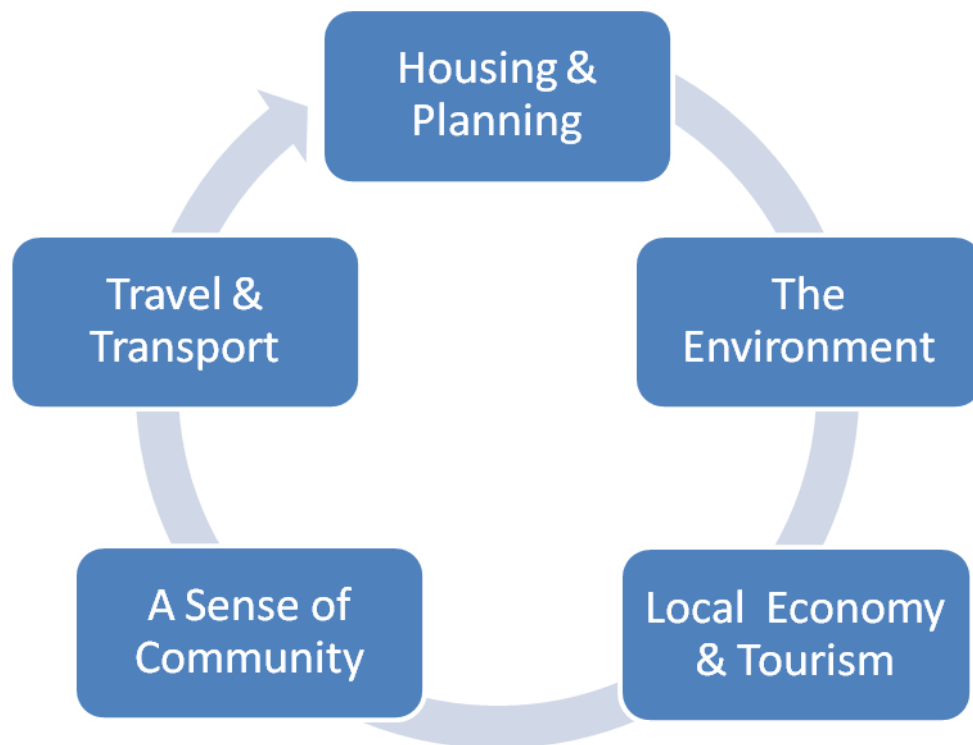


FISHBOURNE

Your Village NEIGHBOURHOOD PLAN Your Say 2014-2029

SUBMISSION DRAFT



BASIC CONDITIONS DOCUMENT

CONTENTS

1. Introduction	1
2. Why Fishbourne Needs a Neighbourhood Plan	2
3. Summary of Compliance Statement	3
4. Neighbourhood Planning Area & Fishbourne Neighbourhood Plan	5
5. Content of Neighbourhood Plan proposal	6
6. The Basic Conditions	6
7. Evidence	13

Appendices

Appendix BC 1 Neighbourhood Area designated by CDC in accordance with the regulations

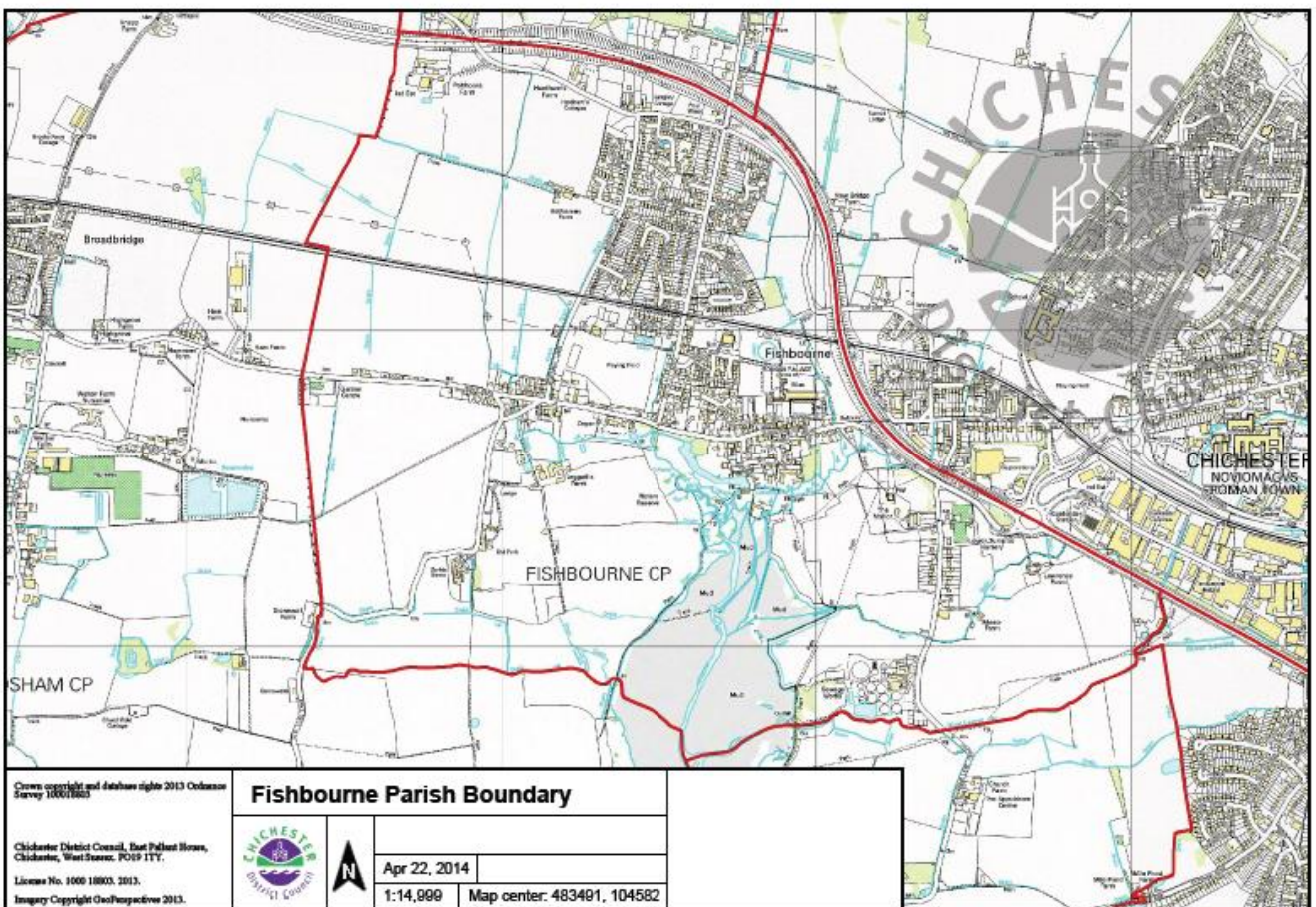
Appendix BC 2 Confirmation of no need for Strategic Environment or Habitat Regulations assessments

