

Supporting Document IA2 — Basic Conditions Statement

Benenden Neighbourhood Development Plan 2020 – 2036



Basic Conditions Statement

Regulation 15 Submission

Town & Country Planning Act 1990 (as amended) Para 8(2) of Schedule 4B

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1 Introduction:

1. This Basic Conditions Statement (the Statement) has been prepared by Benenden Parish Council to accompany its submission to the local planning authority; Tunbridge Wells Borough Council (TWBC) of the Benenden Neighbourhood Development Plan (BNDP) under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (“the Regulations”).
2. The Plan has been prepared by Benenden Parish Council, a qualifying body as defined by the Localism Act 2011, for the Neighbourhood Area covering the whole of the Benenden Parish (Appendix 1). The policies set out in the BNDP relate to the development and use of land in the designated qualifying Neighbourhood Area. The Plan does not relate to more than one neighbourhood area and there are no other neighbourhood development plans in place within the neighbourhood area.
3. Benenden Parish Council’s application of April 2017 was approved by TWBC on 22 August 2017. Following a series of workshops and plan preparation the BNDP consulted with parishioners and other stakeholders on an early ‘Rough Draft’ between 23 February 2019 and 6 April 2019. ‘Regulation 14’ consultation took place from 25 August 2019 to 31 October 2019.
4. The period of the Plan is from 2020 - 2036.
5. The BNDP relates to planning matters and has been prepared in accordance with the statutory requirements and processes set out in the Town and Country Planning Act 1990 (as amended by the Localism Act 2011) and associated Neighbourhood Planning Regulation.
6. The BNDP does not relate to excluded development, such as mineral extraction, waste development or other county or nationally significant infrastructure as set out in Section 61K of the Town and County Planning Act 1990.

7. This Basic Conditions Statement addresses each of the five ‘basic conditions’ required by the Regulations and explains how the submitted Plan meets the requirements of paragraph 8 of Schedule 4B to the 1990 Town & Country Planning Act. The Regulations state that a Neighbourhood Plan will be considered to have met the basic conditions if:
 - i. having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood development plan;
 - ii. the making of the neighbourhood development plan contributes to the achievement of sustainable development;
 - iii. the making of the neighbourhood development 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);
 - iv. the making of the neighbourhood development plan does not breach, and is otherwise compatible with, EU obligations;
 - v. prescribed conditions are met in relation to the neighbourhood development plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood development plan.
8. BNDP has chosen to allocate sites to meet the indicative housing allocation from TWBC.
9. The BNDP also contains a number of Projects, which are intended to contribute towards the achievement of the Plan’s vision and proposes principles for the use of the Community Infrastructure Levy (CIL) and monies arising from other planning obligations.
10. The BNDP is supported by a Consultation Statement, this Basic Conditions Statement and an extensive evidence base, available at www.benendenneighbourhoodplan.org.
11. The Plan has been screened in by TWBC in March 2019 as requiring a Strategic Environmental Assessment (“SEA”). An initial Scoping Report was prepared by Aecom, an independent body, in April 2019, to inform initial consultation with nationally designated environmental bodies. Aecom concluded the SEA Environmental report in August 2019, updated May 2020. Habitats Regulation Assessment (HRA) was completed by TWBC in May 2019. These documents are part of the supporting evidence and are therefore available on the neighbourhood plan website.

2 Basic Conditions (i) – Conformity with National Planning Policy

1. To meet this condition, the Plan must be shown to have regard to national policies and advice contained in guidance issued by the Secretary of State. National policy and guidance is contained within the National Planning Policy Framework (‘NPPF’) and the Planning Practice Guidance (‘PPG’).
2. The BNDP has been prepared in accordance with the revised NPPF published in February 2019. The NPPF sets out policies aligned to 13 key objectives which are:
 - Delivering a sufficient supply of homes;
 - Building a strong, competitive economy;
 - Ensuring the vitality of town centres;
 - Promoting healthy and safe communities;
 - Promoting sustainable transport;
 - Supporting high quality communications;
 - Making effective use of land;
 - Achieving well-designed places;
 - Protecting Green Belt land;
 - Meeting the challenge of climate change, flooding and coastal change;
 - Conserving and enhancing the natural environment;
 - Conserving and enhancing the historic environment;
 - Facilitating the sustainable use of minerals.

Note 'greyed-out' objectives are outside the scope of the BNDP.

3. This statement explains how the Neighbourhood Plan contributes to meeting these objectives and outlines the specific national policies that the Plan is intended to support and supplement. Three objectives (vitality of town centres, protection of Green Belt, and mineral extraction) are not relevant for BNDP.
4. Policy Table 1 below shows how BNDP objectives and policies aligns with National Planning Policy.

Policy Table 1: Benenden Regulation 15 Submission: Conformity with NPPF as published February 2019

BNDP: LANDSCAPE AND THE ENVIRONMENT	NPPF Conformity
<p>Objective:</p> <p>To protect valued environmental assets and support Benenden’s peaceful, rural, way of life. Recognising that the parish of Benenden is one of the most unspoilt parts of the High Weald AONB, the policies will enable villagers and visitors to continue to enjoy the countryside, important Local Green Spaces, Public Rights of Way (PRoW), views and dark skies.</p>	<p>NPPF Objectives:</p> <ul style="list-style-type: none"> ○ Promoting healthy and safe communities; ○ Meeting the challenge of climate change, flooding and coastal change; ○ Conserving and enhancing the natural environment; ○ Conserving and enhancing the historic environment.
<p>BNDP: Landscape and the Environment Policies, and alignment with NPPF policies</p>	
<p>LE1: Protect and Enhance the Countryside Development in the countryside is to be limited in order to conserve and enhance the High Weald AONB; views from public areas; formal and informal recreational amenities, as well as biodiversity.</p> <p>Outside the Limits to Built Development, as defined in the Local Plan, priority will be given to protecting and enhancing the countryside. A proposal for development will only be permitted where:</p> <ol style="list-style-type: none"> a) It would conserve and enhance the landscape and scenic beauty of the High Weald AONB, including the tranquillity and dark skies of the countryside, and must have regard to the High Weald AONB Management Plan; b) It would not have an adverse effect on the character or landscape setting of settlements (including the designated Conservation Areas) or other historic ‘dens’; c) It would maintain the distinctive views of the surrounding countryside from public vantage points, in particular those defined at Figs 1 & 2 maps; d) It would protect and, where possible, enhance the following features: <ol style="list-style-type: none"> i. Local Green Spaces, in accordance with Policy LE3, ii. Ancient woodland, iii. The landscape character of Hemsted Park (Benenden School) and Hole Park Historic Parks and Gardens, and iv. Rural lanes which have a historic, landscape or nature conservation importance; e) It would be well integrated into the surrounding landscape. 	<p>NPPF 127, NPPF 170, NPPF 172, NPPF 175</p>

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<p>LE2: Distinctive Views Ensure that the identified views in Figs. 1 and 2 are not adversely impacted by development either inside the AONB or immediately outside it.</p> <p>Developers should demonstrate that proposals will conserve and enhance the landscape and scenic beauty of the parish.</p>	NPPF 127, NPPF 170, NPPF 172
<p>LE3: Local Green Spaces Protect and respect designated Local Green Spaces.</p> <p>Development on these areas will only be permitted under very special circumstances. See TWBC DLP 2019 — Policy EN17</p> <p>Any planned development should not adversely impact or affect the identified significance of the particular LGS.</p>	NPPF 99, NPPF 100, NPPF 101
<p>LE4: Public Rights of Way (PRoW) Any new development must preserve existing PRoW, rerouted where appropriate. Where new housing or commercial development affects an existing PRoW, it must be preserved, enhanced and maintained. New footpaths and cycle paths are to be created, where appropriate, to increase connectivity. Funding to be provided by CIL/Section 106 contributions.</p>	NPPF 98
<p>LE5: Trees, Woodland and Hedgerow There will be a presumption in favour of the retention and enhancement of existing trees, woodland and hedgerow cover on site. Existing individual trees, or groups of trees, that contribute positively to the area shall be retained. Any proposed new landscaping, and any existing landscaping to be retained, shall include adequate capacity for future tree growth, where appropriate.</p>	NPPF 172, NPPF 174
<p>LE6: Ecological and Arboricultural Site Surveys Ecological and arboricultural site surveys must be conducted and submitted for any new housing or commercial development, as part of the planning process, to identify natural features, including trees, hedges, wildlife and biodiversity, to be protected, maintained and preserved during and after construction. The funding and monitoring costs of this process to be borne by the developer. Where green spaces are proposed, they should be located within the areas where there are existing habitats, wherever possible, rather than creating new habitat.</p>	NPPF 172, NPPF 174
<p>LE7: Protection of Habitats Adjacent to Development Where new housing or commercial development is proposed, buffers must be provided to protect habitats. Developers should strive to achieve a buffer of 50m to protect ancient woodland, local wildlife sites and other areas of natural importance, and at no time should the buffer be less than 15m except where existing physical restrictions make this unfeasible. The buffer itself must be kept as a natural wildlife haven and not used as an amenity.</p>	NPPF 174

<p>LE8: On-going Environmental Maintenance Where new housing or commercial development is proposed, developers must, where required by the Parish Council or TWBC, include an on-going management plan for wildlife-related aspects of the site and provision for its funding. Developers must, where required, also set up an environmental management service contract to maintain public areas, particularly LWS, and shall provide for long-term integration and enhancement of the environment.</p>	<p>NPPF 174</p>
<p>LE9: Features to Encourage Wildlife. Plans for new housing or commercial developments must include elements that encourage wildlife and plants: a) Use native hedgerow species for boundaries in preference to walls or fencing (see Policy BD4). Planting of pollinator-friendly native wildflowers should also be encouraged. b) Ensure common areas, boundaries and verges on new developments are wildlife rich. c) Include specific elements such as bird boxes, bat roosts and hedgehog highways to encourage wildlife.</p> <p>See also Landscape and Environment Project 1.</p>	<p>NPPF 170, NPPF 174</p>
<p>LE10: Sustainable Drainage for New Housing or Commercial Development Developers must demonstrate that best practice sustainable drainage will be incorporated into any development before construction commences. Developers should refer to KCC Surface Water Floor Maps as produced by the Environment Agency and the adopted KCC Drainage & Planning Policy Statement which provides direction for the incorporation of surface water drainage within new developments.</p>	<p>NPPF 163</p>

