

Emsworth Neighbourhood Plan

Basic Conditions Statement
March 2019







This statement provides a demonstration of conformity with the basic conditions required of neighbourhood planning



The Emsworth Neighbourhood Plan has been prepared by the Emsworth Forum, the qualifying body responsible for plan preparation. Contact for further information:

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Meeting the Basic Conditions

Emsworth Forum considers that its neighbourhood plan meets the basic conditions as required by the legislation. The neighbourhood plan is in accordance with the Neighbourhood Plans (General) Regulations 2012, the National Planning Policy Framework and with the policies of Havant Borough Council.

The neighbourhood plan does not simply repeat the local or national planning policies. The Localism Act 2012 enables communities to create a plan that reflects the needs of the local population and future residents. A collaborative approach, led by Emsworth Forum and involving local residents and other interest groups, including developers and land owners, has created a plan that broadly reflects local aspirations.



The Four Basic Conditions

The four basic conditions that the statement addresses are that:

1. The Emsworth Neighbourhood Plan conforms with the guidance for neighbourhood plans issued by the Secretary of State, with regard to national strategy and policies contained in the National Planning Policy Framework (NPPF), 2019 version.
2. The policies contained in the plan will contribute to the achievement of sustainable development as defined in the NPPF, 2019 version.
3. The plan policies are in general conformity with the adopted Havant Borough Local Plan 2011 – 2026, comprising the Core Strategy (2011) and Site Allocations Plan (2014), and with the emerging Havant Borough Local Plan, 2019 – 2036.
4. The making and content of the Emsworth Neighbourhood Plan does not breach and is otherwise compatible with EU obligations.

Key Outcomes of the Neighbourhood Plan

The key outcomes of the Emsworth Neighbourhood Plan that help it to meet the basic conditions are as follows:

- contains a mix of uses that meets the need of the local community
- has been developed through widespread local consultation
- has general support from the residents of Emsworth and wider area
- has general support of the various businesses that will be directly affected by the policies in the plan
- provides development opportunities that will add to the town without unnecessarily infringing upon protected countryside
- creates a welcoming environment for residents, tourists and business interests
- promotes sustainable development through a holistic approach to development across the town
- enhances pedestrian and cycle routes in the town and to the countryside beyond
- encourages a strong local economy through protection for retail and employment opportunities that will support the local jobs and reduce the need to travel
- reflects best practice in terms of quality urban design and sustainable planning principles.

Conformity with the National Planning Policy Framework (NPPF), 2019 version

This neighbourhood plan is in conformity with the National Planning Policy Framework (NPPF), 2019 which has been taken into consideration at all stages of the plan's development.

Paragraphs 1 and 2 of the NPPF, 2019 make clear that development plans (including neighbourhood plans) need to take the policies in the NPPF into account and that these policies are a material consideration in the determination of planning applications.

Paragraph 13 of the NPPF, 2019 states that neighbourhood plans should support the delivery of strategic policies contained in local plans or spatial development strategies and should shape and direct development that is outside of these strategic policies.

Emsworth Forum considers that this neighbourhood plan supports both of these objectives. The policies in this neighbourhood plan address the strategic agenda of Havant Borough Council and help shape and support development in response to the local context.

Paragraph 85 — 90 of the NPPF, 2019 states that planning policies should be positive, promote competitive town centre environments and set out policies for the management and growth of town centres. This neighbourhood plan contains community and working policies which protect employment areas within the town centre, including retail uses.

Paragraph 28 of the NPPF requires neighbourhood plans to include policies that encourage good design in their areas – this is specifically addressed in the design section, as well as being highlighted within the various neighbourhood plan policies.

Paragraph 29 of the NPPF provide some general guidance on the production of neighbourhood plans in addition to the requirements of paragraph 13. In particular, paragraph 29 makes it clear that “...neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies”.

This neighbourhood plan accepts the principle of the need for new development within the housing allocations as set out in the emerging Havant Borough Local Plan and it is therefore considered to meet the objectives of paragraph 29 of the NPPF. It should also be noted that paragraph 30 of the NPPF states that once approved, the policies in the neighbourhood plan will take precedence over existing non-strategic policies in the local plan for that neighbourhood.

Presumption in Favour of Sustainable Development

The NPPF, 2019 sets out a presumption in favour of sustainable development. According to the NPPF, sustainable means ensuring that better lives for ourselves do not mean worse lives for future generations, as described in paragraph 7 of the NPPF.

