



**Liss Village Neighbourhood Development Plan  
Making the Plan:**

## **The Basic Conditions Statement**

**Submitted to the South Downs National Park Authority**

**Liss Parish Council**

**November 2016**

## Introduction

- 1.1 This statement has been prepared by the Liss Parish Council to accompany the submission of the Liss Village Neighbourhood Development Plan to the South Downs National Park Authority under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012.
- 1.2 The neighbourhood development plan covers the area of Liss Parish. The Parish Council agreed in April 2014 to prepare the plan and the plan area was designated by the South Downs National Park Authority on 14 August 2014.
- 1.3 The Regulations require neighbourhood development plans to meet four basic conditions and state that a plan will be considered to have met the basic conditions if:
  - A. having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the order for the neighbourhood development plan,
  - B. the making of the order for the neighbourhood development plan contributes to the achievement of sustainable development,
  - C. the making of the order for 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),
  - D. the making of the order for the neighbourhood development plan does not breach, and is otherwise compatible with EU obligations.

### **A. Conformity to national policies and advice contained in guidance issued by the Secretary of State**

- 2.1 The Liss Village Neighbourhood Development Plan has taken full account of the National Planning Policy Framework, both in terms of the framework's overall commitment to sustainable development and the specific requirements for neighbourhood planning set out in paragraph 16 of the Framework, and then amplified in paragraphs 183-185.
- 2.2 Paragraph 16 provides three tests for neighbourhood development plans. This statement sets out how the Liss Village Neighbourhood Development Plan meets the first two tests:
- 2.3 Test a: Plans should support the strategic development needs set out in Local Plans, including policies for housing and economic development  
  
Paragraphs 4.1-4.6 describe the relationship of the neighbourhood development plan to the strategic policies of the local plans.
- 2.4 Test b. Plans should positively support local development, shaping and directing development in their area that is outside the strategic elements of the Local Plan.

Many of the strategic policies of the local plans are intended to support local development, particularly meeting local housing needs, and supporting the provision for local business, and of local community, service and retail needs, as set out in paragraphs 4.1 - 4.6 and in the APPENDIX. In addition, the neighbourhood development plan includes development briefs for the proposed residential development sites which are intended to ensure development meets the needs of the community and fits with the character of the village. More generally, the plan defines the settlement policy boundary for Liss (Liss Policy 1), and within that boundary supports development, including housing to meet local needs (Liss Policy 7), development for retail and services in the village centre (Liss Policy 17), and also business development (Liss Policy 13) and development to meet local community needs (Liss Policy 14). In addition, policies seek to shape development so that it fits the character of the village (Liss Policy 9, Liss Policy 10, Liss Policy 18).

- 2.5 Test c. Identify opportunities to use Neighbourhood Development Orders to enable developments that are consistent with their neighbourhood plan to proceed.

The Liss Village Neighbourhood Development Plan does not specifically identify opportunities to use neighbourhood development orders but at present there is no need as the plan is making specific allocations for residential development, involving potential developers in that process. Otherwise, there is nothing in the neighbourhood development plan to prevent the community bringing forward neighbourhood development orders as appropriate.

- 2.6 The table in the **APPENDIX** provides a commentary on the relationship of each policy of the neighbourhood development plan to the National Planning Policy Framework.
- 2.7 Also relevant to the neighbourhood development plan is the guidance in the English National Parks and the Broads UK Government Vision and Circular 2010. This sets a vision for the national park, emphasises the purposes of the park, and sets out objectives on climate change, the natural environment, cultural heritage and fostering vibrant healthy and productive communities. The Liss Village Neighbourhood Development Plan includes a commitment to the vision for the South Downs National Park, and its own vision and objectives reflect the government's vision and guidance. In preparing the neighbourhood development plan account has been taken of the emerging local plan for the South Downs (see paragraph 4.3 below), which in turn reflects the government vision and guidance for the park.

## **B. Contribution to the achievement of sustainable development**

- 3.1 The National Policy Planning Framework states in paragraph 6: "The purpose of the planning system is to contribute to the achievement of sustainable development". and above the paragraph is a broad definition of sustainable development. Paragraph 7 of the NPPF sets out three dimensions to sustainable development: an economic role, a social role, and an environmental role.

