

Rottingdean Neighbourhood Plan

2018-2030

Basic Conditions Statement



Rottingdean Parish Council
January 2019

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1 INTRODUCTION:

1.1 This Basic Conditions Statement has been produced to explain how the proposed Rottingdean Neighbourhood Plan (RNP) has been prepared in accordance with the Neighbourhood Planning General Regulations 2012 and how the basic conditions of neighbourhood planning and other considerations as prescribed by Paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990 are considered to have been met.

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

[1]
[SEP]

1.3 The Regulations state that a Neighbourhood Plan will be considered to have met the basic conditions if: [1]
[SEP]

- 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); and
- the making of the neighbourhood development plan does not breach, and is otherwise compatible with, EU obligations.
- prescribed conditions are met in relation to the neighbourhood plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan

Supporting documents and evidence

1.4 The Rottingdean Neighbourhood Plan is supported by this Basic Conditions Statement. [1]
[SEP]

Key statements ^[1]_{SEP}

1.5 Rottingdean Parish Council (RPC) is a qualifying body and entitled to submit a NP for its own parish. The RNP expresses policies that relate to the development and use of land only within the neighbourhood area which is commensurate with the Parish boundary. ^[1]_{SEP}

1.6 The Plan covers the area of the Rottingdean Parish ^[1]_{SEP}

1.7 The RNP covers the period from 2018 to 2030. ^[1]_{SEP}

1.8 No provision for excluded development such as national infrastructure is contained within the NP. ^[1]_{SEP}

1.9 The RNP does not relate to more than one neighbourhood area. It is solely related to the area of Rottingdean Parish as designated by Brighton and Hove City Council on 7th March 2013 and by South Downs National Park on 14th March 2013. ^[1]_{SEP}

1.10 There are no other Neighbourhood Plans in place for the Rottingdean Parish area. ^[1]_{SEP}

2 CONFORMITY WITH NATIONAL PLANNING POLICY

2.1 It is required that the Rottingdean Neighbourhood Plan (RNP) has appropriate regard to national planning policy. This is principally provided by the National Planning Policy Framework (NPPF). ^[L]_[SEP]

National Planning Policy Framework ^[L]_[SEP]

2.2 The NPPF in paragraph 29 and note 16 refers to Neighbourhood Plans and seeks that those plans have regard to the policies in the NPPF and to be in 'general conformity' with the strategic policies of the Local Plan. This phrasing is explained more clearly by the Localism Act which refers to the 'adopted Development Plan'. ^[L]_[SEP]

2.3 This section demonstrates that the RNP has regard to relevant policies within the NPPF in relation to:

- Delivering a wide choice of high quality homes ^[L]_[SEP]
- Supporting a prosperous rural economy ^[L]_[SEP]
- Promoting sustainable transport ^[L]_[SEP]
- Supporting high quality communications infrastructure ^[L]_[SEP]
- Requiring good design ^[L]_[SEP]
- Promoting healthy communities ^[L]_[SEP]
- Conserving and enhancing the natural environment ^[L]_[SEP]
- Conserving and enhancing the historic environment ^[L]_[SEP]

2.4 The RNP has a series of objectives under six themes. We summarise them in Table 2.1 below and identify which NPPF goals each objective seeks to address. ^[L]_[SEP]

2.5 Table 2.2 then provides a summary of how each policy in the RNP conforms specifically to the NPPF. ^[L]_[SEP] Much detail and justification is given in the NP so these confirming comments are mere summaries.

