

TWYFORD NEIGHBOURHOOD PLAN

2018 - 2038

JULY 2022

BASIC CONDITIONS STATEMENT

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under the Neighbourhood Planning (General) Regulations 2012 (as amended)

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1.INTRODUCTION

1.1 This statement has been prepared by Twyford Parish Council ("the Parish Council") to accompany its submission of the Twyford Neighbourhood Plan ("the Neighbourhood Plan") to the local planning authority, Wokingham Borough Council ("Borough Council"), under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 ("the Regulations").

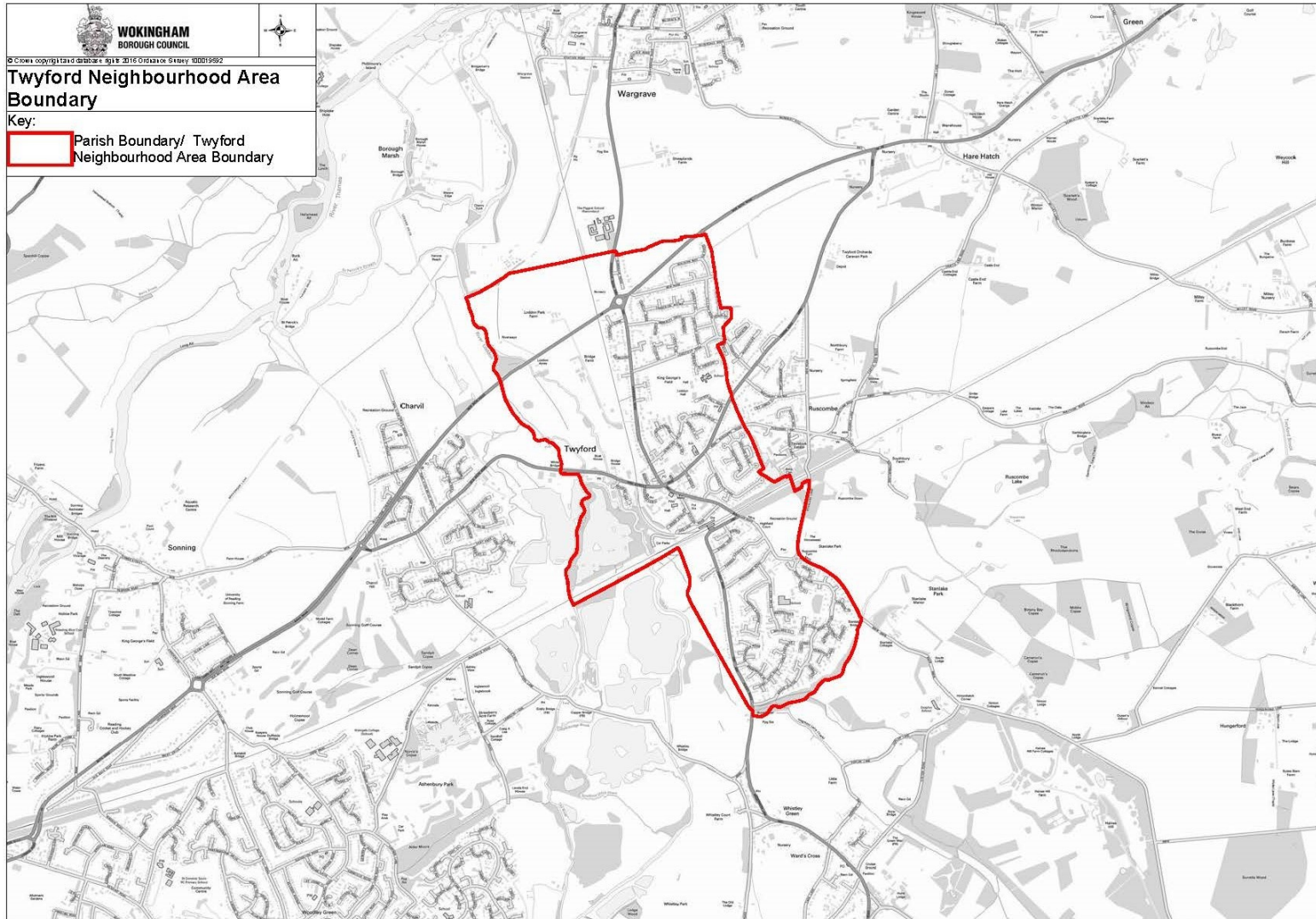
1.2 The Neighbourhood Plan has been prepared by the Parish Council, the 'Qualifying Body', for the Neighbourhood Area ("the Area"), which coincides with the boundary of the Parish of Twyford shown on Plan A below. The Borough Council designated the Area on 6 August 2018.

