

# LINDFIELD & LINDFIELD RURAL Neighbourhood Plan 2014-2031

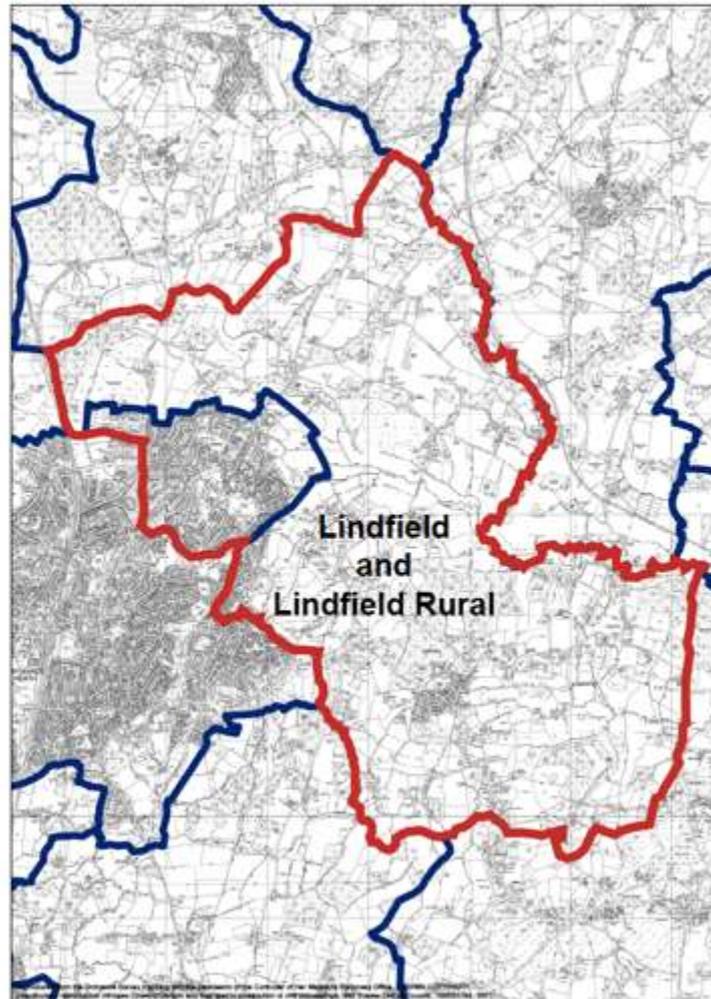
Basic Conditions Statement  
December 2014



*Prepared by Lindfield & Lindfield Rural Parish Councils for Submission under Regulation 15 of The Neighbourhood Planning (General) Regulations 2012*

## 1.Introduction

1.1 This Statement has been prepared by Lindfield and Lindfield Rural Parish Councils (“the Parish Councils”) to accompany their submission to the local planning authority, Mid Sussex District Council (“the District Council”) of the Lindfield and Lindfield Rural Neighbourhood Development Plan (“the Neighbourhood Plan”) under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (“the Regulations”).



*Plan A: The Designated Lindfield & Lindfield Rural Neighbourhood Area*

1.2 The Neighbourhood Plan has been prepared by the Parish Councils, both qualifying bodies, for the Neighbourhood Area covering the whole of their respective parishes, as designated by the District Council on 09 July 2012 (see Plan A above).

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 2031 and it does not contain policies relating to ‘excluded development’ as defined and required by the Regulations.

1.4 The Statement addresses each of the four 'basic conditions' required by 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 Parish Councils commenced preparation of the Neighbourhood Plan in 2013. The key drivers of that decision were the encouragement of the District Council to towns and parishes within its district to prepare Neighbourhood Plans and keenness on the part of the Parish Councils to manage local development and to promote sustainable development in the parishes.

2.2 A Steering Group was formed comprising councillors of both councils and it was delegated authority by the Parish Councils to make day-to-day decisions on the Neighbourhood Plan. However, as qualifying bodies, the Parish Councils have approved the publication of the Pre-Submission and Submission versions of the Neighbourhood Plan.

2.3 The Steering Group has worked with officers of the District Council during the preparation of the Neighbourhood Plan and has appointed its own professional planning adviser to assist in the formulation and drafting of policy. 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. The emerging Mid Sussex District Plan was withdrawn from examination in December 2013. The Neighbourhood Plan has therefore used the reasoning and evidence of the submission version of the District Plan published by the District Council in May 2013, in line with the advice of the National Planning Practice Guidance (NPPG; para ID41-009). However, this emerging plan has not been used to determine the general conformity of the Neighbourhood Plan.

