

Basic Conditions Statement

**Presented by
Hurst Green Parish Council**

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1. Introduction

- 1.1. This Basic Conditions Statement has been produced to accompany the Hurst Green Neighbourhood Plan (HGNP).
- 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 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, (retained) 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 is not likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2012) or a European offshore marine site (as defined in the Offshore Marine Conservation (Natural Habitats etc.) Regulations 2007) (either alone or in combination with other plans or projects).
- 1.4. 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.
- 1.5. This document sets out how the HGNP meets the Basic Conditions.

Supporting documents and evidence

- 1.6. The Submission Hurst Green Neighbourhood Plan, with its policies, is supported by a Consultation Statement, this Basic Conditions Statement, and an extensive evidence base. It has also been subject to a Screening, organised by Rother District Council (RDC), to ascertain whether or not it requires a Strategic Environmental Assessment (SEA) and/or a Habitats Regulations Assessment (HRA).
- 1.7. The Screening Opinion, published on 17 December 2018, determines that an SEA is required for the HGNP. A Habitats Regulations Assessment is not required.
- 1.8. The Screening Opinion can be found on the RDC website: https://rdcpublic.blob.core.windows.net/website-uploads/2020/01/Hurst_Green_NP_-_SEA_Screening_Opinion_Dec_2018_Redacted.pdf
- 1.9. The SEA, prepared by consultants AECOM, can be found on the HGNP website: <https://hurstgreen2030.uk/wp-content/uploads/2023/03/Reg-15-Submission-version-of-Hurst-Green-NP-SEA-Environmental-Report.pdf>
- 1.10. Alongside the planning policies, the HGNP contains a series of projects which fall outside planning policy. These are intended to contribute towards the achievement of the Plan's vision and form the basis of the principles for the use of any developer funding and other monies arising from other planning obligations. They complement the Neighbourhood Plan document, but are not a formal part of the Development Plan.

Key statements

- 1.11. Hurst Green Parish Council, as the qualifying body, has prepared the Neighbourhood Plan, which has the same boundary as the parish area of Hurst Green Parish, as shown in Figure 1. It was designated a Neighbourhood Area by RDC on 8 June 2017.
- 1.12. The HGNP sets out planning policies that relate to the development and use of land within only the Hurst Green Neighbourhood Area.
- 1.13. The HGNP refers only to the administrative boundary of Hurst Green. There are no other adopted Neighbourhood Plans that cover all or part of the Hurst Green Neighbourhood Area.
- 1.14. The Parish Council has prepared the HGNP to establish a vision for the future of the parish and a series of aims and objectives to deliver this. It has engaged with the community to set out how the vision will be realised, through planning and controlling land use and development change over the plan period 2021 to 2028.
- 1.15. The HGNP does not contain any policies which relate to excluded development as defined by section 61K of the Town and Country Planning Act 1990.

