

Horsted Keynes Neighbourhood Neighbourhood Plan

Basic Conditions Statement

October 2017

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1 INTRODUCTION

1.1 This Basic Conditions Statement has been produced to accompany the Horsted Keynes Neighbourhood Plan (HKNP).

1.2 The relevant legal framework for the preparation and making of Neighbourhood Plans is found in:

- Town and Country Planning Act 1990: ss. 61F, 61I, 61M-P and Schedule 4B
- Planning and Compulsory Purchase Act 2004: ss 38A-C
- The 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 five basic conditions before it can proceed to a referendum. These are:

- Having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood 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; and
- 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 is not likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2012) or a European offshore marine site (as defined in the Offshore Marine Conservation (Natural Habitats etc.) Regulations 2007) (either alone or in combination with other plans or projects).

1.4 This document sets out how the HKNP meets the Basic Conditions.

Supporting documents and evidence

1.5 The HKNP is supported by a Consultation Statement, a Sustainability Appraisal incorporating Strategic Environmental Assessment (SEA) and this Basic Conditions Statement.

Key statements

1.6 Horsted Keynes Parish Council is a qualifying body and entitled to submit a Neighbourhood Plan for its own parish. The HKNP expresses policies that relate to the development and use of land only within the neighbourhood area.

1.7 The neighbourhood area is contiguous with the Horsted Keynes parish boundary. This is shown in the map accompanying the neighbourhood area designation application.

1.8 The HKNP covers the period from 2016 to 2031.

- 1.9 No provision for excluded development such as national infrastructure is contained within the Neighbourhood Plan.
- 1.10 The HKNP does not relate to more than one neighbourhood area. It is solely related to the area as designated by Mid Sussex District Council in July 2012.
- 1.11 There are no other Neighbourhood Plans in place for the Horsted Keynes neighbourhood area.

2 CONFORMITY WITH NATIONAL PLANNING POLICY

2.1 It is required that the Horsted Keynes Neighbourhood Plan (HKNP) has appropriate regard to national planning policy. This is principally provided by the National Planning Policy Framework (NPPF).

National Planning Policy Framework

2.2 The NPPF in sections 183-185 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'.

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

- Promoting sustainable transport
- Delivering a wide choice of high quality homes
- Promoting healthy communities
- Conserving and enhancing the natural environment
- Conserving and enhancing the historic environment

2.4 The HKNP has six principal objectives. We summarise them in Table 2.1 below and which NPPF goals each objective seeks to address.

2.5 Table 2.2 then provides a summary of how each policy in the HKNP conforms specifically to the NPPF.

Table 2.1: Assessment of HKNP objectives against NPPF goals

HKNP Objective	Relevant NPPF goal
Conserve and enhance the environment of the village in order to maintain its distinct rural identity and outstanding landscape setting.	Conserving and enhancing the natural environment Conserving and enhancing the historic environment
Maintain and enhance existing and establish new local services and facilities.	Promoting healthy communities Promoting sustainable transport
Meet Horsted Keynes's housing needs over the plan period with emphasis on housing that addresses the needs of younger people and families to help maintain the village age profile.	Delivering a wide choice of high quality homes
Support local businesses and provide enhanced employment opportunities within the parish including home working.	Supporting a prosperous rural economy Supporting high quality communications infrastructure
Reduce the negative impacts of traffic and roadside parking on the village and encourage safe walking and cycling.	Promoting sustainable transport Promoting healthy communities
Minimise the adverse environmental effects of new development and support energy reduction and sustainable energy opportunities for the whole village.	Promoting healthy communities Conserving and enhancing the natural environment