Appendix BC 3 Grid showing relationship between Policies and elements of NPPF

FISHBOURNE NEIGHBOURHOOD PLAN BASIC CONDITIONS STATEMENT 2014

1.0 Introduction

This statement introduces the Fishbourne Neighbourhood Plan Proposal 2014-2029 and sets out how the Plan has been prepared in accordance with the Neighbourhood Planning (General) Regulations 2012, hereafter referred to as 'the Regulations', and how the plan meets the basic conditions of neighbourhood planning and other considerations as prescribed by Paragraph 8 of schedule 4B to the Town and Country Planning Act 1990 as amended, hereafter referred to as the 1990 Act. The statement has been prepared by the Fishbourne Neighbourhood Plan Steering Group (FNPSG) on behalf of Fishbourne Parish Council, the qualifying body for the designated neighbourhood plan area set out in the map below. Chichester District Council (CDC), the Local Planning Authority, confirmed they were satisfied with the Basic Conditions Statement on 20 May 2014.



Below is a brief introduction to Fishbourne and why the Neighbourhood Plan has been prepared. This is followed by a summary of compliance statement indicating how the Neighbourhood Plan has been prepared in line with the Regulations and the 1990 Act. The remaining sections of the document provide evidence as to how the Neighbourhood Plan meets the basic conditions.

2.0 Why Fishbourne Parish needs a Neighbourhood Plan

The village of Fishbourne is situated on the edge of Chichester Harbour and is sheltered by the Downs. Though it has a history stretching back to Roman times, it developed as two separate communities. Old Fishbourne was part of Bosham Parish Council and New Fishbourne part of Chichester City Council until 1987.

As a result there was no “Fishbourne voice” on important issues affecting the village. A village meeting summoned in 1969 by the then Rector led to the formation of Fishbourne Playing Field Association as a registered charity (1970) and the establishment of a Neighbourhood Council (1975) which led to the first elected Parish Council (1987). The Parish Council was awarded Quality Parish Status in 2007 and the village won the Calor Best Village West Sussex Award in 2008. The Parish Council’s Mission Statement is:

To conserve and, where possible, to enhance the quality of life for all who live and work in Fishbourne now and in the future.

Fishbourne had a stable rural based resident community until the Second World War after which there were a number of housing developments each moving further northwards from the original linear shaped village along the A259. Developments in the past decade have now reached the northern boundary of the village. Since the Census of 2001, the number of houses has increased by 25%. Conversely, this rapid development coincided with a loss of local services and the village now has no village shop, no post office and no medical facilities. Building development to the west of the village has substantially increased the traffic along the already busy A259 which winds through the south of the village. Much traffic seeks to avoid the delays at Fishbourne Roundabout by diverting along Salthill Road and Clay Lane which is not fit for such a purpose. Flooding is also a long-standing problem with existing pipe-work straining to cope with the increased demand.

The village realises that the pressures on the infrastructure and resources is an opportunity to utilise a neighbourhood plan, building on the more limited influence of its two previous Village Plans, to take greater control over the development of the village. It has expressed this in its comprehensive vision for Fishbourne by 2029. Though the terminology might be different, the Vision statement reflects the NPPF vision of “a high quality built environment with accessible local services that reflect the community’s needs and support its health, social and cultural well-being”.

The social, economic and environmental challenges and constraints which face Fishbourne require a cohesive approach in the management of its sustainable growth.

