

# **PATCHING NEIGHBOURHOOD DEVELOPMENT PLAN**

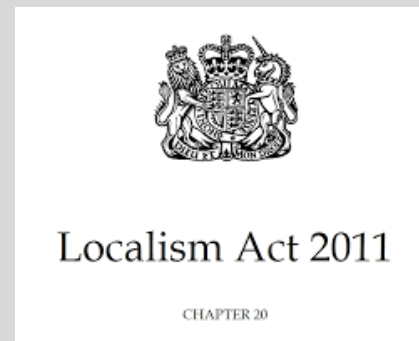
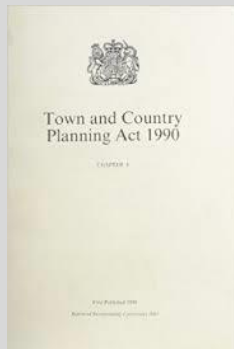
## **BASIC CONDITIONS STATEMENT**

**How we have met the basic conditions for neighbourhood development plans set out in planning legislation\***

**Patching Parish Council**

**August 2016**

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**\*Paragraph 8(2) of Schedule 4B to the Town & Country Planning Act 1990, as applied to neighbourhood plans by section 38A of the Planning & Compulsory Purchase Act 2004**

## 1. INTRODUCTION

1.1 This Statement has been prepared by Patching Parish Council (“the Parish Council”) to accompany its submission to the local planning authority, the South Downs National Park Authority (“SDNPA”), of the Patching Neighbourhood Development Plan (“the Neighbourhood Plan”) under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (“the Regulations”).

1.2 The Neighbourhood Plan has been prepared by the Parish Council, a qualifying body, for the whole of the parish of Patching, following approval by the SDNPA on 14 March 2013. The extent of the plan area is shown in Map 1 below. The plan period looks forward to 2030.

1.3 The planning policies in the Neighbourhood Plan relate to the development and use of land in the plan area. The plan also includes a number of items of community action, outside the planning system, which are not covered by the legislative requirements for neighbourhood plans: these are clearly differentiated in the plan.

1.4 This Statement addresses each of the four “basic conditions” required in the Regulations and explains how the submitted Neighbourhood Plan meets the requirements of paragraph 8(2) of Schedule 4B to the 1990 Town & Country Planning Act, as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004

**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.**

1.6 The structure of this statement closely follows the above legislative requirements. Following some brief background information in section 2, the remaining sections (3-6 inclusive) cover how the Parish Council has sought to meet each in turn of the four “basic conditions” in preparing the plan.

**To be added**

**MAP 1 THE PLAN AREA**

## 2. BACKGROUND

2.1 On (date), Patching Parish Council decided to make a formal application to the South Downs National Park Authority (SDNPA: the local planning authority for the parish) for the designation of a neighbourhood plan area covering the entire civil parish of Patching. The NPA approved the application on 14 March 2013. A copy of the approval letter is attached as Appendix A.

2.2 The motivation for preparing the plan was two-fold: firstly, to respond positively to the challenge of neighbourhood planning offered by the Government's Localism Act 2011 and, secondly, the desire of the local community to shape the future of a special area they have lived in for many years and which they want to pass on to future generations in a good condition.

3.3 The Parish Council then set up a Working Group to oversee the preparation of the plan, comprising councillors and volunteers, and meeting at regular intervals. The Working Group established links with planning officers at the SDNPA and took advantage of the various neighbourhood planning events arranged by the authority and others for parish councils in West Sussex. The Group has worked throughout the process to gather together an evidence base to support the Neighbourhood Plan and has carried out several rounds of consultation in the local community, which are detailed in the accompanying Consultation Statement. More recently, in October 2015, the Parish Council engaged Lindsay Frost Consulting Ltd to provide professional planning assistance with the work.

3.3 National planning policy was streamlined and refocused with the publication of the National Planning Policy Framework (NPPF) in March 2012. This was followed up with the National Planning Practice Guidance in March 2014, giving more detailed guidance on how to apply the policies set out in the NPPF. These documents set the framework for planning work at the local level, including preparation of local plans and neighbourhood plans

3.4 It is important to understand the changes in local planning authority responsibilities which have occurred over recent years in the Neighbourhood Plan area. Up to April 2011, the local planning authorities for Patching parish were West Sussex County Council (for minerals and waste-related development) and Arun District Council (for all other development). The South Downs National Park came into being in April 2010 and the SDNPA took up its statutory responsibilities in April 2011, which included becoming the local planning authority for all forms of development in the designated National Park, including Patching parish.

