



Ware Neighbourhood Plan 2020 to 2038



Basic Conditions Statement

October 2022

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APPENDIX A: SEA/ HRA Screening Statement letter

1. Introduction

1.1. This Basic Conditions Statement has been produced to accompany the Ware Neighbourhood Plan ('the WNP').

1.2. The relevant legal framework for the preparation and making of neighbourhood plans is supported by the Localism Act 2011 and the Neighbourhood Planning Act 2017 and found in the:

- Town and Country Planning Act 1990: ss. 61F, 61I, 61M-P and Schedule 4B
- Planning and Compulsory Purchase Act 2004: ss 38A-C
- Neighbourhood Planning (General) Regulations 2012 (2012 No.637) (as amended)

1.3. Paragraph 8(2) of Schedule 4B to the Town & Country Planning Act 1990 requires a neighbourhood plan to meet five¹ basic conditions before it can proceed to a referendum. These are:

- i. Having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan;
- ii. The making of the neighbourhood development plan contributes to the achievement of sustainable development;
- iii. 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);
- iv. The making of the neighbourhood development plan does not breach, and is otherwise compatible with, (retained) EU obligations; and
- v. Prescribed conditions are met in relation to the neighbourhood plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan. The prescribed condition is that 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 etc.) Regulations 2007) (either alone or in combination with other plans or projects).

1.4. This document sets out how the WNP meets the Basic Conditions.

¹ There are two further basic conditions which are relevant only to the making of a Neighbourhood Development Order and are therefore not considered in this document.

Supporting documents and evidence

- 1.5. The Submission Version Ware Neighbourhood Plan, with its policies, is supported by a Consultation Statement, this Basic Conditions Statement and an extensive evidence base. It has also been subject to a Screening, organised by East Hertfordshire District Council (EHDC), to ascertain whether or not it requires a Strategic Environmental Assessment and/or a Habitat Regulations Assessment, and the Determination Statement is included as part of the accompanying documentation.
- 1.6. Alongside the planning policies, the WNP contains both infrastructure priorities and a series of projects which fall outside planning policy. These are intended to contribute towards the achievement of the Plan's vision and form the basis of the principles for the use of any developer funding and other monies arising from other planning obligations. They complement the WNP document but are not a formal part of the Development Plan.

Key statements

- 1.7. Ware Town Council, as the qualifying body, has prepared the WNP. The neighbourhood area shares much of its boundary with that of the Town Council, excluding the North and East Ware Site Allocation, as this is the focus of a separate masterplan. Figure 1 shows the neighbourhood plan area, which was designated by EHDC on 11 September 2018.
- 1.8. The WNP sets out planning policies that relate to the development and use of land within only the Ware Neighbourhood Area.
- 1.9. There are no other adopted Neighbourhood Plans that cover all or part of the Ware Neighbourhood Area.
- 1.10. The Neighbourhood Plan Steering Group, comprising local councillors and volunteers from the community, has prepared the WNP to establish a vision for the future of the neighbourhood area and a series of objectives to deliver this. It has engaged with the community to set out how the vision will be realised through planning and controlling land use and development change over the plan period 2020 to 2038.
- 1.11. The WNP does not contain any policies which relate to excluded development as defined by section 61K of the Town and Country Planning Act 1990.

