

Southbourne Parish Neighbourhood Plan 2014- 2029

Basic Conditions Statement



Published by Southbourne Parish Council under the Neighbourhood Planning (General) Regulations 2012

August 2014

1. Introduction

1.1 This Statement has been prepared by Southbourne Parish Council ("the Parish Council") to accompany its submission to the local planning authority, Chichester District Council ("the District Council"), of the Southbourne Parish Neighbourhood Plan ("the Neighbourhood Plan") under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 ("the Regulations").

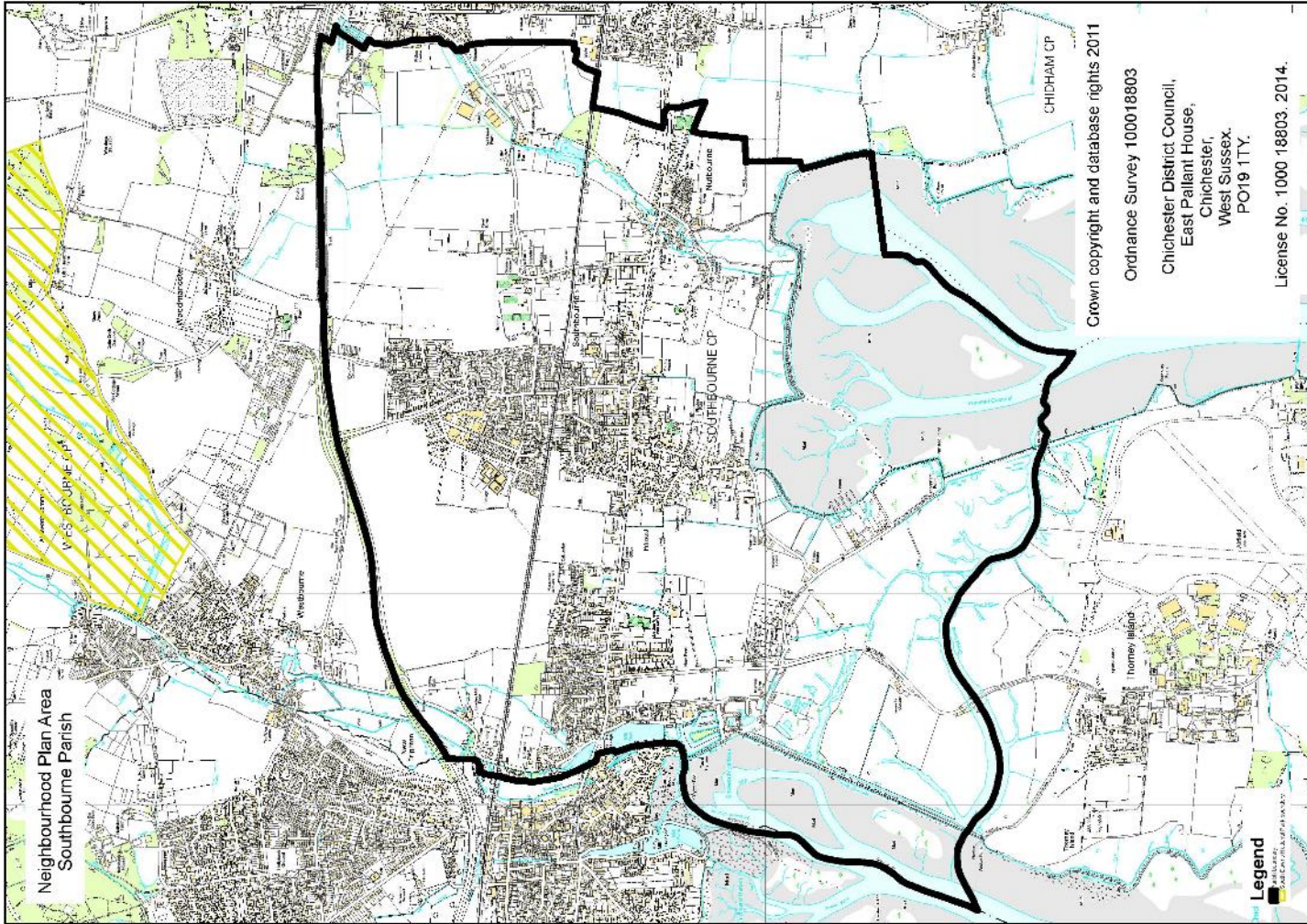
1.2 The Neighbourhood Plan has been prepared by the Parish Council, a qualifying body, for the Neighbourhood Area covering the whole of the Parish of Southbourne, as designated by the District Council on 14 May 2013. However, the District Council approved a boundary change, which resulted in land on the eastern edge of the parish becoming part of the adjoining Chidham Parish. Therefore a new Neighbourhood area was designated and confirmed on 5 March 2014 (see Plan A).