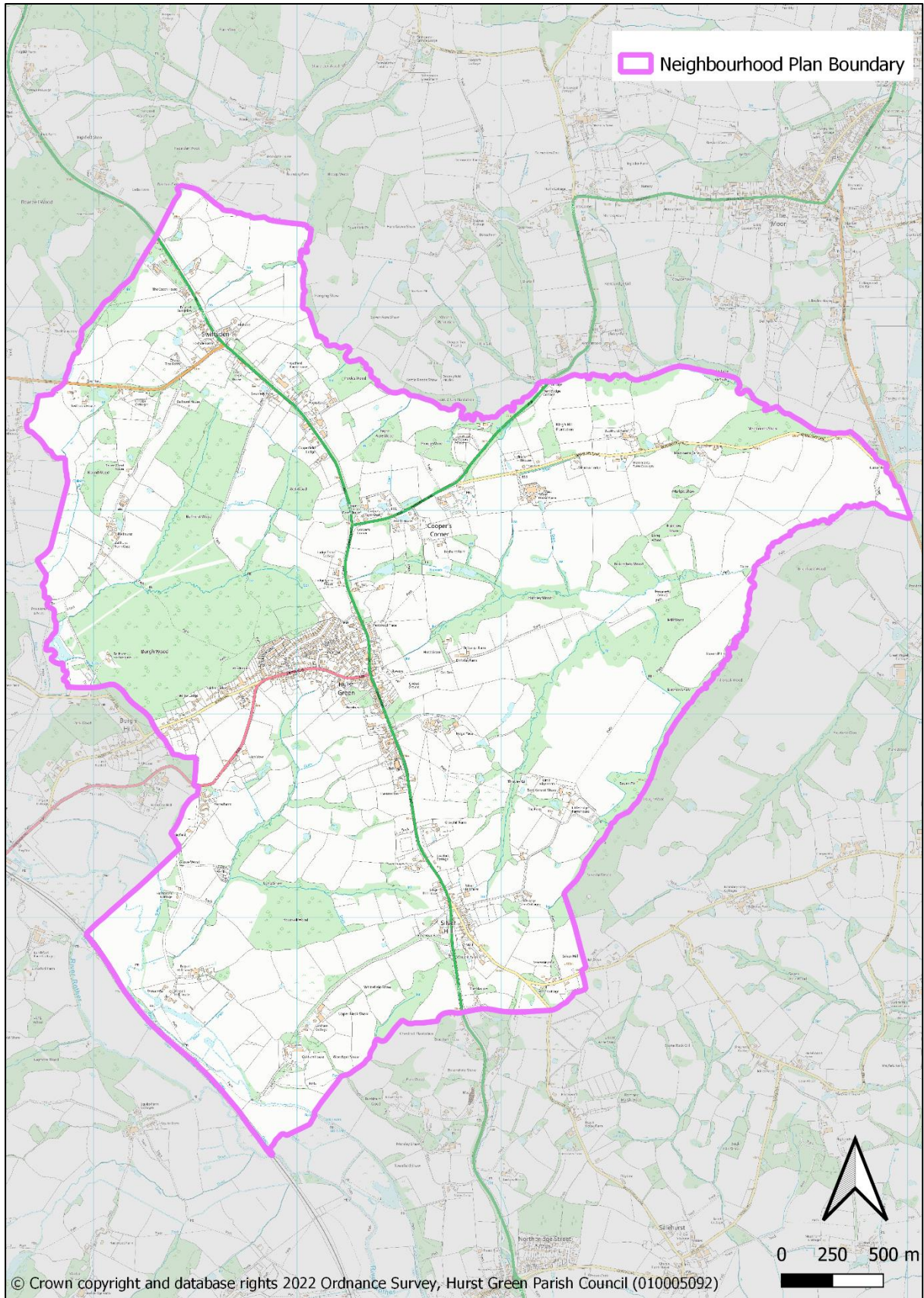


Figure 1: Hurst Green Neighbourhood Plan designated area

2. Basic condition (i) - conformity with national planning policy

- 2.1. To meet this condition, it is necessary to demonstrate that the HGNP has regard to national planning policies and the advice contained in guidance issued by the Secretary of State. National policy and associated guidance are contained within the National Planning Policy Framework ('NPPF') and the Planning Practice Guidance ('PPG').
- 2.2. It should be noted that the HGNP has been prepared in accordance with the NPPF, revised in December 2023, in response to the Levelling-up and Regeneration Bill.

National Planning Policy Framework

- 2.3. The NPPF has 13 key objectives which are:
 - Delivering a sufficient supply of homes
 - Building a strong, competitive economy
 - Ensuring the vitality of town centres
 - Promoting healthy and safe communities
 - Promoting sustainable transport
 - Supporting high quality communications
 - Making effective use of land
 - Achieving well-designed places
 - Protecting Green Belt land
 - Meeting the challenge of climate change, flooding and coastal change
 - Conserving and enhancing the natural environment
 - Conserving and enhancing the historic environment
 - Facilitating the sustainable use of minerals
- 2.4. This basic conditions statement explains how the HGNP contributes to meeting these objectives, where relevant, and also notes the specific national policies that the Plan is intended to support and supplement.
- 2.5. The HGNP has six objectives these are shown in Table 2.1 alongside the corresponding NPPF objective or objectives that each one seeks to address.
- 2.6. Table 2.2 then provides further detail by detailing each of the 25 policies of the Neighbourhood Plan and which specific paragraphs of the NPPF it has had regard to along with a commentary.

Table 2.1: Assessment of the Hurst Green Neighbourhood Plan aims against NPPF goals

Plan objective	Relevant NPPF goal
<p>Objective 1: To protect against inappropriate and speculative development and to provide guidance and greater influence over how Hurst Green should be developed in the future. This includes ensuring that new homes meet the particular needs of the local community.</p>	<ul style="list-style-type: none"> • Achieving well-designed places • Making effective use of land • Delivering a sufficient supply of homes • Meeting the challenge of climate change, flooding and coastal change
<p>Objective 2: To promote opportunities for more sustainable modes of travel in and around the parish, while exploring ways to minimise the impacts of the A21 through the village.</p>	<ul style="list-style-type: none"> • Promoting sustainable transport • Promoting healthy and safe communities • Achieving well-designed places
<p>Objective 3: To create an environment that encourages residents to live active, social, meaningful lives that promote good health and well-being. This includes bringing forward action on facilities and improvements, which are needed by the village of Hurst Green; and the hamlets of Silver Hill and Swiftsden.</p>	<ul style="list-style-type: none"> • Promoting healthy and safe communities
<p>Objective 4: To improve the visual appearance and overall perception of Hurst Green as a place where people want to live, work and visit. This includes conserving and enhancing the built and historic environment and improving the general street scene around the parish.</p>	<ul style="list-style-type: none"> • Conserving and enhancing the natural environment • Conserving and enhancing the historic environment • Achieving well-designed places
<p>Objective 5: To enhance our existing, and create new, open green spaces and improve access to the countryside. This includes identifying ways to support and enhance our biodiversity.</p>	<ul style="list-style-type: none"> • Conserving and enhancing the natural environment • Meeting the challenge of climate change, flooding and coastal change
<p>Objective 6: To increase business, retail and tourism opportunities to encourage local employment, and grow the local economy.</p>	<ul style="list-style-type: none"> • Building a strong, competitive economy • Ensuring the vitality of town centres

