

Ticehurst Parish Council

Neighbourhood Plan 2018 — 2028

Basic Conditions Statement
October 2018





This statement provides a demonstration of conformity with the basic conditions required of neighbourhood planning





This draft of the Ticehurst Neighbourhood Plan has been prepared by Ticehurst Parish Council, the qualifying body responsible for plan preparation. Contact for further information:

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Please note copies of this report and other supporting material can be found at www.ticehurstnp.org

Meeting the Basic Conditions

Ticehurst Parish Council considers that its neighbourhood plan meets the basic conditions as required by the legislation. The neighbourhood plan is in accordance with the Neighbourhood Plans (General) Regulations 2012, the National Planning Policy Framework (2012) and with the policies of Rother District Council.

The neighbourhood plan does not simply repeat the local or national planning policies. The Localism Act 2012 enables communities to create a plan that reflects the needs of the local population and future residents. A collaborative approach, led by Ticehurst Parish Council and involving local residents and other interest groups, including developers and land owners, has created a plan that broadly reflects local aspirations.



The Four Basic Conditions

The four basic conditions that the statement addresses are that:

1. The Ticehurst Neighbourhood Plan conforms with the guidance for neighbourhood plans issued by the Secretary of State, having regard to national strategy and policies contained in the National Planning Policy Framework (NPPF) and “English National Parks and the Broads: UK Government Vision”, together with Circular 2010 on their statutory purpose, management and other matters.
2. The policies contained in the plan will contribute to the achievement of sustainable development as defined in the NPPF.
3. The plan policies are in general conformity with the Rother District Local Plan Core Strategy, adopted by Rother District Council in September 2014.
4. The making and content of the Ticehurst Neighbourhood Plan does not breach and is otherwise compatible with EU obligations.

Key Outcomes of the Neighbourhood Plan

The key outcomes of the Ticehurst Neighbourhood Plan that help it to meet the basic conditions are as follows:

- contains a mix of uses that meet the need of the local community
- has been developed through widespread local consultation
- has general support from the residents of Ticehurst Parish and wider area
- has general support of the various businesses that will be directly affected by the policies in the plan
- provides development opportunities that will add to the parish without unnecessarily infringing upon protected countryside
- contains innovative and pioneering neighbourhood plan policies on natural capital, ecosystem services and biodiversity
- creates a welcoming environment for residents, tourists and business interests
- promotes sustainable growth through a holistic approach to development
- enhances pedestrian and cycle routes in the parish and to the countryside beyond
- encourages a strong local economy through protection for retail and employment opportunities that will support the local jobs and reduce the need to travel
- reflects best practice in terms of quality design (including site-specific design guidelines and sustainable planning principles).

Conformity with the National Planning Policy Framework (NPPF)

This neighbourhood plan is in conformity with the National Planning Policy Framework (NPPF, 2012), which has been taken into consideration at all stages of the plan's development.

Paragraphs 1 and 2 of the NPPF make clear that neighbourhood plans need to take the policies in the NPPF into account and that these policies are a material consideration in the determination of planning applications, alongside local documents such as the Local Plan and neighbourhood plans.

Paragraph 16 of the NPPF states that neighbourhoods should develop plans that support the strategic development needs set out in Local Plans, including policies for housing and economic development and that neighbourhoods plan positively to support local development, shaping and directing development in their area that is outside the strategic elements of the local plan.

Ticehurst Parish Council considers that this neighbourhood plan supports both of these objectives. The range of policies in this neighbourhood plan address the strategic agenda of Rother District Council and help shape and support development in response to the local context.

Paragraph 28 of the NPPF states that neighbourhood plan policies should support economic growth in rural areas, to create jobs and prosperity by taking a positive approach to sustainable new development. This neighbourhood plan contains policies to protect employment within the village centres.

Paragraph 58 of the NPPF requires neighbourhood plans to include policies that encourage good design in their areas and this is met through the various neighbourhood plan housing and design policies.

Paragraphs 183 — 185 of the NPPF provide some general guidance on the production of neighbourhood plans in addition to the requirements of paragraph 16. In particular, paragraph 184 makes it clear that "... neighbourhood plans should not promote less development than is set out in the local plan or undermine its strategic policies".

This neighbourhood plan accepts the principle of the need for new development within the housing allocations as set out in the Rother District Local Plan, and is therefore considered to meet the objectives of paragraph 184 of the NPPF. It should also be noted that paragraph 185 of the NPPF states that once approved, the policies in the neighbourhood plan will take precedence over existing non-strategic policies in the local plan for that neighbourhood.

