

# Billingshurst Neighbourhood Plan

## 2019-2031

### Basic Conditions Statement

### Billingshurst Parish Council

January 2020



[info@navigusplanning.co.uk](mailto:info@navigusplanning.co.uk)  
[www.navigusplanning.co.uk](http://www.navigusplanning.co.uk)

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## 1. Introduction

- 1.1. This Basic Conditions Statement has been produced to accompany Billingshurst Neighbourhood Plan.
- 1.2. The relevant legal framework for the preparation and making of neighbourhood plans is supported by the Localism Act 2011 and the Neighbourhood Planning Act 2017 and found in the:
- Town and Country Planning Act 1990: ss. 61F, 61I, 61M-P and Schedule 4B
  - Planning and Compulsory Purchase Act 2004: ss 38A-C
  - Neighbourhood Planning (General) Regulations 2012 (2012 No.637) (As Amended)
- 1.3. Paragraph 8(2) of Schedule 4B to the Town & Country Planning Act 1990 requires a neighbourhood plan to meet five<sup>1</sup> basic conditions before it can proceed to a referendum. These are:
- I. Having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan;
  - II. The making of the neighbourhood development plan contributes to the achievement of sustainable development;
  - III. 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);
  - IV. The making of the neighbourhood development plan does not breach, and is otherwise compatible with, EU obligations; and
  - V. Prescribed conditions are met in relation to the neighbourhood plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan. The prescribed condition is that the making of the neighbourhood plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.
- 1.4. This document sets out how the Plan meets the Basic Conditions.