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

Policy Title and Reference	NPPF Reference (paragraph)	Commentary
POLICY HG1: Location of development	7, 8, 11, 28, 29, 69, 82, 83, 84, 123, 124, 125, 182	<p>The policy sets out the HGNP’s approach to the location of development within the Neighbourhood Plan Area. The Parish lies within the High Weald National Landscape (formally called an AONB), which should be conserved and enhanced in terms of landscape and scenic beauty.</p> <p>It is important that any new development takes place in the most sustainable locations of the Parish, near to local services and amenities, while protecting the valued National Landscape and avoiding sprawl and coalescence with nearby settlements. For this reason, the policy states that development should be focussed within the identified development boundaries, which are amended in the HGNP to include the sites allocated within the document.</p> <p>Beyond the defined development boundaries, development is only supported where it would be considered suitable in the countryside and National Landscape setting, which is already largely protected by NPPF policy.</p> <p>The policy also supports the use of brownfield land within the development boundaries, in advance of greenfield land.</p> <p>As such the policy supports the NPPF’s sustainable development objectives, in particular conserving and enhancing the landscape and scenic beauty of the High Weald National Landscape, while contributing to local and strategic housing need.</p>
POLICY HG2: Housing strategy	8, 28, 60, 67, 69, 70, 71, 82, 83	<p>The policy makes provision for approximately 3 dwellings over the plan period through the allocation of one site, and existing site commitments (HG 35, HG 6 and HG 22/43). This conforms to national objective of boosting the supply of homes. The number of homes to be delivered accords with the housing target figure provided by RDC.</p>
POLICY HG3: Meeting local housing needs	61-65	<p>The policy, underpinned by the Hurst Green Local Housing Needs Assessment and the Local Housing Demand Survey, sets out information about the size, type and tenure of housing that is needed to address local housing need. It also addresses issues of</p>

		affordability in the parish, in accordance with national policy and in the context of local parameters.
POLICY HG4: Character of development	131-139, 196	<p>The NPPF states that neighbourhood planning groups can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development, both through their own plans and by engaging in the production of design policy, guidance and codes by local planning authorities and developers.</p> <p>The Hurst Green Design Codes, prepared to underpin the HGNP, identify a series of Character Areas in the Parish and the features that define them. New development is encouraged to conserve and enhance these Character Areas.</p> <p>The policy also acknowledges the heritage assets in the Parish – both above and below ground – and seeks to ensure that these are carefully considered in any planning applications / land use.</p>
POLICY HG5: Design of development	131-140,173	<p>The NPPF supports the creation of high quality, beautiful and sustainable buildings and places and encourages communities, through neighbourhood plans, to set out the detail about what is expected at the local level. The Hurst Green Design Codes have been developed to underpin this policy and provide this local detail. The Codes forms an integral part of the plan, as opposed to simply planning guidance, and should be proactively used alongside other relevant design guidance to influence planning applications.</p>
POLICY HG6: Energy efficiency and design	157-164, 180b	<p>The policy supports the national objectives to ensure that all development is designed and delivered to support the transition to a low carbon future in the context of a changing climate. The policy includes a number of clauses that seek to encourage developers to seek ways to reduce greenhouse emissions and maximise opportunities for on-site energy generation, making use of renewable energy sources.</p> <p>Whilst community-scale renewable energy schemes are not considered inappropriate, larger scale initiatives are considered to be out of place within the High Weald National Landscape setting.</p>
POLICY HG7: Enhancing the public realm	90, 96, 97, 102, 131, 132	<p>The NPPF supports communities in ensuring that their neighbourhoods are well-designed. This policy sets out the criteria that would assist in ensuring that the public realm of Hurst Green village contributes to local character, is attractive, safe, optimally lit, green and accessible. This will help to contribute to the mental and physical health and wellbeing of local people, which is a core objective of the NPPF.</p>
POLICY HG8: Protecting Hurst	191c	<p>The High Weald National Landscape is an area that benefits from dark skies. This feature brings a range of benefits, notably to wildlife, but also to people in terms of mental and</p>