Presumption in Favour of Sustainable Development

The National Planning Policy Framework (NPPF, 2012) sets out a presumption in favour of sustainable development. According to the NPPF, sustainable means ensuring that better lives for ourselves do not mean worse lives for future generations. Sustainable development is about high quality growth that improves people's quality of life, helping contribute to economic, environmental and social well-being for current and future generations.

Responding to Local Context

The National Planning Practice Guidance (NPPG, 2014) provides further advice on how development should be sustainable and respond to climate change. Paragraph 10 of the NPPF requires that plans and decisions take account of local circumstances so that they can respond in a positive manner to the various opportunities to create sustainable development in different parts of the country. This is an acknowledgement that what constitutes sustainable development may well be different from place to place.

The Ticehurst Neighbourhood Plan contains important policy themes that respond to local context. The first is an emphasis on the rural environment, reflecting the parish's position within the High Weald AONB and the concerns and desires expressed by the local community during the formulation of the plan. Policy R1 is a direct response to this. The plan also provides design guidance (including some which is site-specific) linked to various policies, to ensure new development is designed in keeping with the local context.

Practical and Deliverable

The NPPF refers variously to positively seeking development opportunities, providing a practical framework for planning decisions and taking a positive approach to sustainable new development. The NPPF requires that neighbourhood plans be practical and deliver the sustainable development that communities need. This emphasis on deliverability is important, as it links plan-making to a realistic understanding of the development process.

Neighbourhood Interpretation of Policy

The NPPF states that neighbourhood planning provides a powerful set of tools for local people to ensure they receive the right types of development for their community. The proposed policies in the Ticehurst Neighbourhood Plan do not seek to replace policies within the Rother District Local Plan. Instead, the policies seek to implement the main aims and objectives of the Local Plan at a neighbourhood level, to ensure that any development is delivered efficiently and to the benefit of local people.

Neighbourhood development plan policies need to meet the basic conditions in the opinion of the examiner. They will be subject to a public referendum if they meet the basic conditions. Set out in the table (starting on page 14) is a summary of the most relevant paragraphs from the National Planning Policy Framework (NPPF), together with an explanation about how the Ticehurst Neighbourhood Plan conforms with these national planning policies.

Sustainability Matters

Paragraphs 7 and 14 of the NPPF identify the components of sustainable development, and outline how planning applications and local plans can meet these requirements.

It is considered that the Ticehurst Neighbourhood Plan fills an economic, social and environmental role in planning positively to shape the future development and needs of the parish. This neighbourhood plan has been produced with the requirements of NPPF paragraph 14 in mind.

The policies in the Ticehurst Neighbourhood Plan have been produced in general conformity with the strategic policies of the Rother District Local Plan. These policies have been subject to a Strategic Environmental Assessment (SEA) in line with the relevant European directives. The policies in the neighbourhood plan therefore supplement and help to implement these strategic policies. They are therefore considered sustainable in line with these regulations.

This neighbourhood plan is a sustainable plan that incorporates key services and new facilities together with a range of access and movement options that help reduce the need to travel. Ticehurst Neighbourhood Plan contains key policies that will help deliver sustainable development.

As part of the preparation of the neighbourhood plan, Ticehurst Parish Council has organised collaborative design and planning workshops to determine the most appropriate locations for new development, which can contribute to the sustainability of the parish while minimising any negative impact upon attractive areas of countryside.

Strategic Environmental Assessment (SEA) and Compatibility with EU Legislation

In consultation with the relevant statutory bodies, Rother District Council carried out a Strategic Environmental Assessment (SEA) screening exercise and confirmed that the Ticehurst Neighbourhood Plan required a Sustainability Appraisal (SA) in the form of an SEA under European Directive 2001/42/EC.

A Habitats Regulations Assessment (HRA) screening exercise under the European Directives 92/43/EEC and 2009/147/EC confirmed that an Appropriate Assessment of the neighbourhood plan was not required.

The SEA was undertaken on the Ticehurst Neighbourhood Plan as required by the Environmental Assessment of Plans and Programmes Regulations, 2004 (the SEA Regulations). The Ticehurst Neighbourhood Plan used a subset of the objectives from the Rother District Council (RDC) Sustainability Framework, as agreed with RDC.

The purpose of the assessment is to avoid adverse environmental, social and economic effects, as well as identifying opportunities to improve the environmental quality of Ticehurst and the quality of life of residents through the neighbourhood plan.

The Strategic Environmental Assessment (SEA) of the Ticehurst Neighbourhood Plan, with separate annexe documents, was prepared in December 2017 and revised in August 2018. It can be found on the Ticehurst Neighbourhood Plan website: www.ticehurstnp.org.

