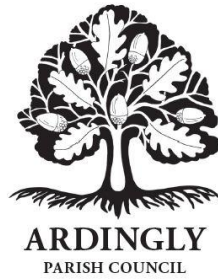


Ardingly Neighbourhood Plan 2013 - 2031



Basic Conditions Statement



Published by Ardingly Parish Council under the Neighbourhood Planning (General) Regulations 2012 to accompany the Submission Ardingly Neighbourhood Plan.

June 2014

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Basic Conditions Statement

1. Introduction

1.1 This Statement has been prepared by Ardingly Parish Council (“the Parish Council”) to accompany its submission to the local planning authority, Mid Sussex District Council (MSDC), of the Ardingly 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 Ardingly Parish Council, a qualifying body, for the Neighbourhood Area covering the whole of the Parish of Ardingly, 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 2013 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 late 2011. The key drivers of that decision were the desire of the local community to have a greater say in future planning decisions. The Parish Council was keen to respond to the positive steer provided by MSDC in encouraging rural parishes in the district to play a role in determining local planning policy.

2.2 The Parish Council formed a Neighbourhood Plan Steering Committee (“NPC”) comprising all Parish Councillors and local residents. A number of work focus groups were set up to obtain and reflect the views of local people in the whole parish, each based on a specific policy theme.

2.3 The Neighbourhood Plan Steering Committee was delegated authority by the Parish Council to make decisions on the Neighbourhood Plan as the project reached specific approval milestones, e.g.. publishing:

- the Pre-Submission Neighbourhood Plan; and
- the Submission Neighbourhood Plan, including the Sustainability Appraisal.

2.4 The Parish Council has worked closely with officers of MSDC during the preparation of the Neighbourhood Plan. It has been mindful that the project has presented a challenge to all concerned, given that the policy initiative and governing regulations are new and have been untested until relatively recently.

2.5 Positioning the Neighbourhood Plan in respect of the development plan has also been difficult. Progress on the new Mid Sussex District Plan was delayed, whilst MSDC awaited the revocation of the South East Plan and it completed further evidence base work. But, whilst the saved policies of the 2004 Local Plan remained valid for the purpose of assessing the general conformity of the Neighbourhood Plan, it was clear that it also had to anticipate emerging strategic policy, especially in respect of planning future housing supply and in the light of the clear steer from the NPPF on the direction of planning policy and principles.

2.6 In light of the two significant planning applications, both of which had been refused permission by MSDC and had been appealed, the Parish Council was keen to use the Neighbourhood Plan to influence the outcome. The Neighbourhood Plan therefore proposes to allocate one of the sites, albeit requiring a smaller scheme in doing so. Further, the Neighbourhood Plan seeks to protect other sites in the village by designating certain Local Green Spaces that are variously in close proximity to the community, are special to the community, have local significance through their history, character or natural beauty, display tranquillity and richness of wildlife and are local in character.

2.7 The Neighbourhood Plan also seeks to shape change on a range of other planning policy matters. The village, like many rural villages, faces challenging issues of retaining valuable commercial and social infrastructure – shops, pubs and a school – for the benefit of the community. The parish also contains a number of major tourist and other sites on which the Parish Council wished to be positive about their future use and development of land.

2.8 The Neighbourhood Plan therefore contains a series of policies and proposals that are defined on the Proposals Map as being geographically specific. For the most, the plan has therefore 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.

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) of April 2012. It is also mindful of the draft National Planning Practice Guidance (NPPG) published by the Government in August 2013 in respect of formulating neighbourhood plans.

3.2 The Submission document includes a specific NPPF conformity reference for each policy and, where relevant, further reference in the supporting text.

3.3 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

3.4 The Parish Council believes the Neighbourhood Plan is planning positively to support the strategic development needs of the district by making a housing allocation, which accord with a clear spatial vision for the parish. It also seeks to protect and enhance community assets for the benefit of the local community and for the many tourists and visitors that visit the parish.

Para 183

3.5 The Parish Council believes the Neighbourhood Plan establishes in its Section 3 a vision for the parish that reflects the views of the majority of the local community. It makes the output of these activities real by translating them into planning policies to determine future planning applications as part of the development plan.

Para 184

3.6 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 Mid Sussex District Plan, with its strategic housing and other policies.

