

Wadhurst Neighbourhood Plan 2016 to 2039



Basic Conditions Statement

Presented by Wadhurst Parish Council

April 2023

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1. Introduction

- 1.1. This Basic Conditions Statement has been produced to accompany the Wadhurst Neighbourhood Plan (WNP).
- 1.2. The relevant legal framework for the preparation and making of neighbourhood plans is supported by the Localism Act 2011 and the Neighbourhood Planning Act 2017 and found in the:
 - Town and Country Planning Act 1990: ss. 61F, 61I, 61M-P and Schedule 4B
 - Planning and Compulsory Purchase Act 2004: ss 38A-C
 - Neighbourhood Planning (General) Regulations 2012 (2012 No.637) (as amended)
- 1.3. Paragraph 8(2) of Schedule 4B to the Town & Country Planning Act 1990 requires a neighbourhood plan to meet five basic conditions before it can proceed to a referendum. These are:
 - i. Having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood 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, (retained) EU obligations; and
 - v. Prescribed conditions are met in relation to the neighbourhood plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan. The prescribed condition is that the 'making' of the neighbourhood plan is not likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2012) or a European offshore marine site (as defined in the Offshore Marine Conservation (Natural Habitats etc.) Regulations 2007) (either alone or in combination with other plans or projects).
- 1.4. There are two further basic conditions which are relevant only to the making of a Neighbourhood Development Order and are therefore not considered in this document.
- 1.5. This document sets out how the WNP meets the Basic Conditions.

Supporting documents and evidence

- 1.6. The Submission Neighbourhood Plan, with its policies, is supported by a Consultation Statement, this Basic Conditions Statement, and an extensive evidence base. It has also been subject to a Screening, organised by Wealden District Council (WDC), to ascertain whether or not it requires a Strategic Environmental Assessment (SEA) and/or a Habitats Regulations Assessment (HRA).
- 1.7. Two screenings were undertaken. The first, in July 2021, screened the WNP as presented for the Regulation 14 Phase 1. The Screening Opinions were as follows:
- SEA screening opinion (July 2021):
https://www.wealden.gov.uk/UploadedFiles/210714-Wadhurst-NDP-SEA-Screening-Opinion-Post-Consultation.Final_.pdf
 - HRA screening opinion (July 2021) -
https://www.wealden.gov.uk/UploadedFiles/210702-Wadhurst-NDP-HRA-Screening-Report-Post-Consultation.Final_.pdf
- 1.8. Following the Regulation 14 Phase 1, the WNP was amended fairly significantly in response to the representations received both from residents, statutory consultees and professional advice. WDC advised that a new screening be undertaken and these determined that the WNP would be unlikely to have significant environment impacts, hence neither an SEA nor HRA would be required. The Screening Opinions to accompany the Submission Plan are available on the WDC website:
- SEA screening opinion (October 2022):
<https://www.wealden.gov.uk/UploadedFiles/Wadhurst-NDP-SEA-Screening-Opinion-Post-Consultation-final-Accessible-Redacted-V1.pdf>
- HRA screening opinion (October 2022):
<https://www.wealden.gov.uk/UploadedFiles/Wadhurst-NDP-HRA-Screening-Opinion-Post-Consultation-final-Accessible-Redacted-V1.pdf>
- 1.9. Alongside the planning policies, the WNP contains both infrastructure priorities and a series of projects which fall outside planning policy. These are intended to contribute towards the achievement of the Plan's vision and form the basis of the principles for the use of any developer funding and other monies arising from other planning obligations. They complement the Neighbourhood Plan document but are not a formal part of the Development Plan.

Key statements

- 1.10. Wadhurst Parish Council, as the qualifying body, has prepared the Neighbourhood Plan which has the same boundary as the parish area of Wadhurst, as shown in Figure 1. It was designated a Neighbourhood Area by WDC on 8 November 2017.
- 1.11. The WNP sets out planning policies that relate to the development and use of land within only the Wadhurst Neighbourhood Area.
- 1.12. The WNP refers only to the administrative boundary of Wadhurst. There are no other adopted Neighbourhood Plans that cover all or part of the Wadhurst Neighbourhood Area.
- 1.13. The Neighbourhood Plan Steering Group has prepared the WNP to establish a vision for the future of the parish and a series of aims and objectives to deliver this. It has engaged with the community to set out how the vision will be realised through planning and controlling land use and development change over the plan period 2016 to 2039.
- 1.14. The WNP does not contain any policies which relate to excluded development as defined by section 61K of the Town and Country Planning Act 1990.

