

SYDENHAM NEIGHBOURHOOD PLAN

2019 – 2034

BASIC CONDITIONS STATEMENT

Published by Sydenham Parish Council
under the Neighbourhood Planning (General) Regulations 2012 (as amended)

May 2019

1.INTRODUCTION

1.1 This statement has been prepared by Sydenham Parish Council ("the Parish Council") to accompany its submission of the Sydenham Neighbourhood Plan ("the Neighbourhood Plan") to the local planning authority, South Oxfordshire District Council ("the District Council"), under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (as amended) ("the Regulations").

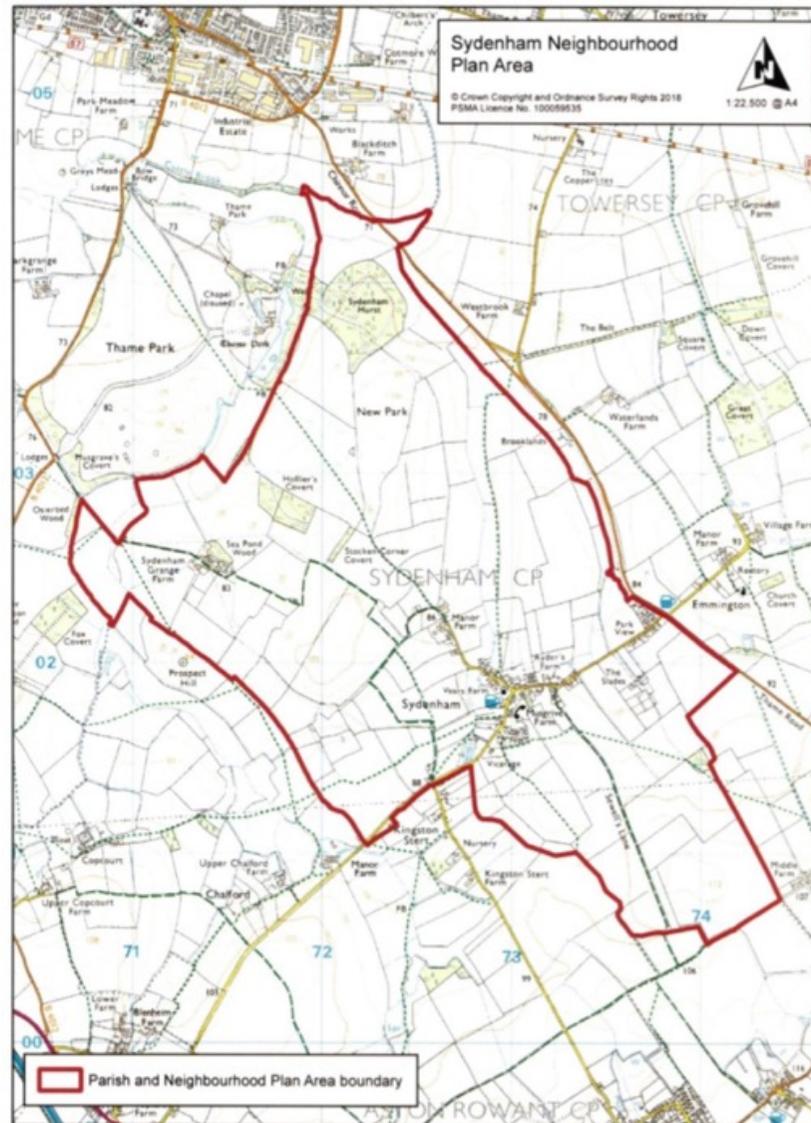
1.2 The Neighbourhood Plan has been prepared by the Parish Council, a qualifying body, for the Neighbourhood Area, which coincides with the boundary of the Parish of Sydenham and which was designated by the District Council on 2 March 2018 (see Plan A overleaf). The Parish Council has consulted the local community, the statutory bodies and other stakeholders throughout the preparation of the Neighbourhood Plan, as required by the Regulations. This is detailed in the Consultation Statement, which is published separately as part of the submission documentation.

1.3 The policies described in the Neighbourhood Plan relate to the development and use of land in the designated Neighbourhood Area only. They do not relate to 'excluded development', as defined by the Regulations. The plan period of the Neighbourhood Plan is from 1 April 2018 to 31 March 2034, which corresponds with the end of the plan period of the emerging South Oxfordshire Local Plan.

