

# Preston Parish Neighbourhood Plan

Our Parish – Our Future – Our Say

2011 - 2031

## Basic Conditions Statement (Regulation 14)

January 2018

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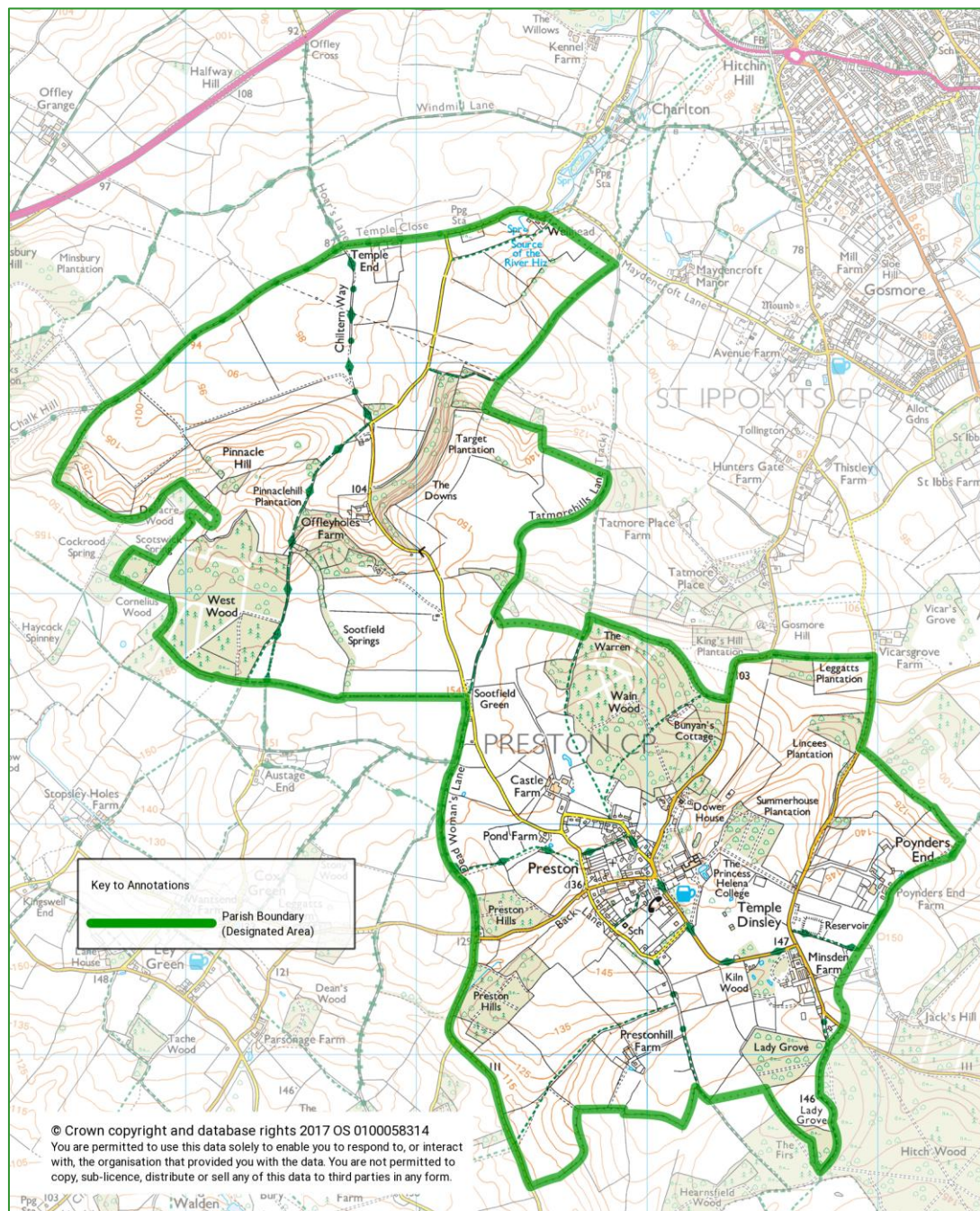
## 1. Introduction

- 1.1** In accordance with the Neighbourhood Plan Regulations 2012 (as amended), this plan must satisfy “basic conditions” before it can come into force. The plan must:
- Have appropriate regard to national planning policy
  - Contribute to the achievement of sustainable development
  - Be in general conformity with the strategic policies in the development plan for the local area
  - Not breach and otherwise be compatible with European Union (EU) Regulations, including human rights requirements and not be likely to have a significant effect on a European site or European off shore marine site
- 1.2** In addition, the Neighbourhood Plan must meet the prescribed legal requirements. This statement confirms that the Preston Parish Neighbourhood Plan, 2011 – 2031, which will be submitted by Preston Parish Council, meets all the necessary requirements.