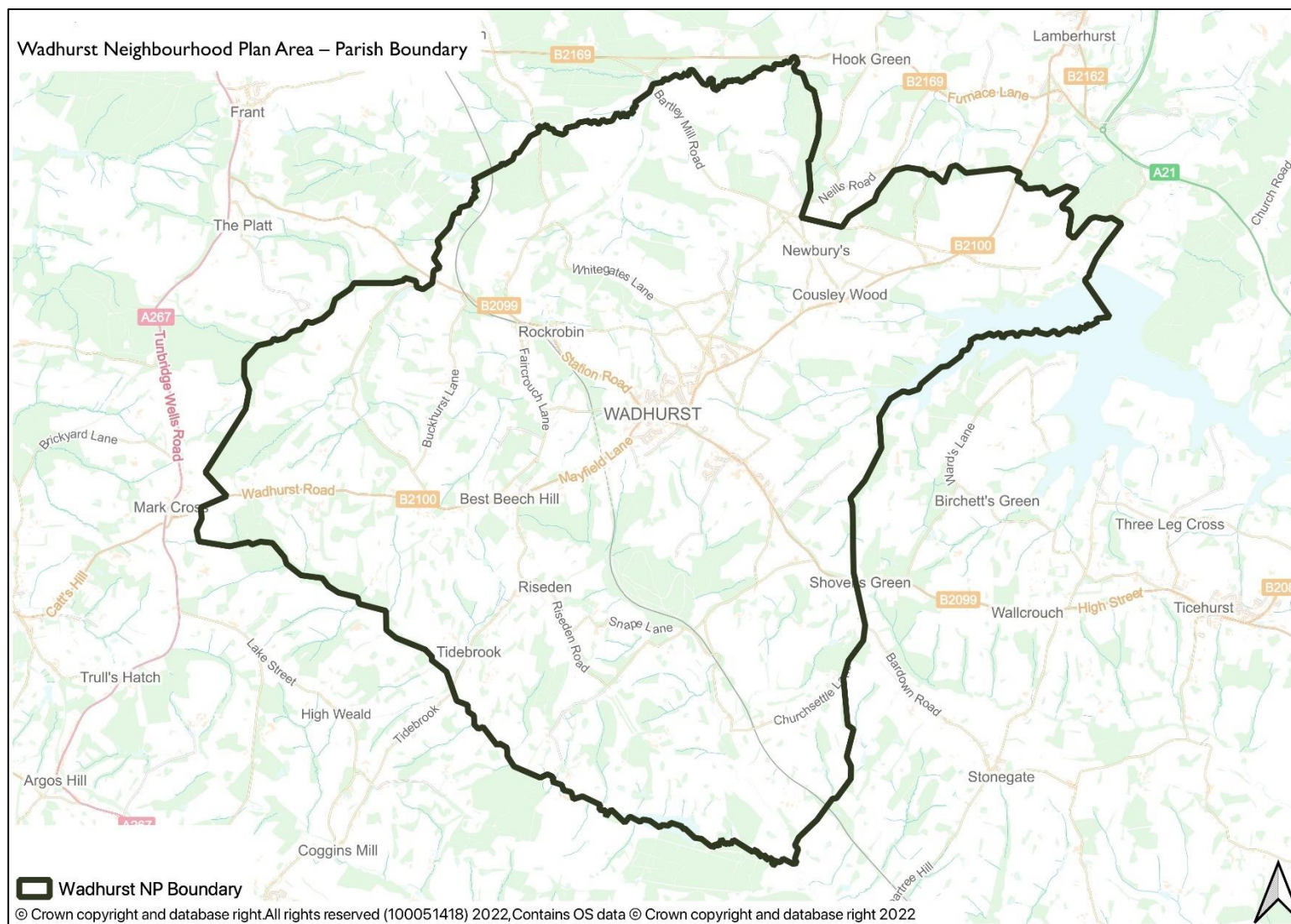


Figure 1: Wadhurst Neighbourhood Plan designated area

2. Basic condition (i) - conformity with national planning policy

- 2.1. To meet this condition, it is necessary to demonstrate that the WNP has regard to national planning policies and the advice contained in guidance issued by the Secretary of State. National policy and associated guidance are contained within the National Planning Policy Framework ('NPPF') and the Planning Practice Guidance ('PPG').
- 2.2. It should be noted that the WNP has been prepared in accordance with the NPPF, most recently revised in July 2021.

National Planning Policy Framework

- 2.3. The NPPF has 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
- 2.4. This basic conditions statement explains how the WNP contributes to meeting these objectives, where relevant, and also notes the specific national policies that the Plan is intended to support and supplement.
- 2.5. The WNP has five overarching objectives these are shown in Table 2.1 alongside the corresponding NPPF objective or objectives that each one seeks to address.
- 2.6. Table 2.2 then provides further detail by detailing each of the 18 policies of the Neighbourhood Plan and which specific paragraphs of the NPPF it has had regard to along with a commentary.

