

Basic Conditions Report to the Horsmonden Neighbourhood Plan 2022-2038



Submission (Regulation 15) Draft

Horsmonden Parish Council with the
Neighbourhood Plan Steering Group, June 2022

<http://horsmondennp.co.uk/>

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Section 1: Introduction

1. The draft of the Horsmonden Neighbourhood Plan 2022-2038 (HNP) has been prepared by Horsmonden Parish Council working with the Horsmonden Neighbourhood Plan Steering Group. This Basic Conditions Statement has been prepared by Merit Thornton Planning and Community Consultants Ltd on behalf of Horsmonden Parish Council to accompany the submission of the HNP to the local planning authority, Tunbridge Wells Borough Council (TWBC), in accordance with the Neighbourhood Planning Regulations¹.
2. The purpose of the statement is to demonstrate that the HNP meets the legal requirements for a Neighbourhood Development Plan and the five basic conditions as set out in the Planning Acts².
3. A Neighbourhood Development Plan is expected to meet five basic conditions, these are that:
 - It has been prepared having regard to national policies and advice contained in guidance issued by the Secretary of State, and that it is appropriate to make the neighbourhood development plan;
 - The making of the neighbourhood development plan contributes to the achievement of sustainable development;
 - The making of the neighbourhood development plan is in general conformity with the strategic policies contained in the development plan for the area;
 - The making of the neighbourhood development plan does not breach, and is otherwise compatible with EU obligations; and
 - Prescribed conditions are met in relation to the plan and prescribed matters have been complied with in connection with the proposal for the plan.
4. There is one prescribed basic condition for Neighbourhood Development Plans, in relation to e) above, that *“the making of the neighbourhood development plan is not likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2010) or a European offshore marine site (as defined in the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007), either alone or in combination with other plans or projects”*.
5. This Basic Conditions Statement confirms that:
 - Legal compliance requirements have been met (see Section 2);
 - Due regard has been given to national policies and advice contained in guidance issued by the Secretary of State (see Section 3);
 - The HNP contributes towards sustainable development (see Section 4);
 - The HNP is in general conformity with the strategic policies contained in the adopted and emerging development plan policies³ of TWBC (see Section 5);

¹ Regulation 15 of The Neighbourhood Planning (General) Regulations 2012 (as amended)

² Paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990, as applied to Neighbourhood Development Plans by Section 38A of the Planning and Compulsory Purchase Act 2004

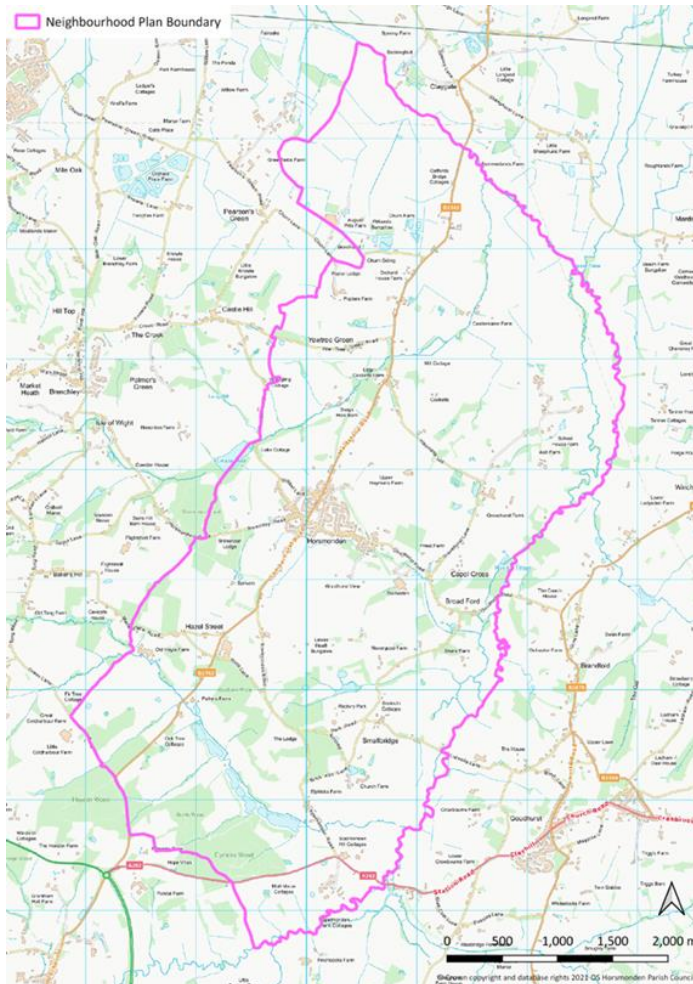
³ The adopted and emerging development plan documents are described at para 20 of Section 5 below

- The HNP does not breach and is otherwise compatible with EU obligations (and UK successors), and that its making is not likely to have a significant effect on the environment, either alone or in combination with other plans or projects (Section 6); and
- The HNP meets the prescribed conditions for Neighbourhood Development Plans (Section 7).