3.2 All three of these roles are reflected in the vision for the Liss Village Neighbourhood Development Plan (paragraph 2.2) which states:

"Liss will retain its character as a village, hidden within the wider landscape of the valley of the River Rother.

It will develop sustainably as an attractive place to live, by improving the built environment, providing open green spaces and corridors, managing the impact of traffic and improving walking and cycling connections across the village.

The different characteristics of parts of the village will be enhanced, while integrating them into a single community, with existing gaps and green areas retained. Community life and local services will be promoted and local housing needs will be met at a scale appropriate to the village.

The landscape of the parish will be strongly protected, and the parish will make a significant contribution to achieving the vision and objectives of the South Downs National Park."

3.3 Paragraph 14 of the National Planning Policy Framework reiterates the importance of sustainable development but specifically states:

" For plan-making this means that:

- local planning authorities should positively seek opportunities to meet the development needs of their area;
- Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless:
  - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
  - specific policies in this Framework indicate development should be restricted"

3.4. These development requirements are reflected in the Liss Village Neighbourhood Development Plan, as set out in paragraph 2.4 above. These include the provision of a tightly drawn settlement boundary which protects the landscape and character of the national park and also ensures that development is closely related to services and infrastructure, reducing the need to travel.

3.5 The neighbourhood plan also makes full provision for the housing requirements set out in the East Hants Joint Core Strategy, through Liss Policy 8 and the development briefs for residential development sites included in the plan.

3.6 The table in the **APPENDIX** provides a commentary on the contribution of each policy of the neighbourhood plan to the achievement of sustainable development.

3.7 An independent assessment of the contribution of the neighbourhood plan to sustainable development is provided by the Environmental Report for the Strategic Environment Assessment (SEA) and the Habitats Regulations Assessment (HRA),

prepared by Aecom, which accompany the plan. These specifically demonstrate that the proposals of the plan do not have an adverse impact on the adjoining Special Protection Area. The SEA, however, has assessed each of the policies of the plan under the following headings:

- Biodiversity
- Climate change
- Economy and enterprise
- Health and wellbeing
- Historic environment and landscape
- Population, housing and community
- Transport

- 3.7 The SEA concludes under its Recommendations for the next stages of development for the plan that "At this stage, no mitigation has been identified through the SEA process that relate to significant effects as no significant effects have been identified". Specifically, in its Site assessments summary the report concludes: "None of the proposed sites are likely to result in significant effects on the environment. There are, however, some common threads. First is the lack of a secondary school close to the new sites (the nearest being in Petersfield). It is unknown at this stage whether there is potential or a need for a secondary school in Liss but the provision of one would mitigate the long travel distances to other secondary schools in the surrounding area. Second, there is a general, cumulative pressure on heritage assets as well as landscape that will need to be addressed at the Parish scale".

**C. General conformity with the strategic policies contained in the development plan for the area of the authority**

- 4.1 East Hampshire District Council was the local planning authority for the Liss area until the formation of the South Downs National Park. In April 2011, the National Park Authority became the local planning authority for that part of East Hampshire within the national park, including the whole of Liss Parish.
- 4.2 The Liss Village Neighbourhood Development Plan has been prepared to be in general conformity with the strategic policies of the East Hampshire Joint Core Strategy which is the development plan for Liss. This has been prepared by East Hampshire District Council and the South Downs National Park Authority. The Joint Core Strategy was formally adopted by East Hampshire District Council on 8 May 2014 and by the SDNPA on 26 June 2014. It updated the strategic planning policies for East Hampshire but includes a number of policies 'saved' from the East Hampshire Local Plan Second Review.
- 4.3 The South Downs National Park Authority is currently preparing a local plan for the whole of the national park area with the intention that it should replace all existing local plans and strategies within the park. This plan will eventually provide the strategic planning policies for Liss. On 2 September 2015, the Park Authority published the South Downs Local Plan Preferred Options. The Liss Village Neighbourhood Development Plan has been prepared to take account of the strategic policies in the Preferred Options document where appropriate and provided that they are not in conflict with the East Hampshire Joint Core Strategy.

