

Ashington Neighbourhood Plan

2019-2031

Basic Conditions Statement

Ashington Parish Council

April 2020



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1. Introduction

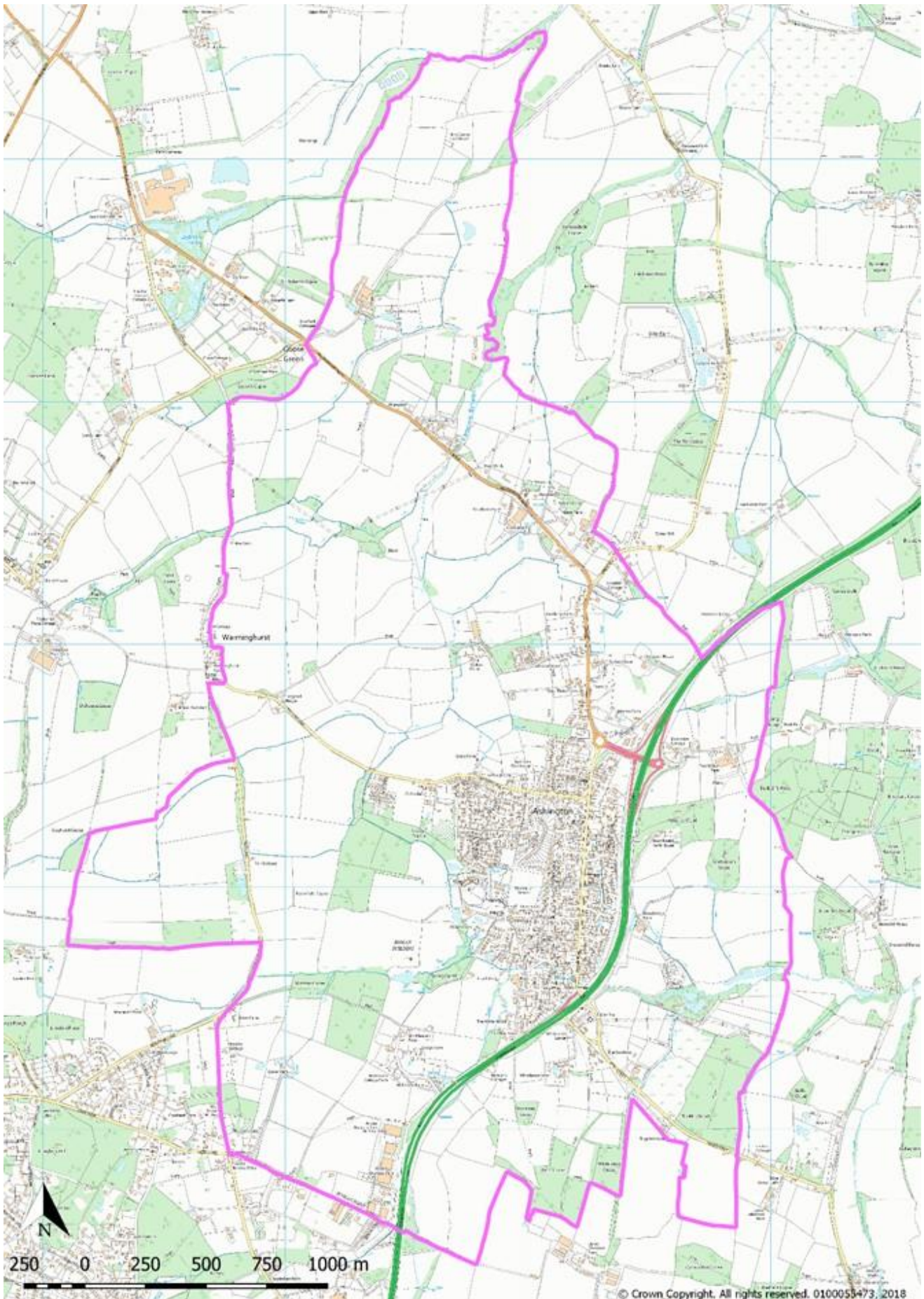
- 1.1. This Basic Conditions Statement has been produced to accompany Ashington Neighbourhood Plan.
- 1.2. The relevant legal framework for the preparation and making of neighbourhood plans is supported by the Localism Act 2011 and the Neighbourhood Planning Act 2017 and found in the:
 - Town and Country Planning Act 1990: ss. 61F, 61I, 61M-P and Schedule 4B
 - Planning and Compulsory Purchase Act 2004: ss 38A-C
 - Neighbourhood Planning (General) Regulations 2012 (2012 No.637) (As Amended)
- 1.3. Paragraph 8(2) of Schedule 4B to the Town & Country Planning Act 1990 requires a neighbourhood plan to meet five¹ basic conditions before it can proceed to a referendum. These are:
 - I. Having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan;
 - II. The making of the neighbourhood development plan contributes to the achievement of sustainable development;
 - III. 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);
 - IV. The making of the neighbourhood development plan does not breach, and is otherwise compatible with, EU obligations; and
 - V. 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. The prescribed condition is that the making of the neighbourhood plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.
- 1.4. This document sets out how the Plan meets the Basic Conditions.