Section 2: Legal and Regulatory Compliance

6. The draft HNP has been prepared in accordance with The Neighbourhood Planning (General) Regulations 2012 (as amended). The plan has also been prepared with regard to policies within the National Planning Policy Framework (NPPF) (revised July 2021) and guidance from the National Planning Practice Guidance (PPG). The PPG largely reflects planning regulations and policy, providing further guidance as to how such requirements can be met.
7. HNP relates to the whole parish area that was designated by TWBC as a Neighbourhood Area⁴. No other Neighbourhood Development Plan has or is being made for this area. HNP has been prepared by Horsmonden Parish Council which is the qualifying body, working with the Neighbourhood Plan Steering Group which is a formally constituted sub-committee of the parish council comprising councillors and others. The HNP includes a map of the designated area, reproduced here as Figure 1 of this report.

Fig.1 Horsmonden Parish and HNP boundary



8. The Neighbourhood Plan relates only to this area. However, two points should be noted:
 - Policy 7.1 Local Green Space⁵ designations includes “Furnace Wood (part within the parish

⁴ Approved by TWBC 24 November 2017 -[Horsmonden \(tunbridgewells.gov.uk\)](http://Horsmonden.tunbridgewells.gov.uk)

⁵ Fig. 27, areas protected by HNP Policy 7.1

only)", part of an area that which straddles the parish boundary with Brenchley and Matfield parish. The whole of the Furness Pond is proposed for designation as a LGS in the SLP. The area comprises a small woodland and manmade water body dating back to the Weald ironworks and gun making industries that were very significant to the establishment and growth of Horsmonden village. The HNP Policy requires that inappropriate new development will not be allowed and relates to that part within the designated plan area (the parish) only.

- Policy 7.2 Important Views. The preparation of the HNP (see HNP Fig. 34) has led to the identification to two important views that extend beyond the designated HNP area into the neighbouring parish of Brenchley and Matfield. The views beyond the designated area are simply noted in the HNP and do not form part of the proposed development plan policy⁶. These are:
 - View 2 to Furnace Pond, which extends across the area described in Policy 7.1 above; and
 - View 1 from Hononton Farm (within Brenchley and Matfield parish) towards Horsmonden. This Policy requires that development must not cause any diminution of historical views from any publicly accessible area.
9. Public consultation requirements including consultation with the appropriate Consultation Bodies has been conducted; the process and how this informed the preparation of the HNP is described in the Consultation Statement, key documents are accessible through the parish website .
10. The HNP sets out policies in relation to development and the use of land in the designated neighbourhood area and which has been prepared in accordance with the statutory provisions. Initial consultations had due regard to guidance whilst Regulation 14 (Pre-Submission) consultation was consistent with the specific regulatory requirements, as detailed in the Consultation Statement.
11. The HNP covers the period 2022-38 which is in general conformity with the timeframes for the strategic policies in the current and emerging Local Plans for TWBC.
12. The HNP does not include provision of development types that are excluded from neighbourhood planning, such as minerals and waste matters, nationally significant infrastructure projects or other prescribed development under Section 61K of the Town and Country Planning Act 1990.

⁶ Fig 34 and 35, HNP Policy 7.2

Section 3: Due Regard to the NPPF

13. National planning policy is set out in the National Planning Policy Framework (NPPF). The most recent version was published in July 2021. Government has indicated that reforms will be made to the Planning system later this year including revisions to the NPPF, but indications are that the role of Neighbourhood Plans will not be diminished. The HNP has been prepared with regard to the policies and guidance contained within the NPPF at its core. The NPPF sets out more specific guidance on Neighbourhood Plans at Paragraphs 28 to 30, but there is relevant policy throughout other parts of the NPPF.
14. **Figure 2** demonstrates how HNP has had regard to national policy by cross referencing its policies against national policy and guidance. It should be noted that the table is not exhaustive and there may be other reference points that are not included.

Figure 2: HNP policy and projects regard for NPPF policy

HNP Policy	NPPF cross reference	Comments
Chapter 1. Overall strategy		
Vision: “In 15 years time, Horsmonden will be a village that has retained its character, community spirit and rurality but that has embraced new technologies and social and economic opportunities. It will have diversified to allow improvements in transport, housing, and leisure, to cater for all members of the community.”		
Vision		
Objectives		
Chapter 2. Access and movement		
Objective: To improve access and movement across the parish, to create a ‘walkable village’ for all, including residents of new developments.		
2.1 Walkable Village	8b, 84d, 92b, 104c, 106d, 92c, 130f and footnote 49	The HNP policy builds on NPPF policy promotion for walking, requiring that policies should provide for well designed walking networks (inc. long distance) for sustainable travel, safe, accessible, inclusive communities and good health. Transport Assessments should address walking. Walkability should be an important consideration in design and location of development. HNP Project 2.1 commitments to action with other stakeholders to enhance sustainable transport networks.
2.2 Minimise traffic speeds	8b, 92b, 92c, 130f,	The NPPF requires that development is designed in ways that make traffic less dominant and places suitable for

