

# Fawkham Neighbourhood Plan

(Regulation 15)

## Basic Conditions Statement

**Town and Country Planning Act 1990 (as amended) Paragraph 8(2)  
of Schedule 4B Statement**

Fawkham Parish Council

April 2024

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## **1. INTRODUCTION**

This Basic Conditions Statement sets out how Fawkham Parish Council has met the legal requirements and basic conditions in producing the Fawkham Neighbourhood Plan.

## **2. LEGAL REQUIREMENTS**

### **The Neighbourhood Plan is being submitted by a qualifying body**

The area administered by Fawkham Parish Council was designated a qualifying area by Sevenoaks District Council in May 2021 and the Parish Council is a qualifying body.

### **What is being proposed is a Neighbourhood Development Plan**

The plan 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.

### **The proposed neighbourhood plan states the period for which it is to have effect**

The Plan period is clearly stated on the cover and within the text of the Neighbourhood Plan as 2023 - 2040 to align with the plan period of the emerging Sevenoaks Local Plan.

### **The policies do not relate to excluded development**

The neighbourhood plan proposals do not deal with county matters (mineral extraction and waste development), nationally significant infrastructure or any other matters set out in Section 61K of the Town and Country Planning Act 1990.

### **The proposed neighbourhood plan does not relate to more than one neighbourhood area and there are no other neighbourhood development plans in place within the neighbourhood area.**

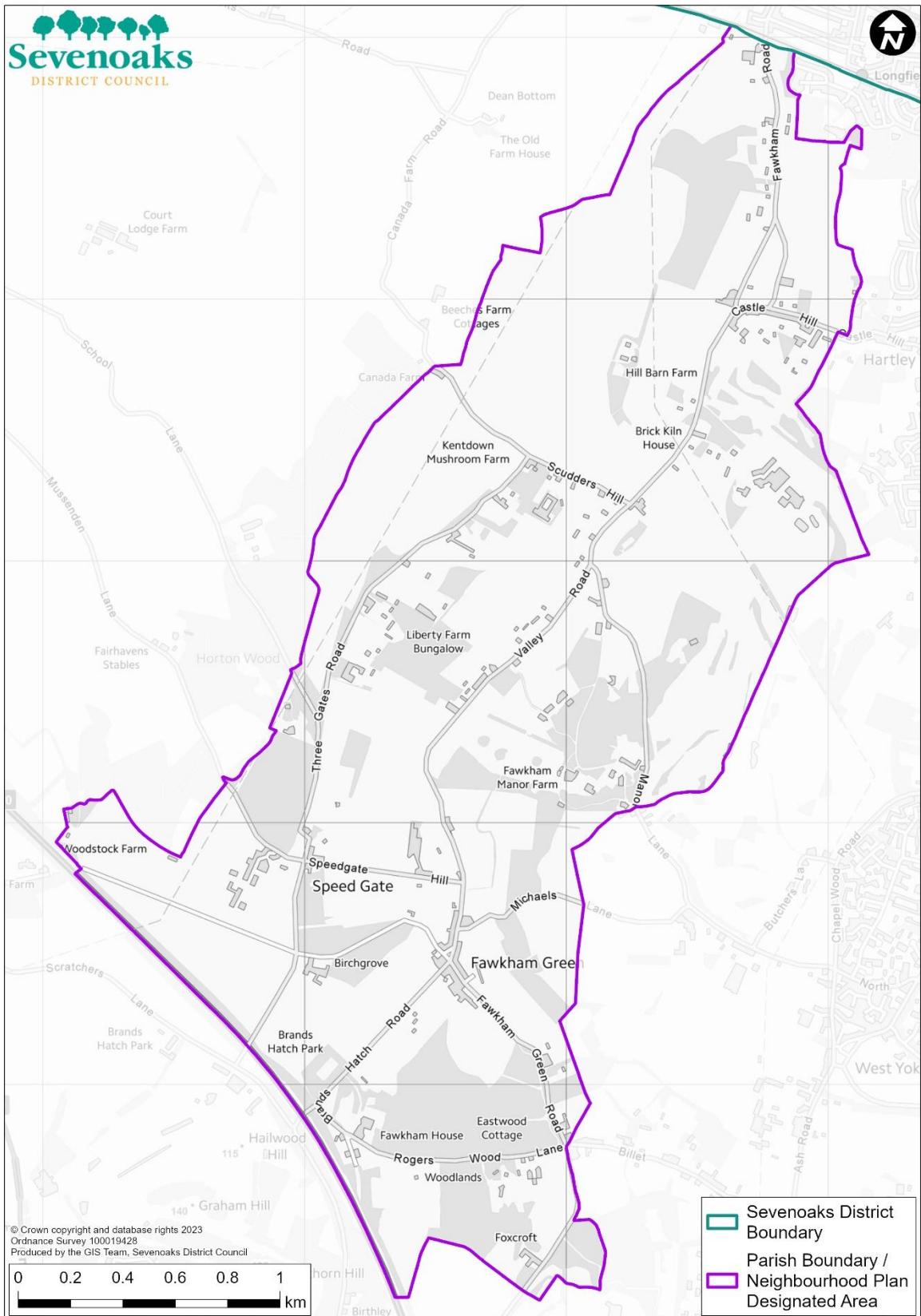
The Neighbourhood Plan policies relate solely to Fawkham Parish and to no other area (as shown in Map 1 below).

There are no other neighbourhood plans relating to that neighbourhood area.

The neighbourhood plan is informed by discussions with neighbouring Parish Councils regarding their aspirations and any planning issues of cross-boundary importance.

It is not considered that there is any benefit in extending the area for the referendum beyond the designated Neighbourhood Plan Area.

There are no other prescribed matters.



Map 1 - Fawkham Parish Neighbourhood Plan Area

### **3. BASIC CONDITIONS**

A Neighbourhood Development Plan meets the basic conditions if:

- 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, and
- 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.

### **4. NATIONAL POLICIES AND ADVICE**

The National Planning Policy Framework, 2023 (NPPF) will apply for the purpose of examining the Fawkham Neighbourhood Plan.

