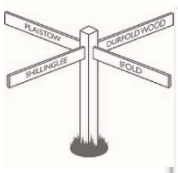
BASIC CONDITIONS STATEMENT

Plaistow and Ifold Neighbourhood Plan 2023-2039



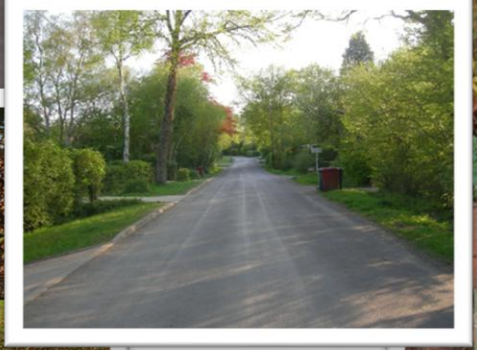


















Index

		Page
1.	**Introduction**	2
	1.1 Purpose of the Report	2
	1.2 Legislative Requirement for Basic Conditions	2
	1.3 Structure of the Statement	3
	1.4 Conclusion of Compliance	3
2.	**Legal Requirements**	3
3.	**Condition A: Regard to National Planning Policy.**	4
	Table 1: Conformity of Neighbourhood Plan Policies with the NPPF	5
4.	**Condition D: The making of the neighbourhood development plan contributes to the achievement of sustainable development.**	6
	Table 2: Neighbourhood Plan Sustainable Development	6
	Condition EA Housing provision and the Development Plan.	
5.	**Condition EA: Housing provision and the Development Plan**	8
6.	**Condition (F), (FA) and (G): Compatibility with Assimilated Obligations**	9
7.	**Equality Impact Assessment (EqIA)**	10
	Part 1: Purpose and Audience	11
	Part 2: Meeting Equality Duties	11
	Part 3: Impact Assessment	12
	Part 4: Outcomes and Next Steps	13
	Definitions of Protected Characteristics under the Equality Act 2010	13

1.0 PURPOSE OF THE REPORT

1.1 This report has been prepared on behalf of Plaistow and Ifold Parish Council (PIPC). It is in support of their preparation of the Plaistow and Ifold Parish - Neighbourhood Plan.

1.2 As part of the formal submission for independent Examination, there is a requirement for the Parish Council, as the 'qualifying body' to illustrate that they have complied with a series of 'basic conditions' as set out in Paragraph 8 of Schedule 4B of the Town & Country Planning Act 1990 (as Amended).

1.3 This statement has been prepared to demonstrate compliance with these basic conditions. Section 2 of this report summarises the legislative requirements associated with these 'basic conditions'; Sections 3 and 4 assess how the Neighbourhood Plan meets these requirements; Sections 5 and 6 confirms that the Neighbourhood Plan is compatible with EU regulations and associated Convention Rights. Section 7 demonstrates how the plan achieves the principles of sustainable development. An Equality Impact Assessment has been undertaken taking into account all the Equality Legislation and which can be found in Section 8.

1.4 This statement concludes that the Neighbourhood Plan complies with the requirements of the basic conditions as set out in Paragraph of Paragraph 8 of Schedule 4B of the Town & Country Planning Act 1990 (as amended by the Levelling Up and Regeneration Act 2023).

2.0 LEGAL REQUIREMENTS

2.1 This Statement has been prepared by Plaistow and Ifold Parish Council to accompany its submission of the Plaistow and Ifold Neighbourhood Plan (the "Neighbourhood Plan") to Chichester District Council (CDC) and the South Downs National Park Authority (SDNPA) under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 ("the Regulations").

2.2 The Neighbourhood Plan has been prepared by Plaistow and Ifold Parish Council, a qualifying body, for the Neighbourhood Area covering Plaistow and Ifold Parish, as designated by Chichester District Council and the South Downs National Park Authority on 6 November 2012 and 14 March 2013 respectively.

2.3 The policies described in the Neighbourhood Plan relate to the development and use of land in the designated Neighbourhood Plan Area only. The plan period of the Neighbourhood Plan is from 2023 to 2039, and it does not contain policies relating to excluded development in accordance with the Regulations.

