

# EAST HOATHLY WITH HALLAND NEIGHBOURHOOD PLAN

## BASIC CONDITIONS STATEMENT



# **Introduction**

1. This Basic Conditions Statement has been produced to accompany the East Hoathly with Halland Neighbourhood Plan (EHHNP). It sets out how the Basic Conditions prescribed by Paragraph 8(2) of Schedule 4B to the Town and Country Planning Act (TCPA) 1990 are considered to have been met. The NP meets 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 plan, and

The making of the neighbourhood plan contributes to the achievement of sustainable development, and

The making of the neighbourhood 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), and

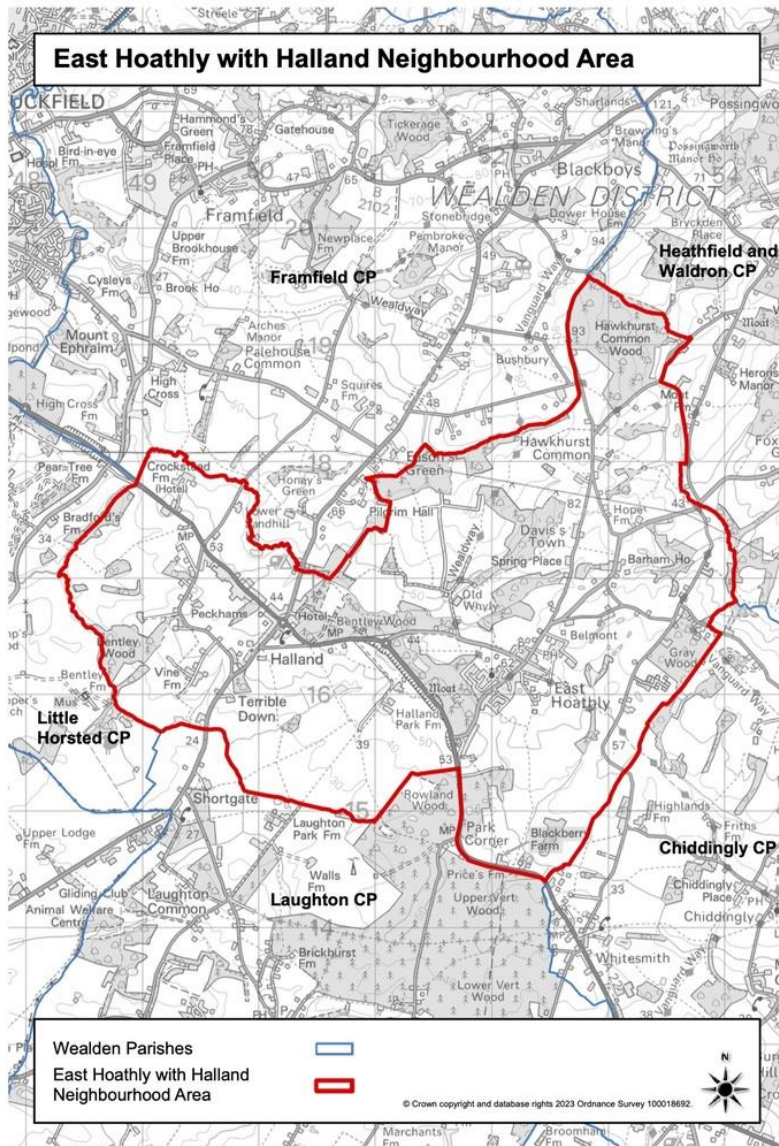
The making of the neighbourhood plan does not breach, and is otherwise compatible with, [retained EU obligations], and

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.

2. Each of these Basic Conditions is tested against the EHHNP.

## **Key Statements**

3. The EHHNP has been prepared and submitted to Wealden District Council (WDC) by East Hoathly with Halland Parish Council. The Parish Council is the qualifying body and is entitled to submit a NP for the East Hoathly with Halland parish area.



4. The EHHNP sets out policies that relate to development and the use of land within the Neighbourhood Area, as shown above. The Neighbourhood Area was designated on 15 July 2017. The boundary of the Neighbourhood Area is that of the parish boundary.

5. The EHHNP does not relate to more than one Neighbourhood Area. There are no other adopted Neighbourhood Plans which cover the Neighbourhood Area.

6. The EHHNP covers the period 2022 to 2039. This is in line with the emerging Wealden Local Plan (WLP), for which the evidence base spans the same period.

7. The EHHNP does not contain any policies which relate to excluded development as defined by Section 61k of the Town and Country Planning Act 1990.

# **National Planning Policy**

8. The EHHNP must show that it has regard to national planning policies and guidance issued by the Secretary of State for Ministry of Housing, Communities and Local Government. This is principally provided by the National Planning Policy Framework 2021 (NPPF) and Planning Practice Guidance (PPG).

9. The NPPF 2021 identifies the following requirements relevant to the EHHNP:

Achieving sustainable development.

Delivering a sufficient supply of homes.

Building a strong, competitive economy.

Promoting healthy and safe communities.

Promoting sustainable transport.

Supporting high quality communications.

Making effective use of land.

Achieving well designed places.

Meeting the challenge of climate change.

Conserving and enhancing the natural environment.

Conserving and enhancing the historic environment.

## **Conformity of EHHNP Objectives with NPPF**

10. The EHHNP has 24 Objectives and these are set out in Table 1 showing how each Objective meets the requirements of the NPPF.

**Table 1 - EHHNP Objectives tested against NPPF 2021 Requirements**

N°	Objective	NPPF Requirement	NPPF Para
1	To accommodate new housing development in accordance with WDCs emerging LP and to ensure that the Parish has an improved balance of housing stock to provide both smaller dwellings and retirement living accommodation.	<p>Achieving sustainable development by:</p> <p>building a strong, responsive and competitive economy by building the right homes in the right places.</p> <p>supporting strong, vibrant and healthy communities meeting the needs of present and future generations.</p> <p>To provide the size, type and tenure of housing needed in the community.</p> <p>Be responsive to local circumstances and support housing developments that reflect local needs.</p>	<p>11</p> <p>8a</p> <p>8b</p> <p>62</p> <p>78</p>
2	To support the delivery of affordable rented homes for local working people.	<p>Achieving sustainable development by supporting strong, vibrant and healthy communities meeting the needs of present and future generations.</p>	<p>8b, 62, 63</p>
3	To support the development of high quality, beautiful and sustainable homes that ensure that future developments will make a positive contribution to local character and distinctiveness.	<p>To protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution and mitigating and adapting to climate change, including moving to a low carbon economy.</p> <p>Create design policies that reflect local aspirations.</p> <p>Designs that reflect local character and design preferences. Provide a local framework for creating beautiful and distinctive places.</p> <p>Ensuring that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting.</p>	<p>8c</p> <p>127</p> <p>128</p> <p>130</p>

N°	Objective	NPPF Requirement	NPPF Para
4	To support development that promotes sustainable transport use by improving access to sustainable transport including walking, cycling, wheeling and bus services and the provision of sufficient EV charging points for residents and visitors.	<p>Supporting strong, vibrant and healthy communities meeting the needs of present and future generations.</p> <p>To protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution and mitigating and adapting to climate change, including moving to a low carbon economy.</p> <p>Adapting to climate change, including moving to a low carbon economy.</p> <p>Promote walking, cycling and public transport use. Focus on locations which are or can be made sustainable by limiting the need to travel and offering a genuine choice of transport modes.</p> <p>Be designed to enable charging of plug-in vehicles in safe, accessible and convenient locations.</p>	<p>8b</p> <p>8c</p> <p>153, 154</p> <p>104 - 105</p> <p>112</p>
5	To support the creation of resource efficient homes including net zero residential and non-residential development within the Parish.	<p>Supporting strong, vibrant and healthy communities meeting the needs of present and future generations.</p> <p>To protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution and mitigating and adapting to climate change, including moving to a low carbon economy.</p> <p>Adapting to climate change, including moving to a low carbon economy.</p> <p>Support the transition to a low carbon future.</p> <p>Take a proactive approach to mitigating and adapting to climate change.</p> <p>Avoid increased vulnerability to impacts arising from climate change. Reduce greenhouse gas emissions through location, orientation and design.</p> <p>Create a positive strategy for energy from renewable sources.</p>	<p>8b</p> <p>8c</p> <p>153 - 158</p> <p>152</p> <p>153</p> <p>154</p> <p>155</p>

