

Introduction

The Coldean Neighbourhood Plan can only be put to a referendum and be made if it meets the 'basic conditions' set out in Paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990. The 'basic conditions' are 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 order (or neighbourhood plan).
- (b) having special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses, it is appropriate to make the order: **This applies only to Orders.**
- (c) having special regard to the desirability of preserving or enhancing the character or appearance of any conservation area, it is appropriate to make the order: **This applies only to Orders.**
- (d) the making of the order (or neighbourhood plan) contributes to the achievement of sustainable development.
- (e) the making of the order (or neighbourhood plan) is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).
- (f) the making of the order (or neighbourhood plan) does not breach, and is otherwise compatible with, EU obligations.
- (g) prescribed conditions are met in relation to the Order (or plan) and prescribed matters have been complied with in connection with the proposal for the order (or neighbourhood plan).

This statement is to be read in conjunction with the Coldean Neighbourhood Plan which provides a development plan for Coldean to 2030. It sits alongside the Brighton and Hove City Plan Part I and Part II as well as the National Planning Policy Framework. Our Vision, *'to remain a residential suburb of Brighton as a family friendly community with uninterrupted connection to Stanmer Park, the Wild Park and Highfields'*.

Compliance

- As per the addendums to the Basic Conditions Statement, the Coldean Neighbourhood Forum and the Coldean Neighbourhood Area was designated by Brighton & Hove City Council through a decision made by the Tourism, Equalities, Communities & Culture (TECC) Committee on 25 November 2021.
- This Basic Conditions Statement supports the Coldean Neighbourhood Plan.
- The Coldean Neighbourhood Plan covers the period from 2021-2030.
- The Coldean Neighbourhood Plan does not relate to more than one neighbourhood area.
- The Plan does not contain any policies which relate to excluded development as defined by section 61K of the Town and Country Planning Act 1990.

Consultation

During the period since the Coldean Neighbourhood Planning Forum was approved there have been 3 AGMs, 2 Vision and Objectives Meetings and 9 Forum Open Meetings, 34 emailed Updates to Forum members, and Consultees. A regularly maintained dedicated website and Facebook page have also been set up. There have been numerous surveys, subgroup meetings, forum committee meetings, consultations, consultation launch meetings, hard copies of documents made available for review in the Coldean Library and in local shops, informal discussions and formal discussions with other

parties - i.e., the Local Planning Authority and the South Down's National Planning Authority. In addition, MP Sian Berry, other Elected Councillors, AECOM, Locality and Groundworks (Grants), have been informed of the development of the Coldean Neighbourhood Plan. Details are set out in the Consultation Statement which is available on the Coldean Neighbourhood Planning Forum website and via this link: [CNPF Consultation Statement](#).

Basic Condition (a)

Having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the order (or neighbourhood plan).