<b>TABLE 1 LOCAL PLANS AFFECTING PATCHING PARISH</b>	
<b>Plans prepared by the former local planning authorities</b>	<b>Plans prepared by the SDNPA, either alone or in partnership</b>
Arun Local Plan (adopted 2003 )with "saved policies" (2007)	South Downs National Park Local Plan : preferred options (October 2015)
West Sussex Minerals Plan (adopted 2003)with "saved policies" (2007)	West Sussex and SDNPA Waste Plan ( adopted 2014)
	West Sussex and SDNPA Minerals Plan : consultation draft (April 2016)

3.5 As a result of these changes, and the need to keep up with new national planning policy and evolving social, economic and environmental priorities, we have two sets of planning documents affecting the Neighbourhood Plan area. Firstly, we have plans which were prepared and adopted some time ago by the former planning authorities. These plans have a number of “saved” policies which remain in force pending the preparation of newer planning documents. Secondly, we have the newer plans prepared by the SDNPA, either alone, or in partnership with the former authorities if they extend beyond the designated national park.

3.6 These newer plans are working their way through the statutory process to formal adoption, building up weight in planning decisions as they progress. At that stage, they will supersede and replace the older adopted plans. The new National Park Local Plan is not expected to be formally adopted until late 2017. Table 1 above shows all these plans.

3.6 We are, therefore, in a position where the Patching Neighbourhood Development Plan might be formally adopted in advance of the new National Park Local Plan (this has already happened with the neighbourhood plans in the adjacent parishes of Clapham, Ferring and Angmering). The National Planning Practice Guidance (Neighbourhood Planning paragraph 009) states that it is possible to bring into force a neighbourhood plan in advance of a local plan. It states:

*"Where a neighbourhood plan is brought forward before an up-to-date Local Plan is in place the qualifying body (the parish council) and the local planning authority should discuss and aim to agree the relationship between policies in:*

- *the emerging neighbourhood plan*
- *the emerging Local Plan*
- *the adopted development plan with appropriate regard to national policy and guidance.*

*The local planning authority should take a proactive and positive approach, working collaboratively with a qualifying body particularly sharing evidence and seeking to resolve any issues to ensure the draft neighbourhood plan has the greatest chance of success at independent examination."*

3.7 Patching Parish Council has worked closely with officers from SDNPA throughout the preparation of this Plan with the aim of developing a clear and coherent relationship between the older adopted plans and the newly emerging planning policy documents.

### 3. CONFORMITY WITH NATIONAL PLANNING POLICIES

3.1 The NPPF is the national planning policy framework for England. It was published by the Secretary of State for Communities and Local Government in 2012. All local plans and neighbourhood plans are expected to have regard to it. At its core, the NPPF has a presumption in favour of sustainable development. One definition of sustainable development is “meeting today’s social and economic needs without narrowing the choices open to future generations”. The national policy is that this will be achieved in rural areas by:

- building a strong, competitive, and prosperous rural economy
- promoting sustainable transport
- supporting high quality communications infrastructure
- delivering a wide choice of high quality homes
- requiring good design
- promoting healthy communities
- meeting the challenge of climate change
- conserving and enhancing the natural environment
- conserving and enhancing the historic environment

3.2 The Patching Neighbourhood Development Plan has had regard to the NPPF throughout its preparation. Table 2 below shows how each of the planning policies in the Plan relates to the NPPF.

(The “Community Action” items in the plan are not included here, as they will be delivered outside the planning system, and are not required to be in compliance with national and strategic planning policy)

**TABLE 2 HOW THE NEIGHBOURHOOD DEVELOPMENT PLAN’S POLICIES RELATE TO THE NPPF**

Neighbourhood Plan Policy	Relevant paragraphs in the NPPF	Comments
<b>Community policies</b>		
COMM 1 – Protection of community assets	*Para 70: planning positively for provision of community facilities ,guarding against the loss of valued facilities, and ensuring that established facilities can develop sustainably	This policy accords with national guidance in planning positively for provision of community facilities serving Patching. It identifies the assets which are important for the community and seeks their maintenance and improvement
COMM 3- Supporting independent living	*Para.50: providing a wide range of development to meet the needs of different groups in the local community  *Para 69: promoting healthy and inclusive communities	This policy accords with national policy in supporting appropriate development which will assist independent living for Patching residents, enabling them to live continue living locally as their accommodation needs change and