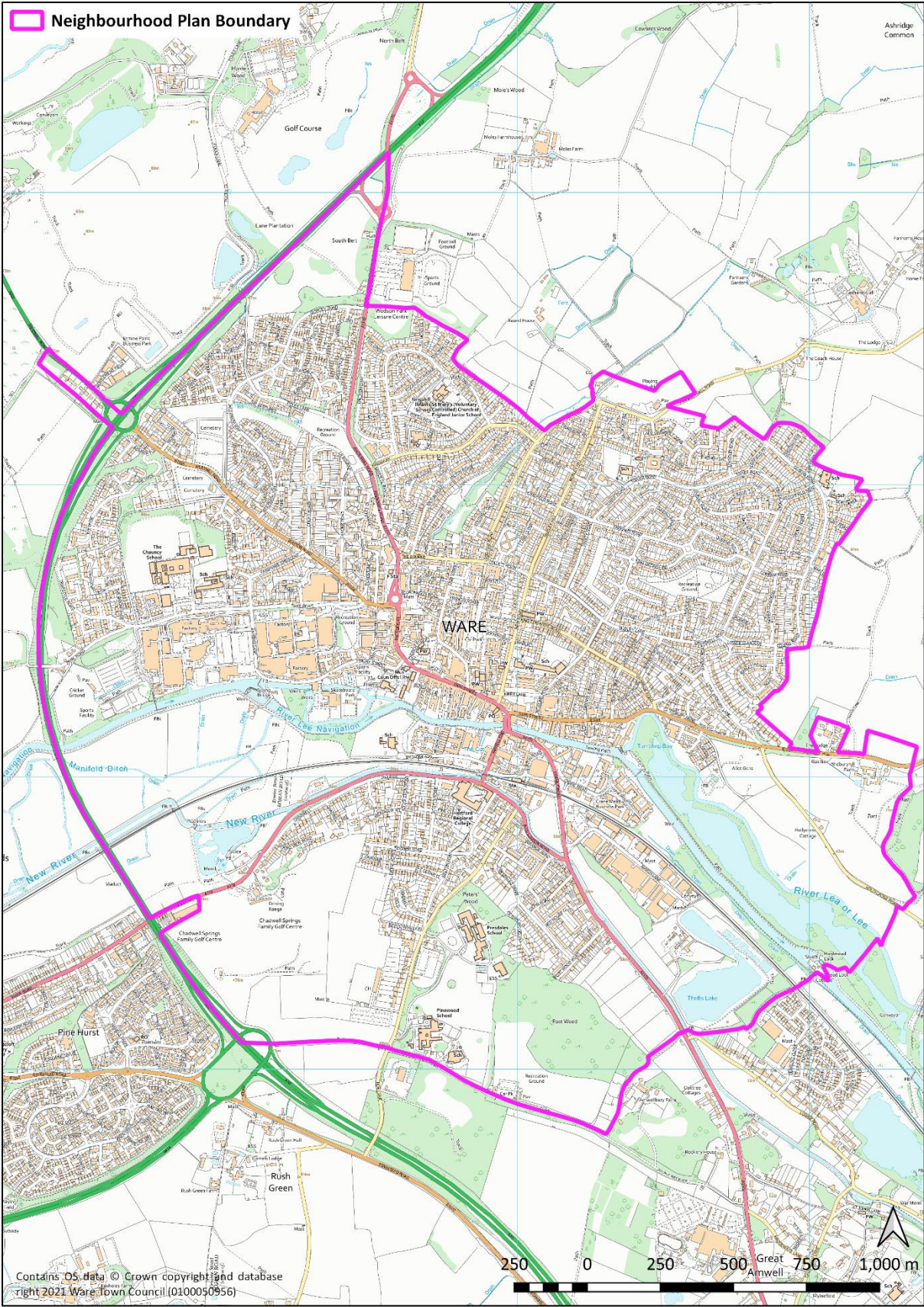


Figure 1: Ware Neighbourhood Plan designated area

2. Basic condition (i) - conformity with national planning policy

- 2.1. To meet this condition, it is necessary to demonstrate that the WNP has regard to national planning policies and the advice contained in guidance issued by the Secretary of State. National policy and guidance is contained within the National Planning Policy Framework ('NPPF') and the Planning Practice Guidance ('PPG').
- 2.2. It should be noted that the WNP has been prepared in accordance with the NPPF, most recently revised in July 2021.

National Planning Policy Framework

- 2.3. The NPPF has 13 key objectives which are:
- Delivering a sufficient supply of homes
 - Building a strong, competitive economy
 - Ensuring the vitality of town centres
 - Promoting healthy and safe communities
 - Promoting sustainable transport
 - Supporting high quality communications
 - Making effective use of land
 - Achieving well-designed places
 - Protecting Green Belt land
 - Meeting the challenge of climate change, flooding and coastal change
 - Conserving and enhancing the natural environment
 - Conserving and enhancing the historic environment
 - Facilitating the sustainable use of minerals
- 2.4. This basic conditions statement explains how the WNP contributes to meeting these objectives, where relevant, and also notes the specific national policies that the Plan is intended to support and supplement.
- 2.5. The WNP has six objectives, which are shown in Table 2.1 alongside the corresponding NPPF objective or objectives that each one seeks to address.
- 2.6. Table 2.2 then provides further detail by detailing each of the 20 policies of the Neighbourhood Plan and which specific paragraphs of the NPPF it has had regard to along with a commentary.