		<p>sustainable / active travel modes and the promotion of healthy and inclusive communities.</p> <p>The HPC/KCC Highways Improvement Programme focus on speed reduction measures. HNP projects focus on improvements related to development opportunities.</p>
2.3 Enhancing PROW	100, 110	<p>Policy builds on the NPPF which states that planning policies and decisions should protect and enhance rights of way including taking opportunities to provide better facilities through developments.</p> <p>HNP Project 2.1 commitments to action with other stakeholders to enhance sustainable transport networks.</p>
2.4 Adequate pavements	110c, 111, 120e,	<p>NPPF requires that sites have safe and suitable access for all users including pedestrians. The HNP policy is consistent with the NPPF in reflecting references in the current national guidance and standards including the National Design Guide⁷ which draws on references Manual for Streets and Manual for Streets 2 as referred to in the HNP policy.</p>
2.5 School access crossing	34, 92, 130f,	<p>HNP policy adds specificity to the NPPF that seeks creation of places that are safe, inclusive and accessible. The policy sets out from which developments contributions are required and the purpose.</p> <p>Project 2.2 commits the HPC to action to develop costed options and implement the proposal for which contributions are sought – this will help clarify the scale of contribution required.</p>
2.6 Public parking	109	<p>Reflecting the NPPF, the policy responds to the identified local shortage of spaces and need to reduce risks and nuisance caused by street parking and improper parking. and recognises</p>
2.7 New parking	107	<p>In line with the NPPF, the local parking standards have been developed by TWBC</p>

⁷ National Design Guide – MHCLG 2021

		taking account of the factors listed at 107a) to e)
2.8 Charging points	112e,	Policy responds to the NPPF, development proposals should be designed to enable plug-in charging. Action Project 2.4 commits the PC to work with stakeholders to develop provision of car & cycle charging points
Chapter 3. Business and employment		
Objective: Provision should be made for businesses to expand and flourish.		
3.1 Retain and intensify the use of existing employment sites	81, 82a, 84a-d	Responding to the NPPF, the HNP business survey identifies local business intensions, policy helps create the conditions in which these businesses can invest, expand and adapt.
3.2 Broadband	114	NPPF requires that policies should support the expansion of electronic communications networks, and specifically support expansion of full fibre connections.
3.3 Conversion of farm buildings	81, 82a, 84a, 84d	Consistent with NPPF, policy seeks creation of new hubs for smaller Class B and Class E users as part of the vision and strategy for expansion of a local diverse and flourishing local economy
3.4 Vineyards and fruit growing businesses	81, 84b, 84c	Consistent with NPPF, policy supports diversification and development of sustainable rural tourism and leisure in response to specific local circumstances in Horsmonden.
3.5 Mobile phone and data transmission	114, 115, 117	Policy consistent with NPPF which requires that policies should support the expansion of electronic communications networks including net generation 5G., supporting text notes the importance of mitigating impacts (and notes current spare capacity on one mat at Bassetts Farm.)
Chapter 4. Community Infrastructure		
Objective: New development should bring with it the opportunity to provide improved community, health and leisure facilities to existing and new residents of the parish.		
4.1 New medical facilities	20c, 93, 187	Consistent with NPPF 20c the policy reflects strategic policy direction for a new medical facility at the STR HO3 site, the HNP

		masterplanning suggests a preferred specific location on the site that can offer best integration with the remainder of the site.
4.2 Allotments	92c	Policy is consistent with NPPF by making provision of allotments on the community land at the north of STR HO3 site supports healthy living and community and inclusive design
4.3 Facilities for children and young people	123b, 130e & f	Consistent with NPPF, policy will ensure that development, including the open spaces laid-out, will promote safe, accessible spaces with inclusive facilities for the young.
4.4 New Village Hall	28, 84d, 123b, 187	Consistent with the NPPF, the policy (informed by the Community Assets Survey) provides a flexible approach to achieve either a) New Village Hall, or b) Refurbishment of the existing Village Hall.
Chapter 5. Design and Character		
Objective: To provide design policies that can be applied to any new development proposals in the parish to help ensure that they are sustainable and in keeping with local character.		
5.1 Design of new development - 7 criteria:	8b, 11b, 92c, 20, 72b, 84a, 92b, 97a, 104e, 120e, 124, 126 to 136, 154, 174, 176	<p>Policy criterion sets local design and policies and standards derived from character analysis of the parish prepared in accordance with NPPF. Reflects a range of NPPF policies – seeking well designed beautiful places, respectful of heritage and character, with appropriate policy balance constraint to the presumption in favour of development in AONB where great weight should be given to conserving and enhancing landscape and scenic beauty. Consistent with the recent National Design Guide and National Model Design Code and PPG (2021)⁸</p> <p>The Policy criterion (and supporting text) all relate directly to thematic sections of the Horsmonden Design Guide: and High Weald Housing Design Guide:</p> <ul style="list-style-type: none"> ■ Links to the Horsmonden Design Guidelines can be found here: http://horsmondennp.co.uk/wp-content/uploads/2020/01/Masterplanning-Ch3-Design-Guidelines.pdf