This section demonstrates that the Fawkham Neighbourhood Plan has regard to the elements set out in the NPPF relevant to the designated area to deliver sustainable development:

- Delivering a sufficient supply of homes
- Building a strong, competitive economy
- Promoting healthy and safe communities
- Promoting sustainable transport
- Making effective use of land
- Achieving well-designed and beautiful 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

#### **Delivering a sufficient supply of homes**

The NPPF states: '*To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed ...*' (Para. 60).

*'Where it is not possible to provide a requirement figure for a neighbourhood area, the local planning authority should provide an indicative figure, if requested to do so by the neighbourhood planning body. This figure should take into account factors such as the latest*

*evidence of local housing need, the population of the neighbourhood area and the most recently available planning strategy of the local planning authority.’* (Para. 68).

*‘In rural areas, planning policies … should be responsive to local circumstances and support housing developments that reflect local needs, including proposals for community-led development for housing. Local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs, and consider whether allowing some market housing on these sites would help to facilitate this.’* (Para. 82).

Planning policies and decisions should generally avoid the development of isolated homes in the countryside unless particular circumstances apply. (Para 84).

Part of the vision for Fawkham Parish is to meet the limited local housing need.

The Fawkham Neighbourhood Plan sets the following housing objective:

- To facilitate local people staying in the Parish through existing and future windfall planning permissions, supporting the adaptation and proportionate additions to existing homes and, where justified, enabling a limited supply of affordable housing which meets the needs of the Parish within the identified policy and environmental constraints.

The adopted Local Plan does not set a specific housing target for Fawkham Parish and does not identify the hamlet for housing growth or allocate a housing site within the Plan area. The emerging Local Plan follows this approach.

The Neighbourhood Plan wishes to ensure that any housing development which may come forward during the Plan period within the constraints of the NPPF is of high quality design and responds to the distinctive landscape character and heritage of Fawkham in which it is located (see Policies FNP1, Policy FNP3 and Policy FNP8).

Should there be an identified local need for affordable housing, the Neighbourhood Plan cross-references adopted Core Strategy Policy SP4 and Allocations and Development Management Plan Policy GB5 which would enable limited development to meet any unmet need.

Whilst the NPPF makes the re-use of redundant or disused buildings an exception to the restriction of isolated homes in the countryside (Para.84), Neighbourhood Plan Policy FNP9 gives priority to business uses, or tourist facilities, in the conversion of rural buildings. Isolated dwellings within the Parish would be remote from the limited local facilities available and would not be safely connected by sustainable transport.

Fawkham Neighbourhood Plan has therefore had regard to the NPPF in seeking to deliver an appropriate number of new high quality homes for the Plan area.

## **Building a strong, competitive economy**

The NPPF states: '*Planning policies ... should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.*' (Para. 85).

The NPPF also states that planning policies should enable the sustainable growth and expansion of business in rural areas but that it is important to ensure that development exploits any opportunities to make a location more sustainable by providing improved sustainable transport links. Policies should recognise that sites to meet local business needs may have to be found in locations that are not well served by public transport (Paras. 88 – 89).

Part of the vision for Fawkham Parish is to sustain the local economy. The Neighbourhood Plan objective and policies collectively support this vision.

Fawkham Neighbourhood Plan sets the following objective:

- To maintain a thriving rural economy by retaining and enabling the regeneration of well located existing business sites.

The Neighbourhood Plan sets out the following policies that aim to build a strong local rural economy within the Parish consistent with locally appropriate opportunities and the constraints of the NPPF:

- Policy FNP9 – Business Development
- Policy FNP11 – Protection of Public House
- Policy FNP12 - Protection of open space, sport and recreation facilities

The adopted Local Plan does not identify any sites within the Plan area for economic development but the Neighbourhood Plan seeks to resist the loss of 4 business sites and enable their regeneration through redevelopment or limited extension. In addition, the Plan seeks to retain the public house and the football, golf and indoor ball pitch at Corinthian Sports Club, both of which provide local employment. Priority is given to business uses, or tourist facilities, in the conversion of buildings within the Parish.

The Plan also seeks to conserve and enhance the natural and built environment and public rights of way which contribute to local tourism.

Fawkham Neighbourhood Plan has therefore had regard to the NPPF in setting out a clear economic objective and policies that seek to sustain and promote the local rural economy.

## **Promoting healthy and safe communities**

The NPPF seeks to provide the social, recreational and cultural facilities and services the community needs through:

- planning positively for the provision and use of community facilities (such as meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;
- guarding against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs;
- ensuring that established facilities and services are able to develop and modernise, and are retained for the benefit of the community. (Para. 97).

NPPF also states: '*Access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities, and can deliver wider benefits for nature and support efforts to address climate change. Planning policies should be based on robust and up-to-date assessments of the need for open space, sport and recreation facilities (including quantitative or qualitative deficits or surpluses) and opportunities for new provision. Information gained from the assessments should be used to determine what open space, sport and recreational provision is needed, which plans should then seek to accommodate.*' (Para.102).

Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless a number of criteria are met and planning policies should protect and enhance public rights of way and access (Paras. 103 and 104).

Part of the overall vision for Fawkham Parish is to retain and enhance the open space and community facilities of the Parish. The Neighbourhood Plan objectives and policies collectively support this vision.

The Neighbourhood Plan sets the following objectives in relation to leisure and well-being:

- To promote well-being and healthy living
- To protect and enhance open space and the network of footpaths serving the Parish
- To maintain community meeting places to serve the Parish

The Plan identifies the provision and needs for recreation open space and community facilities and the policies that seek to secure future retention and provision are:

Policy FNP1 Protection and Enhancement of Landscape Character

Policy FNP2 – Woodland, trees and hedgerows

Policy FNP3 - Rural Lanes

Policy FNP10 - Protection of Fawkham Village Hall

Policy FNP11 – Protection of Public House

Policy FNP12 – Protection of open space, sport and recreation facilities

Policy FNP13 – Protection of existing Public Rights of Way and historic routeways

The Neighbourhood Plan seeks to protect and enhance the character of open countryside and retain facilities for formal and informal recreation within the Parish. In particular, specific open spaces, sport and recreation facilities. Public Rights of Way and rural lanes are also identified for protection.

The Plan also resists the loss of the village hall and public house.

The Fawkham Neighbourhood Plan has therefore had regard to the NPPF in setting out clear objectives and policies that seek to promote a healthy local community.