Table 2.1: Assessment of the Ware Neighbourhood Plan objectives against NPPF goals

Plan objective	Relevant NPPF goal
<p>Objective 1: a thriving modern market town, underpinned by its heritage and promoting beauty.</p>	<ul style="list-style-type: none"> • Ensuring the vitality of town centres • Conserving and enhancing the historic environment • Achieving well-designed places • Promoting healthy and safe communities
<p>Objective 2: an attractive place to live, where the natural environment is valued and safeguarded.</p>	<ul style="list-style-type: none"> • Conserving and enhancing the natural environment • Protecting Green Belt land • Achieving well-designed places • Meeting the challenge of climate change, flooding and coastal change
<p>Objective 3: a place where people can work in rewarding jobs supporting a vibrant economy.</p>	<ul style="list-style-type: none"> • Building a strong, competitive economy • Ensuring the vitality of town centres
<p>Objective 4: a caring community, supporting residents of all ages and social groups through health, education, employment, and enjoyment of cultural and leisure facilities.</p>	<ul style="list-style-type: none"> • Promoting healthy and safe communities • Delivering a sufficient supply of homes • Achieving well-designed places
<p>Objective 5: an attractive Town centre which retains its human scale, and where people want to access services, meet and shop.</p>	<ul style="list-style-type: none"> • Ensuring the vitality of town centres • Promoting healthy and safe communities • Achieving well-designed places
<p>Objective 6: a place that fosters mobility and healthy living, with a sustainable transport network for walkers, cyclists and those who use public transport.</p>	<ul style="list-style-type: none"> • Promoting sustainable transport

Table 2.2: Assessment of how each policy in the Ware Neighbourhood Plan conforms to the NPPF

Policy Title and Reference	NPPF Reference (paragraph)	Commentary
POLICY W1: MEETING THE HOUSING NEEDS OF WARE'S POPULATION	62	<p>The NPPF sets out that the size, type, and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies. Whilst the WNP does not seek to allocate housing sites, the evidence base reveals that a significant proportion of the population are in the older age groups, a trend that is forecast to continue. Notwithstanding the need to attract younger individuals and families to the town, it will be important to ensure that new housing is designed in a way that will meet the changing needs of occupants as they age. Policy W1 emphasises this, requiring development proposals to clearly demonstrate how they are meeting the Housing our Ageing Population Panel for Innovation (HAPPI) principles.</p> <p>It should be noted that WNP does recognise that there are other issues relating to housing in Ware, not least its affordability for younger people on average incomes. These are matters which in planning policy terms are addressed at the strategic level, i.e., through the East Herts District Plan. However, it is acknowledged that this has been a long-term problem of considerable significance that needs to be addressed, be it through district or national policy.</p>
POLICY W2: REFLECTING THE CHARACTER OF WARE THROUGH HIGH QUALITY DESIGN	20, 126 to 131	<p>National policy encourages neighbourhood plans to develop policies that achieve well-designed places that reflect local aspirations and are grounded in an understanding and evaluation of each area's defining characteristics. Policy W2 contributes to this aim by ensuring that development in the neighbourhood area is designed to respect the recognisable character of Ware, adding greater detail to existing District Plan policy.</p> <p>The Conservation Area, which covers much of the centre of Ware, establishes four broad Identity Areas. Work for the WNP has sought to describe these Identity Areas in greater detail in terms of their distinctive character, which will assist in guiding planning applications. In addition, the remaining parts of the neighbourhood area have also been described in terms of their character. Whilst not within the Conservation Area, it is considered that in the future, these areas will have become sufficiently embedded to</p>

Policy Title and Reference	NPPF Reference (paragraph)	Commentary
		contribute demonstrably the story of Ware and its character.
POLICY W3: CONSERVING HERITAGE ASSETS	189, 190, 203	Conserving and enhancing the historic environment is a core principle of the NPPF. Policy W3 support this and identifies a non-designated heritage assets within Ware that should be actively considered in any planning applications affecting them.
POLICY W4: DESIGN OF SHOPFRONT SIGNAGE	128, 129, 130	Requiring good design is a key feature of national policy. Signage within the town centre can detract from local character and this has been the case in some instances in Ware. Policy W5 seeks to address this by setting out expectations for shopfront signage, based on evidence collated locally, including by the Ware Society, and adding additional local detail to the existing local authority signage guidance.
POLICY W5: MEETING THE HIGHEST ENVIRONMENTAL STANDARDS	127, 128, 129, 153, 154, 155	Policy W5 supports the national objective of designing development in a way that will help to mitigate climate change, a government priority. Notwithstanding the fact that energy efficiency matters are largely controlled by the Building Regulations, the policy identifies a series of design features which would be supported where they are incorporated into development. In particular it supports features aimed at reducing energy consumption and energy loss that should be incorporated into both new development and to retrofit sensitively historic buildings.
POLICY W6: RETAINING AND ENHANCING THE VITALITY AND VIABILITY OF WARE TOWN CENTRE	86	The NPPF underlines the importance of town and village centres as the heart of the community. Policy W6 recognises the importance of Ware as a historic market town and the role it plays not only for local residents but also those in the rural hinterlands. The policy supports mixed use development, to encourage a town centre that not only provides a retail angle, but also a space for socialising, engaging in recreational activities and accessing other local amenities, including into the evening.
POLICY W7: A SAFE, ATTRACTIVE AND WELCOMING PUBLIC	92, 93, 126	Policy W7 is closely related to Policy W6, supporting proposals that will contribute to safe, inclusive and healthy places, which provide the social, recreational and cultural facilities and services the community needs. Design of public space underpins the ability to achieve this,