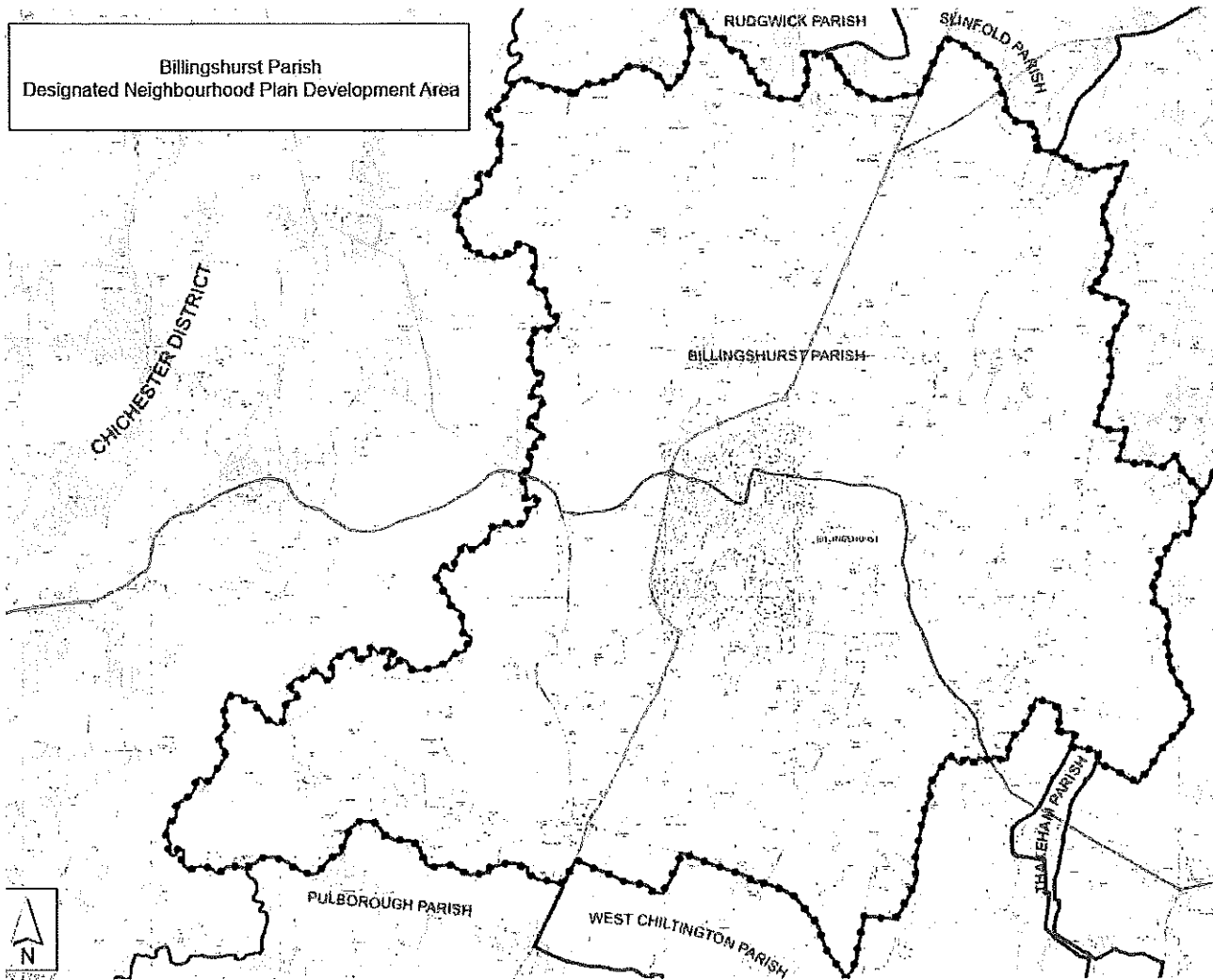
### Key statements

- 1.5. Billingshurst Parish Council, as the qualifying body, has prepared the Plan, which covers the parish area of Billingshurst. This area was designated by Horsham District Council in December 2015.
- 1.6. The Plan sets out policies that relate to the development and use of land within only the Billingshurst Neighbourhood Area. This is shown in Figure 1 below.
- 1.7. The Plan refers only to the administrative boundary of Billingshurst. There are no other adopted Neighbourhood Development Plans that cover the Billingshurst Neighbourhood Area.
- 1.8. The Billingshurst Neighbourhood Plan Working Group has prepared the Plan to establish a vision for the future of the parish. The community has set out how that vision will be realised through planning and controlling land use and development change over the plan period 2019 to 2031.

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<sup>1</sup> There are two further basic conditions, which are relevant only to the making of a Neighbourhood Development Order and are therefore not considered in this document.

Figure 1: Billingshurst Neighbourhood Plan Area



## 2. Basic Condition (i) – Conformity with National Planning Policy

- 2.1. To meet this condition, the Plan must be shown to have regard to national policies and advice contained in guidance issued by the Secretary of State. National policy and guidance is contained within the National Planning Policy Framework (‘NPPF’) and the Planning Practice Guidance (‘PPG’).

### National Planning Policy Framework

- 2.2. The NPPF has 13 key objectives which are:

1. Delivering a sufficient supply of homes
2. Building a strong, competitive economy
3. Ensuring the vitality of town centres
- 4 Promoting healthy and safe communities
5. Promoting sustainable transport
6. Supporting high quality communications
7. Making effective use of land
8. Achieving well-designed places
9. Protecting Green Belt land
10. Meeting the challenge of climate change, flooding and coastal change
11. Conserving and enhancing the natural environment
12. Conserving and enhancing the historic environment
13. Facilitating the sustainable use of minerals

- 2.3. This statement explains how the Billingshurst Neighbourhood Plan (“the Neighbourhood Plan” or “the Plan”) contributes to meeting these objectives and also notes the specific national policies that the Plan is intended to support and supplement.

- 2.4. The Plan has six objectives. These are summarised in Table 2.1 alongside the NPPF goals that each objective seeks to address.

**Table 2.1: Assessment of the Neighbourhood Plan objectives against NPPF goals**

Plan objective	Relevant NPPF goal
Ensure new housing reflects the high quality local vernacular in the parish in terms of building style and materials and maximises sustainable energy as part of housing design.	<ul style="list-style-type: none"> <li>• Developing a sufficient supply of homes</li> <li>• Achieving well-designed places</li> <li>• Meeting the challenge of climate change, flooding and coastal change</li> </ul>
Ensure that the provision of local infrastructure and facilities including medical provision and schools is adequate to address the needs of existing and future residents.	<ul style="list-style-type: none"> <li>• Promoting healthy and safe communities</li> </ul>
Improve transport and movement, in particular through non-car modes, specifically ensuring	<ul style="list-style-type: none"> <li>• Promoting sustainable transport</li> <li>• Promoting healthy and safe communities</li> </ul>