In conclusion, the Ticehurst Neighbourhood Plan has been prepared with regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and complies with the Human Rights Act. The neighbourhood plan is therefore compatible with EU legislation.

Best Practice in Urban & Rural Design

To ensure that the design and layouts of new development are appropriate to the parish, the plan encourages high quality design and sustainable planning based on an assessment of the positive qualities of the existing context. This plan seeks to integrate new development with the necessary social and physical infrastructure.

Paragraphs 47 — 55 in the NPPF expect the delivery of high quality homes to match appropriate housing needs through sensitively designed new places. This plan indicates appropriate housing sites in the context of the wider parish. In terms of design, a positive relationship between existing built areas and the new will be critical to the successful assimilation of new development. The site-specific design guidance, for both allocated sites and those with outline planning permission, strengthen the general design guidance within the plan. Formulation of the plan has been based on striking the right balance between the need for more housing and the protection of the countryside environment.

Paragraph 58 of the NPPF states that new developments “... will function well and add to the overall quality of the area, not just for the short term”. Ticehurst Parish Council considers this submission plan to be a long-term strategy that will enhance the parish through high quality architectural form and layout.

Supporting New Development

This plan supports sustainable new development. Planning policies have been formulated in such a way as to create a compact and balanced settlement that enhances connections across the parish. This will help create a sustainable settlement that will connect residential neighbourhoods with services through the increased use of non-car modes of travel. This is a direct response to paragraph 47 of the NPPF on delivering high quality homes; this plan allocates land for housing in locations suitable for the long term success of the parish.

Effective Local Consultation

As set out in Section 14 (a) of the 2012 Neighbourhood Planning (General) Regulations, consultation on the plan and the plan process must be brought to the attention of the people who live or work in the parish. Ticehurst Parish Council has ensured that this plan reflects local opinions and local needs.

To ensure that public engagement and consultation were effective, input from the community has been sought at every stage and has been invaluable to the production of the plan. Throughout the process, members of the community have been able to shape discussions and form dialogues with fellow residents, with land owners and with other interest groups. The result has been that different groups have been able to find shared outcomes.

A series of consultation and engagement events have directly influenced the drafting of the plan. All consultation material relating to these events (e.g. slide-shows, reports and posters) has been published online during the plan preparation. Please see the accompanying Consultation Statement for full details on the consultation process undertaken as part of the preparation of this neighbourhood plan.

Broad Local Support

From the outset, Ticehurst Parish Council has tried to ensure that a broad cross-section of the local community has been involved in the plan-making process.

The consultation and engagement process has been open and transparent and interest groups such as land owners, local developers and school representatives have all been included in the process. All these groups are considered appropriate consultation bodies to include, as defined in the neighbourhood planning (General) Regulations Schedule 1.

This approach towards finding shared solutions to resolve issues across the parish has the support from the various interest groups. It is hoped that this support for the process will also translate into support for the submission plan and at referendum.

Establishing a Shared Vision

The results of the local consultation and the parallel work to ensure the plan meets the basic conditions have been combined to establish a shared vision, bringing the plan in line with paragraph 183 of the NPPF. This vision is expressed in the form of a clear vision statement and plan objectives. These points have structured the neighbourhood plan and informed the development of the individual policies.

Meeting the Needs of the Local Community

Ticehurst Parish Council believes that this neighbourhood plan supports the needs of the wider community by addressing the social, economic and environmental aspects of life in the parish. This has been expressed through the identification of retail operations for protection and enhancement, together with a sustainable access and movement network across the parish. The specific policy themes within the plan will benefit all elements of the community.

Conformity with Strategic Local Planning Policies

The submission version of the neighbourhood development plan must be in general conformity with the strategic policies contained in the development plan for the area of the relevant authority. For the Ticehurst Neighbourhood Plan, the relevant authority is Rother District Council. The development plan comprises the Core Strategy, 2014 – 2028.

Local Planning Context

The neighbourhood area lies wholly within the district of Rother and county of East Sussex. The Local Planning Authority is Rother District Council. The local planning and policy framework for Ticehurst is primarily the Local Plan Core Strategy, which sets out the strategic policy context for the District of Rother until 2028. It was adopted by Rother District Council in September 2014. This therefore forms the local planning policy with which the Ticehurst Neighbourhood Plan must be in general conformity.

Conclusions

It is the considered view of Ticehurst Parish Council, the qualifying body responsible for the preparation of the neighbourhood plan, that the Ticehurst Neighbourhood Plan is in general conformity with both the NPPF and the strategic policies.