BNDP: HOUSING SUPPLY AND SITE ALLOCATION	NPPF Conformity								
<p>Objective:</p> <p>To support modest-scale housing development to meet local needs with a mix of well-designed, high quality, sustainable and affordable housing that conserves and enhances the existing built and natural environment.</p>	<p>NPPF Objectives:</p> <ul style="list-style-type: none"> ○ Delivering a sufficient supply of homes; ○ Promoting healthy and safe communities; ○ Making efficient use of land; ○ Achieving well-designed spaces; ○ Conserving and enhancing the natural environment; ○ Conserving and enhancing the historic environment; 								
<p>BNDP: Housing Supply and Site Allocation Policies, and alignment with NPPF policies</p>									
<p>HS1: Site Allocation and Number of New Dwellings</p> <p>In addition to existing planning permissions* and windfall development allowed under Policy HS5, this Plan allocates four sites to accommodate approximately 90 additional new homes in the parish.</p> <table border="0" data-bbox="203 727 622 852"> <tr> <td>Ref. LS16 Uphill</td> <td>18-20 units</td> </tr> <tr> <td>Ref. 277 Feoffee</td> <td>23-25 units</td> </tr> <tr> <td>Ref. 424 Hospital South</td> <td>22-25 units</td> </tr> <tr> <td>Ref. LS41 Hospital North</td> <td>22-25 units</td> </tr> </table> <p>*There are two existing planning consents in Walkhurst Road (12 units under construction) and at Benenden Hospital — South Site (24 units unimplemented).</p>	Ref. LS16 Uphill	18-20 units	Ref. 277 Feoffee	23-25 units	Ref. 424 Hospital South	22-25 units	Ref. LS41 Hospital North	22-25 units	<p>NPPF 65, NPPF 66, NPPF 78, NPPF 79, NPPF 103, NPPF 170, NPPF 171, NPPF 172</p>
Ref. LS16 Uphill	18-20 units								
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Ref. LS41 Hospital North	22-25 units								

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<p>HS2: Delivering a Balanced Community Proposals for housing development in accordance with the Neighbourhood Plan will be required to be designed to provide for balanced communities by meeting the TWBC Strategic Housing Assessment mix, and to take note of the Housing Needs Study (HNS). This will ensure suitable and affordable housing is available for individuals and families and, in particular, housing to meet the needs of an ageing population. New housing developments should include an integrated variety of housing types — such as flats, maisonettes and bungalows, in addition to family houses.</p> <p>Each site should include:</p> <ul style="list-style-type: none"> a) affordable housing in line with TWBC policy b) suitable property for older residents who wish to downsize within the parish c) mixed sizes of market housing for parishioners and new residents d) well-integrated affordable and market housing within each development, to help to establish and maintain a strong, mixed and balanced community. 	<p>NPPF 34, NPPF 61, NPPF 62, NPPF 64,</p>
<p>HS3: Almshouses The Parish Council will support schemes that apply the almshouse principle in accordance with the Neighbourhood Plan. Benenden’s almshouses are administered by the Benenden Almshouse Charities (see Feoffee site ref. 277) and, where appropriate, this principle should be followed to provide an enduring supply of affordable housing in perpetuity.</p>	<p>NPPF 61, NPPF 62</p>
<p>HS4: Live/Work (L/W) Units Proposals for live/work units will only be considered appropriate if they are within the LBD, as defined by the Local Plan, or are conversions of appropriate rural buildings, or are on previously developed land (PDL). A condition of planning permission will be that such workspaces cannot be converted to wholly domestic use.</p> <p>All live/work units must have appropriate internet connectivity (see Policy T5).</p>	<p>NPPF 79, NPPF 81, NPPF 83</p>
<p>HS5: Windfall Sites Windfall residential development such as infilling, redevelopment, conversion or extension will be permitted subject to the following criteria:</p> <ul style="list-style-type: none"> a) Within the LBD, as defined in the Local Plan, where such proposals do not conflict with other policies in the Local Plan, or Neighbourhood Plan; b) Outside the LBD, as defined in the Local Plan, on previously developed land (PDL), or the conversion of appropriate rural buildings, which are not currently in business use; a) The scale, design and appearance comply with BNDP design policy. 	<p>NPPF 68, NPPF 70, NPPF 81, NPPF 83,</p>