⁸ National Design Guide with 10 Characteristics – MHCLG 2021

		<ul style="list-style-type: none"> Links to the High Weald AONB Housing Design Guide can be found here: http://www.highweald.org/look-after/planning/design-guide.html
1. Response to heritage and character	126-129, 174	The Design Guide was prepared working with AECOM and in accordance with NPPF, PPG and other guidance, responding to local analysis of context and setting clear expectations
2. Respects scale, context etc	120e, 124, 174a	The AECOM guide prepared in accordance with NPPF, PPG and other guidance, responding to local analysis of context and setting clear expectations for protecting and enhancing valued landscape, biodiversity or geological value and soils
3. Materials	130d	Use of appropriate distinctive materials, consistent with AONB guidance too
4. Boundaries and landscape	230c, 180d	Biodiversity and landscape should be integrated into design
5. Impact on amenity	130f and footnote 49	NPPF requires high standard of amenity to for existing as well as future users – consistent with this policies may also draw on other nationally described standards
6. Lifetime Homes Standard (or successor)	130f and footnote 49	There are new codes and successors to the Lifetime Homes Standard in existence now that further develop these principles. The NPPF requires high standards of amenity for future users, drawing on national described standards
7. Regard to High Weald Design Guide	11b, 176, 177a-c	Policy reflects the constraints to the presumption in favour of development in the AONB, and requires regard to the AONB design guidance and relevant strategic policies. NPPF requires that great weight be given to conserving and enhancing landscape and scenic beauty in AONB which have the highest status of protection.
Chapter 6. Housing		
Objective: New homes and development should meet the needs of the local community, particularly for smaller new homes, should regenerate previously developed land, be affordable and within walking distance of village facilities.		
6.1 Meeting housing need	62, 67	Consistent with the NPPF, the HNP reflects the indicative housing figure provided by the LPA to the neighbourhood planning body, and in addition consistent with NPPF,

		<p>the HNP is informed by survey of the size, type and tenure of housing needed⁹. The sites identified by the LPA have been assessed and HNP policies apply certain requirements of development.</p> <ul style="list-style-type: none"> ■ Housing Needs Survey, Rural Kent, January 2020 ■ Site Options Assessment, AECOM, October 2020
6.2 Windfall residential development	69c, 118c, 119	Consistent with the NPPF, policy supports, in addition to the three sites allocated by TWBC, small scale windfall development within the LBD and also on other unused PDL in described circumstances.
6.3 Provision of sheltered housing	62, 130f footnote 49	Local housing needs survey identifies the particular need for housing older people and those with limited mobility. This policy offers specific support – consistent with NPPF. Appropriate national standards for such accommodation are referenced ¹⁰
6.4 Replacing or combining existing dwellings outside of the Limits of Built Development.	66, 69, 80	Consistent with NPPF, supportive of appropriate development.
Chapter 7. Landscape and environment		
Objective: To retain the distinctive agricultural and horticultural heritage of the parish, protect landscape and views, enhance biodiversity, protect ancient woodland and green spaces and retain dark night skies.		
7.1 Local Green Spaces	92c, 101, 102a to c	NPPF supports the role for the local community in identifying the significance of Local Green Spaces designations. The HNP designations do so and include sites in the parish but not included in the boroughwide SLP. All the HNP sites contribute healthy and safe places, that are in close proximity to the community, demonstrably special to the local community and of appropriate scale; all the designations are capable of enduring beyond the end of the plan period and reflect LGS designation guidance in the PPG.

¹⁰ <https://www.gov.uk/guidance/housing-for-older-and-disabled-people>

7.2 Protecting important views	130, 176 and 177	NPPF recognises that development should be sympathetic to local character and landscape setting, the identification of important views by the local community in the HNP assists this process – see output of the Landscape and Design Workshop at Fig 34 and the more restricted list at Fig 35 protected by Policy 7.2.
7.3 Biodiversity net gain	8c, 153, 174, 179, 180, a, 180d	Policy contributes to the environmental dimension of sustainable development by protecting and enhancing biodiversity and adaption to climate change. Consistent with emerging BNG requirements following Environment Act.
7.4 Trees and hedgerows	131, 171, 180c	NPPF notes the intrinsic value of trees and woodland; and important contribution to character and quality achieved by retaining existing trees and planting new trees in development (including need to secure long-term maintenance). Note Green Buffer Landscape Strategy ¹¹ . Development should not result in the loss or deterioration of ancient woodland or veteran trees. Hedgerows are protected in other legislation
7.5 New open spaces	8b, 84, 92c, 93, 98, 99	Policy will help ensure new open space is well integrated to the settlement networks of routes and spaces, accessible and well designed, so that it performs effectively.
7.6 Retaining best agricultural land	174	Policy is consistent with NPPF that requires that policies should recognise the intrinsic beauty and other benefits of the most versatile agricultural land.

