

Bethersden Neighbourhood Plan 2015-2030

Basic Conditions Statement

Bethersden Parish Council
26th March 2019

1.0 Introduction

- 1.1 This Basic Conditions Statement has been prepared to accompany the Bethersden Neighbourhood Plan 2015 - 2030 (NDP) that has been submitted to Ashford Borough Council.
- 1.2 The purpose of this statement is to demonstrate that the Bethersden NDP meets the legal requirements for a Neighbourhood Plan and the four basic conditions as set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 (as applied to Neighbourhood Plans by section 38A of the Planning and Compulsory Purchase Act 2004).
- 1.3 The four basic conditions are:
- *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,*
 - *the making of the neighbourhood development plan contributes to the achievement of sustainable development,*
 - *the making of the neighbourhood development plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area),*
 - *the making of the neighbourhood development plan does not breach, and is otherwise compatible with, EU obligations.*
- 1.4 The Statement confirms that:
- The legal compliance requirements have been met (**section 3**);
 - The NDP has had due regard to national policies and advice contained in guidance issued by the Secretary of State (**section 4**);
 - The NDP contributes to sustainable development (**section 5**);
 - The NDP is in general conformity with the strategic policies contained in the Ashford Local Plan to 2030 (adopted February 2019) (**section 6**);
 - The NDP does not breach and is otherwise compatible with EU obligations, and that its making is not likely to have a significant effect on a European site, either alone or in combination with other plans or projects (**section 7**).

2.0 Background

- 2.1 A Basic Conditions Statement was prepared to accompany the submission version of the Bethersden NDP in November 2017. Following some queries from the Independent Examiner considering the plan the statement has been updated and revised as follows:
- It clearly sets out how the making of the NDP contributes to the achievement of

sustainable development (Section 5) including a clear matrix based assessment of all the policies.

- The Site Assessments are in a separate stand alone document.
- Minor typographical and layout amendments to make the statement more readable and in some place further detail has been added.

2.2 Bethersden has a strong record of working as a community, and has previously undertaken local community projects such as a Parish Plan and Village Design Statement. Work began on the Bethersden NDP in 2013 with an exhibition used to gauge opinion on whether we should embark on a Neighbourhood Plan or not. Designation of the Parish for the purposes of preparing a NDP and a major survey of households as well as people living outside the Parish and local school children took place in 2014.

2.3 The Neighbourhood Plan is seen as a further opportunity to be involved in determining the future needs of the Parish. We recognise that we live in a time where finding the right affordable housing for the young and appropriate housing for an ageing population have their challenges. As do transport, local amenities, health care etc. We believe that local communities are best placed to identify some of the solutions to these issues. A Neighbourhood Plan is seen as a vital element in successfully overcoming these challenges. The following Vision for the plan was prepared to encompass these aims.

Bethersden Neighbourhood Plan Vision: Our vision is for Bethersden to continue to thrive by meeting the changing needs of the community whilst preserving the distinctive character, landscape and setting of the Parish that has evolved over nine centuries.

2.4 The BNDP has been prepared to be in general conformity with the strategic policies and vision of the Ashford Development plan. The Ashford Core strategy was adopted by the Borough Council in 2008 and along with the Tenterden and Rural Sites DPD (2012) includes strategic policies and a number of allocations as well as development management policies. The Kent Minerals and Waste Plan (2013 – 2030) is also part of the Development Plan and contains planning policies for minerals and waste development in Kent. This plan does not contain any policies directly relevant to the Bethersden NDP.

2.5 Most recently Ashford Borough Council submitted the final draft of the Local Plan to 2030 to the Secretary of State. The independent examination process into the Local Plan was held over the summer of 2018 and the Inspectors notified the Council in January 2019 that, subject to modifications, the Local Plan 2030 was sound and

compliant with relevant legislation. The Ashford Local Plan was adopted in February 2019. To ensure that the Bethersden NDP has longevity it has also been prepared to be in general conformity with this plan.