### **Promoting sustainable transport**

The NPPF states: '*The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes.*' (Para. 109).

Planning policies should provide for high quality walking and cycling networks and supporting facilities such as cycle parking (drawing on Local Cycling and Walking Infrastructure Plans). (Para.110).

Part of the overall vision for Fawkham is to retain and enhance the local business sites, open spaces and community facilities of the Parish to enable shorter trips to employment and facilities.

The Neighbourhood Plan sets out the following policies that specifically aim to promote sustainable transport:

Policy FNP9 – Business Development

Policy FNP10 - Protection of Fawkham Village Hall

Policy FNP11 – Protection of Public House

Policy FNP12 - Protection of open space, sport and recreation facilities

Policy FNP13 - Public Rights of Way

The Neighbourhood Plan does not seek to promote development in unsustainable locations where there are limited or no sustainable transport options, thus minimising greenhouse gas emissions associated with travel to and from new development. Similarly, Policies FNP9, FNP10, FNP11 and FNP12 seek to protect local facilities and employment to enable shorter trips.

Policy FNP9 permits the regeneration of existing business sites provided development would not generate a type or amount of traffic that would be inappropriate to the rural lane network that serves the site and would exploit any opportunity to make the site more sustainable.

Policy FNP13 seeks to protect the character of existing public rights of way and historic routeways.

Fawkham Neighbourhood Plan has therefore had regard to the NPPF in setting out policies that seek to promote sustainable transport options in a rural area with dispersed development.

### **Making effective use of land**

NPPF states: '*Planning policies ...should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy*

*for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or ‘brownfield’ land’ (Para.123).*

Within the constraints of the NPPF (particularly protecting the Green Belt) and the limited need for development, Fawkham Neighbourhood Plan policies seek to focus development on previously developed land. In particular, Policy FNP9 – Business Development permits the regeneration of existing business sites through redevelopment or the limited extension of an existing buildings and gives priority to business uses, or tourist facilities, in the conversion of buildings.

Farnham Neighbourhood Plan has therefore had regard to the NPPF in setting policy that seeks to make effective use of previously-developed land.

### **Achieving well-designed and beautiful places**

NPPF states: '*The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.*' (Para. 131)

*‘Plans should, at the most appropriate level, set out a clear design vision and expectations, so that applicants have as much certainty as possible about what is likely to be acceptable. Design policies should be developed with local communities so they reflect local aspirations, and are grounded in an understanding and evaluation of each area’s defining characteristics. Neighbourhood planning groups can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development..’* (Para. 132).

*‘Planning policies should ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change ...’* (Para.135).

The Neighbourhood Plan policies that seek to secure good design are:

Policy FNP1 – Protection and Enhancement of Landscape Character

Policy FNP3 – Rural Lanes

Policy FNP8 – Heritage

Policy FNP1 requires new development to respect the landscape qualities of the area within which it is situated; Policy FNP3 seeks development which would not result in unsympathetic change to the character of a rural lane and Policy FNP8 seeks to conserve and enhance the Baldwin’s Green Conservation Area and the Parish’s listed buildings and their settings. The Neighbourhood Plan also includes a Boundary Treatment Good Practice Guide.

The Fawkham Neighbourhood Plan has therefore had regard to the NPPF in setting out design policies which seek to create high quality development which reinforces local distinctiveness.

## **Protecting Green Belt land**

The NPPF states: '*The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.*' (Para. 142).

*'Once established, there is no requirement for Green Belt boundaries to be reviewed or changed when plans are being prepared or updated. Authorities may choose to review and alter Green Belt boundaries where exceptional circumstances are fully evidenced and justified, in which case proposals for changes should be made only through the plan-making process. Strategic policies should establish the need for any changes to Green Belt boundaries, having regard to their intended permanence in the long term, so they can endure beyond the plan period. Where a need for changes to Green Belt boundaries has been established through strategic policies, detailed amendments to those boundaries may be made through non-strategic policies, including neighbourhood plans.'* (Para.145).

Fawkham Parish is washed over by the Green Belt. The adopted Core Strategy establishes that there is no need to amend the Green Belt to meet development needs and no amendments are made within the Parish in the adopted Allocations and Development Plan DPD. The emerging Local Plan does not propose any amendments to the Green Belt within Fawkham Parish. As strategic policies do not establish the need for any changes to Green Belt boundaries within Fawkham Parish, no amendments to the Green Belt are proposed in the Neighbourhood Plan.

The Fawkham Neighbourhood Plan has therefore had regard to the NPPF in relation to the Green Belt.

## **Meeting the challenge of climate change, flooding and coastal change**

NPPF states: '*Plans should take a proactive approach to mitigating and adapting to climate change, taking into account the long-term implications for flood risk, coastal change, water supply, biodiversity and landscapes, and the risk of overheating from rising temperatures. Policies should support appropriate measures to ensure the future resilience of communities and infrastructure to climate change impacts, such as providing space for physical protection measures, or making provision for the possible future relocation of vulnerable development and infrastructure.*' (Para.158).

The NPPF also states that local planning authorities should ensure that flood risk is not increased elsewhere when determining planning applications (Para. 165).

Whilst the NPPF and the adopted Local Plan are expected to set out clear policy approaches to meeting the challenge of climate change nationally and in Sevenoaks District, the Fawkham Neighbourhood Plan has had regard to climate change and flood risk at the local level by including the following policies:

Policy FNP1 – Protection and Enhancement of Landscape Character

Policy FNP2 – Woodland, trees and hedgerows

Policy FNP4 – Conserve and Enhance Biodiversity

Policy FNP5 – Groundwater Source Protection Zone

Policy FNP6 - Surface Water Flooding

The Neighbourhood Plan does not seek to promote development in unsustainable locations where there are limited or no sustainable transport options, thus minimising greenhouse gas emissions associated with travel to and from new development. Similarly, Policies FNP10, FNP11 and FNP12 seek to protect local facilities to enable shorter trips.

Policies FNP1, FNP2 and FNP4 seek the retention and enhancement of existing trees and landscape features which can help in carbon reduction and provide shade. In addition, Policy FNP4 seeks to increase resilience to climate change by identifying, preserving or enhancing the Local Ecological Network.