Policy Title and Reference	NPPF Reference (paragraph)	Commentary
REALM		and the policy sets out how this should be achieved in the Ware setting.
POLICY W8: SMALL BUSINESS AND SHARED SPACE SUPPORT	86, 92, 93	Policy W8 supports the economic role of Ware town centre, taking a positive approach to its growth, management and adaptation to external influencing factors. Within Ware, there is a desire to promote smaller, independent shops, and encourage the flexible use of spaces, that might be shared between different services. The policy seeks to encourage this.
POLICY W9: SUPPORTING COMMERCIAL PREMISES AND LAND	81	Within a town such as Ware, it is important that planning policies help to create the conditions in which businesses can invest, expand and adapt. The District Plan identifies a series of employment areas that should be safeguarded as such. Policy W9 identifies additional areas at the neighbourhood level that should also be safeguarded for their employment use. These are identified as Important Employment Areas.
POLICY W10: SUPPORTS SMES, FLEXIBLE START-UPS AND HOMEWORKING	81, 83	Policy W10 supports the national objective of supporting an environment that enables local businesses to flourish. It recognises the changing nature of work, the increasing desire among many to work from home, and the need for flexible spaces for start-up and creative industries.
POLICY W11: WARE AS A SUSTAINABLE VISITOR DESTINATION	81, 84, 93	Ware is an attractive town to visitors and Policy W11 supports proposals that will enable sustainable tourism to flourish, in particular to capitalise on staying visitors, who may contribute more significantly to the local economy.
POLICY W12: GREEN AND BLUE INFRASTRUCTURE AND DELIVERING BIODIVERSITY NET GAIN	174, 175, 179, 180	<p>This policy supports the national objective of ensuring that development contributes to and enhances the natural environment and biodiversity. It maps out, at the neighbourhood level, components of wildlife-rich habitats and wider ecological networks, including the hierarchy of national and locally designated sites of importance for biodiversity; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation through protecting designated and non-designated landscape assets.</p> <p>It recognises the importance of the River Lea corridor and also a series of sites that offer opportunities for biodiversity enhancement and connectivity.</p> <p>In line with the Environment Act, the policy requires developments to deliver a biodiversity</p>

Policy Title and Reference	NPPF Reference (paragraph)	Commentary
		net gain of at least 10%. Where this cannot be achieved on-site, the locally mapped network of green infrastructure offers locations where units can most effectively make a positive contribution to local habitats and landscapes.
POLICY W13: LOCAL GREEN SPACES	101, 102, 103, 137, 147 to 151	<p>The NPPF enables communities to designate spaces that are demonstrably special to them as Local Green Spaces. Policy W13 identifies 12 such spaces in the neighbourhood area and provides the justification as to how they meet the NPPF criteria.</p> <p>Whilst some of these spaces are located within the Green Belt, planning guidance (Paragraph: 010 Reference ID: 37-010-20140306) does not preclude such sites from being designated as local green space. The benefits of the designation of such spaces includes the fact that Green Belt boundaries are subject to change, which could leave these sites vulnerable in the future. The purpose of the Local Green Space designation is to protect spaces that are demonstrably special to the local community. Designating these particular spaces enables a formal recognition of this local importance and would safeguard them even if the Green Belt they are currently located within is released.</p>
POLICY W14: MANAGING THE ENVIRONMENTAL IMPACT OF DEVELOPMENT	92, 131, 174, 179, 180	<p>This policy supports the national aim of improving biodiversity. It identifies, at the neighbourhood level, the significant landscape features, such as trees, verges, waterway banks and hedgerows – that are important assets to retain and, where possible enhance. Such features are not necessarily protected via other legislation. The policy provides guidance to applicants on how they can best incorporate open space within development and wildlife friendly features, all of which will assist in maintaining a network of green corridors through an otherwise largely urban area.</p>
POLICY W15: IMPROVING WALKING AND CYCLING	100, 104, 105, 106	<p>The policy supports the NPPF objective of encouraging sustainable modes of transport by identifying the key movement routes within the neighbourhood area that enable people to access local facilities most easily and directly by foot or by bike, rather than relying on less sustainable modes of transport. The policy recognises the importance of active travel within</p>