Therefore, sustainable development is about high quality growth that improves the quality of life for those that it affects, helping contribute to economic, environmental and social well-being for current and future generations. It is considered that the Emsworth Neighbourhood Plan does this effectively.

Responding to Local Context

The National Planning Practice Guidance (NPPG, 2014) provides further advice on how development should be sustainable and respond to climate change. Paragraph 9 of the NPPF, 2019 requires that plans and decisions take account of local circumstances so that they can respond in a positive manner to the various opportunities to create sustainable development in different parts of the country. This is an acknowledgement that what constitutes sustainable development may well be different from place to place.

The Emsworth Neighbourhood Plan contains two important policy themes that respond to local context. The first is concerned with the waterfront, whereby the aim is to protect and enhance this unique natural environment for the benefit of local residents and visitors alike. The second issue is the transformation of the Havant Road junction, which currently acts as a barrier between the north and south of Emsworth. Transforming this area into a Dutch-style civic square will allow the free movement of people and help to reduce carbon emissions, therefore responding positively to climate change. Further background on these key issues can be found within the plan itself.

Practical and Deliverable

The NPPF, 2019 refers variously to positively seeking development opportunities, providing a practical framework for planning decisions and taking a positive approach to sustainable new development. The NPPF requires that neighbourhood plans deliver the sustainable development that communities need. This emphasis on deliverability is important because it links plan-making to a realistic understanding of the development process.

Neighbourhood Interpretation of Policy

The NPPF, 2019 states that neighbourhood planning allows local people to ensure they receive the right types of development for their community. The proposed policies in the Emsworth Neighbourhood Plan do not seek to replace strategic policies within the existing and emerging local plans. Instead, the policies seek to implement the main aims and objectives of the local plans at a neighbourhood level to respond to the local context in order that development is delivered efficiently and to the benefit of local people.

Neighbourhood development plan policies need to meet the basic conditions in the opinion of the examiner. See paragraph 37 of the NPPF, 2019. They will be subject to a public referendum if they meet the basic conditions.

Sustainability Matters

Paragraphs 7 through to 14 of the NPPF, 2019 identify the components of sustainable development, and how planning applications and local plans can meet these requirements.

It is considered that the Emsworth Neighbourhood Plan fills an economic, social and environmental role in planning positively to shape the future development and needs of the town. This neighbourhood plan has been produced with the sustainable development requirements of the NPPF in mind.

The policies in the Emsworth Neighbourhood Plan have been produced in general conformity with the strategic policies of Havant Borough Council. These policies have been subject to a Sustainability Appraisal (SA) in line with the relevant European directives. The policies in the neighbourhood plan therefore supplement and help to implement these strategic policies. They are therefore considered sustainable in line with these regulations.

This neighbourhood plan is a sustainable plan that incorporates key services and new facilities together with a range of access and movement options that help reduce the need to travel. The 'movement' section within Emsworth Neighbourhood Plan provides key policies that will help deliver sustainable development.

As part of the preparation of the neighbourhood plan, Emsworth Forum has organised collaborative design and planning workshops to determine the most appropriate locations for new development that can contribute to the overall sustainability of the town while minimising any negative impact upon attractive areas of countryside.

Strategic Environmental Assessment (SEA) and Compatibility with EU Legislation

Havant Borough Council carried out a Strategic Environmental Assessment (SEA) screening exercise in consultation with relevant statutory bodies. HBC confirmed that the Emsworth Neighbourhood Plan does not require a Sustainability Appraisal (SA) in the form of an SEA under European Directive 2001/42/EC.

A Habitats Regulations Assessment (HRA) screening exercise under the European Directives 92/43/EEC and 2009/147/EC confirmed that an Appropriate Assessment of the neighbourhood plan was not required.

In conclusion, the Emsworth Neighbourhood Plan has been prepared with regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and complies with the Human Rights Act. The neighbourhood plan is therefore compatible with EU legislation.

Best Practice in Urban Design

To ensure that the design and layouts of new development are appropriate to the town, the plan encourages high quality design and sustainable planning based on an assessment of the positive qualities of the existing Emsworth context. This plan seeks to integrate new development with the necessary social and physical infrastructure.