2.4 In accordance with s38B(2B) of the 2004 Act, the Parish Council considers that the Neighbourhood Plan does not contain policy proposals that would undermine the development and use of land in the neighbourhood area contributing to the mitigation of, and adaptation to, climate change. Furthermore, as per that same provision, it considers that the Neighbourhood Plan is consistent with the West Sussex Local Nature Recovery Strategy, although its policies have not been directly designed with that intention.

2.5 Per s28B(2C) of the 2004 Act, the Parish Council considers that none of the Neighbourhood Plan policies are inconsistent with or (in substance) repeat any national development management policy. The Plan has deliberately avoided containing policies

that duplicate existing or forthcoming development plan policies or national policies that are already or will be used to determine planning applications. The policies relate to development management matters that seek to refine and/or update existing policies.

2.6 The Statement addresses each of the 'basic conditions' required of the Regulations and explains how the Neighbourhood Plan meets the requirements of Paragraph 8 of Schedule 4B of the Town & Country Planning Act 1990 (as amended by the Levelling Up and Regeneration Act 2023) together with Paragraph 6 of Schedule 4B of the Town & Country Planning Act 1990 - Convention of Rights (Human Rights Act 1998). The Neighbourhood Plan has considered all the Equality Legislation and concluded that it is in full compliance (See Section - Equality Impact Assessment (EqIA)).

2.7 The Regulations were amended by Section 99 of the Levelling Up and Regeneration Act 2023 which came into force on 25 March 2026. Paragraph 8 (as amended) defines the Basic Conditions as follows:

- A. Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the Neighbourhood Development Plan;
- D. The making of the neighbourhood development plan contributes to the achievement of sustainable development;
- EA. The making of the Neighbourhood Development Plan would not result in the development plan for the area of the authority proposing that less housing is provided by means of development taking place in that area than if the neighbourhood development plan were not to be made; and
- F. The making of the Neighbourhood Development Plan does not breach and is otherwise compatible with assimilated obligations.
- FA. Any requirements imposed in relation to the Neighbourhood Development Plan by or under Part 6 of the Levelling Up and Regeneration Act 2023 (environmental outcomes reports) have been complied with; and
- G. Prescribed conditions are met in relation to the Neighbourhood Development Plan and prescribed matters have been complied with in connection with the proposal for the Neighbourhood Development Plan.

3.0 Condition (A) Regard to National Planning Policy

3.1 The Neighbourhood Plan has been prepared with full regard to national policies as set out in the National Planning Policy Framework (NPPF) and is mindful of the PPG in respect of formulating Neighbourhood Plans.

3.2 The Parish Council believes the Neighbourhood Plan "support(s) the delivery of strategic policies contained in local plans … and … shape(s) and direct(s) development that is outside of these strategic policies" . It considers the Neighbourhood Plan contains only non-strategic policy proposals or proposals that refine strategic policy to fit the circumstances of the Area without undermining the purpose and intent of those strategic policies . It considers that the Neighbourhood Plan sets out more "detailed policies for specific areas" including establishing design principles, conserving and

enhancing the natural and historic environment and setting out other development management policies.

3.3 The Parish Council considers that its Neighbourhood Plan has provided its communities the power to develop a shared vision for the Area that will shape, direct and help to deliver sustainable development, albeit in a modest way, by influencing local planning decisions as part of the statutory development plan. The Neighbourhood Plan contains no site allocation proposals nor any other policies that will result in less development than set out in the strategic policies for the area. In this regard, the NPPF provisions of meeting local housing needs are therefore not relevant to this Neighbourhood Plan. The Plan is underpinned by relevant and up-to-date evidence. This is considered to be adequate and proportionate, focused tightly on supporting and justifying the policies concerned.

3.4 Each policy engages one or more specific paragraphs of the NPPF. Those that are considered to be of the most relevance and substance are identified in Table A below.