With the prediction of increased rainfall and flash flooding associated with climate change, Policy FNP5 requires new development to provide attenuated storage of surface water runoff to prevent infiltration and contamination within a Groundwater Source Protection Zone. Similarly, Policy FNP6 requires a proposal for development to be designed to ensure it would not increase surface water run off and the risks of surface water flooding.

Fawkham Neighbourhood Plan has therefore had regard to the NPPF in setting out specific local policies to help meet the challenge of climate change.

### **Conserving and enhancing the natural environment**

NPPF states: '*Planning policies... should contribute to and enhance the natural and local environment by:*

- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);*
- b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;...*
- d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;*
- e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans ... (Para.180).*

*'To protect and enhance biodiversity and geodiversity, plans should:*

- a) Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, 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; and*

*b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.'* (Para.185).

The NPPF states that development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused unless there are wholly exceptional reasons (Para. 186) and that planning policies should limit the impact of light pollution from artificial light on intrinsically dark landscapes (Para 191).

Part of the overall vision for Fawkham Parish is to continue to retain and enhance the distinctive rural character of the landscape (particularly its woodland, biodiversity and views).

The Neighbourhood Plan objectives and policies collectively support this vision.

The Fawkham Neighbourhood Plan sets the following objectives in relation to conserving and enhancing the natural environment:

- To protect and enhance the landscape qualities within the Parish
- To conserve and enhance woodland, trees and hedgerows
- To protect important public views
- To retain the character of rural lanes
- To conserve and enhance biodiversity and connectivity between habitats
- To protect groundwater sources and mitigate the risk of increased surface water flooding
- To ensure sustainable on-site soil management associated with development proposals
- To protect and enhance open space and the network of footpaths serving the Parish

The Neighbourhood Plan policies that seek to conserve and enhance the natural environment are:

Policy FNP1 - Protection and Enhancement of Landscape Character

Policy FNP2 - Woodland, trees and hedgerows

Policy FNP3 - Rural Lanes

Policy FNP4 - Conserve and Enhance Biodiversity

Policy FNP5 - Groundwater Source Protection Zone

Policy FNP6 - Surface Water Flooding

Policy FNP7 - Soil Conservation

Policy FNP12 - Protection of open space, sport and recreation facilities

Policy FNP13 - Public Rights of Way

Policy FNP1 gives priority to protecting and enhancing the visually rural and predominantly undeveloped landscape with any new development expected to be informed by, and contribute to, the identified local landscape character. Policy FNP2 seeks to conserve and enhance woodland, trees and hedgerows and Policy FNP3 protects the character of rural lanes.

Policy FNP4 protects Local Wildlife Sites and priority habitats as well as protected and priority species whilst also identifying, preserving or enhancing the Local Ecological Network.

Policy FNP5 requires new development to provide attenuated storage of surface water runoff to prevent infiltration and contamination within a Groundwater Source Protection Zone.

Policy FNP6 requires a proposal for development to be designed to ensure it would not increase surface water run off and the risks of surface water flooding.

Policy FNP7 seeks sustainable on-site soil management and to minimise the import of subsoil and topsoil and the export of any excavated ground materials to retain the natural soil fauna and flora of the Parish; to assist the establishment of new native planting and to reduce the spread of undesirable and potentially invasive plant material and soil-borne diseases.

Policy FNP12 and FNP13 seek to protect open space, sport and recreation facilities and Public Rights of Way respectively.

Fawkham Neighbourhood Plan has therefore had regard to the NPPF in setting out clear objectives and policies in relation to conserving and enhancing the natural environment.

### **Conserving and enhancing the historic environment**

The NPPF states that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations (Para. 195).

Part of the overall vision for Fawkham Parish is to retain and enhance the distinctive rural landscape and the historic Baldwins Green Conservation Area and its setting. The Neighbourhood Plan objective and policy support this vision.

The Fawkham Neighbourhood Plan sets the following objective in relation to the historic environment:

- To preserve and enhance the heritage of the area

Policy FNP8 seeks to conserve Fawkham Parish's 16 listed buildings and their settings together with the preservation and enhancement of the open rural character of Baldwin's Green Conservation Area and its setting.

The Fawkham Neighbourhood Plan has therefore had regard to the NPPF in setting out a clear objective and policy in relation to conserving and enhancing the historic environment.

### **National Planning Practice Guidance**

The Neighbourhood Plan has also followed updated National Planning Practice Guidance where relevant.

## **5. CONTRIBUTION TO THE ACHIEVEMENT OF SUSTAINABLE DEVELOPMENT**

The NPPF states that a presumption in favour of sustainable development is at the heart of the Framework (paragraph 10).

International and national bodies have set out broad principles of sustainable development. Resolution 42/187 of the United Nations General Assembly defined sustainable development as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

The Neighbourhood Plan's vision for Fawkham Parish closely reflects this approach:

*Our vision is for Fawkham Parish to retain and enhance the distinctive rural character of the landscape (particularly its woodland, biodiversity and views), the separate, small scale scattered hamlet of Fawkham and the historic Baldwins Green Conservation Area and its setting whilst meeting the limited local housing need, sustaining the local economy and retaining and enhancing the open space and community facilities of the Parish.*

Following a careful assessment of the evidence and responses from public consultation, the planning strategy for Fawkham Parish is to accommodate the local need for housing and economic development within the limited development which is permitted in the Green Belt.

Priority is given to protecting the distinctive landscape character of the countryside including the key components of trees, woodland and hedgerows, rural lanes and important public views. The planning strategy also seeks to protect and enhance biodiversity, Local Wildlife Sites and other elements of the Local Ecological Network. In addition, the strategy aims to conserve local heritage assets, including listed buildings, the historic character of Baldwin's Green Conservation Area, and their settings.

The importance of all types of open space is recognised, whether local amenity green space or the tranquil churchyard; local woodland or outdoor sports provision. The Neighbourhood Plan seeks to protect and enhance these areas together with the public rights of way that connect them.

The Neighbourhood Plan recognises the important community networks in Fawkham and seeks to retain the village hall and public house as important social hubs of the Parish whilst the church is protected through its designation as a Grade 1 listed building.

Any development permitted will be expected to ensure provision of the necessary social, physical and green infrastructure needed to support the proposed development.