1.4 The statement addresses each of the four 'Basic Conditions' required of the Regulations and explains how the submitted Neighbourhood Plan meets the requirements of paragraph 8 of Schedule 4B to the 1990 Town & Country Planning Act.

1.5 The Regulations state that a Neighbourhood Plan will be considered to have met the 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



Plan A: Designated Sydenham Neighbourhood Plan Area

2.BACKGROUND

2.1 The decision to proceed with a Neighbourhood Plan was made by the Parish Council in 2017. The key driver of this decision was a sense of wanting to plan positively for the future of the Parish, with the encouragement of the District Council to local communities across the District to prepare Neighbourhood Plans. Although a small Parish with few services and relatively remote to the major centres of population in and around the District, the Parish Council considered having a Plan would improve the way in which future development proposals, however modest, are managed.

2.2 A steering group was formed comprising residents and Parish Council representatives. The group has been delegated authority by the Parish Council to make day-to-day decisions on the preparation of the Neighbourhood Plan. However, as the qualifying body, the Parish Council approved the publication of the Pre-Submission Plan in January 2019 and the Submission Plan now.

2.3 The Parish Council has consulted local communities extensively over the duration of the project. It has also worked closely with officers of the District Council to collate and examine the evidence base; to design and iterate policy proposals; and to define the proper relationship between the Neighbourhood Plan and the existing South Oxfordshire Local Plan 2011 (“the adopted Local Plan”) and Core Strategy, and with the emerging Local Plan 2011 – 2034 (“the new Local Plan”). The outcome of that work is the submission version of the Neighbourhood Plan.

2.4 The Neighbourhood Plan contains eight land use policies, most of which are defined on the Policies Map. The Plan has deliberately avoided containing policies that unnecessarily duplicate saved or forthcoming development plan policies or national policies that are used to determine planning applications. The policies are therefore a combination of development management matters that seek to refine and/or update existing and emerging policies to secure their specific application to this Parish.

3.CONFORMITY WITH NATIONAL PLANNING POLICY

3.1 The Neighbourhood Plan has been prepared with full regard to national policies as set out in the National Planning Policy Framework (NPPF) and is mindful of the Planning Practice Guidance (PPG) in respect of formulating Neighbourhood Plans. The NPPF was first published in 2012 and subsequently revised in July 2018 and in February 2019. In overall terms, there are three NPPF paragraphs (§28 - §30) that provide general guidance on neighbourhood planning, to which the Neighbourhood Plan has directly responded.

3.2 The Neighbourhood Plan contains non-strategic policies to manage development in the Parish. The Parish Council believes the Neighbourhood Plan is planning positively to support the strategic development needs of the District, as framed by the adopted and emerging Local Plan, by supporting small scale, infill development within the village boundaries of Sydenham. The Plan represents a vision, objectives and policies for the Parish that reflect the desires of the majority of the local community for the kind of place that the Parish should be in the coming years.

3.3 The Parish Council believes the policies of the Neighbourhood Plan are in general conformity with the policies of the development plan and effectively anticipate the policies of the emerging Local Plan. It acknowledges the physical and policy constraints of the Parish but plans to accommodate suitable infill development in the right locations and to be of an appropriate design. In respect of planning for new homes, the District Council has confirmed that the 'indicative housing figure' for the Parish is zero (as per §66).

3.4 None of the policies of the Neighbourhood Plan have required a balancing exercise to be undertaken in having regard to national policy as none are considered to be inconsistent with national policy.