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

No.	Policy title and reference	NPPF ref. (para.)	Commentary
1	Policy HK1: Built Up Area Boundary	55, 109	Defines the built-up area boundary to ensure consistency with the need to deliver affordable and open market rural homes and to protect the natural landscape beyond the urban edge.
2	Policy HK2: Dwelling Size	50	Addresses the need for a mix of dwelling sizes – and particularly a greater proportion of smaller dwellings than has been delivered in the past - in order to provide for local needs.
3	Policy HK3: Maintaining Local Character and Good Quality Design	56, 57, 58, 59	Establishes locally tailored good practice design principles that will enable applications to respond to the landscape context and existing built environment.
4	Policy HK4: Infill Development and Residential Extensions	58, 111	Enforces a positive approach to bring forward high quality infill development and extensions which maximise the use of land.
5	Policy HK5: Retention and Enhancement of Recreational and Local Green Spaces	70, 73, 109	Enables the expansion of a key public green space in Horsted Keynes, used for both formal and informal recreation
6	Policy HK6: High Weald Area of Outstanding Natural Beauty	109, 115, 116	Reinforces the value of the High Weald AONB as an area of landscape and scenic beauty of national importance.
7	Policy HK7: Protection and Improvement of Natural Habitats	109, 117, 118	Provides opportunities for well-designed developments that support biodiversity.
8	Policy HK8: Low Energy Design and Renewable Energy Schemes	93, 94, 95, 97	Plans positively to achieve high quality and inclusive design for all development.
9	Policy HK9: Sustainable Drainage System Design and Management	99, 103, 104	Ensures flood risk is not increased in new developments.
10	Policy HK10: Light Pollution	125	Limits the impact of light pollution from artificial light on local amenity.
11	Policy HK11: Expansion of Existing Commercial Premises	21, 22, 28	Seeks to protect commercial land and premises that is valuable in maintaining the vitality of the local economy.
12	Policy HK12: Broadband and Telecommunications	42, 43	Supports the expansion of electronic communications networks, including telecommunications and high speed broadband.
13	Policy HK13: Mobile Phone Masts	43	Makes provision for the expansion of electronic communications networks.

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No.	Policy title and reference	NPPF ref. (para.)	Commentary
14	Policy HK14: Loss of Existing Public Car Parking	39	Deals with the local parking needs based on evidence at a neighbourhood level.
15	Policy HK15: Parking Standards for New Residential Development	39, 40	Sets local parking standards for residential development.
16	Policy HK16: Cycleways and Footways	29, 35	Creates opportunities for the use of sustainable transport modes.
17	Policy HK17: Police House Field	50, 54	Allocates a site for housing adjacent to the eastern edge of the existing built up area boundary.
18	Policy HK18: Land at Jeffreys Farm	50, 54	Allocates a site for redevelopment to create new housing on brownfield land west of the built up area boundary.
19	Policy HK19: Land at Westall House	50, 54	Allocates a site for dwellings for elderly people and independent care east of the built up area boundary.

3 CONTRIBUTION TOWARDS SUSTAINABLE DEVELOPMENT

- 3.1 The NPPF states in paragraph 14 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.’
- 3.2 Table 3.1 below summarises how the objectives and policies in the HKNP contribute towards sustainable development, as defined in the NPPF.