- 2.6 Two screening opinions have been undertaken by Ashford Borough Council (2014 and 2016) as to whether Strategic Environmental Assessment (SEA) or Habitats Regulations Assessment (HRA) is required. These concluded that they were not required. In 2017 Ashford Borough Council confirmed, following consultation with Natural England, Environment Agency and Historic England, that the Bethersden NDP might have significant environmental effects in relationship to heritage and as a result a SEA was required to support the plan. With regards to the Habitats Regulations Assessment and whether an Appropriate Assessment is required, the Council concluded that the proposed Neighbourhood Plan is not likely to have a significant effect on European designations. This is supported by the response from Natural England. The Screening Opinion is included in Appendix A.

3.0 Legal Compliance Requirements

- 3.1 The parish of Bethersden was designated as a Neighbourhood Plan Area by Ashford Borough Council on 13th February 2014. The NDP relates only to this Area. No other Neighbourhood Development Plan has or is being made for the Area.
- 3.2 Bethersden Parish Council is the qualifying body.
- 3.3 The NDP is a plan which sets out policies in relation to the development and use of land in the Neighbourhood Area and which has been prepared in accordance with the statutory provisions.
- 3.4 The NDP specifies the period for which it is to have effect, which is 2015-2030.
- 3.5 The NDP does not include provision about development that is excluded development, such as mineral and waste matters, nationally significant infrastructure projects or other prescribed development under section 61K of the Town and Country Planning Act 1990.

4.0 Conformity with National Policies and Guidance

- 4.1 National planning policy is set out in the National Planning Policy Framework (NPPF). The original NPPF was published in March 2012 and was the basis on which the Bethersden NDP was prepared. However, it was replaced in July 2018 by a revised and updated version (which was also further amended in 2019). Paragraph 214 of the

revised NPPF provides that the policies in the previous Framework will apply for the purpose of examining plans, where those plans are submitted on or before 24 January 2019. The Bethersden NDP was submitted to the Local Planning Authority before this date. Accordingly, this Basic Conditions Statement confirms that it is appropriate to make the NDP having regard to the policies of the March 2012 Framework. All references in the main text to NPPF paragraph numbers are to the March 2012 Framework. However, it is considered that the policies in the most recent NPPF make no material difference to the Bethersden NDP.

- 4.2 This NDP has been prepared with the policies and guidance contained within the National Planning Policy Framework, 2012 (NPPF) at its core.
- 4.3 The NPPF (2012) sets out more specific guidance on Neighbourhood plans at paragraphs 183 to 185:
- NPPF paragraph 183 gives communities direct power to develop a shared vision for their neighbourhood and deliver the sustainable development they need. Bethersden Parish Council has used its Neighbourhood planning powers to develop a vision for the Neighbourhood Area and to set planning policies in the NDP.
 - In relation to NPPF paragraph 184, the NDP is in general conformity with the strategic policies of the Ashford Core Strategy. The NDP reflects the strategic policies and positively supports them. The general conformity of the NDP with the strategic policies of the Adopted Local Plan is set out in more detail in Section 6.
 - In line with NPPF paragraph 185, the NDP shapes and direct sustainable development in the Parish, through the provision of a set of objectives and policies which deal with social, economic and environmental matters.
- 4.4 As set out in the table 3 page14, the policies contained within the Bethersden Submission NP (23 Nov 2017) are cross referenced to national policies and guidance, to demonstrate how they have had regard to this. It should be noted that the table is not exhaustive and there may be other cross-references that are not included.

5.0 Contribution to Sustainable Development

- 5.1. Sustainable development is defined as 'development that meets the needs of the present without compromising the ability of future generations to meet their own need'. It is about ensuring better quality of life for everyone, now and for generations

to come. In doing so, social, environmental and economic issues and challenges should be considered in an integrated and balanced way.

- 5.2. The NPPF states the Government's intentions with regards to sustainable development, in particular the need for the planning system to perform a number of roles:

ECONOMIC ROLE – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land and the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure.

SOCIAL ROLE – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of the present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being.

ENVIRONMENTAL ROLE – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

- 5.3 The Bethersden NDP has these three roles at its heart. As set out in the NDP Foreword, the policies within the **green section covers rural and environmental matters**, the **red section covers local housing demand and sites** (which contribute to the social and economic threads of sustainable development) and the policies in the **blue section are concerned with the local economy and community wellbeing**. These are discussed in more detail below.