## 2. Legal Requirements

- 2.1** The Preston Parish Neighbourhood Plan (hereinafter called the Neighbourhood Plan) will be submitted by Preston Parish Council, which as the qualifying body is entitled to submit a neighbourhood plan for its own parish. The Neighbourhood Plan has been prepared by the Preston Neighbourhood Plan Steering Group (hereinafter called the Steering Group) and overseen by Preston Parish Council. The whole parish of Preston has been formally designated as the Neighbourhood Area through an application made under the Neighbourhood Planning (General) Regulations 2012 (part 2 S6), and approved by North Hertfordshire District Council on 14 June 2016.
- 2.2** The Neighbourhood Plan contains policies relating to the development and use of land within the neighbourhood area. The proposals relate to planning matters and have 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 the Neighbourhood Planning (General) Regulations 2012 (as amended).
- 2.3** The Neighbourhood Plan identifies the period to which it relates as 2011 - 2031. This period has been chosen to align with the end date of the emerging North Hertfordshire Local Plan 2011 - 2031. The emerging North Hertfordshire Local Plan was submitted for Examination on the 9<sup>th</sup> June 2017; that Examination is still in progress. The Neighbourhood Plan does 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.

**2.4** The Neighbourhood Plan proposal relates to the Preston Neighbourhood Plan Area and to no other area. The Submission Draft Preston Parish Neighbourhood Plan does not relate to more than one neighbourhood area and there are no other neighbourhood plans in place within the neighbourhood area. The Neighbourhood Area is shown on the map below:



**2.5** The remainder of the document is concerned with the Key Requirements of a Neighbourhood Plan. These are:

- Regard for the National Planning Policy Framework
- Contributing to Achieving Sustainable Development
- Conformity with the Strategic Policies of the Local Plan
- Compatibility with Human Rights and EU Legislation

### 3. Regard for the National Planning Policy Framework

- 3.1** The Neighbourhood Plan has had regard to both the Core Planning Principles (paragraph 17) of the National Planning Policy Framework (NPPF) and the 13 themes of delivering sustainable development within it.
- 3.2 Core Planning Principles:** The production of the Neighbourhood Plan has been led by the Steering Group, made up of volunteers, overseen by Preston Parish Council with support, as a 'Critical Friend', from a Planning Consultancy practicing predominantly in Hertfordshire. The policies in the Neighbourhood Plan provide a practical framework to guide the Local Planning Authority in making decisions on planning applications in the parish and to provide the Parish Council with a firm basis on which to comment on planning applications.
- 3.3** The aims of the Neighbourhood Plan were to meet the aspirations and needs of the local residents in a safe, tranquil, rural community which thrives, socially, economically and environmentally, where new development is designed sustainably and intelligently to respect and enhance heritage, biodiversity and landscape.
- 3.4** Policies in the Neighbourhood Plan recognise the importance of a high quality of life and vitality for all residents, encouraging a thriving and prosperous community, promoting a distinctive and flourishing economy, supporting sustainable development, having a positive effect on the environment and protecting wildlife interests, whilst also mitigating climate change and reducing the carbon footprint of the parish.
- 3.5 Sustainable Development:** Of the 13 themes of delivering sustainable development, only two are not relevant to the Neighbourhood Plan; ensuring the vitality of town centres and facilitating the sustainable use of minerals. The policies in the Neighbourhood Plan that contribute to delivering sustainable development under each of the remaining themes are set out below:
- 1) Building a strong, competitive economy**
    - AF2** Community facility change of use (with particular reference to facilitating a village shop)
    - AF3** Home-based and Small Businesses
  - 2) Ensuring the vitality of town centres**
    - (Not relevant to this plan)
  - 3) Supporting a prosperous rural economy**
    - AF3** Home-based and Small Businesses
    - HD5** Sustainability and Energy Efficiency (where designs should enable residents to work from home)
    - TC1** Safe and Sustainable Transport (in relation to the accessibility of all village amenities including the community owned public house)
    - TC2** Broadband and Mobile Coverage
  - 4) Promoting sustainable transport**
    - HD6** High Quality and Energy Efficiency (including the provision of electric car charging point)
    - EH2** Access to the Countryside

**TC1** Safe and Sustainable Transport

**5) Supporting high quality communications infrastructure**

**TC2** Broadband and Mobile Coverage

**6) Delivering a wide choice of high quality homes**

**HD1** Size of Individual Development

**HD3** Housing Types

**HD4** Tenure of Housing

**7) Requiring good design**

**QL3** Local Distinctiveness (with regard to architecture and landscape schemes responding to their context)

**AF3** Home-based and Small Businesses (where design and car parking will satisfy other policies in the plan and the amenities of residents will protect the amenities of neighbours)

**HD2** Pedestrian Links and Rights of Way (in terms of enabling links to other areas of the village)

**HD3** Housing Types (in particular the style being in keeping with neighbouring properties as well as the rest of the village)

**HD5** Sustainability and Energy Efficiency (including designs that will enable residents to work from home)

**HD6** Design

**HD7** Gardens

**HD8** Drainage Provisions

**HD9** Residential Extensions

**HD10** New Housing Development

**HD11** Construction Management

**EH5** Tranquillity and Dark Skies (where new development will not include streetlights)

**TC1** Safe and Sustainable Transport (where new housing developments will include a minimum of 2 off-road parking spaces per residential unit)

