy EM 2** defines the requirement to conserve the semi rural nature of the plan area, its landscape, habitat and biodiversity.

**Policy EM 3** requires any new development to enhance the landscape and mitigate any loss of existing mature habitat.

### **Conserving and enhancing the historic environment**

A single policy has been prepared as part of the CHNP that is relevant to this section of the NPPF; namely **Policy AP 1**. The policy seeks to ensure the conservation and enhancement of heritage assets as well as encouraging the “re-use, maintenance and repair” of assets deemed to be at risk in order to secure their long term upkeep. This policy is considered to be in accordance with paragraphs 126 – 141 of the NPPF.

### **Meeting the Challenge of Climate Change, Flooding and Coastal Change**

Flood risk, drainage and sea defence are of concern in the plan area as stated in the section under the heading Management of sea and flood defences, streams and surface

water drainage. **Policy EM 1** has been developed to ensure that new development does not give rise to flooding and places requirement upon applicants to demonstrate that their schemes will minimise the risk of flooding. This is supported by paragraph 94 of the NPPF and is further supported by paragraphs 100 – 104 of the NPPF.

The Chidham Peninsular coast line, shores and habitat are the responsibility of the Chichester Harbour Conservancy. **Policy EM 2** has been developed to control development close to or in this area. This is supported by paragraphs 109, 113, 114, 115, 117 and 118 of the NPPF.

### **Supporting a Prosperous Rural Economy**

Paragraph 28 of the NPPF states that in order to promote a prosperous rural economy neighbourhood plans should:

- Support the sustainable growth and expansion of all types of business and enterprise in rural areas;
- Promote the development and diversification of agriculture and other land-based rural businesses;
- Support sustainable rural tourism and leisure developments;
- Promote the retention and development of local services and community facilities.

A number of policies have been produced within the CHNP that are relevant, namely:

- CDP 1: The use of S106 and CIL to support the community development
- CDP 2: The local economy
- H 1: Local occupancy conditions of affordable housing
- H 3: Live / work units

**Policy CDP 1** seeks developer contributions from development (either through S106, CIL or direct provision) in order to meet the community objectives set out within the CHNP and detailed within this policy. Any contributions sought must be in accordance with the provisions as outlined within paragraphs 203-205 of the NPPF.

**Policy CDP 2** the support of commercial units within the plan area that can demonstrate they will be in keeping are recognised. This is in support of paragraphs 6 – 10 and 28 of the NPPF.

**Policy H 1** seeks to support the provision of some affordable housing within the plan area for use by those employed by local businesses and also those currently living in the area. This is in conformity with paragraph 55 of the NPPF.

**Policy H 3** allows for the inclusion of dwellings that permit the use for business as well as living accommodation (live / work units). These maybe restricted to units as defined in policy CDP 2 above. This is in conformity with paragraph 21 of the NPPF.

### **Delivering a wide choice of High Quality Homes**

The NPPF in paragraph 50 requires planning policies to ‘deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities’. The housing policies of the CHNP have been produced with this in mind. A number of sites have been allocated for development within the CHNP and these are identified in the Settlement Area map. The more general housing policies that are relevant to this section of the NPPF are as follows:

- H 1: Local occupancy conditions of affordable housing
- H 3: Diversity of housing to meet local needs
- DS 2: Encouraging quality design

**Policy H 1** is in response to the growing pressure to deliver housing within Chidham and Hambrook (including Nutbourne East) that meets the local requirement for homes to own or rent, that are affordable. This policy seeks to address this need by including a local occupancy clause that meets this requirement in perpetuity. This policy has provided a definition of local which should be applied when assessing planning applications against this policy.

**Policy H 3:** the policy sets out to define the type, size and variety of housing required to meet local need within the CHNP. Any development will need to demonstrate a wide choice of dwellings with the emphasis on ownership and affordability for local people. This is in conformity of paragraph 50 of the NPPF.

**Policy DS 2:** all new development within the CHNP will be required to demonstrate high quality and meet the appropriate standards of design. The development should reflect the rural nature of Chidham and Hambrook (including Nutbourne East) meeting both the local surroundings and materials. This is in conformity of paragraph 58 of the NPPF.