Table A: Neighbourhood Plan & NPPF Conformity Summary

No.	Policy Title	Commentary
SYD1	Village Boundary & Infill Development	<p>The policy defines boundaries around both parts of the village to distinguish between the built up areas and the surrounding countryside to bring clarity and remove ambiguity, so it is evident how a decision maker should react to development proposals (§16d). Although the convention is not provided for in the strategic policies of the development plan (§21), the District Council has accepted that it is consistent with its approach to development management.</p> <p>The definition of the boundaries on the Policies Map follows the conventions of planning authorities that do use them for this purpose (as described in the Character Appraisal). In doing so, the boundaries allow for a scale of infilling that is consistent with the status of the two separate parts of the village in the hierarchy, as set out in the development plan (note: the District Council for the purpose of its settlement hierarchy assessment includes the Emmington Inn end of Sydenham with Emmington, even though it is inside Sydenham Parish). There are very few local services in the village and so there is no rationale for growing it to maintain the viability of local services (§78). For that same reason, the District Council has confirmed that the 'indicative housing figure' for the Parish is zero (§66). But defining the boundaries will also assist in directing the location of any future proposals for rural exception sites (§77) and for entry-level homes schemes (§71).</p>
SYD2	Housing Mix	<p>'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, that the needs of groups with specific housing requirements are addressed' (§59) ... 'Within this context, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies' (§61).</p> <p>The policy is intended to start to redress the imbalance of the village's housing stock, which is already skewed towards larger, 4+ bedroom homes and is under-supplied with smaller 2-3 bedroom homes when compared with the District targets for delivering new homes in the most recent Oxfordshire Strategic Housing Market Assessment of 2014 (see Table 65 on p136). With houses prices in the village already above the District average, the consequence is an aging population, for whom the market continues to meet the needs on the occasion infill development is consented in the village. This situation has been exacerbated recently with the loss of the former social rented homes at Sydenham Grove to a conventional open market housing scheme. As there is no strategic policy requirement for any significant increase in housing development in the village, and no scheme likely</p>

		to be above the size threshold to deliver affordable homes, it will rely on maximizing the opportunities presented by future infill schemes to begin to tackle this problem, in line with the policy drivers of the NPPF. The policy will send a market signal to those selling and purchasing developable land within the village boundaries that this requirement must be factored in land values. It is not proportionate to undertake a viability appraisal of the policy but there is no evidence of sales values or abnormal development costs to suggest that it will undermine viability.
SYD3	Design	<p>'Neighbourhood plans can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development' (§125). The policy seeks to bring 'clarity about design expectations' in the Parish, as articulated in the Character Appraisal (§126). The specific matters included in the policy 'provide a framework for creating distinctive places' to deliver a 'consistent and high quality standard of design'. When the Parish Council considers planning applications as a consultee, these matters are those that in its experience lead to successful or unsuccessful design outcomes, and so they are 'tailored to the circumstances' in the Parish but 'allow a suitable degree of variety', which reflects the existing variety between the old and new in its settlements.</p> <p>The majority of the village lies within a designated Conservation Area, the policy responds to the need to 'set out a positive strategy for the conservation and enjoyment of the historic environment ... (and the) the desirability of new development making a positive contribution to local character and distinctiveness' (§185). The character appraisal provides an overview of Area and its essential characteristics (§187).</p>
SYD4	Local Heritage Assets	'The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application' (§197). The policy identifies a number of such assets, derived from the Character Appraisal, which describes the value of each asset. For completeness, the policy restates this national policy provision.
SYD5	Local Green Space	'The designation of land as Local Green Space through ... neighbourhood plans allows communities to identify and protect green areas of particular importance to them' (§99). The policy seeks to designate one space which is considered to meet the tests of §100, as shown in the Character Appraisal. Further, the policy does not unduly constrain the delivery of new development, as the settlement boundaries of Policy SYD1 have made provision for infill development of a scale that is in line with strategic policy.