Neighbourhood Plan Chapters	Policy	NPPF Paragraph(s)	Notes
Housing & Development	H1	17-23 / 60 / 62 / 63 / 64 / 73 / 78 / 82-84 / 89	The Coldean Neighbourhood Plan supports small-scale infill development that contributes positively to the local economy and responds directly to identified housing needs, based on a Housing Needs Assessment. New housing should reflect a balanced mix that addresses these needs, while preserving the established character and distinctiveness of the village. To ensure high-quality outcomes, the Plan sets clear design expectations that promote development rooted in local identity, architectural integrity, and long-term sustainability.
	H2		
Coldean Open Spaces	LGS1	98-101 / 103-108	The Plan designates key Local Green Spaces and Amenity Spaces to safeguard accessible areas for community use, recreation, and physical activity. These spaces are vital for health and wellbeing, and their protection ensures they remain valued assets for current and future residents. The Plan also places strong emphasis on conserving local wildlife and enhancing biodiversity. Developments are encouraged to incorporate wild and ecologically rich areas, supporting natural habitats and contributing to Coldean's green character.
	LCS1		
Anti-Social Behaviour	CI	96 / 102 / 113 / 115 / 117 / 124 / 135	These policies ensure Coldean is safe and secure for both existing and future communities. The focus on safe environments will further encourage social interaction and by mitigating anti-social behaviour, it will reduce required policing and remedial works.
Traffic & Travel	T1	109-114 / 115-118	Promoting public transport and sustainable modes of travel will ensure Coldean is accessible and improve air quality and traffic management. Encouraging new developments to promote and incorporate off-street parking, public transport, and sustainable modes of transport will enhance the wellbeing and health of the community.
	T2		
	T3		
	T4		
	T5		
	T6		
Building & Design	DC1	131-141	Clear design expectations have been established to support development that reinforces local distinctiveness, delivers high-quality design and construction, and aligns with the Coldean Design Guidance and Codes. By setting these standards, the Neighbourhood Plan seeks to elevate the character and identity of the area through thoughtful and responsive design.
Environmental Policies	E1	162-169 / 187-191 / 192-195	The Neighbourhood Plan places a strong emphasis on conserving local wildlife and enhancing biodiversity across Coldean. Developments are expected to contribute positively to the local ecosystem by incorporating wild and biodiverse areas within their design. This includes features such as native planting, wildlife corridors, green roofs, and habitat-rich landscaping. Such measures not only support the area's ecological networks but also enhance the visual quality and environmental resilience of new developments. Protecting and strengthening biodiversity is seen as a key component in maintaining Coldean's green character and ensuring a sustainable future for the neighbourhood.
	E2		
	E3		
	E4		
	E5		

Basic Condition (d)

The Neighbourhood Plan's policies have also been assessed against the three overarching objectives considered in achieving sustainable development as identified in the NPPF:

- an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering 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; and
- an environmental objective – 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.

The assessment is summarised in the following table. This allows an overview of the combined impacts of the plan's policies. It demonstrates that the plan's policies should help contribute towards sustainable development.

Neighbourhood Plan Policies	Economic	Social	Environmental	Notes
H1 - HMO	X	X		Creating locally distinctive dwellings, which respond to both local housing need, as well as respond to the local vernacular will ensure the character of Coldean is protected and the community supported. Ensuring new development is constrained within the settlement boundary will also protect the natural environment and enhance the setting of the South Downs National Park.
H2 - Settlement Boundary			X	
LGS1 - Local Green Space Designations		X	X	The retention of these areas will deliver significant benefits to the community members who use them and to wildlife who inhabit them. Enjoyment of Local Green Space should not be compromised.
LCS1 - Local Community Spaces		X		
CI - Designing Out Crime	X	X		These policies ensure Coldean is safe and secure for both existing and future communities. The focus on safe environments will further encourage social interaction and by mitigating anti-social behaviour, it will reduce required policing and remedial works.
T1 - Increasing Sustainable Transport			X	Traffic management is a major aspect of the Coldean Neighbourhood Plan. The community identified several key issues related to traffic that need to be addressed within the Neighbourhood Plan to ensure the safety, accessibility, and overall quality of life in the area. The key aspects is the focus on sustainable modes of transport will improve the air quality and hopefully encourage a car share scheme, more frequent walking / cycling groups, which will increase social interaction.
T2 - Through Traffic		X		
T3 - Car & Cycle Parking		X	X	
T4 - Accessibility for All			X	
T5 - Accessible Developments		X		
T6 - Provision of Cycle / Walkways		X		
DC1 - Design Guide	X	X	X	The Design Guide forms part of the Coldean Neighbourhood Plan. The special qualities of Coldean are defined in order to provide practical guidance and codes for development within the Neighbourhood Area. Significant weight will be given to development that reflects the local design guidance and codes of this report, and other relevant design policies and guidance. Other sustainable or high-quality designs may also be given weight when reflective of the overall form and layout of their surroundings. The focus of this policy is to reinforce the need for locally responsive design.