Economic

- 5.4 Bethersden is a rural Parish which historically relied on farming. Although the land is still farmed most jobs are now outside of the Parish with residents commuting to nearby towns and London. The Bethersden NDP notes that the daily commute of working age people from the Parish means that there are difficulties maintaining many services and facilities. However, businesses have set up within a number of converted rural buildings as well as purpose built premises.
- 5.5 The Bethersden NDP has eight objectives aimed at supporting business development. Most strongly linked to the economic element of sustainable development are the

objectives to:

- encourage local employment particularly where it is located adjacent, or near to, existing commercial areas;
- support for the conversion and small-scale expansion of existing and under-used building to employment premises
- support for diversifying and enhancing the range of local shops and commercial services.

5.6 Due to the rural nature of the Parish and its key qualities a balance has needed to be struck between encouraging economic growth and diversity and protecting the environment. Therefore there are also a range of policies designed to avoid and mitigate potential adverse impacts, such traffic, noise and lighting. There are also strong ties with the social thread of sustainable development through the proposals to maintain and enhance the existing local service centre in the village.

5.7 The Ashford Local Plan contains a range of policies relating to the use and re-use of employment premises. These are therefore not repeated in Neighbourhood Plan to avoid duplication as they will apply to any relevant planning applications.

Social

5.8 Bethersden Parish, especially the village, has a strong community spirit with many community events running throughout the year focused on the Village Hall, Recreation Field and the George Field. The need to maintain and improve the sports and leisure facilities is seen as particularly important for young people in the Parish.

5.9 The Bethersden NDP has four objectives aimed towards delivering a strong and sustainable community with a focus on housing. Most strongly linked to the social element of sustainable development are the objectives to:

- provide new housing where it meets an identified need
- provide proportionate community benefit as a result of new housing development
- provide adaptable housing in particular to meet the needs of older people and located within easy access to local amenities.

5.10 In addition objectives within other sections of the plan also contribute towards the social role of the plan, including:

- support for diversifying and enhancing the range of local shops and commercial services (8.0 Economy, Communication, Transport and Infrastructure)
- support and allow for the expansion of recreational amenities for the community (6.0 Managing our rural environment)

5.11 The plan also through some of its environmental objectives seeks to protect the distinctive character of the parish aiding a sense of place and fostering community identity. The NDP, in addition, designates and protects Local Green Spaces, recreation and community use areas which provide recreational value and also seeks to enhance safeguards public rights of way which contribute to health and well-being.

Environmental

5.12 The preservation of the distinctive character, landscape and setting of the Parish is a key issue for the community as set out in the NDP. This is supplemented by a number of objectives including:

- Preserve the individual character and setting of the village by retaining those open spaces that add to the distinctive open feel and reinforce the sense that you are in a village rather than an urban area.
- Protect the rural countryside to preserve the rural setting, habitat and environment of the parish.
- Support and allow for the expansion of the recreational needs and amenities of the community whilst preserving the rural setting of the village.

5.13 The landscape character type of the parish is called the 'Bethersden Mixed Farmlands' and is described as:

- Undulating landscape
- Wealden pattern of small pastoral fields
- Dense native hedgerows with oak hedgerow trees
- Frequent extensive broadleaf woodland blocks
- Frequent field ponds punctuate the landscape
- Strong sense of enclosure provided by well treed and undulating landscape
- Scattered farms
- Much 20th century housing development around Bethersden

5.14 Bethersden village has developed east of the church, along The Street along the original Ashford – Tenterden road. The Street was historically residential (although it included some shops). The small settlement at the foot of Forge Hill grew up following the diversion of the Ashford-Tenterden road (A28) south of the village, and was more commercial and industrial (hence its name) in character. The Bethersden

Conservation Area was designated on 25th January 1974 and extended in 1996. There are also a number of listed buildings dotted around the parish, largely constituting listed farmsteads as a result of the Parish's agricultural heritage.

- 5.15 Two of the three allocations (one of which has planning permission) are wholly within the Bethersden Conservation Area, while the other is adjacent to the south-west. An area of archaeological potential is centred at the area immediately surrounding the church, as the early medieval core of the settlement to the north of the original Ashford-Tenterden road. There are no scheduled monuments in the vicinity of the allocations.
- 5.16 The Hoads Wood SSSI is located in the north-east of the Parish, dotted throughout are pockets of ancient woodland and to the west of the village is a Local Wildlife Site (Woods west of Bethersden). Water course flow east – west linked to the River Beult, through the parish south of the village and to the north of the parish. There is also a collection of ponds to the north of the village and dotted around the parish.