		avoid having to move out to dedicated accommodation elsewhere
COMM 5- Existing green space and new recreational facilities	<p>*Para 17: securing good quality design and a good standard of amenity in new development</p> <p>*Para 62: the importance of fitting new development into its natural, built and historical context</p> <p>*Para.73: promote access to good quality open space</p> <p>*Para.76-77: provision of open space through neighbourhood plans</p>	This policy accords with national planning policy in identifying and protecting existing green space which is important for the local community and –whilst not identifying a specific site – is generally supportive of new recreational facilities serving the local community
<b>Places policies</b>		
PLACES 1- Historic buildings, other buildings and structures of merit, and sites of archaeological interest	<p>*Para.126: set a positive strategy for conservation of the historic environment</p> <p>*Para 128: protect heritage assets</p> <p>*Para 141: Make information on heritage assets publicly available</p>	This policy accords with national policy in stressing the importance of the historic environment , identifying the key features requiring protection and enhancement , and the exceptional circumstances in which development affecting it may be acceptable
PLACES 2- Conservation areas	<p>*Para.126: set a positive strategy for conservation of the historic environment</p> <p>*Para 127: ensure that any new conservation areas can be justified on account of their historical or architectural interest and that the concept is not devalued</p> <p>*Para 128: protect heritage assets</p> <p>*Para 141: Make information on heritage assets publicly available</p>	This policy sets a positive strategy for conservation of the historic environment by identifying new and extended conservation areas (which will need to be justified and designated through a separate process, led by SDNPA. This will help to protect heritage assets and provide more information on them to the public
PLACES 3 – Design of new development	<p>* Para 17: securing good quality design and a good standard of amenity in new development</p> <p>*Paras.56-66 : require good quality design in new development</p> <p>*Para.60: promoting and reinforcing local distinctiveness</p> <p>*Para 62: the importance of fitting new development into its natural, built and historical context</p> <p>*Para 111: encourages the re-use of previously developed ( brownfield ) land</p>	<p>This reflects national policy to promote good design in new development and to reinforce local distinctiveness, so that it fits in well to the local environment.</p> <p>This planning policy seeks to reinforce local character and distinctiveness by:</p> <ul style="list-style-type: none"> <li>identifying the key design factors which applicants for planning permission need to consider when framing their proposals</li> <li>requiring applicants to submit a simple design and access statement which explains how their</li> </ul>

		<p>proposals have been informed by , and respond to , the local context</p> <ul style="list-style-type: none"> <li>committing the Parish Council to preparation of a Parish Design Statement which will provide more detailed guidance for applicants</li> </ul>
PLACES 4- Conservation and enhancement of the natural environment	<p>*Para 17: recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it</p> <p>*Para 28 : support for economic growth in rural areas and the promotion of local enterprises</p> <p>*Para 29: promoting sustainable transport</p> <p>*Para.60: promoting and reinforcing local distinctiveness</p> <p>*Para 62: the importance of fitting new development into its natural, built and historical context</p> <p>*Para 75 : protection and enhancement of rights of way network</p> <p>*Para 76: identifying and protecting important green spaces</p> <p>*Para 109: enhancing the local environment</p> <p>*Para 114: planning positively for biodiversity and green infrastructure</p> <p>Para 115: great weight attached to conserving landscape and scenic beauty in national parks and AONBs, which have the highest status of protection</p> <p>*Para 116: control of major development in protected landscapes</p> <p>*Paras 117-119: protecting biodiversity</p>	<p>This policy accords with national policy in stressing the importance of the natural environment, identifying the key features requiring protection and enhancement, and the exceptional circumstances in which development affecting it may be acceptable.</p> <p>In Patching , this importance is strengthened by the National Park designation and the statutory purposes which underlie it</p>
PLACES 5 – Protection of high quality farmland	<p>*Para 109 : protect valued land</p> <p>* Para 112: steer development away from the best and most versatile farmland</p>	This policy accords with national policy to protect the best and most versatile farmland
PLACES 7- Equine development	*Para 28 : support for economic growth in rural areas and the promotion of local enterprises	There is no specific national planning policy for equine development, but appropriate development is supported as part of a sustainable rural economy.