3.7 The Neighbourhood Plan allocates land for up to 27 new homes in the village, which reflects the significant environmental – both natural and heritage – constraints within and surrounding the village.

Para 185

3.8 The Neighbourhood Plan avoids duplicating development plan policies by focusing on site-specific policies that translate the general requirements of the development plan into an Ardingly context. Once made, the Neighbourhood Plan should be easily considered alongside the development plan and any other material considerations in determining planning applications.

3.9 Set out in Table A below, is a brief summary of how each policy conforms to the NPPF.

No.	Policy Title	NPPF Ref.	Commentary
1	The Presumption in Favour of Sustainable Development	14 & 16	Incorporates the key principle of the NPPF of promoting the presumption in favour of sustainable development and makes clear the positive role to be played by the Neighbourhood Plan.
2	A Spatial Plan for the Parish	17, 28, 109 & 115	Translates all the relevant core planning principles of para. 17 into a spatial plan that focuses development on the village to consolidate its role as the local service centre. It minimises the impact of greenfield development in the High Weald Area of Outstanding Natural Beauty (AONB) by directing development to the existing built up area boundary of the village.

3	Housing Supply & Site allocation	47, 50, 110 and 115	Allocates a site for housing development to contribute to meeting the housing supply needs of the district. The site is outside the existing built up area boundary as there is no land available within the boundary for this purpose. The site adjoins the boundary and the proposal is assessed as having the least harmful impact on the character of the AONB of those alternative sites adjoining the boundary.
4	Suitable Alternative Natural Green Space	118	Supports proposals to create Suitable Alternative Natural Green Spaces (SANG) in the parish to help reduce the likelihood of visitor pressure and disturbance on the Ashdown Forest Special Protection Area, within which the parish falls.
5	Housing Design	56	Sets a standard of design for all developments in the Parish to ensure proposals are well designed and reflect the distinctive character of the parish.
6	Local Green Spaces	76 & 77	Protects green areas that are special to the local community from the threat of development.
7	Allotments	70	Encourages proposals to provide new allotments for the village and provides criteria for appropriate site selection.
8	Biodiversity	118	Supports proposals that protect and enhance existing biodiversity assets in the parish.
9	Heritage Assets	126	Supports proposals that conserve and enhance heritage assets in the parish.
10	Primary School	72	Supports proposals to secure the long term future of the village school by enabling its expansion.
11	Scout Hut	70	Encourages proposals to provide a new scout hut for the village, should the existing facility require relocation, and provides criteria for appropriate site selection.
12	Medical Services	70	Encourages proposals to provide a new medical service facility for the village and provides criteria for appropriate site selection.
13	Recreational Ground Pavilion	70	Encourages proposals to improve and extend the facility to secure its long term benefits for the community.
14	Assets of Community Value	70	Supports the designation by the local planning authority of a variety of community assets to guard against their unnecessary loss.

15	Village Shops	28 & 70	Protects existing village shops from a change of use to continue to serve the local community and encourages proposals for new shops within the village.
16	Cafes, Pubs & Restaurants	28 & 70	Protects existing A3 uses from a change of use to continue to serve the local community and tourists and encourages proposals for new such uses within the village.
17	Broadband	42 & 43	Encourages proposals to install a super fast broadband network infrastructure to serve the whole parish.
18	Traffic Management	30	Proposes traffic management measures in the village to encourage greater walking in key places in the Parish.
19	Car Parking	30	Encourages proposals to provide a new public car park for the village and provides criteria for appropriate site selection.
20	Ardingly Rail Depot	28, 30	Supports proposals to secure the long term use of the site for a railway station and museum to promote rural tourism.
21	Ardingly College	28, 72	Supports proposals to secure the long term future of the College as an education provider and as a local employer.
22	South of England Showground	28	Supports proposals to secure the long term future of the Showground as an important rural business and tourist attraction.
23	Wakehurst Place & Millennium Seed Bank	28, 115, 126	Supports proposals to secure the long term future of Wakehurst Place and the Seed Bank as important rural businesses and tourist attractions. The policy also acknowledges their designation as heritage assets and their setting in the AONB landscape.
24	Ardingly Reservoir	28, 70, 115	Supports proposals to secure the long term future of the Reservoir as an important tourist attraction and local recreational asset. The policy also acknowledges its setting in the AONB landscape.
25	Bluebell Railway	28, 30, 35	Safeguards the railway line to enable new passenger and tourist services to operate.
26	Ardingly – Wakehurst Place Cycle Route	30	Supports proposals to establish a new off road cycle route to promote alternative sustainable modes of travel between the village and Wakehurst Place.
27	Infrastructure Investment	17, 175 & 184	Proposes a prioritised list of local infrastructure investments to guide the future use of S106 agreements and of strategic and local CIL.