Contribution to Sustainable Development

- 5.17 There is no specific legal requirement within the Regulations for Neighbourhood Development Plans to undertake their own Sustainability Appraisal (SA) however there is a need to demonstrate how the plan contributes towards sustainable development. This can be done in whatever manner is felt most appropriate and therefore in this case each policy has been broadly assessed for the contribution it makes to the three arms of sustainable development. This assessment is closely tied to the results of the Strategic Environmental Assessment of the plan which has been undertaken separately and focuses on the likely significant environmental effects of the plan.
- 5.18 The matrix below identifies which roles of sustainable development each policy contributes towards to or detracts from.

Strong positive contribution	++
Positive contribution	+
Neutral contribution	/
Negative contribution	-
Strong negative	--
Uncertain	?

Table 2- Contribution to Sustainable Development

Policy Ref	Title	Economic	Social	Environmental	Commentary (where necessary)
Managing our Rural Environment					
R1	Protection of Views, Vistas and Settings	/	+	++	The social role comes through the protection of a sense of local identity
R2	Landscape Character and Design	/	+	+	The social role comes through the protection of a sense of local identity
R3	Conservation of Habitat	/	/	++	
R4	Public Rights of Way	/	+	+	The protection / enhancement of public rights of way helps to deliver community health and wellbeing.
R5	Local Green Space Designation	/	+	+	The designation of The George Field is linked to its community role and therefore supports community health and wellbeing.
R6	Recreation and Community Use areas	/	+	+	This policy not only safeguards community open spaces it also seeks to improve the management and improvement of these areas for biodiversity /character / environmental quality.
R7	Drainage and Water Management	/	+	+	
R8	Technology and the Environment	+	/	+	
R9	Community Benefits	+?	+?	+?	The use of S106 and CIL monies has the potential to support all 3 strands of sustainable development dependent on the project

					specifics.
Housing					
H1	New residential development	+	++	?	The principle of new residential development in the village helps to provide greater numbers of homes, a mix that meets local needs, affordable housing which in turn also supports services and facilities. The environmental role is unknown as this policy is not site specific.
H2	Housing sites; selection, locations, numbers and types	+	++	?	The principle of new residential development in the village on three sites helps to continue the small scale evolution of the village, provide greater numbers of homes which in turn also supports services and facilities. In accordance with the emerging Ashford Local Plan 2030 and policy H6 of the Bethersden NDP, affordable housing will be sought on sites of 10 or more homes (at a rate of 40%). The environmental role is assessed on an individual basis through the assessment of policies H3 / H4 / H5.
H3	Site A (Ref WC33) – Off Forge Hill to the north of the Village Hall	/	+	?+	<i>This is a summary of the more detailed site assessments contained in the Site Assessments supporting document.</i>
H4	Site B (Ref WC5) – Land between the School and Courtlands, Church Hill	/	+	?+	<i>This is a summary of the more detailed site assessments contained in the Site Assessments supporting document. Please note that this site now has planning permission.</i>
H5	Site C (Ref WC34) – Next to Lovelace House, Wissenden Lane	/	+	?/	<i>This is a summary of the more detailed site assessments contained in the Site Assessments supporting document</i>
H6	Affordable Housing	+	+	/	
H7	Interior design standards	/	+	/	
H8	External design standards	/	+	+	The application of this design policy is supported by a Village Design Statement and Conservation Area.