Green's dark skies		<p>physical health benefits. The High Weald National Landscape Unit encourages the parishes within its boundary to include a dark skies policy in their neighbourhood plans, which in turn supports the national aims of supporting biodiversity, enhancing local character and conserving and enhancing landscape and scenic beauty in the National Landscape.</p> <p>This supports national objectives around biodiversity, local character and health and wellbeing.</p>
POLICY HG9: Protecting the natural features of the parish	180, 181, 182, 185, 186	<p>The policy maps out, at the neighbourhood level, components of wildlife-rich habitats and wider ecological networks, including the hierarchy of national and locally designated sites of importance for biodiversity; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation through protecting designated and non-designated landscape assets.</p> <p>It recognises the importance of trees and hedgerows and the variety of roles they play, seeking to safeguard them against loss.</p>
POLICY HG10: Green infrastructure	136, 180, 181, 182, 185, 186, 192	<p>This policy supports the national objective of ensuring that development contributes to and enhances the natural environment and biodiversity. In line with the Environment Act, the policy requires developments to deliver a biodiversity net gain of at least 10%. Where this cannot be achieved on-site, the locally mapped network of green infrastructure offers locations where units can most effectively make a positive contribution to local habitats and landscapes.</p>
POLICY HG11: Local green space	105-107, 152-156	<p>The NPPF enables communities to designate spaces that are demonstrably special to them as Local Green Spaces. The policy designates seven such spaces within the parish, which are considered to meet the NPPF criteria.</p>
POLICY HG12: Protection of distinctive and highly valued views	131, 132, 135	<p>The NPPF states that neighbourhood planning groups can play an important role in identifying the special qualities of their area and explaining how these should be reflected in development, both through their own plans and by engaging in the production of design policy, guidance and codes by local planning authorities and developers.</p> <p>This policy identifies two views/ viewpoints that are considered by the community to be significant locally – either because they encompass a local landmark or notable landscape. The policy seeks to ensure that any development that takes place within the view 'arcs' limits its impact on the view itself and, where possible, incorporates or</p>

		enhances it.
POLICY HG13: A green village hub for Hurst Green	96, 97, 159, 160	The policy supports the national aim of delivering healthy, safe and inclusive spaces by supporting proposals that would contribute to the multi-purpose green village hub. This would support a range of community facilities and activities, through improvements to facilities such as the Village Hall and the children's park.
POLICY HG14: Sports and leisure facilities in Hurst Green	96, 97, 102, 103, 104	The NPPF encourages the development of policies that will enable development to contribute to healthy, inclusive communities. Hurst Green Parish has a range of local facilities for the community and this policy sets out support for new or improved facilities, as evidenced by the community engagement and discussions with facility owners.
POLICY HG15: Allotments and community growing spaces	96c, 97, 102	The NPPF states that planning policies and decisions should aim to achieve healthy, inclusive and safe places. In particular such policies should enable and support healthy lifestyles, especially where this would address identified local health and wellbeing needs – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling. This policy seeks to protect existing allotment space and support the development of new growing space, contributing to the national objective.
POLICY HG16: Supporting sustainable rural tourism	88, 89, 182	The policy supports proposals that will enable sustainable rural tourism, which the NPPF recognises as an important part of the economy.
POLICY HG17: Supporting local employment opportunities	85, 86, 88, 89, 96, 97	The policy supports the national objective of supporting an environment that enables local businesses to flourish. In particular the policy supports the provision of start-up space and homeworking space. It seeks to ensure the provision of high quality and reliable communications infrastructure, which is essential for economic growth and social wellbeing.
POLICY HG18: Encouraging active travel	96, 104, 108, 109, 110, 112, 114	The policy supports the NPPF objective of encouraging a shift towards more sustainable modes of transport by promoting active travel, particularly for shorter journeys within the parish. It does this by ensuring that all development links up to the existing network of footpaths and rights of way, and that these the routes are protected, maintained and, where feasible, enhanced, to encourage greater and safer usage. Infrastructure to encourage cycling and the use of electric vehicles is also supported, which will help to contribute to this shift towards more sustainable transport modes.