N°	Objective	NPPF Requirement	NPPF Para
6	To preserve Listed Buildings in the Parish and their setting and any features of special architectural or historic interest; to protect the Scheduled Monument from damage; identify additional buildings suitable for statutory protection.	A positive strategy for the conservation and enjoyment of the historic environment.  To assess the particular significance of any heritage asset that may be affected by a proposal including the setting of the heritage asset.	190  194, 195
7	To preserve and enhance the Conservation Area.	A positive strategy for the conservation and enjoyment of the historic environment.  To assess the particular significance of any heritage asset that may be affected by a proposal including the setting of the heritage asset.	190  194, 195
8	To identify potential Assets of Community Value.	To enable the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.	8c, 84d
9	To protect and enhance the existing Ancient Woodland in the Parish and protect other important woodland and trees.	To protect and enhance the natural environment.  To protect and enhance biodiversity.	8c, 174  8c, 179
10	To protect and enhance the existing green infrastructure, and in particular the Hedgerows in the Parish (excluding private gardens).	To protect and enhance the natural environment.  To protect and enhance biodiversity.	8c, 174  8c, 179
11	To protect and enhance ponds and other waterways in the Parish (excluding private gardens) as habitats and to protect their role in the drainage system.	To protect and enhance the natural environment.  To protect and enhance biodiversity.	8c, 174  8c, 179
12	To identify Local Green Spaces to be designated within the Parish.	To support strong, vibrant and healthy communities. To provide open spaces that support communities' health, social and cultural well-being.  To support healthy lifestyles through the provision of safe and accessible green infrastructure.  To designate land as Local Green Space to protect green areas of particular importance.	8b  92  8c, 101, 103
13	To protect and enhance the biodiversity in the Parish.	To protect and enhance biodiversity.	8c, 174, 179



N°	Objective	NPPF Requirement	NPPF Para
14	To improve the facilities for Leisure and Recreation in the Parish and in particular to improve the drainage of the East Hoathly War Memorial Sports Ground.	<p>To promote social interaction in a safe and accessible community with high quality public space which will encourage active and continual use.</p> <p>To support healthy lifestyles, sports facilities and layouts that encourage walking and cycling.</p>	<p>8b, 8c, 92, 93,</p> <p>98, 99</p>
15	To maintain and improve access to nature and to play and recreation, increasing physical activity and providing health and wellbeing benefits such as positive mental health.	<p>To support strong, vibrant and healthy communities. To protect and enhance the natural environment.</p> <p>To achieve healthy, inclusive and safe places. To promote social interaction and support healthy lifestyles. To provide social, recreational and cultural facilities and services the community needs. To protect and enhance public rights of way.</p>	<p>8b, 8c,</p> <p>92, 93, 100</p>
16	To maintain and improve social cohesion and reduce social isolation and loneliness.	<p>To support strong, vibrant and healthy communities. Support communities' health, social and cultural well-being.</p> <p>To achieve healthy, inclusive and safe places. To promote social interaction. To provide social, recreational and cultural facilities and services the community needs.</p>	<p>8b,</p> <p>92, 93,</p>
17	To maintain and enhance opportunities for growing healthy food.	Enable and support healthy lifestyles. Access to healthier food and allotments.	92c
18	To provide lifetime and adaptable homes that meet the needs of an aging population.	<p>To ensure that a sufficient number and range of homes can be provided to meet the needs of present and future generations.</p> <p>To assess the housing needs in terms of size, type and tenure for older people and people with disabilities.</p>	<p>8b</p> <p>62</p>
19	To maximize opportunities for healthy design principles including active travel.	<p>Focus on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes.</p> <p>Promote sustainable travel modes that limit future car use. Securing well-designed, attractive and healthy places.</p> <p>Create places that are safe, inclusive and accessible and which promote health and well-being.</p>	<p>105</p> <p>124</p> <p>130</p>

N°	Objective	NPPF Requirement	NPPF Para
20	To identify a potential community open/greenspace and play area in Halland.	<p>To provide the social, recreational and cultural facilities and services the community needs.</p> <p>To promote social interaction in a safe and accessible community with high quality public space which will encourage active and continual use.</p>	<p>8b, 8c,</p> <p>92, 93</p>
21	To support local employers and agricultural/rural businesses within the Parish.	<p>Enable sustainable growth and expansion of all types of businesses.</p> <p>Enable the development and diversification of agriculture</p> <p>Enable sustainable rural tourism and leisure developments which reflect the character of the countryside.</p> <p>Enable the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.</p>	<p>8a, 84, 85</p> <p>8a, 84, 85</p> <p>8a, 84, 85</p> <p>8a, 84, 85</p>
22	To improve access to key services and amenities within the Parish by protecting and enhancing Parish Footpaths and the single Bridleway, and to pursue opportunities for improved walking, cycling and wheeling infrastructure.	<p>To promote easy pedestrian and cycle connections.</p> <p>To enable layouts that encourage walking and cycling.</p> <p>To address the needs of people with disabilities and reduced mobility in relation to all modes of transport</p> <p>To protect and enhance public rights of way.</p>	<p>8b, 8c, 92,104</p> <p>8b, 8c, 92,104</p> <p>112</p> <p>100</p>
23	To support the improvement of bus services in the Parish.	Improving the scope for access by public transport.	8b, 85, 112a
24	To support the improvement of Mobile and Broadband services for domestic and business users and encourage the growth of people using Broadband to work from home.	Support the expansion of communications networks and full fibre Broadband.	8a, 114

## Conformity of EHHNP Policies with NPPF

11. The EHHNP has 9 policies and they will now be examined in Table 2 showing how they satisfy the requirements of the NPPF 2021 as identified at Paragraph 9.

**Table 2 - EHHNP Policies tested against NPPF 2021**

N°	Policy	NPPF Requirement
1	<p style="text-align: center;"><b><u>Housing</u></b></p> <p><b>P1.1</b> New housing development will be supported if it provides a mix of different house sizes to meet the needs of the local community and the proposal seeks to redress the imbalance of housing stock in the Parish. This would be through the delivery of a higher proportion of homes of one or two bedrooms and a greater balance of smaller homes for retirement and downsizing. New housing will also be supported if it reflects the needs of the older people, those with accessibility issues, wheelchair users and those with dementia.</p>	<p>Achieving sustainable development.</p> <p>Delivering a sufficient supply of homes.</p>
2	<p style="text-align: center;"><b><u>Housing Design – Resource Efficiency</u></b></p> <p><b>P2.1</b> Development will be supported if the homes are designed to minimize energy usage and make the most efficient use of natural resources. Designs that achieve the following will be supported providing that they avoid an adverse impact on the landscape and village character, biodiversity or heritage assets:</p> <ul style="list-style-type: none"> <li>a. High Energy Efficiency Buildings that have a net emission rate of zero or are certified Passivhaus buildings.</li> <li>b. Buildings designed to maximize solar gain and incorporate technologies that maximise the use of renewable energy sources.</li> <li>c. Buildings designed to minimize water consumption and that incorporate the reuse of grey water.</li> <li>d. Buildings that incorporate solar photovoltaic panels, solar thermal panels and heat pumps.</li> <li>e. New developments also need to consider any negative impacts they may have on the operation of existing buildings, including impacts on renewable or low carbon energy supply. Where a proposed development is identified as being likely to have negative impacts on renewable or low carbon energy supply on adjoining land, the applicant will need</li> </ul>	<p>Achieving sustainable development.</p> <p>Promoting healthy and safe communities.</p> <p>Promoting sustainable transport.</p> <p>Achieving well designed places.</p> <p>Meeting the challenge of climate change.</p> <p>Conserving and enhancing the natural environment.</p>