Table 2.1 CHAPTER / THEME	RNP OBJECTIVE	RELEVANT NPPF GOAL
Chapter 1 – Delivering the Vision	S1 Respecting the settlement boundary S2 Maintaining the strategic gaps	Delivering a wide choice of high quality homes Promoting healthy communities Conserving and enhancing the natural environment
Chapter 2 – Environment and Biodiversity	GOS1 Local Green Space designation GOS2 Retaining Amenity Open Spaces GOS3 Protecting Wildlife and Biodiversity	Conserving and enhancing the natural environment Promoting healthy communities Conserving and enhancing the natural environment
Chapter 3 – Housing and Design	H1 Identifying Housing Sites H2 Balancing the housing mix H3 Design that enhances local distinctiveness H4 Design and development in the Conservation Area of Rottingdean	Delivering a wide choice of high quality homes Achieving well-designed places Conserving and enhancing the historic environment Conserving and enhancing the historic environment
Chapter 4 – Employment and Enterprise	TO1 Conserve visitor accommodation TO2 Encourage a coach drop-off point TO3 Encourage a park-and-ride site EE1 Preserve shop front design	Ensuring the vitality of town centres Building a strong, competitive economy Promoting sustainable transport Conserving and enhancing the historic environment Ensuring the vitality of town centres

	EE2 Improve access to retail units for all EE3 Preserve a balance of retail premises	Building a strong, competitive economy
Chapter 5 – Community Facilities	CF1 Continued provision of community facilities	Promoting healthy communities
Chapter 6 – Air Quality and Traffic Management	AR1 Reduce traffic volume passing through Rottingdean AR2 Improve air quality in High Street AR3 Provide electric vehicle charging point	Promoting sustainable transport Promoting healthy communities Promoting sustainable transport

Table 2.2 CHAPTERS	RPC OBJECTIVE THEMES	NPPF PARAGRAPHS (considered relevant)	COMMENTS ON CONFORMITY
1 – Delivering the Vision	S1 Settlement Boundary S2 Strategic Gaps	7-14,59,62,78,79,145 137,157,170,172,174	Infill development supported Only appropriate outside development supported Development supported that preserves the separation and preserves village identities
2 – Environment and Biodiversity	GOS1 Local Green Spaces GOS2 Amenity Open Spaces GOS3 Wildlife and Biodiversity	91,98,99,100,101 91,92,96,166 99,118,134,166,174-177	Designation of Local Green Spaces Retain until proven unneeded Conserving wildlife and supporting biodiversity Incorporation of wild and biodiverse areas within developments encouraged
3 – Housing and Design	H1 Housing Sites H2 Housing Mix H3 Local Design	67,68,69,70,178,180 61,64,122 124,127	Three potential brown-field sites identified for homes or appropriate development Housing mix proposed based upon survey of housing needs in Rottingdean Development supported that enhances and reinforces local

	H4 Conservation Area	127,130,180,184-189	distinctiveness. Need for quality design and building Design principles required in Conservation Area
4 – Employment and Enterprise	TO1 Visitor Accommodation	80,85	Encourage retention of visitor accommodation
	TO2 Drop-Off Point	82,102,103,104,106	Propose coach drop-off-point and tourism
	TO3 Park and Ride Site	102,103,104	Propose park and ride scheme
	EE1 Shop Frontages	89	Retain vernacular shop-frontages in conservation area
	EE2 Accessibility for All	80,87,98,112	Modify shops and homes to promote accessibility for all
	EE3 Retail Balance	80	Retain mix of retail property use to promote a viable and health economy
5 – Community Facilities	CF1 Provision of Facilities	83,91,94,96	Criteria outlines for possible change of use of community facilities
6 – Air Quality and Traffic Management	AR1 Reduce Traffic	102,103,104,108,111	Promote public transport use and off-road parking. Seek option for a bypass
	AR2 Air Quality	91,108,148-150,181	New developments to promote public transport, bicycle use and walking for health
	AR3 Charging Points	110,149,150,151	New developments to incorporate electric

			car charging points and bicycle use
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3 CONTRIBUTION TOWARDS SUSTAINABLE DEVELOPMENT

3.1 The NPPF states in paragraphs 10 and 11 that a presumption in favour of sustainable development is at the heart of the NPPF and ‘should be seen as a golden thread running through both plan-making and decision-taking.’ ^[L]_[SEP]

3.2 The strategic objectives of the Neighbourhood Plan comprise a balance of economic, social and environmental goals.

3.3 **an economic objective** – to help build a strong, responsive and competitive economy within Rottingdean, by ensuring sufficient visitor accommodation to meet demand is maintained, that small independent retail outlets are encouraged and that access to retail outlets in the high street is improved wherever possible. The Plan encourages a diverse retail offer and supports sustainable transport.