Table 2.1: Assessment of the Wadhurst Neighbourhood Plan aims against NPPF goals

Plan objective	Relevant NPPF goal
<p>Objective 1: Character, Heritage and Design: To influence the provision of sympathetically designed, high quality housing in accordance with the Design Code that has been prepared for Wadhurst that meets local housing needs while enhancing the distinctive natural and built character of the Parish through justified, sensitive, sustainable development and healthy placemaking. Recognising and protecting the individual and distinctive settlements that comprise the Parish.</p>	<ul style="list-style-type: none"> • Achieving well-designed places • Making effective use of land • Delivering a sufficient supply of homes • Meeting the challenge of climate change, flooding and coastal change
<p>Objective 2: Getting Around: To address local transport issues, including traffic and parking issues and promoting sustainable transport options by improving connectivity to facilities within and beyond the Parish by integrating and, where possible, extending the network of footpaths, cycleways and bridleways.</p>	<ul style="list-style-type: none"> • Promoting healthy and safe communities • Achieving well-designed places • Promoting sustainable transport
<p>Objective 3: Local Economy: To support and extend business, employment and associated training opportunities – including provision of infrastructure required – to grow the local economy, and to support the development of the Parish as a sustainable and environmentally friendly destination for those visiting the High Weald.</p>	<ul style="list-style-type: none"> • Building a strong, competitive economy • Ensuring the vitality of town centres
<p>Objective 4: Environment: To enhance and maintain the rural character and landscape features of the Parish, that led to the area's designation as the High Weald Area of Outstanding Natural Beauty. This includes promoting opportunities for supporting and improving biodiversity, safeguarding valued green spaces and access to these, and protecting key viewpoints afforded by the Parish's ridgeline location.</p>	<ul style="list-style-type: none"> • Conserving and enhancing the natural environment • Conserving and enhancing the historic environment
<p>Objective 5: Health, Wellbeing and Leisure: To retain and, where possible, expand the range of facilities and amenities available for local residents.</p>	<ul style="list-style-type: none"> • Promoting healthy and safe communities

Table 2.2: Assessment of how each policy in the WNP conforms to the NPPF

Policy Title and Reference	NPPF Reference (paragraph)	Commentary
POLICY WAD1: Location of development	11, 20, 79, 80, 84, 85, 93e, 105, 119-121, 124, 152, 174, 176, 177	<p>The policy sets out the WNP’s approach to the location of development within the Neighbourhood Plan Area. The Parish lies within the High Weald AONB, which should be conserved and enhanced in terms of landscape and scenic beauty.</p> <p>It is important that any new development takes place in the most sustainable locations of the Parish, near to local services and amenities, while protecting the valued AONB and avoiding sprawl and coalescence with nearby settlements. For this reason, the policy states that development should be focussed within the identified development boundaries.</p> <p>The WNP does not allocate sites for development – no requirement for housing delivery has been provided by Wealden District Council (WDC) - and the number of homes delivered during the current local plan period (shown in Appendix B) demonstrates that there has been an adequate throughput of housing delivery in the Parish to date.</p> <p>Beyond the defined development boundaries, development is only supported where it would be considered suitable in the countryside and AONB setting, which is already largely protected by NPPF policy. There have been examples of development in the AONB, however, and because of this, a number of locations that are considered to be particularly vulnerable have been identified as green gaps. These seek to restrict coalescence between the numerous distinctive settlements in Wadhurst Parish, and to ensure that their individual character is not eroded.</p> <p>The policy also supports the use of brownfield land within the development boundaries, in advance of greenfield land.</p> <p>As such the policy supports the NPPF’s sustainable development objectives, in particular conserving and enhancing the landscape and scenic beauty of the High Weald AONB.</p>
POLICY WAD2: Meeting local housing needs	60-65, 78	<p>The policy, underpinned by the Local Housing Needs Assessment for the emerging Local Plan, and further supported by local evidence gathered from the community, sets out information about the size, type and tenure of housing that is needed to address local housing need. It also</p>

		stipulates that housing should meet the particular needs of older people, in the context of an aging demographic.
POLICY WAD3: Design and character of development	126-133, 153, 154, 92, 104e, 107, 110, 124-132, 134, 174	The NPPF supports the creation of high quality, beautiful and sustainable buildings and places and encourages communities, through neighbourhood plans, to set out the detail about what is expected at the local level. The Wadhurst Design Code has been developed to underpin this policy and provides this local detail. This includes the identification of a series of Local Character Areas, each of which display distinctive characteristics, alongside general advice that all development proposals should adhere to in order to contribute positively to the local character of the Parish. It forms an integral part of the plan, as opposed to simply planning guidance, and should be proactively used alongside other relevant design guidance to influence planning applications.
POLICY WAD4: Sustainability and design	126, 127, 152-156, 169, 190	<p>The policy supports the national objectives to ensure that all development is designed and delivered to support the transition to a low carbon future in the context of a changing climate. The policy includes a number of clauses that seek to encourage developers to seek ways to reduce greenhouse emissions and maximise opportunities for on-site energy generation, making use of renewable energy sources.</p> <p>Whilst community-scale renewable energy schemes are not considered inappropriate, larger scale initiatives are considered to be out of place within the High Weald AONB setting. This aligns with the High Weald AONB Management Plan objective on this matter.</p>
POLICY WAD5: Conserving heritage assets	189, 190, 192, 194, 196, 199, 200-203	The NPPF states that plans should set out a positive strategy for the conservation and enjoyment of the historic environment. Policy WAD5 supports the conservation and enhancement of the historic environment and sets out a procedure for identifying non-designated heritage assets and some names assets considered to meet this criteria. The important of assets both above and below ground is emphasised as is the need to monitor and proactively conserve or enhance heritage deemed to be at risk.
POLICY WAD6: Conservation areas	189, 190, 206, 207	There are two Conservation Areas in the Parish, both outside / partially outside the development boundary. Policy WAD6 sets out criteria that should be considered in development proposals, which will assist in preserving the distinctive character of these areas and ensuring that any new development make a positive contribution to them.
POLICY WAD7: Safe and sustainable movement	92, 100, 104, 106, 110, 112	The policy supports the NPPF objective of encouraging a shift towards more sustainable modes of transport by promoting active travel, particularly for shorter journeys within the Parish. It does this by ensuring that all development links up to the existing network of footpaths and

