

Kingsmead Neighbourhood Plan Basic Conditions Statement

Submission Version

June 2022

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1 Introduction

- 1.1 This statement has been prepared by Hertford Town Council to accompany the submission to the local planning authority, East Hertfordshire District Council.
- 1.2 In accordance with the Neighbourhood Planning (General) Regulations 2012 (as amended), the Kingsmead Neighbourhood Plan must satisfy six “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 or otherwise be incompatible with European Union (EU) Regulations, including human rights requirements and not be likely to have a significant effect on a European site or European offshore marine site, or UK equivalent
 - Meet the prescribed legal requirements
 - Not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.
- 1.3 This statement confirms that the Kingsmead Neighbourhood Plan, 2017 – 2033, meets all the necessary requirements.

2 Legal Requirements

- 2.1 Kingsmead Neighbourhood Plan ('the Neighbourhood Plan') is submitted by Hertford Town Council, the qualifying body, which is entitled to submit a neighbourhood plan for the Kingsmead Neighbourhood Plan Area.
- 2.2 The Neighbourhood Plan is a community-led framework for the future development and growth of the ward. It has been compiled on behalf of the Town Council by the Kingsmead Neighbourhood Plan Steering Group, which was set up in June 2020 for the purpose of drafting the document. This Neighbourhood Plan was prepared by thoroughly researching the topics of interest and issues raised by the community and consultation with residents and other stakeholders in Kingsmead. It has been informed by an extensive evidence base which includes the results of public consultations, mapping, and data from public records.
- 2.3 Within both the national and local frameworks, the Neighbourhood Plan is concerned with the development and use of land. The policies laid out in the Neighbourhood Plan 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), the Neighbourhood Planning (General) Regulations 2012 (as amended), and the

Neighbourhood Planning Act 2017 (as amended). They provide a practical framework for the guidance of the Local Planning Authority in making decisions on planning applications in the Neighbourhood Plan Area.

- 2.4 The area covered by the Neighbourhood Plan is shown in **Figure 1**. This was formally designated by East Herts Council on 11th February 2020. The Neighbourhood Plan relates to the Kingsmead Neighbourhood Plan Area. There are no other neighbourhood plans in place within the area and the area does not overlap any other neighbourhood plan area.