In summary, the Neighbourhood Plan contributes to the achievement of sustainable development by:

- enabling limited housing and business development to help meet local needs of present and future generations;
- contributing to building a strong local economy by focussing on the retention and regeneration of four business sites, enabling the re-use of existing buildings and the retention of the public house;
- supporting the retention and enhancement of community and formal and informal leisure facilities which are important to the social fabric and wellbeing of the Parish;

- protecting and enhancing the character of the natural, built and historic environment and ensuring high quality development that responds to this distinctive local context;
- protecting and enhancing the Parish's open space, woodland, trees and hedgerows and the connectivity between habitats by identifying a Local Ecological Network;
- securing the necessary social, physical and green infrastructure needed to support any proposed development.

## **6. GENERAL CONFORMITY WITH THE STRATEGIC POLICIES OF THE DEVELOPMENT PLAN FOR THE AREA**

One of the basic conditions that Neighbourhood Plans must satisfy is that they are in general conformity with the strategic policies of the adopted development plan for the local area, i.e. the high-level strategic elements in the local plan that are essential to delivering the overall planning and development strategy for the local area. The adopted development plan for Sevenoaks District comprises the Core Strategy and the Allocations and Development Management Plan.

### **Sevenoaks Core Strategy**

The Core Strategy sets out the general approach to the scale and location of development as well as a series of strategic policies relating to design of new development and conservation, sustainable development, the provision of affordable housing and economic development, green infrastructure, open space, sport and recreation provision, biodiversity and infrastructure provision. It does not allocate specific development sites, nor does it deal with the more detailed development management policy which are contained in the Allocations and Development Management DPD.

#### *Spatial Vision*

Sevenoaks Core Strategy sets out a spatial vision for Sevenoaks District in 2026. The following extract relates to the Neighbourhood Plan area:

*'The high quality natural built and historic environment will be conserved and enhanced...New development throughout the District will be of a high quality incorporating designs that respond to the distinctive local character of areas of high environmental quality or make a positive contribution to the environmental enhancement of other areas. The design of new development will incorporate sustainability principles taking into account potential climate change. A Green Infrastructure Network will be developed including areas of value for biodiversity, open space and recreation.'*

*The countryside outside existing settlements, and outside areas designated as major developed sites within the Green Belt, will continue to be protected and its distinctive character will remain. The separate identity and character of individually distinct villages and towns will be maintained. Small scale affordable housing schemes adjoining existing villages will be developed to meet identified local need. An active and vibrant rural economy providing a range of jobs and services in rural areas will be supported primarily based on the re-use of existing buildings.*

*The biodiversity of the District will be conserved and opportunities taken for enhancement in urban and rural areas.'*

The Neighbourhood Plan is consistent with this vision where it applies to the Plan area.

Core Strategy Policy LO1 states that development will be focused within the built confines of existing settlements and that in other locations priority will be given to protecting the rural

character of the District - development only taking place where it is compatible with policies for protecting the Green Belt.

Core Strategy Policy LO8 confirms that the extent of the Green Belt will be maintained. The countryside will be conserved and the distinctive features that contribute to the special character of its landscape and its biodiversity will be protected and enhanced where possible. Development that supports the maintenance and diversification of the rural economy, including development for agriculture, forestry, small scale business development and rural tourism projects, and the vitality of local communities will be supported provided it is compatible with policies for protecting the Green Belt.

The Neighbourhood Plan is consistent with the spatial vision and strategic spatial policies of the Core Strategy where they apply to the Plan area.

### **Allocations and Development Management Plan**

The Allocations and Development Management Plan allocates no sites for development in Fawkham Parish and contains a number of more detailed development management policies. The NPPF makes it clear that Local Plans should make explicit which policies are strategic policies and that strategic policies should be limited to those necessary to address the strategic priorities of the area (and any relevant cross-boundary issues), to provide a clear starting point for any non-strategic policies that are needed. Strategic policies should not extend to detailed matters that are more appropriately dealt with through neighbourhood plans or other non-strategic policies (Paragraph 21).

As the Allocations and Development Management Plan does not specifically identify strategic policies, the following are assumed to represent the strategic approach to development in the district-wide Plan area which are relevant to the Fawkham Neighbourhood Plan:

Policy SC1 Presumption in Favour of Sustainable Development

Policy EN4 Heritage Assets

Policy EN5 Landscape

As none of the allocation policies or Green Belt boundary amendments are located within the Neighbourhood Plan area, all have been omitted from consideration.

The following detailed development management Local Plan Policies have not been repeated in the Neighbourhood Plan:

Policy EN1 Design Principles

Policy EN2 Amenity Protection

Policy EN3 Demolition in Conservation Areas

Policy EN6 Outdoor Lighting

Policy EN7 Noise Pollution

Policy H3 Residential Subdivision

Policy H4 Reuse and Protection of Existing Housing Stock

Policy EMP5 - Non-allocated Employment Sites

Policy GI1 Green Infrastructure and New Development  
Policy GB1 Limited Extensions to Dwellings in the Green Belt  
Policy GB2 Basements within Residential Developments in the Green Belt  
Policy GB3 Residential Outbuildings In the Green Belt  
Policy GB4 Replacement Dwellings in the Green Belt  
Policy GB5 Dwellings Permitted under Very Special Circumstances or as Rural Exceptions in the Green Belt  
Policy GB6 Siting of Caravans and Mobile Homes in the Green Belt  
Policy GB7 Re-Use of a Building within the Green Belt  
Policy GB8 Limited Extensions to Non Residential Buildings in the Green Belt  
Policy GB9 Replacement of a Non Residential Building in the Green Belt  
Policy LT1 Tourist Accommodation and Visitor Attractions  
Policy LT2 Equestrian Development  
Policy LT3 Brands Hatch  
Policy CF1 Re-Use of Redundant School Buildings  
Policy T1 Mitigating Travel Impact  
Policy T2 Vehicle Parking  
Policy T3 Provision of Electrical Vehicle Charging Points

**Detailed assessment of general conformity of Neighbourhood Plan Policies with the strategic policies of the Core Strategy and the Allocations and Development Management Plan**

In order to provide some additional clarity to the neighbourhood plan making process, the Fawkham Neighbourhood Plan policies have been individually assessed for their general conformity with the Core Strategy policies and the more strategic policies of the Allocations and Development Management Plan.