1.3 The policies described in the Neighbourhood Plan relate to the development and use of land in the designated Neighbourhood Area. The plan period of the Neighbourhood Plan is from 1 April 2014 to 31 March 2029 and it does not contain policies relating to excluded development in accordance with the Regulations.

1.4 The Statement addresses each of the four 'basic conditions' required of the Regulations and explains how the submitted Neighbourhood Plan meets the requirements of paragraph 8 of Schedule 4B to the 1990 Town & Country Planning Act.

1.5 The Regulations state that 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 obligations.



PLAN A: The Designated Southbourne Neighbourhood Area

2. Background

2.1 The Parish Council commenced preparation of the Neighbourhood Plan in 2012. The key drivers of that decision were the encouragement of the District Council to parishes in its district to prepare Neighbourhood Plans and the keenness of the Parish Council to anticipate and manage the changes expected in the parish from the significant proposals in the emerging Local Plan. The Parish Council also wanted to have greater influence over local development and infrastructure issues and to promote the sustainable development of the parish.

2.2 A Steering Group was formed comprising parish councillors and members of the local community and it was delegated authority by the Parish Council to make day-to-day decisions on the Neighbourhood Plan. However, as qualifying body, the Parish Council approved the publication of:

- the State of the Parish report
- the Pre-Submission Neighbourhood Plan
- the Submission Neighbourhood Plan

2.3 The Parish Council has worked with officers of the District Council during the preparation of the Neighbourhood Plan. The positioning of the Neighbourhood Plan in respect of the emerging development plan, which proposes to establish a clear policy framework for neighbourhood plans, has been challenging. The new Chichester Local Plan Key Policies (CLPKP) was submitted for examination on 30 May 2014. The Neighbourhood Plan is likely to be examined and made prior to the adoption of the CLPKP but its strategic policies are of considerable importance to this Parish and the examination of both plans may coincide. The Neighbourhood Plan therefore addresses this sensibly by reflecting the reasoning and evidence of the CLPKP to help shape its housing policies as the 1999 Local Plan are out of date in this respect. If the CLPKP requires the Parish Council to undertake an early review of the Neighbourhood Plan then that will be considered at that time, to avoid it being unnecessarily delayed now.

2.4 In which case, a number of saved policies of the 1999 Local Plan continue to provide a valid policy framework for the Neighbourhood Plan. The proposed requirement of 350 homes for Southbourne Parish in the plan period in the emerging Local Plan is a guideline for the Neighbourhood Plan and it has reflected on the reasoning and evidence supporting that policy in supporting housing development. This follows the National Planning Practice Guidance (NPPG) of March 2014, which establishes the principles for how neighbourhood plans may come forward before up-to-date Local Plans (see IP41-008 especially).

2.5 The Neighbourhood Plan therefore contains a small number of land use policies (in Section 4) that are defined on the Proposals Map as being geographically specific and non-statutory proposals (in Section 5) that are included for the completeness of the Neighbourhood Plan. For the most part, the plan has deliberately avoided containing policies that may duplicate the many saved and emerging development policies that are, and will be, material considerations in determining future planning applications.