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<p>HS6: Housing Density While being aware of the need to make efficient use of land, as expressed in the NPPF, the density of new housing should be comparable with the densities adjoining the proposed development, in order to maintain the character and distinctiveness of the location.</p>	<p>NPPF 122</p>
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<p><u>Site Specific Policy 1 (SSP1)</u> <u>Land adjacent to Feoffee Cottages, Walkhurst Road, Benenden (ISA reference: Site 277)</u></p> <p>Site Selection Approach: To support a suitable development proposal for the site, as an exceptional opportunity to provide a sustainable development to meet local needs for affordable housing through the Benenden Almshouse Charities, in a location that is close to village facilities. A suitable design must avoid or minimise harmful impacts of a development within the AONB, and close to the Benenden Conservation Area, and improve the character and quality of Benenden village.</p> <p>Achieved by: Supporting suitable proposals from the Benenden Almshouse Charities to maximise local needs affordable housing on the site.</p> <p>Proposals shall:</p> <ul style="list-style-type: none"> • Provide a mixed residential development of 23-25 C3 dwellings, with at least 12 units provided for affordable housing adhering to the almshouse principle, and with an element of market housing necessary to provide the financial basis for the almshouse development. To include a mix of housing types including affordable family housing as well as smaller units. • Be designed to conserve and enhance the character and distinctiveness of the village. The density of housing should be sympathetic to local character including the surrounding built housing density in the adjacent areas, the AONB landscape, and the landscape and heritage setting of the Benenden Conservation Area and nearby Listed Buildings. Density must not exceed 25dph (see Reasoned Justification para. 2.9.1.1) after discounting the buffer zone of 0.46ha. • Include the provision of adequate parking facilities to avoid on-street parking both within and beyond the development site. Reference should be made to the BNDP Design and the Built Environment chapter para. 3.6 and Policy BD6 for determining the quantity of vehicle parking spaces, in the context of a generally high reliance on private cars in this area of poor public transport provision. If provided, garages will not count towards the required quantity of parking spaces. Areas should be set aside for amenity vehicles turning and for the parking of mobility scooters, ideally under cover. Dwellings to be provided with electric car-charging facilities. • Protect the Ancient Woodland (and pond) lining Workhouse Gill, which should include a buffer area adjacent to the designated area of a minimum of 50m free from any form of built development, track or private garden space; the details and planting of the buffer area to be approved and thereafter maintained in accordance with Policies LE7 and LE8 The proposal must secure the management of the buffer in the long term. • Provide all dwellings with a suitable standard of shared semi-private and/or private garden space. Landscaping of open areas and the means of enclosure of all the site boundaries should be appropriately 	<p>NPPF 61, NPPF 62, NPPF 69, NPPF 71, NPPF 78, NPPF 84, NPPF 91, NPPF 92, NPPF 102, NPPF 122, NPPF 170, NPPF 172, NPPF 174, NPPF 175, NPPF 194, NPPF 200</p>
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<p>planted and screened with native hedging species (see Policies LE9 and BD4); solid fencing and other hard borders should be strictly minimised.</p> <ul style="list-style-type: none"> • Provide a vehicle access link with a footpath to Walkhurst Road and a direct footway connection within the site to Rothermere Close to provide safe pedestrian access, on one side of the road only, to the village centre (see Policy BD7). The footway shall be designed having regard to the sensitive ‘edge of settlement’ character in this part of Walkhurst Road. • Reflect the location of the site on the edge of the settlement in the layout and design of the scheme and take into account the sensitive topography (see TWBC DLP EN1: Design and other development management criteria, EN20: Rural Landscape and EN21: High Weald Area of Outstanding Natural Beauty (AONB)). Development to be informed by a Landscape and Visual Impact Assessment and heritage assessment. Design and materials should comply with the design requirements specified in the BNDP Design and the Built Environment chapter and the policies contained therein. • Be sensitive to the approach and setting of the Benenden Conservation Area (see TWBC DLP Policy EN7: Heritage Assets). • Minimise the impact of construction work on existing flora and fauna, in particular retaining the hedging/mature trees on the site boundaries (see Policies LE5 and LE6) and encourage wildlife by including features within the development which are sympathetic to local wildlife and plants (see Policy LE9). • The parish is a dark skies area and any proposals for the outdoor lighting of new developments must comply with BNDP Policy BD5. <p>It is expected that contributions will be required towards the following to mitigate the impact of the development:</p> <ol style="list-style-type: none"> i. Works to the junction of Walkhurst Road and the B2086 to include dropped kerbs with tactile paving; ii. Any further contributions identified through the pre-application and planning application process. 	
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<p><u>Site Specific Policy 2 (SSP2)</u> <u>Uphill, New Pond Road, Benenden (ISA reference: Site LS16)</u></p> <p>Site Selection Approach: To support a modest scale development on a relatively enclosed and sustainable site close to village amenities. A suitable design must avoid or minimise harmful impacts and improve the character and quality of Benenden village.</p> <p>Achieved by: Supporting suitable development proposals and collaborating with the developer to achieve a traffic calming scheme on New Pond Road and at Benenden crossroads and create a new pedestrian footway to connect the site to Hortons Close and the village centre.</p> <p>Proposals shall:</p> <ol style="list-style-type: none"> 1. Provide a residential development of 18-20 C3 dwellings, with affordable housing in accordance with TWBC policy and a mix of type and size integrated throughout the development to help meet locally identified needs (see Policy HS2). 2. Be designed to conserve and enhance the character and distinctiveness of the village; the density of housing should be sympathetic to local character including surrounding built housing density in the adjacent areas, the AONB landscape, and the landscape and heritage setting of the Benenden Conservation Area. Density must not exceed 25dph (see Reasoned Justification para 2.9.2.1). 3. Include the provision of adequate parking facilities to avoid on-street parking both within and beyond the development site. Reference should be made to the BNDP chapter Design & the Built Environment chapter para 3.6 and Policy BD6 for determining the quantity of vehicle parking spaces, in the context of the generally high reliance on private cars in this area of relatively poor public transport provision. If provided, garages will not count towards the required quantity of parking spaces. Dwellings to be provided with electric car-charging facilities. 4. Protect the natural environmental and landscape enclosure of the site, the trees at the rear of the site and trees and hedging at all the site boundaries should be assessed at pre-application stage ecological and arboricultural site survey (Policies LE5 & LE6) for the health of the trees, their contribution to the landscape character of the AONB and biodiversity; the most significant trees and hedges should be protected and incorporated into the design of the development in order to maintain the rural nature of the development and surroundings. Existing hedges and trees at the New Pond Road frontage should be conserved and enhanced to screen the site and setting of the nearby historic parkland; Hemsted Park (Benenden School). 5. This site lies within, or very close to, the relevant impact risk zone for Parsonage Wood SSSI; hence an assessment of potential adverse effects on the SSSI as a result of the development will be required as part of any application, and if required the proposal shall include adequate mitigation measures, both during 	<p>NPPF 69, NPPF 78, NPPF 84, NPPF 91, NPPF 92, NPPF 102, NPPF 117, NPPF 118, NPPF 122, NPPF 170, NPPF 171, NPPF 172, NPPF 174, NPPF 175</p>
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<p>construction and on completion, to the satisfaction of Natural England to ensure no adverse effects on the SSSI as a result of the proposed development (see TWBC DLP Policies EN11: Net Gains for Nature: biodiversity and EN12: Protection of designated sites and habitats).</p> <ol style="list-style-type: none"> 6. The MAGIC website identifies the potential for Woodpasture or Parkland, a BAP priority habitat, to be within 25m of the site. This should be taken into consideration as part of any detailed site-specific studies to inform development and any required mitigation (see TWBC DLP Policy EN12: Protection of designated sites and habitats). 7. The submission of relevant and proportionate archaeological investigations is required as part of the planning application process to demonstrate that the proposal will not have a materially harmful impact on the archaeological environment (see TWBC DLP Policy EN7: Heritage Assets). 8. Protect important habitat; the site lies within the National Biodiversity Networks area for Turtle Doves — a Priority Species in the UK post 2010 Biodiversity Framework, listed on the Red list of Threatened Species. Mitigation is required to minimise the impact of both construction work and the new housing on existing flora and fauna (see Policies LE5 and LE7) and encourage wildlife by including features within the development which are sympathetic to local wildlife and plants (see Policy LE9). 9. Provide all dwellings with a suitable standard of shared semi-private and/or private garden space. Landscaping of open areas and the means of enclosure of all the site boundaries should be appropriately planted and screened with native hedging species; solid fencing and other hard borders should be strictly minimised (see Policy BD4). 10. The provision of a pedestrian footway from the site entrance, past Hortons Close, to the junction of New Pond Road and the B2086 (on highways land). This shall be designed having regard to the designation of this part of New Pond Road as an Important Landscape Approach (see Policy BD7). 11. A single point of access for vehicles from New Pond Road should be designed to be compatible with and support the implementation of approved plans for the improved traffic calming and safety measures in New Pond Road. 12. Design and materials should comply with the design requirements specified in the Benenden Neighbourhood Development Plan under the Design and the Built Environment chapter and the policies contained therein. 13. The parish is a dark skies area and any proposals for the outdoor lighting of new developments must comply with Policy BD5. <p>It is expected that contributions will be required towards the following to mitigate the impact of the development:</p> <ol style="list-style-type: none"> i. Works to the junction between New Pond Road and the B2086. ii. The designation of a 30mph speed limit along New Pond Road to the north of the site. iii. Contribution towards children’s play areas within the parish. iv. Any further contributions identified through the pre-application and planning application process. 	
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<p>Site Specific Policy 3 (SSP3) <u>Land at Benenden Hospital, South of Goddards Green Road, East End – South East Quadrant (SEQ) (ISA reference: Site 424 and LS40b)</u></p> <p>Site Selection Approach: To support development on a brownfield site outside, but adjacent to, the High Weald AONB. A suitable development must avoid or minimise harmful impacts on the setting of the AONB and improve the character and quality of the location, while providing an opportunity to improve amenities at East End (see Reasoned Justification para. 2.9.3.4).</p> <p>Achieved by: This site is allocated for residential development (C3) to provide an additional number of residential units of 22-25. Planning permission has already been granted for 24 new dwellings at this site; this allocation would result in a total of 46-49 dwellings on this site. Comprehensive development proposals, in the form of a Masterplan, must be submitted in respect of the land currently held in Benenden Healthcare Society estate ownership at this location, to be delivered in accordance with a phased timetable, which indicates land to the south of Goddards Green Road (SEQ) to be developed prior to any other phases. The Masterplan should be produced in close collaboration with the local community, Benenden Parish Council and TWBC. The Masterplan must be completed and accepted by TWBC and BPC, before any planning application can be submitted for the development of this area.</p> <p>Proposals shall:</p> <ol style="list-style-type: none"> 1. Provide a residential development of an additional 22-25 C3 dwellings, with affordable housing in accordance with TWBC policy and a mix of type and size integrated throughout the development to help meet locally identified needs (see Policy HS2). 2. Ensure that design, scale, massing and overall density create a sense of place and focus to the residential communities and reflect the character and rural nature of the East End area adjacent to the AONB, whilst acknowledging the scale of adjacent hospital buildings. Density must not exceed 22dph (see Reasoned Justification para. 2.9.3.1). Building heights should generally be restricted to two storeys. 3. Include the provision of adequate parking facilities to avoid on-street parking both within and beyond the development. Reference should be made to the Design and the Built Environment chapter para. 3.6 and Policy BD6 for determining the quantity of vehicle parking spaces in the context of a generally high reliance on private cars in this area. If provided, garages will not count towards the required quantity of parking spaces. Dwellings to be provided with electric car-charging facilities. 	<p>NPPF 54, NPPF 56, NPPF 72, NPPF 78, NPPF 79, NPPF 98, NPPF 103, NPPF 111, NPPF 117, NPPF 118, NPPF 122, NPPF 170, NPPF 171, NPPF 172, NPPF 174, NPPF 175</p>
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<p>4. Have close regard to the design and materials requirements specified in the BNDP under the Design and the Built Environment chapter and the policies contained therein.</p> <p>5. Provide private garden space and/or shared semi-private spaces, all enclosure to be appropriately planted and screened with native hedging species to protect the occupiers' privacy (see Policy BD4).</p> <p>6. Regard to be given to existing hedgerows and mature trees on site (see Policy LE5), with the layout and design of the development protecting those of most amenity value, as informed by an arboricultural survey and landscape and visual impact assessment (see TWBC DLP Policy EN14: Trees, Woodlands, Hedges, and Development and criterion 3 of TWBC DLP Policy EN1: Design and other development management criteria).</p> <p>7. Reflect existing trees and hedges on the site, and the complex topography (particularly within the southern part of the site) (see criteria 1 and 3 of TWBC DLP Policy EN1: Design and other development management criteria).</p> <p>8. Ensure the Local Wildlife Sites (LWS) be conserved and protected in accordance with national and local planning policy and in line with the guidelines laid out in Policy LE7.</p> <p>9. Ensure the LWSs be conserved and enhanced as wildlife sites with a management plan (Policy LE8) adopted to achieve this, and the sites are not to be used for recreational purposes.</p> <p>10. In order to reduce the amount of construction traffic using local roads where possible the disposal of earth spoil generated by construction works should be redistributed on the wider site in landscape remodelling. Provision of a Construction Management Plan must accompany any planning application.</p> <p>11. The Construction Management Plan should address how to minimise the impact of construction work on existing flora and fauna, valuable micro-wildlife habitats in roadside verges, banks and ditches, in particular retaining the hedging which borders the site/mature trees on the site (see Policies LE5 & LE6).</p> <p>12. Any planning application shall include a Traffic Impact Study detailing expected growth in traffic volumes and the mitigations required for road and pedestrian safety.</p> <p>13. The parish is a dark skies area and any proposals for the outdoor lighting of new developments must comply with policy BD5.</p> <p>14. Development on this site is to be built-out before construction work can commence on the North East Quadrant (Site LS41). The use of Castleton Oak Crossroads or Golford Crossroads by construction traffic is problematic as demonstrated by the number of accidents that occur at these locations. Phasing of the development will ease this problem.</p> <p>It is expected that contributions will be required towards the following to mitigate the impact of development and enhance the sustainability of the location:</p> <ul style="list-style-type: none"> i. Provision of an active travel link between the site and Benenden village (see BNDP Supporting Document TA2 and Policies T1, T2 & T5). ii. The reduction of the existing 30mph speed limit through East End to 20mph. iii. Include an area for sport and recreational use by the local community and a children's play area, in part repurposing the existing tennis courts located in the North East Quadrant. 	
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<ul style="list-style-type: none"> iv. The means to secure the public use of the cafe at the hospital from occupation of 50% of the residential units until premises are provided through development of LS41 (NEQ). v. Provide a community space for events and to provide amenities such as a pre-school or play group. An appropriate building might be the existing old chapel building to the west of the site. vi. Provide a minibus for the use of Benenden Primary School and provide funding to maintain and run the minibus service to/from Benenden village/Primary School to serve school times thus reducing traffic and improving sustainability. From occupation of 50% of the residential units for 10 years from commencement. vii. Promote and support the Kent County Council Hopper Bus trial and other DRT initiatives. It is intended to serve the growing community in proximity to the Hospital in order to aid connectivity with larger conurbations, such as Tenterden, for the purposes of work, leisure and health. viii. Any further contributions identified through the pre-application and planning application process. 	
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<p>Site Specific Policy 4 (SSP4) <u>Land at Benenden Hospital, North of Goddards Green Road, East End – North East Quadrant (NEQ) (ISA reference: Site LS41)</u></p> <p>Site Selection Approach: To support development on a brownfield site outside, but adjacent to the High Weald AONB. A suitable development must avoid or minimise the harmful impacts on the setting of the AONB and improve the character and quality of the location, while providing an opportunity to improve amenities at East End (see para. 2.9.4.4)</p> <p>Achieved by: This site is allocated for residential development (C3) to provide 22-25 residential units.</p> <p>Comprehensive development proposals, in the form of a Masterplan, must be submitted in respect of the land currently held in Benenden Healthcare Society estate ownership at this location, to be delivered in accordance with a phased timetable, which indicates land to the north of Goddards Green Road (NEQ) will be developed as the second phase. No work to commence on phase two of the Masterplan until the south site (SEQ) is fully built-out.</p> <p>The Masterplan should be produced in close collaboration with the local community, Benenden Parish Council and TWBC.</p> <p>The Masterplan must be completed and accepted by TWBC and BPC, before any planning application can be submitted for the development of this area.</p> <p>Proposals shall:</p> <ol style="list-style-type: none"> 1. Provide a residential development of 22-25 C3 dwellings, with affordable housing in accordance with TWBC policy and a mix of type and size integrated throughout the development to help meet locally identified needs (see Policy HS2). 2. Ensure that design, scale, massing and overall density create a sense of place and focus to the residential communities and reflect the character and rural nature of the East End area adjacent to the AONB, whilst acknowledging the scale of adjacent hospital buildings. Density must not exceed 22dph (See Reasoned Justification para. 2.9.4.1). Building heights should generally be restricted to two storeys. 3. Include the provision of adequate parking facilities to avoid on-street parking both within and beyond the development. Reference should be made to the Design and the Built Environment chapter para. 3.6 and Policy BD6 for determining the quantity of vehicle parking spaces in the context of a generally high reliance on private cars in this area. If provided, garages will not count towards the required quantity of parking spaces. Dwellings to be provided with electric car-charging facilities. 	<p>NPPF 54, NPPF 56, NPPF 72, NPPF 78, NPPF 79, NPPF 98, NPPF 103, NPPF 111, NPPF 117, NPPF 118, NPPF 122, NPPF 170, NPPF 171, NPPF 172, NPPF 174, NPPF 175</p>
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4. Have close regard to the design and materials requirements specified in the BNDP under the Design and the Built Environment chapter and the policies contained therein.
 5. Provide private garden space and/or shared semi-private spaces, all enclosure to be appropriately planted and screened with native hedging species to protect the occupiers' privacy (see Policy BD4).
 6. Regard to be given to existing hedgerows and mature trees on site (see Policy LE5), with the layout and design of the development protecting those of most amenity value, as informed by an arboricultural survey and landscape and visual impact assessment (see TWBC DLP Policy EN14: Trees, Woodlands, Hedges, and Development and criterion 3 of TWBC DLP Policy EN1: Design and other development management criteria).
 7. In order to reduce the amount of construction traffic using local roads, where possible the disposal of earth spoil generated by construction works should be redistributed on the wider site in landscape remodelling. Provision of a Construction Management Plan must accompany any planning application.
 8. The Construction Management Plan should address how to minimise the impact of construction work on existing flora and fauna, valuable micro-habitats in roadside verges, bands and ditches, in particular retaining the hedging which borders the site/mature trees on the site (see Policies LE5 & LE6).
 9. Any planning application shall include a Traffic Impact Study detailing expected growth in traffic volumes and the mitigations required for road and pedestrian safety.
 10. The parish is a dark skies area and any proposals for the outdoor lighting of new developments must comply with policy BD5.
 11. Development on this site can only commence once construction is complete on the SEQ site.
 12. Ensure the Local Wildlife Sites (LWS) be conserved and protected in accordance with national and local planning policy and in line with the guidelines laid out in Policy LE7.
 13. Ensure the LWSs be conserved and enhanced as wildlife sites with a management plan (Policy LE8) adopted to achieve this, and the sites are not to be used for recreational purposes.
- It is expected that contributions will be required towards the following to mitigate the impact of development and enhance the sustainability of the location:**
- i. Provision of an active travel link between the site and Benenden village (see BNDP Supporting Document TA2 and Policies T1, T2 & T5).
 - ii. The reduction of the existing 30mph speed limit through East End to 20mph.
 - iii. Include an area for sport and recreational use by the local community and a children's play area, in part repurposing the existing tennis courts on the site.
 - iv. Provision of premises that would be available as a publicly accessible café and small retail outlet.
 - v. Provide a community space for events and to provide amenities such as a pre-school or play group. An appropriate building might be the existing old chapel building to the west of the site.
 - vi. Provide a minibus for the use of Benenden Primary School and provide funding to maintain and run the minibus service to/from Benenden village/Primary School to serve school times thus reducing traffic and improving sustainability. From occupation of 50% of the residential units for 10 years from commencement.