- Socially, the community needs to integrate all newcomers and to integrate the separate developments in the village.
- It will need to utilise the existing facilities (forthcoming new Hall at the Church, the new Fishbourne Centre and the facilities at Fishbourne Roman Palace) so that the whole community benefits from a co-ordinated approach to their use.
- The sites for building development have to take into account the location of Fishbourne on the edge of Chichester Harbour designated an AONB in 1964. It is also designated as a Special Protection Area for Wild Birds (SPA) and a Special Area for Conservation (SAC). It also contains a Ramsar site (i.e. a wetland of international importance under the 1971 Ramsar Convention).

The community realises that it needs to address these opportunities, challenges and constraints by planning locally for its future sustainable growth. Building on the experience of its two Four Year plans, it has embraced the opportunity provided by the Localism Act 2011 and NPPF 2012. Whilst public funding to bring forward investment is currently limited, there are opportunities

through the CDC Infrastructure Programme and the WSCC Strategic Transport Investment Funding, together with new funding streams, such as the Community Infrastructure Levy and the New Homes Bonus. These raise the prospect that communities that have well-developed, supported and achievable plans to improve their neighbourhoods could secure monies or support for delivery.

In this context the objective of the Neighbourhood Plan is:

- To clearly describe the full range of social, economic and environmental influences in Fishbourne and set out the issues that these raise for the future of the area;
- To set out a clear vision and strategic plan for sustainable growth of Fishbourne which reflects the views of the whole community;
- To provide a planning framework to guide future regeneration, environmental enhancement, community investment and development decisions in the neighbourhood. This planning framework will support the strategic development needs in the emerging local plans.
- To set out prioritised projects which reflect the aspirations of the community and which, when implemented, will help to deliver the vision for Fishbourne by 2029.
- To set out policies which can be taken into account when Chichester District Council is making planning decisions, negotiating developer contributions or deciding how to allocate funding derived from other sources such as the Community Infrastructure Levy (CIL) and the new Homes Bonus.

3.0 Summary of Compliance Statement

The Neighbourhood Plan has been prepared by a qualifying body as designated by Chichester District Council (CDC) in accordance with the Neighbourhood Planning (General) regulations 2012, hereafter referred to as 'the Regulations'.

The policies described in the Neighbourhood Plan relate to the development and use of land in a Neighbourhood Area designated by CDC in accordance with the Regulations. Please see Appendix BC 1.

The Neighbourhood Plan will apply for 15 years and does not contain policies relating to excluded development in accordance with the regulations.

All the documents required by part 5, paragraph 15 of the Regulations are included in the submission package for the Neighbourhood Plan. The requirements include provision of the following:

- a) A map or statement which identifies the area to which the proposed neighbourhood development plan relates;
- b) A consultation statement;
- c) The proposed neighbourhood development plan; and
- d) Statement explaining how the proposed neighbourhood development plan meets the requirements of paragraph 8 of schedule 4B to the 1990 Act.

Points (a)-(c) are referred to later in this statement and are provided as appendices or stand alone documents.

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, and
- Prescribed conditions are met in relation to the neighbourhood development plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood development plan.

The evidence documenting compliance with these conditions is provided in sections 4-7.

A screening process was carried out by the local planning authority to determine whether a Strategic Environment Assessment or Habitat Regulations Assessment would be required in support of the plan. Given the size and location of the development it was determined that the Fishbourne Neighbourhood Plan will not have significant environmental effects and that an SEA would not be needed. In the case of the HRA the Parish Council had acknowledged that there could be a significant “in combination” impact of development on the SPA and has included a requirement that any planning applications should illustrate how they would mitigate this impact and/or make a contribution to the Solent SPA Interim Planning Framework. No other European sites will be affected by the policies described in the Neighbourhood Plan. (Confirmation from LPA - Please see Appendix BC2.)

As such, neither SEA nor HRA is required for this Neighbourhood Plan. Therefore, Basic Conditions concerning Habitat and Environmental Impact assessment as described in Schedules 2 and 3 of the regulations have been accounted for.

The basic Condition in Schedule 4B is whether the making of the plan does not breach, and is otherwise compatible with, EU obligations. The key EU obligations are in the Strategic Environmental Assessment Directive (2001/42/EC). An SEA is mandatory for plans/programmes except where no significant impacts can be demonstrated. Schedule 2 of the Neighbourhood Planning Regulations makes provisions in relation to the Habitats Directive. This requires a qualifying body to submit sufficient information to allow the Local Planning Authority to make assessment under the Conservation of Habitats and Species Regulations 2010 that the plan will not have any significant effect on a site protected under European law. Chichester District Council’s assessment is that these requirements have been met.

The Neighbourhood Plan has regard to the fundamental rights and freedoms guaranteed under the European convention on Human Rights and complies with the Human Rights Act 1998. The draft Neighbourhood Plan was submitted to the statutory environmental bodies (English Heritage, Natural England and the Environment Agency) whose comments were accommodated in

the final FNP. The draft Neighbourhood Plan was submitted to the appropriate environmental body (Chichester District Council) who agreed that that no further detailed assessments were required to comply with the SEA Directive or HRA. Therefore the plan is considered to be compatible with EU obligations.

4.0 Neighbourhood Planning Area & Fishbourne Neighbourhood Plan Steering Group (FNPSG)

Fishbourne has a long history of community involvement and The Fishbourne Parish Neighbourhood Plan has been prepared in the true spirit of the Localism Act 2011 and the Neighbourhood Planning Regulations 2012. The plan was administered by FPC (as were the two previous Village Plans) but the community was engaged in determining the contents of its plan and the prioritisation of those contents. Five Community Groups developed one of the key sections of the Plan – Housing & Planning, The Environment, Local Economy & Tourism, A Sense of Community, and Travel & Transport.