Table Demonstrating Conformity with Local Plan Policies

Rother District Local Plan, Core Strategy 2014 — 2028	Ticehurst Neighbourhood Plan 2018
Core Policy PC ₁ (Presumption in favour of sustainable development)	Policy H ₁ The Spatial Plan Policy H ₂ Housing Site Allocations Policy H ₅ The Design of New Buildings
Core Policy OSS ₁ (Overall Spatial Development Strategy)	Policy H ₁ The Spatial Plan Policy H ₂ Housing Site Allocation
Core Policy OSS ₂ (Use of Development Boundaries Policy)	Policy R ₁ Conserve the Area of Outstanding Natural Beauty Policy R ₂ Maintain Green Gaps Between Settlements Policy H ₁ The Spatial Plan
Core Policy OSS ₃ (Location of Development Policy)	Policy R ₁ Conserve the Area of Outstanding Natural Beauty Policy E ₁ Protect & Enhance Local Services and Facilities Policy E ₅ Improve Essential Infrastructure Policy H ₁ The Spatial Plan Policy H ₂ Housing Site Allocations Policy H ₄ Affordable Housing, Policy Policy H ₆ Conservation & Heritage
Core Policy OSS ₄ (General Development Considerations)	Policy R ₂ Maintain Green Gaps Between Settlements Policy H ₂ Housing Site Allocations Policy H ₆ Conservation & Heritage

Rother District Local Plan, Core Strategy 2014 — 2028	Ticehurst Neighbourhood Plan 2018
Core Policy RA1 (Villages)	<p>Policy R4 Develop the Footpath and Cycle Networks</p> <p>Policy E1 Protect & Enhance Local Services & Facilities</p> <p>Policy E4 Protect & Enhance Existing Commercial Employment Sites</p> <p>Policy E5 Improve Essential Infrastructure</p> <p>Policy H6 Conservation & Heritage</p> <p>Policy INF1 Improvements to Village Centres</p>
Core Policy RA2 (General Strategy for the Countryside)	<p>Policy R1 Conserve the Area of Outstanding Natural Beauty</p> <p>Policy R4 Develop the Footpath and Cycle Networks</p> <p>Policy E2 Support Tourism & Recreation</p> <p>Policy E3 Promote the Diversification of Agricultural Businesses</p> <p>Policy E4 Protect & Enhance Existing Commercial Employment Sites</p> <p>Policy H6 Conservation & Heritage</p>

Rother District Local Plan, Core Strategy 2014 — 2028	Ticehurst Neighbourhood Plan 2018
Core Policy RA ₃ (Development in the Countryside)	<p>Policy R₁ Conserve the Area of Outstanding Natural Beauty</p> <p>Policy E₁ Protect & Enhance Local Services & Facilities</p> <p>Policy E₄ Protect & Enhance Existing Commercial Employment Sites</p> <p>Policy H₁ The Spatial Plan</p>
Core Policy RA ₄ (Traditional Historic Farm Buildings)	Policy E ₂ Support Tourism & Recreation
Core Policy SRM ₁ (Towards a Low Carbon Future Policy)	<p>Policy R₄ Develop the Footpath and Cycle Networks</p> <p>Policy H₅ The Design of New Buildings</p> <p>Policy INF₂ Community Energy Projects</p>
Core Policy SRM ₂ (Water Supply and Wastewater Management)	<p>Policy E₅ Improve Essential Infrastructure</p> <p>Policy H₂ Housing Site Allocations</p> <p>Policy INF₂ Community Energy Projects</p>
Core Policy CO ₁ (Community Facilities and Management)	<p>Policy R₃ Protect & Enhance Green Spaces</p> <p>Policy E₁ Protect & Enhance Local Services & Facilities</p> <p>Policy E₅ Improve Essential Infrastructure</p> <p>Policy INF₁ Improvements to Village Centres</p>
Core Policy CO ₃ (Improving Sports and Recreation Provision)	<p>Policy R₃ Protect & Enhance Green Spaces</p> <p>Policy R₄ Develop the Footpath and Cycle Networks</p> <p>Policy E₂ Support Tourism and Recreation</p>