	<p>to undertake the relevant analysis to demonstrate and quantify the nature of the impact and justify this impact.</p> <p><b>P2.2</b> Applications for renewable energy schemes will be supported if they can demonstrate that they do not have a significant adverse effect on the landscape and village character, biodiversity or heritage assets.</p>	
<p><b>3</b></p>	<p><b><u>Housing Design – Layout and Materials</u></b></p> <p><b>P3.1</b> All new development in the Parish should contribute to the creation of high-quality places through a design-led approach and reflecting a thorough site appraisal. All buildings, spaces and the public realm should be well-designed, accessible for all ages and abilities and display a high level of architectural quality which responds positively to local context. Development proposals will be required to demonstrate that their design is in accordance with the provisions of the National Design Code and Wealden Design Guide 2008 and any subsequent design guide or code produced by WDC.</p> <p><b>P3.2</b> New housing development will be supported if it maintains or enhances the character of the area and has regard to the EHHNP Character Appraisal and the following in particular:</p> <ul style="list-style-type: none"> <li>a. Reflect the traditional layout of rural settlements avoiding cul-de-sacs where possible. If cul-de-sacs are proposed, they should reflect the best examples of the Parish with permeability and access to allow pedestrians and cyclists to have connections through the cul-de-sac to the remainder of the settlement and its surroundings.</li> <li>b. The architecture, materials and density of any development should be compatible with the local vernacular in the Parish and make a positive contribution to local character and distinctiveness.</li> <li>c. Waste bin and bulk waste storage areas should be concealed.</li> <li>d. Provision for electrical supply, telephone cable and fibre-optic cable should, whenever possible, all be underground from the entrance to the development.</li> <li>e. Designs should seek to exceed the minimum requirements to provide EV charging points and should strive to provide them for all parking spaces and one EV charging point for every two visitor spaces.</li> </ul>	<p>Achieving sustainable development.</p> <p>Delivering a sufficient supply of homes.</p> <p>Promoting healthy and safe communities.</p> <p>Promoting sustainable transport.</p> <p>Supporting high quality communications.</p> <p>Making effective use of land.</p> <p>Achieving well designed places.</p> <p>Meeting the challenge of climate change.</p> <p>Conserving and enhancing the natural environment.</p> <p>Conserving and enhancing the historic environment.</p>

f. Designs should seek to exceed the minimum requirement for parking space allocations and the size of vehicle parking spaces and garages. Designs should seek to reflect the current pattern of vehicle ownership in the Parish and the larger size of many modern vehicles. Designs of forecourts should seek to provide a visually attractive, beautiful space rather than a car park with trailing EV charging cables.

g. Designs should seek to avoid road layouts where the width of the road, or curves in the road, create a situation that is vulnerable to the road being blocked by parked vehicles.

h. Designs and layouts should achieve a sense of place by protecting and enhancing the quality, distinctiveness and character of the existing settlement. Respecting or enhancing the character of the site and its surroundings in terms of its proportion, form, massing, density, height, size, scale, materials and detailed design features.

i. Designs and layouts for new development should, where possible, seek to avoid uniformity. Designs and layouts should seek to reflect the range and variety of buildings that have already been established in the settlement and maintain the character and charm of existing historic rural developments. Whenever possible, gaps in the built environment should be maintained and infill development resisted if it damages the character and appearance of the settlement.

j. Ensure development of land in proximity to heritage assets and their settings, conserves, preserves, reflects and enhances the heritage asset and the historic environment in accordance with their significance.

k. Ensure development safeguards, respects and enhances the natural environment, the biodiversity, landscape, wildlife corridors and the countryside. Incorporating where appropriate, biodiversity, trees, landscaping and public and private open spaces and supports the creation of wildlife corridors.

l. Ensure the layout and the design takes account of the potential users of the development to promote active travel and provide safe, convenient and attractive links within the development and to existing networks for people with disabilities and restricted mobility, pedestrians, cyclists and public transport users.

	<p>m. Ensure that the development does not cause an unacceptable adverse impact on the amenities of occupiers of existing or proposed nearby properties. Wherever possible, the significant views into and out of settlements should be preserved.</p> <p>n. Incorporate sustainable drainage systems with maintenance regimes to minimize vulnerability to flooding and climate change.</p> <p>o. Boundary treatments should be varied, incorporating a mix of such things as walls, hedgerows, post and rail fencing, picket fencing and railings. Close boarded fencing should be avoided.</p> <p>p. Ensure that adequate infrastructure, services and community facilities are, or will be, made available to serve the development. New and improved utility infrastructure will be encouraged and supported in order to meet the identified needs of the community subject to other policies in the plan.</p> <p>q. Ensure that site layout and building design helps to provide a safe and secure environment which promotes the health and wellbeing of residents, reduces social isolation, supports healthy lifestyles and improves social cohesion by providing places for people to meet and sit in open spaces and greenspaces.</p>	
4	<p style="text-align: center;"><b><u>Conservation of Historic Environment</u></b></p> <p><b>P4.1</b> Proposals for new development that preserve and sustain designated Heritage Assets, the Conservation Area, the settings of the Heritage Assets or setting of the Conservation Area will be supported.</p> <p><b>P4.2</b> Proposals for new development that recognise the importance of non-designated heritage assets and be sympathetic to their setting and character will be supported.</p> <p><i>P4.3 Proposals for new development must show that they have investigated the Historic Environment Record and ensure that the any known or potential archaeological evidence is correctly investigated and reported.</i></p>	<p>Achieving sustainable development.</p> <p>Achieving well designed places.</p> <p>Conserving and enhancing the historic environment.</p>
5	<p style="text-align: center;"><b><u>Dark Skies</u></b></p> <p><b>P5.1</b> New developments must clearly demonstrate that all opportunities to reduce light pollution have been taken with a particular focus on preventing sky glow from radiating upwards.</p>	<p>Achieving sustainable development.</p> <p>Promoting healthy and safe communities.</p>

	<p><b>P5.2</b> Development proposals will be supported where they limit light pollution and developers should strive not to allow new developments to worsen the existing levels of light pollution.</p>	<p>Achieving well designed places.</p> <p>Meeting the challenge of climate change.</p> <p>Conserving and enhancing the natural environment.</p> <p>Conserving and enhancing the historic environment.</p>
<p><b>6</b></p>	<p style="text-align: center;"><b><u>Natural Environment</u></b></p> <p><b>P6.1</b> Relevant Proposals for new development must deliver a minimum overall net gain in biodiversity of 10% above the ecological baseline. Those that exceed the minimum will be encouraged and supported.</p> <p><b>P6.2</b> Biodiversity net gain must be provided on-site wherever possible. Where it can be robustly demonstrated that on-site provision is not possible, suitable off-site provision will be sought.</p> <p><b>P6.3</b> All development proposals must follow the mitigation hierarchy when considering the impacts and potential harm of development on biodiversity and the natural environment:</p> <ul style="list-style-type: none"> <li>a. Avoid harm/impacts in the first place; then</li> <li>b. Adequately mitigate any residual harm/impacts; and then</li> <li>c. Compensate (as a last resort) for unavoidable harm/impacts.</li> </ul> <p><b>P6.4</b> If significant harm cannot be ruled out through the mitigation hierarchy, development proposals will not be supported.</p> <p><b>P6.5</b> Development that seeks to conserve biodiversity will be supported where they:</p> <ul style="list-style-type: none"> <li>a. Protect existing Ancient Woodland, Ghyll Woodland, ancient trees and veteran trees; and,</li> <li>b. Protect species rich hedgerows, particularly those that connect to Ancient Woodland; and,</li> <li>c. Avoid loss or damage of Woodland, Trees; and,</li> <li>d. Avoid loss or damage of hedgerows; and,</li> <li>e. Avoid loss of ponds and streams; and,</li> </ul>	<p>Achieving sustainable development.</p> <p>Promoting healthy and safe communities.</p> <p>Making effective use of land.</p> <p>Achieving well designed places.</p> <p>Meeting the challenge of climate change.</p> <p>Conserving and enhancing the natural environment.</p>