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

Deliver Economic Sustainability	
<i>NPPF Definition – ‘Contribute to building a strong, responsive economy’</i>	
HKNP Objectives	Support local businesses and provide enhanced employment opportunities within the parish including home working. Maintain and enhance existing and establish new local services and facilities.
HKNP Policies	Policy HK11: Expansion of Existing Commercial Premises Policy HK12: Broadband and Telecommunications Policy HK13: Mobile Phone Masts
HKNP Comments	The HKNP seeks to enhance the vitality and viability of its local economy. There are a small number of significant employment providers within the parish whose needs should be addressed if they are to remain locally. The Neighbourhood Plan supports the expansion of Horsted Keynes Business Park which serves a range of small businesses. This seeks to maximise the opportunity for some small-scale expansion of these premises to be able to serve a greater number of businesses.
Deliver Social Sustainability	
<i>NPPF Definition – ‘Support strong vibrant and healthy communities’</i>	
HKNP Objectives	Maintain and enhance existing and establish new local services and facilities. Meet Horsted Keynes’s housing needs over the plan period with emphasis on housing that addresses the needs of younger people and families to help maintain the village age profile. Reduce the negative impacts of traffic and roadside parking on the village and encourage safe walking and cycling.
HKNP Policies	Policy HK1: Built Up Area Boundary Policy HK2: Dwelling Size Policy HK4: Infill Development and Residential Extensions Policy HK5: Retention and Enhancement of Recreational and Local Green Spaces Policy HK14: Loss of Existing Public Car Parking Policy HK15: Parking Standards for New Residential Development Policy HK16: Cycleways and Footways Policy HK17: Police House Field Policy HK18: Land at Jeffreys Farm Policy HK19: Land at Westall House
HKNP Comments	The HKNP seeks to maintain a thriving community by supporting its growth through the allocation of sites for housing. The Neighbourhood Plan aims to widen choice of high quality homes including housing units that meet the needs of the elderly wishing to downsize or who require residential care and smaller housing for first-time buyers. The policies aim to increase access to leisure facilities and the natural environment.

Deliver Environmental Sustainability	
<i>NPPF Definition – ‘Contribute to protecting and enhancing our natural, built and historic environment and mitigate and adapt to climate change’</i>	
HKNP Objectives	Conserve and enhance the environment of the village in order to maintain its distinct rural identity and outstanding landscape setting. Minimise the adverse environmental effects of new development and support energy reduction and sustainable energy opportunities for the whole village.
HKNP Policies	Policy HK3: Maintaining Local Character and Good Quality Design Policy HK6: High Weald Area of Outstanding Natural Beauty Policy HK7: Protection and Improvement of Natural Habitats Policy HK8: Low Energy Design and Renewable Energy Schemes Policy HK9: Sustainable Drainage System Design and Management Policy HK10: Light Pollution Policy HK16: Cycleways and Footways
HKNP Comments	The HKNP seeks to protect the character of the village by requiring good design of new development. The policies aim to minimise pollution and other adverse effects on the local and natural environment. The policies aim to conserve and enhance biodiversity. They also recognise the national importance of the High Weald AONB and the need to preserve the landscape.

- 3.3 As demonstrated in Table 3.1, the strategic objectives of the Neighbourhood Development Plan are considered to comprise a balance of social, economic and environmental goals.
- 3.4 A Sustainability Appraisal (SA) incorporating Strategic Environmental Assessment has been undertaken to satisfy the requirements of Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment. While there is no statutory requirement to do so, it was considered prudent to undertake a full SA which takes into consideration the broader economic and social effects of the plan. This was duly undertaken and is provided as part of the supporting documents to the plan.
- 3.5 The SA documents have been submitted along with the other documents required at Regulation 16 stage.

4 GENERAL CONFORMITY WITH THE STRATEGIC POLICIES OF THE DEVELOPMENT PLAN

- 4.1 The development plan currently consists of the following:
- 2004 Mid Sussex Local Plan (saved policies) and Small Scale Housing Allocations Document 2008.
 - 2003 West Sussex Minerals Local Plan
 - 2014 West Sussex Waste Local Plan
- 4.2 The policies of relevance are shown in Table 4.1 below, along with a consideration of whether they represent the strategic policies of the development plan. Where they do, consideration is made of whether the HKNP is in general conformity with them.
- 4.3 Table 4.1 also considers the policies in the Mid Sussex 'Live Examination Version' District Plan. Whilst this plan is still emerging, it is at an advance stage, having completed its Examination. It is considered that the HKNP needs to be mindful of the emerging local plan framework and therefore the policies in the HKNP are assessed against the Mid Sussex 'Live Examination Version' District Plan (August 2017).
- 4.4 Any policy that is not identified in Table 4.1 is not considered to be relevant to the HKNP because the HKNP does not have any policies that directly relate to it.
- 4.5 It is confirmed that there are no policies in either the 2003 West Sussex Minerals Local Plan or the 2014 West Sussex Waste Local Plan that the HKNP policies have any relevance to.