Whilst the Neighbourhood Plan should be in general conformity with the strategic policies contained in the Core Strategy and the Allocations and Development Management Plan, it is for the local community through a Neighbourhood Plan to interpret and amplify those elements of strategic policy which are important to the neighbourhood plan area and to express them appropriately in relation to the local context.

The Parish Council as the plan-making body has sought to ensure that the Neighbourhood Plan policies generally conform with the strategic policies of the adopted development plan whilst reflecting the aspirations of the local community.

The emerging Local Plan has reached the Regulation 18 stage. This provides an indication of the policies which the District Council seek to operate in the period to 2040. However, the test is one of general conformity with the **adopted** strategic development plan policies.

The table below sets out how the Parish Council considers the Neighbourhood Plan policies are in general conformity with the adopted strategic policies of the Local Plan.

Sevenoaks District Council's response to the Regulation 14 Neighbourhood Plan confirmed that it was in general conformity with both adopted and emerging planning policies.

<b>Fawkham Neighbourhood Plan Policies</b>	<b>Policy Content</b>	<b>General Conformity with Core Strategy and the Allocations and Development Management Plan (ADMP)</b>
Policy FNP1 – Protection and Enhancement of Landscape Character	<p>Within Fawkham Parish priority will be given to protecting and enhancing the visually rural and predominantly undeveloped landscape from inappropriate development. A proposal for development will only be permitted where it would:</p> <ul style="list-style-type: none"> <li>a) be informed by, and contribute to, local landscape character;</li> <li>b) respect the landscape qualities of the Horton Wood Ridge; Upper Fawkham Valley; Central Fawkham Valley; Pennis Valley and Lower Fawkham Valley Local Landscape Character Areas;</li> <li>c) ensure development would not visually intrude onto the undeveloped horizons and undeveloped slopes of the Upper, Central and Lower Fawkham Valley;</li> <li>d) protect and enhance the distinctive pattern of woodland on high ground and upper valley sides;</li> <li>e) retain and enhance existing hedgerows as landscape features;</li> <li>f) minimise the visual impact of conversions or redevelopment so that they do not have a materially greater impact on the landscape than the current development;</li> <li>g) maintain and not adversely impact the distinctive views of the surrounding countryside from public vantage points, in particular the Important Public Views defined in Map 2, and</li> <li>h) maintain the areas of dark skies and low level of light pollution away from existing light sources.</li> </ul> <p>Proposals for private or public external lighting which are required for safe access and, where carefully justified, for security purposes should:</p> <ul style="list-style-type: none"> <li>i) comply with the current guidelines on the Reduction of Obtrusive Light, 2021 set out by the Institute of Lighting Professionals and the Bat Conservation Trust Guidance Note 08/18 (or any subsequent revisions);</li> <li>ii) include full details of the proposed lighting to be installed (number, design, specification, position, height, angle and method of control), documented within a Lighting Plan (or Strategy for larger sites);</li> <li>iii) demonstrate within the Lighting Plan/Strategy that proposals are designed to avoid or minimise impacts on retained/proposed habitats and all associated wildlife, including but not limited to legally protected and priority habitats and species;</li> </ul>	<p>Core Strategy Policy LO8 seeks to conserve the countryside and the distinctive features that contribute to the special character of its landscape. Particular regard is given to the condition and sensitivity of the landscape character to ensure that all development conserves and enhances local landscape character.</p> <p>Core Strategy Policy SP1 requires new development to be designed to a high quality and respond to the distinctive local character of the area in which it is situated. In rural areas account should be taken of guidance adopted by the Council including landscape character assessment.</p> <p>ADMP Policy SC1 states that, where appropriate to the proposed development, proposals should have regard to the impact of the proposal on the surrounding landscape.</p> <p>ADMP Policy EN5 requires proposals that affect the landscape throughout the District to conserve the character of the landscape, including areas of tranquillity and where feasible help secure enhancements in accordance with landscape actions in accordance with the Sevenoaks Countryside Assessment SPD.</p>

	<p>iv) be time limited, ideally motion-controlled and installed at a low height;</p> <p>v) limit the correlated colour temperature of lamps to 3000 Kelvins or less</p> <p>vi) include full shielding (at the horizontal and above) of any lighting fixture exceeding 500 initial lumens</p> <p>Floodlighting to enable the use of sports facilities will need strong justification and will be required to have time restrictions and automated controls for switch off and dimming with reference to the Guidance Notes for the Reduction of Obtrusive Light, 2021 set out by the Institute of Lighting Professionals and the Bat Conservation Trust Guidance Note 08/18 (or any subsequent revisions).</p>	
Policy FNP2 – Woodland, trees and hedgerows	<p>A proposal for development will only be permitted where it would:</p> <p>a) conserve and enhance woodland, trees and hedgerows;</p> <p>b) protect Ancient Woodland, as defined on Map 3, and ancient and veteran trees;</p> <p>c) protect Important Hedgerows, as defined on Map 3;</p> <p>d) demonstrate that suitable opportunities for the restoration, enhancement or planting of woodland, trees and hedgerows are identified and incorporated provided this would avoid damaging valued areas of other habitat such as species-rich grassland;</p> <p>e) provide adequate protection zones and buffers around existing hedgerows and trees to prevent damage to root systems, taking account of future growth; and</p> <p>f) plant an appropriate mix of native species, using, where possible, UK &amp; Ireland sourced and grown trees.</p>	<p>Core Strategy Policy LO8 seeks to conserve the countryside and the distinctive features that contribute to the special character of its landscape. Particular regard is given to the condition and sensitivity of the landscape character to ensure that all development conserves and enhances local landscape character. Development that supports the maintenance and diversification of the rural economy and the vitality of local communities is supported provided it conserves and enhances the value and character of the District's woodland and the landscape character of the rural parts of the District.</p> <p>Core Strategy Policy SP1 requires new development to be designed to a high quality and respond to the distinctive local character of the area in which it is situated. In rural areas account should be taken of guidance adopted by the Council including the landscape character assessment.</p> <p>ADMP Policy SC1 states that, where appropriate to the proposed development, proposals should have regard to the impact of the proposal on the surrounding landscape.</p> <p>ADMP Policy EN5 requires proposals that affect the landscape throughout the District to conserve the character of the landscape, including areas of tranquillity, and where feasible help secure enhancements in accordance with landscape actions in the Sevenoaks Countryside Assessment SPD.</p>
Policy FNP3 - Rural Lanes	<p>A proposal for development will only be permitted where it would not result in unsympathetic change to the character of a rural lane and would have regard to the</p>	<p>Core Strategy Policy LO8 seeks to conserve the countryside and the distinctive features that contribute to the special character of its landscape.</p>