Table A: Neighbourhood Plan & NPPF Conformity Summary

4. Contribution to Achieving Sustainable Development

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

4.2 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 current status of the development plan –the adopted 2004 Local Plan – together with the unapproved Submission District Plan of July 2013, has made judging this matter challenging. At the outset, the Parish Council considered the alternative of awaiting the adoption of the new Local District ('2013 MSDP' in Table B below) as creating an unacceptable risk of uncontrolled development, given the uncertain local five year housing land supply position.

5.3 The 2004 Local Plan ('2004 MSLP' in Table B below) 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 in general conformity with the strategic intent of that Plan and its specific policies. In cases where the Neighbourhood Plan policy requires a justification for an exceptional circumstance to a saved or emerging policy then its supporting text makes clear this justification.

No.	Policy Title	2004 MSLP Y/N.	2013 MSDP Y/N	Commentary
1	The Presumption in Favour of Sustainable Development	N	Y	MSDP DP1 The policy accords with the intent of the emerging development plan policies to promote sustainable development.
2	A Spatial Plan for the Parish	Y	Y	MSLP C1, C4 MSDP DP9, DP13 The policy accords with the intent of adopted and emerging development plan policies to direct development to existing built up area boundary of the village to avoid development in the AONB countryside.

3	Housing Supply & Site allocation	Y	Y	<p>MSLP C4, H2, H4, B6MSDP DP5, DP9, DP13, DP14, DP20, DP28, DP29, DP37</p> <p>The policy accords with the intent of adopted and emerging development plan policies to minimise the impact of development on the AONB (where there are no alternative development sites inside the built up area boundary); to deliver a mix of open market and affordable housing types; and to deliver new open space. It also accords with the emerging policies in respect of protecting rights of way and contributing to mitigation measures for the Ashdown Forest SPA.</p>
4	Suitable Alternative Natural Green Space	N	Y	<p>MSDP DP14, DP37</p> <p>The policy accords with the intent of emerging development plan policies to promote means of mitigating the impact of development on the Ashdown Forest SPA.</p>
5	Housing Design	Y	Y	<p>MSLP C4, H2, B1, B12 MSDP DP13, DP24, DP33</p> <p>The policy accords with the intent of adopted and emerging development plan policies to require high quality design proposals that reflect the AONB character of the parish and, where necessary, the historic and architectural character of designated heritage assets.</p>
6	Local Green Spaces	Y	Y	<p>MSLP C4, B6 MSDP DP9, DP13, DP37</p> <p>The policy accords with the intent of adopted and emerging development plan policies to protect important open spaces in the parish from harmful development.</p>
7	Allotments	N	Y	<p>MSDP DP23, DP37</p> <p>The policy accords with the intent of emerging development plan policies to encourage the provision of new green infrastructure assets.</p>

8	Biodiversity	Y	Y	MSLP C5 MSDP DP36 The policy accords with the intent of adopted and emerging development plan policies to protect the biodiversity interest in the parish.
9	Heritage Assets	Y	Y	MSLP C4, B10, B11, B12 MSDP DP13, DP32, DP33, DP34, DP35 The policy accords with the intent of adopted and emerging development plan policies to reflect the special character of designated heritage assets in the parish.
10	Primary School	Y	Y	MSLP CS1 MSDP DP23 The policy accords with the intent of adopted and emerging development plan policies to encourage the provision of new education facilities in the built up area that are accessible to the local community.
11	Scout Hut	Y	Y	MSLP CS6 MSDP DP23 The policy accords with the intent of adopted and emerging development plan policies to ensure that the existing community use is appropriately re-provided before its loss to another use.
12	Medical Services	Y	Y	MSLP CS5 MSDP DP23 The policy accords with the intent of adopted and emerging development plan policies to encourage new facilities but only on appropriate sites that do not have an unacceptable impact on local amenity.
13	Recreational Ground Pavilion	Y	Y	MSLP C1, C4 MSDP DP9, DP13, DP23 The policy accords with the intent of adopted and emerging development plan policies to encourage the retention and improvement of community facilities but also to ensure development in the AONB countryside protects its natural beauty.