H9	Windfall and Infill housing	/	/	+?	Supports further housing development within the village, subject to a range of caveats relating to the Conservation Area, important green spaces and gaps within the built form of the village. However the number of new homes that might be provided is likely to be low based upon the constraints and a review of the historic levels of development (which are likely to be broadly similar to what might be expected to happen with the NDP in place) and the environmental role of such a development cannot be certain for a policy that does not identify sites.
H10	Development of residential gardens	/	/	+?	As above
H11	Self and custom build	/	+	/	Allowing people to build their own homes can have social benefits.
H12	Parking	/	/	+?	The policy seeks soft landscaping where possible which might lead to environmental enhancements.
H13	Community engagement	/	+	/	
H14	Drainage	/	/	+?	The drainage sought might lead to environmental enhancements including improved water quality.
H15	Maintenance of public open spaces	/	+	+	
Economy, Communication, Transport and Infrastructure					
CT1	Business / Commercial development	+	+	?	The principle of new or enhanced business / commercial development should help to provide greater job opportunities particularly in the centre of the village. However due to the constrained nature of the Parish the level of growth is likely to be commensurably low. The environmental role cannot be certain for a policy that does not identify sites. The economic role of this policy would have been greater had a specific site been possible

					to allocate.
CT2	Maintenance of local service centre	+	+	/	
CT3	General infrastructure services	+	+	+	Improving infrastructure, including internet services, allows people to live and work in the Parish with greater ease.
CT4	Heavy goods traffic	-?	+	+?	The restrictions on development that might increase heavy goods vehicle traffic might constrain the growth of some businesses in the parish. However it might also have social and environmental benefits.
CT5	Traffic flow and highway safety	/	+	+?	Managing congestion from a variety of sources might have social and environmental benefits.

5.19 Overall the environmental and social impacts of the plan are considered to be neutral or beneficial, when used alongside the Ashford Local Plan. However, the impact of development proposals on the environment cannot always be known in detail and therefore at this level of plan making some uncertainties remain. The economic role of the plan is more neutral, this is to be expected given the scale of development proposed and the small economic base of the Parish, however policies restricting the use of heavy goods vehicles might prevent a company from expanding or locating in the parish. This negative is offset by the environmental benefits.

6.0 General Conformity with the Strategic Policies in the Development Plan

6.1 The Neighbourhood Plan needs to be in general conformity with the strategic policies of the development plan. As the Parish is located within Ashford Borough the relevant development plan for the area consists of:

- **Ashford Borough Local Plan 2030.** Adopted in February 2019, the Ashford Local Plan to 2030 sets out the land that needs to be provided in the Borough to accommodate new homes and jobs up to 2030 and contains a number of sites across the borough proposed for development as well as establishing planning policies and guidance to ensure local development is built in accordance with the principles of sustainable development. The Local Plan supersedes the saved policies of the Ashford Borough Local Plan 2000, the Ashford Core Strategy and the Tenterden and Rural Sites Development Plan document. The NDP has had due regard to relevant policies and evidence supporting the Local Plan as set out in Table 3 below.
- **The Kent Minerals and Waste Plan 2013 - 2030.** Adopted in July 2016, the plan sets out the vision and strategy for waste management and mineral provision up until the year 2030.

6.2 The Local Plan sets out the strategic context within which any Neighbourhood Plan will operate. They must comply with the strategic policies of the local development plan. For the purposes of neighbourhood planning, the policies within this local plan have been assessed using guidance provided in the Planning Practice Guidance (PPG) on Neighbourhood Planning. However, it is likely that some policies may not be 'strategic' in all NP circumstances, particularly where the policy may refer to a specific geographical area, site or landscape which is not applicable to that NP area. For clarity, a list of the policies in this plan that may not be considered 'strategic' in a NP context is provided in Appendix 7 of the Local Plan

6.3 The table below explains how the Bethersden NDP is in general conformity with the strategic policies of the Local Plan to 2030.

Table 3 - General Conformity with Strategic Development Plan Policies and National policy / Guidance

Bethersden NDP		Ashford Key Local Plan Strategic Policies		National Policy and guidance (references relate to the 2012 NPPF)
Policy	Title	Policy ref	Comments on conformity	Reference
	Vision and objectives	SP1 (Strategic objectives)	BNDP plans positively for future housing development to meet local needs, supports small scale economic growth and seeks to conserve and where possible enhance the natural and built environment.	Multiple
R1	Protection of Views, Vistas and Settings	SP6 (Promoting High Quality Design) ENV3a (Landscape Character and Design)	Policy R1 adds local detail to the Local Plan policy SP6. Local Plan policy ENV3a provides a detailed series of issues that must be considered in assessing any application.	NPPF para 109
R2	Landscape Character and Design	SP6 (Promoting High Quality Design) ENV3a (Landscape Character and Design)	Policy is in general conformity Local Plan policy ENV3a provides a detailed series of issues that must be considered in assessing any application.	NPPF para 109
R3	Conservation of Habitat	ENV5 (Protecting important rural features)	Policy is in general conformity	NPPF para 109
R4	Public Rights of Way	TRA5 (Planning for Pedestrians)	Policy is in general conformity	NPPF para 35