2.4 In which case, a number of saved policies of the adopted 2004 Local Plan continue to provide a valid policy framework for the Neighbourhood Plan and these have been referenced alongside each proposed policy. The Neighbourhood Plan contains a series of housing, commercial, community asset and other policies that are defined on the Proposals Map as being geographically specific. For the most, the

plan has deliberately avoided containing policies that may duplicate the many saved and emerging development policies that are, and will be, material considerations in determining future planning applications. This has allowed the Neighbourhood Plan to focus on a relatively small number of policies.

2.5 The Neighbourhood Plan has also made a clear distinction between land use planning policies (in Section 4) and non-statutory proposals relevant to land use planning (in Section 5). 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 formal 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) of 2012 and has sought to reflect the National Planning Practice Guidance (NPPG) of 2014 in respect of formulating neighbourhood plans.

3.2 The Submission document, and the Pre-Submission document that preceded it, both include a specific NPPF conformity reference for each policy and, where relevant, further reference in the supporting text.

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

#### Paragraph 16

3.4 The Parish Councils believe the Neighbourhood Plan is planning positively to support the strategic development needs of the district by shaping housing, commercial and employment development, which accord with a clear spatial vision for the parishes. They also seek to protect and enhance precious green spaces, local shops, community facilities and transport projects that benefit the parishes.

#### Paragraph 183

3.5 The Parish Councils believe the Neighbourhood Plan establishes in its Section 3 a vision for the parishes that reflects the view of the majority of the local community. It has translated the vision into objectives and then planning policies to determine future planning applications as part of the development plan.

#### Paragraph 184

3.6 The Parish Councils believe the Neighbourhood Plan, as is highlighted below, is in general conformity with all the relevant saved policies of the development plan but has also been informed by the reasoning and evidence of the emerging Mid Sussex District Plan, with its strategic housing and other policies. It has chosen not to allocate land for housing development, to reflect the fact that the strategic planning

policy context for housing supply is uncertain (given the withdrawal of the Mid Sussex District Plan from its examination in December 2013) and that no sites adjoining the boundaries were promoted for inclusion in the Neighbourhood Plan when landowners were invited.

3.7 The Area has also seen a number of major development schemes consented outside the built up area boundary of Lindfield since 2010, including the largest scheme of 235 new homes consented during the drafting of the Neighbourhood Plan. Not only has this led to the Area making more than its reasonable contribution to the supply of open market and affordable housing in the District (sufficient to meet the need expressed in the Housing Needs Survey), with the increasing demands on local infrastructure that will result, it has also served to stiffen the resolve of the local community to discourage any additional housing schemes on greenfield land beyond the built up area boundary for the remainder of the plan period. It does, however, support smaller scale housing schemes within the boundary, as there is a regular supply of windfall sites coming forward for development, with nothing to suggest that such supply will be exhausted in the plan period.

#### Paragraph 185

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

3.9 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 this is not intended to be an exhaustive list of all possible relevant paragraphs.

No.	Policy Title	NPPF Ref.	Commentary
1	A Spatial Plan for the Parishes	17, 55 109	The policy restates the purpose and value of the built up area boundary, defined by the development plan, for distinguishing the settlements from the countryside. In doing so, it promotes the vitality of the settlements and recognises the intrinsic character and beauty of the countryside. Its effect is to confine proposals for new housing development to within the defined boundary, unless it can be justified in line with the countryside policies of the development plan or meets the criteria for 'rural exception sites'. The Neighbourhood Plan contains no proposals to allocate land outside the boundary for development or to redraw the boundary to allow for such proposals to come forward in the plan period. This reflects the scale of housing development completed and consented since 2010 in the Area and the unavailability of any other land adjoining the built up area boundary in the plan period, as described in 3.7 above. The boundary has been redrawn on the Proposals Map to acknowledge delivered and committed development schemes on the edge of the 2004 Local Plan boundary.
2	Housing Windfall Sites	48, 50, 54, 58,	The policy supports windfall site development, which has been a significant source of new housing supply over the last twenty