Policy Title and Reference	NPPF Reference (paragraph)	Commentary
		<p>a town setting and supports the concept of walkable and cyclable settlements. This not only helps to mitigate against air pollution, but also encourages active lifestyles - both key complements of the NPPF.</p> <p>Primary pedestrian and cycle routes have been mapped, indicating where improvements or additional connections could be made. Proposals that link to these routes and, where possible, enhance them, are supported. A heritage route is also highlighted, which supports the delivery of Policy W11 and contributes to the celebration of local heritage.</p>
POLICY W16: MITIGATING VEHICULAR IMPACTS AT JUNCTIONS	104, 110, 111, 113	The NPPF requires transport issues to be considered at the earliest stage of plan-making. In a town such as Ware, certain roads and junctions are prone to congestion and could be under additional pressure in the context of new development. The policy recognises this and identifies the key locations where this is an existing problem and where development proposals should proactively seek to mitigate their impacts, in line with para 113 of the NPPF.
POLICY W17: MAXIMISING THE POTENTIAL FOR CHILDREN TO WALK SAFELY TO SCHOOL	104, 110, 111, 112	Closely related to Policy W16, this policy focusses specifically on areas around schools that would most likely be negatively impacted by changes in transport movements. The policy seeks to ensure that development proposals proactively include mitigation measures, with pedestrian safety in mind.
POLICY W18: ELECTRIC VEHICLE CHARGING	112	The NPPF encourages development that is designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations. Policy W18 supports this and identifies potential locations around the town where this could be most beneficial.
POLICY W19: IMPROVING PROVISION OF COMMUNITY FACILITIES, INCLUDING ACCESSIBLE TOILET FACILITIES, AND PROMOTING SHARED, FLEXIBLE SPACES	92, 93	The NPPF encourages policies that contribute to healthy, inclusive communities. Ware has a range of local facilities for the community. The policy supports the provision of new facilities, with specific needs noted (as identified by the community) and sets out three criteria with which any such proposals should comply. Furthermore, the policy supports the provision of accessible toilet facilities, which are currently unavailable in central Ware.

Policy Title and Reference	NPPF Reference (paragraph)	Commentary
POLICY W20: ALLOTMENTS AND COMMUNITY GROWING SPACES	92, 93	Allotments are cited in the NPPF as important facilities that can contribute towards the achievement of healthy and inclusive communities. They also offer a range of biodiversity benefits. Policy W20 seeks to safeguard existing allotments – which have been in situ over many decades – and also encourages proposals to consider including new community growing spaces.

3. Basic condition (iv) - contribution to sustainable development

- 3.1. The NPPF states in paragraph 7 that *'the purpose of the planning system is to contribute to the achievement of sustainable development.'*
- 3.2. For the WNP, sustainable development has provided the fundamental basis of each of its policies. The National Planning Practice Guidance advises that *'sufficient and proportionate evidence should be presented on how the draft neighbourhood plan ... guides development to sustainable solutions'².*
- 3.3. Table 3.1 below summarises how the objectives and policies in the Plan contribute towards economic, social and environmental sustainable development, as defined in the NPPF. Many of the objectives of the Plan overlap the three strands of sustainability, so for the purposes of this document, the most relevant strand has been taken to illustrate conformity.