Table 4.1: Relevant strategic policies in the Mid Sussex Local Plan 2004 (saved policies) and the Mid Sussex 'Live Examination Version' District Plan, August 2017

Local Plan Policy	HKNP policy
Mid Sussex Local Plan 2004 (saved policies)	
G1 (General Policy)	<p>The HKNP policies below seek to ensure no unacceptable damage to landscape and has a strategy based around minimising impact on the environment and its resources:</p> <p>Policy HK3: Maintaining Local Character and Good Quality Design Policy HK6: High Weald Area of Outstanding Natural Beauty Policy HK7: Protection and Improvement of Natural Habitats Policy HK8: Low Energy Design and Renewable Energy Schemes Policy HK9: Sustainable Drainage System Design and Management Policy HK10: Light Pollution</p>
G2 (General Policy)	<p>The HKNP policies below promote alternatives to the private car, protect, enhance and increase access to the natural environment and encourage sustainable design:</p> <p>Policy HK7: Protection and Improvement of Natural Habitats Policy HK8: Low Energy Design and Renewable Energy Schemes Policy HK14: Loss of Existing Public Car Parking Policy HK15: Parking Standards for New Residential Development Policy HK16: Cycleways and Footways</p>
G3 (General Policy)	<p>The HKNP policies below support the retention and enhancement of local key infrastructure. Additionally, they seek in increase public access to local amenities:</p> <p>Policy HK5: Retention and Enhancement of Recreational and Local Green Spaces Policy HK12: Broadband and Telecommunications Policy HK13: Mobile Phone Masts Policy HK16: Cycleways and Footways</p>
C1 (Protection of the Countryside)	<p>Policies HK1, 17-19 below have been subject to an SA assessment. They have evolved as a result of robust evidence of local and district housing need which, as directed by NPPF paragraph 116, is a national consideration that must be weighed up against the importance of conserving the landscape and scenic beauty of the High Weald AONB. Policy HK6 seeks to ensure that development is considered appropriately within the context of the sensitive environment and landscape. Therefore, the requirements of Policy C1, adopted prior to the publication of the NPPF, must be considered within the context of the need for housing. The HKNP policies below seek to ensure that development adjacent to the built-up area boundary and on the sites allocated is appropriate for its location:</p> <p>Policy HK1: Built Up Area Boundary</p>

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Local Plan Policy	HKNP policy
	Policy HK6: High Weald Area of Outstanding Natural Beauty Policy HK17: Police House Field Policy HK18: Land at Jeffreys Farm Policy HK19: Land at Westall House
C4 (Areas of Outstanding Natural Beauty)	Policy HK6 reinforces the protection of the High Weald Area of Outstanding Natural Beauty.
C6 (Woodlands, hedgerows and trees)	Policy HK6 reinforces the importance of maintaining well-established features of the landscape and re-providing for them when they are lost.
CS13-CS15 (Drainage and flooding)	Policy HK9 promotes sustainable drainage setting out that new developments should provide facilities to control the rate of surface water run-off from development sites.
CS16 (Water Quality)	Policy HK8 seeks to restore, conserve, or enhance the water environment and improve the water quality.
CS17 (Telecommunications)	Policy HK12 seeks to ensure that appropriate provision for telecommunications needs is made and Policy HK13 directs new mast provision to an appropriate place where its impact would be minimised.
CS19 (Renewable energy)	Policy HK8 provides support for renewable energy schemes.
B1 (Design) and B2 (Design of residential estates)	Policies HK3 and HK4 seek to direct and shape good design within the context of the local vernacular in Horsted Keynes.
B3 (Residential extensions)	Policy HK4 permits residential extensions which complements the requirements of Policy B3.
B4 (Energy efficiency and drainage)	Policy HK8 provides more specific guidance regarding renewable energy. Policy HK9 directs the use of Sustainable Drainage Systems (SUDS) as a way of addressing effective drainage.
B6 (Open space in built-up areas)	Policy HK5 protects open spaces of value within Horsted Keynes village.
B7 (Loss of trees of significance)	Policy HK6 reinforces the importance of maintaining well-established features of the landscape including trees.
B10 (Listed Buildings)	Policy HK3 supports areas which of local heritage importance and the HKNP acknowledges that Listed Buildings and their settings will be protected.
B12-15 (Conservation Areas)	Policy HK3 acknowledges that the setting of Conservation Areas will be protected.
B24 (Light pollution)	Policy HK10 provides more specific guidance on new development and ensuring it does not cause light pollution.
H2 (Dwelling mix)	Policy HK2 seeks to provide for a mix of development reflecting local housing needs