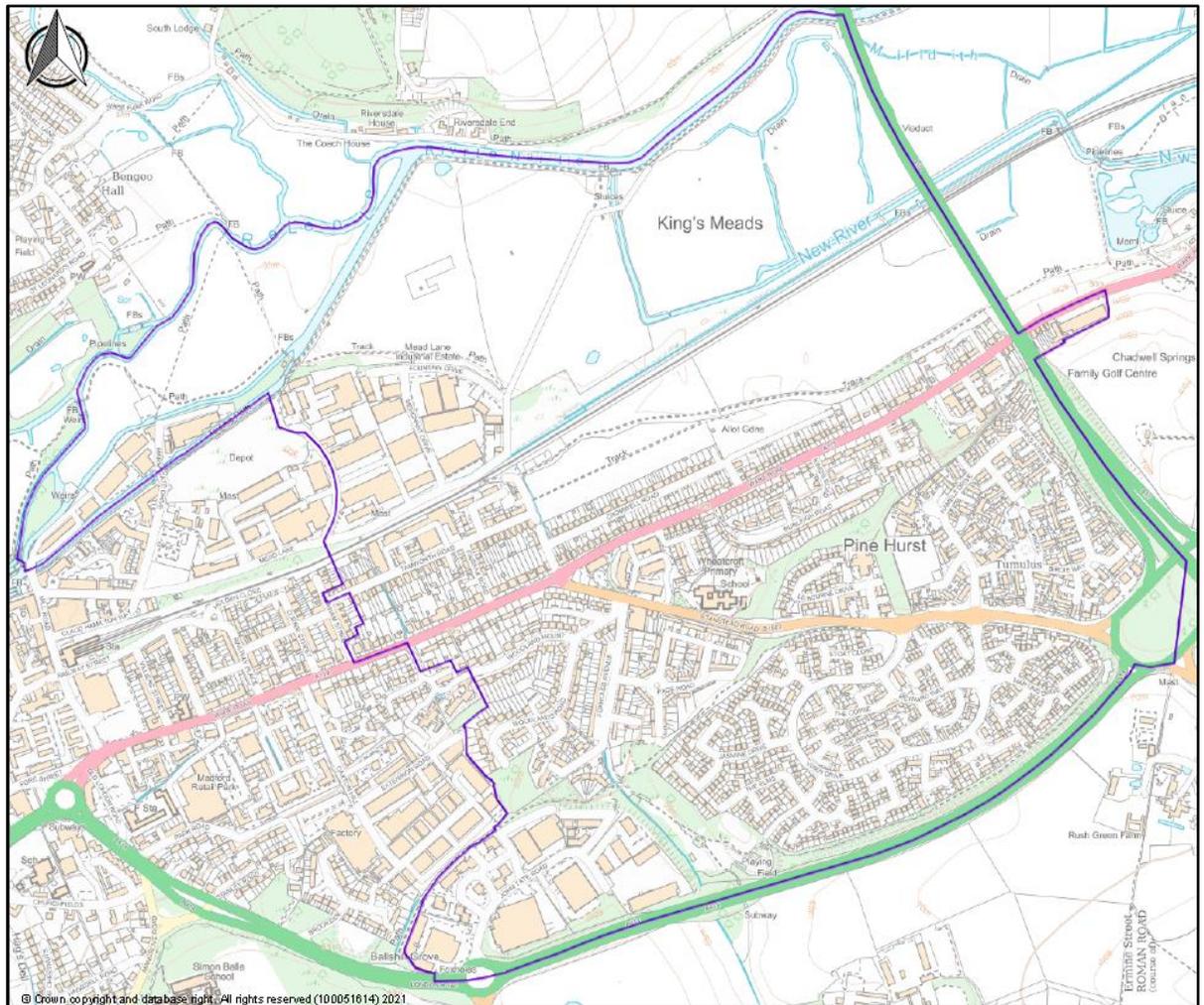


Figure 1 Map of the Designated area for Kingsmead Neighbourhood Plan.

- 2.5 To ensure that the last of the Basic Conditions above in paragraph 1.2 have been met, a Strategic Environmental Assessment (SEA) Screening Report was submitted to East Herts Council in October 2021. Following consultation with the three prescribed statutory bodies, East Herts Council issued a Screening Determination on 28 March 2022. The letter advising of the determination is attached at Appendix **A** – SEA Decision Letter. The screening determination concluded that an environmental assessment of the emerging Kingsmead Neighbourhood Area Plan was not required as it was unlikely to have significant environmental effects. It similarly concluded that the Neighbourhood Plan was unlikely to have a significant effect upon a Natura 2000 designation and therefore would not require an HRA (Habitats Regulation Assessment).

3 Key Requirements

- 3.1 The National Planning Policy Framework 2021 (NPPF) calls for neighbourhood plans to support the delivery of strategic policies (Paragraph 13) and apply a presumption in favour of sustainable development (Paragraph 11). In accordance with national policy, the Neighbourhood Plan seeks to promote sustainable development and embraces a range of social, economic, and environmental issues. It sets out a vision for the designated area, coupled to a range of planning objectives, policies, and proposals.
- 3.2 The Neighbourhood Plan includes a vision for the future, objectives, planning policies and a set of actions, which aim to ensure that Kingsmead will grow sustainably and thrive over time. This means that the Neighbourhood Plan provides guidance on new housing while seeking to protect the environment and to provide facilities that will support and cater for the wellbeing of the community.
- 3.3 In accordance with the NPPF, it is important that neighbourhood plans have three overarching objectives that are both interdependent and dependent. These are economic, social and environmental objectives (Paragraph 8).
- 3.4 The economic objective refers to building a 'strong responsive and competitive economy' through supporting growth and innovation, identifying and coordinating the provision of infrastructure, and ensuring that there is sufficient land of the right types in the right places (Paragraph 8a).
- 3.5 The social objective is 'to build and support a strong, vibrant and healthy community, by ensuring that the number of homes is sufficient in terms of quantity and is able to meet the needs of the current and future generations; and fostering a well-designed and safe built environment, with accessible services and open spaces which reflect the present and future needs; as well as supporting communities' health, social and cultural well-being (Paragraph 8b).
- 3.6 The environmental objective ensures that the natural, built and historic environment is protected and enhanced, a process which includes 'making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy' (Paragraph 8c).
- 3.7 While preparing the Neighbourhood Plan the Steering Group ensured that the policies satisfy the criteria that the NPPF provides as laid out below.