		<p>rights of way, and that these the routes are protected, maintained and, where feasible, enhanced, to encourage greater and safer usage.</p> <p>Infrastructure to encourage cycling and the use of electric vehicles is also supported, which will help to contribute to this shift towards more sustainable transport modes.</p>
POLICY WAD8: Mitigating traffic congestion	92, 104, 105, 111-113	<p>Traffic congestion is a major challenge for the area and was raised consistently during the engagement process of the plan. The NPPF is clear that development that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or assessment so that the likely impacts of the proposal can be assessed. Policy WAD7 adds local detail to this by identifying the specific locations where traffic impacts are likely to be most significant and requires development proposals to actively assess and address their impacts on these locations as part of their application.</p>
POLICY WAD9: Car parking provision	104, 107	<p>Notwithstanding the desire to encourage sustainable modes of transport, notably active travel for shorter journeys within the Parish, as a rural Parish Wadhurst experiences high reliance on the private vehicle. This is exacerbated by the scattered nature of local facilities across a wide area. For this reason, it is important that existing public car parking spaces are safeguarded and new residential development provides adequate parking space.</p> <p>The policy encourages such spaces to provide the infrastructure to support electric vehicles and also safe, covered bike storage. This will assist in encouraging the shift to more sustainable travel modes.</p>
POLICY WAD10: Employment retention and local economy viability	81, 84, 85, 86, 92, 93	<p>The policy supports the national objective of supporting an environment that enables local businesses to flourish. This includes safeguarding existing employment space, including shops and other local services, which provide for the day-to-day needs of residents. Many of the shops within Wadhurst's settlements are located within Conservation Areas, therefore their contribution to the local character of the respective Conservation Area should be considered if an application to change use (for instance to residential) is received.</p>
POLICY WAD11: Supporting sustainable rural tourism	84, 85	<p>The policy supports proposals that will enable sustainable rural tourism, which the NPPF recognises as an important part of the economy.</p>
POLICY WAD12: Communication	82, 114	<p>The policy supports the national aim of delivering high quality and reliable communications infrastructure. Within the context of the sensitive AONB setting, it sets out locally specific</p>

infrastructure support		criteria that should be considered when delivering this.
POLICY WAD13: Conservation of the natural environment, ecosystems and biodiversity	92, 98, 99, 124, 153, 154, 174-177, 179	<p>This policy supports the national objective of ensuring that development contributes to and enhances the natural environment and biodiversity. It maps out, at the neighbourhood level, components of wildlife-rich habitats and wider ecological networks, including the hierarchy of national and locally designated sites of importance for biodiversity; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation through protecting designated and non-designated landscape assets.</p> <p>It recognises the importance of trees and the variety of roles they play, seeking to safeguard them against loss.</p> <p>In line with the Environment Act, the policy requires developments to deliver a biodiversity net gain of at least 10%. Where this cannot be achieved on-site, the locally mapped network of green infrastructure offers locations where units can most effectively make a positive contribution to local habitats and landscapes.</p>
POLICY WAD14: Bewl water reservoir area and associated public activities	84, 85, 92, 93, 98	<p>The Bewl Water reservoir area is the only accessible natural green space in the parish. The policy sets out criteria against which development proposals should be assessed, which support local recreational opportunities, while safeguarding water and landscape quality. It seeks to protect the water-based recreational activities available at Bewl Water.</p> <p>The policy will help to maintain and improve the space's naturalness, biodiversity and access to it by parishioners and the wider public for the enjoyment of its open space, natural beauty, dark skies, tranquillity, recreational and leisure activities and beautiful views into and out of the area. Access to such green space contributes to the mental and physical health and wellbeing of the community.</p>
POLICY WAD15: Protection of distinctive and highly valued views	126-130	<p>The NPPF states that neighbourhood planning groups can play an important role in identifying the special qualities of their area and explaining how these should be reflected in development, both through their own plans and by engaging in the production of design policy, guidance and codes by local planning authorities and developers.</p> <p>This policy identifies views and viewpoints that are considered by the community to be significant – either because they encompass a local landmark or notable landscape. The policy seeks to ensure that any development that takes place within the view 'arcs' limits its impact</p>

		on the view itself and, where possible, incorporates or enhances it.
POLICY WAD16: Local green spaces	92, 98, 99, 101-103 147-151	The NPPF enables communities to designate spaces that are demonstrably special to them as Local Green Spaces. Policy WAD16 identifies 10 such spaces in Wadhurst and provides the justification as to how they meet the NPPF criteria.
POLICY WAD17: Protection of dark skies	174, 176, 179, 180, 185	The High Weald AONB is an area that benefits from dark skies. This feature brings a range of benefits, notably to wildlife, but also to people in terms of mental and physical health benefits. The High Weald AONB Unit encourages the parishes within its boundary to include a dark skies policy in their neighbourhood plans, which in turn supports the national aims of supporting biodiversity, enhancing local character and conserving and enhancing landscape and scenic beauty in the AONB.
POLICY WAD18: Important community facilities	92, 93, 98, 99	The NPPF encourages the development of policies that will enable development to contribute to healthy, inclusive communities. Wadhurst Parish has a range of local facilities for the community and this policy seeks to safeguard against loss/change of use those that have been identified by the community as being particularly important to them. In addition, it sets out support for new or improved facilities that would be supported, as evidenced by the community engagement and discussions with facility owners.