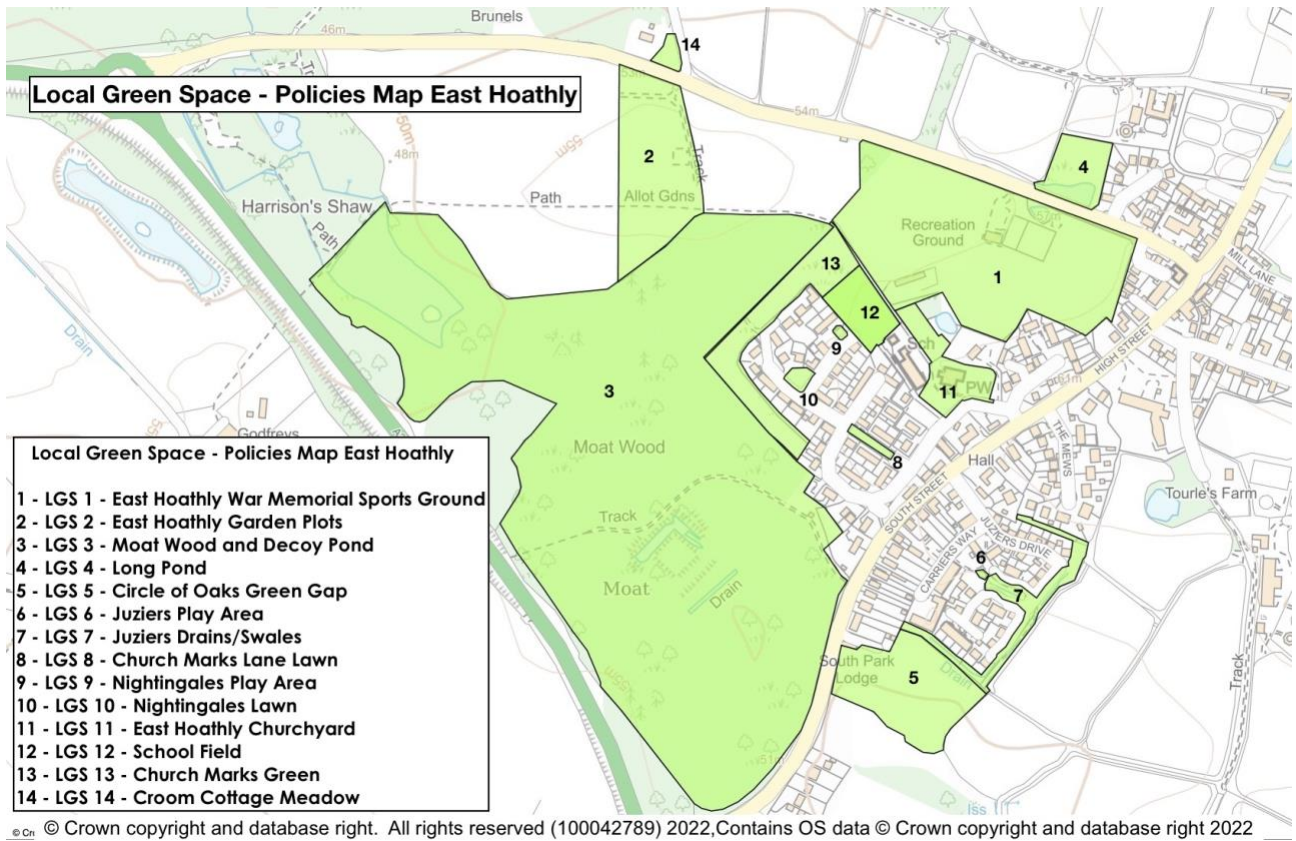
	<p>f. Prevent connections of surface water to foul or combined sewer networks in accordance with the drainage hierarchy, as excess surface water in these networks can lead to the avoidable discharge of sewage into watercourses.</p> <p><b>P6.6</b> Development that seeks to enhance biodiversity will be supported if they enhance public access to nature and incorporate such things as:</p> <p>a. Create new woodlands, hedgerows and ponds; and,</p> <p>b. Creation of new wildlife habitats; and,</p> <p>c. Connect and enhance existing wildlife habitats; and,</p> <p>d. Provide opportunities for gardening, wildlife and food production within existing and new residential areas, including the utilization of underused roadside verges for wildlife habitat, where it is safe to do so; and,</p> <p>e. Plant trees.</p>	
<p><b>7</b></p>	<p style="text-align: center;"><b><u>Local Green Spaces</u></b></p> <p><b>P7.1</b> This Parish designates the following locations as Local Green Spaces as shown on the Policies Map for East Hoathly and the Policy Map for Halland. These locations are in close proximity to their community, demonstrably special and local in character. They benefit the health and wellbeing of residents of all ages and abilities. Development on these Local Green Spaces will not be supported other than in very special circumstances (as specified in NPPF Paragraphs 147 to 151, for example where it relates to necessary utilities infrastructure and where no reasonable alternative location is available):</p> <p>a. Local Green Space 1 - East Hoathly War Memorial Sports Ground</p> <p>b. Local Green Space 2 - East Hoathly Garden Plots (Allotments)</p> <p>c. Local Green Space 3 - Moat Wood and Decoy Pond</p> <p>d. Local Green Space 4 - Long Pond</p> <p>e. Local Green Space 5 - Circle of Oaks Green Gap</p> <p>f. Local Green Space 6 - Juziers Play Area</p> <p>g. Local Green Space 7 - Juziers Drains/Swales</p>	<p>Achieving sustainable development.</p> <p>Promoting healthy and safe communities.</p> <p>Making effective use of land.</p> <p>Achieving well designed places.</p> <p>Meeting the challenge of climate change.</p> <p>Conserving and enhancing the natural environment.</p> <p>Conserving and enhancing the historic environment.</p>