POLICY HG19: Public car parking	108, 112	<p>Notwithstanding the desire to encourage sustainable modes of transport, notably active travel for shorter journeys within the parish, as a rural parish Hurst Green experiences high reliance on the private vehicle. This is exacerbated by the lack of off-road parking in the centre of the village.</p> <p>The policy encourages additional public spaces to alleviate existing issues. This should also provide the infrastructure to support electric vehicles and also safe, covered bike storage. This will assist in encouraging the shift to more sustainable travel modes.</p>
POLICY HG20: Residential parking provision	109, 110, 111, 112	<p>Car parking is a considerable issue in the parish and the policy seeks to address this by ensuring that new development provides adequate off-road space in accordance with the East Sussex Guidance and in the context of the Hurst Green Design Codes document. This will help to reduce the numbers of vehicles on pavements, which in turn will contribute to a well-designed settlement that is healthy, safe and inclusive.</p>
POLICY HG21: Highway capacity at key road junctions	96, 108, 109, 115 to 117	<p>Traffic volume, congestion, and safety is a major challenge for the area and was raised consistently during the engagement process of the plan. The NPPF is clear that development that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or assessment so that the likely impacts of the proposal can be assessed. The policy adds local detail to this by identifying the specific locations where traffic impacts are likely to be most significant and requires development proposals to actively assess and address their impacts on these locations as part of their application.</p>
POLICY HGSA4: Site HG45: Land adjacent to Iridge Place TN19 7PN	7, 8, 28, 29, 61-65, 68, 69, 82, 83, 84, 108e, 109, 110, 111, 131 to 139, 205, 124, 125, 182, 200	<p>The site allocation policy contributes to the national objective of delivering additional housing, contributing to both strategic and local housing need. The policy includes criteria to ensure that proposals contribute to the achievement of the other policies of the HGNP.</p>

3. Basic condition (iv) - contribution to sustainable development

- 3.1. The NPPF states in paragraph 7 that *‘the purpose of the planning system is to contribute to the achievement of sustainable development.’*
- 3.2. For the HGNP, sustainable development has provided 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* (Planning Practice Guidance, Paragraph: 072 Reference ID: 41-072-20140306).
- 3.3. Table 3.1 below summarises how the objectives and policies in the Plan contribute towards economic, social, and environmentally sustainable development, as defined in the NPPF. Many of the aims 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 Hurst Green Neighbourhood Plan objectives and policies against sustainable development

Deliver economic sustainability	NPPF definition – <i>‘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.’</i>
NP Objectives	6: To increase business, retail and tourism opportunities to encourage local employment, and grow the local economy.
NP Policies	<ul style="list-style-type: none"> • HG16: Promoting sustainable rural tourism • HG17: Supporting local employment opportunities
Commentary	<p>These policies of the HGNP collectively seek to support a vibrant and viable local rural economy.</p> <p>The existing commercial units in the parish are important as they have the ability to provide local jobs that will help to negate the need for out-commuting. Such uses are sought to be retained in the HGNP.</p> <p>The parish is well-situated near to a range of visitor attractions and is also itself rich in heritage assets. Its location within the High Weald National Landscape draws in visitors and the HGNP seeks to support this sector in a sustainable way.</p> <p>Finally, the HGNP supports the provision of adequate communications infrastructure, which is not only important for a robust local economy, but also for social and household activities, particularly as working habits shift towards remote and home-working.</p> <p>In these ways, the HGNP seeks to contribute to building a sustainable economy.</p>

<p>Deliver social sustainability</p>	<p>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.’</p>
<p>NP Objectives</p>	<p>1: To protect against inappropriate and speculative development and to provide guidance and greater influence over how Hurst Green should be developed in the future. This includes ensuring that new homes meet the particular needs of the local community.</p> <p>3: To create an environment that encourages residents to live active, social, meaningful lives that promote good health and well-being. This includes bringing forward action on facilities and improvements, which are needed by the village of Hurst Green; and the hamlets of Silver Hill and Swiftsden.</p> <p>4: To improve the visual appearance and overall perception of Hurst Green as a place where people want to live, work and visit. This includes conserving and enhancing the built and historic environment and improving the general street scene around the Parish.</p>
<p>NP Policies</p>	<ul style="list-style-type: none"> • HG1: Location of development • HG2: Housing strategy • HG3: Meeting local housing needs • HG5: Design of development • HG7: Enhancing the public realm • HG13: A green village hub for Hurst Green • HG14: Sports and leisure facilities in Hurst Green • HG15: Allotments and community growing spaces • HGSA4: Site allocation policy
<p>Commentary</p>	<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 HGNP has been developed as a result of extensive local engagement to understand local priorities to contribute to this national objective. New development should be directed to within the development boundaries as these represent the most sustainable locations, located close to community facilities. It will also help to restrict coalescence between the individual settlements and encroachment into the wider countryside.</p> <p>The HGNP allocates approximately 3 homes and also contains a policy seeking to influence the type, mix, size and affordability of dwellings that should be prioritised, so as to accommodate locally evidenced housing need. The need for additional housing may be considered further as part of a future review of the HGNP and in the context of any new Local Plan.</p> <p>Design of development is important and the HGNP is underpinned by a Hurst Green Design Codes document, which seeks to ensure that local character is reflected and developments are of a high quality.</p>