3. Basic condition (iv) - contribution to sustainable development

- 3.1. The NPPF states in paragraph 7 that *‘the purpose of the planning system is to contribute to the achievement of sustainable development.’*
- 3.2. For the WNP, sustainable development has provided the fundamental basis of each of its policies. The National Planning Practice Guidance advises that *‘sufficient and proportionate evidence should be presented on how the draft neighbourhood plan ... guides development to sustainable solutions’¹.*
- 3.3. Table 3.1 below summarises how the objectives and policies in the Plan contribute towards economic, social, and environmentally sustainable development, as defined in the NPPF. Many of the aims of the Plan overlap the three strands of sustainability, so for the purposes of this document, the most relevant strand has been taken to illustrate conformity.

Table 3.1: Assessment of the Wadhurst Neighbourhood Plan objectives and policies against sustainable development

Deliver economic sustainability	NPPF definition – <i>‘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.’</i>
NP Objectives	Objective 3: Local Economy: To support and extend business, employment and associated training opportunities – including provision of infrastructure required – to grow the local economy, and to support the development of the Parish as a sustainable and environmentally friendly destination for those visiting the High Weald.
NP Policies	<ul style="list-style-type: none"> • POLICY WAD10: EMPLOYMENT RETENTION AND LOCAL ECONOMY VIABILITY • POLICY WAD11: SUPPORTING SUSTAINABLE RURAL TOURISM • POLICY WAD12: COMMUNICATION INFRASTRUCTURE SUPPORT
Commentary	<p>These policies of the WNP collectively seek to support a vibrant and viable local rural economy. They recognise the role of the main village shopping areas in providing for the day-to-day needs of local people.</p> <p>The existing commercial units in the Parish are important as they have the ability to provide local jobs that will help to negate the need for out-commuting. Such uses are sought to be retained in the WNP.</p> <p>The Parish is well-situated near to a range of visitor attractions and is also itself rich in heritage assets. Its location within the High Weald AONB draws in visitors and the WNP seeks to support this sector in a sustainable way.</p> <p>Finally, the WNP supports the provision of adequate communications infrastructure, which is not only important for a robust local economy, but also for social and household activities, particularly as working habits shift towards remote and home-working.</p> <p>In these ways, the WNP seeks to contribute to building a sustainable economy.</p>

¹ Planning Practice Guidance, Paragraph: 072 Reference ID: 41-072-20140306

Deliver social sustainability	NPPF definition – ‘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.’
NP Objectives	<p>Objective 1: Character, Heritage and Design: To influence the provision of sympathetically designed, high quality housing in accordance with the Design Code that has been prepared for Wadhurst that meets local housing needs while enhancing the distinctive natural and built character of the Parish through justified, sensitive, sustainable development and healthy placemaking. Recognising and protecting the individual and distinctive settlements that comprise the Parish.</p> <p>Objective 5: Health, Wellbeing and Leisure: To retain and, where possible, expand the range of facilities and amenities available for local residents.</p>
NP Policies	<ul style="list-style-type: none"> • POLICY WAD1: LOCATION OF DEVELOPMENT • POLICY WAD2: MEETING LOCAL HOUSING NEEDS • POLICY WAD3: DESIGN AND CHARACTER OF DEVELOPMENT • POLICY WAD18: IMPORTANT COMMUNITY FACILITIES
Commentary	<p>The NPPF underlines the importance of supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of 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.</p> <p>The WNP has been developed as a result of extensive local engagement to understand local priorities to contribute to this national objective. New development should be directed to within the development boundaries as these represent the most sustainable locations, located close to community facilities. It will also help to restrict coalescence between the individual settlements and encroachment into the wider countryside.</p> <p>Whilst the WNP does not seek to allocate homes, it contains a policy seeking to influence the types of dwellings that should be prioritised in the Parish, so as to accommodate locally evidenced housing need. The need for additional housing may be considered further as part of a future review of the WNP and in the context of any new Local Plan.</p> <p>Design of development is important and the WNP is underpinned by a Design Code, which seeks to ensure that local character is reflected and developments are of a high quality.</p> <p>Finally, the WNP includes a policy to safeguard, and where required enhance, local facilities and assets that have been identified as particularly important by the community.</p> <p>The provision of adequate infrastructure to support any new development is vital and the community is keen to ensure that this is considered at the heart of development proposals.</p> <p>In these ways, the WNP aims to support a strong, vibrant and healthy community.</p>