^{11 11} <http://horsmondennp.co.uk/wp-content/uploads/2020/01/Masterplanning-Ch5-Landscape-and-Ch-6-Delivery.pdf>

7.7 Light pollution	185	The policy is consistent with the NPPF requirement for Policies to limit the impact of light pollution on local amenity, dark landscapes and nature conservation. Policy refers to appropriate national standards (ILP Guidance GN01 The reduction of Obtrusive Light) and the Horsmonden guidance 3.2.10 Managing Lighting of the Design Guide ¹²
7.8 Development within the AONB	11b, 176	NPPF requires that great weight be given to conserving and enhancing landscape and scenic beauty of the AONB – to this end the policy refers to the Management Plan as which addresses how necessary development can be sensitively designed and located to minimise adverse impacts.
7.9 Development adjacent to the AONB	130c, 176, 200	Policy to address that impacting the ‘setting’ of the AONB assets.
7.10 Development adjacent to ancient woodland	180c	Development should not result in deterioration of ancient woodland, the policy draws on guidance from the New Woodland Trust applying the ‘precautionary principle’
7.11 Flooding	117dii, 159, 160, 161c	Development should follow EA advice and use opportunities for natural flood management techniques as part of an integrated approach. of new development and green infrastructure not compromise Design Guide section 3.2.12 Sustainability and Eco Design

¹² [Horsmonden Design Guidelines Nov 2019 \(horsmondennp.co.uk\)](https://www.horsmondennp.co.uk/)

Section 4: Sustainable Development

15. A widely accepted definition of sustainable development is ‘development that meets the needs of the present without compromising the ability of future generations to meet their own need’¹³. It is about ensuring better quality of life for everyone, now and for generations to come. In doing so, social, environmental and economic issues and challenges should be considered in an integrated and balanced way.
16. This is captured by Paragraph 8 of the NPPF in particular, which summaries the three interdependent objectives. Figure 2 includes a number of references to NPPF para 8, demonstrating the policies in HNP that have due regard to these overarching objectives.
17. The NPPF as a whole represents sustainable development, and Figure 2 sets out that HNP is very consistent with the NPPF. It should therefore be the case that HNP will help to deliver sustainable development in Horsmonden through delivering the economic, social and environmental objectives.
18. HNP is positively prepared, reflecting the presumption in the NPPF in favour of sustainable development, but it seeks to manage development pressures to ensure that, in addition to economic and growth considerations, reasonable environmental and social considerations are taken into account.
19. The HNP Policy Summary by Objective with UNSDGs (pg 19) demonstrates how the Plan will contribute to the achievement of the 12 UN Sustainable Development Goals. This table summary is useful in communicating this intention graphically but this is not repeated here in the Basic Conditions Report to avoid any confusion over the basic conditions report requirements for the neighbourhood plan.
20. In a similar vein, increasingly policy attention is being given to the Climate Emergency, the achievement of Net Zero Carbon targets and reduction of greenhouse gas (GHG) emissions by 2050¹⁴, also need for all qualifying development to contribute to delivery of a net gain in biodiversity¹⁵, and the need to ‘Level Up’ social and economic inequalities between and within regions¹⁶. All these themes are reflected in the achievement of balanced sustainable development, with some reference under ‘Comments’ in Figure 2. Any specific requirements will be addressed in future national and strategic policies that development should comply.

¹³ United Nations: Report of the World Commission on Environment and Development: Our Common Future, March 1987

¹⁴ COP26 and related declarations

¹⁵ Environment Act – 2021 and subsequent government consultation on related regulations.

¹⁶ Levelling Up the United Kingdom - White Paper - 2022

Section 5: General Conformity with Local Strategic Policies

21. The local development plan comprises the TWBC Local Plan (2006), Core Strategy (2010), the Site Allocations Local Plan (2016), and the Kent Minerals and Waste Local Plan 2013-30 (2020). A new Regulation 19 Submission Local Plan (SLP) 2020-2038 was submitted to the Secretary of State for Independent Examination on 1 November 2021; hearing sessions are expected to continue into the Summer of 2022.
22. Meanwhile, TWBC have provided advice on how the HNP can be ‘future proofed’ in light of the emerging new Local Plan¹⁷, TWBC commented that “in general, the Draft NDP is supported, and TWBC is keen to assist and support the NDP group in the production of the Reg 15 version”. TWBC have subsequently provided further pre-regulation 16 comments to the HNP Submission Draft in March 2022.¹⁸
23. The HNP is required to be prepared in general conformity with the strategic policies of the development plan, a requirement slightly complicated by the emerging status of the new TWBC SLP and age of extant Local Plan (2006) and Core Strategy (2010). The table at Fig 3 summaries the *general conformity* of the draft HNP policies with the extant and emerging *strategic* development plan policies. The Index at Page 10 of the SLP lists the strategic policies of the emerging Local Plan; these are all clearly identified with the prefix ‘STR’, the ones directly relevant to the HNP are set out in Section 4 of the SLP. STR 10 sets out TWBC commitment to support Neighbourhood Plans including the drafting of policies to meet the requirements of ‘basic conditions’.
24. Fig 3 also includes reference to some additional directly relevant *non-strategic* policies in the emerging draft Local Plan (2022) and Core Strategy (2010) where this helps explain the relationship of the HNP and TWBC policies, however there is no requirement nor is it helpful to review the non-strategic policies comprehensively.
25. No further consideration is given here to the strategic policies of the Local Plan (2006) which for the purposes of Neighbourhood Planning is effectively superseded by the Core Strategy, emerging draft Local Plan (2022) and the NPPF. The Site Allocations Plan (2016) and Kent Minerals and Waste Plan (2020) contain no allocations that require further consideration in order to establish the HNP’s general conformity with strategic policies of the development plan.