### **Requiring good design**

The CHNP aims to develop robust and comprehensive policies that support the NPPF objective of encouraging excellence in design and that set out the quality of development that is required in the area.

**Policy DS 1:** sets out the requirements that will be applied to all development in the area. In line with NPPF section 7. The CHNP does not seek to impose any one style or taste and make no attempt to stifle innovation while encouraging a reinforcement of local distinctiveness.

### **Building a Strong Competitive Economy**

**Policy CDP 2:** places the objective of sustainable growth in the CHNP and to create a balance between social, economic and environmental roles. It encourages the inclusion of small but adequate scale lock up and retail facilities. This is in conformity of paragraphs 6 – 10 & 28 of the NPPF.

### **Promoting Healthy Communities**

The community with the CHNP have indicated in the consultation process for this plan and previously in the Parish Plan their wishes for more recreation facilities.

There are several policies within the plan listed below that include elements of these wishes. The NPPF sections 3 and 8 require the Promotion of Prosperous and of Healthy Communities and the CHNP in its policies aims to fulfil this requirement and that of the community.

**Policy CDP 1:** The use of S106 Agreements and CIL to support community development. There is currently a lack of suitable recreation facilities and this policy seeks to redress this with funding from development in the CHNP area.

**Policy R 1:** Local Green Areas. Existing green areas are recognised as being an essential requirement for health and wellbeing of the community and their preservation a necessary social benefit.

**Policy R 2:** Public Rights of Way. Footpaths and bridleways throughout the CHNP area enable exploration for both the community and visitors to enjoy the area allowing exercise away from traffic and wellbeing.

**Policy R 3:** Allotments. The consultation process recognises the wish of those living within the CHNP area for allotments for the provision of fresh vegetables and good exercise.

### **Promoting Sustainable Transport**

Chidham, Hambrook and Nutbourne East are a semi rural area requiring good access transport for work, school and recreational needs of the community. The railway station ‘Nutbourne Halt’ provides a regular train service for commuters and those who do not want to use a car or their journey is too great to walk or bicycle. However, this facility together with the bus service along the A259 cannot satisfy the requirements of all those who live in the CHNP area who are therefore obliged to use their cars. The CHNP has set out to satisfy this and meet the requirement of the NPPF section 4 which is very clear that policies in relation to parking standards must reflect the nature of the area. Nevertheless the CHNP is keen to promote sustainable forms of transport and this is reflected within its planning policies. Policies relevant to this section of the NPPF are as follows:

**Policy DS 1:** All new developments will be required to demonstrate they meet the minimum requirements for off road parking. Where possible encourage the use of the local rail and bus services as stated in paragraph 31 of section 4 of the NPPF.

**Policy CDP 2:** Encourage local business to employ people from the local community avoiding the need to travel long distances to work.

### **Non-Statutory Community Aspirations**

Paragraph 69 of the NPPF states, that local plan should create a ‘shared vision with communities’. The CHNP has been produced with this at the forefront of its thinking. This can be evidenced in the accompanying Consultation Statement.

Policies AP1 and AP3 have assessed the CHNP assets of Heritage and Community value. These together with new community aspiration stated in this document and listed in the appendix of the CHNP form the main aspirations for this area.

### **Chichester District Local Plan: Key Policies**

The development plan for the area has recently changed with the adoption of the Chichester Local Plan Key Policies on the 14<sup>th</sup> July 2015 which now replaces the Chichester District Local Plan First Review (adopted April 1999) in its entirety. Until this point a number of ‘saved’ policies, previously contained in the Chichester District Local Plan: First Review (adopted in April 1999) formed part of the development plan for the area and as such were relevant to the assessment of the CHNP against the basic conditions. However, these policies are all detailed in nature with strategic policies (which informed the saved policies) historically coming from the West Sussex Structure Plan also no longer in place. It is therefore important to note that where references in this statement identify policies in the previous Local Plan: First Review these have now been superseded.

Given the above it is considered that although there are ‘saved’ policies for the area contained within the Chichester Local Plan there are no ‘strategic’ policies against which the CHNP should be assessed for general conformity.