Professional input was limited during these early stages because FNPSG wanted the emphasis to be on the voice of the community. Subsequently, as the plan entered a more technical stage, consultation took place on a regular basis with a range of officers in CDC. This also helped FNPSG to check that the Plan was developing in general conformity with NPPF and the emerging Local Plan.

The Neighbourhood Area has been formally designated as required under the 2012 Neighbourhood Planning regulations. Fishbourne Parish Council submitted an application for designation of a neighbourhood area on 23 May 2013. Fishbourne Parish Council publicised the application on its website, at public meetings, by posters in the parish and in the parish magazine. Notice of the application was made by CDC on 7 June 2013 with a closing date of 19 July 2013. No objections were received during the 6 week consultation period. The application was subsequently designated on the 23 July 2013.

Fishbourne Parish Council (FPC) was recognised as the qualifying body to prepare the Neighbourhood Plan following the successful designation of Fishbourne Parish Neighbourhood Area. The result was published on the FPC website, in the quarterly Village Voice (distributed to all homes in the village), the Church parish magazine and a press release.

The neighbourhood planning process brought together a diverse collection of people from all over the parish. It helped the community to recognise its assets and also how to address the issues it faces in a positive way. The process is making the community stronger, has strengthened its sense of identity and has given it a stronger voice. Local people have engaged with the planning process and, as a result, have a better understanding of the balance of issues that must be considered when planning decisions are made.

It is hoped that a successful referendum and the bringing into legal force of the Neighbourhood Development Plan will accelerate the process for local people to work together to realise their aspirations for Fishbourne. The future growth of the community is envisaged in the plan as delivering a sustainable, socially cohesive, economically more locally serviced and environmentally enhanced neighbourhood which would be an even better place in which to live.

5.0 The Content of the Neighbourhood Plan Proposal

A number of documents have been produced in order to support the plan and meet the Basic Conditions. These include:

- The Fishbourne Neighbourhood Plan: This document includes a vision with projects and policies developed by the community to bring about that vision.
- The Fishbourne Neighbourhood Plan Evidence Base: This is a body of information prepared by the community to ensure due consideration of social, economic and environmental issues within the ward including its early work on its Village Plan 2010-2014, its draft Neighbourhood Plan and supporting core documents.
- The Consultation Statement: This is a statement setting out how the community and stakeholders have been involved in the preparation of Fishbourne Neighbourhood Plan.

6.0 The Basic Conditions

6.1 Involvement of the Local Community and Stakeholders

The Neighbourhood Plan has been prepared with extensive input from the community and stakeholders as set out in the accompanying Consultation Statement (CS). The draft Neighbourhood Plan has been consulted on as required by the Neighbourhood Planning Regulations 2011 and the responses have been recorded and changes have been made as per the schedule set out in Community Consultation Responses in Appendix 10 to the Consultation Statement.

The CS has been prepared by members of Fishbourne Parish Council (FPC) with input from the Fishbourne Neighbourhood Plan Steering Group (FNPSG) and meets the requirements set out in Paragraph 15 (2) of the Regulations.

6.2 Conformity with National Policy

Neighbourhood Development Plans (NDPs) must demonstrate that they comply with the 'Basic Conditions' as outlined within Paragraph 8 of Schedule 4b to the 1990 Act :

A draft neighbourhood development plan meets 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, and*

- *prescribed conditions are met in relation to the neighbourhood development plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood development plan.*

Each of the above and their relevance to the FNP is discussed in detail in the subsequent section of this statement.

In addition to the Basic Conditions outlined above, an Examiner will also have to assess the Plan's compliance with the provisions made under sections 61E(2), 61J and 61L of the 1990 Act (for NDPs this is compliance with S38A and 38B of the 2004 Act). This statement will deal with both of these elements below.

Section 38A Compliance

1. Fishbourne Parish Council is a Qualifying Body for the purposes of Neighbourhood Planning and as such is entitled to submit a NDP for its designated Neighbourhood Area.
2. The Fishbourne Neighbourhood Plan sets out policies in relation to "the development and use of land" within the designated Neighbourhood Area.

(It should be noted that the remaining paragraphs within this section of the Act refer to post-Examination issues and as such are not relevant to this statement.)

Section 38B Compliance

- 1) a) The period set for the FNP is fifteen years (2014 -2029).
b) The FNP does not make any provisions for excluded development as defined by the Act.
c) The FNP does not relate to more than one Neighbourhood Area. It is submitted for the Fishbourne Neighbourhood Area which was designated by CDC on 23 July 2013.
(a copy of the decision notice can be found at Appendix BC 1).
- 2) There are no other Neighbourhood Plans submitted for or in place within the designated Neighbourhood Area to which the FNP relates.
- 3) This paragraph refers to Regulations that may be made by the Secretary of State, namely the Neighbourhood Planning (General) Regulations 2012. This statement can confirm that these provisions were followed including the pre-submission six week consultation (including relevant statutory consultees) as documented in the FNP Consultation Statement.