SYD6	Local Gap	<p>'Planning policies ... should contribute to and enhance the natural and local environment by ... protecting and enhancing valued landscapes ... recognising the intrinsic character and beauty of the countryside ... in a manner commensurate with their ... identified quality in the development plan' (§170). The Character Appraisal describes the importance that the gap between the two parts of the village has in defining the character of the village and cites a past planning appeal that also acknowledged this value. In the last 2 years, two Inspectors have reinforced the importance of the gap in their rejection of two separate applications for domestic dwellings in the gap. Policy SYD1 allows for some land uses that are suited to a countryside location, e.g. agriculture. The purpose of this policy is to ensure that such development is located and designed in a way that will not compromise the visual integrity of the gap.</p>
SYD7	Important Views	<p>'Planning policies ... should contribute to and enhance the natural and local environment by ... protecting and enhancing valued landscapes ... recognising the intrinsic character and beauty of the countryside ... in a manner commensurate with their ... identified quality in the development plan' (§170). The Parish does not lie within a designated landscape, but, as shown in the Character Appraisal, there are some demonstrable physical attributes within the surrounding landscape that are special in framing views between, from and to the village that are above the norm in defining its rural character. The views of the Chilterns escarpment to the south of the village are especially important. In the case of the older part of the village, the proposed views are part of the setting to the designated Conservation Area and contribute to defining the character of the Area (§185).</p> <p>In recognising the local status of the policy, it does not seek to prevent any development as a matter of principle, but rather requires development proposals to avoid unnecessary harm by way of their height, massing or obstructive location. Further, the policy does not unduly constrain the delivery of new development, as the settlement boundaries of Policy SYD1 have made provision for such development of a scale that is in line with strategic policy.</p>
SYD8	Community Facilities	<p>'To provide the social, recreational and cultural facilities and services the community needs, planning policies ... should ... plan positively for the provision and use of ... community facilities (and) guard against the unnecessary loss of valued facilities and services' (§92). The policy identifies those facilities in the Parish to which these objectives apply. It seeks both to protect but also to enhance those facilities.</p>

4.CONTRIBUTING TO ACHIEVING SUSTAINABLE DEVELOPMENT

4.1 A draft version of the Pre-Submission Plan was submitted to the District Council to inform its 'screening opinion' on the need for a Strategic Environmental Assessment (SEA) under the European Directive 2001/42/EC and Environmental Assessment of Plans and Programmes Regulations 2004. The screening opinion was issued in December 2018 by the District Council, following a consultation period with the statutory bodies, as per those Regulations. The final screening ('Determination') statement issued by the District Council on 27 March 2019 concludes that the policies in the Plan are not likely to have any significant environmental effects and therefore an SEA is not required (see Section 6 below for further details).

4.2 To demonstrate that the Plan will contribute to the achievement of sustainable development in the absence of an SEA, this basic condition is addressed in Table B below. The potential of the Plan to have social, economic and environmental effects – positive (+), neutral (0) and negative (-) – is assessed for each of its policies, together with a summary commentary.

Table B: Neighbourhood Plan & Sustainable Development					
Policy		Social	Economic	Environ	Commentary
SYD1	Village Boundary & Infill Development	+	0	0	The policy will have positive social effect by encouraging small scale infill housing development, which in combination with Policy SYD2, will enable containing and managing the sustainable infill growth of the village. The physical containment of the village will ensure that its historic and rural character, and the surrounding landscape, will be protected to avoid causing a negative environmental effect.
SYD2	Housing Mix	+	0	0	This policy will have a positive social effect in helping to redress the present imbalance in the housing stock to create a more sustainable community.
SYD3	Design	0	0	+	The policy will have a positive environmental effect by raising the standards of design of new development to reflect the distinct characteristics of the village.

SYD4	Local Heritage Assets	0	0	+	The policy will have a positive environmental effect by seeking to retain a number of locally important buildings, which not only play an important role in defining the streetscene of the village but also have some intrinsic, local architectural merit or historical associations with the village.
SYD5	Local Green Space	+	0	+	The policy will have a positive social effect in protecting from development a space that has been used by the local community in the past and continues to be used as a popular local footpath. The space plays a role in defining the setting to a number of listed buildings. The policy will therefore also have a positive environmental effect.
SYD6	Local Gap	0	0	+	The policy will have a positive environmental effect by ensuring that development proposals that are appropriate in land use terms are located and designed to avoid compromising the visual integrity of the gap.
SYD7	Important Views	0	0	+	The policy will have a positive environmental effect in protecting important views into and out of the village from harmful development to retain the essential rural character of the village.
SYD8	Community Facilities	+	0	0	The policy will have a positive social effect in retaining and supporting the continued viability of facilities for the use and enjoyment of the local community.

5. GENERAL CONFORMITY WITH THE STRATEGIC POLICIES OF THE DEVELOPMENT PLAN

5.1 The Neighbourhood Plan has been prepared to ensure its general conformity with the development plan for the District, that is the saved policies of the adopted Local Plan 2011 and the Core Strategy 2012. The new Local Plan will replace the saved and adopted policies very early in the time span of the Neighbourhood Plan, but the Neighbourhood Plan will be examined before that plan is adopted. In which case, its reasoning, evidence base and policies have been taken into consideration during the preparation of the Neighbourhood Plan.