TABLE 1: CONFORMITY OF NEIGHBOURHOOD PLAN (NP) POLICIES WITH THE NPPF

POLICY	NPPF PARAGRAPH	COMMENTS
H1 – LOCAL HOUSING NEED	82	Policy H1 seeks to provide housing to meet the identified housing need in the parish.
H2 – HOUSING DEVELOPMENT WITHIN THE IFOLD SETTLEMENT BOUNDARY	129,130 and chapter 12	Policy H2 has been included in the NP to ensure that any redevelopment proposals within the settlement boundary are of an appropriate density and high-quality design and reflect the character of the area.
H3 – HOUSING DESIGN AND PRINCIPLES	129,130 and chapter 12	Policy H3 sets out the principles of good design against which planning applications will be considered in order to achieve sustainable development and well-designed places as set out in chapter 12 of the NPPF.
EE1 – SUPPORTING THE LOCAL ECONOMY	8,9 and chapter 6	Policy EE1 seeks to support sustainable economic growth in conformity with the principle set out in the NPPF.
EE2 – RETAIL SHOP PREMISES	Paragraphs 88 and 98	Policy EE2 supports the retention of Class F2(a) community shops recognising these important community facilities in conformity with paragraphs 88 and 98 of the NPPF.
EE3 – BROWNFIELD SITES		
NDHA1 – NON-DESIGNATED HERITAGE ASSETS	8 and chapter 16.	NDHA1 seeks to ensure that development will not adversely impact upon the unique character, heritage or setting of the heritage assets and is therefore in conformity with the relevant paragraphs of the NPPF.
FR1 – FLOOD RISK AND FOUL DRAINAGE	Paragraphs 170-182	Policy FR1 conforms with the relevant paragraphs of the NPPF by seeking to minimise flood risk associated with proposals for new development.
EHS1 – ENSURING HIGHWAY SAFETY	Paragraphs 115-118	NPPF Chapter 9 promotes Sustainable Transport and requires that safe and suitable access to a site can be achieved and that site layouts minimise potential conflict between pedestrians, cyclists and vehicles.

		Policy EHS1 seeks to ensure highway safety by ensuring appropriate levels of off-street parking so pedestrian access is not impeded and is therefore compliant with the NPPF.
LGS1 - LOCAL GREEN SPACES	Paragraphs 106-108	All the sites proposed to be designated as LGS in the PINP have been assessed having regard to the criteria set out in paragraph 107 of the NPPF. These are appended to the NP as suggested by the SDNP and are also available to view on the Parish Council's Neighbourhood Plan website: https://plaistowandifoldparishnp.com/supporting-evidence/local-green-space/

4. D. The making of the neighbourhood development plan contributes to the achievement of sustainable development;

4.2 Table 1 below sets out how each of the policies contribute to the principles of sustainable development. It does so by identifying the potential of each policy to lead to a positive (green) neutral (yellow) or red (negative), taking in to account any mitigation measures.

TABLE 2 NEIGHBOURHOOD PLAN AND SUSTAINABLE DEVELOPMENT

POLICY	Social	Economic	Environmental	Commentary
H1 – LOCAL HOUSING NEED				Policy H1 seeks to provide housing to meet the identified housing need in the parish. The policy seeks to address local affordability needs and supports an inclusive, mixed community. Construction and local spend provide modest economic benefits, while environmental effects are controlled through other plan policies and normal development management, leading to a neutral overall environmental outcome.
H2 – HOUSING DEVELOPMENT WITHIN THE IFOLD SETTLEMENT BOUNDARY				Policy H2 has been included in the NP to ensure that any redevelopment proposals within the settlement boundary are of an appropriate density and high-quality design with social benefits for health, safety and sense of place. The economic effects are neutral whereas the emphasis on character helps to conserve the landscape and heritage qualities together with resource- efficient layouts and materials can bring an overall environmental benefit overall.

