



Urban Vision Enterprise CIC
Milton Neighbourhood Plan
Basic Conditions Statement
May 2021

Contents

1. Introduction.....	3
1.1 Purpose of the Report	3
2. Meeting Legal Requirements.....	4
2.2 General Legal Requirements	4
2.1 The Basic Conditions	5
3. Sustainable Development	6
3.1 Dimensions of Sustainable Development	6
3.2 Delivering Growth.....	6
3.3 Sustainability	6
3.4 Achieving Sustainable Development	7
4. National Policy and Guidance.....	8
4.1 Having Regard to National Policy and Guidance	8
4.2 NPPF Policy Areas	9
5. Local Policy	13
5.1 General Conformity.....	13
5.2 Strategic Policies	13
5.3 Policy Comparison.....	13
6. EU Obligations and Human Rights	15
6.1 Strategic Environmental Assessment.....	15
6.2 Habitat Regulations Assessment	15
6.3 EU Obligations	15
6.4 Human Rights.....	15
Appendix 1	16
Equalities Assessment	16
Contact.....	21

1. Introduction

1.1 Purpose of the Report

This is a Basic Conditions Statement, prepared to accompany the submission of the Milton Neighbourhood Plan.

The statement explains how the Milton Neighbourhood Plan meets the basic conditions and other legal requirements.

2. Meeting Legal Requirements

2.2 General Legal Requirements

Qualifying Body

The draft plan proposal has been prepared and submitted by Milton Neighbourhood Planning Forum, which is the qualifying body.

The Neighbourhood Plan

The draft plan proposal relates to the use and development of land and has been prepared in accordance with the statutory requirements and processes set out in the Town and Country Planning Act 1990 (as amended), Planning and Compulsory Purchase Act 2004 (as amended) and the Neighbourhood Planning Regulations 2012 (as amended).

Period of Effect

The draft plan proposal states the period for which it is to have effect.

Excluded Development

The draft plan proposal does not deal with mineral extraction, waste development, nationally significant infrastructure or any other matters set out in Section 61K of the Town and Country Planning Act 1990.

Neighbourhood Area

The draft plan proposal relates to the Milton Neighbourhood Area and to no other area. There are no other neighbourhood plans relating to the Milton Neighbourhood Area.

2.1 The Basic Conditions

The basic conditions that neighbourhood plans must meet are as follows:

- must be appropriate having regard to national policy
- must contribute to the achievement of sustainable development
- must be in general conformity with the strategic policies in the development plan for the local area
- must be compatible with EU obligations

Regulations specify an additional basic condition that a plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017, which set out the habitat regulation assessment process for land use plans, including consideration of the effect on habitats sites.

In addition, the plan must meet requirements of human rights law.

The following chapters of this statement deal with the basic conditions in more detail.

3. Sustainable Development

3.1 Dimensions of Sustainable Development

The National Planning Policy Framework states that sustainable development has economic, social and environmental dimensions.

The draft plan proposal takes a balanced approach to enabling growth, but also considering economic, social and environmental sustainability.

3.2 Delivering Growth

The draft plan proposal, though constrained by the Langstone Harbour Special Protection Area for Habitat Conservation to ensure the long-term objective securing wildlife habitat, seeks to deliver modest growth through the following means:

Site Allocations: The plan supports and provides a brief for sites for housing development (Policy STJ1). Policy LAN1 also allocates a site for mixed development.

Effective Growth: The plan recognises that growth depends on the achievement of good design (Policies PLD1, STJ1 and LAN1).

Transport Provision: The plan requires a balanced range of transport provision (Policies TSP1, TSP2 and TSP3).

Employment: The plan supports the provision of new and expanded employment and community facilities (Policies EER1, EER2, EER3, EER4).

3.3 Sustainability

The draft plan proposal addresses sustainability in the following ways:

Housing Mix and Standards: The plan requires affordable housing to be delivered locally and sets other requirements for new housing, including cycle storage facilities (Policy HSG1, HSG2).

Community Facilities: The plan seeks to protect and improve local community facilities, which are important to creating an inclusive and sustainable neighbourhood (Policies COM1 and COM2).

Natural Environment: The plan protects the natural environment and identifies local natural features of particular value (Policies ENV2, STJ1 and LAN1).

Local Green Space: The plan designates and protects spaces of special community value as Local Green Space (Policies ENV1).