<p>vii. Promote and support the Kent County Council Hopper Bus trial and other DRT initiatives. It is intended to serve the growing community in proximity to the Hospital in order to aid connectivity with larger conurbations, such as Tenterden, for the purposes of work, leisure and health.</p> <p>i. Any further contributions identified through the pre-application and planning application process.</p>	
<p>BNDP: DESIGN AND THE BUILT ENVIRONMENT</p>	<p>NPPF Conformity</p>
<p><u>Objective:</u></p> <p>New buildings shall be of good quality construction, using local materials and designed to be sympathetic to the character of existing landscape and buildings, with scale, form and density to be complementary to the existing; the principal aim is to protect and enhance the beauty of the parish.</p>	<p><u>NPPF Objectives:</u></p> <ul style="list-style-type: none"> ○ Promoting healthy and safe communities; ○ Making efficient use of land; ○ Promoting sustainable transport; ○ Achieving well-designed spaces; ○ Meeting the challenge of climate change, flooding and coastal change ○ Conserving and enhancing the natural environment; ○ Conserving and enhancing the historic environment;
<p>BNDP: Design and the Built Environment Policies, and alignment with NPPF policies</p>	
<p>BD1: General Design Policy</p> <p>Proposals for all forms of new development must plan positively for the achievement of high quality and inclusive building and landscaping design.</p> <p>Designers must demonstrate that they have sought to:</p> <ul style="list-style-type: none"> • conserve local distinctiveness; • protect and enhance heritage assets and their settings; <p>create designs that are sympathetic to the aesthetic qualities for traditional rural settlements and buildings found in the High Weald AONB.</p>	<p>NPPF 125</p>

<p>BD2: General Appearance</p> <p>Residential Developments: Any new housing development should conserve the distinctive character of the local existing built environment, should respect the density, footprint, separation and features of the surrounding area, and the scale and bulk of new buildings should be in keeping with the local area. Reference should be made by developers to Supporting Documents BDA3, BDA4 and BDA5 when designing housing schemes, and to the High Weald Housing Design Guide.</p> <p>In addition, designs must take into account:</p> <ol style="list-style-type: none"> a) The height of buildings should be in keeping with the heights of building in the local area. b) Styles and materials that relate to the existing built environment for the local area will be encouraged including roof construction materials. c) New developments should generally maintain the traditional appearance and layout of the built environment but innovative, high quality, exceptional modern design which would significantly enhance the setting and be sensitive to the defining characteristics of the surrounding area, would be considered, on its own merits, via the planning process. d) Materials and styles similar to those incorporated in buildings in the more historic parts of the parish will be encouraged. e) Developers are, however, encouraged to adopt new materials and technologies to achieve sustainable, low-carbon, energy-saving designs. f) Any chimney, which is constructed, must be a working chimney. g) The design must incorporate the sensitive use of colour and materials to be cohesive with the local surroundings. Developers are encouraged to use the High Weald AONB Unit's Colour Study (www.highweald.org.uk). Developers should note that there is currently no domestic property in the parish constructed with yellow brick and this Plan discourages its use. h) Developers must demonstrate that all materials used in construction are from sustainable sources. <p>Any proposed extensions or additions to existing residential properties must be designed in accordance with the BNDP Design Policies BD1, BD2, BD3 d) and BD5.</p> <p>Non-residential Developments: Any new development should conserve the distinctive character of the local existing built environment and the scale and bulk of new buildings should be in keeping with the local area.¹</p> <p>Policy BD2 a), b), e), g) and h) above apply.</p> <ul style="list-style-type: none"> • Any proposed new, or extensions to existing, commercial developments must be designed in accordance with the BNDP Design Policies BD1, BD2 a), b), e), g) & h), BD4 c) & e), BD5 & BD8 b), c), d), e) & f). 	<p>NPPF 125</p>
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<p>BD2: General Appearance</p> <p>Residential Developments: Any new housing development should conserve the distinctive character of the local existing built environment, should respect the density, footprint, separation and features of the surrounding area, and the scale and bulk of new buildings should be in keeping with the local area. Reference should be made by developers to Supporting Documents BDA3, BDA4 and BDA5 when designing housing schemes, and to the High Weald Housing Design Guide.</p> <p>In addition, designs must take into account:</p> <ul style="list-style-type: none"> i) The height of buildings should be in keeping with the heights of building in the local area. j) Styles and materials that relate to the existing built environment for the local area will be encouraged including roof construction materials. k) New developments should generally maintain the traditional appearance and layout of the built environment but innovative, high quality, exceptional modern design which would significantly enhance the setting and be sensitive to the defining characteristics of the surrounding area, would be considered, on its own merits, via the planning process. l) Materials and styles similar to those incorporated in buildings in the more historic parts of the parish will be encouraged. m) Developers are, however, encouraged to adopt new materials and technologies to achieve sustainable, low-carbon, energy-saving designs. n) Any chimney, which is constructed, must be a working chimney. o) The design must incorporate the sensitive use of colour and materials to be cohesive with the local surroundings. Developers are encouraged to use the High Weald AONB Unit's Colour Study (www.highweald.org.uk). Developers should note that there is currently no domestic property in the parish constructed with yellow brick and this Plan discourages its use. p) Developers must demonstrate that all materials used in construction are from sustainable sources. <p>Any proposed extensions or additions to existing residential properties must be designed in accordance with the BNDP Design Policies BD1, BD2, BD3 d) and BD5.</p> <p>Non-residential Developments: Any new development should conserve the distinctive character of the local existing built environment and the scale and bulk of new buildings should be in keeping with the local area.¹ Policy BD2 a), b), e), g) and h) above apply.</p> <p>Any proposed new, or extensions to existing, commercial developments must be designed in accordance with the BNDP Design Policies BD1, BD2 a), b), e), g) & h), BD4 c) & e), BD5 & BD8 b), c), d), e) & f).</p>	<p>NPPF 125, NPPF 126, NPPF 127, NPPF 128, NPPF 172</p>
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<p>BD3: Layout</p> <ul style="list-style-type: none"> a) The street scene should incorporate variations in form and detail; the positioning of dwellings in relation to the road should be varied to create a stepped/staggered street scene. b) Developers will be encouraged to ensure site permeability via roadways to allow integration of the proposed development into existing areas of built development. c) Designs should include open green spaces of appropriate scale and quality in order to promote health and wellbeing. d) Housing should be positioned to minimise the overlooking of adjacent properties and to reduce the transference of air-borne sound between properties. e) The layout of any housing development should be such as to create an impression of organic growth over time. To achieve this, a large variation in style and material finishes in any one group of houses, or development, should be avoided. f) A generally straight or gently curving road layout through developments is preferred rather than meandering roads which do not reflect local character and design.⁸ g) Road narrowing or other design features, including planting, to be put in place to reduce traffic speeds, minimising the use of signs. h) Development must be well integrated into the surrounding landscape. 	<p>NPPF 110, NPPF 125, NPPF 127, NPPF 128, NPPF 172, NPPF 180</p>
<p>BD4: Landscaping</p> <ul style="list-style-type: none"> a) Green spaces should be included within the development as amenity areas and private gardens adjacent to properties. b) Plot boundaries should be designed to complement the surrounding countryside, using, for example, native hedging with mesh or stock fencing; solid fencing should be avoided. c) Sufficient landscaping will be required to reflect the existing rural streetscape adjacent to the development. d) Existing mature trees should be retained to provide open spaces within the proposed development and are considered essential to maintain the rural nature of the area as well as to provide adequate amenity space for each dwelling. e) Creative landscaping to avoid the urbanising effect of car parking spaces will be encouraged. 	<p>NPPF 125, NPPF 127, NPPF 172</p>

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<p>BD5: Dark Skies</p> <p>In order to support the Benenden dark skies policy and to preserve a key characteristic of natural beauty defined in the High Weald AONB Management Plan as ‘intrinsically dark landscapes with a sense of remoteness and tranquility’, all external lighting included in any proposal must be carefully designed and strictly limited.</p> <p>All proposals for external lighting should include:</p> <ul style="list-style-type: none"> a) Full details of the proposed lighting to be installed and maintained for approval; b) Any proposed lighting must not have a noticeable impact on the dark skies enjoyed by the parish; c) Lighting should be limited to that required for safe access and only where carefully designed and justified, for security purposes; d) All lighting must be time limited and only low level (in terms of height and wattage). No street lighting will be acceptable; e) Floodlighting, to enable the use of sports and other facilities and for the activity and security of some businesses, will need strong justification and will be required to have time restrictions and automated controls for switch off and dimming; reference should be made to the Guidance Notes for the Reduction of Obtrusive Light, The Institute of Lighting Engineers 2005 and any subsequent revisions. f) Planning conditions may be added to ensure approved lighting is properly maintained, and that additional exterior lighting is only allowed with prior approval from the Parish Council and TWBC. <p>The Parish Council will work with the owners of existing exterior lighting schemes to modify these to enhance the quality of the dark sky of the parish.</p>	<p>NPPF 127, NPPF 180</p>
<p>BD6: Parking</p> <ul style="list-style-type: none"> a) Sufficient off-road parking must be incorporated in all new housing developments — minimum car parking spaces to be provided: <ul style="list-style-type: none"> i) 1 bed flat and 1 bed house — 1 car parking space per unit. ii) 2 bed flat and 2 bed house — 2 independently accessible car parking spaces per unit. iii) 3 bed flat, 3 bed house } —2 independently accessible and 4+ bed flat } car parking spaces per unit. iv) 4+ bed house — 2.5 independently accessible car parking spaces per unit. <p>Garages will be discounted as car parking spaces.</p> b) Additional visitor parking spaces must be provided at a minimum of 0.3 spaces per unit. c) In addition, there should be space for storage, refuse and recycling bins, and bicycle parking to ensure a high quality, well-managed streetscape. d) Driveways should have, as a minimum, semi-permeable surfaces. e) On-road parking is discouraged to prevent the blocking of access roads and endangering pedestrians. f) Access roads should be of sufficient width to allow two vehicles to pass each other. 	<p>NPPF 105</p>