1.3 The policies described in the Neighbourhood Plan relate to the development and use of land in the designated Area. They do not relate to 'excluded development', as defined by the Regulations. The plan period of the Neighbourhood Plan is from 2018 to 2038, the end date of which corresponds with the proposed plan period of the emerging Wokingham Local Plan ("the emerging Local Plan"). This will enable the two plans to neatly operate alongside each other and to be monitored and reviewed on a similar timeframe.

1.4 The statement addresses each of the four 'Basic Conditions', which are relevant to this plan, 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:

- a) 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,
- b) (Not relevant for this Neighbourhood Plan),
- c) (Not relevant for this Neighbourhood Plan),
- d) The making of the Neighbourhood Development Plan contributes to the achievement of sustainable development,
- e) 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),
- f) The making of the Neighbourhood Development Plan does not breach and is otherwise compatible with EU obligations.



Plan A: The Designated Neighbourhood Area

1.6 The responsibility for determining if a Neighbourhood Plan has had regard to national policy and is in general conformity with strategic policy rests with a combination of the qualifying body, the local planning authority and the independent examiner (Planning Practice Guidance §41-070 and §410-074). Case law, established in the Tattenhall Neighbourhood Plan in 2014 (see §82 of EWHC 1470) but endorsed by the Courts on a number of occasions since, makes clear that:

“... the only statutory requirement imposed by Condition (e) is that the Neighbourhood Plan as a whole should be in general conformity with the adopted Development Plan as a whole ... any tension between one policy in the Neighbourhood Plan and one element of the ... Local Plan (is) not a matter for the Examiner to determine.” (our emphasis)

1.7 The case acknowledged that there will often be tensions between different strategic policies when considered against the non-strategic policies of a specific local area covered by a Neighbourhood Plan. It sensibly concluded that such tensions can only be resolved by the qualifying body using its planning judgement to strike an appropriate balance across the plan as a whole. The examination tests the extent to which the qualifying body has exercised its judgement in a reasonable way. The fact that the local planning authority, in its representations on the plan, indicates that it would strike the balance differently, does not disable the qualifying body from doing so.

1.8 It is noted that the case law has not yet explicitly established the same principle for Condition (a) in respect of the regard to national policy, but it seems reasonable to expect the Courts would reach the same conclusion, given there will also be a range of national policies influencing plan making, and that some of those policies may also be in tension. It is therefore expected that the examination of this Condition will take the same approach as Condition (e).

1.9 For these reasons, sections 3 and 5 of this Basic Conditions Statement highlight how policies of the Neighbourhood Plan are considered to meet Conditions (a) and/or (e), explaining how the qualifying body has exercised its judgement in those cases “where different parts of national policy need to be balanced” (§070) and how it has taken into account the criteria of §074 on general conformity. Finally, it explains how the Neighbourhood Plan as a whole meets Conditions (a) and (e).

2.BACKGROUND

2.1 The decision to proceed with a Neighbourhood Plan was made by the Parish Council in 2018. The key driver of this decision was a sense of wanting to plan positively for the future of the Parish, but within the context of the then emerging Wokingham Local Plan, which contained a series of growth scenarios, one of which included Land to the east of Twyford, largely in the neighbouring parish of Ruscombe. Whilst those proposals have since been abandoned and a Revised Growth Strategy has recently been consulted, the possibility of a Twyford Eastern Relief Road continues to be relied on in solving significant issues within the Parish.