¹⁷ Letter 22/10/2021

¹⁸ Email and table of comments – 11/3/2021

Figure 3: General Conformity with Local Strategic Development Plan Policies

HNP	TWBC Core Strategy ¹⁹	TWBC Submission Local Plan	Comments
Chapter 1.			
		STR 10	Support Neighbourhood plan making
Chapter 2. Access and movement – Key policies: TP 2 Transport and Design, TP 4 Public Car Parks and TP 1 Transport Assessment, Travel Plans and Mitigation			
2.1 Walkable Village		STR 2 (5, 6, 7), STR 6 a) Active Travel, TP2, TP4	Policy is in general conformity with STR 2. SLP policies specially encourage walkability for health and social interaction and other objectives.
2.2 Minimising traffic speeds		STR 2 (6, 7) TP1	Policy is in general conformity with STR 2, specially criterion 6 and 7
2.3 Enhancing PROW		STR 2 (6, 7, 8), TP2	Policy is in general conformity with STR 2, improving pedestrian connectivity is an important element of comprehensive development (STR 4) and design aims (STR 2). TWBC is prepared to use CPO powers if justified.
2.4 Adequate pavements		STR 2 (5,6,7), TP2	Policy is in general conformity with STR 2
2.5 Safe crossing		STR2 (5, 6, 7, TP1, TP2	Policy is in general conformity with STR 2
2.6 Public parking		STR 2 (6), STR 6, TP4	Policy is in general conformity with STR 2 and 6.
2.7 New parking		STR 2 (6), STR 6, TP4	Policy is in general conformity with STR 2 and 6.
2.8 Charging points		STR 2 (8), STR 6 c) 1) EN1	Policy is in general conformity with STR 2 and STR 6. STR 6 c) Highways 1. Seeks incorporation of charging points in car parks and in street furniture
Chapter 3. Business and employment			
3.1 Existing employment sites		SLP STR 3, ED2	The policy intent is in general conformity with the requirements and preferences for alternative uses set out in SLP ED 2.
3.2 Broadband		STR 5, EN 1	Policy is in general conformity with STR 5, and the policy reinforces the requirements of Policy ED 3 promoting improved digital communications and FTTP for new development.
3.3 Conversion of farm buildings		STR 1, STR 3, ED 4, ED 5	The policy intent is in general conformity with strategic policies , and consistent with

¹⁹ The Core Strategy is now out of date, superseded by the new LP, however this column should be included and work is required to complete it – but a low priority / tidying-up exercise only. It is not necessary to include the other development plan documents, see paras 22 – 23 above.

			the detailed requirements and preferences set out in SLP ED4 ED5.
3.4 Vineyards and fruit growing businesses		ED 4	The policy intent is in general conformity with STR 3 and ED 4 Rural Diversification. The policy is consistent with the detailed requirements and preferences set out in SLP ED4 and ED5.
3.5 Mobile communications infrastructure		STR 5, EN1	The policy intent is in general conformity with STR 5.
Chapter 4. Community Infrastructure Key policies: STR 5 Infrastructure and Connectivity and OSSR 2 The Provision of Publicly Accessible Open Space and Recreation			
4.1 New medical facilities		STR 5, AL/HO 3	Policy is in general conformity with STR 5, which states that it is essential that new development is supported by necessary new infrastructure including for Health. Strategic Policy sets for provision at the HO3 site, other policies the basis for contributions from all development to necessary infrastructure.
4.2 Allotments		STR 5, OSSR 2	Policy is in general conformity with STR 5 and specific requirements of SLP Policy OSSR 2 Table 17, requirement for new developments to make on and off-site provision for allotments. The Policy adds specific requirements for location and facilities within site HO3.
4.3 Facilities for children and young people		STR 5, OSSR 2	Policy is in general conformity with STR 5, that states that it is essential that new development is supported by necessary new infrastructure including for youth services and sport and recreation. Policy is consistent with SLP Policy OSSR 2 Table 17 that details requirement for provision of new play spaces for young children and youth for sites of 50-99+ and 100+.
4.4 New Village Hall		STR 5, OSSR 2	Policy is in general conformity with STR 5. A new village hall is essential to furthering aims around many objectives set out in STR 5 Infrastructure, including art, culture, community, social services, sport and recreation. Informed by the Community Assets Survey and taking a flexible approach, the HPC is seeking to achieve