2.6 In making a clear distinction between land use planning policies and non-statutory proposals relevant to land use planning, the Neighbourhood Plan allows for the examination to focus on the requirement of the policies to meet the Basic Conditions but also allows the local community to see the Neighbourhood Plan in the round. In any event, the non-statutory proposals will each have a land use effect at some later point but cannot do so as part of the Neighbourhood Plan as they fall outside its scope.

3. Conformity with National Planning Policy

3.1 The Neighbourhood Plan has been prepared with regard to national policies as set out in the National Planning Policy Framework (NPPF) and is mindful of the National Planning Practice Guidance (NPPG) in respect of formulating neighbourhood plans.

3.2 In overall terms, there are four NPPF paragraphs that provide general guidance on neighbourhood planning, to which the Neighbourhood Plan has directly responded:

Para 16

3.3 The Parish Council believes the Neighbourhood Plan is planning positively to support the strategic development needs of the district by supporting new housing and employment development and the creation of a major new green infrastructure asset. It also seeks to protect open spaces, community facilities and retail and employment uses that benefit the parish.

Para 183

3.4 The Parish Council believes the Neighbourhood Plan establishes in its Section 3 a vision for the parish that reflects the view of the majority of the local community. It has sought to translate them into planning policies to determine future planning applications as part of the development plan.

Para 184

3.5 The Parish Council believes the Neighbourhood Plan, as is highlighted below, is in general conformity with all the relevant saved policies of the development plan but also anticipates the emerging Chichester Local Plan. It is considered to strike a positive balance between the physical and policy constraints of the Parish and the desire to meet local housing demand.

Para 185

3.6 The Neighbourhood Plan avoids duplicating development plan policies by focusing on policies that translate the general requirements of the development plan into a Southbourne Parish context. Once made, the Neighbourhood Plan should be easily considered alongside the development plan and any other material considerations in determining planning applications.

3.7 Set out in Table A below, is a brief summary of how each policy conforms to the NPPF. The particular paragraphs referred to in the table are those considered the most relevant to each policy but are not intended to be an exhaustive list of all possible relevant paragraphs.

Table A: Neighbourhood Plan & NPPF Conformity Summary

No.	Policy Title	NPPF Ref.	Commentary
1	Spatial Strategy	30,50, 70,100, 115,118	<p>This policy establishes the spatial strategy for directing future development proposals in the parish. It is positive about development within the established settlement boundaries and justifies where changes to those boundaries are proposed in relation to key NPPF paragraphs. It therefore aims to deliver a wide choice of high quality homes to widen home ownership and enhance the mixed communities in the parish (para 50) but maintains the important environmental constraints on development of the strategic countryside gaps defining its settlements and of the Chichester & Langstone Harbours Special Protection Area and the Chichester Harbour AONB to the south.</p> <p>The policy enables land for 350 new homes to be allocated by justifying changes to the settlement boundaries at Southbourne village and at Nutbourne West by taking into account five criteria, each of which is consistent with the NPPF as follows:</p> <ul style="list-style-type: none"> a) Proximity to the Chichester & Langstone Harbours Special Protection Area – i.e. the land is not in an area within the designated 400m buffer zone (para 118) b) Relative landscape sensitivity to development – i.e. the land is not within the Chichester Harbour AONB (para 115) c) Minimisation of local traffic congestion – i.e. the land lies south of the Stein Road railway level crossing in Southbourne village (para 30) d) Flood risk – i.e. the land is in Flood Zone 1 only (para 100) e) Proximity to local services – i.e. the land is in close proximity to either Southbourne, Nutbourne or Hermitage local services and/or public transport service routes (para 70) <p>The policy requires that only where all five of the above criteria can be met is there a justification for a re-alignment of the boundary. In this way, the policy accords with national planning policy aimed at promoting development in rural areas but minimising its impact on</p>

