

Hunston Parish Council Neighbourhood Development Plan

Basic Conditions Statement

1. Introduction

1.1 This Statement has been prepared by Hunston Parish Council ("the Parish Council") to accompany its submission to the local planning authority, Chichester District Council ("CDC"), of the Neighbourhood Development 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 Hunston, as designated by the Cabinet of Chichester District Council in 1 December 2013 (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 the 1st January 2019 to 31st March 2037 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 by 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.

2. Background

2.1 The Parish Council commenced preparation of the Neighbourhood Plan in 2013. The key drivers of that decision were:

- the encouragement of CDC to towns and parishes in its district to prepare Neighbourhood Plans
- a keenness of the Parish Council to manage local development

2.2 The Parish Council formed a Neighbourhood Plan Steering Group ("the Steering Group") comprising a number of Councillors and lay members.

2.3 The Steering Group was delegated authority by the Parish Council to make decisions on the Neighbourhood Plan as the project reached specific approval milestones such as:-

- the Draft Neighbourhood Plan;
- the Pre-Submission Neighbourhood Plan (and its Regulation 14 Schedule), and
- the Submission Neighbourhood Plan.

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 the Parish Council (Steering Group) was mindful of the National Planning Practice Guidance (NPPG) in respect of formulating Neighbourhood Plans.

3.2 Compliance with the key objectives of the NPPF ensures that the Neighbourhood Plan promotes Sustainable Development.

3.3 Each policy within the Plan has been assessed against the relevant 13 chapters set out in the RNPPF as well as against the objectives set out in the Plan. Those chapters are:

5. Delivering a sufficient supply of homes
6. Building a strong, competitive economy
7. Ensuring the vitality of town centres
8. Promoting healthy and safe communities
9. Promoting sustainable transport
10. Supporting high quality communications infrastructure
11. Making effective use of land
12. Achieving well-designed places
13. Protecting Green Belt land
14. Meeting the challenge of climate change, flooding and coastal change
15. Conserving and enhancing the natural environment
16. Conserving and enhancing the historic environment
17. Facilitating the sustainable use of minerals

4. General conformity with the strategic policies of the Development Plan

4.1 The Neighbourhood Plan has been prepared to ensure its general conformity with the strategic policies of the development plan for the District which is the Chichester Local Plan 2014-2029. While the Review must be in general conformity with the strategic policies of the development plan and it has therefore been prepared to focus on that goal, it is the reasoning and evidence of the emerging Chichester Local Plan Review 2035 that has informed our Plan. Subsequently, the District Council has advised that the Plan Period for the new Local Plan will be 2019 – 2037. Although the Preferred Approach version of the Local Plan Review is not yet adopted it does set out a more up to date position and direction of travel on policies in general. It also sets out the initial future strategy figure of 200 dwellings as a requirement for the parish, which is what is being addressed through the neighbourhood plan, albeit that CDC is currently testing a figure of 300 in a revised distribution strategy

An assessment of the general conformity of each policy with the current development plan is shown in the table below.

Hunston NDP Policy	RNPP	Chichester DC Local Plan Policy
SB1	5	2,48
EH1	15	48
EH2	14	40
EH3	14	42
EH4	15	42
EH5	15	48
EH6	15	47,48
EH7	15	48
EH8	16	47
EH9	16	47
EH10	15	48
EE1	6	3,26
EE2	6	3,30
EE3	10	8,15
EE4	6	3,26,32
EE5	12	3,26
LC1	8	3, 28
LC2	8	3,29

LC3	8	29,38
LC4	15	19,51,52
LC5	6	16,22,29,38
H1	5	33
H2	12	33
H3	5	33
H4	5	7,11,34
H5	8	33
GA1	9	39
GA2	9	39
GA3	9	39
GA4	9	39

5. Compatibility with EU Legislation

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

5.2 A screening opinion was issued by CDC which advised that the Neighbourhood Plan required a Strategic Environmental Assessment (SEA) but did not require an assessment under the Habitats Regulations.

5.3 An SEA Environmental Report was then prepared to accompany Regulation 14 consultation on the Neighbourhood Plan. This presented the information required by the SEA Regulations. The Environmental Report was then subsequently updated for submission.