Impacts of Drainage: The impacts of drainage have to be considered and capture and storage of water is encouraged (Policy PLD1).

Sustainable Design and Character: The importance of design to achieving sustainable growth is recognised and specific aspects of sustainable design are set out (Policies PLD1, STJ1 and LAN1). This policy also addresses local character.

Heritage: The plan identifies key heritage settings, adding a local dimension to national policy on heritage (Policies MH1 and STJ1).

Sustainable transport: The plan requires sustainable forms of transport to be considered (TSP2) and highlights unsustainable levels of traffic movements on the highway network (TSP1) The plan protects footpaths and cycle routes (Policy TSP3).

3.4 Achieving Sustainable Development

The combination of policies enabling growth and those addressing economic, social and environmental sustainability mean that the plan will help to achieve sustainable development. This takes account of the needs of current and future generations.

4. National Policy and Guidance

4.1 Having Regard to National Policy and Guidance

The draft plan proposal has had regard to the National Planning Policy Framework 2019 (NPPF) and Planning Practice Guidance (PPG).

The central theme of the NPPF is the presumption in favour of sustainable development. Three overarching objectives are stated for achieving sustainable development in Paragraph 8:

- a) an economic objective ...
- b) a social objective ...
- c) an environmental objective ...

Paragraph 9 states:

“these objectives should be delivered through the preparation and implementation of plans and the application of the policies in this Framework...”

The Milton draft plan proposal has the following aims/objectives:

- A. To ensure that Milton is a sustainable place to live, meeting the needs of the local population by:
 - Providing a mixed range of new housing, to meet local need;
 - Ensuring housing supports, and is supported by, a balanced range of local facilities and community infrastructure;
 - Enabling and encouraging sustainable life, work and travel patterns, supported by adequate transport infrastructure.
 - Ensuring that shops, pubs and community facilities are protected, and new facilities are supported where appropriate.
- B. To protect, enhance and promote the character of the Parish, its historic and rural environment by:
 - Conserving its distinct identity and outstanding landscape setting and natural features;
 - Conserving or enhancing the historic environment and heritage assets within the village;
 - Ensuring development protects local wildlife features and those connected to the village in the wider landscape;
 - Ensuring development is well designed, contributing to the distinctive sense of place and enhancing valued historic environment and landscape assets.

These address a range of economic, social and environmental issues.

The neighbourhood plan is based on a range of evidence, in line with planning practice guidance. This includes evidence on housing need, the natural and historic

environments, assessment of potential housing sites, transport, flood risk, and other economic, social and environmental factors.

Rigorous selection processes were undertaken both for the selection of sites for development and Local Green Spaces designations. These processes are set out in background evidence and analysis documents prepared by AECOM and the qualifying body.

4.2 NPPF Policy Areas

The NPPF was revised in February 2019 and contains a number of policy areas. The following table details the policy areas that are most relevant to the Milton draft plan proposal.

NPPF Policy	Milton Aim	Milton Policies
<p>Delivering a sufficient supply of homes</p> <p>...to support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed...</p> <p>...that the needs of groups with specific housing requirements are addressed...</p>	Aim C	<p>Policies HSG1 and HSG2 deal with housing mix and standards to meet local need (and support self-build).</p> <p>Sustainable design of housing is dealt with in Policies PLD1 and STJ1.</p>
<p>Building a strong, competitive economy</p> <p>...planning policies should...</p> <p>...set out a clear economic vision and strategy which positively and proactively encourages sustainable economic growth...</p>	Aim B	<p>Policies EER1, EER2 and EER3 support new and expanded employment and community facilities. EER4 relates to broadband provision. COM1 and COM2 focus on community facilities.</p>
<p>Promoting healthy and safe communities</p> <p>...planning policies and decisions should aim to achieve</p>	Aims A and B	<p>Policies EER1, EER2, EER3, EER4 COM1 and COM2 support new and expanded employment and community facilities.</p>