Deliver environmental sustainability	NPPF definition – ‘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,’
NP Aims	<p>Objective 2: Getting Around: To address local transport issues, including traffic and parking issues and promoting sustainable transport options by improving connectivity to facilities within and beyond the Parish by integrating and, where possible, extending the network of footpaths, cycleways and bridleways.</p> <p>Objective 4: Environment: To enhance and maintain the rural character and landscape features of the Parish, that led to the area’s designation as the High Weald Area of Outstanding Natural Beauty. This includes promoting opportunities for supporting and improving biodiversity, safeguarding valued green spaces and access to these, and protecting key viewpoints afforded by the Parish’s ridgeline location.</p>
NP Policies	<ul style="list-style-type: none"> • POLICY WAD4: SUSTAINABILITY AND DESIGN • POLICY WAD5: CONSERVING HERITAGE ASSETS • POLICY WAD6: CONSERVATION AREAS • POLICY WAD7: SAFE AND SUSTAINABLE MOVEMENT • POLICY WAD8: MITIGATING TRAFFIC CONGESTION • POLICY WAD9: CAR PARKING PROVISION • POLICY WAD13: CONSERVATION OF THE NATURAL ENVIRONMENT, ECOSYSTEMS AND BIODIVERSITY • POLICY WAD14: BEWL WATER RESERVOIR AREA AND ASSOCIATED PUBLIC ACTIVITIES • POLICY WAD15: PROTECTION OF DISTINCTIVE AND HIGHLY VALUED VIEWS • POLICY WAD16: LOCAL GREEN SPACES • POLICY WAD17: PROTECTION OF DARK SKIES
Commentary	<p>The Parish is located within the High Weald AONB and conserving and enhancing the natural landscape and scenic beauty of the AONB is intrinsic to the WNP. The policies seek to safeguard the openness of the AONB and preserve the dark skies.</p> <p>The network of green (and blue) infrastructure, which supports biodiversity, is mapped and recognised, along with significant green spaces, important views and the Bewl Reservoir open space.</p> <p>Alongside the natural environment, the WNP recognises the importance of conserving historic assets so that they can be enjoyed for their contribution to the quality of life of existing and future generations. The WNP endorses criteria against which non-designated heritage assets might be identified alongside supporting development. It also provides additional advice for proposals within the Conservation Areas.</p> <p>Design is an important element of the WNP and the policies emphasise the need for development proposals to contribute to mitigating climate change.</p> <p>Finally, the WNP emphasises the need to promote non-car modes of transport in order to reduce traffic congestion. It supports the provision of electric vehicle charging points and cycle and walking infrastructure to encourage a shift to sustainable modes of transport.</p>

	In these ways, the WNP seeks to contribute to protecting and enhancing the natural, built and historic environment of the neighbourhood area and a shift towards a low carbon economy.
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- 3.4. As demonstrated in Table 3.1, the strategic objectives of the WNP are considered to comprise a balance of social, economic, and environmental goals. The policies in the Plan demonstrably contribute to sustainable development.

4 Basic condition (v) - general conformity with the strategic policies of the development plan

- 4.1. The following documents currently comprise Wealden District Council's development plan:
- Wealden District Core Strategy Local Plan (February 2013);
 - Affordable Housing Delivery Local Plan (May 2016);
 - Saved policies contained in the Wealden District Local Plan (1998); and
 - Herstmonceux Neighbourhood Development Plan (July 2019);
 - East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan (February 2013); and
 - East Sussex, South Downs and Brighton & Hove Waste and Minerals Sites Plan (February 2017)
- 4.2. Supplementary Planning Documents are a material consideration in the determination of planning applications in Wealden District (not including the area of Wealden District located within the South Downs National Park). They provide additional detail to relevant saved policies in the Wealden Local Plan (1998). They are:
- Wealden Design Guide Supplementary Planning Document (SPD), November 2008 (Policies EN1 and EN27);
 - High Weald AONB Management Plan (Policies EN6 and EN7);
 - Ashdown Business Park (Policy BS10); and
 - Hellingly Hospital (Policy HH1).
- 4.3. The policies of the WNP must be in general conformity with the strategic policies of the adopted development plan documents.
- 4.4. It should be noted that a review of the Wealden Local Plan is at an early stage. Wealden District Council had submitted its Draft Local Plan to the Secretary of State for independent examination on 18 January 2019. However, on the advice of the Inspector, this Plan was withdrawn on 19 February 2020. Since this time, WDC has published a Direction of Travel document, the consultation on which concluded in January 2021. The authority has also published a number of evidence bases to inform the emerging new Local Plan.
- 4.5. A timetable for the development of the new Local Plan, taken from the Local Development Scheme adopted in July 2020, is shown in Figure 4.1:

Indicative timetable:

Key Milestones	Date
Approval of the revised Local Development Scheme	July 2020
Early Engagement Consultation	September - October 2020
Local Plan Draft (Regulation 18) consultation	Spring 2022
Local Plan Submission Draft (Regulation 20) invite representations to be made	Winter 2022 / 2023
Local Plan Pre-Submission Draft to the Secretary of State Draft (Regulation 22)	Spring 2023
Consideration of representations by appointed Independent Inspector (Regulation 23)	Spring - Summer 2023
Examination in Public (Regulation 24)	Summer 2023
Publication of the recommendations of the appointed person (Regulation 25)	Winter 2023
Adoption of the Local Plan (Regulation 26)	Winter 2023