5.4 The Neighbourhood Plan therefore does not breach, and is otherwise compatible with, EU obligations.

6. Sustainable development

6.1 At the heart of the plan making process has been the presumption in favour of sustainable development.

6.2 To help ensure that the plan has contributed to the achieving of sustainable development, a Strategic Environmental Assessment process has been undertaken alongside plan preparation.

7. Equality Impact Assessment (EqIA)

Under the Equality Act 2010, public bodies must have due regard to the need to:

- Eliminate discrimination, harassment, victimisation and any other conduct prohibited under the Act, and
- Advance equality of opportunity and foster good relations across all protected characteristics (with the exception of marriage and civil partnership).

They also need to publish information showing how they are complying with this duty. The Act defines nine protected characteristics. These are

- Age
- Disability
- Gender Reassignment
- Marriage and Civil Partnership • Pregnancy and Maternity
- Race
- Religion and Belief
- Sex (Gender)
- Sexual Orientation

Part 1

What is it about?

What is the proposal? What outcomes/benefits are you hoping to achieve?

The Neighbourhood Plan sets out the local planning policy framework for Hunston Parish until 2029 providing planning policy which will form part of the development plan for the area and will be used to determine planning applications.

Who's it for?

Developers, planning agents, architects, landscape architects, drainage engineers, highway engineers, the general public, the Parish Council, statutory undertakers, statutory consultees, resident interest groups, CDC-Development management officers, highways, master planning and design, planning policy officers, members of the planning committee and other stakeholders. The above reflects all parties that may be involved or have an interest in promoting and securing development in Hunston.

Part 2

How will this proposal meet the equality duties?

The submission Neighbourhood Plan details the principles established by the Chichester Local Plan for the development of the district. These plans have been subject to equalities assessment.

The policies put forward in the Neighbourhood Plan are in general conformity with the Chichester Local Plan.

In addition, the policies have been drafted so as to be inclusive of all aspects of the community.

Throughout the preparation of the NP, the steering group has been working with a range of stakeholders and delivery partners to ensure broad support and to identify any particular bias through earlier consultations.

How can you involve your customers in developing the proposal?

All those should find the information in the Neighbourhood Plan easy to understand. There are some principles and concepts which may seem more remote to members of the public however the Neighbourhood Plan document must meet the Regulations laid out in law so must meet certain tests.

Who is missing? Do you need to fill any gaps in your data?

The approach detailed seeks to ensure the community has and will continue to have access to a range of services and facilities that are consistent with the Parish character as well as helping to protect open space facilities and improve traffic flow to promote safety for all. Policies for the young and old focus on these groups that have particular needs. This will promote inclusiveness across all equality groups and promote the dimensions of equality.

Part 3 Impact

- a) Does the plan create an adverse impact which may affect some groups or individuals? Is it clear what this is? How can this be mitigated or justified?

The Neighbourhood Plan will provide a mechanism to support an integrated and well-connected community where people want to live. It will support the delivery of a built environment that is safe and secure so reducing fear of crime, which in turn will reduce social exclusion. Good urban design and easy access to open space also has significant health benefits. Improved road infrastructure to introduce traffic calming measures will improve access and safety.

On balance, the Neighbourhood Plan should not have an adverse impact on equality groups.

What can be done to change this impact? - no impact identified.

- b) Does the proposal create benefit for a particular group? Is it clear what this is? Can you maximise the benefits for other groups? Does the activity have potential to make a positive contribution to equalities?

The planning system and national/local planning policies exist to ensure that planning is carried out in a consistent, fair and transparent manner. Consultation is a statutory requirement as part of the plan making process as is the Duty to Cooperate with other bodies meaning that everyone has the opportunity to comment. Consultation with all groups has been extensive in this process – refer to consultation statement.

Does further consultation need to be done? How will assumptions made in this analysis be tested?

None has been identified other than ensuring that all residents have an opportunity to participate in the Referendum process.

Part 4 So What?

What changes have you made in the course of this EqIA?

None

What will you do now and what will be included in future planning?

Consultation on the submission Neighbourhood Plan will take place by CDC. The PC will ensure that residents continue to be consulted on planning documents to ensure the continuous community involvement with statutory and other stakeholders in the preparation of planning documents.

To view definitions go to the Human Rights Commission website: www.equalityhumanrights.com

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Lead contact details: Joan Foster - Chairman NP Team