R5	Local Green Space Designation	N/A	N/A	NPPF para 77
R6	Recreation and Community Use areas	COM1 (Meeting the Community's Needs) COM2 (Recreation, Sport, Play and Open Space)	BNDP supports the improvement of a number of identified community open spaces.	NPPF para 73, 74
R7	Drainage and Water Management	ENV9 (Sustainable Drainage)	Policy is in general conformity	NPPF para 99
R8	Technology and the Environment	ENV10 (Renewable and Low Carbon Energy)	Policy is in general conformity	NPPF para 97
R9	Community Benefits	COM1 (Meeting the Community's Needs) IMP1 (Infrastructure Provision)	Policy is in general conformity with the Ashford Local Plan which considers how S106 and CIL might be used to fund infrastructure.	NPPF para 203 - 206
H1	New residential development	SP2 (Strategic Approach to Housing Delivery)	Residential allocations and windfall development in Bethersden contribute towards the delivery of housing for Ashford Borough	NPPF para 47, 48, 50, 54, 55
H2	Housing sites; selection, locations, numbers and types	SP2 (Strategic Approach to Housing Delivery)	Residential allocations and windfall development in Bethersden contribute towards the delivery of housing for Ashford Borough	NPPF para 47, 48, 50, 54, 55
H3	Site A – Village Hall (Forge Hill)		These are non-strategic allocations. Many policies within the Neighbourhood Plan and Local Plan will have an influence on their	NPPF para 47

H4	Site B – Next to School (School Road)		delivery in particular those related to design, layout, biodiversity, landscape, heritage and Affordable Housing.	NPPF para 47
H5	Site C – Next to Lovelace House			NPPF para 47
H6	Affordable and Local Needs housing	HOU1 (Affordable Housing)	Policy is in general conformity	NPPF para 47, 50
H7	Interior design standards	HOU12 (Residential space standards – internal)	Policy is in general conformity	NPPF para 58
H8	External design standards	SP6 (Promoting High Quality Design)	Policy is in general conformity	NPPF para 58
H9	Windfall and Infill housing	HOU3a (Residential windfall development within settlements)	The thrust of the policies are similar, the BNDP policy includes some more locally specific criteria.	NPPF para 53
H10	Development of residential	HOU10 (Development of residential gardens)	The BNDP policy does not differ significantly from that in the Ashford Local Plan.	NPPF para 126??

	gardens			
H11	Self and custom build	HOU6 (Self and Custom Built Development)	The policy supports self and custom build homes in accordance with the Ashford policy.	NPPF para 50
H12	Parking	TRA3a (Parking Standards for Residential Development) TRA3b (Parking Standards for Non Residential Development)	Policy is in general conformity	NPPF para 39, 58
H13	Community engagement	Statement of Community Involvement	N/A	NPPF para 17, 189
H14	Drainage	ENV9 Sustainable Drainage		
H15	Maintenance of public open spaces	IMP4 (Governance of Public Community Space and Facilities)	BNDP adopts a similar position in relation to parish assets as that adopted by Ashford in the Local Plan.	NPPF para 70, 73
CT1	Business / Commercial development	SP3 (Strategic Approach to Economic Development) EMP1 (New employment uses)	The BNDP allows for local employment / services and shops. There are a number of policies in the Local Plan that consider business development.	NPPF para 17, 20, 21, 28
CT2	Maintenance of local service centre	SP4 (Delivery of retail and Leisure Needs) EMP10 (Local and Village centres)	This policy support the creation of shops in the village centre and resists their loss in line with the Ashford Local Plan.	NPPF para 28, 70
CT3	General infrastructure services	EMP6 (Promotion of Fibre to the Premises) IMP1 (Infrastructure Provision)	Policy is in general conformity	NPPF para 43, 162

