

# **Selsey**

# **Neighbourhood Plan 2014- 2029**

## **Basic Conditions Statement**

Published by Selsey Town Council under the Neighbourhood Planning (General) Regulations 2012

**April 2015**

## **1. Introduction**

1.1 This Statement has been prepared by Selsey Town Council ("the Town Council") to accompany its submission to the local planning authority, Chichester District Council (CDC), of the Selsey Neighbourhood 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 Town Council, a qualifying body, for the Neighbourhood Area covering the whole of the Parish of Selsey, as designated by CDC on 4 December 2012 (see Plan A).

1.3 The policies described in the Neighbourhood Plan relate to the development and use of land in the designated Neighbourhood Area. The Plan period of the Neighbourhood Plan is from 1 April 2014 to 31 March 2029 and it does not contain policies relating to excluded development in accordance with the Regulations.

1.4 The Statement addresses each of the four 'basic conditions' required of the Regulations and explains how the submitted Neighbourhood Plan meets the requirements of paragraph 8 of Schedule 4B to the 1990 Town & Country Planning Act.

1.5 The Regulations state that a Neighbourhood Plan will be considered to have met the basic conditions if:

- having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood development plan,
- the making of the neighbourhood development plan contributes to the achievement of sustainable development,
- the making of the neighbourhood development plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area),
- the making of the neighbourhood development plan does not breach, and is otherwise compatible with, EU obligations.

## **2. Background**

2.1 The Town Council commenced preparation of the Neighbourhood Plan in 2012. The key driver of that decision was the keenness of the Town Council to manage local development and to promote the sustainable development in the parish.

2.2 A Working Group was formed comprising town councillors and members of the local community and it was given delegated authority by the Town Council to make day-to-day decisions on the Neighbourhood Plan. However, as qualifying body, the Town Council approved the publication of:

- the Audit
- the Pre-Submission Neighbourhood Plan
- the Submission Neighbourhood Plan

2.3 The Town Council has worked with officers of CDC during the preparation of the Neighbourhood Plan. The positioning of the Neighbourhood Plan in respect of the emerging development plan, which proposes to establish a clear policy framework for neighbourhood plans, has been challenging. Progress on the new Chichester Local Plan has been delayed and it has not therefore set the policy framework of the Neighbourhood Plan but the policy contents and evidence published to date are broadly in line with those of the draft Local Plan.

2.7 The Neighbourhood Plan has also made a clear distinction between land use planning policies and non-statutory proposals relevant to land use planning. This allows for the examination to focus on the requirement of the policies to meet the Basic Conditions but also allows the local community to see the Neighbourhood Plan in the round. In any event, the non-statutory proposals will each have a land use effect at some later point but cannot do so as part of the Neighbourhood Plan as they fall outside its scope.

### **3. Conformity with National Planning Policy**

3.1 The Neighbourhood Plan has been prepared with regard to national policies as set out in the National Planning Policy Framework (NPPF) and is mindful of the National Planning Practice Guidance (NPPG) in respect of formulating neighbourhood plans.

3.2 In overall terms, there are four NPPF paragraphs that provide general guidance on neighbourhood planning, to which the Neighbourhood Plan has directly responded:

#### Para 16

3.3 The Town Council believes the Neighbourhood Plan is planning positively to support the strategic development needs of the district by supporting new housing and employment development, using criteria-based policies. It also seeks to protect open spaces, community facilities and retail and employment uses that benefit the parish.

#### Para 183

3.4 The Town Council believes the Neighbourhood Plan establishes a vision for the parish that reflects the view of the majority of the local community. It has sought to translate them into planning policies to determine future planning applications as part of the development plan.

#### Para 184

3.5 The Town Council believes the Neighbourhood Plan, as is highlighted below, is in general conformity with all the relevant saved policies of the development plan but also anticipates the emerging Chichester Local Plan. The Neighbourhood Plan strikes a positive balance between the physical and policy constraints of the Parish and the desire to meet local housing demand.

#### Para 185

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

3.7 Set out in Table A below, is a brief summary of how each policy conforms to the NPPF. The particular paragraphs referred to in the table are those considered the most relevant to each policy but are not intended to be an exhaustive list of all possible relevant paragraphs.