(The remaining paragraphs of this section (5 and 6) are not relevant to this statement as they relate to the LPA's duty to publish a NDP and clarification of what constitutes excluded development).

COMPLIANCE WITH THE BASIC CONDITIONS

This section will outline each of the basic conditions in more detail and their relevance to the FNP before dealing with each of the policies in more detail.

NATIONAL POLICIES AND ADVICE

The reference to national policies and advice refers to the National Planning Policy Framework (NPPF) which the FNP must have appropriate regard to when expressing its policies.

It should be noted that not all sections of the NPPF will be relevant to the FNP as there is no legal requirement for a Neighbourhood Plan to provide policies covering all of the provisions within the NPPF. However, where a Neighbourhood Plan expresses a policy it must have appropriate regard to the relevant parts of the NPPF.

A key theme that runs throughout the NPPF is the promotion of sustainable development. In Section 5 of the Plan, policies are scrutinised for their contribution to the environmental, social and economic issues of Sustainable Development under the headings of Housing; Planning and Design; Local Economy and Tourism; Environment; and Transport.

This statement will cover how the FNP has had appropriate regard to the NPPF in relation to the following relevant elements:

- Delivering a wide choice of high quality homes
- Requiring good design
- Building a strong, competitive economy
- Supporting a prosperous rural economy
- Meeting the challenge of climate change, flooding and coastal change
- Conserving and enhancing the natural environment
- Conserving and enhancing the historic environment
- Promoting healthy communities
- Promoting sustainable transport

General Policy

In the introduction to the Policies section of the Plan, it is obvious that sustainable development lies at the heart of the Fishbourne Neighbourhood Plan. The Introduction quotes the Minister's Foreword to the NPPF: "in order to fulfil its purpose of helping to achieve sustainability, development planning must be a creative exercise in finding ways to enhance and improve the places in which we live our lives". Sustainability is a theme that runs through the NPPF but paragraphs 11-16 of the NPPF deal specifically with it and the FNP has been prepared with these paragraphs particularly in mind.

Delivering a Wide Choice of High Quality Homes

The housing policies of the FNP have been compiled with paragraph 50 of the NPPF in mind which requires planning policy to "deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities".

Since the village has seen a 25% increase in housing since the 2001 Census, there are limited opportunities as the village is now built up to its northern and almost to its eastern boundary, while its southern boundary adjoins Chichester Harbour AONB and its western boundary comprises high quality farmland which is used for food production. The FNPSG have, however, identified two sites for sustainable development and, in its consultation response, the Environment Agency say they are “pleased to see that the proposed allocations have been directed to the areas at the least probability of flooding”.

Policy SD.1 identifies land to the east of Mosse Gardens as sustainable development. The first plot has already obtained outline planning permission for 25 homes including 40% affordable housing. As this permission has a time restriction, FNP identifies it as a sustainable site should it not be delivered through the existing planning permission. A second plot on the site would offer further sustainable development with the appropriate size, tenure and mix being determined in discussion with the District Council.

Policy SD.2 identifies land at the Roman Palace which is owned by the Sussex Archaeological Society (SAS) and which could provide a sustainable development of up to 15 dwellings on the north side of Emperor Way. This would provide funding for much-needed development on the south side to encourage a much larger number of visitors and at the same time, remove the threat of the withdrawal of the permissive right of way.

Policy D.1 develops the concept of “good design” and what this means for Fishbourne. It illustrates the Steering Group’s commitment to the guidance in paragraph 56 of the NPPF that “Good design is a key aspect of sustainable development, is indivisible from good planning and should contribute positively to making places better for people”.

Requiring Good Design

The FNP aims to develop robust and comprehensive policies that support the NPPF objective of encouraging excellence in design and that set out the quality of development that will be expected for the area.

Policy D.1 sets out the requirements that will be applied to all building development in the area. In line with NPPF paragraph 60, FNP does not attempt to impose any one style or taste and makes no attempt to stifle innovation while encouraging a reinforcement of local distinctiveness.

Building a Strong Competitive Economy

Policy E.1 places a presumption in favour of small scale businesses provided that they do not generate unacceptable levels of disturbance to occupiers of nearby property. Because of the substantial increase in residential accommodation, Fishbourne has little room for new business properties and therefore the emphasis is on enhancement of existing sites such as an extension of the range of dental services offered by the Bosham Clinic (which, despite its title, is in Fishbourne). By supporting existing local businesses and encouraging new small businesses, home working and social enterprises, the Plan seeks to help Fishbourne move further towards economic diversity.

Supporting a Prosperous Rural Economy

Paragraph 28 of the NPPF states that in order to promote a prosperous rural economy neighbourhood plans should:

- *Support the sustainable growth and expansion of all types of business and enterprise in rural areas;*
- *Promote the development and diversification of agricultural and other land-based rural businesses;*
- *Support sustainable rural tourism and leisure developments;*
- *Promote the retention and development of local services and community facilities.*

A number of policies in FNP are relevant, namely:

Policy E. 1 (as above)

Policy E.2 which notes the importance in Fishbourne of both agricultural and horticultural industries and the role of the FNP in protecting the best and most versatile agricultural land and to minimise its loss to development. Domestic food production is of strategic national importance, especially with the forecasted population increase.