2.2 The Parish Council wished to use its neighbourhood plan as a means of demonstrating the validity of its vision and how this would lead to more sustainable development in keeping with the rural village character. It accepted that simply rejecting the aspiration of a Twyford Relief Road forming part of the vision for Twyford and surrounding area without proposing an alternative would undermine its case, even though there are constraints on dealing with such matters through neighbourhood planning.

2.3 A committee was formed comprising the 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 April 2022 and the Submission Plan now.

2.4 The Parish Council has consulted local communities extensively over the duration of the project. It has also sought to work closely with officers of the Borough 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 emerging Local Plan. The nature and outcome of these various publicity and consultation exercises are set out in the separate Consultation Statement.

2.5 The Neighbourhood Plan contains 19 land use policies (TW11 – TW19), which are defined on the Policies Map where they apply to a specific part of the Area. The Plan has deliberately avoided containing policies that duplicate adopted development plan policies or national policies that are already used to determine planning applications in the Area. The policies are therefore a combination of site-specific or other proposals and of development management matters that seek to refine and/or update existing policies.

3. CONDITION (A): REGARD TO 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 of the Planning Practice Guidance (PPG) in respect of formulating Neighbourhood Plans. The NPPF was first published in 2012 and subsequently revised in February 2019, and again in 2021 during the project. It is this latter version that has guided the preparation of the Neighbourhood Plan and this Statement includes references to that latest version in this section. As demonstrated in Table A, this plan has taken the opportunity to revise development plan policies to reflect the amendments to the Use Classes Order introduced in September 2020 as they apply to this Area (PPG 13-009c). In overall terms, there are five NPPF paragraphs (§13, §18, §28, §29, §31) that provide general guidance on neighbourhood planning, to which the Neighbourhood Plan has directly responded:

General Paragraphs

3.2 The Parish Council believes the Neighbourhood Plan “support(s) the delivery of strategic policies contained in local plans ... and ... shape(s) and direct(s) development that is outside of these strategic policies” (§13). It considers the Neighbourhood Plan contains only non-strategic policy proposals or proposals that refine strategic policy to fit the circumstances of the Area without undermining the purpose and intent of those strategic policies (§18). It considers that the Neighbourhood Plan sets out more “detailed policies for specific areas” including “the provision of infrastructure and community facilities at a local level, establishing design principles, conserving and enhancing the natural and historic environment and setting out other development management policies” (§28).

3.3 The Neighbourhood Plan does “not promote less development than set out in the strategic policies for the area or undermine those policies” and contains no site allocation proposals nor any other policies that will unreasonably result in less development than set out in the strategic policies for the area (§29). In this regard, the NPPF provisions of meeting local housing needs (as per §66/§67) are not relevant. The Neighbourhood Plan acknowledges that there is a requirement for housing, but that the emerging Local Plan will make those allocation in respect of Twyford. And finally, The Plan is “underpinned by relevant and up-to-date evidence” (§31). This is considered to be “adequate and proportionate, focused tightly on supporting and justifying the policies concerned, and take(s) into account relevant market signals” (§31).

Specific Paragraphs

3.4 Each policy engages one or more specific paragraphs of the NPPF. Those that are considered to be of the most relevance and substance are identified in Table A below.