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Local Plan Policy	HKNP policy
H3 (Infill development)	Policy HK4 seeks to provide locally-specific guidance for infill development within the built up area.
H7 (Housing for the elderly) and H8 (residential care homes)	Policy HK19 allocates a site to provide sheltered homes and further residential care for the elderly close to the built up area.
H9 (Residential extensions)	Policy HK4 seeks to provide locally-specific guidance for residential extensions
H11 (Housing in the Countryside)	The policies below have been subject to a rigorous assessment process and are based on evidence of local and district housing need. They do seek to ensure that development in the countryside is appropriate and reflects Horsted Keynes rural nature. Policy HK1: Built Up Area Boundary Policy HK3: Maintaining Local Character and Good Quality Design Policy HK4: Infill development and residential extensions Policy HK17: Police House Field Policy HK18: Land at Jeffreys Farm Policy HK19: Land at Westall House
H13 (Dwelling extensions in the countryside)	Policy HK4 also permits residential extensions outside the built up area boundary and provides criteria for ensuring good quality design.
E5 (Additional business use) and E7 (Business development in the countryside)	Policy HK11 seeks to direct appropriate expansion of existing commercial areas for continuing economic activity outside the built up area boundary.
HK1 (Horsted Keynes Industrial Park)	Policy HK11 supports the expansion of Horsted Keynes Industrial Park.
T4 (New Development)	The HKNP policies below seek to ensure that development does not impact on its rural road network. It also seeks to provide for and maximise the use alternative modes of transport. Policy HK15: Parking Standards for New Residential Development Policy HK16: Cycleways and Footways
T5 (Parking provision)	Policies HK13 and HK14 direct parking provision within the local context of Horsted Keynes being a small rural village.
R1 (Recreation) and R2 (Protection of	Policy HK5 protects open spaces of value within Horsted Keynes village.

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Local Plan Policy	HKNP policy
existing open space)	
R6 (Informal open space)	No policy
Mid Sussex 'Live Examination Version' District Plan, August 2017	
DP2 (Sustainable Economic Development)	Policy HK11 seeks to provide the potential for expanded economic activity.
DP4 (Village and Neighbourhood Centre Development)	Policy HK11 protects local enterprises in Horsted Keynes village which is a Category 3 medium sized village in the settlement hierarchy.
DP5 (Housing)	The HKNP allocates three sites for housing development which contribute towards addressing housing need. Policy HK17: Police House Field Policy HK18: Land at Jeffreys Farm Policy HK19: Land at Westall House In addition, Policy HK1 provides the potential for small scale housing development around the built up area boundary
DP6 (Settlement Hierarchy)	Horsted Keynes is a Category 3 medium sized village in the Settlement Hierarchy. The new proposed development outside the settlement boundary has been demonstrated to be sustainable through the sustainability appraisal process. Policy HK1: Built Up Area Boundary Policy HK17: Police House Field Policy HK18: Land at Jeffreys Farm The promotion and enhancement of local business in Policy HK12 supports Horsted Keynes in maximising its local economic resources in line with its category 3 status in the settlement hierarchy as a medium sized village.
DP10 (Protection and Enhancement of Countryside)	The HKNP policies below protect and enhance the countryside: Policy HK6: High Weald Area of Outstanding Natural Beauty Policy HK7: Protection and Improvement of Natural Habitats
DP11: (Preventing Coalescence)	The allocation of the housing sites in Policies HK18-20 changes the settlement boundary. The site allocation has been subject to a rigorous assessment process and is based on evidence of local and district housing need. Policy HK1 has ensured that by keeping development at a small scale there is no potential for coalescence with neighbouring settlements.
DP12 (Sustainable Rural Development and the Rural Economy)	Policy HK11 seeks to protect existing commercial areas for continuing economic activity.
DP13 (New Homes in	The policies below have been subject to a rigorous assessment process and are based on evidence of local and district housing need.