Table 3.1: Assessment of the Ware Neighbourhood Plan objectives and policies against sustainable development

Deliver economic sustainability	
NPPF definition – <i>'to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure.'</i>	
NP Objectives	<p>Objective 3: a place where people can work in rewarding jobs supporting a vibrant economy.</p> <p>Objective 5: an attractive Town centre which retains its human scale, and where people want to access services, meet and shop.</p>
NP Policies	<p>POLICY W6: RETAINING AND ENHANCING THE VITALITY AND VIABILITY OF WARE TOWN CENTRE</p> <p>POLICY W7: A SAFE, ATTRACTIVE AND WELCOMING PUBLIC REALM</p> <p>POLICY W8: SMALL BUSINESS AND SHARED SPACE SUPPORT</p> <p>POLICY W9: SUPPORTING COMMERCIAL PREMISES AND LAND</p> <p>POLICY W10: SUPPORTS SMES, FLEXIBLE START-UPS AND HOMEWORKING</p> <p>POLICY W11: WARE AS A SUSTAINABLE VISITOR DESTINATION</p>
Commentary	<p>The policies of the WNP collectively seek to support a vibrant and viable economy. They recognise the role of a mixed-use Town Centre and the importance of an enhanced public realm to attract greater footfall to underpin this. The policies will assist in ensuring that the Town Centre adapts in its role not only as a focus for retail, but also for other activities such as socialising and accessing recreational and other community facilities. This will help to ensure</p>

² Planning Practice Guidance, Paragraph: 072 Reference ID: 41-072-20140306

	<p>that the town centre remains the focal point of the community, particularly in the context of the strategic site planned on the boundary of the neighbourhood area. The existing commercial units and sites in the area are important as they provide local jobs that help to negate the need for out-commuting. The WNP identifies additional neighbourhood-level employment sites that should be safeguarded as such, to ensure that this range of employment and commercial opportunities can be sought locally.</p> <p>Equally, the WNP supports new ways of working, such as home- and flexible-working practices.</p> <p>Finally, as a historic market town, located at the northern end of the Lea Valley Park and with a range of natural and heritage assets, Ware has the potential to capitalise on the visitor economy. The WNP includes policies that will support this in a sustainable way, for instance by attracting longer stay visitors and enabling the facilities they will required.</p> <p>In these ways, the Plan seeks to contribute to building a sustainable economy.</p>
Deliver social sustainability	
<p>NPPF definition – ‘to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being.’</p>	
<p>NP Objectives</p>	<p>Objective 1: a thriving modern market town, underpinned by its heritage and promoting beauty.</p> <p>Objective 4: a caring community, supporting residents of all ages and social groups through health, education, employment, and enjoyment of cultural and leisure facilities.</p>
<p>NP Policies</p>	<p>POLICY W1: MEETING THE HOUSING NEEDS OF WARE’S POPULATION</p> <p>POLICY W17: MAXIMISING THE POTENTIAL FOR CHILDREN TO WALK SAFELY TO SCHOOL</p> <p>POLICY W19: IMPROVING PROVISION OF COMMUNITY FACILITIES, INCLUDING ACCESSIBLE TOILET FACILITIES, AND PROMOTING SHARED, FLEXIBLE SPACES</p> <p>POLICY W20: ALLOTMENTS AND COMMUNITY GROWING SPACES</p>
<p>Commentary</p>	<p>The NPPF underlines the importance of supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high-quality built environment, with accessible local services that reflect the community’s needs and support its health, social and cultural well-being.</p> <p>The WNP has been developed as a result of extensive local engagement to understand local priorities to contribute to this national objective. Whilst the WNP does not seek to allocate homes, as both local and strategic housing need is adequately met at the district level, it has considered the type of housing that should be supported in the area, based on local evidence.</p> <p>The Plan includes policies to provide the social, recreational and cultural facilities the community needs, including allotments, an arts venue and play areas. These</p>