<p>healthy, inclusive and safe places which...</p> <p>...promote social interaction...</p> <p>...are safe and accessible...</p> <p>...enable and support healthy lifestyles...</p>		<p>Policy ENV1 designates and protects Local Green Spaces.</p> <p>Policy ENV2 protects the green environment.</p> <p>Policy PLD1 deals with sustainable design.</p>
<p>Promoting sustainable transport</p> <p>...transport issues should be considered from the earliest stages of plan-making and development proposals, so that...</p> <p>...the potential impacts of development on transport can be assessed...</p> <p>...opportunities from existing and proposed transport infrastructure, and changing transport technology and usage, are realised...</p> <p>...opportunities to promote walking, cycling, and public transport use are identified and pursued...</p> <p>...the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account...</p> <p>...patterns of movement, streets, parking and other transport considerations are integral to the design of schemes...</p>	<p>Aims A, B & C</p>	<p>Policies TSP1, TSP2 and TSP3 deal with sustainable transport, including walking and cycling.</p>
<p>Making effective use of land</p> <p>... Planning policies and decisions should promote an effective use of land in meeting</p>	<p>Aim B</p>	<p>Policies LAN1 and STJ1 include site development briefs for two key sites.</p>

<p>the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions...</p> <p>... encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation or improve public access to the countryside;...</p> <p>... recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production;...</p> <p>... give substantial weight to the value of using suitable brownfield land within Settlements...</p> <p>... promote and support the development of under-utilised land and buildings,...</p>		<p>Policies ENV1 and ENV2 protect the natural environment and Local Green Spaces.</p> <p>Policy PLD1 sets out requirements for sustainable design.</p>
<p>Achieving well-designed places</p> <p>...plans should, at the most appropriate level, set out a clear design vision and expectations, so that applicants have as much certainty as possible about what is likely to be acceptable...</p> <p>...design policies should be developed with local communities so they reflect local aspirations, and are grounded in an understanding and evaluation of each area's defining characteristics...</p>	<p>Aims A and B</p>	<p>Policy PLD1 deals with sustainable design. This includes safe pedestrian environments and attractive places.</p> <p>Policy PLD1 also deals with local character.</p> <p>Heritage assets and key settings are addressed in Policy MH1 and STJ1.</p>

<p>Meeting the challenge of climate change, flooding and coastal change</p> <p>...the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change...</p> <p>...it should help to shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience...</p> <p>...encourage the reuse of existing resources, including the conversion of existing buildings, and support renewable and low carbon energy and associated infrastructure...</p>	<p>Aims B and C</p>	<p>Sustainable design is addressed in Policy PLD1.</p> <p>Balanced and sustainable transport provision is required by Policies TSP1, TSP2 and TSP3.</p> <p>The plan supports a balanced mix of uses, including housing, employment and community facilities.</p>
<p>Conserving and enhancing the natural environment</p> <p>...planning policies and decisions should contribute to and enhance the natural and local environment...</p>	<p>Aim A</p>	<p>Policy ENV2 relates directly to the protection of the green and natural environment, adding a local dimension.</p>
<p>Conserving and enhancing the historic environment</p> <p>...heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites...</p> <p>...plans should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets at risk through neglect, decay or other threats...</p>	<p>Aim A</p>	<p>Policy MH1 provides a local dimension to heritage policy, including identification of key settings.</p> <p>Policy PLD1 deals with design and local character.</p> <p>Policy STJ1 includes heritage requirements.</p>

5. Local Policy

5.1 General Conformity

It should be noted that general conformity relates to the policies of the neighbourhood plan taken as a whole, considered against the strategic local policies taken as a whole.

The draft plan proposal has been drafted against the context of strategic local policies and, taken as a whole, does not undermine and helps to deliver the spatial strategy of the Local Plan.

5.2 Strategic Policies

The high level, strategic policies in The Portsmouth Plan (adopted 2012) are:

PCS10	Housing Delivery
PCS11	Employment Land
PCS12	Flood Risk
PCS13	A Greener Portsmouth
PCS14	A Healthy City
PCS15	Sustainable Design & Construction
PCS16	Infrastructure & community benefit
PCS17	Transport
PCS18	Local Shops and Services
PCS19	Housing mix, size and the provision of affordable homes
PCS21	Housing Density
PCS23	Design & Conservation

5.3 Policy Comparison

Local Plan Policy	Milton Neighbourhood Plan Policies
PCS10 Housing Delivery	Policies HSG1 and HSG2 deal with housing mix and standards to meet local need.
PCS11 Employment Land	Policies EER1, EER2, EER3 support new and expanded employment uses.
PCS13 A Greener Portsmouth	Policies ENV2 and LAN1 relates directly to the protection of the natural environment, adding a local dimension.