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Local Plan Policy	HKNP policy
the Countryside)	They do seek to ensure that development in the countryside is appropriate and reflects Horsted Keynes' rural nature. Policy HK1: Built Up Area Boundary Policy HK2: Dwelling Size Policy HK3: Maintaining Local Character and Good Quality Design Policy HK10: Light Pollution Policy HK17: Police House Field Policy HK18: Land at Jeffreys Farm Policy HK19: Land at Westall House
DP14 (High Weald Area of Outstanding Natural Beauty)	Policy HK6 reinforces the protection of the High Weald Area of Outstanding Natural Beauty.
DP15 (Ashdown Forest Special Protection Area (SPA) and Special Area of Conservation (SAC))	The policies below set out to minimise any impacts on Ashdown Forest Special Protection Area (SPA) and Special Area of Conservation (SAC). Policy HK6: High Weald Area of Outstanding Natural Beauty Policy HK7: Protection and Improvement of Natural Habitats
DP18 (Securing Infrastructure)	No policy
DP19 (Transport)	The policies below seek to provide for alternative modes of transport and the site allocations are located to ensure non-car access to is maximised: Policy HK14: Loss of Existing Public Car Parking Policy HK15: Parking Standards for New Residential Development Policy HK16: Cycleways and Footways
DP20 (Rights of Way and other Recreation Routes)	Policy HK16 supports that the existing footpath network is retained and enhanced
DP21 (Communications Infrastructure)	The policies below seek to ensure that the infrastructure required for high speed broadband is put in place to support growth. Policy HK11: Expansion of Existing Commercial Premises Policy HK12: Broadband and Telecommunications Policy HK13: Mobile Phone Masts
DP22 (Leisure and Cultural Facilities and Activities)	Policy HK5 protects some of the key green spaces and identifies the key community infrastructure that will need to be improved to support growth.

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Local Plan Policy	HKNP policy
DP23 (Community Facilities and Local Services)	Policy HK5 identifies the key community infrastructure that will need to be improved to support growth.
DP24 (Character and Design)	The policies below set out provisions to for new developments which respect local character and which are of a high quality design: Policy HK3: Maintaining Local Character and Good Quality Design Policy HK4: Infill Development and Residential Extensions
DP28 (Housing Mix)	Policy HK2 uses local evidence to require a mix of housing that addresses needs. Policy HK19: Land at Westall House.
DP29 (Affordable Housing)	The policies below have been subject to a rigorous assessment process and are based on evidence of local and district housing need. They do seek to increase housing supply and maximise opportunities for new affordable housing developments: Policy HK1: Built Up Area Boundary Policy HK2: Dwelling Size Policy HK4: Infill Development and Residential Extensions Policy HK17: Police House Field Policy HK18: Land at Jeffreys Farm Policy HK19: Land at Westall House
DP32 (Listed Buildings and Other Buildings of	Policy HK3 supports areas which of local heritage importance and acknowledges that Listed Buildings and their settings will be protected.
DP33 (Conservation Areas)	Policy HK3 reinforces the requirement to protect the setting of the conservation area in Horsted Keynes village.
DP36 (Trees, Woodland and Hedgerows)	Policy HK6 reinforces the importance of maintaining well-established features of the landscape including trees.
DP37 (Biodiversity)	The policies below set out to protect and enhance local biodiversity. Policy HK5: Retention and Enhancement of Recreational and Local Green Spaces Policy HK6: High Weald Area of Outstanding Natural Beauty Policy HK7: Protection and Improvement of Natural Habitats
DP39 (Sustainable Design and Construction)	Policy HK8 provides more specific guidance regarding renewable energy in design of new development.
DP40 (Renewable Energy Schemes)	Policy HK8 provides more specific guidance regarding renewable energy and encouragement for community-led schemes.