Paragraphs 124 — 132 of the NPPF expect the delivery of high quality homes to match appropriate housing needs through sensitively designed new places. In terms of design, a positive relationship between existing built areas and the new will be critical to the successful assimilation of new development. Formulation of the plan has been based on striking the right balance between the need for more housing and the protection of the countryside.

Supporting New Development

This plan supports new development in a sustainable way. Planning policies have been formulated in such a way as to create a compact and balanced settlement that enhances connections across the town. This will help create a sustainable settlement that will connect residential neighbourhoods with services through the increased use of non-car modes of travel.

Effective Local Consultation

As set out in Section 14 (a) of the 2012 Neighbourhood Planning (General) Regulations, consultation on the plan and the plan-making process must be brought to the attention of the people who live or work in the town. Emsworth Forum has ensured that this is a plan that reflects local opinions and local needs.

To ensure that public engagement and consultation were effective, input from the community has been sought at every stage and has been invaluable to the production of the plan. Throughout the process, members of the community have been able to shape discussions and form dialogues with fellow residents, with land owners and with other interest groups. The result has been that different groups have been able to find shared outcomes.

There has been a series of consultation and engagement events that have directly influenced the drafting of the plan.

Consultation material relating to these events have been published online during the plan preparation. Please see the accompanying Consultation Statement for full details on the consultation process undertaken as part of the preparation of this neighbourhood plan.

Broad Local Support

From the outset, Emsworth Forum has tried to ensure that a broad cross-section of the local community has been involved in the plan-making process.

The consultation and engagement process has been open and transparent and interest groups such as land owners, local developers and school representatives have all been included in the process. All these groups are considered appropriate consultation bodies to include, as defined in the neighbourhood planning (General) Regulations Schedule 1.

This approach towards finding shared solutions to resolve issues across the town has the support from the various interest groups. It is hoped that this support for the process will also translate into support for the submission plan and at referendum.

Establishing a Shared Vision

The results of the local consultation and the parallel work to ensure the plan meets the basic conditions have been combined to establish a shared vision, bringing the plan in line with paragraph 29 of the NPPF, 2019. This vision is expressed in the form of a clear vision statement and plan objectives. These points have structured the neighbourhood plan and informed the development of the individual policies.

Meeting the Needs of the Local Community

Emsworth Forum believes that this neighbourhood plan supports the needs of the wider community by addressing the social, economic and environmental aspects of life in the town. This has been expressed through the identification of retail operations for protection and enhancement, together with a sustainable access and movement network across the town. The specific policy themes within the plan will benefit all elements of the community.

Conformity with Strategic Local Planning Policies

The submission version of the neighbourhood development plan must be in general conformity with the strategic policies contained in the development plan for the area of the relevant authority. For the Emsworth Neighbourhood Plan, the relevant authority is Havant Borough Council. The development plan currently comprises:

- The Havant Borough Local Plan, 2011 — 2026, with its Core Strategy adopted in 2011 and Site Allocations Plan adopted in 2014
- The emerging Havant Borough Local Plan, 2019 — 2036, not yet adopted

Local Planning Context

The neighbourhood area lies wholly within the the borough of Havant and county of Hampshire. The Local Planning Authority is Havant Borough Council.

Havant Borough Local Plan, 2011 – 2026

The Havant Borough Council 2011 – 2026 comprises the Core Strategy 2011 and Site Allocations Plan 2014.

The emerging Havant Borough Local Plan, 2019 – 2036

Havant Borough Council is currently preparing an updated Local Plan, which will replace the one currently adopted. The emerging Havant Borough Local Plan will be submitted to the Secretary of State for Examination in summer 2019. As the emerging Havant Borough Local Plan has reached a fairly advanced stage, the Emsworth Neighbourhood Plan has sought to be in general conformity with the strategic policies of this plan too.

Conclusions

It is the considered view of Emsworth Forum, the qualifying body responsible for the preparation of the neighbourhood plan, that the Emsworth Neighbourhood Plan is in general conformity with both the latest version of the NPPF (2019) and the strategic policies.