No	Policy Title	NPPF Ref	Commentary
1	Design and Heritage DES01 and DES02	56-65 & 126-141	<p>In our Neighbourhood Plan we have sought to deliver a high quality design for our new housing and improve, where possible, the quality of existing stock when it is subject to new planning applications. Selsey has a unique set of constraints and opportunities due to its geographic position and policy DES01 is targeted at delivering housing that responds to these constraints and opportunities.</p> <p>Policy DES02 seeks to protect sites of special interest in the town and also identify buildings that have local prominence but do not necessarily enjoy listing or character area protection. These buildings are heritage assets of Selsey and are locally classed as 'iconic' because of their design or because of their role in the community and regional awareness. We have put forward a positive strategy for protection and enhancement of these special interests.</p>
2	Allocation and Settlement Policy Boundaries ASP01 and ASP02	17	We have allocated sites which deliver our housing allocation, provide a valuable mix of uses which deliver much needed local services and employment and are, in our belief, the most sustainable locations for large scale development in the town.
3	Temporary Agricultural Workers Accommodation Allocation TAW01	28	Selsey's economy is dominated by agriculture and tourism and so in providing this policy we have sought to ensure that the local agricultural market can continue to house the numbers of staff required in enhanced yet affordable accommodation.
4	Settlement Policy Area Boundary SPA01	79 - 91	The revised Settlement Area Boundary proposed in the Neighbourhood Plan is designed to accommodate new development in the town, permit the creation of more jobs and deliver much needed services whilst drawing a line between the developed area and open countryside or greenbelt. The revised policy area uses an existing road as the new boundary line which is in keeping with the findings of recent Planning Inspectors comments on appeals.
5	Society SOC1, SOC2	128, 129, 133	Our society policies seek to protect sites/buildings of special interest in the town that have local prominence but do not necessarily enjoy listing or character area protection. In particular, Selsey Hall, a prominent building in the character area whose form enjoys a level of protection but whose purpose and use do not.
6	Infrastructure INF1 and INF2	28	Due to its location, restricted catchment area, pockets of deprivation and limited transport options, Selsey will need to provide for itself to avoid putting greater reliance on the transport network.

			Therefore, the Neighbourhood Plan needs to ensure that infrastructure and facilities exist to support the needs of the residents today and into the future.
7	Transport TR1, TR2, TR3	29 - 41	Our transport policies have been designed in conjunction with our policies DES01 and DES02 taking into account Selsey,s position at the end of the busiest B-road in Britain and the limited options available to provide viable alternatives. In relation to car use, we understand that Selsey has a higher than average car ownership level due to the need to commute for work and have therefore sought to ensure suitable parking provision locally and also make the main routes easily traversable by limiting congestion and seeking to ensure consistent safe speeds. We have made the provision of a commutable cycle path a key priority for the Plan as an alternative to car usage and also committed to lobbying for sustainable alternatives such as monorail link and the continuation of what is currently a good, but slightly expensive bus service.
8	Economy EC01, 02, 03, 04	18 - 22	Due to its location at the end of the Manhood Peninsula and approximately 8 miles to the nearest main employment centre, it is important for Selsey to be as self-sustaining as possible in terms of the local economy and employment opportunities. A key element of this will be the retention of employment opportunities within the town and further development of appropriate commercial property.

*Table A: Neighbourhood Plan and NPPF Conformity Summary*

#### **4. Contribution to Sustainable Development**

4.1 The Selsey Neighbourhood Plan was required to undertake a Strategic Environmental Assessment (SEA) of its environmental effects and this is submitted alongside the Neighbourhood Plan. Neighbourhood Plans are not required to undertake a Sustainability Appraisal. However, the Neighbourhood Plan includes a detailed section on sustainability and can clearly demonstrate that it has taken account of the need to contribute to the achievement of sustainable development in terms of how its policies will deliver a blend of economic, social and environmental (climate, energy, infrastructure and transport) benefits for Selsey.

4.2 The strategic objectives of the Neighbourhood Plan comprise a balance of social, economic and environmental goals. The local community seeks to support and enhance the best aspects of the town which include quality local environment, local shops, local employers and community facilities in the coming years through effective development management.

4.3 The policies are therefore intended to accurately translate these strategic objectives into viable and effective development management policies and deliverable infrastructure proposals. Collectively, the policies demonstrate that the Neighbourhood Plan will deliver strong social impacts though both economic and environmental impacts score well too. Every policy will deliver a positive social outcome, be it the provision of new homes, the retention of valued spaces and facilities and none will have a negative impact.

4.4 This outcome may be inevitable of Neighbourhood Plans prepared in similar planning policy circumstances. If local communities are to back development in this type of location, to the extent they will turn out to vote at a referendum, then there may have to be clear and realisable social benefits they can accrue. But this will rarely be at an environmental or economic cost as local communities will resist such impacts and they will not be in conformity with either the NPPF or development plan.

4.5 The sustainability attributes of each policy are summarised in Table B below.

No	Policy Title	Soc	Eco	Env	Commentary
1	Design and Heritage DES01 and DES02	*	0	*	The design policies seek to improve the look, feel and interaction of new developments in the town. New development needs to create its own neighbourhood community and also contribute positively to the wider community/society. It should also protect and not detract from the heritage assets of the town and minimise its own impact by making maximum benefit of renewable energy.
2	Allocation and Settlement Policy Boundaries ASP01 and ASP02	*	*	*	Our development policies support sustainable growth and new development providing mixed use schemes that deliver employment, housing and the subsequent financial investment in our society. The policies are designed to improve the quality of housing and draw a clear line between the settlement (developed) area and our beautiful countryside.
3	Temporary Agricultural Workers Accommodation Allocation TAW01	*	*	0	This policy is highly targeted at supporting the rural economy and improving the accommodation rural and agricultural workers are expected to inhabit.
4	Settlement Policy Area Boundary SPA01	*	*	*	This policy supports sustainable growth and new development providing space for employment, housing and community facilities. The policy also draws a clear line between the settlement (developed) area and our beautiful countryside.