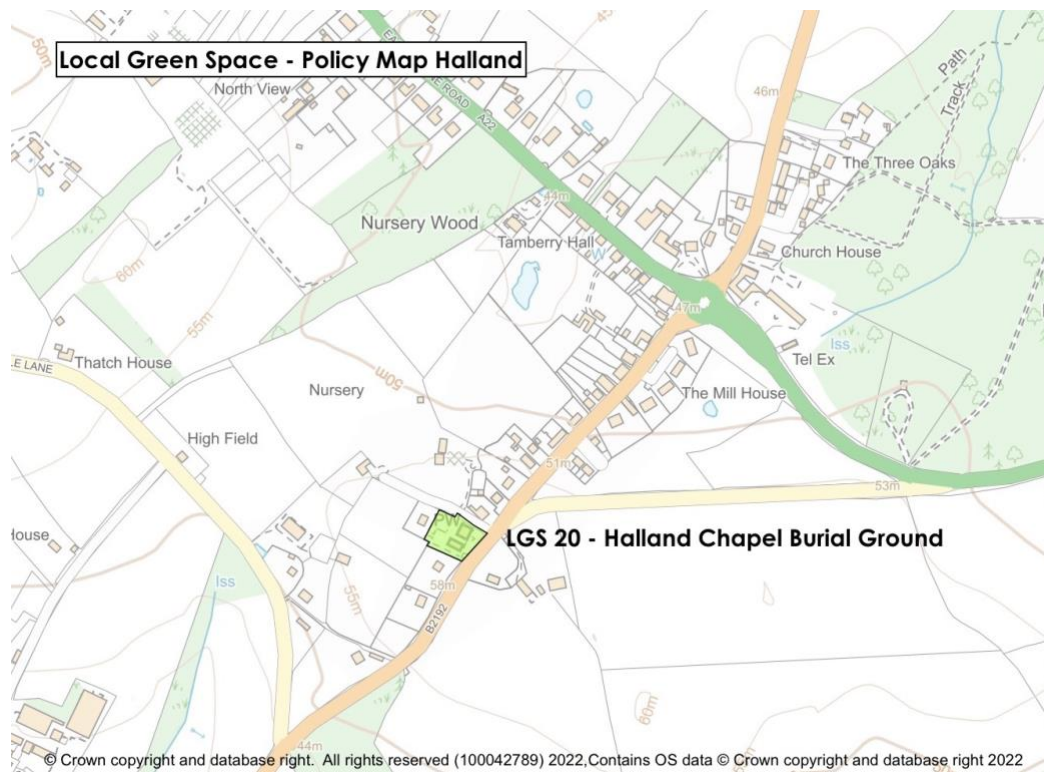
	<p>h. Local Green Space 8 - Church Marks Lane Lawn</p> <p>i. Local Green Space 9 - Nightingales Play Area</p> <p>j. Local Green Space 10 - Nightingales Lawn</p> <p>k. Local Green Space 11 - East Hoathly Churchyard</p> <p>l. Local Green Space 12 - School Field</p> <p>m. Local Green Space 13 - Church Marks Green</p> <p>n. Local Green Space 14 - Croom Cottage Meadow</p> <p>o. Local Green Space 20 - Halland Chapel Burial Ground</p>	
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<p><b>8</b></p>	<p style="text-align: center;"><b><u>Business</u></b></p> <p><b>P8.1</b> Existing businesses that seek to change to residential use will be supported only if:</p> <ul style="list-style-type: none"> <li>a. Permitted Development Rights apply; and,</li> <li>b. They have demonstrated that the business is not viable and has been marketed for a period of 18 months at a realistic valuation for existing and other commercial uses. Were the review of the submitted viability information by an independent consultant is considered necessary, the applicant will be required to cover such costs for the local planning authority.</li> </ul> <p><b>P8.2</b> The loss of land and buildings currently being used for business and providing employment will be resisted unless:</p> <ul style="list-style-type: none"> <li>a. The use with equivalent floor space can be secured and delivered in a suitable alternative location, at a reasonable distance within the settlement, subject to conforming with strategic policies within the Local Plan; or,</li> <li>b. An alternative employment use, with an equivalent job capacity, can be secured and delivered in a suitable alternative location at a reasonable distance within the Parish subject to conforming with strategic policies within the Local Plan.</li> </ul> <p><b>P8.3</b> The EHHNP is keen to retain key employment sites within the Parish settlements. Any change of use from employment/commercial uses of these sites will need to comply with the provisions of this policy. The sites are:</p> <ul style="list-style-type: none"> <li>a. Carriers Way, East Hoathly, BN8 6AG.</li> <li>b. Village Works, East Hoathly, BN8 6QA.</li> <li>c. Lydford's Care Home, East Hoathly, BN8 6DR.</li> <li>d. Staverton Nursery, Halland, BN8 6PU.</li> <li>e. Halland Forge Motel, Halland, BN8 6PW.</li> <li>f. Garage, Halland, BN8 6PS.</li> <li>g. Halland House Care Home, BN8 6PS.</li> </ul> <p><b>P8.4</b> The improvement and enhancement of the key employment sites listed in P8.3 above, will be supported if:</p>	<p>Achieving sustainable development.</p> <p>Building a strong, competitive economy.</p> <p>Promoting sustainable transport.</p> <p>Making effective use of land.</p> <p>Meeting the challenge of climate change.</p>
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	<p>a. There is no detrimental impact on neighbouring properties or the landscape or heritage assets; and,</p> <p>b. Traffic generation is acceptable and there are adequate levels of parking on site or nearby; and,</p> <p>c. It includes opportunities to support sustainable transport; and,</p> <p>d. The design, materials, massing of the proposed extension/redevelopment plus any landscaping scheme can mitigate any impacts on the street scene and local amenities; and,</p> <p>e. Extensions are located within the existing business curtilage.</p> <p><b>P8.5</b> Proposals involving changes of use of ground floor premises from “town centre uses” to residential will only be supported where it can be shown that the development would not harm the vitality of local shopping facilities or the amenities of the area.</p> <p><b>P8.6</b> New housing developments that provide local employment in mixed residential and commercial developments or small-scale social enterprises or live work units are welcome, particularly where they reduce out-commuting, providing they:</p> <p>a. They are limited to Business Use Classes E(g), F2(a) and F2(b); and,</p> <p>b. Do not have a detrimental impact on the landscape; and,</p> <p>c. Can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit.</p>	
<p><b>9</b></p>	<p style="text-align: center;"><b><u>Communications</u></b></p> <p><b>P9.1</b> If planning permission is required for mobile phone masts, proposals to improve mobile phone coverage will be supported providing they are sited safely, sympathetically within the landscape and, where appropriate, camouflaged (in accordance with NPPF Paragraph 115).</p>	<p>Achieving sustainable development.</p> <p>Building a strong, competitive economy.</p> <p>Supporting high quality communications.</p>



**Figure 12 – Local Green Space – Policies Map East Hoathly**



**Figure 13 – Local Green Space – Policy Map Halland**

# Sustainable Development

12. The NPPF 2021 Paragraph 7 states: “the objective of sustainable development can be summarized as meeting the needs of the present without compromising the ability of future generations to meet their own needs”. Paragraph 8 goes on to specify that to achieve sustainability, three objectives must be met:

“**an economic objective** – 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;

**a social objective** – 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 well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and

**an environmental objective** – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimizing waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy”.

13. The following tables (Tables 3 to 5) summarise how the objectives and policies in the EHHNP contribute toward sustainable development, as defined in the NPPF 2021. This demonstrates that the objectives of the Neighbourhood Plan are considered to comprise a balance of social, economic and environmental objectives.

**Table 3 – EHHNP Objectives and Policies that satisfy the NPPF 2021  
Economic Objective**

**“Building a strong, responsive and competitive economy”**

<p><b><u>Neighbourhood Plan Objective</u></b></p>	<p><b><u>Objective 1</u></b> To accommodate new housing development in accordance with WDCs emerging LP and to ensure that the Parish has an improved balance of housing stock to provide both smaller dwellings and retirement living accommodation.</p> <p><b><u>Objective 2</u></b> To support the delivery of affordable rented homes for local working people.</p> <p><b><u>Objective 3</u></b> To support the development of high quality, beautiful and sustainable homes that ensure that future developments will make a positive contribution to local character and distinctiveness.</p> <p><b><u>Objective 6</u></b> To preserve Listed Buildings in the Parish and their setting and any features of special architectural or historic interest; to protect the Scheduled Monument from damage; identify additional buildings suitable for statutory protection.</p> <p><b><u>Objective 7</u></b> To preserve and enhance the Conservation Area.</p> <p><b><u>Objective 8</u></b> To identify potential Assets of Community Value.</p> <p><b><u>Objective 9</u></b> To protect and enhance the existing Ancient Woodland in the Parish and protect other important woodland and trees.</p> <p><b><u>Objective 10</u></b> To protect and enhance the existing green infrastructure, and in particular the Hedgerows in the Parish (excluding private gardens).</p> <p><b><u>Objective 11</u></b> To protect and enhance ponds and other waterways in the Parish (excluding private gardens) as habitats and to protect their role in the drainage system.</p> <p><b><u>Objective 12</u></b> To identify Local Green Spaces to be designated within the Parish.</p> <p><b><u>Objective 21</u></b> To support local employers and agricultural/rural businesses within the Parish.</p> <p><b><u>Objective 24</u></b> To support the improvement of Mobile and Broadband services for domestic and business users and encourage the growth of people using Broadband to work from home.</p>
<p><b><u>Neighbourhood Plan Policies</u></b></p>	<p><b><u>Policy 1</u></b> Housing</p> <p><b><u>Policy 2</u></b> Housing Design – Resource Efficiency</p> <p><b><u>Policy 3</u></b> Housing Design – Layout and Materials</p> <p><b><u>Policy 4</u></b> Conservation of Historic Environment</p> <p><b><u>Policy 5</u></b> Dark Skies</p> <p><b><u>Policy 6</u></b> Natural Environment</p> <p><b><u>Policy 7</u></b> Local Green Spaces</p>

	<p><b><u>Policy 8</u></b>      Business</p> <p><b><u>Policy 9</u></b>      Communications</p>
<p><b><u>Commentary</u></b></p>	<p>Objectives 1, 2, 3 and Policies 1, 2 and 3 are contributors to the NPPF 2021 economic objective by providing the right homes in the right place.</p> <p>Objectives 6, 7, 8, 9, 10, 11, 12 and Policies 4, 5, 6 and 7 are contributors to the NPPF 2021 economic objective in that they seek to maintain and enhance the attractiveness of the Parish as a destination for visitors and tourism.</p> <p>Objectives 21, 24 and Policies 8 and 9 are contributors to the NPPF 2021 economic objective in that they seek to retain, support and enhance existing businesses, support the creation of new businesses and to facilitate better quality communications to assist businesses and particularly to encourage more home working.</p>