			either a) New Village Hall, or b) Refurbishment of the existing Village Hall.
Chapter 5. Design and Character			
Key policies: EN 19 The High Weald AONB, EN18 Rural Landscape, EN1 Sustainable Design, STR 2			
5.1 Design of new development - with seven criteria:		STR 2, STR4, EN 1, EN 18, EN 19	<p>Policy is in general conformity with STR 2 and STR 4. Policy reflects Strategic Policies and other associated policies (as noted) and the HW AONB Management Plan and other relevant guidance.</p> <p>Critically, the Policy 5.1 gives statutory weight to the Horsmonden Design Guide, Masterplan for site HO3 and other locally produced evidence on the locally held significance of distinctive, heritage assets, landscape, greenspaces, views etc.</p>
<p>Policy 5.1 criterion:</p> <ol style="list-style-type: none"> 1. Response to heritage and character 2. Respects scale, context etc 3. Materials 4. Boundaries and landscape 5. Impact on amenity 6. Lifetime Homes Standard (or successor) 7. Regard to High Weald Design Guide 		<p>STR 2 (3)</p> <p>STR 2 (1)</p> <p>STR 2 (1)</p> <p>STR 2 (1, 3, 6), EN 14, EN 15</p> <p>STR 2 (8, 9)</p> <p>Policy H3, H6</p> <p>STR 2 (1st para)</p>	<p>STR 2 Place Shaping and Design (with criteria 1-9) provides strategic policy development aims for all new development. e.g. requires high quality design that responds to local character and relevant</p> <p>SLP Policy H3 requires all affordable housing to meet BRS M4(2) and housing designed for households with a disability, to meet higher M4(3) standard.</p> <p>The HNP highlights specific importance of the High Weald Management Plan and Horsmonden Design Guide to add specific distinctive design guidance</p>

		STR 4	Horsmonden (AECOM) Masterplan includes important design principles that should be applied to site HO3 and vital importance of the need for comprehensiveness of development and inclusion of pedestrian connectivity to the village facilities.
Chapter 6. Housing Key policies: STR 1 Development Strategy (with Table 4), PSTR/HO 1 The Strategy for Horsmonden parish., H 3 Affordable Housing			
6.1 Meeting housing need	CS6	STR 1, H1, H3, H6, H5, H7	<p>Policy is in general conformity with STR 1 and consistent with SLP Policies H1 and H3 which supports appropriate housing type and size mix and for Affordable Housing, so to create / maintain balanced communities, reflecting requirements of made neighbourhood plans informed by local intelligence and evidence on housing need and demand.</p> <p>Core Strategy Policy CS6 is superseded by SLP Policy H3, and requires increase to a minimum of 40% on-site affordable housing on greenfield sites (special requirements apply on AONB sites or brownfield sites). Policy includes a requirement for a Local Connection cascade secured by s106.</p> <p>SLP Policy H 5, Rural Exception Sites, H 6 Housing for Older People and People with Disabilities, Policy H7 Rural Workers Dwellings,</p>
6.2 Windfall development		STR 1 and Table 3, STR 3 , H5, H6, H7, H8	<p>Policy is in general conformity with STR 1 which anticipates some windfall development based on past trends, and STR 3 with preference to the location of such development to the LBD and brownfield land. The policy restricts support to schemes of up to 10 homes – suitable larger sites having been identified in recent 'Calls for Sites'. The site allocations in Horsmonden (between 240 – 300) provide very great flexibility (larger figure 42% bigger than the smaller) compared to a 4.8% range across the whole borough. This adds generous levels of flexibility and larger windfall sites are not considered justifiable in the Parish.</p>

6.3 Sheltered housing		STR 1	Policy is in general conformity with STR 1 and SLP Housing policies to meet need, informed by local evidence such as Neighbourhood Plans and evidence. Homes for households likely to have a disability should meet building regulations M4(3) or equivalent and appropriate support – consistent with SLP H1 and H3.
6.4 Replacing or combining existing dwellings outside of the Limits of Built Development.		STR 1, STR 2, H10	Policy is in general conformity with strategic policies and Policy H10 for Replacement Dwelling outside of the LBD
Chapter 7. Landscape and environment Key policies: EN 19 The High Weald AONB, EN18 Rural Landscape, EN 12 Trees, Woodland and Hedges and Development, EN 13 Ancient Woodland and Veteran Trees,			
7.1 Local Green Spaces		OSSR 2, EN 14, EN 15,	Policy is in general conformity with the Local Plan strategy at STR 1- 8. Policy EN15 sets out the basis of LGS sites identified by TWBC – sites listed at Appendix 2.
7.2 Protecting important views		STR 8, EN 8, EN 16, EN 18,	Policy is in general conformity with STR 8. Further to STR 8, EN 18 requires the protection of the Rural Landscape (with EN 8 concerned to protect dark skies).
7.3 Biodiversity net gain		STR 7, STR 8, EN 9	The policy is in general conformity with the SLP policy and emerging BNG requirements following the Environment Act 2021.
7.4 Trees and hedgerows		STR 8, EN 12, EN 14, EN 15,	Policy is in general conformity with STR 8.
7.5 New open spaces		STR 1 and STR 8, OSSR 2,	Policy is in general conformity with strategic policies and application of various detailed standards and guidance.
7.6 Retaining best agricultural land		STR 1 and STR 8, EN 18,	Policy is in general conformity with STR 1 and consistent with SLP EN 18
7.7 Light pollution		STR 8, EN 8	Policy is in general conformity with SRT 8, Policy EN 8 protects night skies and controls lighting. The HNP policy is consistent with this and the HWAONB Management Plan.