Table A: Neighbourhood Plan & NPPF Conformity Summary			
No.	Policy Title	NPPF Ref.	Commentary
TW1	Encouraging Sustainable Travel	100, 104	These policies require transport issues to be considered from the earliest stages of development proposals so that opportunities to promote walking, cycling and public transport use are identified and pursued (§104). The Parish Council has identified that it may be able to use underused land to install new charging infrastructure to accommodate sustainable travel needs and Policy TW2 therefore supports such measures in any location. Policy TW1 also seeks to improve the use of public rights of way to encourage walking in the Parish (as per §100).
TW2	Sustainable Accessibility and Mobility		
TW3	Twyford Railway Station	57, 104, 106, 174, 186	The policy serves three purposes. Firstly, it identifies the importance of partnership working with the most important stakeholders in improving the environment at Twyford Railway Station, which is considered to be a key element in the Borough's public transport network as the only station on the Great Western Main Line and the recently opened Elizabeth Line (as per §106). The quality of the environment around the Station and accessibility to the Station has been a long standing problem and predictions show that this is likely to continue. The policy therefore supports proposals which result in improvements to the accessibility and quality of the environment at Twyford Railway Station, and finally the policy seeks to secure appropriate investments from development proposals that are likely to contribute to additional traffic to the Station (as per §57), to help reduce congestion and emissions, improve air quality and public health as provided for by §105, §106, §174 and §186.
TW4	A Thriving Village Centre	84, 93	This policy seeks to promote the retention and development of the village centre to secure its vitality and viability in line with §84 and §93.
TW5	Village Centre Regeneration Area	57, 105, 106, 174, 186	These policies aim to improve air quality and public health across the Parish but especially at key locations that are blighted by poor quality at present. By securing appropriate investments from development proposals that are likely to contribute to additional traffic (as per §57), the policy will

TW6	Improving Air Quality		lead to improvements in the public realm and air quality as provided for by §105, §106, §174 and §186.
TW7	Nature Recovery and Climate Change	174, 179	The policy contributes to and enhances the natural and local environment by minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures through identifying, mapping and safeguarding these components. It is therefore consistent with the aims of §174 and §179 in these respects.
TW8	Tree Canopy Cover	131, 152, 174	These policies seek to secure opportunities for trees to be incorporated into new developments, in line with the provisions of §131 and §174. Trees and woodland are fundamental in meeting the challenge of climate change and the policies seek to shape Twyford in a way that contributes to radical reductions in greenhouse gas emissions, minimising vulnerability and improving resilience as per §152.
TW9	Carbon Sequestration		
TW10	Zero Carbon Buildings	56, 152, 154, 157	This policy is a local response to a global challenge, the local community being convinced by the international evidence that ensuring zero carbon building performance through the PassivHaus standard is the most simple and cost-effective approach to take. In doing so, it is consistent with the aims and provisions of §152, §154 and §157. It is inspired by innovative development plan making work in other parts of the country that has demonstrated this type of provision is necessary and possible in managing development proposals until national policy provisions are implemented. Its provision for post-occupancy evaluation of buildings constructed outside of the standard is consistent with PINS model conditions of this type and is therefore considered in line with the use of planning conditions, as per §56.
TW11	Water Infrastructure and Flood Risk	16, 152, 154	Given the characteristics of the parish, the policy provisions are in line with and add local emphasis to those of national and strategic policy and are intended to draw attention to this key matter and are not therefore an unnecessary duplication (§16).
TW12	New Homes – Tenure and Mix	62, 78, 79	The policy also seeks to influence housing mix for proposals coming forward to deliver a wide choice of homes that reflects local demand and to create a demographically balanced community in accordance with §62, §78 and §79.
TW13	First Homes	62	Planning Practice Guidance allows for the minimum discount of First Homes to be amended through local or neighbourhood plans. In essence the policy reflects the spirit and intention of §62












