

Twineham Neighbourhood Plan 2014 - 2031

Basic Conditions Statement

1. Introduction

1.1 This Statement has been prepared by Twineham Parish Council (“the Parish Council”) to accompany its submission to the local planning authority, Mid Sussex District Council (MSDC), of the Twineham Parish Neighbourhood Development Plan (“the Neighbourhood Plan”) under Regulations 15 of the Neighbourhood Planning (General) Regulations 2012 (“the Regulations”);

1.2 The Neighbourhood Plan has been prepared by Twineham Parish Council, a qualifying body, for the Neighbourhood Area covering the whole of the Parish of Twineham, as designated by Mid Sussex District Council on 9 July 2012.

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 2031 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 explain 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 autumn 2011. The Parish Council believes that Neighbourhood Plans will provide a real opportunity to plan for the future of the local community whilst maintaining the rural character of Twineham.

2.2 Following the Parish Council's decision to undertake a Neighbourhood Plan, a Neighbourhood Planning Steering Group was set up in 2011. The group included Parish Council members and community volunteers with the help of Stella Scrivener of Locality, Action in Rural Sussex, Mid Sussex District Council and Alex Munro of Maroon Planning

2.3 The Twineham Neighbourhood Plan is supported by a Consultation Statement, Sustainability Appraisal and Scoping Report and this basic conditions statement.

3. Conformity with National Planning Policy

The Neighbourhood Plan has been prepared with regard to national policies as set out in the National Planning Policy Framework (NPPF) of April 2012. It is also mindful of the National Planning Practice Guidance (NPPG) published by the Government in March 2014 in respect of formulating neighbourhood plans. The Submission document includes a specific NPPF conformity reference for each relevant policy with further reference in the supporting text. The principles of the NPPF have been embodied throughout the construction of the Twineham Neighbourhood Plan, which has had regard to the following key policy areas as evidenced below. The Neighbourhood Plan is accompanied by a Sustainability Appraisal and Strategic Environmental Assessment (SA/SEA) of its environmental, social and economic effects. This ensures that the principles of sustainable development are considered throughout the plan making process and that the Twineham NDP has considered all aspects of economic, social and environmental sustainability in its production. The assessment demonstrates that the Neighbourhood Plan will contribute positively to achieving sustainable development and will not have any significant adverse impacts. The Twineham NDP positively supports local development, shaping and directing development in the parish, the parish being outside the strategic elements of the emerging Mid Sussex Local Plan

3.1 Building a strong, competitive economy (NPPF Chapter 1)

The NPPF (Para 20) states that LPA's should plan proactively to encourage sustainable economic growth. The Twineham NDP is in general conformity with building a strong, competitive economy and sets out specific policies (TNP2.1 Diversification of established agricultural businesses and buildings and TNP2.2 Live- work development in the Parish) that will support economic activity and strengthen and support local distinctiveness.

3.2 Supporting a prosperous rural economy (NPPF Chapter 3)

The NPPF (Para 28) states that neighbourhood plans should promote the development and diversification of agricultural and other land based rural businesses. The Twineham NDP Policy TNP2 supports employment and will assist in the delivery of a prosperous rural economy.

3.4 Promoting sustainable transport (NPPF Chapter 4)

The NPPF (Para 30) encourages solutions which support reductions in greenhouse gas emissions and reduce congestion. The Twineham NDP Policy TNP2.2 seeks to encourage live-work development in the Parish which is consistent with the aim to minimise journey lengths for employment.

3.3 Supporting high quality communications infrastructure (NPPF Chapter 5)

The NPPF (Para 42) specifically refers to the development of high speed broadband technology which plays a vital role in the provision of local community facilities and services. The Twineham NDP includes a Non-Statutory Action Plan (NSAP) that in Policy NSAP1 supports the provision of high

speed broadband in the Parish as a means of encouraging residents to work from home and reduce the need to travel.

3.4 Requiring good design (NPPF Chapter 7)

The NPPF (Para 56) states that good design is a key aspect of sustainable development. NPPF (Para 58) expands that neighbourhood plans should respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation. The Twineham NDP Policy TNP1.3 supports this policy and states that all development should be of good design and that contemporary and innovative design is encouraged where appropriate. This policy also states that development should contribute positively to the local character and local setting.

3.6 Meeting the challenge of climate change, flooding and coastal change (NPPF Chapter 10)

The NPPF (Para 94) states that LPAs should adopt proactive strategies to mitigate and adapt to climate change. Twineham NDP Policy TNP3.2 states that new development will take every opportunity, where practical and viable, to incorporate features that improve its environmental performance thereby reducing carbon emissions. These can include both energy efficiency measures and sources of renewable energy.

3.7 Conserving and enhancing the natural environment (NPPF Chapter 11)

The NPPF states the planning system should contribute to and enhance the natural and local environment. Twineham NDP Policy TNP3.1 and TNP3.3 aim to maintain the high quality landscape which will protect the natural environment and protect wildlife interests.

3.8 Conserving and enhancing the historic environment (NPPF Chapter 12)

The NPPF states that heritage assets are an irreplaceable resource with wider social and environmental benefits. Twineham NDP Policy TNP3.3 states that all development schemes are to be accompanied by a landscaping scheme to retain the historic amenity of the parish.