Neighbourhood Plan Policies	Economic	Social	Environmental	Notes
E1 - Settlement Containment			X	These policies seek to preserve well established landscape features and encourage biodiversity. This policy will have a positive effect on the natural environment and will also deliver social benefits to the communities' enjoyment of local wildlife. The seeks to maintain and enhance access to the countryside which will be socially beneficial to the community. This should not be compromised. E3 designates areas of Local Green Space. The retention of these areas will deliver significant benefits to the community members who use them and to wildlife who inhabit them. Enjoyment of Local Green Space should not be compromised.
E2 - Protecting Valued Views			X	
E3 - Protecting Allotments		X	X	
E4 - Adapting to Climate Change			X	
E5 - Biodiversity			X	

The Coldean Neighbourhood Plan is focused on sustainable development, and this will be encouraged and achieved with community led approaches. Balancing environmental protection, social wellbeing and economic vitality, which are encouraged with tailored policies that direct local needs. Designated green spaces included within the Coldean Neighbourhood Plan identify and protect local green infrastructure, which is supported with sustainable design standards which promote eco-friendly building practices local materiality and renewable technologies, as well as incorporate biodiversity net gain principles. The transport policies prioritise safe, direct routes for walking and cycling, whilst reducing car dependency. The protection of allotments will also promote local food production. The Coldean Neighbourhood Plan will also encourage monitoring sustainability outcomes, and regular reviews / updates to respond to climate changes.

Basic Condition (e)

The making of the order (or neighbourhood plan) is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).

The Coldean Neighbourhood Plan reflects the local planning policies of the Brighton & Hove City Plan Part 01 and 02 and the South Downs National Park Local Plan as the Coldean Neighbourhood Area lies within both the Brighton & Hove and the South Downs National Park's boundaries and is therefore required to conform to both sets of strategic policies.

Coldean Neighbourhood Plan Policy	City Plan Policy	SDNP Policy	Notes
H1 - HMO	CP21 / DM7	N/A	This Policy adheres to the Brighton & Hove City which controls the quality and quantity of HMOs within the City. The parking standards also align with the adopted Parking Standards Supplementary Planning Document. The control of the quantity and density of HMO's in the City is also aligned with Brighton & Hove City Council's Article 4 Direction dated 3rd June 2019. This policy does not discourage HMOs, but seeks to protect the character of Coldean with new developments.
H2 - Settlement Boundary	CP12 / SA4 / SA5	SD25	Policy H2 supports appropriate development within the defined settlement boundary of Coldean, without requiring expansion into the surrounding countryside. The policy encourages sensitively designed proposals that respect the area's relationship with the South Downs National Park, ensuring that any new development responds to its setting. It sets out key design principles that new schemes should follow, reinforcing Coldean's character while promoting sustainable and well-integrated growth.
LGS1 - Local Green Space Designations	CP10 / CP16 / DM37 / DM38	SD2 / SD46	The Plan proposes the designation of several Local Green Spaces across Coldean that meet the criteria set out in the National Planning Policy Framework (NPPF). These spaces are recognised for their special community value and are protected from development to preserve their role in supporting recreation, wellbeing, and local identity.