CT4	Heavy goods traffic	TRA7 (The Road Network and Development) TRA8 (Travel Plans, Assessments and Statements)	Policy is in general conformity. The Ashford Local Plan provides more detail.	NPPF para 34, 35, 36
CT5	Traffic flow and highway safety	TRA7 (The Road Network and Development)	Policy is in general conformity	NPPF para 35

7.0 Compatibility with European Union Regulations

- 7.1 Two screening opinions have been undertaken by Ashford Borough Council as to whether a Strategic Environmental Assessment (SEA) or Habitats Regulations Assessment (HRA) is required.

In 2017 Ashford Borough Council as the responsible authority was asked to determine whether or not a Strategic Environmental Assessment (SEA) and/or a Habitats Regulations Assessment (HRA) were required for the NDP. Natural England, Historic England and the Environment Agency were consulted in accordance with the regulations. The Borough Council concluded that:

- Significant and / or negative effects with regard to cultural heritage assets could occur as a result of the Bethersden Neighbourhood Plan.
- A full SEA needs to be undertaken for the neighbourhood plan, as per the SEA Directive (2001/42/EC). To fulfil the requirements of the SEA Directive, the Neighbourhood Plan must assess options in working towards bringing the objectives of the plan forward, notably alternative sites.
- Proposals will not have an adverse effect on the integrity of internationally designated sites either on its own or in combination with other plans.

- 7.2 A statement has been prepared by the Borough Council setting out its reasons for the determination, in accordance with the regulations. The full Statement can be seen on the Borough Council website.

- 7.3 The requirements of the SEA and Habitats Directives are considered therefore to have been met.

Water Framework Directive

- 7.4 Local Plan policies ENV7 and ENV8 deal with water efficiency and water quality, supply and treatment. They include requirements to ensure that development proposals do not result in the deterioration of quality or quantity of groundwater resources. The Bethersden Neighbourhood Plan does not cover these matters leaving it to the Ashford Plan, and no proposals that might result in harm to water quality or quantity have been identified. Therefore the NDP has no impact on the requirements of the Water Framework Directive.

Human Rights

- 7.5 The NDP is fully compatible with the European Convention on Human Rights, transposed into UK law by the Human Rights Act 1998. It has been prepared within the existing framework of statute, national planning policy and guidance, and Borough-level strategic planning policies. In accordance with established process, its

preparation has included consultation with the local community and it is subject to independent examination. The policies within the Plan are considered to comply with the requirements of EU obligations in relation to Human Rights.

Appendix A: 2017 Screening Opinion Conclusion

- A1 A screening assessment to determine the need for a Strategic Environmental Assessment (SEA) in line with regulations and guidance was undertaken and can be found in chapter 3 of this report. The assessment finds that significant and / or negative effects with regard to cultural heritage assets could occur as a result of the Bethersden Neighbourhood Plan.
- A2 While the assessment finds many of the policies are in conformity with the local plan policies which have a full SA/SEA which identified no significant effects will occur as a result of the implementation of policies, the impact of designation within the Conservation Area is untested.
- A3 From the findings of the screening assessment it is recommended that a full SEA needs to be undertaken for the neighbourhood plan, as per the SEA Directive (2001/42/EC). To fulfil the requirements of the SEA Directive, the Neighbourhood Plan must assess options in working towards bring the objectives of the plan forward, notably alternative sites.
- A4 A screening assessment to determine the need for an Appropriate Assessment as per the Habitats Directive (92/43/EEC). The Habitat Regulations Assessment (HRA) considers potential impacts of the plan on internationally designated wildlife sites within 20km of the Neighbourhood Plan Area. The assessment above has looked in simple terms at the emerging contents of the Bethersden neighbourhood plan and concludes that its proposals will not have an adverse effect on the integrity of internationally designated sites either on its own or in combination with other plans. This can be found in chapter 4 of this report. The assessment finds no likely significant effects will occur as a result of the Bethersden Neighbourhood Plan and any affects that may occur have already been assessed as part of the Ashford Borough Core Strategy and Tenterden and Rural Sites Appropriate Assessment.
- A5 Should the content of the plan change significantly then this scoping report will need to be revisited.