	<p>Finally, the HGNP includes a policy to safeguard, and where required enhance, local facilities and assets that have been identified as particularly important by the community. This includes support for a green village hub, that would provide a focal point for the community in the centre of Hurst Green village.</p> <p>The provision of adequate infrastructure to support any new development is vital and the community is keen to ensure that this is considered at the heart of development proposals.</p> <p>In these ways, the HGNP aims to support a strong, vibrant and healthy community.</p>
<p>Deliver environmental sustainability</p>	<p>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,’</p>
<p>NP Objectives</p>	<p>2: To promote opportunities for more sustainable modes of travel in and around the Parish, whilst exploring ways to minimise the impacts of the A21 through the village.</p> <p>5: To enhance our existing, and create new, open green spaces and improve access to the countryside. This includes identifying ways to support and enhance our biodiversity.</p>
<p>NP Policies</p>	<ul style="list-style-type: none"> • HG4: Character of development • HG6: Energy efficiency and design • HG8: Protecting Hurst Green’s dark skies • HG9: Protecting the natural features of the parish • HG10: Green infrastructure • HG11: Local Green Space • HG12: Protection of locally significant views • HG18: Encouraging sustainable movement • HG19: Public car parking • HG20: Residential car parking • HG21: Highway capacity at key road junctions
<p>Commentary</p>	<p>The parish is located within the High Weald National Landscape and conserving and enhancing the natural landscape and scenic beauty of the National Landscape is intrinsic to the HGNP. The policies seek to safeguard the openness of the National Landscape and preserve the dark skies.</p> <p>The network of green (and blue) infrastructure, which supports biodiversity, is mapped and recognised, along with significant green spaces, important views and landscape features that are typical of the area.</p> <p>Alongside the natural environment, the HGNP recognises the importance of conserving historic assets so that they can be enjoyed for their contribution to the quality of life of existing and future generations.</p> <p>Design is an important element of the HGNP and the policies emphasise the need for development proposals to contribute to mitigating climate change.</p> <p>Finally, the HGNP emphasises the need to promote non-car modes of</p>

	<p>transport in order to reduce traffic congestion. It supports the provision of electric vehicle charging points and cycle and walking infrastructure to encourage a shift to sustainable modes of transport.</p> <p>In these ways, the HGNP seeks to contribute to protecting and enhancing the natural, built and historic environment of the neighbourhood area and a shift towards a low carbon economy.</p>
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- 3.4. As demonstrated in Table 3.1, the strategic objectives of the HGNP are considered to comprise a balance of social, economic, and environmental goals. The policies in the Plan demonstrably contribute to sustainable development.

4 Basic condition (v) - general conformity with the strategic policies of the development plan

- 4.1. The following documents currently comprise Rother District Council's development plan:
- Part 1: the Rother Local Plan Core Strategy (adopted September 2014)
 - Part 2: the Rother Development and Site Allocations Plan (DaSA) (adopted 2019): The following DaSA policies are strategic: DHG1, DHG2 as they supersede CS policies LHN2 and LHN3 respectively, and DEN3, DEC3 and HAS1. The remainder are non-strategic policies.
 - The saved policies in the Local Plan 2006 that were not replaced by the Core Strategy or the DaSA: The 2006 policies are not classed as strategic/non-strategic as they preceded the NPPF which sets this
- 4.2. Supplementary Planning Documents are also material consideration in the determination of planning applications in Rother District.
- 4.3. The policies of the HGNP must be in general conformity with the strategic policies of the adopted development plan documents.
- 4.4. Rother District Council is currently developing a new Local Plan for the district, which will set out the spatial strategy to 2040 for the distribution and development of new homes, employment and supporting infrastructure across Rother, whilst protecting the valued natural and historic environment. It is at an early stage of development and therefore the adopted Local Planning documents have provided the strategic framework for the HGNP.
- 4.5. A commentary about how the HGNP policies conform is shown in Table 4.1.
- 4.6. Where a strategic policy is not identified in Table 4.1, it is considered that the HGNP does not contain any policies that directly relate to it.
- 4.7. It is confirmed that there are no policies in the strategic documents relating to minerals and waste that are of relevance to the HGNP.