Coldean Neighbourhood Plan Policy	City Plan Policy	SDNP Policy	Notes
LCSI - Local Community Spaces	CP10 / CP16 / CP17 / DM9 / DM37	SD4 / SD46	This policy seeks to protect Coldean's valued green and open spaces, particularly those currently used for recreation. These spaces are considered essential for community wellbeing and social activity, and will be retained for their intended use unless robust and approved evidence demonstrates they are no longer required. By safeguarding these assets, the Plan ensures that Coldean continues to offer accessible, inclusive, and functional outdoor spaces for all residents.
CI - Designing Out Crime	CP12 / CP13 /	SD5	This policy seeks to encourage new developments to factor in design features which deter crime and disorder to improve safety and perceptions of safety to avoid developments having a negative impact on surrounding areas.
T1 - Increasing Sustainable Transport	CP7 / CP9 / CP13 / DM33 / DM34 / DM35 / DM36	SD5 / SD19 / SD20 / SD21 / SD22 / SD42	Coldean's transport policies promote sustainable, accessible, and low-impact travel in ways that strongly align with the objectives of both the Brighton & Hove City Plan and the South Downs National Park Local Plan. The neighbourhood policies support improved pedestrian and cycle infrastructure, better connectivity to public transport, and the creation of safer, more inclusive streets for all users encouraging a shift away from car dependency. This reflects Brighton & Hove City Plan Part One Policies CP9 and CP13, which prioritise sustainable transport networks, active travel, and reduced congestion. Similarly, the policies support the South Downs Local Plan's commitment to sustainable access (notably Policy SD19), which promotes low-carbon travel modes while protecting the tranquillity and character of rural areas. By encouraging well-designed walking and cycling routes, managing traffic, and enhancing accessibility, Coldean's policies contribute to healthier lifestyles, reduced emissions, and a more connected and resilient neighbourhood.
T2 - Through Traffic			
T3 - Car & Cycle Parking			
T4 - Accessibility for All			
T5 - Accessible Developments			
T6 - Provision of Cycle / Walkways			
DCI - Design Guide	CP12 / DMI / DM18 / DM21 / DM43 / DM44	SD5 / SD25	The Coldean Design Guide plays a vital role in shaping high-quality, context-sensitive development within the neighbourhood. It sets out clear design principles that reflect the area's unique character, local materials, and landscape setting—helping to ensure new development integrates seamlessly with the existing built environment. The Guide supports Policy CP12 of the Brighton & Hove City Plan by promoting design excellence, reinforcing local identity, and enhancing the public realm. It also aligns with key objectives of the South Downs National Park Local Plan, particularly in ensuring development within the setting of the National Park conserves and enhances landscape character and visual quality. By adhering to the Design Guide, applicants can deliver proposals that are locally distinctive, sustainable, and in harmony with both city-wide and national park planning objectives.
EI - Settlement Containment	SSI / CP12	SD25	This policy aims to protect the essential green character of key areas around the edge of Coldean, helping to conserve important natural wildlife corridors and preserve the setting of the South Downs National Park. It seeks to safeguard valued views, prevent the coalescence of Coldean with neighbouring settlements, and maintain the distinct identity and character of the area within its wider landscape context.
E2 - Protecting Valued Views	SA4 / CP12 / DM26 / DM29 /	SD6	The Protecting Valued Views policy within the Coldean Neighbourhood Plan aligns with the strategic aims of the Brighton & Hove City Plan by supporting high-quality design that respects and enhances the city's landscape and townscape character. It also reflects the principles set out in the South Downs National Park Local Plan, particularly the commitment to conserve and enhance the natural beauty, character, and setting of the National Park. By identifying and safeguarding locally important views towards and from the South Downs, the policy ensures that new development within Coldean complements its topography and visual relationship with the surrounding countryside, supporting wider landscape protection and reinforcing the area's distinct identity within both planning frameworks.