Table Demonstrating Conformity with Local Plan Policies

Emsworth Neighbourhood Plan 2019	Havant Borough Local Plan 2011 – 2026 (Core Strategy 2011 & Site Allocations Plan 2014)
Policy C1: Community & Public Services Hub	Core Strategy: Policy CS1, Policy CS7, Policy DM2 Site Allocations Plan: Policy AL3
Policy C2: Retail, High Street & Food / Drink Uses	Core Strategy: Policy CS4, Policy CS6, Policy DM3, Policy DM5 Site Allocations Plan: Policy AL3
Policy C3: Public Realm Design	Core Strategy: Policy CS1, Policy CS4, Policy CS6, Policy CS16, Policy CS20, Policy DM11 Site Allocations Plan: Policy AL3
Policy C4: Leisure & Recreational Facilities	Core Strategy: Policy CS1, Policy CS7, Policy CS13, Policy DM1, Policy DM2 Site Allocations Plan: Policy AL8
Policy C5: Designated Local Green Spaces	Core Strategy: Policy CS1, Policy CS7, Policy CS11, Policy CS13, Policy DM1, Policy DM2, Policy DM8 Site Allocations Plan: Policy AL8
Policy L1: General Housing Policy	Core Strategy: Policy CS9, Policy CS16, Policy CS18 Site Allocations Plan: Policy AL1, Policy EM1
Policy L2: Housing Mix	Core Strategy: Policy CS9, Policy CS16, Policy DM7 Site Allocations Plan: Policy AL1, Policy EM1
Policy L3: Walking Distances	Core Strategy: Policy CS1, Policy CS8, Policy CS9, Policy CS16, Policy CS17, Policy CS20, Policy DM2, Policy DM11 Site Allocations Plan: Policy AL1, Policy AL3, Policy EM1
Policy L4: Independent Living	Core Strategy: Policy CS1, Policy CS8, Policy CS9, Policy CS20, Policy DM7, Policy DM 11 Site Allocations Plan: Policy AL1, Policy AL5, Policy EM1

Emsworth Neighbourhood Plan 2019	Havant Borough Local Plan 2011 – 2026 (Core Strategy 2011 & Site Allocations Plan 2014)
Policy L5: Avoiding Settlement Coalescence	Core Strategy: Policy CS1, Policy CS11, Policy CS13, Policy CS16, Policy DM1, Policy DM8 Site Allocations Plan: Policy AL2
Policy W1: Employment Premises & Design Quality	Core Strategy: Policy CS2, Policy CS4, Policy CS6, Policy CS16, Policy CS19, Policy DM3 Site Allocations Plan: Policy EM2, Policy DM21
Policy W2: Strong Economy & Youth Training	Core Strategy: Policy CS1, Policy CS2, Policy CS3, Policy CS4, Policy CS5, Policy CS6, Policy CS19, Policy DM3 Site Allocations Plan: Policy EM2
Policy W3: Change of Use Applications	Core Strategy: Policy CS2, Policy CS4, Policy CS5, Policy CS6, Policy DM3, Policy DM5 Site Allocations Plan: Policy EM2
Policy W4: Technology & Tourism	Core Strategy: Policy CS2, Policy CS5, Policy CS6, Policy CS19, Policy DM3 Site Allocations Plan: Policy AL3, Policy EM2
Policy W5: Home Working	Core Strategy: Policy CS2, Policy CS9, Policy CS19 Site Allocations Plan: Policy AL1
Policy M1: New Civic Space	Core Strategy: Policy CS1, Policy CS4, Policy CS6, Policy CS16, Policy CS20, Policy DM11 Site Allocations Plan: Policy AL3
Policy M2: Improve the Pedestrian Environment	Core Strategy: Policy CS1, Policy CS8, Policy CS20, Policy DM11
Policy M3: Cycling Strategies	Core Strategy: Policy CS1, Policy CS8, Policy CS20, Policy DM11
Policy M4: Cycle Storage Provision	Core Strategy: Policy CS1, Policy CS8, Policy CS20, Policy DM11, Policy DM13, Policy DM14
Policy WF1: Public Enjoyment of the Waterfront	Core Strategy: Policy CS1, Policy CS5, Policy CS6, Policy CS11, Policy DM1, Policy DM8 Site Allocations Plan: Policy DM20