5.2 The Final Publication (2nd) version of the new Local Plan (of January 2019) continues to define The Crown end of Sydenham (i.e. the main, older part of the village) as a 'Smaller Village' and The Emmington Inn end as an 'Other Village' in the settlement hierarchy of the District. The local resident all identify with Sydenham as a single village entity.

5.3 None of the policies of the Neighbourhood Plan have required a balancing exercise to be undertaken in having regard to general conformity with strategic policy as none are considered to be inconsistent with strategic policy (either as expressed in the current development plan or in the new Local Plan).

5.4 An assessment of the general conformity of each policy with the current development plan ('LP/CS'), and its relationship with new Local Plan ('2019 LP') policy where relevant, is contained in Table C below.

Table C: Neighbourhood Plan & Development Plan Conformity Summary

No.	Policy Title & Refs	Commentary
SYD1	Village Boundary & Infill Development	<ul style="list-style-type: none"> • <i>'The district's countryside, settlements and environmental resources will be protected from adverse developments' (LP/CS G2).</i> • <i>'Development that would give rise to a significant increase in traffic generation in relatively inaccessible or isolated rural locations will not be permitted' (LP/GS G3).</i> • <i>'The need to protect the countryside for its own sake is an important consideration when assessing proposals for development' (LP/CS G4).</i> • <i>'In considering development proposals within the built-up areas of settlements the best use of land and buildings will be sought, in terms of the type and density of development, in order to reduce the need for development of greenfield sites or of sites in non-sustainable locations' (LP/CS G5).</i> • <i>'Proposals for development in South Oxfordshire should be consistent with the overall strategy of ... supporting other villages ... by allowing for limited amounts of housing ... and by the provision and retention of services' (LP/CS CSS1).</i> • <i>'In order to contribute to the present and future economic, environmental and social sustainability of the villages, housing will be allowed where the scale and nature of the development is as follows – Smaller Villages – No allocations – Infill on sites of up to 0.2 Ha; Other Villages – No allocations – Infill on sites of up to 0.1 Ha ... Local character and distinctiveness will be protected and the requirements of relevant development plan policies will be met' (LP/CS CSR1).</i> • <i>'Proposals for development in South Oxfordshire will be assessed using national policy and guidance and the whole of the development plan and should be consistent with the overall strategy of ... Supporting smaller and other villages by allowing for limited amounts of housing and employment to help secure the provision and retention of services' (2019 LP STRAT1)</i> • <i>'Housing development on sites not allocated in the development plan will only be permitted where ... it is appropriate infilling within the existing built up areas of ... smaller villages (and) other villages' (2019 LP H1)</i> • <i>'The Council will support development within the smaller villages in accordance with Policy H16' (2019 LP H8)</i> • <i>'Smaller villages, as defined in the settlement hierarchy have no defined requirement to contribute towards delivering additional housing (beyond windfall and infill development)</i>

		<p><i>to meet the overall housing requirement of South Oxfordshire' (2019 LP §5.39)</i></p> <ul style="list-style-type: none"> • <i>'Proposals for housing on sites within the built-up areas of the ... villages will be permitted ... Infill development is defined as the filling of a small gap in an otherwise continuous built-up frontage or on other sites within settlements where the site is closely surrounded by buildings. The scale of infill should be appropriate to its location and this will be directed ... Smaller Villages – infill on sites of up to 0.2 Ha (and) Other Villages – Infill on sites of up to 0.1 Ha' (2019 LP H16).</i> • <i>'It is not generally expected that those settlements classified as "other villages" will provide a significant source of housing supply. However, it is possible that some development proposals may come forward over the Plan period in these villages, such as single dwellings, infilling and conversions from other uses' (2019 LP §5.41)</i> <p>The policy is consistent with the current and emerging spatial policy for smaller and other villages. The District Council accepts the use of settlement boundaries on Policies Maps to articulate its definition of 'built up areas' in policies G5 and H16. The boundaries are drawn following the conventions for doing so and are considered to provide opportunities for infill development schemes of either 0.2 Ha or 0.1 Ha maximum site sizes.</p> <p>There is no obligation for the boundaries to accommodate new housing site allocations – indeed, such allocations may be deemed inconsistent with policies CSR1 and H16. Policy H8 does not oblige neighbourhood plans to allocate land for housing in smaller villages and the District Council has confirmed the 'indicative housing figure' (see NPPF above) for the Parish is zero. The policy does not attempt to revise the ways in which development plan policies apply to the built up or countryside areas.</p>
SYD2	Housing Mix	<ul style="list-style-type: none"> • <i>'A mix of dwelling types and sizes to meet the needs of current and future households will be sought on all new residential developments' (LP/CS CSH4)</i> • <i>'Neighbourhood Development Plans allocating sites on greenfield sites in these locations should consider how development can meet the bespoke needs of their village, including housing mix, tenure and the amount of affordable housing' (2019 LP H8)</i> • <i>'A mix of dwelling types and sizes to meet the needs of current and future households will be sought on all new residential developments ... the mix of housing shall be in general conformity with the Council's latest evidence and Neighbourhood Development Plan evidence where applicable for the relevant area' (2019 LP H11)</i>