		This policy supports appropriate equine development and sets criteria for considering planning applications
PLACES 8- Protection of trees , woodlands and hedgerows	*Para 109: enhancing the local environment *Para 114: planning positively for biodiversity and green infrastructure	This policy plans positively for trees and woodlands in the local environment. It identifies the protected trees and woodlands in Patching , how further protection will be provided , and policies for protection of trees on development sites
PLACES 10- Lighting in new development	*Para 120 : prevention of pollution *Para 125: limiting light pollution and protecting dark skies	This accords with national policies to control lighting in new development
PLACES 12 – Renewable energy on domestic property	*Para 93: reducing greenhouse gas emissions * Para 95: low carbon development *Para 97: promoting renewable and low carbon energy *Para 98 : taking a positive approach to energy generating development *Para 93: reducing greenhouse gas emissions	This policy supports the national aim of promoting domestic renewable energy and reducing greenhouse gas emissions
<b>Prosperity policies – Housing , Business and Transport</b>		
HBT 1- new residential development	*Para.50: identify local housing needs *Para.54: plan development to meet local housing needs , including rural exception sites *Para 55 : Promoting sustainable development in rural areas *Para 111: encourages the re-use of previously developed ( brownfield ) land Para 115: great weight attached to conserving landscape and scenic beauty in national parks and AONBs, which have the highest status of protection *Para 116: control of major development in protected landscapes	This policy takes, as its starting point, the national policy attaching great weight to conserving the landscape and scenic beauty of the National Park. This means strict control of new housing development.  It also recognises that there are local housing, or agricultural, needs that may need to be met in exceptional circumstances. It sets out the criteria for consideration of such exceptional cases and controls for their ongoing use.
HBT 2- Sub-division of residential gardens	*Para.54: plan development to meet local housing needs , including rural exception sites *Para.53: resists inappropriate development of residential gardens ,where this would harm	This policy follows national guidance in resisting inappropriate development of residential gardens and sets out the exceptional circumstances in which they might be permitted

	<p>local character</p> <p>*Paras 56-66: requiring good quality design in new developments</p> <p>*Para.118: promotion of biodiversity</p>	
HBT 3 – Replacement and extension of existing development	<p>*Para.50: identify local housing needs</p> <p>*Para.54: plan development to meet local housing needs , including rural exception sites</p> <p>*Paras 56-66: requiring good quality design in new developments</p> <p>*Para.118: promotion of biodiversity</p>	<p>This policy allows for replacement and extended dwellings, where they are of appropriate scale and design, and so maintain the character and appearance of the parish.</p> <p>This supports national planning policies to meet local housing needs and to promote good quality design in new developments</p>
HBT 4- Outdoor space	<p>*Para 17: securing good quality design and a good standard of amenity in new development</p> <p>*Para.53: resists inappropriate development of residential gardens ,where this would harm local character</p> <p>*Paras 56-66: requiring good quality design in new developments</p> <p>*Para.60: promoting and reinforcing local distinctiveness</p> <p>*Para 62: the importance of fitting new development into its natural, built and historical context</p> <p>*Para.118: promotion of biodiversity</p>	<p>This policy seeks to meet national guidance in ensuring that new development is well designed and fits in well with its surroundings , by providing adequate outdoor space</p>
HBT 5 – Off-street parking	<p>*Para 32: refusal of pp on traffic grounds only justified if impact “severe”</p>	<p>There are no specific national planning policies on off-street parking provision in new development, other than that parking provision should be at a level which promotes sustainable travel choices</p> <p>In a very rural location like Patching – with hardly any public transport – there are few choices other than use of the private car</p>
HBT 6- New commercial development	<p>*Para 8: promoting sustainable development and making it easier to create jobs in cities , towns and villages</p> <p>* Para 15: Planning system should support sustainable economic growth</p> <p>*Para 21: reduce barriers to business investment</p>	<p>This policy supports the continued use of business sites in the parish, and their appropriate further development, within the limitations of a National park landscape and the narrow rural road network.</p> <p>In doing so , it supports national</p>

	<p>*Para. 22: the planning system should not protect employment sites where there is no realistic prospect of their continuing in that use</p> <p>*Para.28:support a prosperous rural economy</p> <p>*Para 32: refusal of pp on traffic grounds only justified if impact "severe"</p>	planning policies for the sustainable economic development of rural areas
HBT 7 – Improved connectivity	<p>*Para.42: advanced , high quality, telecommunications infrastructure to support economic growth , particularly high speed broad band</p> <p>*Para 43: Plans should support expansion of telecommunication networks, whilst keeping masts to a minimum consistent with efficient network cover</p> <p>Paras.44-45: Circumstances in which planning authorities may restrict investment in telecommunications equipment in pursuit of planning objectives</p> <p>Para 162: recommends that planning authorities work with other authorities and with service providers in assessing the quality and capacity of infrastructure networks , and its ability to meet forecast future demand</p>	This policy supports national planning guidance on improving broad band speeds and mobile phone coverage in rural areas, subject to the need for sensitive siting and design of new telecoms development in a National Park landscape
HBT 9- Parking provision for visitors	<p>*Para 28 : support for economic growth in rural areas and the promotion of local enterprises</p> <p>*Para 29: promoting sustainable transport</p> <p>*Para 32: refusal of pp on traffic grounds only justified if impact "severe"</p> <p>* Para 39 : local parking standards for new development</p>	This policy recognises that visitors can bring benefits to the rural economy and that there may be a need for additional parking provision for visitors. It does not identify any proposed sites, but sets criteria by which any future proposals may be considered.