	Boundary Treatment Good Practice Guide in Appendix 1.	<p>Particular regard is given to the condition and sensitivity of the landscape character to ensure that all development conserves and enhances local landscape character.</p> <p>Core Strategy Policy SP1 requires new development to be designed to a high quality and respond to the distinctive local character of the area in which it is situated. In rural areas account should be taken of guidance adopted by the Council including landscape character assessment.</p> <p>ADMP Policy SC1 states that, where appropriate to the proposed development, proposals should have regard to the impact of the proposal on the surrounding landscape.</p> <p>ADMP Policy EN5 requires proposals that affect the landscape throughout the District to conserve the character of the landscape, including areas of tranquillity and where feasible help secure enhancements in accordance with landscape actions in accordance with the Sevenoaks Countryside Assessment SPD.</p>
Policy FNP4 – Conserve and Enhance Biodiversity	<p>A proposal for development should protect and enhance biodiversity of the Parish by:</p> <ul style="list-style-type: none"> <li>a) protecting Local Wildlife Sites and priority habitats, as defined on Map 3, and protected and priority species;</li> <li>b) preserving or enhancing the Local Ecological Network, as defined on Map 4;</li> <li>c) enhancing biodiversity through a minimum of 10% net biodiversity gain (or as subsequently amended by the Local Plan). Enhancements should focus on protected and priority species known to be present in the Parish, with, where appropriate, priority given to the creation /restoration/ enhancement of species-rich grasslands, hedgerows, woodland and traditional orchards and/or improvements to the connectivity between these habitats, to enhance the Local Ecological Network shown in Map 4. Proposals must include a detailed management plan to ensure successful enhancement secured for at least 30 years, including arrangements for regular monitoring; and</li> <li>d) providing an appropriate depth of buffer between the development and a component of the Local Ecological Network. The size of that buffer shall be appropriate to safeguard the significance of that habitat and must itself create, and be maintained as, a suitable complementary natural wildlife haven.</li> </ul> <p>Features such as hedgehog highways and associated holes in fencing; bird and bat</p>	<p>Core Strategy Policy LO8 seeks to conserve the countryside and the distinctive features that contribute to the special character of its landscape.</p> <p>Particular regard is given to the condition and sensitivity of the landscape character to ensure that all development conserves and enhances local landscape character.</p> <p>Core Strategy Policy SP1 requires new development to be designed to a high quality and respond to the distinctive local character of the area in which it is situated. In rural areas account should be taken of guidance adopted by the Council including landscape character assessment.</p> <p>Core Policy SP11 states the biodiversity of the District will be conserved, sites designated for biodiversity value protected, and opportunities sought for enhancement including the green infrastructure network to improve connectivity between habitats.</p> <p>ADMP Policy SC1 states that, where appropriate to the proposed development, proposals should have regard to the impact of the proposal on the surrounding landscape.</p> <p>ADMP Policy EN5 requires proposals that affect the landscape throughout the District to conserve the character of the landscape, including areas of tranquillity and where feasible help secure</p>

	boxes; a diverse range of planting providing habitat and forage all year round in landscaping; real turf; ponds and leaving landscape 'wild' with woodpiles and other features are encouraged.	enhancements in accordance with landscape actions in accordance with the Sevenoaks Countryside Assessment SPD.
Policy FNP5 – Groundwater Source Protection Zone	A proposal for development within the Groundwater Source Protection zones, as shown in Map 5 will be permitted if any risk of contamination can be adequately mitigated.	Core Strategy Policy SP9 states that where new development creates a requirement for new or improved physical infrastructure beyond existing provision, developers will be expected to provide, or contribute to, the additional requirement. The ADMP notes that developers must be mindful that the pollution of ground water and/or surface water is an offence under the Water Resources Act 1991. Also, the Water Framework Directive requires there to be no deterioration in water status (Para.1.11). ADMP Policy SC1 states that, where appropriate to the proposed development, proposals should have regard to the impact on existing infrastructure and contribute to new supporting infrastructure.
Policy FNP6 - Surface Water Flooding	A proposal for development should be designed to ensure it would not increase surface water run off and the risks of surface water flooding and, where mitigation measures are required, should give preference to Nature Based Solutions style SuDS, with engineering solutions used only when it has been demonstrated that no other form of SuDS is feasible. Where practicable, SuDS should be positively designed into schemes from the outset as public realm and/or biodiversity features.	Core Strategy Policy SP9 states that where new development creates a requirement for new or improved physical infrastructure beyond existing provision, developers will be expected to provide, or contribute to, the additional requirement. The ADMP notes that increased surface water run-off from a development can affect both adjoining sites and more remote sites further downstream by increasing the risk of flooding. It notes that surface water run-off is a mandatory component of the Code for Sustainable Homes applied by the District Council and that where possible the Council encourages developers to utilise Sustainable Drainage Systems (SuDS). (Para 1.12). ADMP Policy SC1 states that, where appropriate to the proposed development, proposals should have regard to the impact on existing infrastructure and contribution to new supporting infrastructure.
Policy FNP7 – Soil Conservation	A proposal for development should demonstrate sustainable on-site soil management and minimise the import of subsoil and topsoil and the export of any excavated ground materials.	In relation to biodiversity, the Core Strategy states that support will be given to protecting soil resources. (Para 5.7.4). Core Strategy Policy SP1 states that new development should incorporate principles of sustainable development and maintain and enhance biodiversity.