Plan objective	Relevant NPPF goal
there is a safe environment for pedestrians and cyclists as well as motorists.	
Strengthen, support and promote local economic activity in all retail, industrial, commercial and professional activities and ensure they are focused in appropriate areas of the parish.	<ul style="list-style-type: none"> <li>• Building a strong, competitive economy</li> <li>• Ensuring the vitality of town centres</li> </ul>
Ensure that development is sensitively designed to be attractive, to minimise flood risk, mitigate climate change, promote biodiversity and reduce our carbon footprint.	<ul style="list-style-type: none"> <li>• Achieving well-designed places</li> <li>• Meeting the challenge of climate change, flooding and coastal change</li> </ul>
Protect green spaces of value to the community and maintain a high quality natural and historic environment, in particular protecting buildings of local historic interest.	<ul style="list-style-type: none"> <li>• Conserving and enhancing the natural environment</li> <li>• Conserving and enhancing the historic environment</li> </ul>

2.5. Table 2.2 sets out each policy of the Neighbourhood Plan alongside the policies in the NPPF that it has had regard to and analyses how each Plan policy contributes to achieving the key objectives of the NPPF.

Table 2.2: Assessment of how each policy in the Neighbourhood Plan conforms to the NPPF

Policy Title and Reference	NPPF Reference (paragraph)	Commentary
POLICY BILL1: BILLINGSHURST BUILT- UP AREA BOUNDARY	16, 17, 28, 83a, 24	A core principle of national policy is the need for the planning system to contribute to sustainable development. The NPPF states that plans should be developed that support the strategic development needs set out in the Local Plan and actively manage patterns of growth. The policy takes a positive approach to development by defining the Built Up Area Boundary to enable a balanced approach to delivering the housing need while protecting the open countryside beyond the urban edge from inappropriate uses.
POLICY BILL2: HOUSING DESIGN AND CHARACTER	124, 125, 126, 127, 149	The policy seeks to ensure that development is in keeping with the design of surrounding context, without stifling good or innovative design. This is in line with the national aim to plan positively for the achievement of high quality and inclusive design for all development.
POLICY BILL3: ENERGY EFFICIENCY AND DESIGN	149, 150, 151	The policy supports the national objective of designing development to minimise its negative impact on climate change. In particular it seeks to provide safe and secure development and encourage a series of environmentally sustainable design features aimed at reducing energy consumption and energy loss.
POLICY BILL4: PROVISION OF LEISURE AND RECREATION FACILITIES	91, 92, 96, 97	The NPPF encourages planning policy that contributes to healthy, inclusive communities. This policy seeks to protect leisure and recreational facilities that are valued and well-used by the community, and which enable different sections of the community to come together to share in social activities. It also identifies where additional facilities might be facilitated through development.
POLICY BILL5: BURIAL SPACE	92	Burial grounds represent an important facility for any community and the policy seeks to encourage an additional site or sites, in order to ensure that future need is provided for.
POLICY BILL6: INTEGRATED INFRASTRUCTURE	34, 81, 112	The policy contributes to the NPPF requirement for supporting high quality communications infrastructure and ensuring that development makes provision for adequate utilities infrastructure to be in place.
POLICY BILL7: RETAINING AND ENHANCING THE VITALITY AND VIABILITY OF BILLINGSHURST VILLAGE CENTRE	85, 91, 92	The policy supports the vital role played by the village centres in the neighbourhood plan area. It seeks to safeguard against the loss of the retail sector, while enabling more flexible use of unit space to encourage a mix of uses, which can contribute to a more vibrant village centre.
POLICY BILL8: PUBLIC REALM AND MOVEMENT IN BILLINGSHURST VILLAGE CENTRE	85, 91, 102, 104	The policy seeks to enhance the village centre with the particular ambition of making it a safer and more accessible place for pedestrians and cyclists.