			areas of international nature conservation significance, the countryside and the local highway network.
2	Housing Site Allocations	50, 173	This policy allocates four sites for housing development in the plan period totalling 350 new homes in locations at Southbourne village and at Nutbourne West that accord with the criteria of Policy 1. This is a significant scale of development for both settlements – well in excess of their recent growth trends – and will therefore help meet the strategic housing needs of the District as well as meeting local needs for open market, self-build and affordable homes (para 50). In each case, the policy establishes the key development principles to which future planning applications will be expected to respond. Those principles have been discussed with each land promoter during the process of making the Neighbourhood Plan to ensure they will assist in delivering satisfactory schemes that are viable and deliverable (para 173) but will also allay concerns of the local community in accommodating such a scale of development.
3	The Green Ring	69, 94, 114, 117, 118	This policy establishes the principle of the Green Ring at Southbourne village as a strategic green infrastructure project. It requires all development proposals within its broad location to make provision for its delivery and management and it resists the loss of any Green Ring land or features that cannot be justified. The Green Ring will become a multi-functional recreational, amenity, leisure and biodiverse asset for the village over many years (para 114). It will help promote a healthy local community through its footpath network improving connectivity around the village north of the A259 (para 69) and it will help improve the resilience of the village to climate change by influencing micro-climate with its structural landscaping (para 94). The policy accepts that the completion of the Green Ring will take many years beyond the planning period to complete but three of the allocations made in Policy 2 provide the opportunity to establish its first important stages (para 117). It requires all future planning applications in its general vicinity to conserve and enhance its provisions (para 118).
4	Housing Design	58, 100	This policy requires all housing development proposals to reflect the character of each of the settlements of the parish in their design and to demonstrate that they will not increase flood risk. In doing so, it reflects the importance of good design to maintaining sustainable communities (para 58) and of managing the effects of development on managing flood risk even in locations outside of flood risk zones (para 100).

5	Employment	28	This policy seeks to encourage economic development in the parish to grow alongside the housing growth planned for in the plan period (para 28). It also seeks to protect existing sources of employment from loss to other uses. The Neighbourhood Plan has not identified a specific employment site, as none have been made available for that purpose during its preparation.
6	Village Centre & Local Shops	70	This policy seeks to protect local shops in the parish from a change of use to a non-commercial use, either through the determination of planning applications or in the consideration of impact of applications for prior approval (where the change of use is considered permitted development). Para 70 of the NPPF encourages communities to “plan positively for the provision ... of local shops (and to) guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community’s ability to meet its day-to-day needs”. The unnecessary loss of any of the remaining shops and services will lead to the local community having to travel outside the parish in increasing numbers. Though this is expected for main shopping and services trips – to Chichester, Havant, Portsmouth and Emsworth for example – the village must retain a mix of local shops and services to be sustainable as a housing growth location.
7	Environment	115, 118, 126	This policy emphasises the importance of all development proposals avoiding harmful impacts on the many designated natural and heritage assets of the parish. The local community recognises that national and development plan policy already offer significant protection to designated assets. Para 115 of the NPPF expects “great weight should be given to conserving landscape and scenic beauty in ... Areas of Outstanding Natural Beauty”. Para 118 states that, “planning authorities should aim to conserve and enhance biodiversity by ... (refusing planning permission where) significant harm resulting from development cannot be avoided ... and development (is) likely to have an adverse effect on a Site of Special Scientific Interest (SSSI)”. Finally, para 126 states that, “local planning authorities should take into account the desirability of sustaining and enhancing the significance of heritage assets”.
8	Education	72	This policy allocates land adjoining the existing secondary school in Southbourne village for an extension to the operational area of the school. The NPPF (para 72) is also strongly supportive of

			school proposals and requires that planning authorities should “give great weight to the need to ... expand ... schools”.
9	Transport	30, 35	This policy makes provision for the future delivery of new means of connecting the north and south of Southbourne village by road, pedestrian and cycle bridges and for planning obligation funding to support local bus services. The local community considers that the level crossing in Southbourne causes unacceptable traffic delays and severs the community. This is one of the main points to emerge from local consultations. While there is no funding at present, it is a long term community aspiration to secure a new road link which bridges the railway line and provides an alternative route to Stein Road. Para 30 of the NPPF encourages “solutions which ... reduce congestion” and para 35 requires that “plans should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods and people”.
10	Community Buildings	70	This policy encourages the continued community use of a variety of existing facilities in the parish by supporting development proposals that further this objective, including the replacement of existing facilities with new buildings (para 70).