Emsworth Neighbourhood Plan 2019	Havant Borough Local Plan 2011 – 2026 (Core Strategy 2011 & Site Allocations Plan 2014)
Policy H1: Design & Heritage	Core Strategy: Policy CS11, Policy CS16 Site Allocations Plan: Policy DM20
Policy H2: Heritage Appraisals	Core Strategy: Policy CS11, Policy CS16 Site Allocations Plan: Policy DM20
Policy H3: Buildings of Local Historic Interest	Core Strategy: Policy CS4, Policy CS7, Policy CS11, Policy CS16, Policy DM2 Site Allocations Plan: Policy DM20
Policy D1: General Design Policy	Core Strategy: Policy CS11, Policy CS16 Site Allocations Plan: Policy DM20, Policy DM21
Policy D2: Height, Mass & Materials	Core Strategy: Policy CS11, Policy CS16
Policy D3: Layout, Form & Density	Core Strategy: Policy CS11, Policy CS16
Policy D4: Design of External Areas	Core Strategy: Policy CS11, Policy CS16, Policy CS20 Site Allocations Plan: Policy DM20, Policy DM21
Policy D5: Design Integration	Core Strategy: Policy CS4, Policy CS11, Policy CS16, Policy CS20 Site Allocations Plan: Policy AL3
Policy D6: Resource Efficiency	Core Strategy: Policy CS14, Policy CS15, Policy CS16
Policy D7: Rooms in the Roof	Core Strategy: Policy CS11, Policy CS16
Policy D8: Mitigate Light Pollution	Core Strategy: Policy CS11, Policy CS14, Policy CS16, Policy DM8, Policy DM10
Policy Pr: Neighbourhood Projects	Core Strategy: Policy CS1, Policy CS2, Policy CS4, Policy CS5, Policy CS6, Policy CS7, Policy CS8, Policy CS13, Policy CS16, Policy CS19, Policy CS20, Policy DM1, Policy DM2, Policy DM3, Policy DM10, Policy DM11, Policy DM12, Policy DM13, Policy DM14 Site Allocations Plan: Policy AL3, Policy AL5, Policy AL8, Policy DM20, Policy DM21

Emsworth Neighbourhood Plan 2019	Emerging Havant Borough Local Plan 2019 — 2036
Policy C1: Community & Public Services Hub	Policy C4, Policy C7, Policy H12
Policy C2: Retail, High Street & Food/Drink	Policy C4, Policy C6, Policy C8
Policy C3: Public Realm Design	Policy E1, Policy C4
Policy C4: Leisure & Recreational Facilities	Policy E2, Policy E11
Policy C5: Designated Local Green Spaces	Policy E8 , Policy E14, Policy E15, Policy E16, Policy E17, Policy E18
Policy L1: General Housing Policy	Policy H1 – H5
Policy L2: Housing Mix	Policy H4
Policy L3: Walking Distances	Policy H3
Policy L4: Independent Living	Policy H5
Policy L5: Avoiding Settlement Coalescence	Policy E3
Policy W1: Employment Premises & Design Quality	Policy E1
Policy W2: Strong Economy & Youth Training	Policy C1
Policy W3: Change of Use Applications	Policy C1, Policy C4, Policy C8
Policy W4: Technology & Tourism	Policy C1, Policy C2
Policy W5: Home Working	Policy IN1
Policy M1: New Civic Space	Policy IN1, Policy C4, Policy E22, Policy E23
Policy M2: Improve the Pedestrian Environment	Policy IN1, Policy E22, Policy E23
Policy M3: Cycling Strategies	Policy IN1, Policy IN2
Policy M4: Cycle Storage Provision	Policy IN3, Parking SPD
Policy WFr: Public Enjoyment of the Waterfront	Policy E4, Policy E5, Policy E16
Policy H1: Design & Heritage	Policy E1, Policy E13
Policy H2: Heritage Appraisals	Policy E13
Policy H3: Buildings of Local Historic Interest	Policy E13
Policy D1: General Design Policy	Policy E1

Emsworth Neighbourhood Plan 2019	Emerging Havant Borough Local Plan 2019 — 2036
Policy D2: Height, Mass & Materials	Policy E1
Policy D3: Layout, Form & Density	Policy E1, Policy H3
Policy D4: Design of External Areas	Policy E1
Policy D5: Design Integration	Policy E1
Policy D6: Resource Efficiency	Policy E12
Policy D7: Rooms in the Roof	Policy E1
Policy D8: Mitigate Light Pollution	Policy E22
Policy P1: Neighbourhood Projects	Policy IN1, Policy IN2, Policy E1, Policy E2, Policy E11, Policy E12, Policy E13, Policy C2, Policy C6, Policy C7, Parking SPD
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