## 4. ACHIEVING SUSTAINABLE DEVELOPMENT

4.1 Throughout preparation of the Neighbourhood Development Plan (NDP), the Parish Council has been mindful of the NPPF's exhortation that *"sustainable development should be seen as a golden thread running through both plan-making and decision –making"* and that neighbourhood plans *"should take a positive approach to growth, unless specific policies in the NPPF indicate otherwise"* (NPPF paragraphs 14-16). In the case of Patching, the approach to accommodating growth has to be strongly tempered by the designation of the whole parish as part of the South Downs National Park.

4.2 The planning policies of the Neighbourhood Development Plan (along with the related community action) aim to deliver sustainable development for Patching over the next 10-15 years. This is the basis of the Vision which underpins the Plan:

### **OUR VISION FOR PATCHING PARISH**

**In 2030 , Patching will be a small, peaceful, community of character , befitting its situation within the South Downs National Park**

**It will value its rural setting, local environment, community assets, and the small local businesses and farming that distinguish it. As a result, development, whether residential or commercial, will be small in scale and in sympathy with the heritage and history of the parish.**

**Our community will have a special, cohesive and discernible identity that is diverse in age , occupation and background , supports residents, and welcomes visitors to the parish and the wider national park**

4.3 The plan goes on to set out its planning policies, and community action, to deliver this Vision under three headings which reflect the social, environmental and economic dimensions of sustainable development:

- Community ( social)
- Places ( environment)
- Prosperity (economic)

## 5. GENERAL CONFORMITY WITH STRATEGIC POLICIES OF THE LOCAL PLANNING AUTHORITIES

5.1 This is analysed in Table 3 below. The status of the various local planning policies is described in section 3 above .

**TABLE 3 HOW THE NEIGHBOURHOOD PLAN RELATES TO THE “SAVED” STRATEGIC POLICIES OF THE ARUN LOCAL PLAN (2007) AND THE EMERGING POLICIES OF THE SOUTH DOWNS NATIONAL PARK LOCAL PLAN (2015)**

Neighbourhood Planning Policy	Relevant “saved” policies of the Arun Local Plan 2007 (ALP) and the emerging South Downs National Park Local Plan 2015 (SDNPLP)	Comments
<b>Community policies</b>		
COMM 1 – Protection of community assets	<b>ALP</b> *DEV 30: local village centres *DEV 31: farm shops  <b>SDNPLP</b> *SD 53 : new and existing community infrastructure	THE ALP policies refer to new commercial development.  The SDNPLP policy promotes maintenance and improvement of community assets and indicates the exceptional circumstances in which they might be lost. The Neighbourhood Development Plan (NDP) closely follows this policy and is specific to community assets in Patching.
COMM 3- Supporting independent living	<b>ALP</b> *DEV 21: accommodation restricted to occupation by the elderly *DEV 22: relaxation of restrictions relating to occupation by the elderly  <b>SDNPLP</b> *SD23: housing *SD24 affordable housing	The NDP policy refers to conversion and extension of existing properties to support independent living.  The ALP policies refer to dedicated accommodation for the elderly. The latter form of development is unlikely in a small rural parish like Patching.  The emerging SDNPLP policies do not make specific reference to independent living.
COMM 5- Existing green space and new recreational facilities	<b>ALP</b> *GEN 7: form of new development *GEN 20: provision of public open space in new development	The ALP policies refer to open space provision in larger scale development  The NLP policy is in line with the emerging SDNPLP policies in