Policy ENV. 1 details the green spaces which need to be protected and the sports and recreational facilities which should not be built on. These comply with NPPF (77) which requires that a local green space should be “demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife.”

Policy SD.2 sustains the importance of the Roman Palace as an internationally renowned site by ensuring that any building proposals should reflect and enhance the setting of the archaeological site.

Meeting the Challenge of Climate Change, Flooding and Coastal Change

Flood risk was the top concern in the Village Survey conducted at the start of the Neighbourhood Plan process. The FNP has two policies which relate to this section of the NPPF and to the National Planning Practice Guidance issued by DCLG on 6 March 2014.

A local group, FPAG (Flood Prevention Action Group) will work with the County’s Operation Watershed on strategies for determining urgent problems, ensuring streams and ditches are monitored and that culverts are working to their capacity.

Climate change is already having an effect on increased flooding south of the A259, and FPC will urgently seek the advice of the Environment Agency, the County Council as lead local flood authority, Chichester Harbour Conservancy and local land owners on identifying the flood risk for specific sites where some existing land and development may not be sustainable in the long-term and where no further building should be approved.

Policy ENV.4 requires a site-specific flood risk assessment to be carried out for any new development and makes a prerequisite of approval that the development will have the appropriate infrastructure to ensure flooding and drainage issues will not affect it or other parts of the village, now or in the future.

Policy ENV.2 stipulates that no further building should be approved in any area likely to be seriously affected by climate change and/or coastal change and a survey should be undertaken of any area where climate change/coastal change may be expected to increase flood risk to the extent that some existing development may not be sustainable in the long term.

Conserving and Enhancing the Natural Environment

FNP sets out policies relating to this section of NPPF which ensure that Fishbourne remains an attractive, environmentally healthy and sustainable village. The Community values its few remaining Green Spaces and the FNP will seek to ensure they are protected and enhanced. Working with Chichester Harbour Conservancy, it will seek special protection for that part of the village which falls within or adjoins the Area of Outstanding Beauty. There are also policies concerning the prevention of harm to the ecological or landscape value of private residential gardens and to ancient trees or trees with good arboricultural value.

Policy ENV. 1 defines “green spaces” and lists the areas in Fishbourne that should be protected.

Policy ENV.2 emphasises the range of ways in which gardens can contribute to sustainability

Policy ENV.3 outlines the important role that trees and hedgerows make to biodiversity including a source of food and nesting for birds.

Conserving and Enhancing the Historic Environment

A single policy has been prepared as part of the FNP that is relevant to this section of the NPPF, namely **Policy H.1**. This seeks to ensure the conservation and enhancement of heritage assets as well as encouraging the “re-use, maintenance and repair” of assets deemed to be at risk or to secure their long term upkeep. This policy is considered to be in accordance with paragraphs 126-141 of the NPPF.

Policy SD.2 refers to planning designed to provide the Sussex Archaeological Society with sufficient funding to help them preserve and develop their internationally renowned archaeological site at Fishbourne Roman Palace.

Promoting Healthy Communities

Ever since the 1970s when the community decided on the need to provide a play area, the promotion of a healthy community has featured highly in any village developments. The Playing Field now has facilities for football (children’s and adults), cricket, tennis, croquet, bowls and a multi-sport court. The children’s play area was enhanced through a redesign and provision of new equipment in 2013 partly in response to the concern about child obesity

The following policies contribute to the promotion of a healthy community:

Policy ENV.1 which protects local green spaces and prevents sports and recreational facilities being built on

Policy SD.2 which secures Emperor Way is protected and enhanced as a cycle/pedestrian link between Fishbourne and Chichester

Policy T.1 which requires development proposals to include details of how they will contribute to sustainable travel in the village including a reduction in levels of pollution

Policy T.2 which sets out to make Fishbourne a safer place in which to travel.

Promoting Sustainable Transport

The NPPF seeks to facilitate transport options that will ultimately result in a reduction of the emission of greenhouse gasses, i.e. reduction in reliance on private cars and a reduction in the number of trips.

Given the position of Fishbourne at the Eastern end of the Havant – Chichester section of the A259, traffic volume reflects the impact of development in not just Fishbourne but also all of the villages en route to Havant. The cumulative effect has led to greater congestion on the A259 and increased use of rat runs along Blackboy Lane, Salthill Road and Clay Lane, the latter in particular being not fit for such a purpose. FPC is keen to support sustainable forms of transport in a manner best suited to the particular section of the village and this is reflected within its planning policies. It is believed that the policies that are relevant to this section are as follows:

Policy T.1 which stipulates that any development proposal must show how it will contribute to a policy of sustainable travel and must not impact negatively on cycleways and footpaths in the village.

Policy T.2 which permits development in Area 1 (Salthill Road, Clay Lane, Halfrey Road and Blackboy Lane) and Area 2 (Fishbourne Road West and Main Road) only where this has minimal impact on traffic flow unless accompanied by amelioration such as new traffic calming measures

Policy SD.2 which ensures that the existing Emperor Way cycle/pedestrian link, a permissive right of way which had been under threat of closure, is enhanced and maintained to encourage connectivity between Fishbourne and Chichester.

Non-Statutory Community Aspirations

Paragraph 69 of the NPPF states that Local plans should create a “shared vision with communities” and the FNP has been produced with this at the foremost of its thinking. This can be evidenced in the accompanying Consultation Statement.