			to deliver a wide choice of homes that reflects local demand by seeking to ensure that the First Homes product is affordable in the Parish of Twyford.
TW14	First Homes Exception Sites	72	Planning Practice Guidance allows for First Homes Exception Sites to come forward on unallocated land outside of a development plan but only within those parts of the Parish which do not lie in the Green Belt. Planning Practice Guidance also makes provisions for neighbourhood plans to define the meaning and application of 'proportionate in size' which the policy does, and the supporting text of the policy details the approach taken. In essence the policy reflects the spirit and intention of §72 on entry-level exception sites which the First Homes exception sites product will effectively replace.
TW15	Design Codes	127-129, 189	'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' (§127). The policy seeks to bring 'clarity about design expectations' within the Conservation Areas and the wider Parish (§128). The specific matters included in the policy 'provide a local framework for creating beautiful and distinctive places' to deliver a 'consistent and high quality standard of design' (§128). More generally, the policy approach follows that of the new National Model Design Code in identifying those key attributes of the village scape that contribute to defining the essential character of the Conservation Areas.
TW16	Buildings of Traditional Local Character	203	This policy seeks to engage the provisions of §203 for Buildings of Traditional Local Character. The Parish Council will pursue the identification of specific assets in due course.
TW17	Twyford Community Hub (Old Polehampton School)	93	By securing appropriate investments from development proposals (as per §57), the policy will lead to the protection of Twyford Community Hub as a social, recreational and cultural facility which is intended to serve the Parish and the wider hinterland in line with §93.
TW18	Community Facilities	93	The policy seeks to protect popular and cherished social, recreational and cultural facilities across the Parish whilst supporting those facilities to develop and modernise providing it does not result in the unnecessary loss of valued facilities in line with §93.
TW19	Early Years Provision	93	This policy seeks to protect early years provision facilities across the Parish in line with §93.

3.5 It is considered that all the policies have had full regard to national policy. 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. As a result, the Neighbourhood Plan, as a whole, meets Condition (a).

4. CONDITION (D): CONTRIBUTING TO ACHIEVING SUSTAINABLE DEVELOPMENT

4.1 As a Strategic Environmental Assessment Report has not been required of the Neighbourhood Plan, the Statement sets out in Table B below how each of the policies contribute to the achievements of sustainable development. It does so by identifying the potential of each policy to lead to significantly positive (dark green), moderate positive (light green), neutral (yellow), moderate adverse (light red) or significant (dark red) adverse effects, taking into account the proposed mitigation measures.

Table B: Neighbourhood Plan & Sustainable Development					
Policy		Social	Economic	Environmental	Commentary
TW1	Encouraging Sustainable Travel	Dark Green	Yellow	Dark Green	These policies will have significant positive environmental and social effects in reducing traffic to improve air quality and in encouraging healthier lifestyles by walking and cycling. Its economic effect is neutral.
TW2	Sustainable Accessibility and Mobility	Dark Green	Yellow	Dark Green	
TW3	Twyford Railway Station	Light Green	Light Green	Light Green	Encouraging greater prominence of the Railway Station in strategic plans and supporting improvements to the accessibility and quality of the environment of the Twyford Railway Station ought to lead to better economic and environmental outcomes. Better management of the use of the Railway Station should also improve local issues surrounding parking and residential amenity.
TW4	A Thriving Village Centre	Dark Green	Yellow	Dark Green	The policy will have significant positive social and economic effects in seeking to protect the critical mass of shops and services in the two village centre. Its environmental effect is neutral although retaining this provision locally ought to lead to less travel further afield.

TW5	Village Centre Regeneration Area		The policy will have significant positive environmental and social effects in improving air quality. Its economic effect at this stage is neutral but providing a location in which people want to spend time in ought to lead to some local economic benefit.
TW6	Improving Air Quality		The policy will have significant positive environmental and social effects in improving air quality. Its economic effect is neutral.
TW7	Nature Recovery and Climate Change		These policies will have a significant positive environmental effect in ensuring that development proposals contribute to the multi-functional roles of green infrastructure assets including their recreational, ecological and climate change roles. It will have moderate social effect as the network comprises a range of publicly accessible spaces that will benefit from the policy provisions. Its economic effect is neutral.
TW8	Tree Canopy Cover		
TW9	Carbon Sequestration		
TW10	Zero Carbon Buildings		
TW11	Water Infrastructure and Flood Risk		The policy has significant positive environmental benefits by ensuring that new development is matched with corresponding investments in local utilities infrastructure ensuring adequate infrastructure is provided and prepares for the effects of climate change in terms of flooding. Its social and economic effect is neutral.
TW12	New Homes – Tenure and Mix		These policies will have a significant positive social effect in starting to address the current imbalance in the range of housing types in the village and ensuring the new First Homes product is affordable. Its economic and environmental effect is neutral.
TW13	First Homes		
TW14	First Homes Exception Sites		The policy will avoid a negative environmental effect by directing future such schemes to those parts of the defined settlement boundary where development may be appropriate. The provision of new homes will result in a moderate positive social effect. Its economic effect is neutral.
TW15	Design Codes		The policy will have a significant positive environmental effect and a moderate social effect in conserving the essential character of the village, and some of its history (especially that of its