**Table 4 - EHHNP Objectives and Policies that satisfy the NPPF 2021**  
**Social Objective**

**“Supporting strong vibrant and healthy communities”**

<p><b><u>Neighbourhood Plan</u></b>  <b><u>Objective</u></b></p>	<p><b><u>Objective 1</u></b> To accommodate new housing development in accordance with WDCs emerging LP and to ensure that the Parish has an improved balance of housing stock to provide both smaller dwellings and retirement living accommodation.</p> <p><b><u>Objective 2</u></b> To support the delivery of affordable rented homes for local working people.</p> <p><b><u>Objective 3</u></b> To support the development of high quality, beautiful and sustainable homes that ensure that future developments will make a positive contribution to local character and distinctiveness.</p> <p><b><u>Objective 6</u></b> To preserve Listed Buildings in the Parish and their setting and any features of special architectural or historic interest; to protect the Scheduled Monument from damage; identify additional buildings suitable for statutory protection.</p> <p><b><u>Objective 7</u></b> To preserve and enhance the Conservation Area.</p> <p><b><u>Objective 8</u></b> To identify potential Assets of Community.</p> <p><b><u>Objective 9</u></b> To protect and enhance the existing Ancient Woodland in the Parish and protect other important woodland and trees.</p> <p><b><u>Objective 10</u></b> To protect and enhance the existing green infrastructure, and in particular the Hedgerows in the Parish (excluding private gardens).</p> <p><b><u>Objective 11</u></b> To protect and enhance ponds and other waterways in the Parish (excluding private gardens) as habitats and to protect their role in the drainage system.</p> <p><b><u>Objective 12</u></b> To identify Local Green Spaces to be designated within the Parish.</p> <p><b><u>Objective 14</u></b> To improve the facilities for Leisure and Recreation in the Parish and in particular to improve the drainage of the East Hoathly War Memorial Sports Ground.</p> <p><b><u>Objective 15</u></b> To maintain and improve access to nature and to play and recreation, increasing physical activity and providing health and wellbeing benefits such as positive mental health.</p> <p><b><u>Objective 16</u></b> To maintain and improve social cohesion and reduce social isolation and loneliness.</p> <p><b><u>Objective 17</u></b> To maintain and enhance opportunities for growing healthy food.</p> <p><b><u>Objective 18</u></b> To provide lifetime and adaptable homes that meet the needs of an aging population.</p> <p><b><u>Objective 19</u></b> To maximize opportunities for healthy design principles including active travel.</p> <p><b><u>Objective 20</u></b> To identify a potential community open/greenspace and play area in Halland.</p>
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	<p><b>Objective 21</b> To support local employers and agricultural/rural businesses within the Parish.</p> <p><b>Objective 22</b> To improve access to key services and amenities within the Parish by protecting and enhancing Parish Footpaths and the single Bridleway, and to pursue opportunities for improved walking, cycling and wheeling infrastructure.</p> <p><b>Objective 23</b> To encourage the improvement of bus services in the Parish.</p> <p><b>Objective 24</b> To support the improvement of Mobile and Broadband services for domestic and business users and encourage the growth of people using Broadband to work from home.</p>
<p><b>Neighbourhood Plan Policies</b></p>	<p><b>Policy 1</b> Housing</p> <p><b>Policy 2</b> Housing Design – Resource Efficiency</p> <p><b>Policy 3</b> Housing Design – Layout and Materials</p> <p><b>Policy 4</b> Conservation of Historic Environment</p> <p><b>Policy 5</b> Dark Skies</p> <p><b>Policy 6</b> Natural Environment</p> <p><b>Policy 7</b> Local Green Spaces</p> <p><b>Policy 8</b> Business</p> <p><b>Policy 9</b> Communications</p>
<p><b>Commentary</b></p>	<p>Objectives 1, 2, 3 and Policies 1, 2 and 3 are contributors to the NPPF 2021 social objective by seeking to provide the range of homes to meet the needs of present and future generations and by fostering well-designed, beautiful and safe places.</p> <p>Objectives 6, 7, 8 and Policy 4 are contributors to the NPPF 2021 social objective by seeking to protect and enhance the existing heritage assets and community assets that form part of the character and beauty of the Parish, create a sense of place and benefit the social and cultural lives of residents.</p> <p>Objectives 9, 10, 11, 12 and Policies 5, 6 and 7 are contributors to the NPPF 2021 social objective by seeking to protect and enhance the natural environment supporting a healthy community with access to open spaces and greenspaces. Also, to benefit the communities’ health, social and cultural well-being.</p> <p>Objectives 14, 15, 16, 17, 18, 19, 20 and Policy 7 are contributors to the NPPF 2021 social objective by seeking to protect and enhance existing community assets and services that benefit the communities’ health, social and cultural well-being.</p> <p>Objectives 21, 24 and Policies 8 and 9 are contributors to the NPPF 2021 social objective by seeking to retain, support and enhance existing businesses, support the creation of new businesses and to facilitate better quality communications to assist businesses and particularly to encourage more home working. This will help to support a stronger community with potential for local employment and less need to commute to work.</p>

	<p>Objectives 22 and 23 are contributors to the NPPF 2021 social objective by seeking to support a vibrant and healthy community that promotes active travel, walking, cycling, wheeling and use of public transport.</p>
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**Table 5 - EHHNP Objectives and Policies that satisfy the NPPF 2021  
Environmental Objective**

**“Contribute to protecting and enhancing our natural, built and historic environment”**

<p><b><u>Neighbourhood Plan Objective</u></b></p>	<p><b><u>Objective 1</u></b> To accommodate new housing development in accordance with WDCs emerging LP and to ensure that the Parish has an improved balance of housing stock to provide both smaller dwellings and retirement living accommodation.</p> <p><b><u>Objective 2</u></b> To support the delivery of affordable rented homes for local working people.</p> <p><b><u>Objective 3</u></b> To support the development of high quality, beautiful and sustainable homes that ensure that future developments will make a positive contribution to local character and distinctiveness.</p> <p><b><u>Objective 4</u></b> To support development that promotes sustainable transport use by improving access to sustainable transport including walking, cycling, wheeling and bus services and the provision of sufficient EV charging points for residents and visitors.</p> <p><b><u>Objective 5</u></b> To support the creation of resource efficient homes including net zero residential and non-residential development within the Parish.</p> <p><b><u>Objective 6</u></b> To preserve Listed Buildings in the Parish and their setting and any features of special architectural or historic interest; to protect the Scheduled Monument from damage; identify additional buildings suitable for statutory protection.</p> <p><b><u>Objective 7</u></b> To preserve and enhance the Conservation Area.</p> <p><b><u>Objective 8</u></b> To identify potential Assets of Community Value.</p> <p><b><u>Objective 9</u></b> To protect and enhance the existing Ancient Woodland in the Parish and protect other important woodland and trees.</p> <p><b><u>Objective 10</u></b> To protect and enhance the existing green infrastructure, and in particular the Hedgerows in the Parish (excluding private gardens).</p> <p><b><u>Objective 11</u></b> To protect and enhance ponds and other waterways in the Parish (excluding private gardens) as habitats and to protect their role in the drainage system.</p> <p><b><u>Objective 12</u></b> To identify Local Green Spaces to be designated within the Parish.</p> <p><b><u>Objective 13</u></b> To protect and enhance the biodiversity in the Parish.</p> <p><b><u>Objective 17</u></b> To maintain and enhance opportunities for growing healthy food.</p> <p><b><u>Objective 19</u></b> To maximize opportunities for healthy design principles including active travel.</p> <p><b><u>Objective 20</u></b> To identify a potential community open/greenspace and play area in Halland.</p> <p><b><u>Objective 21</u></b> To support local employers and agricultural/rural businesses within the Parish.</p>
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	<p><b>Objective 22</b> To improve access to key services and amenities within the Parish by protecting and enhancing Parish Footpaths and the single Bridleway, and to pursue opportunities for improved walking, cycling and wheeling infrastructure.</p> <p><b>Objective 23</b> To encourage the improvement of bus services in the Parish.</p> <p><b>Objective 24</b> To support the improvement of Mobile and Broadband services for domestic and business users and encourage the growth of people using Broadband to work from home.</p>
<p><b><u>Neighbourhood Plan Policies</u></b></p>	<p><b><u>Policy 1</u></b> Housing</p> <p><b><u>Policy 2</u></b> Housing Design – Resource Efficiency</p> <p><b><u>Policy 3</u></b> Housing Design – Layout and Materials</p> <p><b><u>Policy 4</u></b> Conservation of Historic Environment</p> <p><b><u>Policy 5</u></b> Dark Skies</p> <p><b><u>Policy 6</u></b> Natural Environment</p> <p><b><u>Policy 7</u></b> Local Green Spaces</p> <p><b><u>Policy 8</u></b> Business</p> <p><b><u>Policy 9</u></b> Communications</p>
<p><b><u>Commentary</u></b></p>	<p>Objectives 1, 2 and Policy 1 are contributors to the NPPF 2021 environmental objective by seeking to build the right homes in the right place and thereby mitigate climate change by reducing the need to travel by car for employment, education, shopping and leisure.</p> <p>Objective 3 and Policy 2 are contributors to the NPPF 2021 environmental objective by seeking to make effective use of land and protecting and enhancing the built and historic environment providing a positive contribution to local character and distinctiveness.</p> <p>Objectives 4, 5, 17, 19, 22, 23 and Policies 2 and 3 are contributors to the NPPF 2021 environmental objective by seeking to minimise waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy. This includes promotion of sustainable transport offering genuine alternatives to car travel, by bus, active travel, walking, cycling and wheeling. The ability to grow food locally also reduces the need to travel to shops and reduces food miles.</p> <p>Objectives 6, 7, 8 and Policy 4 are contributors to the NPPF 2021 environmental objective by seeking to protect and enhance the historic environment and assets of value to the community.</p> <p>Objectives 9, 10, 11, 12, 13 and Policies 5 and 6 are contributors to the NPPF 2021 environmental objective by seeking to protect and enhance the natural environment and biodiversity in the Parish including the dark skies that are essential to many nocturnal animals.</p> <p>Objectives 9, 10, 12, 20 and Policies 3 and 7 are contributors to the NPPF 2021 environmental objective by seeking to protect and enhance open and greenspace within the Parish and in particular to identify a potential community open/greenspace and play area in Halland.</p>