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<p>BD7: Footpaths All footways/footpaths in a new development should be constructed on one side of the road only, to reflect the rural character of the local area. Materials used for the footway are to be sensitive to the rural setting and preferably be semi-permeable in nature.</p>	<p>NPPF 110</p>
<p>BD8: Materials and Technology</p> <ul style="list-style-type: none"> a) All new development must be constructed be sustainable, with the inclusion of measures to help conserve water (including the re-use of grey water) and low energy solutions. b) The use of renewable energy technologies, including air-source or ground-source heating/cooling, solar thermal (solar water heating), photovoltaics (PV), will be supported. c) Any impact on the setting/appearance/character of heritage assets/ Conservation Areas by the installation of solar panels to be considered at the planning stage. d) Developers will be expected to refer to the TWBC Renewable Energy Supplementary Planning Document and subsequent 2016 update. e) The re-use and recycling of building materials will be encouraged as will the use of locally sourced materials. f) Zero-carbon and low-emission development will be strongly supported, subject to all other material considerations being acceptable. 	<p>NPPF 8</p>

BNDP: BUSINESS AND THE LOCAL ECONOMY	NPPF Conformity
<p><u>Objective:</u></p> <p>To support existing businesses and enterprises within the parish and to encourage new areas of economic activity to nurture the parish’s economic stability in the future, the aim being to sustain a thriving and integrated group of settlements.</p>	<p><u>NPPF Objectives:</u></p> <ul style="list-style-type: none"> ○ Building a strong, competitive economy; ○ Ensuring the vitality of town (<i>village</i>) centres; ○ Promoting healthy and safe communities ○ Promoting sustainable transport; ○ Supporting high quality communications; ○ Making effective use of land
<p>BNDP: Business and the Local Economy Policies, and alignment with NPPF policies</p>	
<p>BE1: Rural Industries</p> <p>The BNDP seeks to promote the economic viability of the parish and will:</p> <ul style="list-style-type: none"> • support proposals for farming and forestry operations, in accordance with the AONB Management Plan objectives, to maintain the significant contribution these bring to the local economy • support proposals that encourage sustainable land management practices such as regenerative agriculture. 	<p>NPPF 83</p>
<p>BE2: Major Employers/Businesses in the Parish</p> <p>The BNDP recognises the contribution of major employers to the community and local economy. Development proposals that provide employment and career opportunities, provided that these comply with the policies of the BNDP, will be supported.</p>	<p>NPPF 83</p>
<p>BE3: Retaining Existing Commercial Areas</p> <p>The following existing commercial areas, as identified in Fig. 3 Business Chapter, will be retained in business/commercial use unless it can be demonstrated that there is no reasonable prospect of their take-up, sale or continued use for business/commercial purposes during the Neighbourhood Plan period:</p> <ul style="list-style-type: none"> • Cranden Diamond Products • Apple Pie Farm • Hams Travel site • Turks Yard 	<p>NPPF 18</p>

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<p>BE4: Shops and Public Houses The existing village shops and public houses are valued by the community and their loss will be resisted unless:</p> <ul style="list-style-type: none"> • sufficient evidence is provided to demonstrate that the operation of the shop or public house is no longer financially viable and; • that despite a genuine sustained attempt to market it on reasonable terms, there are no other reasonable prospects for retail or public house uses on the site. 	<p>NPPF 83, NPPF 92</p>
<p>BE5: Community Facilities Community facilities are important to the social fabric of the parish and are to be retained where possible. The support for existing community facilities on the maps (Figs. 10 & 11) will be maintained. Any development proposal that involves the loss or a reduction in provision must:</p> <ol style="list-style-type: none"> 1. demonstrate that demand for the facility no longer exists, or 2. provide a suitable alternative elsewhere. 	<p>NPPF 91, NPPF 92, NPPF 96, NPPF 97</p>
<p>BE6: Redevelopment of Redundant Buildings The BNDP will support the retention and conversion of existing agricultural, rural or other buildings, for business, recreation and tourism uses.</p>	<p>NPPF 83, NPPF 84</p>
<p>BE7: Encouraging the Right Future Business Continued economic stability and employment within the parish is critical to maintain its vibrancy and diversity. The BNDP:</p> <ol style="list-style-type: none"> a) encourages existing businesses to grow and will support new development proposals for business in the designated commercial areas, where infrastructure links are more sustainable; b) will support appropriate types of new business development, provided that the proposal causes a low environmental impact and generates low volumes of traffic on the narrow lane infrastructure. 	<p>NPPF 83, NPPF 84</p>

BNDP: TRANSPORT AND INFRASTRUCTURE	NPPF Conformity
<p>Objective:</p> <p>To prioritise infrastructure improvements, minimise and mitigate the impact of traffic growth, enhance connectivity within the parish, while embracing a low-carbon future with green technologies, underpinning a strong rural economy and thriving communities.</p>	<p>NPPF Objectives:</p> <ul style="list-style-type: none"> ○ Building a strong, competitive economy; ○ Promoting healthy and safe communities; ○ Promoting sustainable transport; ○ Supporting high quality communications
<p>BNDP: Transport and Infrastructure Policies, and alignment with NPPF policies</p>	
<p>T1: Car-free Connectivity</p> <p>Any new housing or commercial developments which receive planning permission will be expected to contribute to projects identified by the parish, where appropriate, to create ‘all-weather routes’, where cyclists and pedestrians can move around the parish safely on new or existing public rights of way, subject to meeting relevant national policy or legislative requirements.</p>	<p>NPPF 110</p>
<p>T2: Improving Road Safety and the Impact of Traffic</p> <p>Proposals for any new housing or commercial development will be required to demonstrate that road access to and from developments provides safe access to, and transit passed, new housing: this may include slowing the flow of traffic. Such design features must be in keeping with the rural nature of the parish.</p> <p>The provision of appropriate footways to facilitate safe access to amenities is set out in the Site Specific Polices (see Housing Supply Chapter 2) relevant to the allocated sites.</p> <p>Developers will be required, where appropriate, to submit traffic impact studies, at planning application stage, through a Transport Assessment. Where a negative impact on non-motorised users is identified, developers will be required to provide, or contribute towards, appropriate mitigation measures.</p>	<p>NPPF 108, NPPF 110</p>
<p>T3: Community Cohesion and Recreational Facilities</p> <p>Proposals for any new housing or commercial development will be required to contribute to parish projects designed to improve provision for children’s play areas in all three main settlements within the parish. Developers will also be required to support projects designed to meet the health and well-being needs of residents such as easily accessed healthcare facilities, a shop & café and a community hub.</p>	<p>NPPF 83, NPPF 91, NPPF 92</p>

<p>T4: Renewable Energy and Low-emission Technology</p> <p>Proposals for any new housing or commercial development must provide all new properties with a minimum of 1 electric car-charging point and also contribute to projects designed to reduce the impact of pollution emitted by cars, in the following ways:</p> <ul style="list-style-type: none"> • Supplying and supporting a minibus for the Primary School. • Encouraging walking/cycling by providing safe paths. • Planting native hedging (see Policies BD4 & LE9) to screen new developments from the roadway and passing traffic and to be designed to shield the public from air pollution. <p>Developers will also be expected to contribute to projects that will provide pay-as-you-go electric car-charging points for visitors to the parish in accessible places, such as Benenden Village Hall car park, Iden Green Pavilion car park, and Benenden Hospital car parks.</p>	<p>NPPF 110, NPPF 112</p>
<p>T5: Infrastructure, Broadband and Mobile</p> <p>Developers will be required to contribute to appropriate new amenities, new infrastructure and public transport provision as agreed with the Parish, Borough and County Councils in order to improve connectivity within the parish and with the wider community. Specifically, developers will contribute to parish projects designed to enhance broadband speed and also to enable the centre of East End to be connected to superfast broadband.</p>	<p>NPPF 112</p>

3 Basic Conditions (ii) – Conformity with Sustainable Development

1. To meet this Condition the BNDP must demonstrate:
 - how it contributes to improvements in economic , social, and environmental conditions;
 - or that consideration has been given to how any potential adverse effects arising from the proposals may be prevented, reduced or offset.
2. The NPPF states¹ that: *“Achieving sustainable development means that the planning system has three overarching objectives...*
 - *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.”*
3. During the development (April 2019) of the BNDP Aecom were commissioned to provide an initial Scoping Report as part of the SEA. In August 2019 Aecom published their Environmental Report. HRA screening report was produced by TWBC in May 2019. These documents form part of the evidence base for this plan.
4. The table below sets out how the BNDP aims to contributes positively towards the NPPF’s sustainability objectives:

¹ NPPF Feb 2019 para 8

The BNDP contributes towards the NPPF ECONOMIC OBJECTIVE by:

- supporting the vibrant rural local economy of Benenden parish, local shops, pubs, farming, light industry, tourism (policies BE1, BE2, BE3, BE4, BE7);
- allocating sites to meet the housing needs of the parish (policy HS1), and specifically providing protection for local business and industrial sites from speculative housing development (policy BE3, BE6);
- requiring developers to fully assess the infrastructure requirements of new commercial or housing developments and plan to mitigate adverse impacts on existing businesses and homes (policy BE4);
- recognising changing work/life patterns and requiring developers to support and invest in identified local business requirements, including access to broadband and better mobile signals (policies HS4 and T5).

The BNDP contributes towards the NPPF SOCIAL OBJECTIVE by:

- planning positively to meet the indicative housing allocation from TWBC of just over 100 new homes during the lifetime of the Plan (policy HS1). It allows for some windfall housing (policy HS7), to meet the village aspiration for some scattered development to complement allocated sites;
- prioritising the need to deliver a balanced community (policy HS2) by requiring affordable housing, and that designed for older and those with limited mobility at each of the major development sites (site specific policies SSP1 - 4) In particular long-term affordable housing for local families (policy HS3, HS4, and Site Specific Policy SSP1), through the support for development by Benenden Almshouse Charities;
- requiring developers to provide a mix of housing types (policy HS2 and Site Specific Policies SSP1 - 4) to cater for the requirements of existing and potential residents of Benenden parish;
- supporting community cohesion by encouraging the retention of existing community facilities (policy BE5), and requiring developers to contribute to new community facilities specifically for older people, children and local families and for community groups (site-specific policies HS1, and T3);
- providing measures to ensure new developments should be well-built, and provide safe environments for older people, children, and those with mobility issues (policies BD3, BD6, T1, T2, T3).