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Local Plan Policy	HKNP policy
DP41 (Flood Risk and Drainage)	Policy HK9 supports the protection against flooding in new developments and the use of Sustainable Drainage Systems (SUDS).

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

- 5.1 The Neighbourhood Development Plan has regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and complies with the Human Rights Act.
- 5.2 Mid Sussex District Council had given clear guidance to all NDP Groups that, if they were proposing site allocations, then an SEA was necessary and that this should be undertaken as part of a full Sustainability Appraisal. This was confirmed in the Mid Sussex Neighbourhood Plans Strategic Environmental Assessment Screening Report June 2013. Accordingly, this assessment has been undertaken and is included as part of the suite of documents submitted to Mid Sussex District Council as part of the Regulation 16 Submission Stage.
- 5.3 The Sustainability Appraisal began with a Scoping Report which identified the baseline characteristics of the Neighbourhood Area followed by a full Sustainability Appraisal that considered reasonable alternatives which was consulted upon alongside the Neighbourhood Plan at Regulation 14 Consultation. Subsequently minor amendments were made to the Sustainability Appraisal taking into account comments received during that consultation period.
- 5.4 Following consultation with Natural England, Mid Sussex District Council has undertaken a Habitats Regulations Assessment (HRA) to test whether the Mid Sussex District Plan, in combination with other plans and projects, is likely to have an adverse effect on the integrity of Ashdown Forest. The HRA report on the District Plan identifies that proposed new housing close to Ashdown Forest is likely to increase the number of visitors to the Forest. Such visitors could increase disturbance to rare, ground-nesting bird populations (in particular the Dartford warbler and Nightjar). The 'Ashdown Forest Visitor Survey Data Analysis' published in September 2010 found that most visitors to the Forest live within 7km of its boundaries (straight line distance). The HRA therefore identified a 7km 'zone of influence' within which new housing developments must counter its effect by putting in place measures which reduce visitor pressure.
- 5.5 All the land in the Neighbourhood Plan area lies within the 7km zone of influence, and therefore new residential development proposed in the Plan must have due regard to the Habitats Regulations. The proposed approach set out in the Mid Sussex District Plan includes providing Suitable Alternative Natural Greenspace sites (SANGs) and Strategic Access Management and Monitoring (SAMM) measures on Ashdown Forest itself.
- 5.6 SANGs are sites that cater for the recreational needs of communities in order to reduce the likelihood of visitor pressure and disturbance on important nature conservation areas. Developer contributions will be required towards the provision of SANGs and the criteria for a site to be suitable as a SANG site is set out on the Mid Sussex District Council website (www.midsussex.gov.uk).
- 5.7 The District Council is responsible for deciding how developer contributions towards the provision of SANGs and SAMM will be calculated and delivered.
- 5.8 The HRA of the Mid Sussex District Plan also assessed the impact of nitrogen deposition on the Ashdown Forest SAC. This included development proposed through the Neighbourhood Plan. The conclusion of the HRA was that there would be no likely significant effects on the Ashdown Forest SAC from the policies in the Neighbourhood Plan.
- 5.9 The HRA Screening Report is included as part of the suite of documents submitted to Mid Sussex District Council as part of the Regulation 16 Submission Stage.

6 CONCLUSION

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