	<b>SDNPLP</b>  *SD 35: provision and protection of open space *SD 36: local green spaces *SD 53 : new and existing community infrastructure	protecting local green spaces and provision of new recreational facilities
<b>Places policies</b>		
PLACES 1- Historic buildings, other buildings and structures of merit, and sites of archaeological interest	<b>ALP</b>  *GEN 22: buildings or structures of character *AREA 1 : areas of special character *AREA 16 : Ancient Monuments and sites of national archaeological importance * AREA 17 : Sites of archaeological Interest *DEV 14: listed buildings and enabling development  <b>SDNPLP</b>  *SD11 : Historic environment *SD38: energy performance and historic buildings *SD 39: Conservation areas *SD 40: Enabling development *SD 41: Archaeology	This NDP policy reflects the longstanding ALP policies, and the emerging SDNPLP policies, to protect the historic environment by identifying its key features and setting out policies by which they will be conserved and enhanced.
PLACES 2- Conservation areas	<b>ALP</b>  *GEN 22: Buildings or structures which contribute to the character of an area * AREA 2 : Conservation areas  <b>SDNPLP</b>  *SD11 : Historic environment *SD 39: Conservation areas	This NLP policy is in line with the longstanding ALP policies , and the emerging SDNPLP policies , to preserve and enhance areas of special character by conservation area designation
PLACES 3 – Design of new development	<b>ALP</b>  GEN 7 : form of new development GEN 22: Buildings or structures of character AREA 2: conservation areas DEV 2: conversion of rural buildings to residential use  <b>SDNPLP</b>	This NLP policy supports the design policies of the ALP and the emerging SDNPLP by promoting good design in new development and reinforcing local distinctiveness, so that it fits in well with the local environment.

	<b>*SD 6: design</b>	
PLACES 4- Conservation and enhancement of the natural environment	<p><b>ALP</b></p> <p>GEN 3: protection of the countryside  GEN 23 : the water environment  GEN 26: water quality  GEN 28: trees and woodlands  GEN 29 : nature conservation across Arun District  AREA 9 :AONB  AREA 15: Sites of local importance for nature conservation</p> <p><b>SDNPLP</b></p> <p>SD1:sustainable development in the National Park  SD2 : ecosystem services  SD4/CP: coastal plain and /DS dip slope  SD5: landscape character  SD8: relative tranquillity  SD12: biodiversity and geodiversity  SD20: sustainable tourism and the visitor economy  SD27: sustaining the rural economy  SD37: trees, woodlands and hedgerows  SD41: archaeology  SD46: agriculture and forestry  SD47: farm diversification</p>	<p>This NDP policy gives primacy to the protection of the special character of the National Park , which is at the core of the emerging SDNPLP ( designation pre-dates the ALP)</p> <p>The policy is broadly in line with the wide range of ALP and SDNPLP policies which seek to conserve and enhance the natural environment</p>
PLACES 5 – Protection of high quality farmland	<p><b>ALP</b></p> <p>*GEN3: protection of the countryside</p> <p><b>SDNPLP</b></p> <p>*SD2 :ecosystem services  *SD46: agriculture and forestry</p>	The NDP policy reflects both ALP and emerging SDNPLP policies to safeguard the best and most versatile farmland
PLACES 7- Equine development	<p><b>ALP</b></p> <p>DEV 5: horse-related development  DEV 6: agricultural buildings</p> <p><b>SDNPLP</b></p> <p>SD27: sustaining the rural economy  SD46: agriculture and forestry  SD47: farm diversification  SD50: equestrian uses</p>	The NLP policy is in line with the ALP and emerging SDNPLP which recognise the role of equine development in the rural economy, but that a number of planning criteria are required for its successful integration into the local environment
PLACES 8- Protection of trees ,	<b>ALP</b>	This NDP policy is broadly in line

woodlands and hedgerows	<p>GEN 28: trees and woodlands</p> <p><b>SDNPLP</b> SD37: trees , woodlands and hedgerows</p>	with both ALP policies , and emerging SDNPLP policies , for protection of trees , woodlands and hedgerows
PLACES 10- Lighting in new development	<p><b>ALP</b> GEN 33: light pollution</p> <p><b>SDNPLP</b> SD9: dark skies</p>	The NDP policy follows the ALP and emerging SDNPLP policies in controlling light pollution in the countryside , an approach reinforced by the recent declaration of the South Downs International Dark Skies Reserve
PLACES 12 – Renewable energy on domestic property	<p><b>ALP</b> GEN 21: renewable energy</p> <p><b>SDNPLP</b> SD38: energy performance and historic buildings SD56: renewable energy</p>	This NDP policy is broadly in line with both ALP policies , and emerging SDNPLP policies , for promotion of renewable energy on domestic properties
PLACES 13- Patching pond and its surroundings	<p><b>ALP</b> GEN29: nature conservation</p> <p><b>SDNPLP</b> SD37 : biodiversity</p>	This NDP policy is for protection of an important local landscape and heritage feature , but is in line with wider ALP and emerging SDNPLP policies for promotion of biodiversity
<b>Prosperity policies – Housing , Business and Transport</b>		
HBT 1- new residential development	<p><b>ALP</b> *GEN2: built up area boundary *GEN3: protection of countryside *DEV17: affordable housing *DEV18: affordable housing outside built up area</p> <p><b>SDNPLP</b> *SD4: vision *SD22 : development strategy *SD23: housing *SD24: affordable housing provision *SD25: rural exception sites *SD27: sustaining the rural economy</p>	<p>This policy takes, as its starting point, the SDNPLP policy attaching great weight to conserving the landscape and scenic beauty of the National Park. (which post-dates the ALP) This means strict control of new housing development.</p> <p>It also recognises that there are local housing, or agricultural, needs that may need to be met in exceptional circumstances. It sets out the criteria for consideration of such exceptional cases and controls for their ongoing use.</p> <p>There are three differences from ALP, and emerging SDNPLP, policies in respect of proposals for housing to meet local housing needs, which may be allowed in exceptional circumstances. These are :</p>