As a result of consultation, new issues can emerge which are integral to the overall vision of the community and require their own Action Plans for successful implementation but which are not of direct significance for potential developers. Promoting physical and psychological health is regarded by the FNPSG as an integral part of sustainable development and projects such as the Fishbourne Playing Field and the Fishbourne Centre are the result of community involvement. Project activities such as the development of village networks, involving a greater proportion of the community in the decision-making process, and developing a stronger support for the elderly and vulnerable are not, therefore, included in the Policies section of the FNP so that it can meet the requirement in paragraph 17 of the NPPF that “plans should provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency.”

These issues, therefore, are dealt with in Projects 9 – 12 of the FNP but are not brought forward to the Policies section and do not form part of this Basic Conditions document.

ASSESSMENT OF NEIGHBOURHOOD PLAN AGAINST LOCAL PLAN AND NPPF

The Development Plan for Chichester consists currently of the “saved policies” from the Chichester District Local Plan First Review (April, 1999). There is no legal requirement under the Basic Conditions to assess a neighbourhood plan against emerging strategic planning policies and therefore the FNP does not deal with these.

At Council on 24 April it was agreed to formally submit the Chichester Local Plan: Key Policies 2014-2019 to the Secretary of State for Examination at the end of May 2014. As outlined in Neighbourhood Planning: Planning Practice Guidance neighbourhood plans are not tested against the policies in an emerging Local Plan. The FNP has, however, been prepared acknowledging the intent of the emerging Local Plan. Specifically this is through the inclusion of the target of 50 homes in the plan period proposed in the emerging Local Plan by identifying suitable sites in the FNP.

6.3 EU OBLIGATIONS

Confirmation has been sought from the LPA that the FNP will not trigger the need for a full Strategic Environment Assessment (SEA) or Habitat Regulation Assessment (HRA). Written confirmation of this can be found in Appendix BC 2.

6.4 POLICIES AND NPPF RELATIONSHIP GRID

For a checklist to show the relationship between NPPF sections and FNP Planning policies, please see Appendix CS 3

7. EVIDENCE

The FNPSG were able to draw on previous collections of evidence of community needs and wishes which were the starting point of the two 4-year Village Plans, the latter of which ran from 2010 – 2014. The Village Survey conducted in 2013 drew on the experience of previous surveys but with the added rigour needed to meet the demands of the Neighbourhood Plan process.

The Consultation Statement, which is a separate document forming part of the Neighbourhood Plan package, summarises the collection of the community's views and also gives a list of the statutory consultees. The evidence list below shows the sources of data used to ensure that the Fishbourne Neighbourhood Plan is soundly based and meets the basic conditions.

FISHBOURNE EVIDENCE FROM CONSULTATION

1. Fishbourne Village Plan 2010-2014
2. Making Fishbourne Safe (Action Plan from Village Plan)
3. Launch Event of Neighbourhood Plan
 - a) Reports
 - b) List of post-it comments
4. Village Survey:
 - a) Survey form delivered to all homes
 - b) Analysis of Survey results
 - c) Analyst's report
5. Pre-submission consultation:
 - a) Consultation draft
 - b) Analysis of responses and action taken
6. Consultees' responses
7. Letters from local firms concerning development plans

OTHER EVIDENCE

8. Chichester District Council: Ward Profile 2011: Fishbourne
9. West Sussex Ward Profiles: Fishbourne
10. Fishbourne Conservation Area Character Appraisal (March 2007)
11. 2001 Census report
12. 2011 Census report
13. The National Planning Policy Framework (2012)
14. DCLG Planning Practice Guidance (Revised, March 2014)
15. Neighbourhood Planning (General) Regulations (2012)
16. Chichester Harbour Conservancy Management Plan (2009-2014)
17. The Strategic Housing Land Availability Assessment (SHLAA) 2014 Update
18. Five Year Housing Land Supply 2014-2019 (CDC October 2013)
19. Chichester District Council's Emerging Local Plan (2014)
20. Chichester District Council Housing Numbers and Locations (2011)
21. Chichester District Council's Interim Policy statement on Housing – Facilitating Appropriate Development (FAD) (updated October 2012).
22. Sussex Biodiversity Record Centre Report ESD/14/120 - Fishbourne Parish
23. The Fishbourne Book (ed. Mary Hand, 2006)

APPENDICES

Appendix BC 1 Neighbourhood Area designated by CDC in accordance with the regulations

Appendix BC 2 Confirmation of no need for Strategic Environment or Habitat Regulations assessments

Appendix BC 3 Grid showing relationship between Policies and elements of NPPF

APPENDIX BC 1

Chichester District Council
Neighbourhood Plan Area

NOTICE IS HEREBY GIVEN that the following parish:
EAST WITTERING AND BRACKLESHAM PARISH COUNCIL

has applied to Chichester District Council for designation of a Neighbourhood Plan Area under Part 2 of the Neighbourhood Planning (General) Regulations 2012.

This application can be viewed on:
<http://www.chichester.gov.uk/neighbourhoodplan>

Comments on this application can be made by email to ldf@chichester.gov.uk or by post to:

Planning and Delivery Team
Chichester District Council
East Pallant
Chichester
PO19 1TY

All comments must be received by Friday 13th September 2013.