### **General Conformity with the Development Plan**

The Neighbourhood Plan has been prepared to ensure its general conformity with the development plan for Chichester.

The preparation of the Neighbourhood Plan in relation to the development plan has been challenging. Until recently the development plan continued to include the adopted 1999 Chichester Local Plan. However, its replacement, the Chichester Local Plan: Key Policies 2014-2029 (CLPKP) has now been adopted on 14<sup>th</sup> July 2015.

The 1999 Local Plan could not, of course, have anticipated the existence of the Localism Act almost a decade later and so made no provision for translating generic planning policy in to a distinct parish-based plan. However, the Neighbourhood Plan policies evolved to be in general conformity with the strategic intent of that plan and its specific policies, as set out in the Table below.

Importantly, the Neighbourhood Plan has also taken account of the policies in the CLPKP as it developed and, with the adoption of the new CLPKP, the Neighbourhood Plan policies also reflect the provision of the CLPKP, particularly Policy 5, which refers to the Parish Housing Sites and identifies an indicative figure of 25 for Chidham & Hambrook. The Table therefore also includes reference to the most relevant CLPKP policies as a guide to the reasoning and evidence used by the Neighbourhood Plan in finalising its policies.



## Cross Reference Table

NP Policy Title & Number	1999 Local Plan Saved Policies	2014 Local Plan Policy	NPPF 2012	NP Conformity
LP1: Sustainable Development	BE11: New Development	Policy 1: Presumption in favour of Sustainable Development.  Policy 5: Indicative Housing Numbers Policy 6: Neighbourhood Development Plan	Paragraphs 6-10, 14 & 17.	Conforms: NP Policy Intent is to ensure allocated housing development within the Parish is situated within the agreed, identified sites, reflecting local need and sustainable development.
LP2: Requirement for Homes	BE11: New Development	Policy 5: Indicative Housing Numbers. Policy 6: Neighbourhood Development Plan	Paragraph 184	Conforms: Planning for 78+ houses approved meeting the requirements of Policy 5
EM1: Management of Sea and Flood Defences, Stream and Surface Water Drainage	RE26: Was flood risk policy.	Policy 42: Flood Risk	Paragraphs 94, 100, 101, 102 & 103	Conforms: NP requires new development plans to demonstrate that drainage and flood risk have been addressed.
EM2: Housing Development & the Environmental Protection of Chichester Harbour AONB	BE6: Conservation Areas	Policy 50: Development and the Disturbance of Birds in Chichester and Langstone Harbour.	Paragraphs 113, 114, 115, 116, 117, & 119	Conforms: NP requires new development to demonstrate conformance to the Local Plan.
EM3: Protection & Enhancement of Landscape, Habitat and Biodiversity	RE6: Strategic Gaps. RE7: Nature Conservation – Designated Sites	Policy 50: Development and the Disturbance of Birds in Chichester and Langstone Harbour.	Paragraphs 109, 113, 114, 115, 116, 117, & 119	Conforms: NP requires new development to demonstrate conformance to the Local Plan
CDP1: The use of S106 Agreements and CIL to support community development.	R2 and R3: Retention and provision of open spaces and facilities.	Policy 9: Development and Infrastructure Provision. Policy 38: Local and Community Facilities.	Section 3 Paragraph 28	Conforms: NP requires identified Community Facilities to be supported from new development funding sources.
CDP2: The Local Economy	RE12: Rural Diversification	Policy 2: Development Strategy & Settlement	Paragraphs 6 to 10 and 28.	Conforms: The NP recognises the importance of a prosperous rural