3.4 **a social objective** – to support a strong, vibrant and healthy community in Rottingdean, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and ^[L]_[SEP]

3.5 **an environmental objective** – to contribute to protecting and enhancing our natural, environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

3.6 Success in these respects will maintain the economically active population of the Rottingdean Parish, whilst also addressing the needs of the ageing population. It can therefore be considered that the RNP will be making an important contribution towards addressing the wider economic needs in Brighton and Hove City. ^[L]_[SEP]

3.7 Opportunity sites have arisen as this NP was being prepared and **three potential brownfield sites** are identified and described in detail with the RNP and these have been explored within the RNP and considered by Brighton and Hove City Council.

3.8 Brighton and Hove City Council considered that a Strategic Environmental Assessment (SEA) was ?not ? required because the RNP is ?not? likely to have a significant impact upon the environment. ^L_{SEP}(NEEDS UPDATING)

4 GENERAL CONFORMITY WITH THE STRATEGIC POLICIES OF THE DEVELOPMENT PLAN

Brighton and Hove City Council

4.1 The development plan currently consists of the 2005 Brighton and Hove Local Plan 'Saved Policies' and the 2016 Brighton and Hove City Council's City Plan Part 1

4.2 Although out of date, there are a number of 'saved' policies from the Brighton and Hove Local Plan that are relevant to this statement and the assessment of the RNP against the basic conditions. ^L_{SEP}

4.3 We are mindful of the contents of the evolving Brighton and Hove City Plan Part 2 and the RNP aims to conform to those contents.

4.4 A full list of BHCC Policy documents this NP is measured against are included in the Reference List at the end of the RNP p53 onwards

South Downs National Park Authority

4.5 Approximately two-thirds of Rottingdean Parish, largely the green and open downland spaces and Beacon Hill Nature Reserve, lie within the South Downs National Park, therefore, in these rural areas, the RNP is required to conform to both the BHCC Policies and also those of the SDNPA.

4.6 The **South Downs National Park's Planning Authority** have been consulted with appropriately during the development of the RNP and it is believed the RNP is in general conformity with the 2011 South Downs National Park Planning Guidelines.

5 DOES NOT BREACH, AND IS COMPATIBLE WITH, EU OBLIGATIONS AND HUMAN RIGHTS REQUIREMENTS

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. [L]
[SEP]

5.2 The RNP Steering Group submitted a formal screening request regarding the need for a Strategic Environmental Assessment (SEA) of the draft RNP in December 2018. Brighton and Hove City Council provided its formal response on IHSERT DATE(?), stating that an SEA was (not)? required. The response is shown in Appendix A. [L]
[SEP]

5.3 The Rottingdean Neighbourhood Area includes Beacon Hill Nature Reserve and parts of the South Downs National Park, which is a European designated nature site. Likewise the cliffs west of Rottingdean's seafront are a European recognized Site of Special Scientific Interest (SSSI) that may warrant an Appropriate Assessment under the EU Habitats Regulations. We await to be advised if this has been required by Brighton and Hove City Council. [L]
[SEP](NEEDS UPDATING)

6 CONCLUSION – MEETING THE PRESCRIBED CONDITIONS

6.1 The Basic Conditions as set out in Schedule 4B to the Town and Country Planning Act of 1990, and Schedule 10 of the Localism Act of 2011 are considered to be met by the Rottingdean Neighbourhood Plan and all the policies therein. It is therefore respectfully suggested to the Examiner that the Rottingdean Neighbourhood Plan complies with Paragraph 8(1)(a) of Schedule 4B of the Town and Country Planning Act.