Policy Title and Reference	NPPF Reference (paragraph)	Commentary
POLICY BILL9: RE-USE OF HISTORIC BUILDINGS IN BILLINGSHURST VILLAGE CENTRE	185	National policy encourages the conservation of the historic environment and assets, so that these can be enjoyed by local communities. The policy supports the re-use of historic buildings in the village centre for mixed uses to both support the conservation of the buildings themselves and contribute to the vitality of the village centre.
POLICY BILL10: FLEXIBLE WORKSPACES	80, 81	The policy supports sustainable economic growth at the local level, in order to create jobs and prosperity, which is a key objective of the NPPF.
POLICY BILL11: TOURISM-RELATED DEVELOPMENT AND PROVISION OF TOURIST ACCOMMODATION	83, 85	The policy sets out support for development that will encourage sustainable tourism, in particular day and staying visitors to the area, which in turn will contribute positively to the local economy.
POLICY BILL12: PROTECTION AND ENHANCEMENT OF KEY MOVEMENT ROUTES	102, 103, 104	The policy supports the NPPF objective of encouraging sustainable modes of transport by identifying key movement routes within the neighbourhood area, protecting, maintaining and enhancing these where possible.
POLICY BILL13: PUBLIC CAR PARKING	105, 106	The NPPF sets out that, within local centres, local authorities should seek to improve the quality of parking so that it is convenient, safe and secure, alongside measures to promote accessibility for pedestrians and cyclists. This policy supports that objective by safeguarding against the loss of accessible car parking and providing for additional near to the railway station.
POLICY BILL14: RESIDENTIAL PARKING PROVISION	105, 106	This policy seeks to ensure that residential development is designed with adequate off-street car parking, to minimise parking on-street, which leads to issues such as traffic congestion and reduced road safety. It also supports the provision of infrastructure designed to encourage sustainable transport modes, such as adequate cycle parking.
POLICY BILL15: LOCAL GREEN SPACES	99, 100, 101, 145	National policy enables local communities to identify, for special protection, green areas of importance to them known as Local Green Spaces. This policy designates 18 areas, identified by the local community as important, as Local Green Spaces which will be protected.
POLICY BILL16: MULTI-VALUE SUSTAINABLE DRAINAGE SYSTEMS	150, 165	The NPPF seeks to ensure that development does not compound issues related to climate change. In particular, this policy supports the need to address potential flooding issues that development may either cause or exacerbate.
POLICY BILL17: VIEWS TO ST MARY'S CHURCH	124, 125, 127	This policy contributes to the NPPF objectives of requiring good design and conserving and enhancing the historic and natural environment. It seeks to protect locally important views from development that would reduce their contribution towards the character of the neighbourhood area.



### 3. Basic Condition (iv) – Contribution to Sustainable Development

- 3.1. The NPPF states in paragraph 11 that a presumption in favour of sustainable development is at the heart of the NPPF.
- 3.2. For the Plan, sustainable development has been the fundamental basis of each of its policies. The National Planning Practice Guidance advises that ‘sufficient and proportionate evidence should be presented on how the draft neighbourhood plan ... guides development to sustainable solutions’. The evidence base presented alongside the Plan, coupled with the reasoned justification for each policy in the Plan, demonstrates how the Plan guides development towards sustainable solutions.
- 3.3. Table 3.1 below summarises how the objectives and policies in the Plan contribute towards sustainable development, as defined in the NPPF. Many of the objectives of the Plan overlap the three strands of sustainability, so for the purposes of this document, the most relevant strand has been taken to illustrate conformity.

Table 3.1: Assessment of the Neighbourhood Plan objectives and policies against sustainable development

Deliver economic sustainability	
<b>NPPF definition – ‘to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure.’</b>	
NP Objectives	Strengthen, support and promote local economic activity in all retail, industrial, commercial and professional activities and ensure they are focused in appropriate areas of the parish
NP Policies	<b>POLICY BILL7: RETAINING AND ENHANCING THE VITALITY AND VIABILITY OF BILLINGSHURST VILLAGE CENTRE</b> <b>POLICY BILL9: RE-USE OF HISTORIC BUILDINGS IN BILLINGSHURST VILLAGE CENTRE</b> <b>POLICY BILL10: FLEXIBLE WORKSPACES</b> <b>POLICY BILL11: TOURISM-RELATED DEVELOPMENT AND PROVISION OF TOURIST ACCOMMODATION</b>
Commentary	The NPPF seeks to secure economic growth in order to create jobs and prosperity, building on the country’s inherent strengths, and to meet the twin challenges of global competition and of a low carbon future.  The Neighbourhood Plan contributes to the delivery of this national aim by supporting and strengthening the important economic role played by Billingshurst village centre, both for local residents and those living in nearby settlements. The Plan supports the retention of retail uses where this is viable, including through temporary use, and also encourages the re-use of buildings to provide a mix of village centre uses, including flexible workspaces for business start-ups for instance. This will serve to increase footfall, which will have a positive knock-on effect to the retail offer. Finally, the Plan capitalises on Billingshurst’s role as a sustainable tourism destination to encourage development such as accommodation and facilities that will attract day- and in particular staying visitors.