		<p>(a) the ALP and SDNPLP policies focus on rural exception sites beyond the village boundary</p> <p>(b) a “cascade” arrangement whereby , occupation may be passed onto people from neighbouring parishes, or the wider national park area , if no local people are available</p> <p>(c) the development comprises several housing units on one site , provided at one time, and managed by a social landlord</p> <p>These are not appropriate in Patching and explanation / justification is provided in the NDP policy ,along with a mechanism for controlling occupation</p>
HBT 2- Sub-division of residential gardens	<p><b>ALP</b></p> <p>*GEN 3: protection of countryside</p> <p>*GEN 7: form of new development</p> <p><b>SDNPLP</b></p> <p>*SD 6: design</p> <p>*SD 36: local green spaces</p>	The NLP policies are broadly in line with the ALP and emerging SDNPLP policies in seeking to ensure that any sub-division does not detract from the character and appearance of the local area
HBT 3 – Replacement and extension of existing development	<p><b>ALP</b></p> <p>*GEN 7: form of new development</p> <p>*DEV 19: extensions to existing residential buildings</p> <p><b>SDNPLP</b></p> <p>*SD 45: Replacement dwellings and extensions</p>	<p>This policy allows for replacement and extended dwellings, where they are of appropriate scale and design, and so maintain the character and appearance of the parish.</p> <p>This supports local planning policies in the ALP and SDNPLP to meet local housing needs and to promote good quality design in new developments</p>
HBT 4- Outdoor space	<p><b>ALP</b></p> <p>*GEN 7: form of new development</p> <p>*GEN 20: provision of public open space in new development</p> <p><b>SDNPLP</b></p> <p>*SD 35: provision and protection of open space</p> <p>*SD 36: local green spaces</p>	The NLP policies are broadly in line with the ALP and emerging SDNPLP policies in seeking to ensure that adequate outdoor space is provided and that development does not detract from the character and appearance of the local area

<p>HBT 5 – Off-street parking</p>	<p><b>ALP</b></p> <p>*GEN 12: Parking in new development</p> <p><b>SDNPLP</b></p> <p>*SD 43: public realm and highway design</p> <p>*SD 44 : car and cycle parking provision</p>	<p>The NDP policy is broadly in line with ALP and emerging SDNPLP policies for provision of parking ( all of which ultimately have to refer back to the parking standards of the highway authority , WSCC) , but puts more emphasis on avoiding “overspill” parking from development sites which will cause obstruction and other problems in the narrow rural road network</p>
<p>HBT 6- New commercial development</p>	<p><b>ALP</b></p> <p>*DEV 26: criteria for retail development</p> <p>*DEV 27: local village centres</p> <p>*DEV 31: farm shops</p> <p>*DEV 32: garden centres</p> <p>*DEV 33: markets and car boot sales</p> <p>*DEV34: tourist accommodation and attractions</p> <p>*DEV 37: existing caravan sites</p> <p>*DEV 39: new touring caravan and camping sites outside the built up area</p> <p><b>SDNPLP</b></p> <p>*SD20: sustainable tourism and the visitor economy</p> <p>*SD27: sustaining the rural economy</p> <p>*SD28: employment land</p> <p>*SD46: agriculture and forestry</p> <p>*SD 47: farm diversification</p> <p>* SD49: conversion of redundant farm buildings</p> <p>*SD55: advertisements and signage</p>	<p>The NDP policy provides one single policy to support continued use of existing commercial sites and further development in appropriate cases, within the limitations of the national park landscape and the narrow rural road network.</p> <p>The ALP policies apply to specific forms of business development found in rural areas</p> <p>The emerging SDNPLP policies support a sustainable rural economy, but recognise that National Park purposes may sometimes limit how and where commercial development takes place. The NDP policy applies these principles to Patching.</p>
<p>HBT 7 – Improved connectivity</p>	<p><b>ALP</b></p> <p>*DEV 41 : Telecommunications</p> <p><b>SDNPLP</b></p> <p>*SD27: sustaining the rural economy</p> <p>*SD30: strategic infrastructure provision</p> <p>*SD57: telecommunications, services and utilities</p>	<p>The NDP policy is broadly in line with ALP ,and emerging SDNPLP, policies to improve broadband speed and mobile phone coverage in rural areas</p>