H3 – HOUSING DESIGN AND PRINCIPLES				Policy H3 sets out the principles of good design against which planning applications will be considered. Using locally specific design codes gives clarity and lifts design quality, with social benefits for health, safety and sense of place. The emphasis on responding to character helps conserve landscape and heritage qualities and can promote resource-efficient layouts and materials, yielding environmental gains. The economic effects are neutral.
EE1 – SUPPORTING THE LOCAL ECONOMY				Policy EE1 seeks to support sustainable economic growth which provide employment and therefore social and economic benefits. Environmental effects are controlled through other plan policies and normal development management, leading to a neutral overall environmental outcome.
EE2 – RETAIL SHOP PREMISES				Policy EE2 supports the retention of Class F2(a) community shops recognising these important community facilities providing community cohesion and social benefits together with limited employment opportunities and therefore economic benefits. Retention of local shops will reduce the necessity for travel thereby providing a nominal environmental benefit.
EE3 – BROWNFIELD SITES				Encouraging development on brownfield sites can provide social and economic benefits through potential new homes and jobs. Environmental benefits are achieved through schemes on brownfield land which provide new landscaping and biodiversity enhancements.
NDHA1 – NON-DESIGNATED HERITAGE ASSETS				NDHA1 seeks to ensure that development will not adversely impact upon the unique character, heritage or setting of the heritage assets. Enhancing the historic environment enhances social benefits through strengthening, community identity and fostering social cohesion. Whilst economic benefits are neutral enhancing the historic environment offers significant environmental benefits, primarily by promoting sustainability through the retention of embodied carbon in existing structures and avoiding waste from demolition. It supports climate change mitigation by improving energy efficiency in older buildings, preserves biodiversity in heritage landscapes, and reduces the environmental costs associated with new construction materials.
FR1 – FLOOD RISK AND FOUL DRAINAGE				Reducing flood risk through new development—specifically by using **Nature-based Solutions (NbS)** and **Sustainable Drainage Systems (SuDS)**—provides significant environmental benefits beyond

				simple water management. By mimicking natural processes, these developments can restore local ecosystems and build climate resilience. Reducing flood risk through new development can enhance community health and safety, quality of life and the enhancement of green spaces. Reducing flood risk through new development can potentially stimulate economic to a limited degree.
EHS1 – ENSURING HIGHWAY SAFETY				Policy EHS1 seeks to ensure highway safety by ensuring appropriate levels of off-street parking so pedestrian access is not impeded thereby providing a social benefit to local residents. Better network efficiency and reliability support local businesses and services (economic positive). Lower speeds and smoother traffic flows reduce noise and emissions, providing an environmental gain.
LGS1 - LOCAL GREEN SPACES				The policy has neutral economic effects, while the protection of accessible greenspace, habitat and riparian areas delivers clear environmental benefits. The protection of some of the publicly accessible green spaces will support recreation and promote social wellbeing and interaction.

5.0 EA Housing provision and the Development Plan

5.1 The new Basic Condition EA replaces the previous Condition (E) that required a neighbourhood plan to demonstrate that its policies were in general conformity with the strategic policies of the adopted development plans as a whole. As such, it is no longer necessary to identify those strategic policies or to assess the extent to which each neighbourhood plan policy is in conformity, other than in relation their effect on the adopted housing policies.

5.2 Instead, the Parish Council only has to demonstrate that the policies will not result in the development plan for the Parish proposing that less housing is provided by means of development taking place than if the plan were not to be made. The Neighbourhood Plan does not make any of its own site allocations as it has been agreed that the Local Plan will fulfil this role and the Neighbourhood Plan contains no policies that undermine this approach.

6.0 CONDITION (F), (FA) and (G): COMPATABILITY WITH ASSIMILATED OBLIGATIONS

6.1 Chichester District Council has advised that given the nature of the policies within the Neighbourhood Plan and that the there are no site allocations proposed there is no requirement to undertake assessment under the Habitat Regulations or SEA regulations.

6.2 Section 4 sets out how the Parish Council has met its obligations in relation to EU Directive 2001/42 for assessing the potential for significant environmental effects of the policies of the Neighbourhood Plan.

6.3 In respect of condition FA the Environmental Outcome Report system provided for under the Levelling Up and Regeneration Act 2023 has not yet been implemented.

6.4 In respect of condition, the Parish Council has carried out designation, preparation and consultation for the Neighbourhood Plan in accordance with all the necessary regulations.