4. Contribution to Sustainable Development

4.1 A Strategic Environmental Assessment (SEA) has been undertaken of the environmental effects of the Neighbourhood Plan (see separate document). In addition, the Neighbourhood Plan can clearly demonstrate that it has taken account of the need to contribute to the achievement of sustainable development in terms of how its policies will deliver a broader blend of economic, social and environmental benefits for Southbourne Parish.

4.2 The strategic objectives of the Neighbourhood Plan comprise a balance of social, economic and environmental goals. The local community desires that the best aspects of the villages – their quality local environment, its village shops, local employers and community facilities – are supported and enhanced in the coming years through effective development management.

4.3 The chosen policies are therefore intended to accurately translate these strategic objectives into viable and effective development management policies and deliverable infrastructure proposals. Collectively, the policies demonstrate that the

Neighbourhood Plan will deliver strong social impacts though both economic and environmental impacts score well too. Indeed, every policy will deliver a positive social outcome – the provision of new homes, the Green Ring for example – and none will have a negative impact.

4.4 This outcome may be inevitable for Neighbourhood Plans prepared in similar planning policy circumstances. If local communities are to back development in this type of location, to the extent they will turn out to vote at a referendum, then there may have to be clear and realisable social benefits they can accrue. But this will rarely be at an environmental or economic cost as local communities will resist such impacts and they will not be in conformity with either the NPPF or development plan.

4.5 The sustainability attributes of each policy are summarised in Table B below.

Table B: Neighbourhood Plan & Sustainable Development Summary					
No.	Policy Title	Soc.	Eco.	Env.	Commentary
1	Spatial Strategy	*	0	0	In focusing future development within the settlement boundaries, and in amending those boundaries in ways that minimise environmental effects, the policy achieves a net neutral environmental impact but delivers a social impact through the provision of new housing.
2	Housing Site Allocations	*	0	*	The allocations are consistent with Policy 1 and therefore shares its sustainability attributes. However, the additional provision made for incorporating the Green Ring into the three Southbourne village allocations will deliver a net positive environmental impact.
3	The Green Ring	**	0	**	This new green infrastructure asset will deliver a range of social benefits (footpaths, recreation areas etc.) and will make an important contribution to delivering overall positive environmental impacts for Southbourne village.

4	Housing Design	*	0	0	In requiring good design standards to be achieved by development, the policy should deliver a social benefit by enhancing the distinctive character of the settlements in the parish.
5	Employment	*	*	0	The policy promotes economic development for economic and social benefits but caveats that support in principle by requiring proposals to avoid environmental impacts to deliver a neutral environmental effect.
6	Village Centre & Local Shops	**	*	0	The policy will deliver strong social benefits in enabling the local community to continue to use local shops and services that are within walking distance of most residents. In doing so, it will sustain local jobs in the community.
7	Environment	0	0	*	The policy re-affirms the importance of the number of international and national environmental designations in the parish as a necessary constraint on development. This will ensure that the environmental impacts of development are avoided or at the very least mitigated in satisfactory ways.
8	Education	*	0	0	The policy will deliver a social benefit in supporting the expansion of the Community College but confines that expansion to suitable uses to avoid the encroachment of buildings into the strategic gap west of Southbourne village.
9	Transport	*	0	0	The policy safeguards land for a potential new elevated road crossing of the railway line west of Southbourne village and a new pedestrian footbridge over the railway line to the east of the station. It requires development proposals to contribute to financing local bus services. The sustainability benefits of creating new elevated crossings will be addressed in future development

					plans but the option is provided for here. Improved bus services will have a positive social impact in encouraging greater use of this form of transport for commuting and other journeys.
10	Community Buildings	**	0	0	The policy encourages the improvement of existing community facilities in the parish and so will deliver a strong social benefit.