5	Society SOC1, SOC2	**	0	0	Our society based policies are highly focused on very specific issues regarding maintaining, increasing and adding key services or facilities required in the town.
6	Infrastructure INF1 and INF2	**	**	**	The infrastructure policies seek to help Selsey become more self-sustaining which in turn creates employment opportunities and reduces the need to travel for shopping, leisure, pastimes and work.
7	Transport TR1, TR2, TR3	*	*	*	The transport policies seek to change the way we commute and also change the mix of transportation methods as we cannot wholly remove the need to commute due to our location and employment constraints.
8	Economy EC01, 02, 03, 04	*	**	0	Our economic policies are highly focused on supporting sustainable growth in our local economy by protecting existing land set aside for employment and supporting the principle of any development which provides more usable commercial floor space, or directly delivers new employment opportunities in the town.

Key:    \*\* very positive                      \* positive                      0 neutral                      - negative

*Table B: Neighbourhood Plan and Sustainable Development Summary*

## 5. General Conformity with the Development Plan

5.1 At this stage the current development plan for the area is/remains the adopted 1999 Chichester Local Plan. The current status of the development plan and the timing of its replacement during the preparation of the Neighbourhood Plan, has therefore made judging this matter challenging. The 1999 Local Plan could not have anticipated the existence of the Localism Act almost a decade later and so made no provision for translating generic planning policy into a distinct parish-based plan.

5.2 The Neighbourhood Plan has been prepared against the background of the 1999 plan. However, taking account of the advanced stage of the emerging Chichester Local Plan: Key Policies 2014-2029 (CLPKP) policies it has been necessary to take particular account of these emerging policies, not least in respect of Policy 23 of the CLPKP, which establishes Selsey village as a strategic development location in the District to deliver a minimum of 150 new homes. The table below therefore has only made reference to the emerging Chichester Local Plan: Key Policies 2014-2029.

5.3 Selsey is unusual in the District in that the sea forms its boundaries to the south, east and west.

No	Policy Title	Commentary
1	Design and Heritage DES01 and DES02	The design and heritage policies in the Selsey Neighbourhood Plan add local historical context to the saved Local Plan polices BE4 and BE6 and emerging Chichester Local Plan Polices 44, 45, 46 and 47.
2	Allocation and Settlement Policy Boundaries ASP01 and ASP02	Our allocation policies have been designed to, at least, manage the strategic housing allocated to Selsey. The likelihood is we will take in excess of 150% of our allocation PLUS any further windfall or exception sites which may arise.
3	Temporary Agricultural Workers Accommodation Allocation TAW01	The emerging Chichester Local Plan: Key Policies 2014-2029 recognises the need for accommodation for full time workers related to agriculture, horticulture, forestry and equestrian activities in Policy 37. Large scale farming plays a key role in the economy of Selsey Parish and Policy TAW01 allocates land at Home Farm to ensure that the needs of this business is supported.
4	Settlement Policy Area Boundary SPA01	Selsey is allocated as a settlement hub in the Local Plan and in order to accommodate the strategic housing allocation, the settlement boundary will need revising. Recent planning appeals against the District council made it clear that the revised policy area proposed represents an obvious extension to the existing development area.
5	Society SOC1, SOC2	Paragraph 13.5 of the emerging Chichester Local Plan: Key Policies 2014-2029 acknowledges the role that Selsey plays as a settlement hub, providing a reasonable range of shops, services and facilities. Policy 23 states that development which is required to be planned for will include supporting community facilities. Policy 38 of the emerging Chichester Local Plan: Key Policies 2014-2029 seeks to retain local and community facilities unless evidence demonstrates there is no longer a demand. The society section of the Selsey Neighbourhood Plan looks to reinforce this provision and highlight the potential for future opportunities.
6	Infrastructure INF1 and INF2	The Local Plan identifies that infrastructure and transport enhancement will need to be delivered in conjunction with new development on the Manhood Peninsula, either simultaneously or immediately following the development. The infrastructure and transport are required to mitigate the impact of cumulative development across the peninsula and to ensure identified hubs remain sustainable following the provision of increased housing numbers.
7	Transport TR1, TR2, TR3	The Local Plan identifies that infrastructure and transport enhancement will need to be delivered in conjunction with new development on the Manhood Peninsula, either simultaneously or immediately following the development. The infrastructure and transport are required to mitigate the impact of

		cumulative development across the Peninsula and to ensure identified hubs remain sustainable following the provision of increased housing numbers.
8	Economy EC01, 02, 03, 04	Policies 23, 26, 29, 30 and 31 in the emerging Chichester Local Plan: Key Policies 2014-2029 acknowledge the diversity of the District's economy. A key element of the policies in the Selsey Neighbourhood Plan is the retention of existing employment and further development of appropriate opportunities to reinforce the economic base of the town.

*Table C: Neighbourhood Plan and Development Plan Conformity Summary*

## **6. Compatibility with EU Legislation**

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

6.3 The Neighbourhood Area is in close proximity to a European designated nature site and so required a Habitats Regulation Assessment under the EU Habitats Regulations.