6.5 The Plaistow and Ifold Parish Neighbourhood Plan has regard to the fundamental rights and freedoms guaranteed under the EU convention on human rights. The Submission Neighbourhood Plan is fully compatible with the European Convention on Human Rights. It has been prepared with full regard to national statutory regulation and policy guidance, which are both compatible with the Convention. The Plan has been produced in full consultation with the local community. The Plan does not contain policies or proposals that would infringe the human rights of residents or other stakeholders over and above the existing strategic policies at national and district-levels, as demonstrated below. The Human Rights Act 1998 incorporated into UK law the European Convention on Human Rights ("The Convention"). The Convention includes provision in the form of Articles, the aim of which is to protect the rights of the individual. Section 6 of the Act prohibits public bodies from acting in a manner, which is incompatible with the Convention. Various rights outlined in the Convention and its First Protocol are to be considered in the process of making and considering planning decisions, namely:

- Article 1 of the First Protocol protects the right of everyone to the peaceful enjoyment of possessions. No one can be deprived of possessions except in the public interest and subject to the conditions provided in law and by the general principles of international law. Article 8 states that Everyone has the right to have respect for his private and family life, his home and his correspondence and that there shall be no interference by a public authority in the exercise of this right except when in accordance with the law or is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.

6.6 The Submission Neighbourhood Plan is fully compatible with the rights outlined in these Articles. Although the Submission Plan includes policies that would restrict development rights to some extent, this does not have a greater impact than the general restrictions on development rights provided for in national law, namely the Planning and Compulsory Purchase Act 2004 and the Localism Act 2011. The restriction of development rights inherent in the UK's statutory planning system is demonstrably in the public interest by ensuring that land is used in the most sustainable way, avoiding or mitigating adverse impacts on the

environment, community and economy.

6.7 Article 6 protects the right to a fair and public hearing before an independent tribunal in determination of an individual's rights and obligations. The process for Neighbourhood Plan production is fully compatible with this Article, allowing for extensive consultation on its proposals at various stages, and an independent examination process to consider representations received. Article 14 provides that "The enjoyment of the rights and freedoms set forth in ... [the] ... European Convention on Human Rights shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status." The Parish Council has developed the policies and proposals within the Plan in full consultation with the community and wider stakeholders to produce as inclusive a document as possible. In general, the policies and proposals will not have a discriminatory impact on any particular group or individuals.

6.8 This is addressed further in the EqIA (Section).

7. EQUALITY IMPACT ASSESSMENT (EqIA)

Under the Equality Act 2010, public bodies must have due regard to the need to:

- Eliminate discrimination, harassment, victimisation and any other conduct prohibited under the Act; and
- Advance equality of opportunity and foster good relations across all protected characteristics (with the exception of marriage and civil partnership).

They also need to publish information showing how they are complying with this duty. The Act defines nine protected characteristics. These are:

Age
Disability
Gender Reassignment
Marriage and Civil Partnership
Pregnancy and Maternity
Race
Religion and Belief
Sex (Gender)
Sexual Orientation

PART 1

What is it about? What is the proposal? What outcomes/benefits are you	The Neighbourhood Plan sets out the local planning policy framework for Plaistow and Ifold Parish until 2039 providing planning policy which will form part of the development plan for the area and will be used to determine planning applications.

hoping to achieve?	
Who is it for?	Developers, planning agents, architects, landscape architects, drainage engineers, highway engineers, the general public, the Parish Council, statutory undertakers, statutory consultees, resident interest groups, CDC-Development management officers, highways, master planning and design, planning policy officers, members of the planning committee and other stakeholders The above reflects all parties that may be involved or have an interest in promoting and securing development in Plaistow and Ifold Parish.