Key: ** very positive * positive 0 neutral - negative

5. General Conformity with the Development Plan

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

5.2 As described above, the current status of the development plan – the adopted 1999 Chichester Local Plan – and the timing of its replacement during the preparation of the Neighbourhood Plan, has made judging this matter challenging. At the outset, the Parish Council considered the alternative of awaiting the adoption of the new Chichester Local Plan as creating an unacceptable risk of uncontrolled development.

5.3 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 into a distinct parish-based plan. However, the Neighbourhood Plan policies are intended to be in general conformity with the strategic intent of that Plan and its specific policies, as set out in Table C below.

5.4 They also reflect the provisions of the CLPKP and especially its Policy 20, which establishes Southbourne village as a strategic development location in the District to deliver 300 new homes. The Table therefore also includes references to the most relevant CLPKP policies as a guide to the reasoning and evidence used by the Neighbourhood Plan in finalising its policies.

Table C: Neighbourhood Plan & Development Plan Conformity Summary

No.	Policy Title & Refs	Commentary
1	<p>Spatial Strategy</p> <p>1999 Local Plan Policy BE1, TR6, RE4, RE6, RE7</p> <p>CLPKP Policy 2, 4, 5, 8, 20, 42, 43, 50</p>	<p>This policy directs future development in the parish to land within the established settlement boundaries of Southbourne/Prinsted, Nutbourne West and Hermitage/Lumley/Thornham. In doing so, the policy proposes amendments to the settlement boundaries of Policy BE1 of the 1999 Local Plan at Southbourne and Nutbourne villages to accommodate new development on the edge of the settlements but also seeks to protect the essential countryside character of the defined settlement gaps between Southbourne, Nutbourne and Hermitage/Lumley/Thornham villages (in Policy RE6 of the 1999 Local Plan). As there are no sites of sufficient size to accommodate new development within these boundaries, their alignment requires amendments in order to make provision for the site allocations in Policy 2.</p> <p>The policy justifies the amendments to the settlement boundary using a number of NPPF and saved policies, comprising TR6 (in respect of locating development south of the Stein Road level crossing to at least contain rather than exacerbate existing highway safety and capacity problems); RE4 (by avoiding change in or adjoining the AONB); RE6 (by minimising the impact of settlement growth on the strategic gaps between the parish settlements); and RE7 (by avoiding development in proximity to the Harbours SPA).</p> <p>In terms of the forthcoming CLPKP, the policy is consistent with its policies 2, 4, 5 and 20 in respect of providing for the level of housing growth envisaged for settlements in the parish. It specifically meets the ambition of the CLPKP for delivering 300 new homes through allocations adjoining Southbourne village (of Policies 4 and 20) and through an allocation of 50 new homes at Nutbourne West in line with the additional 'parish allocation' of Policy 5. In doing so, it reflects on the influence of Policy 8 (transport and</p>