		59	years and is likely to continue to be so. It will contribute to delivering a choice of open market and affordable homes in addition to the larger developments consented in the area in recent years. The supporting text to the policy identifies the potential for rural exception sites to continue to meet local affordable housing needs in suitable locations on the edge of Lindfield and Scaynes Hill. The policy seeks to ensure that the design of windfall schemes is of a high quality by restricting the total number of homes per site and by requiring schemes to adhere to the Village Design Statement.
3	Small Businesses	28	The policy encourages the growth and expansion of well-designed and well-located small businesses in this rural area.
4	Lindfield Village Centre	28, 70	The policy defines the village centre in order to prevent the unnecessary loss of units within the centre to non-village centre uses that may undermine its viability and vitality. The centre comprises a strong mix of retail and other uses suited to a centre location to serve the day-to-day needs of the whole community as well as visitors and tourists. It also plans positively for new development of this type to bolster the role of the centre.
5	Broadband	43	The policy supports the expansion of high speed broadband networks in the urban and rural parts of the area. In doing so, it requires careful thought is given to the sympathetic location and design of above-ground infrastructure.
6	Local Green Spaces	76, 77	The policy will enable a number important green spaces in the parish to be protected from development that meet the purpose and criteria of para's 76 and 77. These green spaces are all in close proximity to, and are highly valued by, the local community. A description of each proposed designation is provided in a separate report in the evidence base, prepared by the local community.
7	Areas of Townscape Character	58, 59	The policy identifies four parts of the area for particular attention in respect of design control. Its intent is to require development to respond to local character, reflecting the identity of the local surroundings and materials, as defined by the adopted Lindfield Village Design Statement. The policy avoids unnecessary prescription or detail to focus on guiding the key principles of scale, massing, etc.
8	Allotments	69, 70	The policy encourages the establishment of new, well-located allotments to improve community development and to promote a healthy community.
9	Community Facilities	69, 70	The policy encourages suitable development that will sustain the viability of two important community assets in the area. These assets are strong neighbourhood centres providing opportunities for meetings between members of the local community. In doing so, the policy provides for integrated approach to considering community facilities and services.

*Table A: Neighbourhood Plan & NPPF Conformity Summary*

#### 4. Contribution to Sustainable Development

4.1 A Sustainability Appraisal has not been undertaken as this is not a requirement of a Neighbourhood Plan and the Local Planning Authority screened out the need for a Strategic Environmental Assessment (see 6.2 below). However, the Neighbourhood Plan 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 benefits for the parishes.

4.2 The strategic objectives of the Neighbourhood Plan comprise a balance of social, economic and environmental goals. The environmental goals have been given the greatest emphasis in protecting the countryside of the parishes and the special historic character of much of their two main settlements. In doing so, the policies reflect the strong environmental constraints in this part of Mid Sussex and the scale of recent major housing development schemes on the edge of Lindfield.

4.3 However, the plan promotes well-designed, small scale housing, employment and retail schemes in the built up area boundaries to serve local social and economic goals. It also promotes community asset development to further those social goals. The chosen policies are intended to accurately translate these goals into viable and effective development management policies and deliverable infrastructure proposals.

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

No	Policy Title	Soc.	Eco.	Env.	Commentary
1	A Spatial Plan for the Parishes	*	0	**	The policy focuses and supports development within the built up area boundaries of Lindfield and Scaynes Hill and especially promotes the beneficial reuse of brownfield land within those boundaries. In doing so, it seeks to retain the vitality of the settlements to deliver social benefits (i.e. community pride in the local area as well as a modest increase in local housing supply) and to protect the special character of the open countryside beyond the settlements as an important environmental benefit.
2	Housing Windfall Sites	*	0	*	The policy supports windfall development schemes to contribute to the provision of local housing for social benefits, in addition to those major development schemes consented in recent years in the area. The policy constrains schemes to suitable locations and to a maximum size that reflects the historic trend of windfall schemes. It also requires a high design quality that reflects local character thereby sustaining local pride and identity with the area.
3	Small Businesses	*	**	0	The policy offers general support to the protection of existing employment uses and the encouragement of new, small scale economic development within the built up area boundary that is suited to this location. It therefore has a strong economic benefit and in encouraging local job growth will therefore also have social benefits.
4	Lindfield Village	**	**	0	The policy seeks to protect local shops from

	Centre				unnecessary loss to other uses that may undermine their vitality and viability of community services. The shops provide valuable services within walking distance of most of the village's households. The policy will therefore have significant social and economic benefits.
5	Broadband	**	**	0	The policy will have significant social and economic benefits by enabling local households and businesses to benefit from access to superfast broadband services. It also ensures that any above ground infrastructure is designed to be sympathetic to the local area, resulting in a neutral environmental impact.
6	Local Green Spaces	**	0	**	The policy protects from development spaces that are much valued by the local community and that play an important role in defining the local character of different parts of the parishes. In doing so, it therefore has significant social and environmental benefits.
7	Areas of Townscape Character	0	0	**	The policy delivers a significant environmental benefit by requiring development in the designated areas to protect and enhance the special characteristics of the local built environment.
8	Allotments	*	0	0	The policy aims to create new, well-located allotments for local people to enjoy. In doing so, it will deliver a social benefit.
9	Community Facilities	**	0	0	The policy supports development at the two most important community facilities in the area to sustain their viability as valued community assets. In doing so, it will deliver a significant social benefit.