PART 2

How will this proposal meet the equality duties?	The submission Neighbourhood Plan details the principles established by the Chichester Local Plan for the development of the district. These plans have been subject to equalities assessment. The policies put forward in the Neighbourhood Plan are in general conformity with the Chichester Local Plan. In addition, the policies have been prepared to be inclusive of all aspects of the community. Throughout the preparation of the NP, the steering group has been working with a range of stakeholders and delivery partners to ensure broad support and to identify any particular bias through earlier consultations. Details of the extensive engagement with the local community may be found within the Consultation Statement that accompanies this submission of the Plaistow and Ifold Parish –Neighbourhood Plan.
How can you involve your customers in developing proposals?	Stakeholders and delivery partners should find the information in Plaistow and Ifold Parish -Neighbourhood Plan easy to understand. There are some principles and concepts which may seem more remote to members of the public, however the Neighbourhood Plan document must meet the Regulations laid out in law so must meet certain tests.
Who is missing? Do you need to fill any gaps in your data?	The approach detailed seeks to ensure the community has and will continue to have access to a range of services and facilities that are consistent with the parish character as well as helping to provide excellent open space facilities. Policies in the Plaistow and Ifold Parish -Neighbourhood Plan seek to retain and enhance existing facilities and infrastructure.

PART 3 – IMPACT

Refer to dimensions of equality and equality groups. Show consideration of: age, disability, sex, transgender, marriage/civil partnership, maternity/pregnancy, race,

religion/belief, sexual orientation and if appropriate: financial economic status, homelessness, political view. Using the information in Parts 1 & 2:

a) Does the plan create an adverse impact which may affect some groups or individuals? Is it clear what this is? How can this be mitigated or justified?	The objectives within the Policies in the Plaistow and Ifold Parish - Neighbourhood Plan seek to conserve and enhance existing assets valued by the community. The NP positively supports retention of existing facilities and the delivery of additional housing in conjunction with the creation of new employment opportunities which will encourage greater social inclusion and community cohesion. Good design will support delivery of a built environment which is safe and secure, so reducing the fear of crime and enhance community safety. On balance, the Plaistow and Ifold Parish - Neighbourhood Plan should not have an adverse impact on equality groups.
What can be done to change this impact?	No impact identified.
b) Does the proposal create benefit for a particular group? Is it clear? What this is? Can you maximise the benefits for other groups? Does the activity have potential to make a positive contribution to equalities?	The planning system and national/local planning policies exist to ensure that planning is carried out in a consistent, fair and transparent manner. Consultation is a statutory requirement and as part of the plan making process as is the Duty to Cooperate with other bodies, allowing everyone the opportunity to comment. Consultation with all groups with a perceived interest, has been extensive in this process – refer to consultation statement.

PART 4 -SO WHAT?

What changes have you made in the course of this EqIA?	None
What will you do now and what will be included in future planning?	Consultation on the Regulation 15(1) submission of the Plaistow and Ifold Parish - Neighbourhood Plan will take place by the local planning authority, Chichester District Council, in line with the Statement of Community Involvement (SCI) and as per *The Neighbourhood Planning (General) Regulations 2012*. The SCI sets out the requirements for consultation on planning documents to ensure continuous community Involvement with statutory and other stakeholders in the preparation of planning documents.

DEFINITIONS OF PROTECTED CHARACTERISTICS UNDER THE EQUALITY ACT 2010

Age	A person belonging to a particular age (for example 32 year olds) or range of ages (for example 18 to 30 year olds)
Disability	A person has a disability if she or he has a physical or mental impairment, which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities.
Gender Reassignment	The process of transitioning from one gender to another.
Marriage and civil partnership	Marriage is no longer restricted to a union between a man and a woman but now includes a marriage between a same-sex couple. Same-sex couples can also have their relationships legally recognised as 'civil partnerships'. Civil partners must not be treated less favourably than married couples (except where permitted by the Equality Act).
Pregnancy and maternity	Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.
Race	Refers to the protected characteristic of Race. It refers to a group defined by their race, colour, and nationality (including citizenship) ethnic or national origins.
Religion and belief	Religion refers to any religion, including a lack of religion. Belief refers to any religious or philosophical belief and includes a lack of belief. Generally, a belief should affect your life choices or the way you live for it to be included in the definition.
Sex	A man or a woman.
Sexual Orientation	Whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes.

Source: Equality and Human Rights Commission website:
www.equalityhumanrights.com Date of Assessment: July 2018