		accessibility), 42 (flood risk), 43 (the AONB) and 50 (the Harbours SPA) on its spatial strategy as the proposed replacement policies of those saved 1999 Local Plan policies.
2	<p>Housing Site Allocations</p> <p>1999 Local Plan Policy BE11, BE13, BE14, H5, H8 (as amended by the 2007 Interim Statement on Planning for Affordable Housing)</p> <p>CLPKP Policy 9, 31, 33, 34</p>	<p>The three Southbourne village allocations together will deliver a variety of new homes distributed evenly on both sides of the village and south of the railway crossing. They will complete a sustainable pattern of growth in the plan period that does not lead to any major incursions into the Strategic Gap either side of the village and can be accommodated by its infrastructure. They will therefore accord with saved Local Plan policy BE1, which requires that “new development ... must not detract from its surroundings ... in assessing planning applications the following matters will be taken into account ... its effect on the local environment ... the intrinsic merit of the design, scale, materials, siting and layout ... its relationship to and effect on neighbouring development ... and its setting in the landscape.”</p> <p>The sites selected also accord with the development principles of BE11, BE13 and BE14 in that their size and location are capable of accommodating detailed design proposals in due course (that will also be tested against Neighbourhood Plan Policy 4). In the case of BE14 and H5, Policy 3 below will ensure that existing landscape features and open space requirements are integrated with the Green Ring in Southbourne.</p> <p>The policy requires that all the allocated sites make provision for affordable housing in accordance with the policies of the Local Plan. At present, the local planning authority applies the saved policy H8 of the 1999 Local Plan as amended by the 2007 Interim Statement on Planning for Affordable Housing. This seeks 40% of new homes meet the definition of affordable housing on schemes of more than 10 new homes. It is noted that the emerging Local Plan proposes a 30% affordable housing proportion from such schemes.</p> <p>In terms of the forthcoming CLPKP, the policy is consistent with the provisions of Policy 9 (in respect of identifying reasonable infrastructure requirements); Policy 31 (in that the Loveders Mobile Home Park allocation at Southbourne village will replace a caravan site, which is not protected by this policy); Policy 33 (the sites chosen are capable in principle of meeting the design standards of that policy); and Policy 34 (as the policy defers to the District affordable housing policy position).</p>
3	The Green Ring	This policy establishes the principle of the Green Ring at Southbourne as a strategic green infrastructure project and identifies its broad location on the Proposals Map. It requires all development proposals within its broad location to make provision for its delivery and management and it resists the loss of any

	<p>1999 Local Plan Policy RE8, BE11, BE14, R3, R4, H6</p> <p>CLPKP Policy 49, 52, 54</p>	<p>Green Ring land or features that cannot be justified. This policy is consistent with Policy RE8 in protecting the nature conservation value of the Green Ring once established (as a potential non-designated nature site) and with Policy BE14 in respect of requiring proposals in and adjoining the Green Ring to align their open space and landscaping requirements with its objectives. It is also consistent with policies R3 and R4, which seek to protect public open space and public footpaths like the Green Ring from unnecessary loss. The policy makes provision for the long term management of the Green Ring and is therefore consistent with the delivery principles of Policy H6.</p> <p>In terms of the forthcoming CLPKP, the policy is consistent with Policy 48 (in respect of requiring proximate development proposals to contribute to building and maintaining the biodiversity value of the Green Ring); Policy 52 (which establishes the design principles of green infrastructure assets in the district); and Policy 54 (which resists the loss of open space and recreational land and seeks to increase the level and quality of its provision in development proposals).</p>
4	<p>Housing Design</p> <p>1999 Local Plan Policy BE11, BE13</p> <p>CLPKP Policy 33</p>	<p>This policy requires all housing development proposals to reflect the character of each of the settlements of the parish in their design and to demonstrate that they will not increase flood risk. It is consistent with Policy BE11 and Policy BE13 in respect of establishing the principle of development fitting with its built environment and landscape surroundings.</p> <p>In terms of the forthcoming CLPKP, the policy is consistent with Policy 33, which requires development proposals to meet the highest standards of design and to respect and enhance the character of the surrounding area.</p>
5	<p>Employment</p> <p>1999 Local Plan Policy B5, B8</p> <p>CLPKP Policy 26</p>	<p>The policy restates Policy B5, which states that, "proposals for extensions to existing buildings for business, industry or warehousing in the rural area will be permitted provided they are only of modest scale in relation to the size of the existing buildings", in relation to the defined settlement boundaries. It also accords with saved Local Plan policy B8, which resists a change of use of business premises "unless the district planning authority is satisfied that ... the proposal would not result in the loss of types and sizes of site or accommodation of which there is limited availability in the locality".</p>