NOTICE IS HEREBY GIVEN that the following parish:
FISHBOURNE PARISH COUNCIL

has successfully applied to Chichester District Council for designation of a Neighbourhood Plan Area under Part 2 of the Neighbourhood Planning (General) Regulations 2012.

This was approved under designated powers by the Portfolio Holder for Housing and Planning, Director of Home and Communities and the relevant elected Ward Member.



Chichester District Council



Tom Bell
01243 534594
tbell@chichester.gov.uk

23rd July 2013

Dear Parish Clerk

Notification of Decision regarding the application for designation of Fishbourne Neighbourhood Area under Section 61G of the Town and Country Planning Act 1990 as amended:

Applicant:

Fishbourne Parish Council.

Application:

Designation of Fishbourne Neighbourhood Area

Decision:

The Designation of Fishbourne Neighbourhood Area is approved in accordance with the Neighbourhood Planning (General) Regulations 2012 and with section 61G of the Town and Country Planning Act 1990 as amended for the purposes of Neighbourhood Planning.

Yours sincerely

Tom Bell
Neighbourhood Planning Officer

Clerk to the Council
Water Gypsy
Chichester Marina
Birdham Road
Chichester
PO20 7EJ



FISHBOURNE PARISH COUNCIL

Chairman: Geoff Hand
4 Dolphin Close, Fishbourne, Chichester, PO19 3QP
Tel. 01243 781692 E-mail: hand4@btinternet.com

Ms. Sue Payne
Planning Policy Officer
Chichester District Council
1 East Pallant
Chichester
West Sussex
PO19 1TY

26 March 2014

Dear Ms Payne

FISHBOURNE NEIGHBOURHOOD PLAN (2014 -2029) Strategic Environmental Assessment or Habitat Regulations Assessment

As part of the preparation of the Basic Conditions Document, Fishbourne Parish Council formally seeks the view of the District Council on whether or not the Fishbourne Neighbourhood Plan would require a Strategic Environmental Assessment or Sustainability Appraisal.

The Parish Council would also appreciate the District Council's view on whether the emerging Fishbourne Neighbourhood Plan meets the EU requirement that the plan "does not breach, and is otherwise compatible with, EU obligations".

Thank you for your continued help and support.

Yours sincerely

Chairman

Sue Payne
01243 534722
spayne@chichester.gov.uk

SP/TB/FNP

22nd April 2014

Dear Mr Hand

Fishbourne Neighbourhood Plan

Thank you for your letter dated 26 March 2014.

A Strategic Environmental Assessment (SEA) or Sustainability Appraisal (SA) should be undertaken if:

- The plan incorporates proposals that diverge from the inherited development plan;
- The plan is determined to be likely to cause significant environmental effects that have not already been assessed in a higher level plan.

For Neighbourhood Plans in general, the Council does not see their range of options adding significantly to the range or degree of sustainability impacts already set by the higher level Local Plan policies. An SEA/SA should not be required if it would either repeat the Local Plan SEA/SA, challenge it (which guidance says it should not do) or look at options of which the effects are so localised that, however interesting they are to that community, are not significantly different in SEA/SA terms.

With regard to Habitats Regulations Assessment (HRA), Fishbourne Parish Council has been allocated 50 dwellings in the Chichester Local Plan: Key Policies Pre-submission 2014-2029 document, which underwent an HRA. As a result of the evidence from the Solent Disturbance and Mitigation Project and on advice from Natural England, all developments of one net new dwelling or more is considered to

Mr Geoff Hand
Chairman Fishbourne Parish Council
4 Dolphin Close
Fishbourne
PO19 3QP

have a likely significant effect, in-combination with all other developments, unless mitigation measures are provided. In the Chichester area a buffer zone around the protected sites has been designated where development will be required to contribute towards strategic mitigation measures.

It is recommended that Fishbourne Parish Council acknowledges that there is an in-combination impact of development of the Chichester and Langstone Harbour Special Protection Area and how the preferred site(s), design and layout of the site(s) can mitigate the impact and/or make a contribution to the Solent SPA Interim Planning Framework.

In light of the above and based on the available evidence and proposed content of the plan, it is considered that neither an HRA nor SEA/SA of the Fishbourne Neighbourhood Plan will need to be specifically carried out as this has been covered through the assessments of the Local Plan.

Yours sincerely,



Sue Payne
Planning Policy Officer

Mr Geoff Hunt
Chairman Fishbourne Parish Council
4 Oakfield Road
Fishbourne
PO19 3QP

FISHBOURNE NEIGHBOURHOOD PLAN

APPENDIX BC3

GRID SHOWING RELATIONSHIP BETWEEN POLICIES AND ELEMENTS OF NPPF

NPPF Elements	ENV1	ENV2	ENV3	ENV4	D1	E1	E2	SD1	SD2	SD3	H1	T1	T2
Building a strong, competitive economy						x							
Supporting a prosperous rural economy						x	x		x				
Promoting sustainable transport								x	x			x	x
Delivering a wide choice of high quality homes					x			x	x				
Requiring good design					x					x	x		
Promoting healthy communities	x								x			x	x
Meeting the challenge of climate change, flooding and coastal change			x							x			
Conserving and enhancing the natural environment	x	x	x	x	x		x			x			
Conserving and enhancing the historic environment									x		x		