Deliver social sustainability	
<p><b>NPPF definition – ‘to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being.’</b></p>	
NP Objectives	<p>Ensure new housing reflects the high quality local vernacular in the parish in terms of building style and materials and maximises sustainable energy as part of housing design.</p> <p>Ensure that the provision of local infrastructure and facilities including medical provision and schools is adequate to address the needs of existing and future residents.</p>
NP Policies	<p><b>POLICY BILL1: BILLINGSHURST BUILT-UP AREA BOUNDARY</b>  <b>POLICY BILL4: PROVISION OF LEISURE AND RECREATION FACILITIES</b>  <b>POLICY BILL5: BURIAL SPACE</b>  <b>POLICY BILL6: INTEGRATED INFRASTRUCTURE</b>  <b>POLICY BILL8: PUBLIC REALM AND MOVEMENT IN BILLINGSHURST VILLAGE CENTRE</b>  <b>POLICY BILL12: PROTECTION AND ENHANCEMENT OF KEY MOVEMENT ROUTES</b>  <b>POLICY BILL13: PUBLIC CAR PARKING</b>  <b>POLICY BILL14: RESIDENTIAL PARKING PROVISION</b></p>
Commentary	<p>The NPPF underlines the importance of supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community’s needs and support its health, social and cultural well-being.</p> <p>The Neighbourhood Plan has been developed as a result of extensive local engagement to understand local priorities to contribute to this national objective. The area has already delivered a significant amount of housing over recent years and the Plan acknowledges the strategic housing sites proposed for the area.</p> <p>The Plan sets out locally specific design criteria, with a focus on creating safe and accessible environments, in particular the village centre that encourage inclusivity and a sense of local pride.</p> <p>Supporting healthy and inclusive living is an important aim of the Plan and this is achieved by encouraging active travel (walking and cycling), easy access to green space and the surrounding environment and the provision of a range of leisure, sporting and recreational activities that serve the full range of ages and locally identified interests.</p> <p>In these ways, the Plan aims to support a strong, vibrant and healthy community.</p>
Deliver environmental sustainability	
<p><b>NPPF definition – ‘to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.’</b></p>	
NP Objectives	<p>Ensure new housing reflects the high quality local vernacular in the parish in terms of building style and materials and maximises sustainable energy as part of housing design.</p> <p>Improve transport and movement, in particular through non-car modes, specifically ensuring there is a safe environment for pedestrians and cyclists as well as motorists.</p>

	<p>Ensure that development is sensitively designed to be attractive, to minimise flood risk, mitigate climate change, promote biodiversity and reduce our carbon footprint.</p> <p>Protect green spaces of value to the community and maintain a high quality natural and historic environment, in particular protecting buildings of local historic interest.</p>
NP Policies	<p>POLICY BILL2: HOUSING DESIGN AND CHARACTER</p> <p>POLICY BILL3: ENERGY EFFICIENCY AND DESIGN</p> <p>POLICY BILL9: RE-USE OF HISTORIC BUILDINGS IN BILLINGSHURST VILLAGE CENTRE</p> <p>POLICY BILL15: LOCAL GREEN SPACES</p> <p>POLICY BILL16: MULTI-VALUE SUSTAINABLE DRAINAGE SYSTEMS</p> <p>POLICY BILL17: VIEWS TO ST MARY'S CHURCH</p>
Commentary	<p>Billingshurst is a largely rural parish and the village and smaller settlements benefit from a network of green spaces. The Plan seeks to protect and enhance access to these green spaces for future generations to enjoy.</p> <p>Equally important is maintaining and improving the built environment. The Plan supports high quality design that complements the character of the area, while not stifling innovation. There are many significant heritage buildings and structures in the parish and design of any new development or redevelopment is expected to complement and enhance this.</p> <p>The Plan sets out locally specific design criteria, supporting the national aspiration for high quality design, and has sought to minimise impacts on climate change, for instance through the installation of alternative energy technologies with developments.</p> <p>The Plan emphasises the need to promote non-car modes of transport in order to reduce traffic congestion and travel by the private car to reduce carbon emissions.</p> <p>Flooding has been identified as a concern and the Plan seeks to address this.</p> <p>In these ways, the Plan seeks to contribute to protecting and enhancing the natural, built and historic environment of the neighbourhood area.</p>

3.4 As demonstrated in Table 3.1, the strategic objectives of the Plan are considered to comprise a balance of social, economic and environmental goals. The policies in the Plan demonstrably contribute to achieving well-designed places, promoting a healthy and safe community and conserving and enhancing the natural and historic environment.