		In terms of the forthcoming CLPKP, the policy is consistent with Policy 26, which encourages proposals that will enhance existing employment sites, subject to successfully addressing local amenity issues. Both policies also seek to protect existing uses from unnecessary loss.
6	Village Centre & Local Shops CLPKP Policy 29	This policy seeks to protect local shops in the parish from a change of use to a non-commercial use, either through the determination of planning applications or in the consideration of impact of applications for prior approval (where the change of use is considered permitted development). There is no relevant saved policy in this respect. In terms of the forthcoming CLPKP, the policy is consistent with Policy 29 in respect of protecting retail uses in local centres, parades or at isolated locations from unnecessary loss.
7	Environment 1999 Local Plan Policy RE1, RE4, RE6, RE7, RE8 CLPKP Policy	This policy emphasises the importance of all development proposals avoiding harmful impacts on the many designated natural and heritage assets of the parish. In doing so, it is consistent with a number of policies with the same intent, notably RE1 (development in the rural area), RE4 (the AONB), RE6 (strategic gaps), RE7 (designated nature sites) and RE8 (non-designated nature sites). In terms of the forthcoming CLPKP, the policy is consistent with a range of policies (most notably 45, 48, 49, 50 and 52) that will replace the saved policies above in continuing the protection and enhancement of designated and non-designated environmental assets.
8	Education 1999 Local Plan Policy RE6 CLPKP Policy 45	The policy accords with Policy RE6 in respect of development in the strategic gap, as it is not the intention to amend the defined Southbourne settlement boundary in this location. The policy states that, "opportunities for extensive development for recreational purposes may be permitted where such developments will ... not involve substantial buildings, large areas of hard standing or high levels of urban activity." The provision of the proposed pitches, games area, fencing and lighting is therefore appropriate, subject to careful consideration of any likely harmful local amenity effects and of the appropriate provision of new structural landscaping and tree/hedge planting. In terms of the forthcoming CLPKP, the policy is consistent with Policy 45 as the expansion of outdoor recreational facilities cannot be met from within the settlement boundary at Southbourne village and

		the policy ensures that proposals will have minimal impact on the landscape and rural character of the area.
9	Transport 1999 Local Plan Policy RE6 CLPKP Policy 8, 39	<p>This policy makes provision for the future delivery of new means of connecting the north and south of Southbourne village by road, pedestrian and cycle bridges and for planning obligation funding to support local bus services. In safeguarding the land in this way, the policy is consistent with Policy RE6 (strategic gap) in that it does not prejudge the precise alignment or design of the road. When those proposals are assessed in a future review of the Neighbourhood Plan then the impact of these provisions on the strategic gap between Southbourne village and Hermitage will be considered.</p> <p>In terms of the forthcoming CLPKP, the policy is consistent with Policy 8 and 39, which seek to ensure that new development is well located to avoid exacerbating existing problems with transport infrastructure, especially in respect of managing the cumulative effects of proposals.</p>
10	Community Buildings 1999 Local Plan Policy BE2 CLPKP Policy 38	<p>This policy complements Policy BE2 which resists the loss of existing community facilities, by encouraging the continued community use of those facilities in the parish by supporting development proposals that further this objective, including the replacement of existing facilities with new buildings.</p> <p>In terms of the forthcoming CLPKP, the policy is consistent with Policy 38, which updates BE2 in resisting the loss of facilities.</p>

6. Compatibility with EU Legislation

6.1 A letter was issued by the Chichester District Council Neighbourhood Planning Officer confirming that a Strategic Environmental Assessment (SEA) was required in accordance with EU Directive 2001/42 on strategic environmental assessment as it would contain policies that may have significant environmental effects. A separate SEA report has been prepared for the evidence base of the Neighbourhood Plan that demonstrates its policies will have no significant environmental effects.

6.2 The Neighbourhood Plan Area includes a small part of the Chichester & Langstone Harbours Special Protection Area (SPA), a European designated nature site. A Habitats Regulations Assessment (HRA; under the Conservation of Habitats and Species Regulations 2010 (as amended)) was not considered to be required due the scope of development proposed by the SPNP being within the parameters assessed by the HRA for the higher-tier plan (i.e. the Chichester Local Plan: Key Policies Pre Submission 2014-29).

6.3 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.