	<p>Objectives 21, 24 and Policies 8 and 9 are contributors to the NPPF 2021 environmental objective by seeking to retain, support and enhance existing businesses, support the creation of new businesses and to facilitate better quality communications to assist businesses and particularly to encourage more home working. This will help to provide potential for local employment and less need to commute to work using unsustainable transport that damages the environment.</p>
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# **Conformity with Local Development Plan Strategic Policies**

14. WDC retains Local Development Plan Strategic Policies from the 1998 WLP (Saved Policies), the 2013 Core Strategy Local Plan and the Affordable Housing Local Plan 2016. The EHHNP does not allocate sites for development and has no housing allocation in the Development Plan. The EHHNP accepts that growth and development will come forward in the future and sets out policies and principles that seek to ensure this comes forward in the best way possible. Table 6 lists the EHHNP Policies and shows the WDC Local Development Plan Strategic Policies with which they conform. The Strategic Policies relevant to the EHHNP are:

## **1998 WLP**

**GD1** Development within Development Boundaries

**GD2** Development outside Development Boundaries

**EN1** Sustainable Development

**EN2** Development Pattern

**EN8** Low Weald

**EN12** Protection of trees and woodlands

**EN13** Ancient semi-natural woodland

**EN14** Landscaping

**EN15** Nature Conservation Sites

**EN18** Protection open areas within settlements

**EN19** Development within Conservation Areas

**EN27** Layout and Design of development

**EN28** Design of development for people with disabilities

**EN29** Light pollution

- DC2** New Agricultural Dwellings
- DC3** New Farm Buildings
- DC6** Conversion of rural buildings - general
- DC7** Conversion of rural buildings - non-residential use
- DC8** Conversion of rural buildings - residential use
- DC11** Golf driving ranges
- DC12** Stables and loose boxes
- DC13** Larger equestrian developments
- DC14** Motor and gun sports
- DC17** Housing development in the countryside
- DC18** Replacement dwellings
- DC19** Extensions to dwellings
- DC20** Subdivision of large dwellings
- DC22** Residential mobile homes
- HG5** Dwelling mix within new development schemes
- HG6** Crime prevention in new housing developments
- HG7** Energy consideration in new housing developments
- HG8** Retention of existing housing stock
- HG9** Subdivision of large buildings in development boundaries
- HG10** Extensions to dwellings in development boundaries
- HG11** Special needs housing in development boundaries
- HG12** Special needs housing outside development boundaries

**BS6** Village business areas

**BS7** Retention of existing businesses within villages

**BS8** Business development in village development boundaries

**BS9** Expansion, redevelopment, intensification in existing business sites outside development boundaries

**BS11** Business Class B1 use, with business areas

**BS12** General industry, Class B2, in business areas

**BS13** Warehousing, Class B8, in business areas

**BS14** Alternative uses for business sites outside business area

**BS15** Home working

**SH11** Farm shops

**SH12** Garden Centres

**TR1** Environmental impact of new road proposals

**TR2** Design of new road proposals

**TR3** Traffic impact of new development

**TR10** Heavy goods vehicles in rural areas

**TR13** Footpaths and bridleways

**TR16** Car Parking Standards

**TM1** Tourist attractions and facilities

**TM3** Conversions to hostel accommodation for walkers and cyclists

**TM4** Holiday villages and chalet parks

**TM5** Static Caravan sites



**TM8** Touring caravan and camping sites

**TM9** Caravan Storage

**TM10** Interpretive facilities

**LR1** Provision of outdoor playing space

**LR2** Protection of existing recreational open space

**LR3** Children's play space in developments of 30+ dwellings

**LR4** Artificial turf pitches

**LR5** Informal amenity space in new residential developments

**LR7** Indoor sports facilities

**LR8** Community halls

**CS1** Provision of capital works and services

**CS2** Drainage

**CS4** Recycling enclosures: residential development

**CS5** Recycling enclosures: commercial and community development

### **2013 Core Strategy**

**WCS1** Provision of Homes and Jobs 2006-2027

**WCS2** Distribution of Housing Growth 2006-2027

**WCS3** Distribution of Employment (B Class) and Retail (convenience and comparison)

**WCS6** Rural Areas Strategy

**WCS7** Effective Provision of Infrastructure

**WCS8** Affordable Housing

**WCS9** Rural Exception Affordable Housing

**WCS12 Biodiversity**

**WCS13 Green Infrastructure**

**Affordable Housing Local Plan 2016**

**AFH1 Affordable Housing**

**Table 6 - EHHNP Policies Conformity with WDC Strategic Policies**

<b>N°</b>	<b>EHHNP Policy</b>	<b>WDC Strategic Policy</b>	<b>Comments</b>
<b>1</b>	<b>Housing</b>	GD1, GD2, EN1, DC17, HG5, WCS1, WCS2, WCS3, WCS6, WCS8, WCS9, AFH1	<p>GD1 and GD2 imposed Development Boundaries and controlled development inside and outside them. WCS6 removes the East Hoathly Development Boundary and allocates no housing to the Parish.</p> <p>EN1 relates to location and layout to achieve sustainable development and DC17 controls development in the countryside. HG5 controls housing mix.</p> <p>WCS1,2 and 3 cover the provision and distribution of homes and employment. WCS 8 and 9 provides policy on Affordable Housing and Rural Exception sites.</p> <p>AFH1 relates to Affordable Housing.</p>
<b>2</b>	<b>Housing Design - Resource Efficiency</b>	EN1, HG7	<p>EN1 includes reference to renewable energy and waste management in relation to the environment. HG7 relates to energy conservation by design of aspect and orientation.</p> <p>WCS LP 2013, Paragraphs 7.28 to 7.30 cover Climate Change and sustainable construction but this is not reflected in any specific policy. WDC published its Climate Emergency Plan in December 2019 and this provides an indication of future policy direction.</p>
<b>3</b>	<b>Housing Design - Layout and Materials</b>	EN1, EN2, EN8, EN14, EN18, EN19, EN27, EN28, DC18, DC19, DC20, DC22, HG6, HG7, HG8, HG9, HG10, HG11, HG12, TR1, TR2, TR3, TR10, TR13, TR16, LR1,	<p>EN1 covers location, layout and design of new development and the effects on the environment, including water and air quality. EN2 gives direction regarding settlement patterns particularly in relation traffic generation and to public transport. EN14 and 18 provides policy on landscaping within developments and resisting the loss of open areas and undeveloped gaps within settlements which contribute to the character or amenities of the locality. EN19 provides policy for Conservation Areas. EN27 gives direction regarding scale, form, density, materials and design. It includes guidance on impact for neighbouring developments, backland development, crime prevention, access to light, privacy, garden space and amenity space. EN28 covers public buildings and disabled access.</p>