**8) Promoting healthy communities**

**QL1** Social Interaction

**QL2** Community Quality of Life

**QL3** Local Distinctiveness

**AF1** New and Improved Community Facilities

**AF2** Community Facility Change of Use

**HD7** Gardens

**EH3** Open and Green Spaces

**EH5** Tranquillity and Dark Skies

**EH7** Views and Vistas

**TC1** Safe and Sustainable Transport

**9) Protecting Green Belt land**

**EH1** Village Boundary

**EH4** Distinct Villages (where new development should not reduce the separation between settlements – one of the Green Belt purposes)

**10) Meeting the challenge of climate change and flooding**

**HD8** Drainage Provisions

**EH8** Flood Risk and Drainage

**11) Conserving and enhancing the natural environment**

**HD5** Sustainability and Energy Efficiency (with regard to water conservation, biodiversity improvements and ensuring a low carbon footprint)

**EH3** Open and Green Spaces

**EH5** Tranquillity and Dark Skies (in terms of noise and light pollution and increases in traffic)

**EH6** Protecting and Enhancing the Local Environment

**EH9** Protecting and Enhancing the Natural Environment

**EH10** Wildlife Sites

**EH11** Biodiversity

**12) Conserving and enhancing the historic environment**

**QL3** Local Distinctiveness (in relation to preserving heritage and historic features)

**EH6** Conservation Areas and Heritage

**13) Facilitating the sustainable use of minerals**

(Not relevant to this plan)

## **4. Contributing to Achieving Sustainable Development**

- 4.1** A Steering Group of local residents prepared the Neighbourhood Plan based on the principles of sustainable development. Sustainable development is an integral part of the Neighbourhood Plan Vision Statement and the Objectives were developed to deliver the Aims and Vision in a sustainable way, for example, H10, which seeks to ensure any infill development is sustainable and maintains or enhances the character of the village; and T1, which supports and encourages sustainable transport, including walking and cycling. The Neighbourhood Plan also refers to Hertfordshire County Council's 'Building Futures', a sustainable development guide.
- 4.2** The policies that have been developed with the community were specifically designed to ensure that Preston parish develops in a sustainable way, for example, TC1 Safe and Sustainable Transport. It was recognised that good connectivity was vitally important to support the existing businesses operating from home and to ensure that new businesses were sustainable (Policies TC2 and AF3).
- 4.3** Conditions should be placed on planning applications to ensure that they include sustainable features (Policy HD5). This was recognised as being particularly important in relation to the proposed new housing development on land off Templars Lane – a site allocation for 21 new homes in the emerging North Hertfordshire Local Plan (site reference PR1). The Neighbourhood Plan will ensure that a wide choice of high quality homes are built in order to support a sustainable, mixed and inclusive community (Policies HD3 & HD4)

## **5. Conformity with the Strategic Policies of the Local Plan**

- 5.1** At the time of preparing this document, the current development plan for the area consisted of the Saved Local Plan Written Statement 2007 (based on the saved policies from the District Local Plan 1996 and the Minerals and Waste Plans produced by Hertfordshire County Council. These policies have been taken into account in the formulation of the Neighbourhood Plan.
- 5.2** The emerging North Hertfordshire Local Plan 2011 – 2031 was submitted for examination on the 9 June 2017 and that examination is part way through. It has been assumed that by the time the Neighbourhood Plan is submitted to the District Council under Regulation 15, the new Local Plan will have been adopted. As a result, throughout the Neighbourhood Plan references are made to the policies in the emerging North Hertfordshire Local Plan 2011 – 2031 and other planning documents.
- 5.3** Preston Parish Council will lead on and monitor the implementation of the Neighbourhood Plan with a full review every five years to ensure that the policies remain in line with the North Hertfordshire Local Plan and any changes to national legislation.

## **6. Compatibility with Human Rights and EU Legislation**

- 6.1** The proposal and policies in the Neighbourhood Plan are compatible with the human rights legislation and all the existing requirements of European Law. The making of the Neighbourhood Plan is not likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2012) or a European offshore marine site (as defined in the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007), either alone or in combination with other plans or projects.
- 6.2** To ensure compliance, a Strategic Environmental Assessment Screening Report was prepared (attached at Appendix A). Following consultation with North Hertfordshire District Council, the Environment Agency, Natural England and Historic England, it is expected that a determination confirming a Strategic Environmental assessment of the Neighbourhood Plan will not be required.

## **7. Summary**

- 7.1** It is a legal requirement that Preston Parish Council submit this statement. It confirms that the submitted Preston Neighbourhood Plan meets the basic conditions required of a neighbourhood plan as defined in current neighbourhood planning legislation.

## 8. Appendices

Appendix A

Preston Neighbourhood Plan SEA Screening January 2018