The BNDP contributes towards the NPPF ENVIRONMENTAL OBJECTIVE by:

- focussing development (policy HS1), with over 50% of allocated housing outside the High Weald Area of Outstanding Natural Beauty, recognising the environmental and historic importance of this landscape;
- encouraging prudent use of natural resources, (policies BD8, HS1, BE2) with over 70% allocated housing on previously developed land; at a density (policy HS6) appropriate to the site setting (policy LE1) and existing land usage;
- providing protection for special Views and Local Green Spaces valued by the community (policies LE1, LE2, LE3);
- requiring developers to build sensitively to integrate homes into the settlements and rural environment (policies LE1, BD1, BS8), to ensure homes are well-built and fit with the local aesthetic (policies LE1, BD1, BD2, BD3), and rural landscape (policies LE1, BD4, and BD7);
- requiring developers to protect parish tranquillity (policy LE1) and dark skies (policies LE1, BD5), and water supplies (policy LE10);
- requiring developers to identify risks to the environment before development starts (policy LE6). It requires them to take measures (policies LE5, LE6, LE7, LE8, LE9, and BD8) to preserve natural, native habitats and wildlife, and to mitigate adverse impacts to these habitats and wildlife. It also requires developers to encourage and expand natural, native habitats and wildlife during and following construction (policies LE5, LE6, LE7, LE8, LE9, and BD8). Site Specific Policies (SSP1 - 4) for the allocated sites provide protection for the valued environments in and surrounding these locations;
- attempting to mitigate the adverse impact of additional traffic (policy T1), slowing transit through new developments (policy BD3 and T2), providing adequate parking (policy BD6), encouraging alternatives to car-journeys (policies BD7 and T1), and encouraging take-up of lower-polluting electric vehicles (T4).

4 Basic Condition (iii) – Conformity to the Strategic Policies of the Local Development Plan

1. The prevailing Development Plan for TWBC Borough now consists of:
 - Tunbridge Wells Borough Local Plan Adopted March 2006 (“TWBC LP 2006”);
 - Tunbridge Wells Borough Local Development Framework Core Strategy Development Plan Document Adopted June 2010 (“TWBC CS 2010”);
 - Tunbridge Wells Borough Site Allocations Local Plan Adopted July 2016 (“TWBC SA 2016”).
2. TWBC are updating their existing Local Plan. Much has changed since 2010, when the current strategic plan (the Core Strategy) was adopted, in particular increased levels of housing and economic development need. When finally adopted, the new Local Plan for TWBC will provide the basis for determining the suitability of development proposals across the borough 2016 - 2036.
3. TWBC undertook consultation took place on 'Issues and Options' for their new Local Plan in summer 2017. Five options for the location of larger-scale development were set out in the consultation statement. Following the consultation, a greater proportion of TWBC housing requirement is targeted outside the main urban centres than envisaged in the 2006 Plan. The emerging Local Plan provides more focus on development within the

villages and surrounding rural area of TWBC: “the Council proposes a development strategy to meet the housing growth needs of the borough based on Option 3 (dispersed growth). This Draft Local Plan includes site allocations for housing growth that are located at the majority of settlements across the borough. ... This also takes account of the need to maximise the amount of major development outside the High Weald AONB.”²

4. Positioning the BNDP in relation to both the prevailing, and emerging TWBC Local Plans has required close working with TWBC. Benenden Parish Council and the BNDP team has been working with TWBC Planning officers to align this Plan with the emerging Local Plan, as set out in the ‘Statement of Common Ground’ attached as Supporting Document IA5.
5. Policy table 2 below sets out how the BNDP policies align with the prevailing TWBC Local Plan, and the emerging Draft Local Plan, as published for Regulation 18 consultation between September and November 2019 (“TWBC 2019 DLP”).

² TWBC Local Plan Reg 18 Consultation Draft para 4.38

Policy Table 2: Benenden Regulation 15 Submission: Conformity with TWBC Local Plan 2006 (saved) as updated 2010, 2016, and the new Draft Local Plan as published for Regulation 18 Consultation September 2019

BNDP Policy: LANDSCAPE AND THE ENVIRONMENT	TWBC Local Plan 2006 (saved) reference	TWBC Draft Local Plan Reg 18 reference
<p>LE1: Protect and Enhance the Countryside Development in the countryside is to be limited in order to conserve and enhance the High Weald AONB; views from public areas; formal and informal recreational amenities, as well as biodiversity....</p>	<p>TWBC LP 2006 Policy EN1, TWBC LP 2006 Policy EN5, TWBC LP 2006 Policy EN11, TWBC LP 2006 Policy EN25, TWBC LP 2006 Policy H8 TWBC LP 2006 2.38, TWBC LP 2006 2.43, TWBC LP 2006 3.39, TWBC LP 2006 4.42, TWBC LP 2006 4.174 TWBC CS 2010 Core Policy 4, TWBC CS 2010 Core Policy 14,</p>	<p>TWBC 2019 DLP Policy STR1, TWBC 2019 DLP Policy STR7, TWBC 2019 DLP Policy STR8, TWBC 2019 DLP Policy STR/BE1 TWBC 2019 DLP Policy EN1, TWBC 2019 DLP Policy EN6, TWBC 2019 DLP Policy EN21 TWBC 2019 DLP 2019 4.67, TWBC 2019 DLP 4.84,</p>
<p>LE2: Distinctive Views Ensure that the identified views in Figs. 1 and 2 are not adversely impacted by development either inside the AONB or immediately outside it....</p>	<p>TWBC LP 2006 2.34, TWBC LP 2006 2.40, TWBC LP 2006 4.173 TWBC CS 2010 Core Policy 4</p>	<p>TWBC 2019 DLP Policy STR 8 TWBC 2019 DLP 4.67, TWBC 2019 DLP 4.68, TWBC 2019 DLP 4.70,</p>
<p>LE3: Local Green Spaces Protect and respect designated Local Green Spaces....</p>	<p>TWBC LP 2006 2.40 TWBC LP 2010 Policy SO6, TWBC CS 2010 Core Policy 4</p>	<p>TWBC 2019 DLP Policy STR 8 TWBC 2019 DLP Policy EN17 TWBC 2019 DLP 4.67, TWBC 2019 DLP 4.68, TWBC 2019 DLP 4.70</p>
<p>LE4: Public Rights of Way (PRoW) Any new development must preserve existing PRoW, rerouted where appropriate. Where new housing or commercial development affects an existing PRoW, it must be preserved, enhanced and maintained....</p>	<p>TWBC LP 2006 Policy EN1, TWBC LP 2006 Policy EN5 TWBC LP 2006 4.31, TWBC LP 2006 4.113, TWBC 2006 4.114, TWBC LP 2006 5.43 TWBC CS 2010 Core Policy 8, TWBC CS 2010 Core Policy 14 TWBC CS 2010 5.75</p>	<p>TWBC 2019 DLP Policy STR6, TWBC 2019 Policy STR7, TWBC 2019 DLP Policy STR/BP1, TWBC 2019 DLP Policy TP2,</p>
<p>LE5: Trees, Woodland and Hedgerow There will be a presumption in favour of the retention and enhancement of existing trees, woodland and hedgerow cover on site. Existing individual trees, or groups of trees, that contribute positively to the area shall be retained....</p>	<p>TWBC LP 2006 Policy EN1 TWBC LP 2006 2.40, TWBC LP 2006 4.25, TWBC LP 2006 4.115</p>	<p>TWBC 2019 DLP Policy STR 8 TWBC 2019 DLP Policy EN1, TWBC 2019 DLP Policy EN2 TWBC 2019 DLP 4.70</p>

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<p>LE6: Ecological and Arboricultural Site Surveys Ecological and arboricultural site surveys must be conducted and submitted for any new housing or commercial development, as part of the planning process, to identify natural features, including trees, hedges, wildlife and biodiversity, to be protected, maintained and preserved during and after construction....</p>	<p>TWBC LP 2006 Policy EN1, TWBC LP 2006 Policy EN15 TWBC LP 2006 2.40, TWBC LP 2006 4.115, TWBC LP 2006 6.88, TWBC CS 2010 Core Policy 4</p>	<p>TWBC 2019 DLP Policy STR 8 TWBC 2019 DLP Policy EN1, TWBC 2019 DLP Policy EN2 TWBC 2019 DLP 4.70,</p>
<p>LE7: Protection of Habitats Adjacent to Development Where new housing or commercial development is proposed, buffers must be provided to protect habitats....</p>	<p>TWBC LP 2006 Policy EN1 TWBC LP 2006 4.25, TWBC LP 2006 4.115 TWBC CS 2010 Core Policy 4 TWBC CS 2010 5.98</p>	<p>TWBC 2019 DLP Policy EN1, TWBC 2019 DLP Policy EN2 TWBC 2019 DLP 4.68, TWBC 2019 DLP 4.70</p>
<p>LE8: On-going Environmental Maintenance Where new housing or commercial development is proposed, developers must, where required by the Parish Council or TWBC, include an on-going management plan for wildlife-related aspects of the site and provision for its funding....</p>	<p>TWBC LP 2006 Policy EN1 TWBC CS 2010 Core Policy 4</p>	<p>TWBC 2019 DLP Policy STR8 TWBC 2019 DLP Policy EN1, TWBC 2019 DLP Policy EN2</p>
<p>LE9: Features to Encourage Wildlife. Plans for new housing or commercial developments must include elements that encourage wildlife and plants....</p>	<p>TWBC LP 2006 Policy EN1 TWBC LP 2006 4.25 TWBC CS 2010 Core Policy 4 TWBC CS 2010 5.98</p>	<p>TWBC 2019 DLP Policy EN1, TWBC 2019 DLP Policy EN2 TWBC 2019 DLP 4.68, TWBC 2019 DLP 4.70,</p>
<p>LE10: Sustainable Drainage for New Housing or Commercial Development Developers must demonstrate that best practice sustainable drainage will be incorporated into any development before construction commences....</p>	<p>TWBC LP 2006 Policy EN1, TWBC LP 2006 Policy EN16 TWBC LP 2006 2.46, TWBC LP 2006 4.25, TWBC LP 2006 4.121, TWBC CS 2010 Core Policy 5</p>	<p>TWBC 2019 DLP Policy STR7 TWBC 2019 DLP Policy EN1</p>

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BNDP Policy: HOUSING SUPPLY AND SITE ALLOCATION	TWBC Local Plan 2006 (saved) reference	TWBC Draft Local Plan Reg 18 reference
<p>HS1: Site Allocation and Number of New Dwellings In addition to existing planning permissions and windfall development allowed under Policy HS5, this Plan allocates four sites to accommodate approximately 90 additional new homes in the parish....</p>	<p>TWBC LP 2006 Policy EN15, TWBC LP 2006 Policy EN21, TWBC LP 2006 Policy EN22, TWBC LP 2006 Policy EN23, TWBC Local Plan 2006 Policy EN 24, TWBC LP 2006 Policy EN25, TWBC LP 2006 Policy H5 TWBC LP 2006 2.43, TWBC LP 2006 2.44, TWBC LP 2006 3.39, TWBC LP 2006 6.1, TWBC LP 2006 6.65, TWBC LP 2006 6.83, TWBC LP 2006 6.105, TWBC LP 2006 7.31 TWBC CS 2010 Policy SO5, TWBC CS 2010 Policy SD1 TWBC CS 2010 Policy SD2, TWBC CS 2010, TWBC CS 2010 Core Policy 14 TWBC SA 2016 8.2</p>	<p>TWBC 2019 Policy STR 1, TWBC 2019 DLP STR/BE1 TWBC 2019 DLP 4.38, TWBC 2019 DLP 4.40, TWBC 2019 DLP 4.67, TWBC 2019 DLP 4.68, TWBC 2019 DLP 4.70,</p>
<p>HS2: Delivering a Balanced Community Proposals for housing development in accordance with the Neighbourhood Plan will be required to be designed to provide for balanced communities by meeting the TWBC Strategic Housing Assessment mix, and to take note of the Housing Needs Study (HNS)...</p>	<p>TWBC LP 2006 4.31, TWBC LP 2006 6.3 TWBC LP 2006 Policy EN1, TWBC CS 2010 Core Policy 6 TWBC CS 2010 5.149</p>	<p>TWBC 2019 DLP Policy EN1, TWBC 2019 DLP Policy H3 TWBC 2019 DLP 6.310, TWBC 2019 DLP 6.312, TWBC 2019 DLP: 6.344, TWBC 2019 DLP 6.345,</p>
<p>HS3: Almshouses The Parish Council will support schemes that apply the almshouse principle in accordance with the Neighbourhood Plan....</p>	<p>TWBC LP 2006 6.103, TWBC LP 2006 6.104 TWBC CS 2010 Core Policy 6</p>	<p>TWBC 2019 DLP 6.312</p>
<p>HS4: Live/Work (L/W) Units Proposals for live/work units will only be considered appropriate if they are within the LBD, as defined by the Local Plan, or are conversions of appropriate rural buildings, or are on previously developed land (PDL)....</p>	<p>TWBC LP 2006 6.124:</p>	<p>TWBC 2019 DLP Policy STR5 TWBC 2019 DLP Policy EN1</p>
<p>HS5: Windfall Sites Windfall residential development such as infilling, redevelopment, conversion or extension will be permitted subject to the following criteria...</p>	<p>TWBC LP 2006 Policy H5 TWBC LP 2006 6.54, TWBC LP 2006 6.62, TWBC LP 2006 6.69</p>	<p>TWBC 2019 DLP STR1, TWBC 2019 DLP SRT/BE1 TWBC 2019 DLP 4.11</p>