		<p>In confining future housing infill schemes to deliver only 2-3 bedroom homes, the policy may be considered to be in conflict with Policy CSH4. But, in practice, the policy only excludes schemes of homes of 4+ bedrooms, leaving scope for schemes to deliver a mix of 2 and 3 bedroom homes. It is therefore considered that the policy is in general conformity with Policy CSH4. In any event, the new Local Plan sends a clear signal of future policy intent in its Policy H8, in encouraging neighbourhood plans to meet the 'bespoke needs of their village' (albeit those that allocate land, although there is no reason to suggest the principle should not extend to plans providing for infill schemes). Its Policy H11 is somewhat contradictory in repeating current Policy CSH4 on the one hand, then in allowing neighbourhood plans to determine the mix of housing based on evidence on the other. It is therefore considered that the policy will also be in general conformity with new policies H8 and H11 if adopted.</p>
SYD3	Design	<ul style="list-style-type: none"> • <i>'The principles of good design and the protection and reinforcement of local distinctiveness should be taken into account in all new development' (LP/CS D1).</i> • <i>'Planning permission will be granted for new development that is of a high quality and inclusive Design' (LP/CS CSQ3).</i> • <i>'All new development must be of a high quality design that reflects the positive features that make up the character of the local area and both physically and visually enhances and complements the surroundings' (2019 LP DES1).</i> • <i>'Where a character assessment has been prepared as part of a made Neighbourhood Development Plan, a proposal must demonstrate that the positive features identified in the assessment have been incorporated into the design of the development' (2019 LP DES2).</i> <p>The policy refines CSQ3 and DES1/DES2 by identifying specific design features of the Parish and by cross referring to the Character Appraisal to engage Policy DES2 in due course. Its provisions are also consistent with adopted and emerging strategic policy on heritage assets in relation to the Sydenham Conservation Area and the many listed buildings in the Parish.</p>
SYD4	Local Heritage Assets	<ul style="list-style-type: none"> • <i>'Proposals for development that affect non-designated historic assets will be considered taking account of the scale of any harm or loss and the significance of the heritage asset.'</i> (LP/CS CSEN3) • <i>'Proposals for new development should be sensitively designed and should not cause harm to the historic environment. Proposals that have an impact on heritage assets (designated and non-designated)...'The Council will work with landowners, developers, the community, Historic England and other stakeholders to:...support Neighbourhood Development Plans where they seek to assess their heritage assets and add to the</i>