4. Contribution to Achieving Sustainable Development

4.1 International and national bodies have set out broad principles of sustainable development. Resolution 42/187 of the United Nations General Assembly defined sustainable development as meeting the needs of the present without compromising the ability of future generations to meet their own needs. The Neighbourhood Plan's vision for Twineham reflects this approach:

"The vision for Twineham in 2031 is that the parish will continue to thrive and provide for the needs of its community"

4.2 The Neighbourhood Plan is accompanied by a Sustainability Appraisal and Strategic Environmental Assessment (SA/SEA) of its environmental, social and economic effects.

4.3 The assessment demonstrates that the Neighbourhood Plan will positively contribute to achieving sustainable development and will not have any significant adverse impacts; rather its sum of policies will deliver a positive sustainable outcome.

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 Mid Sussex.

5.2 The Mid Sussex Local Plan was adopted in 2004 for the period up to 2006. It was produced under legislation which preceded the new planning system heralded by the Planning and Compulsory Purchase Act 2004, and subsequently the Localism Act 2011. It also preceded the NPPF. The Local Plan was based on Regional Planning Guidance for the South East (RPG9) - March 2001 which preceded the South East Plan (2010).

5.3 Mid Sussex District Council approved the revised District Plan which will cover the period to 2031 at its meeting held on 18th March 2013. It is anticipated that this will be submitted to Government in July 2015 with the examination taking place in the autumn/winter 2015.

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 with the policies in the Pre-Submission Draft District Plan.

The policies contained in the Twineham NDP are considered to be consistent with the following policies of the Mid Sussex District Local Plan 2004:

G1	Sustainable development
C1	Development in the countryside
C5	Nature conservation
C6	Loss of woodlands, hedgerows and trees
C12	Rural diversification
C13	Re-use of rural buildings
B1	Design of new buildings
B3	Residential amenities
B7	Protection of trees
B4	Energy efficiency
B23	Protection of environment and residential amenity
E2	Loss of business floor space
E3	Storage and warehousing development
E5	Business development of rural buildings
E6	Existing business development in villages
E7	New business development outside defined built-up areas
H2	Housing mix
H4	Affordable housing
H5	Rural exception housing
H11	Housing in the countryside
H13	Extensions to dwellings in the countryside

The policies of Twineham NDP are considered to be consistent with the following policies of the Pre-Submission Draft District Plan to 2031:

DP1	Sustainable development in Mid Sussex
DP2	Sustainable economic development
DP5	Housing
DP10	Protection and enhancement of the countryside
DP12	Sustainable rural development and the rural economy
DP13	New homes in the countryside
DP17	Sustainable tourism
DP21	Communication infrastructure
DP24	Character and design
DP30	Rural exception sites

Once made, the Neighbourhood Plan should be easily considered alongside the development plan and any other material considerations in determining planning applications.

6. Compatibility with EU Legislation

6.1 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.

6.2 A screening opinion was issued by MSDC in June 2013 confirming the requirement for the Neighbourhood Plan to be prepared in accordance with EU Directive 2001/42 on Strategic Environmental Assessment (SEA). The Parish Council chose to comply with this requirement by preparing a Sustainability Appraisal that includes the SEA.

6.3 The Scoping Report for Sustainability Appraisal was published for consultation with the statutory authorities. The comments received were then taken into account in the drafting of the Sustainability Appraisal alongside the Pre-Submission Neighbourhood Plan document, which was published for consultation with the statutory authorities as well as the general public.

6.4 The Parish of Twineham is situated outside any European Designated Protection Area and is situated fully outside the 7km zone of influence of the Ashdown Forest (a European protected site). Mid Sussex District Council as the responsible authority undertook a Habitats Screening of the Twineham Neighbourhood Development Plan at the Regulation 14 stage of plan preparation and concluded that the policies would not have a likely significant effect on the Ashdown Forest either in isolation or in combination with other plans or programmes. Mid Sussex District Council concluded therefore that further Appropriate Assessment was not required in relation to the policies contained in the Twineham Neighbourhood Development Plan. Mid Sussex District Council will continue to undertake further Habitats Assessment of the policies contained within the Twineham Neighbourhood Development Plan to ensure any further iterations are also unlikely to have a significant effect on a European protected site., including during the Regulation 16 Neighbourhood Plan consultation period and prior to formally making the Twineham Neighbourhood Development Plan part of the Local Development Plan. This will ensure that any modifications and their likely effect have been fully taken into account. Where any policy contained within the Twineham Development Plan, either alone or in combination were to have a likely significant effect, Mid Sussex District Council would only grant planning permission in accordance with the mitigation measures in place, namely SANG and/ or SAMM. Further information can be obtained from Mid Sussex District Council as the responsible authority.

7. Conclusion

The Basic Conditions as set out in Schedule 4B to the Town and Country Planning Act 1990 are considered to be met by the Twineham Neighbourhood Plan. It is therefore considered that the Twineham Neighbourhood Plan complies with Paragraph 8(1)(a) of Schedule 4B of the Act.