	<p>are based on community engagement and each policy provides locally specific detail on what is required and how this can be supported through planning.</p> <p>Finally, the policies seek to ensure that facilities and amenities are accessible and that routes to reach them are safe, notably around schools where there is a high concentration of traffic at certain times of day.</p> <p>In these ways, the Plan aims to support a strong, vibrant and healthy community.</p>
Deliver environmental sustainability	
<p>NPPF definition – ‘to contribute to protecting and enhancing our natural, built and historic environment; including 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,’</p>	
<p>NP Objectives</p>	<p>Objective 2: an attractive place to live, where the natural environment is valued and safeguarded.</p> <p>Objective 6: a place that fosters mobility and healthy living, with a sustainable transport network for walkers, cyclists and those who use public transport.</p>
<p>NP Policies</p>	<p>POLICY W2: REFLECTING THE CHARACTER OF WARE THROUGH HIGH QUALITY DESIGN</p> <p>POLICY W3: CONSERVING HERITAGE ASSETS</p> <p>POLICY W4: DESIGN OF SHOPFRONT SIGNAGE</p> <p>POLICY W5: MEETING THE HIGHEST ENVIRONMENTAL STANDARDS</p> <p>POLICY W12: GREEN AND BLUE INFRASTRUCTURE AND DELIVERING BIODIVERSITY NET GAIN</p> <p>POLICY W13: LOCAL GREEN SPACES</p> <p>POLICY W14: MANAGING THE ENVIRONMENTAL IMPACT OF DEVELOPMENT</p> <p>POLICY W15: IMPROVING WALKING AND CYCLING</p> <p>POLICY W16: MITIGATING VEHICULAR IMPACTS AT JUNCTIONS</p> <p>POLICY W18: ELECTRIC VEHICLE CHARGING</p>
<p>Commentary</p>	<p>Protecting the natural and built environment of the parish is an extremely important part of the WNP and conforms to the national aims set out in the NPPF.</p> <p>The existing Conservation Area has been further analysed to describe in detail the four Identity Areas that exist in the town. The associated policy seeks to ensure that any development within these Areas is in-keeping with the immediate context. Furthermore, a number of non-designated heritage assets have been identified to ensure that they are considered proactively in future planning applications potentially affecting them.</p> <p>Natural features and habitats have been mapped so that they can be safeguarded and, where possible, enhanced. This includes the designation of Local Green Spaces, the recognition of the role of the waterways, and the identification of biodiversity opportunity areas.</p> <p>Many of the policies underpin the need for development proposals to consider</p>

	<p>how they will contribute to climate change mitigation.</p> <p>The WNP emphasises the need to promote non-car modes of transport in order to reduce traffic congestion and travel by the private car to reduce carbon emissions. A series of key movement routes (by foot and by bike) have been identified that should be prioritised and maintained.</p> <p>In these ways, the Plan seeks to contribute to protecting and enhancing the natural, built and historic environment of the neighbourhood area.</p>
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- 3.4. As demonstrated in Table 3.1, the strategic objectives of the WNP are considered to comprise a balance of social, economic, and environmental goals. The policies in the Plan demonstrably contribute to sustainable development.

4 Basic condition (v) - general conformity with the strategic policies of the development plan

4.1. The current development plan for East Hertfordshire District Council consists of:

- East Herts District Plan 2018
- Supplementary Planning Documents
- Other 'Material Considerations'
- Hertfordshire County Council Minerals & Waste Local Plan
- Neighbourhood Plans- Bishop's Stortford - Silverleys & Meads Neighbourhood Plan, Bishop's Stortford - All Saints, Central, South & Part of Thorley Neighbourhood Plan, Braughing Neighbourhood Plan, Buntingford Community Area Neighbourhood Plan, and Walkern Neighbourhood Plan

4.2. The policies of the WNP must be in general conformity with the strategic policies of the adopted development plan documents and a commentary of this is set out in Table 4.1.

4.3. Where a strategic policy is not identified in Table 4.1, it is considered that the WNP does not contain any policies that directly relate to it.

4.4. It is confirmed that there are no policies in the strategic documents relating to minerals and waste that are of relevance to the WNP.

Table 4.1: Relevant strategic policies

Policy Title and Reference	East Herts District Plan (2018)	Commentary
POLICY W1: MEETING THE HOUSING NEEDS OF WARE'S POPULATION	HOU1, HOU7	Policy W1 uses the evidence base that has been compiled at the neighbourhood level (exploring population trends and demographics) to add additional local detail to the strategic policies on housing mix. In particular, it encourages proposals to deliver homes that will be suited to an aging population. This is achieved by ensuring that the design of homes is such that they are adaptable as someone progresses through their life. This means that homes will be suited to the needs of younger people and families, but without compromising the specific needs of older people.
POLICY W2: REFLECTING THE CHARACTER OF WARE THROUGH HIGH QUALITY DESIGN	DES2, DES3, DES6, HA1, HA2, HA4, HA5, HA6, HA9	<p>The District Plan notes that evidence gathered from Conservation Area Character Appraisals and local groups indicates that several Conservation Areas are suffering from the gradual erosion of traditional features, materials and details in both the public and private realm and that this is undermining their special interest. It suggests that a more proactive approach is needed to halt and reverse this trend and to reinstate these features as part of works to preserve and enhance the character and appearance of Conservation Areas.</p> <p>Policy W2 seeks to support this by defining what is meant by local character within the Ware context specifically. It has provided additional detail about the features and characteristics of the Ware Conservation Area (and its four Identity Areas) that make each special and that should be considered within development proposals. It also recognises the role of the River Lea within this. The policy sets out criteria which should be considered by applicants to ensure that this has been taken into account.</p>
POLICY W3: CONSERVING HERITAGE ASSETS	HA2, HA3, HA4	The District Plan recognises the importance of designated and non-designated heritage assets. Policy W3 defines those assets that are of local importance but not nationally listed. These and other listed assets in the area, should be considered as part of the planning process. This includes heritage at risk.