- 4.4 Paragraph 4.1 of the East Hampshire Joint Core Strategy states that the Spatial Strategy is central to achieving the vision and key objectives of the Joint Core Strategy. The strategy is set out in policy CP1 which sets out the presumption in favour of sustainable development, policy CP2 which sets out the spatial strategy, with policy CP10 setting out the distribution of housing provision. Policy CP2 designates Liss as a small local service centre and Policy CP10 allocates a minimum of 150 dwellings, as well as those dwellings provided through windfall sites within the built-up area. The Liss Village Neighbourhood Development Plan delivers those housing requirements in full.
- 4.5 The supporting text to each of the policies of the neighbourhood development plan sets out the policy or policies of the East Hants Joint Core Strategy to which it most closely relates. Also shown are the relevant draft policies of the South Downs Local Plan, although these clearly have yet to be confirmed. Not all strategic policies of the Joint Core Strategy or the draft South Downs Local Plan are reflected in the neighbourhood development plan. Many of these policies provide a sufficient basis for planning, particularly where amplified in the non-strategic policies of these plans. There is therefore no need for the neighbourhood development plan to add to those policies or provide a particular local dimension. The neighbourhood development plan, therefore, implicitly accepts and is conformity with those policies.
- 4.6 The table in the **APPENDIX** provides a commentary on the relationship of each policy of the neighbourhood plan to the East Hants Joint Core Strategy.

#### **D. Compatibility with EU obligations**

- 5.1 The principal EU obligations affecting the neighbourhood development plan are requirements under Directive 2001/42/EC relating to Strategic Environment Assessments (SEA), translated into national law by the Environment Assessment of Plans and Programmes Regulations 2004, and under Council Directive 92/43/EEC relating to Habitats Regulations Assessment (HRA) translated into national law by the Conservation of Habitats and Species Regulations 2010.
- 5.2 The requirement for these documents to be prepared is dependent on circumstances. The South Downs National Park Authority published screening opinions on the need for the SEA and the HRA for the Liss Village Neighbourhood Development Plan on 17 August 2015. These concluded there was a need for both assessments to be undertaken, partly reflecting the sensitivity of development within a national park, but particularly the presence of the European environmental designation of the Wealden Heaths Special Protection Area adjoining Liss parish and with a small part within the neighbourhood development plan area. Assessments were prepared by Aecom. An Environmental Report for the SEA was published with the pre-submission draft of the neighbourhood development plan as well as a the HRA.
- 5.3 The HRA in its Conclusions states "Following the analysis of the updated policies within the Liss Neighbourhood Plan, it is concluded that there will be no Likely Significant Effect on European sites, either alone or in combination with other projects and plans".



## APPENDIX

Policy	<b>Conformity to national policies and guidance</b>  <b>- Comment on the relevance of the NPPF to the neighbourhood plan</b>  (the references are to paragraphs of the NPPF)	<b>Contribution to the achievement of sustainable development</b>  <b>- Comment on the contribution of each of the policies of the neighbourhood development plan to sustainable development</b>	<b>General conformity with the strategic policies contained in the development plan</b>  <b>- Comment on the relevance of the strategic policies to the neighbourhood plan</b>  (the references are to the East Hants Joint Core Strategy and to the draft South Downs Local Plan Preferred Options)
1. The Settlement Policy Boundary	Para 17. and Para 115 of the NPPF require land use planning to contribute to conserving and enhancing the natural environment, and Paras 17 and 111: Encourage the effective use of land by reusing previously developed brownfield land.  Para 37 encourages people to minimise journey length for employment, leisure education and other activities.  Para 55: Requires that in rural areas housing should be located where it will enhance or maintain the vitality of rural communities.	Provides environmental, social and economic benefits by limiting loss of landscape and countryside within a national park and ensuring development is close to services and facilities	Policy CP10 of the Joint Core Strategy provides for settlement boundaries to be reviewed by neighbourhood plans, particularly to accommodate housing allocations  Related draft South Downs Local Plan policy is SD22 Settlement Boundaries
2. Protected gaps	Para 17. and Para 115 require planning policies to contribute to conserving and	Provides environmental, social and economic benefits by limiting	CP2 supports objectives of the national park