		<p>evidence base.' (2019 LP ENV6)</p> <p>The Character Appraisal identifies and describes the value of a number of non-designated heritage assets in the parish. By identifying and assessing these non-designated heritage assets, it engages the above extant and forthcoming development plan policies.</p>
SYD5	Local Green Spaces	No current or new development plan provision.
SYD6	Local Gap	<ul style="list-style-type: none"> • 'Development which would damage the attractive landscape setting of the settlements of the district will not be permitted. The effect of any proposal on important local landscape features which contribute to the visual and historic character and appearance of a settlement will be considered' (LP/CS C4). • 'Any development that would cause the loss of landscape features will not be permitted where those features make an important contribution to the local scene' (LP/CS C9). • 'The district's distinct landscape character and key features will be protected against inappropriate development and where possible enhanced' (LP/CS CSEN1) • 'Development will only be permitted where it protects and, where possible enhances, features that contribute to the nature and quality of South Oxfordshire's valued landscapes, in particular ... The landscape setting of settlements ... (and) important views and visually sensitive skylines' (2019 LP ENV1). <p>The policy regards the local gap as a 'valued landscape', thereby engaging the above extant and forthcoming development plan policies. Its visual integrity and value have been acknowledged by a recent appeal decision.</p>
SYD7	Important Views	<ul style="list-style-type: none"> • 'Development which would damage the attractive landscape setting of the settlements of the district will not be permitted. The effect of any proposal on important local landscape features which contribute to the visual and historic character and appearance of a settlement will be considered' (LP/CS C4). • 'Any development that would cause the loss of landscape features will not be permitted where those features make an important contribution to the local scene' (LP/CS C9). • 'Proposals for development outside a conservation area which would have a harmful effect on the conservation area will not be permitted' (LP/CS CON7). • 'The district's distinct landscape character and key features will be protected against inappropriate development and where possible enhanced' (LP/CS CSEN1) • 'Development will only be permitted where it protects and, where possible enhances,

		<p><i>features that contribute to the nature and quality of South Oxfordshire's valued landscapes, in particular ... The landscape setting of settlements ... (and) important views and visually sensitive skylines' (2019 LP ENV1).</i></p> <ul style="list-style-type: none"> <i>'Proposals that have an impact on heritage assets ... will be supported particularly where they ... conserve or enhance the significance of the heritage asset and settings' (2019 LP ENV6).</i> <p>The policy regards the defined important views as 'valued landscape' features, thereby engaging the above extant and forthcoming development plan policies. Some views are also important in helping define the significance of the setting to the Sydenham Conservation Area from public vantage points around its edge. The policy does not seek to prevent development but to ensure its precise location and form do not obstruct a view.</p>
SYD8	Community Facilities	<ul style="list-style-type: none"> <i>'Proposals that result in the loss of a recreation facility or an essential community facility or service, through change of use or redevelopment, will not be permitted' (LP/CS CF1).</i> <i>'Proposals that would result in the provision of additional community facilities or services within settlements will be permitted' (LP/CS CF2).</i> <i>'Proposals which result in the provision of facilities and services in the rural areas will be encouraged, those which result in the loss of services and facilities will be resisted' (LP/CS CSR3).</i> <i>'Proposals that result in the loss of an essential community facility or service, through change of use or redevelopment, will not be permitted ...' (2019 LP CF1).</i> <i>'Development proposals for the provision of new or extended community facilities and services will be supported' (2019 LP CF2).</i> <p>The policy identifies those community facilities in the Parish, thereby engaging the above extant and forthcoming development plan policies.</p>

6.COMPATABILITY WITH EU LEGISLATION

6.1 As set out in Section 4 the Parish Council has met its obligations in relation to the EU Directive 2011/42/EC (and the associated Environmental Assessment of Plans and Programmes Regulations 2004) on the requirement of a Strategic Environmental Assessment (SEA). The District Council's SEA Screening Statement (published separately dated 27th March 2019) concludes, "... based on the assessment presented in Appendices 3, the Sydenham NDP is unlikely to have a significant effect on the environment ... (and therefore) ... the NDP does not require a Strategic Environment Assessment."

6.2 The Parish Council has also met its obligations in relation to the habitats provisions of EU Directive 92/43/EEC (and the associated Conservation of Natural Habitats and Wild Flora and Conservation of Habitats and Species Regulations 2017). In this regard, the Parish Council provided the District Council with all the necessary information it required for the purposes of determining whether an Appropriate Assessment was required or to carry out the Appropriate Assessment if one was required. The District Council's Habitats Regulations Screening Assessment (Appendix 2 of the SEA Screening Statement) concludes that the making of the Neighbourhood Plan is not likely to have a significant effect on a European site (as defined in the 2017 Regulations) either alone or in combination with other plans or projects.

6.3 The Parish Council has been mindful of the fundamental rights and freedoms guaranteed under the European Convention on Human Rights in process of preparing the Neighbourhood Plan and considers that it complies with the Human Rights Act.