Figure 4.1: Indicative timetable for the Local Plan review. Source: Local Development Scheme: <https://www.wealden.gov.uk/UploadedFiles/Final-LDS-1.pdf>

- 4.6. Once adopted, the (new) Wealden Local Plan will supersede the saved policies contained in the Wealden District Local Plan (1998), the Wealden District Core Strategy Local Plan (February, 2013) and the Affordable Housing Delivery Local Plan (May, 2016) upon adoption.
- 4.7. As the Regulation 18 Local Plan has not yet been published, the WNP policies have been considered against the strategic policies of the adopted Wealden District Core Strategy Local Plan, the Affordable Housing Delivery Local Plan, and the Saved policies contained in the Wealden District Local Plan. A commentary about how the WNP policies conform is shown in Table 4.1.
- 4.8. Where a strategic policy is not identified in Table 4.1, it is considered that the WNP does not contain any policies that directly relate to it.
- 4.9. It is confirmed that there are no policies in the strategic documents relating to minerals and waste that are of relevance to the WNP.

Table 4.1: Relevant strategic policies

Policy Title and Reference	Strategic Policy	Commentary
POLICY WAD1: Location of development	<p>Core Strategy: WCS1, WCS2, WCS3, WCS5, WCS6, WCS9, WCS14</p> <p>Saved policies: GD1, GD2, EN1, EN2, EN6, EN15, EN17, EN18, DC2, DC3, DC4, DC5, DC6, DC7, DC8, DC17-DC22, HG3, HG12, TM1, TM3</p>	<p>The policy supports the WDC strategy, which seeks to direct development to within the development boundaries as the most sustainable locations, located near to local facilities. Outside development boundaries, the policy seeks to restrict certain types of development, in line with strategic policy, with the aim of preserving and enhancing the qualities of the High Weald AONB.</p> <p>In addition, a series of green gaps are identified, which are considered to be the areas most vulnerable to the negative impacts of development, for instance in terms of coalescence of settlements and encroachment into the wider countryside. The adopted Local Plan already identifies certain such gaps in the district and also suggests there are certain other settlements in the District where the open countryside separating them is particularly vulnerable to development pressures that would tend to erode their separate identities and their rural settings.</p> <p>These gaps are particularly sensitive, being visually exposed within the High Weald Area of Outstanding Natural Beauty. Previous planning policy has acknowledged the significance of these areas and it is considered that specific protection from development should continue to be expressed. The WNP defines these gaps at the Parish level.</p>
POLICY WAD2: Meeting local housing needs	<p>Core Strategy: WCS1, WCS9</p> <p>Affordable Housing Delivery Local Plan: AFH1</p> <p>Saved policies: EN28, HG2, HG3, HG5, HG11</p>	<p>The policy contributes to the provision of a mix of homes, setting out the type, tenure, size and mix of housing that will meet locally identified needs at the Parish level. This accords with strategic policy.</p>

Policy Title and Reference	Strategic Policy	Commentary
POLICY WAD3: Design and character of development	Saved policies: EN1, EN2, EN6, EN12, EN14, EN16, EN27, EN28, HG4, HG6, HG10, TR11, TR14, TR16, LR3	The policy is underpinned by the Wadhurst Design Code, which provides a Parish-level approach to design, complementing and adding greater local detail to the existing guidance applicable to the area.
POLICY WAD4: Sustainability and design	Core Strategy: WCS14 Saved policies: EN1, EN3, EN4, EN22, CS2, HG7	The WNP policy supports the strategic ambition to encourage sustainable design, including use of community-scale renewable energy. It sets out local design criteria to complement that at the strategic level and is underpinned by the Wadhurst Design Code.
POLICY WAD5: Conserving heritage assets	Core Strategy: WCS14 Saved policies: EN21, EN22, EN23, EN24, EN25, EN26	The policy adds additional local detail to the strategic policies by setting out criteria against which non-designated heritage assets (of local significance) can be identified. It sets out a number of local assets that are considered to meet these criteria. The policy also seeks to ensure that heritage at risk is monitored and adequately addressed in partnership with WDC, Historic England and the asset owners.
POLICY WAD6: Conservation areas	Saved policies: EN19, EN20, EN21, EN22	The policy identifies the Conservation Areas and seeks to preserve and enhance their character in accordance with both the Conservation Area Character Appraisals and the locally specific Wadhurst Design Code.
POLICY WAD7: Safe and sustainable movement	Core Strategy: WCS7 Saved policies: EN2, TR1, TR11, TR12, TR13	Policy WAD7 complements strategic policy in terms of promoting opportunities for walking and cycling locally, with specific issues related to the Parish identified in the supporting text.