Rother District Local Plan, Core Strategy 2014 — 2028	Ticehurst Neighbourhood Plan 2018
Core Policy CO4 (Supporting Young People)	<p>Policy R4 Develop the Footpath and Cycle Network</p> <p>Policy E1 Protect & Enhance Local Services & Facilities</p> <p>Policy E4 Protect & Enhance Existing Commercial Employment Sites</p> <p>Policy H3 Mix of Housing Sizes & Tenures</p> <p>Policy H4 Affordable Housing</p> <p>Policy INF3 Community Areas in Housing Developments</p>
Core Policy CO5 (Supporting Older People Policy)	<p>Policy E2 Support Tourism and Recreation</p> <p>Policy H3 Mix of Housing Sizes & Tenures</p> <p>Policy INF3 Community Areas in Housing Developments</p>
Core Policy CO6 (Community Safety)	<p>Policy R4 Develop the Footpath & Cycle Networks</p> <p>Policy INF1 Improvements to Village Centres</p> <p>Policy INF3 Community Areas in Housing Developments</p>
Core Policy LHN1 (Achieving Mixed and Balanced Communities)	Policy H1 The Spatial Plan, Policy H3 Mix of Housing Sizes and Tenures, Policy H4 Affordable Housing.
Core Policy LHN2 (Affordable Housing)	<p>Policy H1 The Spatial Plan</p> <p>Policy H3 Mix of Housing Sizes & Tenures</p> <p>Policy H4 Affordable Housing</p>

Rother District Local Plan, Core Strategy 2014 — 2028	Ticehurst Neighbourhood Plan 2018
Core Policy LHN ₄ (Sites Wholly or Substantially for Affordable Housing)	Policy H ₂ Housing Site Allocations Policy H ₄ Affordable Housing
Core Policy EC ₁ (Fostering Economic Activity and Growth)	Policy E ₁ Protect & Enhance Local Services & Facilities Policy E ₄ Protect & Enhance Existing Commercial Employment Sites Policy E ₅ Improve Essential Infrastructure.
Core Policy EC ₂ (Business Land and Premises)	Policy E ₄ Protect & Enhance Existing Commercial Employment Sites Policy E ₅ Improve Essential Infrastructure
Core Policy EC ₃ (Existing Employment Sites; Policy)	Policy E ₂ Support Tourism & Recreation Policy E ₄ Protect & Enhance Existing Commercial Employment Sites
Core Policy EC ₄ (Business Activities Elsewhere in the District Policy)	Policy E ₂ Support Tourism and Recreation
Core Policy EC ₅ (Key Sectors)	Policy E ₃ Promote the Diversification of Agricultural Businesses Policy E ₄ Protect & Enhance Employment Sites
Core Policy EC ₆ (Tourism Activities and Facilities)	Policy E ₁ Protect & Enhance Local Services and Facilities Policy E ₂ Support Tourism and Recreation
Core Policy EN ₁ (Landscape Stewardship Policy)	Policy R ₁ Conserve the Area of Outstanding Natural Beauty Policy E ₂ Support Tourism and Recreation

Rother District Local Plan, Core Strategy 2014 — 2028	Ticehurst Neighbourhood Plan 2018
Core Policy EN ₂ (Stewardship of the Historic Built Environment)	Policy H ₁ The Spatial Plan Policy H ₆ Conservation & Heritage Policy INF ₁ Improvements to Village Centres
Core Policy EN ₃ (Design Quality)	Policy H ₅ The Design of New Buildings Policy H ₆ Conservation & Heritage Design Guidance Documentation
Core Policy EN ₄ (Management of the Public Realm)	Policy INF ₁ Improvements to Village Centres Policy INF ₃ Community Areas in Housing Developments
Core Policy EN ₅ (Biodiversity and Green Space)	Policy R ₁ Conserve the Area of Outstanding Natural Beauty Policy R ₂ Maintain Green Gaps Between Settlements Policy R ₃ Protect & Enhance Green Spaces Policy R ₄ Develop the Footpath & Cycle Networks Policy R ₅ Support Biodiversity
Core Policy EN ₆ (Flood Risk Management)	Policy R ₅ Support Biodiversity Policy E ₅ Improve Essential Infrastructure
Core Policy EN ₇ (Flood Risk and Development)	Policy E ₅ Improve Essential Infrastructure Policy H ₁ The Spatial Plan Policy H ₂ Housing Site Allocations

Rother District Local Plan, Core Strategy 2014 — 2028	Ticehurst Neighbourhood Plan 2018
Core Policy TR ₂ (Integrated Transport)	Policy R ₄ Develop the Footpath & Cycle Networks INF ₁ Improvements to Village Centres
Core Policy TR ₃ (Access and New Development Policy)	Policy R ₄ Develop the Footpath & Cycle Networks Policy E ₅ Improve Essential Infrastructure Policy INF ₁ Improvements to Village Centres Policy INF ₂ Community Energy Projects
Core Policy TR ₄ (Car Parking)	Policy E ₅ Improve Essential Infrastructure Policy H ₅ The Design of New Buildings
Core Policy IM ₃ (Phasing of New Development)	Policy E ₄ Protect & Enhance Existing Commercial Policy H ₁ The Spatial Plan Policy H ₂ Housing Site Allocations
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