Economic Policies

- 3.8 Along with the sustainability credentials of this Neighbourhood Plan, objectives include providing new employment opportunities in line with the principles of the 20 minute neighbourhood ideal and both retaining and attracting small business ventures. This will also help to reduce the need to commute to work. Policy HKBD1 supports local business development, and in particular, sustainable proposals for the development or redevelopment of business premises.

Social Policies

- 3.9 Social objectives include ensuring the community is to enable to access primary healthcare (Policy HKCA3) and improving other community facilities (Policies HKCA1 & 2), that crime prevention measures are designed into new development (Policy HKBE4) and encouraging provision of the types of homes that are most needed in Kingsmead (Policy HKBE3). Enabling residents to live more sustainable lifestyles is very important, with policies to encourage walking and cycling (Policies HKTP1 and HKTP2).

Environmental Policies

- 3.10 Environmental policies feature prominently in this Neighbourhood Plan. They include the designation of Local Green Space (LGS) (Policy HKGE1), identification of Green Corridors (Policy HKGE4), air quality improvement (Policy HKGE7) and many others. In addition to the HKGE policies, the HKTP policies aim to improve public transport, reduce traffic congestion and encourage more environmentally sustainable methods of travel.

4 Contributing to Sustainable Development

- 4.1 The NPPF affirms, “the purpose of the planning system is to contribute to the achievement of sustainable development” (Paragraph 7). Neighbourhood plans should apply a presumption in favour of sustainable development. The policies in the Kingsmead Neighbourhood Plan support sustainable development by:

- Providing a framework of policies to guide new sustainable housing developments in the Ward up to 2033.
- Ensuring that new building meets high sustainability and design standards
- Promoting the use of sustainable modes of transport, connectivity, new pedestrian and cycle routes
- Proposing retention of leisure facilities and improvement of health facilities
- Protecting the historic fabric, character, and landscape setting of the ward
- Maintaining and enhancing wildlife and biodiversity
- Encouraging appropriate local enterprise.

- 4.2 The NPPF also states that planning policies should be prepared with the active involvement of local highway authorities so that strategies and investment for supporting sustainable transport and development patterns are aligned (paragraph 104b). Hertfordshire’s Local Transport Plan 2018 – 2031 (the LTP) is

guided by four principles: the application of technology, cost effectiveness, integrating land use and transport planning, and encouraging modal shift and active travel. Policies in the Neighbourhood Plan have been prepared having regard to these principles.

5 Conformity with Strategic Policies

- 5.1 At the time of preparing this document, the current local plan was the East Herts District Plan October 2018. These policies are referred to in the Neighbourhood Plan. The Strategic Objectives of the District Plan form the basis of the District Plan Policies. Appendix B – District Objectives and Neighbourhood Plan Policies shows how the Neighbourhood Plan policies help to achieve these overarching District objectives.
- 5.2 The Neighbourhood Plan has been prepared having regard to the policies of the East Herts District Plan, adopted in October 2018. It consists of a written statement and a policies map, which is depicted on an Ordnance Survey base.
- 5.3 The Neighbourhood Plan policies are in accordance with the relevant strategic policies in the East Herts District Plan October 2018. Appendix C – Strategic District Policies and Neighbourhood Plan Policies shows which of the Neighbourhood Plan policies relate to the strategic District Plan policies.
- 5.4 The Neighbourhood Plan has been prepared in consultation and cooperation with the local planning authority, East Herts Council.
- 5.5 There is duty and a commitment by the District Council to review its planning policies whenever the need is demonstrated. Accordingly, Hertford Town Council will monitor the Neighbourhood Plan and undertake a review where necessary, to ensure that the policies laid out in the Plan remain in general conformity with the adopted East Herts District Plan October 2018.

6 Compatibility with Human Rights Legislation

- 6.1 The proposals and policies in the Neighbourhood Plan are compatible with the human rights legislation and all the existing requirements of European Law or UK equivalents.