PCS14	A Healthy City	<p>Policy TSP3 promotes active lifestyles based on cycling and walking.</p> <p>Policies COM1 and COM3 focus on community facilities.</p> <p>Sustainable design, including pedestrian provision, is dealt with by Policy PLD1.</p>
PCS15	Sustainable Design & Construction	<p>Policy PLD1 deals with sustainable design.</p>
PCS16	Infrastructure & community benefit	<p>Policies COM1 and COM2 focus on community facilities.</p> <p>Policies LAN1 and STJ1 set out community aspirations for two important locations.</p>
PCS17	Transport	<p>Policies TSP1, TSP2 and TSP3 deal with sustainable transport, including walking and cycling.</p>
PCS18	Local Shops and Services	<p>Policy EER3 supports retail uses at Eastney Road.</p> <p>Policies COM1 and COM2 protect community facilities.</p>
PCS19	Housing mix, size and the provision of affordable homes	<p>Policies HSG1 and HSG2 deal with housing mix and standards to meet local need.</p>
PCS21	Housing Density	<p>Policies HSG2 and PLD1 have implications for densities.</p>
PCS23	Design & Conservation	<p>Heritage assets and key settings are addressed in Policy MH1 and STJ1.</p> <p>Policy PLD1 also deals with local character.</p>

6. EU Obligations and Human Rights

6.1 Strategic Environmental Assessment

The Strategic Environmental Assessment for the Milton Neighbourhood Plan – ‘Environmental Report to accompany the submission version of the Neighbourhood Plan’ was prepared in 2020 and is being submitted with the neighbourhood plan.

6.2 Habitat Regulations Assessment

There are European sites within or immediately adjacent to the Neighbourhood Area:

- Chichester and Langstone Harbours SPA/Ramsar;
- Solent Maritime SAC;
- Solent and Dorset Coast SPA;
- Portsmouth Harbour SPA/Ramsar

The Milton Neighbourhood Plan Habitat Regulations Assessment was prepared in 2020 and is being submitted with the Neighbourhood Plan.

6.3 EU Obligations

The accompanying SEA and HRA assessments meeting the requirements of the equivalence in UK law of meeting EU Obligations.

6.4 Human Rights

The draft plan proposal is a result of extensive engagement with the local community and stakeholders, from the earliest stages of the process. This has informed the content of the draft plan.

Statutory consultation (Regulation 14) was undertaken and this took account of consultation case law, including compliance with Gunning principles.

An equalities assessment is included at Appendix 1. This indicates that the plan would have positive impacts for people with protected characteristics.

The draft plan proposal meets human rights requirements.

Appendix 1

Equalities Assessment

i. Legal Requirements

The Equality Act 2010 places a duty on all public authorities in the exercise of their functions to have regard to the need to eliminate discrimination, to advance equality of opportunity, and to foster good relations between persons who have a “protected characteristic” and those who do not. Protected characteristics are defined in the Equality Act as age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

An Equalities Assessment is a systematic analysis of a policy or policies in order to scrutinise the potential for an adverse impact on a particular group or community, in particularly those with a protected characteristic.

An assessment has been made on whether the Neighbourhood Plan has a positive, negative or neutral impact on each of the protected characteristics. If the impact is negative, this is given a high, medium or low assessment. The following table describes these:

Impact	Description
High	A significant potential impact, risk of exposure, history of complaints, no mitigating measures in place etc.
Medium	Some potential impact exists, some mitigating measures are in place, poor evidence.
Low	Almost no relevancy to the process, e.g. an area that is very much legislation-led.

ii. Milton General Population Characteristics

Sourced from the 2011 Census key statistics the following table illustrates the age structure of the ward residents.

Age structure	Persons	
	Milton Ward (as of 2011)	
	count	%
All usual residents	14,111	100.0
Age 0 to 4	945	6.7
Age 5 to 7	474	3.4
Age 8 to 9	297	2.1
Age 10 to 14	725	5.1
Age 15	148	1.0
Age 16 to 17	303	2.1
Age 18 to 19	741	5.3
Age 20 to 24	1,225	8.7
Age 25 to 29	1,119	7.9
Age 30 to 44	3,172	22.5
Age 45 to 59	2,461	17.4
Age 60 to 64	640	4.5
Age 65 to 74	990	7.0
Age 75 to 84	604	4.3
Age 85 to 89	172	1.2
Age 90 and over	95	0.7
Mean Age	36.6	-
Median Age	35	-

(Source: <https://www.nomisweb.co.uk/reports/localarea?compare=E05002450>, accessed 24th August 2020).