## **4. Basic Condition (v) – General Conformity with the Strategic Policies of the Development Plan**

- 4.1. The development plan currently consists of the following:
- 2015 Horsham Development Planning Framework (HDPF)
  - 2014 West Sussex Waste Local Plan
  - 2018 West Sussex Joint Minerals Local Plan
- 4.2. Table 4.1 details the Neighbourhood Plan policies alongside a consideration of how they are in general conformity with the strategic policies in the 2015 HDPF.
- 4.3. Where a policy is not identified in Table 4.1, it is considered that the Neighbourhood Plan does not contain any policies that directly relate to it.
- 4.4. It is confirmed that there are no policies in the 2014 West Sussex Waste Local Plan that the Neighbourhood Plan policies have any relevance to.

Table 4.1: Assessment of conformity with strategic policies in the development plan

Local Plan Policy	
Neighbourhood Plan policy	
<b>Horsham Development Planning Framework 2015</b>	
Policy 2: Strategic Development	Policy BILL1 provides the spatial strategy to direct development in Billingshurst within the redefined built up area boundary. Policies BILL2 and BILL16 provide appropriate flood mitigation.
Policy 4: Settlement Expansion	Policies BILL1 supports the strategic growth allocated to the parish by the local authority and redefines the built up area boundary to encompass this.
Policy 7: Economic Growth	Policy BILL7 seeks to support the vitality of the village centre and Policy BILL11 recognises the importance of the visitor economy to Billingshurst and seeks to enhance existing and provide new facilities to support tourism. Policy BILL10 seeks to support new enterprise, by creating the conditions for additional start-up mixed use flexible space and, in turn, local employment.
Policy 9: Employment Development	Policy BILL10 supports the provision of incubator/ start-up business premises, which will contribute to the local employment market while potentially adding to the viability of the High Street.
Policy 11: Tourism and Cultural Facilities	Policy BILL11 recognises the importance of the visitor economy to Billingshurst and seeks to enhance existing and provide new facilities to support tourism
Policy 12: Vitality and Viability of Existing Retail Centres	Policies BILL7, BILL9 and BILL10 seek to retain the vital retail offer provided at Billingshurst village centre, while promoting additional mixed use activities that will encourage greater footfall. Policy BILL8 identifies measures to improve the public realm of the village centre to support increased access by foot and bicycle. This in turn is supported by Policy BILL12, which identifies Key Movement Routes, which will enhance connectivity to the village centre.
Policy 13: Town Centre Uses	Policy BILL9 seeks to encourage the re-use of historic buildings in the village centre that would contribute to the vitality of the town centre, including mixed uses.
Policy 15: Housing Provision	Policy BILL1 supports the existing allocations to the parish. The NP commits to an early review to consider implications of the emerging Local Plan, for instance on housing numbers.

Local Plan Policy	Neighbourhood Plan policy
Policy 16: Meeting Local Housing Needs	Policy BILL2 seeks to ensure that housing is designed to meet the needs of residents as they grow older, in particular promoting the Lifetime Home standards.
Policy 25: The Natural Environment and Landscape Character	Policy BILL2 encourages development to be in keeping with the character of the parish, for instance promoting the principles detailed in the Billingshurst Parish Design Statement. Policy BILL15 designates 16 green areas that are demonstrably special as Local Green Spaces. Policy BILL17 seeks to preserve the views of St Marys Church spire, which has been identified as significant by the local community.
Policy 26: Countryside Protection	Policy BILL1 directs development within the settlement boundary and identifies the type of development that is acceptable in the open countryside.
Policy 32: The Quality of New Development	Policies BILL2 and BILL3 set out design principles required for development in the parish, to ensure it is of high quality design, is in keeping with the surrounding context and maximises sustainability.
Policy 34: Cultural and Heritage Assets	Policy BILL2 encourages development to be in keeping with the character of the parish, for instance promoting the principles detailed in the Billingshurst Parish Design Statement. Policy BILL9 supports the re-use of historic assets in the village centre, where this is not detrimental to their conservation. Policy BILL17 seeks to preserve the views of St Marys Church spire, which has been identified as significant by the local community.
Policy 35: Climate Change	Policies BILL2 and BILL6 encourage the use of SuDS to provide an appropriate landscape buffer to new development. Policy BILL3 encourages development to achieve the highest level of sustainable design.
Policy 37: Sustainable Design and Construction	Policy BILL3 encourages development to achieve the highest level of sustainable design, including support for the retrofitting of historic buildings, where this can be achieved without impacting significantly on their architectural and historic value.
Policy 39: Infrastructure Provision	Policy BILL6 supports the need to ensure that new development contributes appropriately to the provision of necessary supporting infrastructure. This policy adds additional local detail, suggesting contributions can be made to fund a series of projects that have been prioritised by the local community.
Policy 40: Sustainable Transport	Policies BILL8 and BILL12 seek to enhance accessibility throughout the village for pedestrians and cyclists, to encourage shorter journeys to be undertaken by sustainable modes of transport. BILL13 supports the provision of electric vehicle charging points at public parking areas.