Table 4.1: Relevant strategic policies

Policy Title and Reference	Strategic Policy	Commentary
POLICY HG1: Location of development	Core Strategy: OSS2, OSS3, EN1, EN3, LHN3, RA1, RA2, RA3 DaSA: DEN2, DIM2, DHG2	The policy conforms to strategic policy, setting out a spatial vision at the parish level and how this will be delivered. The policy amends the development boundary for Hurst Green village to accommodate existing development and to include the sites proposed for development in the HGNP. This will help to contribute to the housing number provided by RDC.
POLICY HG2: Housing strategy	Core Strategy: OSS1, OSS2, RA1, DHG9, DHG10 DaSA: DIM2	The policy identifies sites for development in the parish over the plan period, which will deliver against the housing figures for the district and fulfil the requirements for Hurst Green Parish, as set out by RDC.
POLICY HG3: Meeting local housing needs	Core Strategy: OSS1 (clause c), LHN1, LHN2, CO4, CO5, RA1 DaSA: DHG1, DHG6	The policy adds additional local detail to strategic policy by setting out the housing needs of the Parish, as evidenced through the Hurst Green Local Housing Needs Assessment and Local Housing Demand Survey. Proposals of housing development within the Parish should demonstrate how they are meeting these needs.
POLICY HG4: Character of development	Core Strategy: EN1, EN2, EN3 DaSA: DEN1, DEN2, RA2, RA4	The policy recognises the special landscape character of the High Weald as well as the built heritage of the Parish. It adds additional local detail to the policies of the Core Strategy, by setting out what is meant by local character at the local level. The policy is underpinned by the Hurst Green Design Codes, which identify a series of Character Areas within Hurst Green Village (as the focus for any new development) and how development proposals can effectively contribute to and reinforce this local character.

Policy Title and Reference	Strategic Policy	Commentary
POLICY HG5: Design of development	Core Strategy: EN1, EN2, EN3, EN7, CO6 DaSA: DHG4, DHG7, DEN5	The policy expands on RDC's Key Design Principles, setting out guidelines specific to the Parish. The policy is underpinned by the Hurst Green Design Codes, which has been developed to underpin the policy to demonstrate how the Design Codes can be applied in practice.
POLICY HG6: Energy efficiency and design	Core Strategy: SRM1, SRM2, EN3, TR3 DaSA: DEN1, DEN7, DRM2, DRM3	The policy supports and adds additional local detail to adopted Local Plan policy in terms of supporting development that will reduce energy consumption and climate effects.
POLICY HG7: Enhancing the public realm	Core Strategy: EN2, EN3, EN4	The Hurst Green Design Codes provide information tailored to Hurst Green Parish that will assist in enhancing the public realm. In doing so, it adds additional local detail to the broad strategic policy.
POLICY HG8: Protecting Hurst Green's dark skies	Core Strategy: EN1 DaSA: DEN1, DEN7	RDC's policy seeks to ensure that development proposals protect and where possible enhance the locally distinctive landscapes of the area. The HGNP policy has been crafted with the assistance of the High Weald National Landscape Unit to set out, in greater detail, how tranquil and remote areas, including the dark night sky, can be safeguarded against light pollution.
POLICY HG9: Protecting the natural features of the parish	Core Strategy: EN1, EN5 DaSA: DEN1, DEN2, DEN4, DEN7	Strategic policy seeks to protect (and where possible enhance) locally specific landscape features. Policy HG9 sets out what these are within Hurst Green Parish. It adds additional detail in terms of setting out how development can be designed in a way that is flora and fauna-friendly.

Policy Title and Reference	Strategic Policy	Commentary
POLICY HG10: Green infrastructure	Core Strategy: EN5; DaSA: DEN4	The policy supports and adds greater detail to adopted strategic policy, which was written prior to changes to the NPPF and the introduction of the Environment Act. The policy supports the creation, expansion and connection of green infrastructure and includes detail of biodiversity opportunity areas in the Parish.
POLICY HG11: Local green spaces	Core Strategy: EN5; DaSA: DEN4	The policy designates seven local green spaces. This adds greater strength to strategic policies, which emphasise the importance of green space, for instance maintaining and developing a district-wide network of green infrastructure where possible linking areas of natural green space.
POLICY HG12: Protection of distinctive and highly valued views	Core Strategy: EN3; DaSA: DEN2	The Core Strategic seeks to ensure that development proposals contribute positively to the character of the site and surroundings, including taking opportunities to improve areas of poor visual character or with poor townscape qualities. Policy HG12 supports this and identifies two views that have been identified by the community as being particularly significant and which should be safeguarded.
POLICY HG13: A green village hub for Hurst Green	Core Strategy: RA1, CO1, SRM1, TR3 DaSA: DEN4	The policy supports the Core Strategy in ensuring that adequate community facilities are in place. It adds additional local detail by setting out the community vision for a Green Village Hub for Hurst Green, within an accessible location in Hurst Green village. There is an emphasis on the facility being sustainable, which contributes to policy SRM1 of the Core Strategy.
POLICY HG14: Sports and leisure facilities in Hurst Green	Core Strategy: CO3	The policy adds additional local detail to Core Strategy policy CO3, setting out specific improvements to sport and leisure provision in the Parish that has been considered as important by the local community.