Policy Title and Reference	Strategic Policy	Commentary
POLICY WAD8: Mitigating traffic congestion	Core Strategy: WCS7 Saved policies: EN2, TR1, TR2, TR3, TR9, TR10	The Parish suffers from traffic congestion and to complement the strategic approach to ensuring that new development does not exacerbate this, the policy identifies specific locations that should be addressed by applicants.
POLICY WAD9: Car parking provision	Saved policies: TR11, TR12, TR14, TR16	The policy supports the strategic approach to car parking and additionally seeks to ensure the provision of cycle storage and EV charging points, at both public and private locations, with the aim of encouraging a shift to more sustainable forms of transport.
POLICY WAD10: Employment retention and local economy viability	Core Strategy: WCS1, WCS3 Saved policies: DC8, BS6-BS9, BS11-BS15, SH1 – SH3, SH5, SH6, SH8, SH10	The WNP supports the safeguarding of local employment uses and opportunities, supporting new ones where they meet specific localised criteria. This includes safeguarding village retail stores, where feasible.
POLICY WAD11: Supporting sustainable rural tourism	Core Strategy: WSC1 Saved policies: BS8, BS9, BS14, TM1, TM3, TM4, TM5, TM10	The WNP supports the promotion of sustainable rural tourism and includes criteria that will maximise the benefits of this to the local community, economy and environment, whilst minimising the negative impacts.
POLICY WAD12: Communication infrastructure support	Core Strategy: WCS5, WCS7, WCS13 Saved policies: EN31, EN32, EN33	The WNP policy adds additional local detail to the strategic policy, when considering how to accommodate communications infrastructure within the parish, bearing in mind its landscape setting.
POLICY WAD13: Conservation of the natural environment, ecosystems and biodiversity	Core Strategy: WCS12, WCS13 Saved policies: EN6, EN12, EN13, EN14, EN15, EN16, EN18	The WNP adds additional local detail to the strategic policies by mapping out the green and blue infrastructure at a Parish level and setting out the desire to improve and, where possible, extend this. The policy emphasises the need for biodiversity net gain.

Policy Title and Reference	Strategic Policy	Commentary
POLICY WAD14: Bewl water reservoir area and associated public activities	Core Strategy: WCS13 Saved policies: EN18, EN28, TM1, TM4, TM5	The policy This policy seeks to protect and preserve Bewl Water as the only ‘accessible natural green space’ in the Parish. It also seeks to protect the water-based recreational activities possible at Bewl Water. This will help to maintain and improve its naturalness, biodiversity and access to it by parishioners and the wider public for the enjoyment of its open space, natural beauty, dark skies, tranquillity, recreational and leisure activities and beautiful views into and out of the area. Access to such green space contributes to the mental and physical health and wellbeing of the community.
POLICY WAD15: Protection of distinctive and highly valued views	Core Strategy: WCS13 Saved policies: EN6	The policy identifies ten views/view clusters, which have been identified as significant in consultation with the community. Preserving access to such views supports a series of strategic aims, including around preserving local character, providing access to the countryside and improving the health and well being of local people.
POLICY WAD16: Local green spaces	Core Strategy: WCS13 Saved policies: EN18, LR1, LR2, LR6	The WNP designates ten Local Green Spaces, which are considered to be demonstrably special to the community and which meet the NPPF criteria. This accords with strategic policy including securing access to open space, safeguarding heritage and improving opportunities for biodiversity.
POLICY WAD17: Protection of dark skies	Core Strategy: WCS12, WCS13 Saved policies: EN29	The policy sets out criteria against which development should be considered, providing additional local detail. The construction of the policy has been aided by the High Weald AONB Unit.
POLICY WAD18: Important community facilities	Core Strategy: WSC7 Saved policies: EN28, SH1, SH10, LR1, LR2, LR5, LR7, LR8	The policy adds additional local detail to strategic policy in identifying particular assets and facilities that the community have identified as important to them. The loss of such facilities should be resisted.

5 Basic Condition (vi) - conformity with EU obligations

- 5.1 The WNP, and the process under which it was made, conforms to the Strategic Environmental Assessment (SEA) Directive (EU 2001/42/EC) and the Environmental Assessment of Plans and Programmes Regulations 2004 (the Regulations).
- 5.2 In accordance with Regulation 9 of the SEA Regulations 2004, Wealden District Council, as the responsible authority, determined in October 2022 that a Strategic Environmental Assessment (SEA) is not required as the Plan's policies are unlikely to have significant environmental effects.
- 5.3 The screening opinion report can be found in the Evidence Pack.

6 Basic condition (vii) - conformity with the prescribed conditions

- 6.1 Under Directive 92/43/EEC, also known as the Habitats Directive², it must be ascertained whether the WNP is likely to breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017. 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.
- 6.2 Wealden District Council, as the responsible authority, determined in October 2022 that the Neighbourhood Plan is unlikely to have significant impact on European sites and therefore does not require a full HRA to be undertaken.
- 6.3 In addition to conforming to its EU obligations, the Plan does not breach and is not otherwise incompatible with the European Convention on Human Rights.
- 6.4 The screening opinion report can be found in the Evidence Pack.

A Sustainability Appraisal has been prepared to support the WNP.

² Directive 92/43/EEC 'on the conservation of natural habitats and of wild fauna and flora': <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:31992L0043>

7 Conclusion

- 7.1. The relevant Basic Conditions as set out in Schedule 4B to the TCPA 1990 are considered to be met by the Wadhurst Neighbourhood Plan and all the policies therein. It is therefore respectfully suggested to the Examiner that the Wadhurst Neighbourhood Plan complies with Paragraph 8(1) (a) of Schedule 4B of the Act.