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<p>HS6: Housing Density While being aware of the need to make efficient use of land, as expressed in the NPPF, the density of new housing should be comparable with the densities adjoining the proposed development, in order to maintain the character and distinctiveness of the location...</p>	<p>TWBC LP 2006 Policy EN1</p>	<p>TWBC 2019 DLP STR/BE 1, TWBC 2019 DLP Policy H4 TWBC 2019 DLP 6.307,</p>
<p>Site Specific Policy 1 (SSP1) <u>Land adjacent to Feoffee Cottages, Walkhurst Road, Benenden (ISA reference: Site 277)</u></p> <p>Site Selection Approach: To support a suitable development proposal for the site, as an exceptional opportunity to provide a sustainable development to meet local needs for affordable housing through the Benenden Almshouse Charities, in a location that is close to village facilities...</p>	<p>TWBC LP 2006 Policy EN1, TWBC LP 2006 H8, TWBC LP 2006 TP3 TWBC LP 2006 4.25, TWBC LP 2006 4.29, TWBC LP 2006 4.115, TWBC LP 2006 6.3, TWBC LP 2006 6.106</p>	<p>TWBC 2019 DLP Policy STR6, TWBC 2019 DLP Policy STR/BE 1, TWBC 2019 DLP Policy AL/BE 1, TWBC 2019 DLP Policy EN1, TWBC 2019 Policy EN7, TWBC DLP 2019 Policy EN20, TWBC 2019 DLP Policy EN21, TWBC 2019 DLP Policy H4, TWBC 2019 DLP Policy H5 TWBC 2019 DLP 4.38, TWBC 2019 DLP 6.307, TWBC 2019 DLP 6.308,</p>
<p>Site Specific Policy 2 (SSP2) <u>Uphill, New Pond Road, Benenden (ISA reference: Site LS16)</u></p> <p>Site Selection Approach: To support a modest scale development on a relatively enclosed and sustainable site close to village amenities. A suitable design must avoid or minimise harmful impacts and improve the character and quality of Benenden village....</p>	<p>TWBC LP 2006 Policy EN1, TWBC LP 2006 EN5, TWBC LP 2006 TP3 TWBC LP 2006 4.25, TWBC LP 2006 6.3, TWBC LP 2006 6.87 TWBC CS 2010 5.98.</p>	<p>TWBC 2019 DLP Policy STR6, TWBC 2019 DLP Policy STR/BE1, TWBC 2019 DLP Policy AL/BE2, TWBC 2019 DLP Policy EN7, TWBC 2019 DLP Policy EN12, TWBC 2019 DLP Policy H4, TWBC 2019 DLP Policy H5 TWBC 2019 DLP 4.38, TWBC 2019 DLP 4.59, TWBC 2019 DLP 6.307, TWBC 2019 DLP 6.308,</p>

<p><u>Site Specific Policy 3 (SSP3)</u> <u>Land at Benenden Hospital, South of Goddards Green Road, East End – South East Quadrant (SEQ) (ISA reference: Site 424 and LS40b)</u></p> <p>Site Selection Approach: To support development on a brownfield site outside, but adjacent to, the High Weald AONB. A suitable development must avoid or minimise harmful impacts on the setting of the AONB and improve the character and quality of the location, while providing an opportunity to improve amenities at East End....</p>	<p>TWBC LP 2006 Policy EN1, TWBC LP 2006 TP3 TWBC LP 2006 2.41, TWBC LP 2006 2.44, TWBC LP 2006 4.25, TWBC LP 2006 4.29, TWBC LP 2006 4.115, TWBC LP 2006 6.3, TWBC LP 2006 6.87, TWBC LP 2006 6.93, TWBC LP 2006 9.17, TWBC LP 2006 9.18, TWBC LP 2006 10.45 TWBC CS 2010 Core Policy 14 TWBC CS 2010 5.98</p>	<p>TWBC 2019 DLP Policy STR5, TWBC 2019 DLP Policy STR6, TWBC 2019 DLP Policy STR/BE 1, TWBC 2019 DLP Policy AL/BE3 TWBC 2019 DLP Policy EN1 TWBC 2019 DLP Policy EN2, TWBC 2019 DLP Policy EN14, TWBC 2019 DLP Policy H4, TWBC 2019 DLP Policy H5 TWBC 2019 DLP 4.38, TWBC 2019 DLP 4.59, TWBC 2019 DLP 6.307, TWBC 2019 DLP 6.308</p>
<p><u>Site Specific Policy 4 (SSP4)</u> <u>Land at Benenden Hospital, North of Goddards Green Road, East End – North East Quadrant (NEQ) (ISA reference: Site LS41)</u></p> <p>Site Selection Approach: To support development on a brownfield site outside, but adjacent to the High Weald AONB. A suitable development must avoid or minimise the harmful impacts on the setting of the AONB and improve the character and quality of the location, while providing an opportunity to improve amenities at East End....</p>	<p>TWBC LP 2006 Policy EN1, TWBC LP 2006 Policy EN15, TWBC LP 2006 Policy TP3, TWBC LP 2006 2.41, TWBC LP 2006 2.44, TWBC LP 2006 4.25, TWBC LP 2006 4.29, TWBC LP 2006 4.115, TWBC LP 2006 6.3, TWBC LP 2006 6.87, TWBC LP 2006 6.93, TWBC LP 2006 9.17, TWBC LP 2006 9.18, TWBC LP 2006 10.45 TWBC CS 2010 Core Policy 14 TWBC CS 2010 5.98</p>	<p>TWBC 2019 DLP Policy STR5, TWBC 2019 DLP Policy STR6, TWBC 2019 DLP Policy STR/BE 1, TWBC 2019 DLP Policy AL/BE4 TWBC 2019 DLP Policy EN1, TWBC 2019 DLP Policy EN14, TWBC 2019 DLP Policy H4, TWBC 2019 DLP Policy H5, TWBC 2019 DLP Policy EN2 TWBC 2019 DLP 4.38, TWBC 2019 DLP 4.59, TWBC 2019 DLP 6.307, TWBC 2019 DLP 6.308,</p>

BNDP Policy: DESIGN AND THE BUILT ENVIRONMENT	TWBC Local Plan 2006 (saved) reference	TWBC Draft Local Plan Reg 18 reference
<p>BD1: General Design Policy Proposals for all forms of new development must plan positively for the achievement of high quality and inclusive building and landscaping design....</p>	<p>TWBC LP 2006 Policy EN1 TWBC CS 2010 5.87</p>	<p>TWBC 2019 DLP Policy STR7 TWBC 2019 DLP Policy EN1, TWBC 2019 DLP Policy EN6 TWBC 2019 DLP 4.67, TWBC 2019 DLP 4.68, TWBC 2019 DLP 4.70, TWBC 2019 DLP 6.11,</p>
<p>BD2: General Appearance</p> <p>Residential Developments: Any new housing development should conserve the distinctive character of the local existing built environment, should respect the density, footprint, separation and features of the surrounding area, and the scale and bulk of new buildings should be in keeping with the local area....</p> <p>Non-residential Developments: Any new development should conserve the distinctive character of the local existing built environment and the scale and bulk of new buildings should be in keeping with the local area....</p>	<p>TWBC LP 2006 Policy EN1, TWBC LP 2006 Policy EN5 TWBC LP 2006 4.2 TWBC CS 2010 5.87</p>	<p>TWBC 2019 DLP Policy STR7 TWBC 2019 DLP Policy EN1, TWBC 2019 DLP EN4 TWBC 2019 DLP 4.63, TWBC 2019 DLP 4.67, TWBC 2019 DLP 4.68, TWBC 2019 DLP 4.70, TWBC 2019 DLP 6.11</p>
<p>BD3: Layout</p> <p>a) The street scene should incorporate variations in form and detail; the positioning of dwellings in relation to the road should be varied to create a stepped/staggered street scene....</p>	<p>TWBC LP 2006 Policy EN1 TWBC CS 2010 5.87 TWBC CS 2010 Core Policy 5</p>	<p>TWBC 2019 DLP Policy STR 5, TWBC 2019 DLP Policy STR7 TWBC 2019 DLP Policy EN1 TWBC 2019 DLP 4.63, TWBC 2019 DLP 6.11</p>
<p>BD4: Landscaping</p> <p>b) Green spaces should be included within the development as amenity areas and private gardens adjacent to properties....</p>	<p>TWBC LP 2006 Policy EN1, TWBC LP 2006 Policy EN5 TWBC LP 2006 4.25</p>	<p>TWBC 2019 DLP Policy STR7 TWBC 2019 DLP Policy EN1, TWBC 2019 DLP Policy EN2 TWBC 2019 DLP 6.11, TWBC 2019 DLP 6.13,</p>

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<p>BD5: Dark Skies In order to support the Benenden dark skies policy and to preserve a key characteristic of natural beauty defined in the High Weald AONB Management Plan as ‘intrinsically dark landscapes with a sense of remoteness and tranquillity’, all external lighting included in any proposal must be carefully designed and strictly limited....</p>	<p>TWBC LP 2006 Policy EN1, TWBC LP 2006 Policy EN8 TWBC CS 2010: Core Policy 5 TWBC CS 2010 5.120</p>	<p>TWBC 2019 DLP Policy STR7 TWBC 2019 DLP Policy EN10 TWBC 2019 DLP 6.115, TWBC 2019 DLP 6.116</p>
<p>BD6: Parking a) Sufficient off-road parking must be incorporated in all new housing developments....</p>	<p>TWBC LP 2006 Policy EN1, TWBC LP 2006 Policy EN5</p>	<p>TWBC 2019 DLP Policy EN1 TWBC 2019 DLP 4.62</p>
<p>BD7: Footpaths All footways/footpaths in a new development should be constructed on one side of the road only, to reflect the rural character of the local area....</p>	<p>TWBC LP 2006 Policy EN1 TWBC LP 2006 4.22</p>	<p>TWBC 2019 DLP Policy STR7 TWBC 2019 DLP 6.11</p>
<p>BD8: Materials and Technology a) All new development must be constructed be sustainable, with the inclusion of measures to help conserve water (including the re-use of grey water) and low energy solutions....</p>	<p>TWBC LP 2006 Policy EN1 TWBC LP 2006 4.2 TWBC CS 2010 Sustainable Development Objectives:SD3, SD4, SD5 TWBC CS 2010 5.107</p>	<p>TWBC 2019 DLP Policy STR7 TWBC 2019 DLP Policy EN1 TWBC 2019 DLP 4.65, TWBC 2019 DLP 6.22</p>