Key statements

- 1.5. Ashington Parish Council, as the qualifying body, has prepared the Plan, which covers the parish area of Ashington. This area was designated by Horsham District Council in February 2014.
- 1.6. The Plan sets out policies that relate to the development and use of land within only the Ashington Neighbourhood Area. This is shown in Figure 1 below.
- 1.7. The Plan refers only to the administrative boundary of Ashington. There are no other adopted Neighbourhood Development Plans that cover the Ashington Neighbourhood Area.
- 1.8. The Ashington Neighbourhood Plan Steering Group has prepared the Plan to establish a vision for the future of the parish. The community has set out how that vision will be realised through planning and controlling land use and development change over the plan period 2019 to 2031.

¹ There are two further basic conditions, which are relevant only to the making of a Neighbourhood Development Order and are therefore not considered in this document.

Figure 1: Ashington Neighbourhood Plan (ANP) Area



2. Basic Condition (i) – Conformity with National Planning Policy

- 2.1. To meet this condition, the Plan must be shown to have regard to national policies and advice contained in guidance issued by the Secretary of State. National policy and guidance is contained within the National Planning Policy Framework (‘NPPF’) and the Planning Practice Guidance (‘PPG’).

National Planning Policy Framework

- 2.2. The NPPF has 13 key objectives which are:
1. Delivering a sufficient supply of homes
 2. Building a strong, competitive economy
 3. Ensuring the vitality of town centres
 - 4 Promoting healthy and safe communities
 5. Promoting sustainable transport
 6. Supporting high quality communications
 7. Making effective use of land
 8. Achieving well-designed places
 9. Protecting Green Belt land
 10. Meeting the challenge of climate change, flooding and coastal change
 11. Conserving and enhancing the natural environment
 12. Conserving and enhancing the historic environment
 13. Facilitating the sustainable use of minerals
- 2.3. This statement explains how the Plan contributes to meeting these objectives and also notes the specific national policies that the Plan is intended to support and supplement.
- 2.4. The Plan has eight objectives. These are summarised in Table 2.1 alongside the NPPF goals that each objective seeks to address.

Table 2.1: Assessment of the ANP objectives against NPPF goals

Plan objective	Relevant NPPF goal
Reduce reliance on private car by enhancing sustainable transport options, particularly walking and community buses.	<ul style="list-style-type: none"> • Promoting sustainable transport • Promoting healthy and safe communities
To improve parking for cars in order to improve safety for pedestrians and cyclists.	<ul style="list-style-type: none"> • Promoting sustainable transport • Promoting healthy and safe communities
Conserve and enhance heritage assets.	<ul style="list-style-type: none"> • Conserving and enhancing the historic environment
Protect the green and rural nature of the parish and its links to the countryside.	<ul style="list-style-type: none"> • Conserving and enhancing the natural environment
Ensure that all new development is designed to protect and enhance the landscape, reduce or	<ul style="list-style-type: none"> • Conserving and enhancing the natural environment

