

Loxwood Neighbourhood Plan Support

Information regarding the 'Basic Conditions'

Neighbourhood plans are required to meet certain 'basic conditions'. Under the Neighbourhood Planning (General) Regulations 2012¹ a statement of how the neighbourhood plan meets the 'basic conditions' is required to be submitted with the plan. The 'basic conditions' are set out in amendments to the Town and Country Planning Act 1990 (1990 Act) (Schedule 4B – Paragraph 8(2)) which were included in Schedule 10 of the Localism Act 2011.

The 'basic conditions' to be met are that neighbourhood plans:

- **must have appropriate regard to national policy and guidance issued by the Secretary of State** – currently the National Planning Policy Framework (NPPF) March 2012;
- **must contribute to the achievement of sustainable development** – the Government's approach to this is set out in the NPPF and the Locality Roadmap at page 46 includes suggestions of how this could be met;
- **must be in general conformity with the strategic policies in the development plan for the local area** – for Loxwood this would be the saved policies of the Chichester Local Plan 1999;
- **must be compatible with human rights requirements;** and
- **must be compatible with European Union (EU) obligations** – e.g the requirements of the Strategic Environmental Assessment Directive.

In order to consider the requirements to be compatible with EU obligations, a further basic condition is required to be met under Regulation 32 of the Neighbourhood Planning (General) Regulations 2012 (the details of which are set out in Schedule 2). This condition is that a neighbourhood plan must not have a significant adverse effect on European site² or a European offshore marine site. Chichester District Council should be able to provide a map indicating the locations of these sites in relation to Loxwood.

The independent examination of the neighbourhood plan will test whether it meets the basic conditions. This will also be checked by the local planning authority prior to proceeding to a referendum.

¹ Regulation 15(1)(d) requires a qualifying body submitting a plan proposal to the local planning authority, to include a statement explaining how the proposed neighbourhood development plan meets the requirements of paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990 (as amended).

² As defined in regulations 3(1) and 8 of the Conservation of Habitats and Species Regulations 2010