Policy FNP8 - Heritage	<p>Fawkham Parish's listed buildings and their settings should be conserved.</p> <p>The open rural character of Baldwin's Green Conservation Area and its setting should be preserved and enhanced. Any development should be designed to a high quality and retain those buildings and other features, including open spaces, trees and views which make a significant contribution to the character of Baldwins Green Conservation Area.</p>	<p>Core Strategy Policy SP1 seeks the protection and enhancement of District's heritage assets and their settings, including listed buildings, conservation areas, archaeological remains, ancient monuments, historic parks and gardens, historic buildings, landscapes and outstanding views.</p> <p>ADMP Policy SC1 states that, where appropriate to the proposed development, proposals should have regard to the impact of the proposal on the conservation and enhancement of the District's cultural heritage.</p> <p>ADMP Policy EN4 reinforces this policy by permitting development which conserves or enhances the character, appearance and setting of a heritage asset.</p>
Policy FNP9 – Business development	<p>1. Sites used for business purposes, as defined on Maps 6 – 9, will be retained in business use unless it can be demonstrated that there is no reasonable prospect of their take up or continued use for business purposes during the Plan period.</p> <p>2. Existing business sites may be regenerated through redevelopment or the limited extension of an existing building provided:</p> <ul style="list-style-type: none"> <li>a) the redevelopment or extension would not materially harm the openness of the Green Belt;</li> <li>b) the extension would be proportional and subservient to the original building;</li> <li>c) development, including advertising and lighting, would be integrated sensitively into its context respecting the landscape character of the area and, where applicable, the character and heritage of any existing building;</li> <li>d) the amenities of any neighbouring residential occupiers or the tranquillity of the countryside would not be significantly adversely affected;</li> <li>e) development would not generate a type or amount of traffic that would be inappropriate to the rural lane network that serves the site and should exploit any opportunity to make the site more sustainable; and</li> <li>f) sufficient on-site car and cycle parking would be provided for visitors, staff and delivery vehicles.</li> </ul> <p>3. Priority will be given to business uses, or tourist facilities, in the conversion of buildings.</p>	<p>Core Strategy Policy LO8 enables development that supports the maintenance and diversification of the rural economy, including development for small scale business development and rural tourism projects, provided a number of criteria are met.</p> <p>Core Strategy Policy SP8 supports the retention, intensification and regeneration of existing business areas subject to Green Belt policy. The Policy seeks the retention of sites used for business purposes unless it can be demonstrated that there is no reasonable prospect of their take up or continued use for business purposes. The Policy also gives priority to business uses, or tourist facilities, in the conversion of buildings in the rural area.</p>

Policy FNP10 - Protection of Fawkham Village Hall	The loss of the village hall community building will be resisted unless it can be demonstrated that demand within the locality for the facility no longer exists and that suitable alternative provision is made elsewhere.	ADMP Policy SC1 states that where appropriate to the proposed development, proposals should have regard to the impact on existing infrastructure.
Policy FNP11 - Protection of Public House	The loss of The Rising Sun Inn public house will be resisted. Exceptions will be made where evidence is provided to the District Council to show that the operation of the facility is no longer financially viable and where there are no other realistic proposals for a public house use on the site.	ADMP Policy SC1 states that where appropriate to the proposed development, proposals should have regard to the impact on existing infrastructure.
Policy FNP12 - Protection of open space, sport and recreation facilities	Open space, as defined on Map 10 and Appendix 2, will be retained and, where appropriate, enhanced. Development may exceptionally be allowed where replacement provision of at least equivalent value to the local community is provided.	Core Strategy Policy SP10 aims for the development of a network of accessible multi functional green space, primarily based on maintaining and linking existing areas of open space and seeks to retain open space, sport and recreation facilities of value to the local community. Development may exceptionally be allowed where replacement provision of at least equivalent value to the local community is provided. For the purposes of this policy, open space includes amenity open space, natural and semi natural open space, outdoor sports facilities and churchyards.
Policy FNP13 – Protection of existing Public Rights of Way and historic routeways	The alignment and character of existing public rights of way and historic routeways, as shown on Map 11, will be protected and enhanced unless the alignment causes substantial harm to existing private amenity space by way of overlooking and loss of privacy.	ADMP Policy SC1 states that where appropriate to the proposed development, proposals should have regard to the impact on existing infrastructure.
Policy FNP14 - Securing Infrastructure	A proposal for development will be expected to ensure provision of the necessary social, physical and green infrastructure needed to support the proposed development.	Core Strategy Policy SP9 expects the provision of new or improved physical, social and green infrastructure where generated by development. ADMP Policy SC1 states that where appropriate to the proposed development, proposals should have regard to contributions to new supporting infrastructure.
Policy FNP15 – Provision of Small Grains Residents Parking	Land at Small Grains, as defined in Map 12, is allocated for the provision of residents' car parking.	There is no strategic planning policy related to rectifying existing parking deficiencies.

The above analysis confirms that Fawkham Neighbourhood Plan policies general conform with the adopted strategic development plan policies.

## **7. EU OBLIGATIONS**

The Strategic Environmental Assessment (SEA) Screening Report prepared by Sevenoaks District Council (May 2023) concludes, following consultation with the three statutory consultees - Environment Agency, Historic England and Natural England - that Fawkham Neighbourhood Plan is unlikely to have any significant environmental effects and therefore an SEA is not required. As there has been no significant change to the Plan since May 2023, the District Council has confirmed that the conclusion of the SEA remains valid in relation to the Regulation 15 Fawkham Neighbourhood Plan.

Under Section 102A of the Neighbourhood Planning (General) Regulations 2012, a qualifying body which submits a proposal for a neighbourhood development plan must provide such information as the competent authority may reasonably require for the purposes of assessing any implications for European sites.

Sevenoaks District contains no Special Area of Conservation (SAC) or Special Protection Areas (SPA) of European importance. The nearest site to the Parish is the Ashdown Forest SAC and SPA but as the Neighbourhood Plan proposes limited new housing development, there will be no significant recreational pressure on this site from any additional population. It is therefore concluded that Fawkham Neighbourhood Plan will not adversely affect the integrity of a European site.

The Fawkham Neighbourhood Plan is considered to be compatible with EU obligations.

## **8. CONCLUSION**

The Basic Conditions as set out in Schedule 4B to the Town and Country Planning Act 1990 are considered to be met by the Fawkham Neighbourhood Plan. It is therefore concluded that the Fawkham Neighbourhood Plan complies with Paragraph 8(1)(a) of Schedule 4B of the Act.

This Basic Conditions Statement has been prepared on behalf of Fawkham Parish Council by

**Tony Fullwood  
Associates  
Chartered Town Planners**