		Hierarchy. 26: Existing Employment Sites		economy and the need for some additional commercial properties.
H1: Local occupancy conditions of affordable housing.	H8, H9 & H10: Social & Low Cost Housing.	Policy 34: Affordable Housing	Paragraphs 47, 54 & 55	The NP conforms with the basic principles of both the CDC Local Development Plan and the NPPF
H2: Diversity of housing to meet local need.	H4: Size and Density of Dwellings	Policy 33: New Residential Development	Paragraph 50	The NP conforms to the basic principles of both the CDC Local Development Plan and the NPPF.
H3: Impact on infrastructure	BE11: New Development. RE4: Protection of the AONB	Policy 9: Strategic Infrastructure	Paragraphs 94, 103 & 162	The NP supports the requirements of both the CDC Local Development Plan and the NPPF
DS1: Development	H4: Size and Density of Dwellings	Policy 33: New Residential Development	Section 7	The NP supports the requirements of both the CDC Local Development Plan and the NPPF
DS2: Encouraging Quality Design	BE11: New Development	Policy 33: New Residential Development	Section 7	The NP supports the requirements of both the CDC Local Development Plan and the NPPF
DS3: Provision for Car Parking		Policy 39: Transport Accessibility and Parking. Paragraph 3.33	Section 4 & 7	The NP supports the requirements of both the CDC Local Development Plan and the NPPF
DS4: Codes for Sustainable Homes Standards	BE16: Energy Conservation	Policy 41: Off-site Renewable Energy. Policy 40: Carbon Reduction.	Section 10	The NP conforms to the basic principles of both the CDC Local Development Plan and the NPPF
DS5: Retention of areas of Natural Habitat / Biodiversity	BE14: Wildlife Habitat, Trees, Hedges and other Landscape Features	Policy 33: New Residential Development	Section 11	The NP conforms to the basic principles of both the CDC Local Development Plan and the NPPF
R1: Local Green Areas	R2: Provision of Facilities in Rural Areas. R3: Existing and Allocated Open Space	Policy 54: Open Space Sport and Recreation	Section 8 Paragraphs 70, 73, 75 - 78	The NP conforms to the basic principles of both the CDC Local Development Plan and the NPPF
R2: Public Rights of Way	R4: Public Rights of Way and other Paths	Policy 39: Transport, Accessibility and Parking	Section 8 Paragraph 75	The NP conforms to the basic principles of both the CDC Local Development Plan and the NPPF

R3: Allotments	R3: Existing and Allocated Open Space	Policy 54: Open Space Sport and Recreation	Section 8 Paragraph 76	The NP conforms to the basic principles of both the CDC Local Development Plan and the NPPF
AP1: Heritage Assets	BE4: Buildings of Architectural or Historic Merit	Policy 47: Heritage	Introduction Paragraph 14 Annex 2 Heritage Assets Definition Annex 2 Significance Definition	The NP conforms to the basic principles of both the CDC Local Development Plan and the NPPF
AP2: Assets of Community Value		CDC Draft Local Development Plan Paragraph 2.32	Section 3 Paragraph 28	The NP conforms to the basic principles of both the CDC Local Development Plan and the NPPF

### 6.3 EU Obligations

Confirmation has been sought from the LPA as to whether or not there is a need for a full Strategic Environmental Assessment (SEA). The screening determination is that an environmental assessment of the Chidham & Hambrook Neighbourhood Plan is not required and a copy of the letter and summary of responses from the statutory bodies is set out in Appendix 2.

The Neighbourhood Plan Area includes part of the Chichester & Langstone Harbour Special Protection Area (SPA), a European designated nature site. A Habitats Regulation Assessment (HRA; under the Conservation of Habitats and Species Regulation 2010 (as amended)) was not considered to be required due to the scope of development proposed by the CHNP being within the parameters assessed by the HRA for the higher-tier plan (i.e. the Chichester Local Plan: Key Policies Pre Submission 2014-2029).

The Neighbourhood Plan has had regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and complies with the Human Rights Act.

### 7.0 Evidence

Chidham & Hambrook Neighbourhood Plan Working Group (CHNPWG) has prepared a comprehensive Evidence Base to support the Neighbourhood Plan. The Evidence Base was prepared from collected information about the state of the Parish and its community by questionnaire covering social, economic and environmental themes. The information gathered from the returned questionnaire (70% return) was analysed and developed into “a framework plan for the future” along with previous findings when the Parish Plan was formulated previously.

A Special Interest Group (SIG) event was organised and the key sections of the plan framework was discussed and recorded for inclusion with the above findings in the draft version of the plan. Letters were sent to the Statutory Bodies with the draft version of the plan seeking comments from which we have received some responses in return. At the same time a public event was held presenting the draft version of the plan to the community with access also to it on the Chidham & Hambrook website and further copies available in the local shop, halls, and public houses and with local Parish Councillors for a further six weeks.