Coldean Neighbourhood Plan Policy	City Plan Policy	SDNP Policy	Notes
E3 - Protecting Allotments	SA4 / CP16 / CP18	SD25 / SD33 / SD43 / SD45 / SD58	Coldean's Protecting Allotments policy supports the long-term safeguarding of existing allotment sites, recognising their value for local food production, biodiversity, and community wellbeing. This aligns closely with Brighton & Hove City Plan Part One Policy CP16, which protects open space and promotes opportunities for local food growing, acknowledging their role in creating healthier, more sustainable neighbourhoods. The policy also complements the South Downs National Park Local Plan, particularly Policies SD25 and SD33, which encourage the retention of community food-growing spaces as part of sustainable land use and landscape management. By protecting allotments from development and encouraging their continued use, the Coldean policy supports environmental resilience, community cohesion, and the area's contribution to wider sustainability goals at both city and national park levels.
E4 - Adapting to Climate Change	SSI / CP 8 / CP11 / DM40 / DM42 / DM43 / DM44 / DM45	SD2 / SD17 / SD48 / SD49 / SD50 / SD51 /	Coldean's Adapting to Climate Change policy directly supports the sustainability objectives of both the Brighton & Hove City Plan and the South Downs National Park Local Plan. The policy promotes climate-resilient development through measures such as sustainable drainage systems (SuDS), energy-efficient design, the integration of green infrastructure, and protection against flood risk. This approach aligns with Brighton & Hove's City Plan Part One Policy CP8, which emphasises the importance of sustainable buildings and climate adaptation in development. It also complements the South Downs Local Plan's strategic focus on environmental resilience, particularly Policies SD2 and SD50, which require development to mitigate climate impacts and enhance ecological networks. Through this alignment, the Coldean policy ensures local development contributes meaningfully to city-wide and regional climate goals while maintaining the environmental integrity of the neighbourhood.
E5 - Biodiversity	CP10 / DM22 / DM37 / DM40	SD1 / SD2 / SD9 / SD45 / SD54	Coldean's Biodiversity policy supports and enhances ecological resilience in line with both the Brighton & Hove City Plan and the South Downs National Park Local Plan. The policy encourages development that protects existing habitats, strengthens wildlife corridors, and integrates biodiversity-enhancing features such as native planting, green roofs, and habitat creation. This aligns with Brighton & Hove City Plan Part One Policy CP10, which promotes the conservation and enhancement of biodiversity through integrated, site-specific design. It also reflects the South Downs National Park Local Plan's strategic objectives particularly Policy SD9 which seeks to protect, restore, and create habitats that contribute to the Park's wider ecological network. By embedding biodiversity into the planning and design process, the Coldean policy ensures development contributes positively to the natural environment and supports the wider goals of ecological connectivity and climate resilience.

Overview of Conformity

The Neighbourhood Plan includes a vision which does not conflict with the overarching vision and objectives contained in the adopted Local Plan. Policy wording has been chosen with the aim of being clear and unambiguous, but at the same time recognising that there needs to be flexibility. The Council, as Local Planning Authority, have made some comments intended to clarify points and these have been taken on board and revisions made where appropriate. There are no obvious conformity issues raised by these policies. The policies are not intended to be prescriptive, and focus on reinforcing local distinctiveness.

Basic Condition (f)

The 'making' of the Neighbourhood Plan must not breach or conflict, and must be compatible, with EU obligations, must not have a significant effect on a European site, and must contribute to the achievement of sustainable development. It must not breach human rights, within the meaning of the Human Rights Act 1998.

EU Obligations

The making of the Coldean Neighbourhood Plan does not breach, and is otherwise compatible with, retained EU obligations.

The Coldean Neighbourhood Plan has been prepared in accordance with the requirements of the Human Rights Act 1998. In particular, it has had regard to the rights contained in the European Convention on Human Rights (ECHR) and ensures that the plan is compatible with these rights. The plan-making process has been inclusive and transparent, with multiple opportunities for community engagement, including public consultations and local workshops. All sections of the community, including protected groups under the Equality Act 2010, were able to participate. The policies within the plan do not discriminate against any individual or group. Instead, they seek to promote inclusion, community cohesion, and equality of opportunity across the neighbourhood.

In accordance with the retained provisions of EU law (following the UK's departure from the European Union), the plan has been assessed to ensure compliance with environmental protection obligations, including the need for a Strategic Environmental Assessment (SEA). A screening opinion was requested from Brighton & Hove Council to determine whether the plan would require a Strategic Environmental Assessment under the Environmental Assessment of Plans and Programmes Regulations 2004 (as retained EU law). A Habitats Regulations Assessment screening was also undertaken to determine whether the plan is likely to have significant effects on any European designated sites under the Conservation of Habitats and Species Regulations 2017 (as retained).