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BNDP Policy: BUSINESS AND THE LOCAL ECONOMY	TWBC Local Plan 2006 (saved) reference	TWBC Draft Local Plan Reg 18 reference
<p>BE1: Rural Industries The BNDP seeks to promote the economic viability of the parish and will:</p> <ul style="list-style-type: none"> support proposals for farming and forestry operations, in accordance with the AONB Management Plan objectives, to maintain the significant contribution these bring to the local economy.... 	TWBC LP 2006 7.79	TWBC 2019 DLP Policy EN21, TWBC 2019 DLP Policy EN 22
<p>BE2: Major Employers/Businesses in the Parish The BNDP recognises the contribution of major employers to the community and local economy. Development proposals that provide employment and career opportunities, provided that these comply with the policies of the BNDP, will be supported....</p>	TWBC LP 2006 5.38	TWBC 2019 DLP Policy ED12
<p>BE3: Retaining Existing Commercial Areas The following existing commercial areas, as identified in Fig. 3 Business Chapter, will be retained in business/commercial use unless it can be demonstrated that there is no reasonable prospect of their take-up, sale or continued use for business/commercial purposes during the Neighbourhood Plan period....</p>	TWBC LP 2006 Policy H13 TWBC CS 2010 Core Policy 7	TWBC 2019 DLP Policy ED2, TWBC 2019 DLP Policy ED12 TWBC 2019 DLP 6.422
<p>BE4: Shops and Public Houses The existing village shops and public houses are valued by the community and their loss will be resisted unless:</p> <ul style="list-style-type: none"> sufficient evidence is provided to demonstrate that the operation of the shop or public house is no longer financially viable and.... 	TWBC LP 2006 Policy CR13 TWBC LP 2006 5.38, TWBC CS 2010 Core Policy 14 TWBC CS 2010 5.203	TWBC 2019 DLP Policy ED7, TWBC 2019 DLP Policy ED8, TWBC 2019 DLP Policy ED12 TWBC 2019 DLP 6.478, TWBC 2019 DLP 6.490, TWBC 2019 DLP 6.497
<p>BE5: Community Facilities Community facilities are important to the social fabric of the parish and are to be retained where possible....</p>	TWBC LP 2006 Policy CR13, TWBC LP 2006 Policy R1, TWBC LP 2006 Policy CS6 TWBC CS 2010 Core Policy 14 TWBC CS 2010 5.233	TWBC 2019 DLP STR5 TWBC 2019 DLP Policy ED8, TWBC 2019 DLP Policy OSSR1 TWBC 2019 DLP 6.490, TWBC 2019 DLP 6.498

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<p>BE6: Redevelopment of Redundant Buildings The BNDP will support the retention and conversion of existing agricultural, rural or other buildings, for business, recreation and tourism uses....</p>	<p>TWBC LP 2006 Policy CR13 TWBC LP 2006 7.29, TWBC LP 2006 7.79 TWBC CS 2010 Core Policy 14 TWBC CS 2010 5.191</p>	<p>TWBC 2019 DLP Policy ED2, TWBC 2019 DLP Policy ED5, TWBC 2019 DLP Policy ED6, TWBC 2019 DLP 6.422, TWBC 2019 DLP 6.449, TWBC 2019 DLP 6.454</p>
<p>BE7: Encouraging the Right Future Business Continued economic stability and employment within the parish is critical to maintain its vibrancy and diversity....</p>	<p>TWBC LP 2006 Policy CR3 TWBC LP 2006 11.23, TWBC LP 2006 11.25 TWBC CS 2010 Core Policy 7 TWBC SA 2016 1.32</p>	<p>TWBC 2019 DLP Policy ED2, TWBC 2019 DLP Policy ED6, TWBC 2019 DLP Policy ED7</p>

BNDP Policy: TRANSPORT AND INFRASTRUCTURE	TWBC Local Plan 2006 (saved) reference	TWBC Draft Local Plan Reg 18 reference
<p>T1: Car-free Connectivity Any new housing or commercial developments which receive planning permission will be expected to contribute to projects identified by the parish, where appropriate, to create 'all-weather routes', where cyclists and pedestrians can move around the parish safely on new or existing public rights of way, subject to meeting relevant national policy or legislative requirements....</p>	<p>TWBC LP 2006 Policy TP3 TWBC LP 2006 11.27, TWBC LP 2006 11.46, TWBC LP 2006 11.120 TWBC CS 2010 Core Policy 3, TWBC CS 2010 Core Policy 14 TWBC CS 2010 5.74</p>	<p>TWBC 2019 DLP Policy EN1 TWBC 2019 DLP 4.59,</p>
<p>T2: Improving Road Safety and the Impact of Traffic Proposals for any new housing or commercial development will be required to demonstrate that road access to and from developments provides safe access to, and transit passed, new housing: this may include slowing the flow of traffic....</p>	<p>TWBC LP 2006 Policy TP4 TWBC LP 2006 11.27</p>	<p>TWBC 2019 DLP Policy STR7 TWBC 2019 DLP Policy EN1, TWBC 2019 DLP Policy TP1</p>
<p>T3: Community Cohesion and Recreational Facilities Proposals for any new housing or commercial development will be required to contribute to parish projects designed to improve provision for children's play areas in all three main settlements within the parish....</p>	<p>TWBC LP 2006 9.6, TWBC LP 2006 9.31, TWBC LP 2006 9.19, TWBC LP 2006 10.46 TWBC CS 2010 Policy SO6, TWBC CS 2010 Policy SO7, TWBC CS 2010 Core Policy 8</p>	<p>TWBC 2019 DLP Policy STR5 TWBC 2019 DLP Policy EN2</p>

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<p>T4: Renewable Energy and Low-emission Technology Proposals for any new housing or commercial development must provide all new properties with a minimum of 1 electric car-charging point and also contribute to projects designed to reduce the impact of pollution emitted by cars, in the following ways....</p>	<p>TWBC LP 2006 4.3, TWBC LP 2006 11.27 TWBC CS 2010 SO4</p>	<p>TWBC 2019 DLP Policy EN1 TWBC 2019 DLP 4.59</p>
<p>T5: Infrastructure, Broadband and Mobile Proposals for any housing or commercial development will be required to contribute to appropriate new amenities, new infrastructure and public transport provision as agreed with the Parish, Borough and County Councils in order to improve connectivity within the parish and the wider community....</p>	<p>TWBC LP 2006 4.133</p>	<p>TWBC 2019 DLP Policy STR5 TWBC 2019 DLP Policy EN1</p>

5 Basic Conditions (iv) Conformity with EU Obligations

1. A neighbourhood plan must be compatible with European Union obligations, as incorporated into UK law to be legally compliant. There are 4 directives of particular relevance to neighbourhood planning:
 - 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). This Directive seeks to provide a high level of protection to the environment by integrating environment considerations into the planning process.
 - 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). This is designed to ensure that planning decisions are made in full knowledge of the likely impacts.
 - 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 neighbourhood plans.
2. The BNDP has consulted with a range of statutory and environmental bodies during development of the Plan. Feedback was sought against an early Rough Draft with consultation running from February 2019 to April 2019, and again during the formal Regulation 14 Consultation phase which ran from August 2019 to October 2019. This includes: High Weald AONB, Environment Agency, Historic England, Kent County Council, Natural England, and South-East and Southern Water. Consultees are listed in the Consultation Statement which forms part of the evidence base for this plan.
3. The Plan puts considerable weight on the protection of valued historic and natural environment. Policies contained particularly within the Landscape and Green Environment section are designed to provide protection for the most valued assets within the Plan area. Housing allocations are designed to make efficient use of land, in particular with priority given to re-using previously developed land. Policies contained within the Housing Supply and Landscape & Green Environment sections, and in particular the site-specific policies, are designed to provide protection to areas abutting development, to ameliorate the impacts of development, and to encourage re-establishment of native wildlife and habitats within areas impacted by development.
4. Following screening by TWBC the SEA Scoping, and Environmental Reports have been undertaken by AECOM and are included as part of the evidence base for this Plan. TWBC completed HRA screening in May 2019 (Supporting Document IA6).
5. The Plan has been the subject of an Equalities Impact Assessment (Supporting Document IA4) designed to ensure that it has regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and complies with the Human Rights Act 1998.

6 Basic Conditions (v) Conformity with Prescribed Conditions

1. Under Directive 92/43/EEC, also known as the Habitats Directive 3, it must be ascertained whether the draft Plan is likely to have significant effects on a European site designated for its nature conservation interest. The Directive is implemented by the Conservation of Habitats and Species Regulations 2010. Assessments under the regulations are known as Habitats Regulation Assessments (“HRA”). An appropriate assessment (“AA”) is required only if the Plan is likely to have significant effects on a European protected species or site. To ascertain whether or not it is necessary to undertake an assessment, a screening process is followed.
2. TWBC as the Local Planning Authority have undertaken an HRA screening in May 2019 and concluded³ “it is unlikely there will be any significant environmental effects arising from the Benenden 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.”

7 Conclusion

Benenden Parish Council are responsible for the BNDP. The Parish Council believes that the BNDP has been prepared in conformity with the Basic Conditions and therefore invites the Independent Examiner to review this Statement to assure him/herself that the Plan complies with Paragraph 8(1) (a) of Schedule 4B of the Act.

References

- Benenden Neighbourhood Development Plan: Regulation 15 Draft;
- Benenden Neighbourhood Development Plan: Regulation 15 Supporting Documents;
- Benenden Neighbourhood Development Plan: Regulation 15 Consultation Statement;
- Aecom Strategic Environmental Assessment Scoping Report April 2019, updated May 2020;
- Aecom Strategic Environmental Assessment Environmental Report August 2019, updated May 2020;
- National Planning Policy Framework - Ministry of Housing, Communities and Local Government, as published Feb 2019 (NPPF 2019). Sourced from Gov.uk website October / November 2019;
- TWBC Local Plan Adopted March 2006;
- TWBC Local Development Framework Core Strategy Development Plan Document Adopted June 2010;
- TWBC Site Allocations Local Plan Adopted July 2016;
- TWBC Draft Local Plan Reg 18 Consultation Draft 20 Sept to 1st Nov 2019;
- TWBC Habitat Regulations Assessment Final Report May 2020
- BNDP Equality Impact Assessment – Regulation 15 Draft
- Benenden Neighbourhood Development Plan: Statement of Common Ground

³ TWBC Habitats Regulation Screening Assessment May 2019 para 5.1.1

Appendix 1: Benenden Parish map