	<p>enhancing the natural environment, and Para17 encourages the effective use of land by reusing previously developed brownfield land.</p> <p>Para 37 encourages people to minimise journey length for employment, leisure education and other activities.</p> <p>Para 55 requires that in rural areas housing should be located where it will enhance or maintain the vitality of rural communities.</p>	<p>loss of critical areas of landscape and countryside within a national park and ensuring development is close to services and facilities</p>	<p>CP23 provides for gaps between settlements</p> <p>Related draft South Downs Local Plan policy is SD22 Development Strategy</p>
3. Local green space and informal open space	<p>Paras 73 and 74 promote access to high quality open spaces, and protecting existing provision.</p> <p>Paras 76 and 77. Make provision for Local Green Space.</p>	<p>Provides environmental and social benefits by providing open space for the community and opportunities to encourage biodiversity</p>	<p>CP28 supports the provision of green infrastructure</p> <p>Related draft South Downs Local Plan policy is SD36 Local Green Spaces</p>
4. Landscape and views	<p>Para 115 requires that great weight should be given to conserving landscape and scenic beauty in National Parks.</p>	<p>Provides environmental benefits by supporting a major objective of the national park</p>	<p>CP20 provides for the protection and enhancement of landscape</p> <p>Related draft South Downs Local Plan policies are SD5 Landscape Character and SD7 Safeguarding Views</p>
5. Biodiversity	<p>Para 17 require planning policies to contribute to conserving and enhancing the natural environment and reducing pollution.</p>	<p>Provides environmental benefits by supporting a major objective of the national park</p>	<p>CP 21 provides for the maintenance, enhancement and protection of the District's</p>

	Paras 117 and 118 provide for the conservation and enhancement of biodiversity including designated areas.		biodiversity and its surrounding environment.  Related draft South Downs Local Plan policies are SD12 Biodiversity and Geodiversity, and SD13 International Sites
6. Flood risk	Paras 100 - 104 require that inappropriate development in areas at risk of flooding should be avoided.	Provides environmental, social and economic benefits by avoiding adverse impacts on the community and helping to manage the water ecosystem	CP25 manages flood risk from development.  Related draft South Downs Local Plan policy is SD17 Flood Risk
7. Local Housing needs	Para 47 requires meeting of the full objectively assessed needs.  Para 50 requires the delivery of a wide choice of high quality homes, including a mix of housing and affordable housing.  Self Build is not directly referred to in the NPPF but the Self Build and Custom Housebuilding Act took effect from 1 April 2016.	Provides social and economic benefits by meeting the essential human requirement for suitable housing	CP11 encourages a mix of housing to meet local needs  CP13 sets out an affordable housing target  Related draft South Downs Local Plan policies are SD23 Housing, and SD24 Affordable Housing Provision.
8 Allocating housing	Para 47 requires the identification of a supply of deliverable and developable sites.  Para 48 requires that an allowance is made for windfall sites.	Provides environmental, social and economic benefits by allocating housing fully in accord with the approved strategy for East Hants, through a	CP10 sets the housing allocation for Liss  Related draft South Downs Local Plan policy is SD23 Housing.

		locational strategy that avoids areas subject to the constraints and to seek a balance of sites reasonably close to the village centre through small sites that can be developed on an intimate scale respecting local landscape character.	
9. Design of development	Para 17 and Paras 56 - 66 require good design.	Provides environmental benefits by improving the appearance and of buildings, particularly housing	CP29 requires good design  Related draft South Downs Local Plan policy is SD6 Design
10. Historic Environment	Paras 126 - 141 provide for conserving and enhancing the historic environment	Provides environmental and cultural benefits by valuing and protecting the built heritage	HE4 - HE14 are saved policies on historic environment  Related draft South Downs Local Plan policy is SD11 historic environment
11. Residential development in the countryside	Para 17. and Para 115 provide for development to contribute to conserving and enhancing the natural environment.  Paras 17 and 111 encourage the effective use of land by reusing previously developed brownfield land.  Para 37 encourages people to minimise journey length for employment, leisure education and other activities.  Para 53 resists inappropriate	Provides environmental, social and economic benefits by limiting encroachment on landscape and countryside within a national park and ensuring development is close to services and facilities	CP19 controls development in the countryside  H14 and H16 are saved policies on development in the countryside  Related draft South Downs Local Plan policies are SD5 Landscape Character, and SD45 Replacement Dwellings and Extensions.