					Conservation Areas and clusters of Listed Buildings), which local people care about. Its economic effect is neutral.
TW16	Buildings of Traditional Local Character				The policy will have a significant positive environmental effect and a moderate social effect in ensuring that features of local historic and/or architectural value are understood and kept as far as possible in new development proposals as part of retaining the character of the Parish, for the enjoyment of the local community. Its economic effect is neutral.
TW17	Twyford Community Hub (Old Polehampton School)				These policies will have a significant positive social effect in protecting the range of community facilities, including early years provision, that are well used and cherished by the village communities. Its economic and environmental effects are neutral.
TW18	Community Facilities				
TW19	Early Years Provision				

4.2 The cumulative effect of the policies will be to make very significant positive differences to the quality of the local environment, with the benefits they will deliver for people living and working in the Parish. The village, in particular the village centre, has had to live with increasing traffic and worsening air quality with no real prospect of relief. With the main mitigation measure being abandoned – the Relief Road – the future health and well-being of the Parish will rest on this suite of policies transforming the patterns of land use and the way people and goods move about its roads, cycleways and footpaths in the next decade.

5. CONDITION (E): 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 strategic policies of the development plan for the Borough, that is the Wokingham Core Strategy adopted in 2010 (“the Core Strategy”), the Managing Development Delivery Local Plan (“the MDDLDP”) and adopted Minerals & Waste Plans, taken as a whole. However, the Parish Council has been very mindful of the lengthening age of these plans, which predate the NPPF.

5.2 In accordance with Planning Practice Guidance (§ 41-009), this Statement does not seek to demonstrate general conformity with the policies of the emerging Local Plan. However, it is noted that the proposals and evidence base for the emerging Local Plan, including the Revised Growth Strategy, may be used to inform the Neighbourhood Plan. This is especially important as the Parish Council seeks to fill the vacuum of meaningful, up-to-date planning policy and to re-assert the value of the plan-led system for as long as it takes Wokingham Borough Council to adopt its emerging Local Plan.

5.3 The Core Strategy defines Twyford as a ‘major development location’ of the Borough and excludes Rural Exception Sites from such locations. It lists the Twyford Eastern Relief Road as an improvement to the strategic transport network and recognises the village centre as suitable to accommodate town centre uses. The MDDLDP allocated land for new residential development in Twyford and continues to promote a Twyford Eastern Relief Road. The Parish Council considers that this combination of strategic policies, which regards a Twyford Eastern Relief Road as part of the package of mitigation measures to dealing with air quality issues, as out of date, especially in the light of its failure in any kind of progress with the proposal 50 years on. The vision and objectives of the Neighbourhood Plan seek to establish a more appropriate, and deliverable, response to this issue for the Parish that acknowledges Twyford as a ‘major development location’ but will require a different policy response to air quality issues. With this summary of the current strategic policy context in mind, an assessment of the general conformity of each policy, and its relationship with emerging policy where relevant, is contained in Table C below.