HBT 9- Parking provision for visitors	<p><b>ALP</b> None</p> <p><b>SDNPLP</b> SD18: transport and accessibility SD19: walking , cycling and equestrian routes SD20: sustainable tourism and the visitor economy</p>	<p>THE emerging SDNPLP policies seek to promote sustainable tourism, particularly access to the Downs by public transport, cycles and walking.</p> <p>Public transport is sparse in Patching and most visitors come by car. This NDP policy recognises that improved parking provision may be necessary and sets criteria for a suitable site(s)</p>
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## **6. COMPATIBILITY WITH EUROPEAN UNION REGULATIONS**

6.1 The Neighbourhood Plan has had regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights. It complies with the UK Human Rights Act 1998.

6.2 A formal screening request regarding the need for a Strategic Environmental Assessment (SEA) of the draft Neighbourhood Plan was made to the local planning authority, SDNPA, in January 2016. The SDNPA provided its formal response on 29 February 2016, stating that an SEA was not required. The response is shown in Appendix A.

6.3 The Neighbourhood Area is not proposing to allocate any land for new development, and expects only a very small amount of residential development to meet local needs. In addition, the plan area is not in close proximity to any European designated nature sites – Special Areas for Conservation (SACs) or Special Protection Areas (SPAs) – so as to warrant an Appropriate Assessment under the EU Habitats Regulations, and so this has not been required by SDNPA.

## **APPENDIX A**

### **DESIGNATION OF THE PATCHING NEIGHBOURHOOD DEVELOPMENT PLAN AREA BY SOUTH DOWNS NATIONAL PARK AUTHORITY**

**14 MARCH 2013**

**Copy of letter to be added**

**APPENDIX B****STRATEGIC ENVIRONMENTAL ASSESSMENT (SEA)****SCREENING OPINION FROM THE SOUTH DOWNS NATIONAL PARK****AUTHORITY 29 FEBRUARY 2016**

Dear Lindsay,

**Patching Neighbourhood Development Plan**

I am writing in response to your request for a screening opinion to assess whether the Patching Neighbourhood Development Plan requires a Strategic Environmental Assessment (SEA).

When adopted, Neighbourhood Development Plans will be used by the local planning authority to determine planning applications for the Neighbourhood Areas that they cover. As the parish falls within the South Downs National Park, the policies for the NDP, once adopted, will form the planning policy for that part of the National Park in the Parish of Patching.

The EU's SEA Directive requires those making plans that could impact on the environment to consider whether they are likely to have a significant effect or not. Such a requirement can be screened out if it is felt, based on the information available, that the NDP would not have a likely significant environmental affect. In order to assess the likely significance of the plan on the environment, the scope of the plan has been appraised against Annex II of the directive which identifies criteria for determining significance.

The South Downs National Park Authority (SDNPA) has based its screening opinion on the understanding that the Parish Council will prepare a Neighbourhood Development Plan that:

- will have policies consistent with national policy;
- will have policies consistent with existing and emerging local plan policies;
- will not seek to allocate housing or employment sites and instead will seek to facilitate limited infill development for up to 8 dwellings;

The SDNPA has considered a number of key environmental constraints located in the vicinity of the Neighbourhood Area and the potential environmental effects on these areas that may arise as a result of the NDP. It is considered that the Patching NDP should be screened out as requiring an SEA process. Whilst the parish has some distinctive landscapes, the NDP will not directly allocate housing and employment which may affect these. Given that the South Downs Local Plan will provide a range of policies for protecting and enhancing the natural and built environment, and the requirement for the NDP to be in conformity with these policies, the likelihood of significant effects taking place through the Patching NDP is diminished.

The SDNPA has notified Natural England, English Heritage and the Environment Agency regarding these decisions.

Yours Sincerely

Amy

Amy Tyler-Jones

Neighbourhood Planning Officer

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