	<p>development of residential gardens.</p> <p>Para 55 requires that in rural areas housing should be located where it will enhance or maintain the vitality of rural communities.</p>		
12. Retirement and nursing homes		Provides environmental and social benefits by ensuring that homes are located where environmentally suitable and close to facilities and services	<p>H13 is a saved policy on retirement and nursing homes is similar.</p> <p>No specific draft South Downs Local Plan policy.</p>
13. Business provision	Paras 18 - 22 encourage the building of a strong, competitive economy.	Provides social and economic benefits by supporting business enterprise and the village economy	<p>CP3 allocates employment land but not in Liss. It does not, however, does not preclude provision where land is not allocated.</p> <p>CP4 protects existing employment land.</p> <p>Related draft South Downs Local Plan policies are SD27 Sustaining the Rural Economy and SD28: Employment Land.</p>
14. Community and Sports facilities	Paras 73 and 74. encourage opportunities for sport and recreation and protection of existing sports and recreational buildings and land, including playing fields.	Provides social and health benefits by supporting the provision of facilities	<p>CP16 and CP17 resists loss of facilities and encourages new provision</p> <p>CP18 requires residential development to provide public open space</p> <p>Related draft South Downs Local Plan policy is SD53 New and existing</p>

			community infrastructure
15. Walking and cycling access	<p>Para 35 provides that development should be located and designed where practical to give priority to pedestrian and cycling movements.</p> <p>Para 75. Planning policies should protect and enhance public rights of way.</p>	Provides environmental, social and health benefits by encouraging healthy and sustainable ways of travelling	<p>CP31 requires development to provide for walking and cycling</p> <p>Related draft South Downs Local Plan policy is SD19 Walking, cycling and equestrian routes</p>
16. Parking	<p>Para 39 provides for local parking standards for residential and non-residential development.</p> <p>Para 40 states local authorities should seek to improve the quality of parking in town centres.</p>	Provides environmental, social and economic benefits by encouraging suitable parking where needed	<p>CP31 requires adequate parking provision and encourages parking provision for settlements with railway stations.</p> <p>Related draft South Downs Local Plan policy is SD44 Parking provision</p>
17. The Village Centre	<p>Para 23 requires that planning policies should be positive, promote competitive town centre environments and set out policies for the management and growth of centres.</p> <p>Para 28 promotes the retention and development of local services and community facilities in villages.</p>	Provides environmental, social and economic benefits by encouraging the improvement of services and facilities for the community	<p>CP8 seeks to maintain and improve the vitality of village centres</p> <p>Related draft South Downs Local Plan policy is SD29 Town and Village Centres.</p>
18. Shop Fronts	<p>Para 17 and Paras 56 - 66 require good design,</p> <p>Para 58 provides that development should establish a strong sense of place, using streetscapes and buildings to create</p>	Provides environmental benefits by improving the appearance of buildings serving the community	<p>HE15 and HE16 are saved policies on shop fronts</p> <p>Related draft South Downs Local Plan policy is SD27 Shop fronts</p>

	attractive and comfortable places to live, work and visit.		
19. Development Briefs	<p>Para 50 states that planning policies should deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities.</p> <p>Para 58 states that local and neighbourhood plans should develop robust and comprehensive policies that set out the quality of development.</p>	Provides environmental and social benefits by ensuring that housing development meets the environmental and social objectives of the plan.	None
20. Infrastructure and Developer contributions	Para 17 states that planning policies should take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs	Provides environmental, social and economic benefits by ensuring development contributes to the provision of necessary services, infrastructure and community facilities	<p>CP32 requires development to make provision of infrastructure</p> <p>Related draft South Downs Local Plan policy is SD54 Supporting infrastructure for new development</p>