7 Summary

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

Appendix A – SEA Decision Letter

Policy and Implementation

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East Herts Council, Wallfields, Pegs Lane, Hertford, SG13 8EQ

EastHertsDC
EastHerts
easthertscouncil



Monday, 28 March 2022

Dear Mr Whelan,

Strategic Environmental Assessment and Appropriate Assessment Screening Report for the Kingsmead Neighbourhood Plan Review

I write to advise that on the 17th March 2022 it was agreed that the Town Council be advised that:

- (a) **In accordance with Regulation 9 of the Environmental Assessment of Plans and Programmes Regulations 2004, the District Council, as the responsible authority, has determined that an environmental assessment of the emerging Kingsmead Neighbourhood Area Plan is not required as it is unlikely to have significant environmental effects. In making this determination, the District Council has had regard to Schedule 1 of the Regulations and has carried out consultation with the consultation bodies; and**
- (b) **The emerging Kingsmead Neighbourhood Area Plan is unlikely to have a significant effect upon a Natura 2000 designation and therefore does not require an HRA.**

This decision was subject to a call-in period which expired on Thursday 24th March.

If you require any further information please do not hesitate to contact me.

Kind regards,

A handwritten signature in blue ink that reads 'L. Guy'.

Laura Guy
Principal Planning Officer
Planning Policy and Implementation

Appendix B – District Objectives and Neighbourhood Plan Policies

Table indicating how the policies in the Kingsmead Neighbourhood Plan help to achieve the strategic objectives in the East Herts District Plan 2011-2033

District Plan Strategic Objectives	Neighbourhood Plan Policies
Mitigate the effects of climate change	HKGE1, HKGE5, HKGE7, HKBE4, -HKBE6
Encourage safe and vibrant mixed communities	HKBE4, HKTP1, HKTP2, HKCA2,
Balance the housing market	HKBE3, HKBE7
Protect the countryside & historic environment and promote good design	HKGE1, HKGE2, HKBE1, HKBE2, HKBE4, HKBE5,
Foster entrepreneurship	HKBD1
Improve access and sustainable transport	HKTP1 - HKTP5
Maintain and improve existing facilities and provide new facilities	HKCA1 HKCA4, HKBD2, HKGE6,
Improve health and wellbeing and reduce health inequalities	HKCA3, HKGE7, HKGE1, HKTP1, HKTP2
Protect and enhance environmental assets including biodiversity	HKGE3, HKGE4, HKGE5, HKBE5
Provide necessary infrastructure	HKCA3, HKCA4, HKTP3, HKBD2

Appendix C – Strategic District Policies and Neighbourhood Plan Policies

Table indicating how the policies in the Kingsmead Neighbourhood Plan are in accordance with the strategic policies in East Herts District Plan 2017-2033

District Plan Strategic Policies	Neighbourhood Plan Policies
INT1 Sustainable Development	All Policies
DPS1 Housing, Employment and Retail Growth	HKBE3, HKBE7, HKBD1, HKCA4
DPS2 Development Strategy	HKBE7, HKBE4
DPS3 Housing Supply	HKBE3, HKBE7
DPS4 Infrastructure Requirements	HKCA1 - HKCA4, HKTP3, HKBD2, HKTP4
DPS5 Neighbourhood Planning	All Policies
GBR1 Green Belt	N/A
GBR2 Rural Area Beyond the Green Belt	N/A
VILL1 Group 1 Villages	N/A
VILL4 Village Employment Areas	N/A
ED2 Rural Economy	N/A
DES2 Landscape Character	HKGE2
TRA1 Sustainable Transport	HKTP1 – HKTP3, HKTP5
CFLR1 Open space, Sport and Recreation	HKBE6, HKGE6,
CLFR2 Local Green Space	HKGE1
NE1 Designated Nature Conservation	HKGE3
NE3 Species and Habitats	HKGE4, HKGE5, HKBE5
HA1 Designated Heritage Assets	HKBE1, HKBE2
CC1 Climate Change Adaption	HKBE4, HKGE5, HKGE6
CC2 Climate Change Mitigation	HKGE7, HKBE4
WAT1 Flood Risk Management	HKGE5
WAT5 Sustainable Drainage	HKGE5, HKBE5
EQ4 Air Quality	HKGE7, HKTP5, HKTP1, HKTP2