Plan objective	Relevant NPPF goal
minimise flood risk, promote biodiversity and positively enhance the parish wherever opportunities exist.	<ul style="list-style-type: none"> • Meeting the challenge of climate change, flooding and coastal change
Improve the range of community facilities and focus them in a new 'heart of the community' in Ashington village.	<ul style="list-style-type: none"> • Promoting healthy and safe communities
Create new commercial space and premises that provides for the needs of new and existing businesses.	<ul style="list-style-type: none"> • Building a strong, competitive economy
Contribute to the HDPF requirement for new homes by providing housing that meets the current and future needs of the parish, maximising opportunities for development of sustainable sites.	<ul style="list-style-type: none"> • Developing a sufficient supply of homes

- 2.5. Table 2.2 sets out each policy of the Plan alongside the policies in the NPPF that it has had regard to and analyses how each Plan policy contributes to achieving the key objectives of the NPPF.

Table 2.2: Assessment of how each policy in the ANP conforms to the NPPF

Policy Title and Reference	NPPF Reference (paragraph)	Commentary
POLICY ASH1: OVERALL SPATIAL STRATEGY FOR ASHINGTON	16, 17, 28	The NPPF states that plans should be developed that support the strategic development needs set out in the Local Plan and actively manage patterns of growth. The policy addresses this by stating where growth should be located in Ashington and what local infrastructure is required to support it.
POLICY ASH2: INCREASED WALKING IN ASHINGTON	91, 102, 103, 104	The policy contributes to the NPPF objectives of promoting sustainable transport and promoting healthy and safe communities. This policy seeks to protect existing walking networks and enhance these where they improve linkages to retail and leisure destinations.
POLICY ASH3: PARKING PROVISION	102, 127	This policy contributes to the NPPF objectives of promoting sustainable transport and achieving well-designed places. This policy aims to provide adequate parking facilities in keeping with the development and reduce the visual impact of parking.
POLICY ASH4: LOCAL HERITAGE ASSETS	185	A key objective of the NPPF is to conserve and enhance the historic environment. This policy seeks to conserve and enhance heritage assets of local importance in Ashington.
POLICY ASH5: LANDSCAPING AND COUNTRYSIDE ACCESS	91, 96, 170, 180	This policy contributes to the NPPF objectives of promoting healthy and safe communities and conserving and enhancing the natural environment. It seeks to encourage improved access to green spaces. Also, where development abuts open countryside, it seeks to ensure that this development does not impact on the intrinsic beauty of that countryside by providing effective and productive landscaping.
POLICY ASH6: NOISE IMPACTS	180	This policy contributes to the NPPF objectives of promoting healthy and safe communities by requiring development close to the A24 road to ensure that noise impacts for new residents are kept at an acceptable level.
POLICY ASH7: ADDRESSING FLOODING IN MILL LANE	148, 149	This policy contributes to the NPPF objective of meeting the challenge of climate change, flooding and coastal change by encouraging development that can address a specific surface water flooding issue in Ashington. This is then delivered through the ASH11 site allocation.
POLICY ASH8: ASHINGTON COMMUNITY CLUSTER	91, 92	This policy contributes to the NPPF objective of promoting healthy and safe communities. The policy identifies the specific community infrastructure requirements to support the development of a community cluster and links the delivery of these to the site allocations on adjacent sites in Ashington.
POLICY ASH9: SMALL-SCALE AND 'MOVE-ON' EMPLOYMENT DEVELOPMENT	80, 81, 82	This policy contributes to the NPPF objective of building a strong competitive economy. It identifies specific types of employment floorspace that would attract businesses to Ashington and allow them to grow. It identifies the best locations for these, including on site allocation ASH11.
POLICY ASH10: CHANCTONBURY NURSERY	28, 61, 69, 92, 96, 98	Allocates a site for a mix of uses including residential, outdoor gym equipment and green open space as well as improved walking access to neighbouring areas.