		LR2, LR3, LR4, LR5, LR7, LR8, CS1, CS2, CS4, CS5, WCS7, WCS13	<p>DC 18, 19, 20 and 22 cover the replacement, extension or sub-division of existing homes and residential mobile homes.</p> <p>HG 6, 7 and 8 covers Crime prevention, Energy considerations and the retention of existing housing stock. HG 9, 10, 11 and 12 covers the sub-division of large dwellings, extensions and special needs.</p> <p>TR1, 2, 3 and 10 are policies on roads and vehicle impacts. TR13 and 16 covers provision for pedestrians and car parks in new developments.</p> <p>LR1, 2, 3, 4, 5, 7 and 8 cover the provision of play, recreational and amenity space including sports halls and community centres.</p> <p>CS1, 2, 4 and 5 are policies to ensure that infrastructure is provided and specifically drainage and recycling facilities.</p> <p>WCS7 covers the effective provision of infrastructure. WCS13 covers the provision of Green Infrastructure.</p>
<b>4</b>	<b>Conservation of Historic Environment</b>	EN8, EN18, EN19	<p>EN8 is policy on the protection of the character of the Low Weald. EN18 provides policy resisting the loss of open areas and undeveloped gaps within settlements which contribute to the character or amenities of the locality. EN19 provides policy for the preservation and enhancement of Conservation Areas.</p> <p>Policies EN20, 21 and 22 are not saved policies but are mentioned because they were the policies that provided policy preventing the loss of Heritage Assets and protecting the character and appearance of Heritage Assets. EN24 is not a saved policy but provided specific policy protecting Ancient Monuments.</p>
<b>5</b>	<b>Dark Skies</b>	EN19, EN29, WCS12	<p>EN19 is the policy on the preservation of Conservation Areas. Dark skies are part of the “visual amenity” and “other activities” that affect the character of the Conservation Area. EN29 is general policy on Light Pollution.</p> <p>WCS12 is the Biodiversity Policy to prevent a net loss of biodiversity. This includes the habitats for animals that operate at night and need dark skies to function and thrive.</p>
<b>6</b>	<b>Natural Environment</b>	EN8, EN12, EN13, EN14, EN15, WCS12	<p>EN8 is policy on the protection of the character of the Low Weald and particularly the setting of settlements and the retention of unspoilt and remote countryside, woods, boundary trees and hedges. EN12 is policy on the retention and enhancement of trees and woodland. EN13 provides specific protection for Ancient Woodland. EN14 provides policy on landscaping within developments. EN15 provides policy on protecting Nature Conservation Sites. WCS12 is the Biodiversity Policy to prevent a net loss of biodiversity.</p>
<b>7</b>	<b>Local Green Spaces</b>	EN8, EN12, EN13, EN14,	<p>EN8 is policy on the protection of the character of the Low Weald and particularly the setting of settlements and the retention of woods, boundary trees and hedges. EN12 is policy on the retention and enhancement of trees and</p>

		EN18, WCS12, WCS13	<p>woodland. EN13 provides specific protection for Ancient Woodland. EN14 provides policy on landscaping within developments. EN18 provides policy resisting the loss of open areas and undeveloped gaps within settlements which contribute to the character or amenities of the locality.</p> <p>WCS12 is the Biodiversity Policy to prevent a net loss of biodiversity and specifically points to the development of an integrated green network. WCS13 is the Green Infrastructure policy and Local Green Spaces form part of the green network.</p>
<b>8</b>	<b>Business</b>	DC2, DC3, DC6, DC7, DC8, DC11, DC12, DC13, DC14, BS6, BS7, BS8, BS9, BS11, BS12, BS13, BS14, BS15, SH11, SH12, TM1, TM3, TM4, TM5, TM8, TM9, TM10, WCS12, WCS13	<p>DC2 and 3 provide policy on Agricultural dwellings and farm buildings. DC6, 7 and 8 relate to Conversion of rural buildings providing a framework allowing the opportunity to evolve agricultural business and make the best use of resources. DC 11, 12, 13 and 14 are policies for specific rural businesses.</p> <p>BS6, 7, 8 and 9 are polices on the development of business within and outside village business areas. BS11, 12 and 13 relate to specific classes of business. BS14 is policy on alternative use of business sites. BS15 is policy for home-based businesses.</p> <p>SH11 is policy for Farm Shops. SH 12 is policy for Garden Centres.</p> <p>TM1 is policy on the provision of tourist attractions providing they respect and enhance the character, heritage and environmental quality of the area. TM3, 4, 5, 8, 9 and 10 provide policy for Hostels, Holiday Villages, Caravan Parks and Interpretive Facilities.</p> <p>WCS12/13 are policies on Biodiversity and Green Infrastructure and these are vital to maintaining the attractive rural setting of historic villages. Tourism in this Parish is largely built on the draw of the rural backdrop and unspoilt surroundings.</p>
<b>10</b>	<b>Communications</b>		<p>EN31 is not a saved policy but provided policy regarding telecommunications developments such as masts and associated buildings. EN32 is not a saved policy but provided policy on the provision of underground cabling.</p>

15. A Sustainability Appraisal will be submitted separately to support the EHHNP.

## European Union Regulations

16. The EHHNP and the process under which it was made conforms to the Strategic Environmental Assessment (SEA) Directive (EU 2001/42/EC) and the Environmental Assessment of Plans and Programmes Regulations 2004 (the Regulations).

17. The Draft EHHNP was submitted to WDC on 25 Oct 2021 with a request for a screening opinion on the need for a Strategic Environmental Assessment (SEA). WDC consulted the appropriate statutory bodies (Historic England, Environment Agency and Natural England). In light of this, the assessment concluded that the Draft EHHNP was not likely to have a significant impact on the environment, therefore an SEA was not needed.<sup>1</sup>

18. In addition to conforming to its EU obligations, the EHHNP does not breach and is not otherwise incompatible with the European Convention on Human Rights.

## **Meeting the Prescribed Condition**

19. Under Directive 92/43/EEC, also known as the Habitats Directive<sup>2</sup>, it must be ascertained whether the EHHNP 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.

20. The Draft EHHNP was submitted to WDC on 25 Oct 2021 with a request for a screening opinion on the need for an HRA. WDC consulted the appropriate statutory body (Natural England). WDC has 3 areas protected by European Union Regulations, The Pevensey Levels Special Area of Conservation (SAC), The Ashdown Forest SAC and Special Protection Area (SPA) and The Lewes Downs SAC. Traffic generated from this Parish does travel to and through these sites and particularly so for the Lewes Downs and Ashdown Forest areas. However, Natural England determined that this does not produce harmful effects on the SPA/SACs even when taken in combination with other traffic entering the areas.

21. WDC (after consultation with Natural England) concluded that an AA would not be required for the EHHNP.<sup>3</sup>

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<sup>1</sup> WDC SEA Screening Opinion - Feb 2022.

<sup>2</sup> Directive 92/43/EEC "on the conservation of natural habitats and of wild fauna and flora".

<sup>3</sup> WDC HRA Screening Report - Feb 2022.

## **Conformity with the Basic Conditions**

22. The Basic Conditions are met in the following ways:
- a. The policies and objectives of the EHHNP have been examined against National Policies at Paragraphs 8 to 11 and in Tables 1 and 2 and shown that they conform.
  - b. The policies and objectives of the EHHNP have been examined against the NPPF 2021 sustainability objectives at Paragraphs 12 to 13 and in Tables 3, 4 and 5 and shown that they conform with sustainable development.
  - c. The policies of the EHHNP have been examined against the strategic policies contained in WDC development plans at Paragraph 14 and in Table 6 and shown that they conform.
  - d. The EHHNP has been checked, at Paragraphs 16 to 18, against retained EU obligations and found that it conforms.
  - e. The Prescribed Condition has been examined, at Paragraphs 19 to 21, and found that it conforms with the specified regulations.

## **Conclusion**

23. This Basic Conditions Statement show that the Objectives and Policies of the EHHNP conform with the NPPF 2021 requirements, the NPPF 2021 objectives of Sustainable Development, the WDC Strategic Planning Policies and the relevant European Union Regulations. The Basic Conditions as set out in Schedule 4B to the TCPA 1990 are considered to be met by the East Hoathly with Halland Neighbourhood Plan and all the policies therein.