Table C: Neighbourhood Plan & Development Plan Conformity Summary

No.	Policy Title & Refs	Commentary
TW1	Encouraging Sustainable Travel	<p>Core Strategy (CS) Policy CP6 seeks to encourage a modal shift through a number of requirements from future schemes including the provision for sustainable forms of transport and the improvement of existing infrastructure networks. The policy therefore refines CS CP6 by providing a local element to its provisions through defining the existing network and where opportunities exist to improve it.</p> <p>The policy is also in line with emerging Draft Local Plan (DLP) Policy CP3 which promotes sustainable transport through prioritising walking and cycling and the objectives of the Revised Growth Strategy (RGS) of ensuring that options for walking, cycling and public transport are attractive.</p>
TW2	Sustainable Accessibility and Mobility	<p>CS Policy CP6 seeks to encourage a modal shift through a number of requirements from future schemes including locating development to avoid the need to travel. The policy therefore refines CS CP6 by providing a local element to its provisions through ensuring that new major development focus on reducing the need for trips before sustainable forms of transport are considered.</p> <p>The policy is also in line with emerging DLP Policy C2 which promotes walking neighbourhoods and the objectives of the Revised Growth Strategy (RGS) of ensuring that options for walking, cycling and public transport are attractive.</p>
TW3	Twyford Railway Station	<p>CS Policy CP6 seeks to encourage a modal shift through a number of requirements from future schemes including the provision for sustainable forms of transport and the improvement of existing infrastructure networks. Paragraph 4.36 also recognises that further work is necessary in relation to identifying opportunities for the improvement of existing railway stations. CS Policy CP10 specifically lists the type of improvements that are necessary to ameliorate major environmental or safety problems. The policy therefore refines CS Policy CP10 by identifying a local element to its provisions on improvements to the strategic transport network.</p> <p>The policy is also in line with emerging DLP Policy C2 which seeks reasonable contributions towards transport infrastructure and the objectives of the Revised Growth Strategy (RGS) of ensuring that</p>

		options for walking, cycling and public transport are attractive.
TW4	A Thriving Village Centre	<p>This policy updates the outdated CS Policy CP13 by focusing on managing ground floor frontages of existing commercial, business and service uses in its village centre, in so far as proposals require planning permission. It is consistent with the aims of CS Policy CP13 in seeking to maintain a critical mass of viable and vital services in Twyford Village Centre.</p> <p>The policy is also in line with emerging DLP Policy ER6 which seeks to support and strengthen retail centres and the objectives of the Revised Growth Strategy (RGS) of championing thriving local centres.</p>
TW5	Village Centre Regeneration Area	<p>This policy replaces that part of CS Policy CP10 and MDDL Policy CC08 for this parish by providing a new means by which traffic management effects and measures are tackled and invested in by development proposals in the Parish. More than 50 years on, it is now considered that the Twyford Eastern Relief Road is not a deliverable proposal that can be relied on to fix air quality and health issues within the Parish. There is therefore a moderate degree of conflict with these policies, but this conflict is more than outweighed by the significant conformity of the policy with a wider range of CS and MDDL Policies.</p> <p>The policy will also seek to influence the DLP and RGS to clarify that the proposal can no longer be relied upon to tackle air quality and health issues within this Parish.</p>
TW6	Improving Air Quality	<p>This policy fills a gap in current strategic policy in respect of addressing the significant air quality problems facing the Parish. It relates to CS Policy CP1 which requires development to minimise the emission of pollutants into the wider environment, however CP1 does not tackle this matter directly.</p> <p>The policy is also in line with emerging DLP Policy HC6 which seeks to address this matter directly.</p>
TW7	Nature Recovery and Climate Change	<p>The policy refines MDDL Policy CC03 Green Infrastructure, Trees and Landscaping and CS Policy CP7 on Biodiversity in relating its broad biodiversity and natural environment principles to this Parish.</p> <p>The policy is also in line with DLP Policy C8 Green and Blue Infrastructure and Public Rights of Way and DLP Policy NE1 Biodiversity and Nature Conservation.</p>