Policy Title and Reference	NPPF Reference (paragraph)	Commentary
POLICY ASH11: LAND WEST OF ASHINGTON SCHOOL	28, 61, 69, 81, 92, 96, 98, 149	Allocates a site for a mix of uses including residential, B-class commercial, community uses, flood mitigation and green open space, as well as improved walking access to the neighbouring countryside.

3. Basic Condition (iv) – Contribution to Sustainable Development

- 3.1. The NPPF states in paragraph 11 that a presumption in favour of sustainable development is at the heart of the NPPF.
- 3.2. For the Plan, sustainable development has been the fundamental basis of each of its policies. The National Planning Practice Guidance advises that ‘sufficient and proportionate evidence should be presented on how the draft neighbourhood plan ... guides development to sustainable solutions’. The Forum has prepared a Sustainability Report, which, along with the wider evidence base, demonstrates how the Plan guides development towards sustainable solutions. The Sustainability Report has been submitted at Regulation 16 stage as part of the evidence base supporting the Plan and should be read alongside this Basic Conditions Statement.
- 3.3. Table 3.1 below summarises how the objectives and policies in the Plan contribute towards sustainable development, as defined in the NPPF. Many of the objectives of the Plan overlap the three strands of sustainability, so for the purposes of this document, the most relevant strand has been taken to illustrate conformity.

Table 3.1: Assessment of ANP objectives and policies against sustainable development

Deliver economic sustainability	
NPPF definition – ‘to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure.’	
ANP Objectives	Create new commercial space and premises that provides for the needs of new and existing businesses.
ANP Policies	POLICY ASH9: SMALL-SCALE AND ‘MOVE-ON’ EMPLOYMENT DEVELOPMENT POLICY ASH11: LAND WEST OF ASHINGTON SCHOOL
Commentary	The NPPF seeks to secure economic growth in order to create jobs and prosperity, building on the country’s inherent strengths, and to meet the twin challenges of global competition and of a low carbon future. The Plan seeks to contribute to the delivery of this national aim by providing new employment spaces for start-up and small, growing businesses. This includes allocating part of a mixed use site for commercial B-class employment floorspace in Policy ASH11.

Deliver social sustainability	
NPPF definition – ‘to support strong, vibrant and healthy communities, 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.’	
ANP Objectives	<p>Reduce reliance on private car by enhancing sustainable transport options, particularly walking and community buses.</p> <p>To improve parking for cars in order to improve safety for pedestrians and cyclists.</p> <p>Conserve and enhance heritage assets.</p> <p>Improve the range of community facilities and focus them in a new ‘heart of the community’ in Ashington village.</p> <p>Contribute to the HDPF requirement for new homes by providing housing that meets the current and future needs of the parish, maximising opportunities for development of sustainable sites.</p>
ANP Policies	<p>POLICY ASH2: INCREASED WALKING IN ASHINGTON</p> <p>POLICY ASH3: PARKING PROVISION</p> <p>POLICY ASH5: LANDSCAPING AND COUNTRYSIDE ACCESS</p> <p>POLICY ASH6: NOISE IMPACTS</p> <p>POLICY ASH8: ASHINGTON COMMUNITY CLUSTER</p> <p>POLICY ASH10: CHANCTONBURY NURSERY</p> <p>POLICY ASH11: LAND WEST OF ASHINGTON SCHOOL</p>
Commentary	<p>One of the key objectives in the NPPF is to promote healthy communities, which incorporates social sustainability. The local community’s needs and interests can be met through to provision of a wide range of community and leisure facilities, focused around a community cluster (Policy ASH8). Alongside this, Policies ASH10-11 deliver these facilities and contribute towards the improvement of existing facilities.</p> <p>The Plan seeks to enhance walking routes, which not only create a physically healthier community, but one that is also more inclusive and people-friendly. This is identified by Policies ASH2 and ASH5. This is complemented by making sure in Policy ASH3 that vehicle parking doesn’t make access unsafe for pedestrians. Along with this, protecting the community’s health is sought by ensuring in Policy ASH6 that development doesn’t have unacceptable noise impacts.</p> <p>In seeking to provide a sufficient supply of new homes, Policies ASH10-11 deliver the range and number of houses required to address Ashington’s needs and contribute towards the requirements of the HDPF.</p>