7.8 Development in the AONB		STR 8, EN19	Policy is in general conformity with str 8 AND reflects EN 9 that requires that “all development within” the HW AONB shall conserve landscape and scenic beauty, with regard to the HW AONB Management Plan.
7.9 Development adjacent to the AONB		STR 8, EN 19	Policy is in general conformity with STR 8 and reflects EN 9 requirements that all development “affecting the setting of” the HW AONB” shall conserve landscape and scenic beauty, with regard to the HW AONB Management Plan.
7.10 Development adjacent to ancient woodland		STR 8,	Policy is in general conformity with STR 8.
7.11 Flooding		STR 1 and STR 8, EN 25	Policy is consistent with EN 25 and related risk assessment, EN 26 requires development to include adequate SUDs unless demonstrated to be inappropriate.

Section 6: EU Obligations and Equalities Impact Assessment

26. A Screening Opinion request was made to TWBC as to whether Strategic Environmental Assessment and Appropriate Assessment (see section 7) were required. This was supported by a short report and assessment. In this the HNP was assessed for likely significant effects upon the environment in light of the plan characteristics, the effects and area characteristics, including the environmental areas listed under Schedule 2 Part 6 of the EA Regulations (2004). The assessment recommended that it is unlikely there will be any significant environmental effects arising from the draft NDP. As such, it does not require a full SEA to be undertaken. This conclusion was sent to the Environment Agency, Natural England and Historic England for consideration. All three bodies agree with this conclusion²⁰. Section 7 of this report considers the requirement for Appropriate Assessment.
27. HNP has been prepared with regard to and is compatible with the fundamental rights and freedoms guaranteed under the European Convention on Human Rights, transposed into UK law by the Human Rights Act 1998. HNP is highly likely to be compatible because it has been prepared within the existing framework of statute, and national planning policy and guidance. In accordance with established processes, its preparation has included consultation with the local community.
28. An Equalities Impact Assessment has been prepared to assess the HNP. The HNP provides a suite of objectives and policies to respond to the vision for the benefit of the local community, including those with protected characteristics. None of the policies within the HNP are anticipated to have negative impacts on those with protected characteristics. In many cases, they will bring additional benefits to certain equality target groups.
29. In preparing the HNP, Horsmonden Parish Council and the Neighbourhood Plan Steering Group have sought to engage widely with the local community. They have gone beyond minimum consultation requirements to gather the views of the community. The assessment finds the HNP to be appropriate and that the duty of care prescribed by the Equalities Act (2010) is met.
30. In conclusion, the HNP does not breach and is compatible with EU Regulations including:
- Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment (often referred to as the Strategic Environmental Assessment (SEA) Directive);
 - Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment (often referred to as the Environmental Impact Assessment (EIA) Directive);
 - Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora and Directive 2009/147/EC on the conservation of wild birds (often referred to as the Habitats and Wild Birds Directives respectively). These aim to protect and improve Europe's most important habitats and species. They may be of relevance to

²⁰ Horsmonden Neighbourhood Plan, Strategic Environmental Assessment, Screening Report. Final Report June 2021

- both neighbourhood plans or Orders; and
- Other European directives, such as the Waste Framework Directive (2008/98/EC), Air Quality Directive (2008/50/EC) or the Water Framework Directive (2000/60/EC) may apply to the particular circumstances of a draft neighbourhood plan or Order.

Section 7: Prescribed Conditions

31. There is one prescribed condition for Neighbourhood Development Plans identified in Schedule 2 of the Neighbourhood Planning (General) Regulations 2012:

“The making of the neighbourhood development plan is not likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2010) or a European offshore marine site (as defined in the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007), either alone or in combination with other plans or projects”.

32. A Habitats Regulations Assessment (HRA) considers the implications of a plan or project for European wildlife sites, in terms of any possible harm to the habitats and species that form an interest feature of the European sites in close proximity to the proposed plan or project, which occur as a result of the plan or project being put in place, approved or authorised. Where likely significant effects are identified, alternative options should be examined to avoid any potential damaging effects.
33. HRA is a step-by-step decision-making process. It can be broken down into four stages. Screening; Appropriate Assessment; Alternative solutions; imperative reasons of overriding public interest and compensatory measures. A screen report has been undertaken by TWBC, the aim of this HRA screening report is to assess whether this Neighbourhood Plan would cause any likely significant effects on European sites.
34. Previous studies have determined that there are two European Sites that could potentially be impacted upon by development activities with Tunbridge Wells Borough. These are the Ashdown Forest Special Protection Area (SPA) and the Ashdown Forest Special Area of Conservation (SAC) and Natura 2000 site. The potential impacts from development on these two sites have been determined by HRA work by Tunbridge Wells Borough and other Local Authorities and relate to recreational disturbance and atmospheric pollution. The boundary of the Ashdown Forest SAC/SPA lies outside the borough in Wealden District and is approximately 18km south west of the boundary of Horsmonden
35. As a result of the assessment TWBC found that it is unlikely there will be any significant environmental effects arising from the Horsmonden Neighbourhood Plan. As such, the ‘appropriate assessment’ stage of the HRA process that ascertains the effect on integrity of the European Site) does not need to be undertaken. This conclusion was sent to Natural England who agree with the conclusions of this report²¹.

²¹ Horsmonden Neighbourhood Plan, Habitats Regulation Assessment, Screening Report, Final Report. June 2021