Policy Title and Reference	Strategic Policy	Commentary
POLICY HG15: Allotments and community growing spaces	Core Strategy: CO3	Policy CO3 of the Core Strategy supports the provision of accessible open space and recreational facilities. HG15 adds further detail by setting out support for existing and new allotments and community growing spaces in the Parish.
POLICY HG16: Supporting sustainable rural tourism	Core Strategy: EC1, EC6, RA2, RA3, RA4, EC6 DaSA: DEC2	The policy is supportive of the district-wide approach to encouraging activities to help sustain the rural economy. In particular the policy supports tourism activities, where these can be achieved in a sustainable way, balancing their impacts on the economy, environment and local community. It adds additional detail by including information about proposals that would be particularly welcomed in the Parish.
POLICY HG17: Supporting local employment opportunities	Core Strategy: EC3, EC4, RA2 DaSA: DEC2	The policy supports the Core Strategy in terms of safeguarding existing employment uses by mapping where these are currently in the Parish. In particular it provides support for homeworking and new business space, subject to criteria.
POLICY HG18: Encouraging active travel	Core Strategy: RA1, TR2, TR3	The policy supports the strategic aim of encouraging a shift towards less polluting modes of transport, including active travel (walking and cycling). It provides local detail about how this can be achieved the in the Hurst Green context.
POLICY HG19: Public car parking	Core Strategy: RA1, TR4	Whilst the HGNP emphasises the need to support less polluting modes of transport and active travel, the parish is very rural and inevitably there is high car ownership. This, combined with the lack of off-street parking, particularly in the older parts of Hurst Green village, has led to problems associated with cars parked on-street. This can provide a challenging environment for pedestrians and other road users. Policy HG19 seeks to ensure that existing car parking provision is protected and, where possible, new spaces are provided to alleviate on-street

Policy Title and Reference	Strategic Policy	Commentary
		parking in particularly challenged areas of the Parish. In doing so, it supports the strategic policy in terms of improving the pedestrian environment.
POLICY HG20: Residential parking provision	Core Strategy: TR4	As with Policy HG19, this policy seeks to ensure that adequate off-road parking provision is provided as part of relevant new development so that existing problems associated with the pedestrian environment (as a result of parked cars) is not exacerbated.
POLICY HG21: Highway capacity at key road junctions	Core Strategy: TR3	The policy supports RDC's policies in seeking to ensure that Development proposals mitigate against transport impacts which may arise from that development or cumulatively with other proposals is provided. It provides additional local detail by setting out the particular areas of the local road network where traffic impacts are already a problem.
POLICY HGSA4	Core Strategy: RA1, OSS2, OSS3, OSS4, RA2, RA3, EN1, EN2, EN5 DaSa: DEN1, DEN2, DEN4, DEN5, DIM2	The site allocation policy seeks to deliver approximately 3 net new dwellings in the Parish over the Plan period. The policy will help deliver against a series of strategic policies in terms of its layout and meeting local housing needs.

5 Basic Condition (vi) - conformity with EU obligations

- 5.1 The HGNP, 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).
- 5.2 In accordance with Regulation 9 of the SEA Regulations 2004, Rother District Council, as the responsible authority, determined in December 2018 that a Strategic Environmental Assessment (SEA) is required as the Plan's policies might have significant environmental effects.
- 5.3 The screening opinion report can be found:
https://rdcpublic.blob.core.windows.net/website-uploads/2020/01/Hurst_Green_NP_-_SEA_Screening_Opinion_Dec_2018_Redacted.pdf
- 5.4 The SEA prepared in parallel with the HGNP, can be found:
<https://hurstgreen2030.uk/wp-content/uploads/2023/03/Reg-15-Submission-version-of-Hurst-Green-NP-SEA-Environmental-Report.pdf>

6 Basic condition (vii) - conformity with the prescribed conditions

- 6.1 Under Directive 92/43/EEC, also known as the Habitats Directive (Planning Practice Guidance, Paragraph: 072 Reference ID: 41-072-20140306), it must be ascertained whether the HGNP 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 Rother District Council, as the responsible authority, determined in October 2022 that the Neighbourhood Plan is unlikely to have significant impact on European sites and therefore does not require a full HRA to be undertaken.
- 6.3 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.

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 Hurst Green Neighbourhood Plan and all the policies therein. It is therefore respectfully suggested to the Examiner that the Hurst Green Neighbourhood Plan complies with Paragraph 8(1) (a) of Schedule 4B of the Act.