14	Assets of Community Value			MSLP CS6, CS7 MSDP DP23 The policy accords with the intent of adopted and emerging development plan policies to protect important local community buildings and land from unnecessary change of use.
15	Village Shops	Y	Y	MSLP S6 MSDP DP2, DP4, DP11, DP23 The policy accords with the intent of adopted and emerging development plan policies to encourage the provision of new shops in suitable locations and to protect existing village shops from unnecessary change of use.
16	Cafes, Pubs & Restaurants	Y	Y	MSLP CS7 MSDP DP2, DP4, DP11, DP23 The policy accords with the intent of adopted and emerging development plan policies to protect existing village pubs from unnecessary change of use.
17	Broadband	Y	Y	MSLP CS17 MSDP DP2, DP11, DP21 The policy accords with the intent of adopted and emerging development plan policies to encouraging proposals for new investment in communications infrastructure.
18	Traffic Management	N	Y	MSDP DP19 The policy accords with the intent of emerging development plan policy to enhance the pedestrian environment by delivering traffic management schemes.
19	Car Parking	N	N	There are no adopted or emerging policies on this matter.
20	Ardingly Rail Depot	Y	Y	MSLP C1, C4, MSDP DP2, DP9, DP11, DP13, DP17, DP19 The policy accords with the intent of adopted and emerging development plan policies to promote sustainable development in the AONB countryside for tourism development. It replaces saved policy AR1.

21	Ardingly College	Y	Y	MSLP C1, C4, CS1, CS3 MSDP DP2, DP9, DP11, DP13, DP32 The policy accords with the intent of adopted and emerging development plan policies to promote sustainable development of some heritage assets in the AONB countryside for education uses. It replaces saved policy AR3.
22	South of England Showground	Y	Y	MSLP C1, C4, R8 MSDP DP2, DP9, DP11, DP13, DP17 The policy accords with the intent of adopted and emerging development plan policies to promote sustainable development in the AONB countryside for tourism development. It replaces saved policy AR5.
23	Wakehurst Place & Millennium Seed Bank	Y	Y	MSLP C1, C4, B10 MSDP DP2, DP9, DP11, DP13, DP17, DP32 The policy accords with the intent of adopted and emerging development plan policies to promote sustainable development of heritage assets in the AONB countryside for tourism development. It replaces saved policy AR6.
24	Ardingly Reservoir	Y	Y	MSLP C1, C4, MSDP DP9, DP11, DP13, DP17, DP37 The policy accords with the intent of adopted and emerging development plan policies to promote sustainable development in the AONB countryside for tourism and recreation development. It replaces saved policy AR4.
25	Bluebell Railway	Y	Y	MSLP C1, C4, R14 MSDP DP2, DP9, DP13, DP11, DP17 The policy accords with the intent of adopted and emerging development plan policies to promote sustainable development in the AONB countryside for tourism development. It replaces saved policy AR2.
26	Ardingly – Wakehurst Place Cycle Route	Y	Y	MSLP C1, C4, B10 MSDP DP13, DP17, DP20, DP37 The policy accords with the intent of adopted and emerging development plan policies to promote sustainable development in the AONB countryside for tourism development.

27	Infrastructure Investment	N	Y	MSDP DP18 The policy accords with the intent of the emerging development plan policy to prioritise key infrastructure requirements and need for S106/CIL investment.
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Table B: Neighbourhood Plan & Development Plan Conformity Summary

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 to complete Stage A of the Sustainability Appraisal process. The comments received were then taken into account in Stages B and C of drafting 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 Most of the Neighbourhood Plan Area falls within the 7km zone of influence for the Ashdown Forest Special Protection Area, which is a European-designated nature conservation site. A Habitats Regulations Assessment was undertaken by Mid Sussex District Council in accordance with the Conservation of Habitats and Species Regulations 2010.