Deliver environmental sustainability	
NPPF definition – ‘to contribute to protecting and enhancing our natural, built and historic 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.’	
ANP Objectives	<p>Conserve and enhance heritage assets.</p> <p>Protect the green and rural nature of the parish and its links to the countryside.</p> <p>Ensure that all new development is designed to protect and enhance the landscape, reduce or minimise flood risk, promote biodiversity and positively enhance the parish wherever opportunities exist.</p>
ANP Policies	<p>POLICY ASH4: LOCAL HERITAGE ASSETS</p> <p>POLICY ASH5: LANDSCAPING AND COUNTRYSIDE ACCESS</p> <p>POLICY ASH7: ADDRESSING FLOODING IN MILL LANE</p>
Commentary	<p>The natural environment is of key importance to Ashington’s neighbourhood area. The Plan seeks to minimise the impacts of new development on the edge of the settlement that encroaches into the countryside by ensuring that it provides effective landscaping (Policy ASH5).</p> <p>A local surface water flooding issue in Mill Lane is addressed by Policy ASH7.</p> <p>The built heritage of Ashington is also identified as being of importance and nationally listed buildings are complemented by locally listed heritage assets (Policy ASH4).</p>

3.4 As demonstrated in Table 3.1, the strategic objectives of the Plan are considered to comprise a balance of social, economic and environmental goals. The policies in the Plan demonstrably contribute to achieving well-designed places, promoting a healthy and safe community and conserving and enhancing the natural and historic environment.

4. Basic Condition (v) – General Conformity with the Strategic Policies of the Development Plan

- 4.1. The development plan currently consists of the following:
 - 2015 Horsham Development Planning Framework (HDPF)
 - 2014 West Sussex Waste Local Plan
 - 2018 West Sussex Joint Minerals Local Plan
- 4.2. Table 4.1 details the ANP policies alongside a consideration of how they are in general conformity with the strategic policies in the 2015 HDPF.
- 4.3. Where a policy is not identified in Table 4.1, it is considered that the Neighbourhood Plan does not contain any policies that directly relate to it.
- 4.4. It is confirmed that there are no policies in the 2014 West Sussex Waste Local Plan that the ANP policies have any relevance to.

Table 4.1: Assessment of conformity with strategic policies in the development plan

Local Plan Policy	ANP policy
Horsham Development Planning Framework 2015	
Policy 2: Strategic Development	Policy ASH1 provides the spatial strategy to direct development in Ashington within the built-up area boundary. Policy ASH5 seeks to ensure that new development on the edge of the settlement minimises its impact on rural character through effective landscaping. Policies ASH10-11 provide for the varying housing needs of the community. Policies ASH7 and ASH11 provide appropriate flood mitigation.
Policy 4: Settlement Expansion	Policies ASH1, ASH10-11 provides for growth to meet identified local housing, employment and community needs. Policies ASH10-11 allocate sites on the edge of the settlement boundary.
Policy 7: Economic Growth	Policies ASH9 and ASH11 promote and allocate a site for small-scale and move-on employment space.
Policy 15: Housing Provision	Policies ASH1, ASH10-11 contribute towards the requirement for neighbourhood plans to deliver at least 1,500 dwellings across the district.
Policy 16: Meeting Local Housing Needs	Policies ASH10-11 provide for the varying housing needs of the community, specifically for older persons.
Policy 24: Environmental Protection	Policy ASH6 seeks to ensure appropriate mitigation of noise impacts for development close to the A24.
Policy 25: The Natural Environment and Landscape Character	Policy ASH5 seeks to ensure that new development on the edge of the settlement minimises its impact on rural character through effective landscaping.
Policy 26: Countryside Protection	Policy ASH1 directs development within the settlement boundary and identifies the type of development that is acceptable in the open countryside.
Policy 32: The Quality of New Development	Policies ASH10-11 require development on these site allocations to provide high quality open spaces as well as to protect the heritage and local landscape of Ashington.
Policy 35: Climate Change	Policy ASH5 encourages the use of SuDS to provide an appropriate landscape buffer to new development.