Local Plan Policy	Neighbourhood Plan policy
Policy 41: Parking	<p>The Plan recognises the fact that in a rural area, cars have a role to play for communities accessing services, facilities and employment, for instance. Notwithstanding the policies relating to sustainable transport promotion, Policies BILL13 and BILL14 seek to ensure that development is designed with adequate off-street parking provision and that existing levels and quality of public car parking is retained.</p>
Policy 43: Community Facilities, Leisure and Recreation	<p>Policy BILL4 seeks to safeguard existing leisure and recreation provision in the parish and identifies specific enhancements to existing facilities and new provision required for the community grows. Policy BILL5 addresses a local concern about the lack of burial space available in the parish.</p>

## 5. Basic Condition (vi) – Conformity with EU Obligations

- 5.1. The Plan and the process under which it was made conforms to the SEA Directive (EU 2001/42/EC) and the Environmental Assessment of Plans and Programmes Regulations 2004 (the Regulations). In July 2019, a Sustainability Statement was prepared to support the Pre-Submission (Regulation 14) Version of the Billingshurst Neighbourhood Plan. This was consulted on with the statutory bodies (the Environment Agency, Natural England and Historic England) to assist in the determination of whether or not the Billingshurst Neighbourhood Plan would have significant environmental effects in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004.
- 5.2. Relevant representations were duly taken into account in the final version of the SEA which accompanies the Submission (Regulation 16) Version of the Plan.
- 5.3. In addition to conforming to its EU obligations, the Plan does not breach and is not otherwise incompatible with the European Convention on Human Rights.



## 6. Basic Condition (vii) – Conformity with the Prescribed Conditions

- 6.1. Under Directive 92/43/EEC, also known as the Habitats Directive<sup>2</sup>, it must be ascertained whether the draft Plan is likely to breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017. Assessments under the regulations are known as Habitats Regulation Assessments ("HRA"). An appropriate assessment ("AA") is required only if the Plan is likely to have significant effects on a European protected species or site. To ascertain whether or not it is necessary to undertake an assessment, a screening process is followed.
- 6.2. In July 2019, an HRA Screening Report prepared by Billingshurst Parish Council was published for consultation with Horsham District Council and Natural England (the statutory body) at Pre-Submission (Regulation 14) Stage. This considered that an HRA would not be required because the Plan is not likely to have significant impacts on European protected species or sites. In its representations to the Regulation 14 Consultation, Natural England did not raise any concerns about the findings of the HRA Screening Report.
- 6.3. The Screening Report, including the response from the statutory body, has been submitted at Regulation 16 stage as part of the evidence base for the Plan.

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<sup>2</sup> Directive 92/43/EEC 'on the conservation of natural habitats and of wild fauna and flora': <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:31992L0043>.

## 7. Conclusion

- 7.1. The relevant Basic Conditions as set out in Schedule 4B to the TCPA 1990 are considered to be met by the Billingshurst Neighbourhood Plan and all the policies therein. It is therefore respectfully suggested to the Examiner that the Billingshurst Neighbourhood Plan complies with Paragraph 8(1) (a) of Schedule 4B of the Act.



## NAVIGUS PLANNING

Truro, Lushington Road, Manningtree, Essex, CO11 1EF

[info@navigusplanning.co.uk](mailto:info@navigusplanning.co.uk)

[www.navigusplanning.co.uk](http://www.navigusplanning.co.uk)

[@NavigusTweets](https://twitter.com/NavigusTweets)