Sourced from the 2011 Census key statistics the following table illustrates the Ethnic Groups who live in the ward.

Ethnic group	Persons	
	Milton Ward (as of 2011)	
	count	%
All usual residents	14,111	100.0
White	12,799	90.7
English/Welsh/Scottish/Northern Irish/British	12,260	86.9
Irish	63	0.4
Gypsy or Irish Traveller	5	0.0
Other White	471	3.3
Mixed/multiple ethnic groups	359	2.5
White and Black Caribbean	49	0.3
White and Black African	62	0.4
White and Asian	190	1.3
Other Mixed	58	0.4
Asian/Asian British	645	4.6
Indian	197	1.4
Pakistani	9	0.1
Bangladeshi	158	1.1
Chinese	134	0.9
Other Asian	147	1.0
Black/African/Caribbean/Black British	237	1.7
African	183	1.3
Caribbean	34	0.2
Other Black	20	0.1
Other ethnic group	71	0.5
Arab	27	0.2
Any other ethnic group	44	0.3

(Source: <https://www.nomisweb.co.uk/reports/localarea?compare=E05002450>, accessed 24th August 2020).

iii. Impacts on Protected Characteristics

Age:

The plan seeks to accommodate housing need and growth, to address identified local need. Policies HSG1 and HSG2 deal with housing mix and standards and support self-build. This will help to ensure that housing provision caters for all ages, including younger people (first time buyers) and older people looking to downsize.

Policy ENV2 protects the natural environment of Milton, which benefits all ages. Policy ENV1 protects green spaces of community value, again for the benefit of all ages.

Policy PLD1 deal with design, including pedestrian convenience. The creation of more sustainable buildings and places should benefit all ages. Policy MH1 protects key heritage settings.

Policies TSP1, TSP2 and TSP3 support a balanced range of transport provision, recognising that not all have access to cars (in particular the young and the elderly).

Policy EER1, EER2 and EE3 and COM1 and COM2 support new employment and community facilities, benefiting all ages and creating economic opportunity for people that work.

The impact on all ages will be positive.

Disability:

Policies HSG1 and HSG2 ensure that housing provision caters for a range of needs, dealing also with standards and explicit recognition of the needs of disabled residents.

Policy PLD1 deals with design, including pedestrian convenience.

Policy TSP2 supports a balanced range of transport provision.

Policies COM1 and COM2 support new local community facilities.

The impact on people with disabilities will be positive.

Maternity and Pregnancy:

Key issues for women who are pregnant or who have young children are access to appropriate housing, flexible employment, local community facilities and a well-designed and accessible environment. Policies HSG1, HSG2, COM1, COM3, and PLD1 address these issues.

The impact on pregnant women will be positive.

Race:

For the most part, the plan will have an equal impact on the local population regardless of ethnicity.

The plan includes provision of housing for a range of local needs (Policies HSG1 and HSG2).

The Neighbourhood Plan cannot directly address the social attitudes that underpin race-related hate crimes. However, it does seek to provide a well-designed and safe built environment for all.

The impact will be positive on people of all races.

Sex (Gender):

The Neighbourhood Plan contains no specific policies or proposals for any particular gender. The policies have been written to provide equal opportunity to any gender in respect of the provision of development and access to facilities.

No gender is disadvantaged by any of the policies and proposals in the Neighbourhood Plan. People will benefit equally from the implementation of the Neighbourhood Plan. This includes people with prams or pushchairs.

The impact will be positive for all genders.

Religion, Gender Re-assignment, Sexual orientation:

Key issues for religious groups are discrimination relating to employment, housing and the provision of services.

Key issues for LGBT+ people are personal relationships, discrimination and hate crime.

The Neighbourhood Plan cannot directly address the social attitudes that underpin hate crimes. However, it does seek to provide a well-designed and safe built environment for all.

The impact will be positive on all people, regardless of religion or LGBT+ status.

iv. Conclusion

The Neighbourhood Plan provides a strategy for the development of the neighbourhood area, and a range of policies and proposals, which will result in positive benefits for the local community, including those with protected characteristics.

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