TW8	Tree Canopy Cover	These policies fill a gap in current strategic policy in respect of trees forming part of the fundamental response in meeting the challenge of climate change. It relates to MDDLDP Policy CC03 Green Infrastructure, Trees and Landscaping, however CC03 does not tackle this matter directly. The policy anticipates a similar approach in that of recognising the particular significance of trees through DLP NE3 Trees, woodland and hedgerows.
TW9	Carbon Sequestration	
TW10	Zero Carbon Buildings	This policy complements some, and replaces other, parts of MDDLDP Policy CC04 Sustainable Design and Construction, to bring this policy context up to date with contemporary thinking and national policy provisions for tackling climate change through the energy performance of new buildings. In those respects, CC04 is significantly out of date. The policy will also seek to influence the DLP and RGS to bring this policy context up to date.
TW11	Water Infrastructure and Flood Risk	The policy refines CS Policy CP4 and MDDLDP CC09 by providing a local element to its provisions on infrastructure and flood risk. The policy is also in line with DLP SS10 Supporting Infrastructure and NE8 Development and Flood Risk (from all sources).
TW12	New Homes – Tenure and Mix	This policy refines CS Policy CP5 and MDDLDP Policy TB05 in respect of housing mix and tenure to bring this policy context up to date with new evidence and affordable home products. The policy effectively anticipates the flexible approach in the emerging DLP.
TW13	First Homes	These policies fill a gap in current strategic policy in respect of the new First Homes product as provided for by National Planning Policy Guidance and is broadly in line with the Borough Council's First Homes Interim Policy Position Statement.
TW14	First Homes Exception Sites	
TW15	Design Codes	The policy refines CS Policy CP3 and MDDLDP TB24 Designated Heritage Assets by highlighting the particular characteristics of the Parish. The policy is also in line with the design and heritage policies of the DLP and objectives of the RGS in securing quality designed development.

TW16	Buildings of Traditional Local Character	The policy is consistent with the provisions of MDDLDP Policy TB26 on Buildings of Traditional Local Character. It also anticipates the provisions of DLP Policy DH5 on the Historic Environment.
TW17	Twyford Community Hub (Old Polehampton School)	The policy refines CS Policy CP4 by adding a local element to its provisions to ensure that development invests in this particular piece of infrastructure in the Parish. The policy is also in line with Policy SS10 on financial contributions for infrastructure, services, resources and amenities or other assets.
TW18	Community Facilities	These policies refine CS Policy CP3 in defining those facilities in the Parish which are community or recreational facilities that requires protection from unnecessary loss and provides some flexibility by encouraging proposals that enable the facilities to remain viable community assets. It also anticipates the provisions of DLP Policy HC2 Community Infrastructure by adding that flexibility.
TW19	Early Years Provision	

5.20 It is considered that all the policies are in general conformity with the strategic policies of the adopted development plan. Where two or more strategic policies are in tension, notably in respect of Policy TW5, the way in which the Parish Council has come its judgement on how to strike a balance between them is explained in full above. As a result, the Neighbourhood Plan, as a whole, meets Condition (e).

6. CONDITION (F): COMPATABILITY WITH EU LEGISLATION

6.1 As noted in Section 4, it is considered that a Strategic Environmental Assessment is not required, following consultation with statutory bodies, as per Regulation 9 of the Environmental Assessments of Plans and Programmes Regulations 2004 (as amended). The Borough Council has chosen to issue a formal screening opinion on this matter following the Regulation 16 consultation. However, as there has been no material change to the policies of the plan since the informal opinion from the Borough Council and statutory consultees, the Parish Council considers that it has therefore met its obligations in relation to the EU Directive 2001/42 in respect of assessing the potential for significant environmental effects of the policies of the Neighbourhood Plan.

6.2 The Parish Council also considers that it has also met its obligations in relation to the habitat 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 (as amended)). In this regard, the Parish Council has provided the Borough Council with all the necessary information it requires for the purposes of determining whether an Appropriate Assessment was required or to carry out the Appropriate Assessment if one was required. The Borough Council has chosen to issue a Habitats Regulations Screening Assessment on this matter following the Regulation 16 consultation. However, as the designated Neighbourhood Area does not include, or is in close proximity to, any Natura 2000 sites it is considered 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. The Neighbourhood Plan has been subject to extensive engagement with those people local to the area who could be affected by its policies and their views have been taken into account in finalising the Plan.