Strategic Environment Assessment (SEA) and Habitats Regulations Assessment (HRA)

The Coldean Neighbourhood Planning Forum carried out a screening assessment of the pre-submission version of the Coldean Neighbourhood Plan to determine whether a full SEA or HRA was required. This assessment, which included consultation with the statutory agencies, confirmed that it is unlikely that there will be any significant environmental effects arising from policies in the pre-submission. As a result, they have confirmed that a full SEA or HRA are not required. Whilst the submitted Coldean Neighbourhood Plan contains amendments in response to the Statutory Regulation 14 consultation, these amendments do not materially affect this conclusion.

Link: [Coldean Neighbourhood Plan Strategic Environmental Assessment](#)

Human Rights

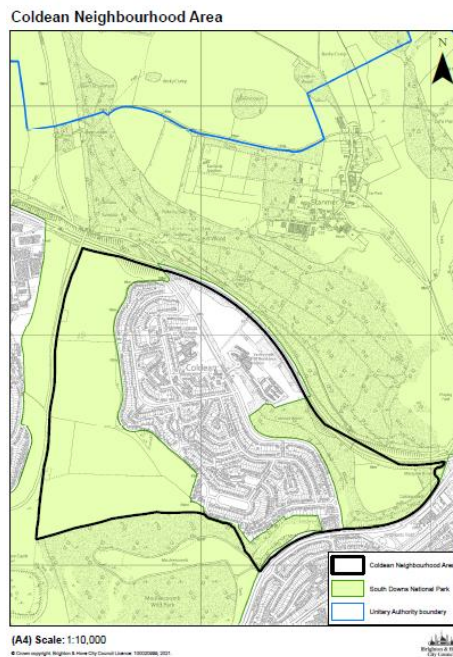
No issues have been raised in relation to the possible contravention of Human Rights in the preceding consultations, and given the conclusions on the plan's general conformity with the strategic policies of the Local Plan and regard to National Planning Policy, it is reasonable to conclude that the making of the plan should not breach human rights.

Neighbourhood Area Designation Notice

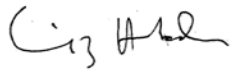
COLDEAN NEIGHBOURHOOD AREA

Notice is hereby given that Brighton & Hove City Council, through a decision made by the Tourism, Equalities, Communities & Culture (TECC) Committee on 25 November 2021 has designated the Coldean Neighbourhood Area as applied for by the Coldean Neighbourhood Forum.

The boundary of the neighbourhood area is shown on the map below.



Signed:



Liz Hobden
Head of Planning
For Executive Director – Economy, Environment & Culture

Dated: 25 November 2021

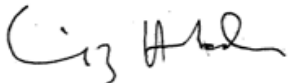
Neighbourhood Forum Designation Notice

COLDEAN NEIGHBOURHOOD FORUM

Notice is hereby given that Brighton & Hove City Council, through a decision made by the Tourism, Equalities, Communities & Culture (TECC) Committee on 25 November 2021 has designated the Coldean Neighbourhood Forum.

The name of the designated neighbourhood area to which the neighbourhood forum relates is the **Coldean Neighbourhood Area**.

Signed:



Liz Hobden
Head of Planning
For Executive Director – Economy, Environment & Culture

Dated: 25 November 2021

Informatives:

1. Please note this neighbourhood forum designation will cease to have effect at the end of the period of 5 years from 25 November 2021.
2. In compliance with the Neighbourhood Planning (General) Regulations 2012 Part 3, Regulation 10 the contact details for the Neighbourhood Forum and a copy of the written constitution along with this decision notice will be made available on the Brighton & Hove City Council website.