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

Table B: Neighbourhood Plan & Sustainable Development Summary

## 5. General Conformity with the Development Plan

5.1 The Neighbourhood Plan has been prepared to ensure its general conformity with the strategic policies of the development plan for Mid Sussex.

5.2 As described above, the current status of the development plan – the adopted 2004 Mid Sussex Local Plan – and the delays in its replacement during the preparation of the Neighbourhood Plan, has made judging this matter challenging. At the outset, the Parish Councils considered the alternative of awaiting the adoption of the new District Plan as creating an unacceptable risk of uncontrolled development, given the uncertain five year housing land supply position in Mid Sussex.

5.3 The 2004 Local Plan could not, of course, 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. However, the Neighbourhood Plan policies are in general conformity with the strategic intent of that Plan and its specific policies. In cases where the Neighbourhood Plan policy requires a justification for an exceptional circumstance to a saved policy then its supporting text makes clear this justification.

<b>No.</b>	<b>Policy Title</b>	<b>Commentary</b>
1	A Spatial Plan for the Parishes	The policy provides an overall spatial plan of the parishes and of where development will be directed. It acknowledges the constraints on development imposed by policy C2 (the strategic gap between Lindfield and Scaynes Hill) and restates the built up area boundary defined by policy C1. It is also consistent with policy G2 in restating the value of reusing brownfield land.
2	Housing Windfall Sites	The policy is consistent with housing policies H2, H3, H4 and H7 in respect of supporting a mix of housing types (including smaller house types and those suited to older household occupation), of encouraging the efficient use of brownfield/infill land and of delivering affordable homes. It also confines its support to schemes within the built up area boundary in line with policies G2 and C1. Its supporting text also notes the potential of rural exception sites to continue to meet local housing need, as provided for by policy H5.
3	Small Businesses	The policy is consistent with policies E5 and E6, which support proposals for business development in villages that adhere to key design and amenity principles. It is consistent with policies T3 and T4 in respect of identifying the proximity of schemes to the road network and their impact on the local network as being important matters to consider. It is also consistent with policies B1, B3 and B23 that highlight the importance of the scheme design and the need for it to avoid harming local amenity, especially by noise impacts.
4	Lindfield Village Centre	The policy is consistent with policies S6 and S7, which provide for new, small scale retail development and seek to prevent the unnecessary loss of existing retail uses in village centres. The Proposals Map defines the Village Centre for this purpose.
5	Broadband	The policy is consistent with policy CS17, which provides for telecommunications equipment development provided its design and location is sympathetic to the local area.
6	Local Green Spaces	The policy is consistent with policies B6 and R2 which both protect existing open spaces from harmful development.
7	Areas of Townscape Character	The policy is based on policy B16 of the Local Plan – it proposes the continued designation of the three existing areas (as part of Policy Li1) and the designation of additional areas. Each area continues to display the distinct characteristics that justify the designations to enable the application of other policies – B1 (new development), B2 (new residential development), B7 (the loss of trees) and R2 (loss of open space) – in respect to those areas.
8	Allotments	There is no policy supporting the provision of new allotments.
9	Community Facilities	The policy is consistent with the design policy (B1) in requiring development proposals to be appropriate to the existing buildings and uses and to the surroundings. It is consistent with policy R1 in respect of supporting recreational development within the built up area boundary and with policy CS8 in respect of requiring proposals to consider the amenities of local residents and other building uses and the availability of adequate car parking.

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

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

6.1 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.

6.2 A screening opinion was issued by the District Council in June 2013, covering all the neighbourhood plans in the District. It advised that plans should be prepared in accordance with EU Directive 2001/42 on strategic environmental assessment (SEA) if they intended to allocate land for development or propose other policies that are likely to lead to significant environmental effects. As the Neighbourhood Plan contains no such policies the District Council confirmed that no SEA was necessary.

6.3 A very small part of the Neighbourhood Area lies within the 7km zone of the Ashdown Forest Special Protection Area, a European designated nature site. That part of the Area is remote from its main settlements and there are no policies of the Neighbourhood Plan that affect land in that part of the Area. A Habitats Regulations Assessment was undertaken by Mid Sussex District Council in accordance with the Conservation of Habitats and Species Regulations 2010 for the purposes of the District Plan. However, the Parish Councils note and support the contents and recommendations of a Habitats Regulation Assessment Screening Report in respect of this Neighbourhood Plan carried out by Mid Sussex District Council in July 2014.

**Presented by Lindfield and Lindfield Rural Parish Councils.**

**December 2014**