## **Appendix 1**

Tom Bell  
01243 534594  
tbell@chichester.gov.uk

3rd December 2013

Dear Mrs Graham

Notification of Decision regarding the application for designation of Chidham and Hambrook Neighbourhood Area under Section 61G of the Town and Country Planning Act 1990 as amended:

**Applicant:**  
Chidham and Hambrook Parish Council.

**Application:**  
Designation of Chidham and Hambrook Neighbourhood Area

**Decision:**  
The Designation of Chidham and Hambrook Neighbourhood Area is approved in accordance with the Neighbourhood Planning (General) Regulations 2012 and with section 61G of the Town and Country Planning Act 1990 as amended for the purposes of Neighbourhood Planning.

Yours sincerely

Tom Bell  
Neighbourhood Planning Officer

CLERK  
Mrs Joan Graham  
19 Mill End  
Emsworth  
Hants  
PO10 8BJ

Mr B Mann  
Clerk, Chidham and Hambrook Parish  
Council  
107 New Brighton Road  
Emsworth  
Hampshire  
PO10 7QS

If calling please ask for: **Andrew Frost**  
01243 534892  
afrost@chichester.gov.uk

Our ref:

Your ref:

17 December 2014

Dear Clerk

**Chidham and Hambrook Neighbourhood Plan**

**Strategic Environmental Assessment (SEA) Opinion Screening Determination under Regulation 9 and Schedule 1 of the Environmental Assessment of Plans and Programmes Regulations 2004**

This letter addresses whether an environmental assessment of the Chidham and Hambrook Neighbourhood Plan is required and as such whether it meets one of the basic conditions that a neighbourhood plan must meet in order to proceed to referendum: that it does not breach, and is otherwise compatible with, EU obligations.


On the basis of the contents of the neighbourhood plan that was the subject of consultation with the relevant statutory agencies in accordance with Regulation 9(2) of the Environmental Assessment of Plans and Programmes Regulations 2004, the following determination can be made.

The screening determination is that an environmental assessment of the Chidham and Hambrook Neighbourhood Plan is not required due there being no adverse comments from the statutory bodies and for the reasons set out in the screening report which is attached to this letter.

As such it is the opinion of Chichester District Council that the Chidham and Hambrook Neighbourhood Plan is in accordance with the provisions of the European Directive 2001/42/EC as incorporated into UK law by the Environmental Assessment of Plans and Programmes Regulations 2004.

This decision has been based on the information provided. If the contents of the Plan are revised and/or there is a material change in the environmental characteristics in the locality (e.g. any additional nature conservation or other environmental designations), then the comments contained in this decision would need to be reconsidered in order to take account of the changes.

Yours sincerely



Andrew Frost  
Head of Planning Services

**Summary of Statutory Consultations – Strategic Environmental Assessment**

<b>Statutory Consultee</b>	<b>Summary of Comments</b>
<p>English Heritage – Reply 27<sup>th</sup> August 2014</p>	<p>Having reviewed the Plan, English Heritage considers that the Chidham and Hambrook Neighbourhood Plan is not likely to have any significant environmental effects and that therefore a Strategic Environmental Assessment is <b>not</b> needed.</p> <p>However, whilst in our opinion a formal SEA is not required, some form of assessment of the implications of the Plan’s policies and proposals against an agreed set of objectives may be a useful method of ensuring a robust Plan and identifying any unexpected and undesirable outcomes.</p>
<p>Environment Agency – reply 12<sup>th</sup> August 2014</p>	<p>Chidham and Hambrook is in close proximity to Chichester Harbour and also includes a Water Framework Directive watercourse, the Ham Brook. However, as the Neighbourhood Plan is not seeking to allocate housing we would consider that the Plan would not have a significant environmental effect and as such would <b>not</b> require an SEA in relation to the issues in our remit.</p>
<p>Natural England – reply 8<sup>th</sup> September 2014</p>	<p>In the absence of significant development proposals, it is my view that an SEA <b>not</b> be unnecessary in this case.</p>