Local Plan Policy	ANP policy
	Policy ASH8 provides for the creation of a community cluster where many of the community's leisure facilities are concentrated, making them easier to access on foot and by bicycle.
Policy 39: Infrastructure Provision	Policies ASH8 and ASH10-11 provide for additional community infrastructure needs to support the growing community of Ashington.
West Sussex Joint Minerals Local Plan 2018	
Policy M9: Safeguarding Minerals	Policies ASH10-11 require the site allocations to demonstrate that minerals sterilisation will not occur as a result of development.

5. Basic Condition (vi) – Conformity with EU Obligations

- 5.1. The Plan and the process under which it was made conforms to the SEA Directive (EU 2001/42/EC) and the Environmental Assessment of Plans and Programmes Regulations 2004 (the Regulations). Horsham District Council provided advice that all neighbourhood plans which allocate sites for development are ‘screened in’ for possible significant environmental impacts (in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004) and therefore an SEA is required.
- 5.2. In May 2018, Ashington Parish Council published a draft SEA Scoping Report for consultation with Horsham District Council and the statutory bodies (the Environment Agency, Natural England and Historic England). Following representations received, a final SEA Scoping Report was published in March 2019.
- 5.3. The Sustainability Report incorporating SEA was then prepared to support the Pre-Submission (Regulation 14) Version of the Ashington Neighbourhood Plan and was consulted on as part of the Regulation 14 consultation. Relevant representations were duly taken into account in the final version of the SEA which accompanies the Submission (Regulation 16) Version of the Plan.
- 5.4. In addition to conforming to its EU obligations, the Plan does not breach and is not otherwise incompatible with the European Convention on Human Rights.

6. Basic Condition (vii) – Conformity with the Prescribed Conditions

- 6.1. Under Directive 92/43/EEC, also known as the Habitats Directive², it must be ascertained whether the draft Plan is likely to breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017. Assessments under the regulations are known as Habitats Regulation Assessments ("HRA"). An appropriate assessment ("AA") is required only if the Plan is likely to have significant effects on a European protected species or site. To ascertain whether or not it is necessary to undertake an assessment, a screening process is followed.
- 6.2. In May 2018, an initial HRA Screening Report prepared by Ashington Parish Council was published for consultation with Horsham District Council and Natural England, the latter being the relevant statutory body. This considered that an HRA would not be required because the Plan is not likely to have significant impacts on European protected species or sites. Natural England, in its letter dated 7th June 2018, concurred with this view. An updated HRA Screening Report was consulted on at Pre-Submission (Regulation 14) Stage. This updated report reached the same conclusion that an HRA was not required. In its representations to the Regulation 14 Consultation, Natural England did not reach a different view to that given previously.
- 6.3. The Screening Report, including the response from the statutory body, has been submitted at Regulation 16 stage as part of the evidence base for the Plan.

² Directive 92/43/EEC 'on the conservation of natural habitats and of wild fauna and flora': <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:31992L0043>.

7. Conclusion

- 7.1. The relevant Basic Conditions as set out in Schedule 4B to the TCPA 1990 are considered to be met by the Ashington Neighbourhood Plan and all the policies therein. It is therefore respectfully suggested to the Examiner that the Ashington Neighbourhood Plan complies with Paragraph 8(1) (a) of Schedule 4B of the Act.




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