Policy Title and Reference	East Herts District Plan (2018)	Commentary
POLICY W4: DESIGN OF SHOPFRONT SIGNAGE	HA5, HA6	<p>In the district’s town centres, frontages to shops and commercial premises play a key role in defining the character and quality of the Conservation Areas. EHDC is therefore keen to ensure that a high-quality environment is maintained, consistent with commercial and economic considerations.</p> <p>Policy W4 supports this ambition and includes locally specific detail related to the Ware context that will assist in achieving this.</p>
POLICY W5: MEETING THE HIGHEST ENVIRONMENTAL STANDARDS	DES4, CC2, CC3, WAT4	<p>The District Plan promotes a hierarchy of approaches to help off-set on-site carbon emissions. It also promotes in general terms of opportunities to generate clean energy. Policy W5 of the WNP supports this and provides additional detail as to how this can be achieved within Ware.</p>
POLICY W6: RETAINING AND ENHANCING THE VITALITY AND VIABILITY OF WARE TOWN CENTRE	WARE1, RTC1-3, CLFR7, HA5, HA6	<p>The District Plan recognises the role that Ware town centre has to play as a Minor Town Centre and Policy W6 seeks to support this by encouraging a mix of uses that will help to maintain the viability of the centre in the face of increasing competition from other areas and mechanisms such as online. A key aspect of this is encouraging independent retailers alongside a mix of other uses (health, education, community, recreation etc.) that will continue to attract footfall throughout the day and into the evening.</p>
POLICY W7: A SAFE, ATTRACTIVE AND WELCOMING PUBLIC REALM	DES4, DES5	<p>Public realm refers to all publicly accessible open spaces and public and civic building facilities, publicly owned streets, pathways, water spaces, rights of way and parks. For places to work and foster sustainable communities it is important that the public realm is of a high quality, feels safe, is inclusive to all social groups, and is adaptable to the changing needs of the community.</p> <p>Policy W7 supports this by describing how the public realm can be improved (through development) in the Ware setting, based on the current issues and opportunities that have been identified in the town.</p>

Policy Title and Reference	East Herts District Plan (2018)	Commentary
POLICY W8: SMALL BUSINESS AND SHARED SPACE SUPPORT	ED4	Policy W8 recognises the contribute that small businesses make to Ware, particularly within the town centre. There is evidence of service closures, such as banks, and this policy provides support for shared spaces and uses that could help to fill this gap. In particular the policy supports the sympathetic reuse of historic buildings for this purpose, of which there are many in Ware.
POLICY W9: SUPPORTING COMMERCIAL PREMISES AND LAND	WARE3, ED1	The District Plan has a strategy to protect and enhance the existing employment areas in Ware. It identifies a number of Employment Areas within Ware that should be safeguarded for commercial use, which will help to provide continued opportunities for businesses to serve the town and nearby settlements in the surrounding area. Policy W9 concurs with this strategy and adds additional local detail by identifying further Important Employment Areas and out of town retail areas, which should also be safeguarded for these uses.
POLICY W10: SUPPORTS SMES, FLEXIBLE START-UPS AND HOMEWORKING	ED4	The District Plan, in line with the NPPF, supports flexible working practices such as the integration of residential and commercial uses within the same unit, in a way that goes beyond homeworking. Buildings can be designed in ways which facilitate the sharing and division of space for residential and business uses. Policy W10 recognises the demand for such provision in Ware and sets out additional detail as to how this could be delivered effectively.
POLICY W11: WARE AS A SUSTAINABLE VISITOR DESTINATION	ED5	The District Plan recognises the contribution that the tourism industry plays in the East Herts economy, creating jobs and contributing to the maintenance of facilities. Policy W11 supports this and provides a framework for enabling the visitor economy within Ware that will deliver the infrastructure required (particularly for longer-stay visitors) in a sustainable way.

Policy Title and Reference	East Herts District Plan (2018)	Commentary
POLICY W12: GREEN AND BLUE INFRASTRUCTURE AND DELIVERING BIODIVERSITY NET GAIN	NE1, NE2, NE3, NE4	<p>This policy supports the District Council’s commitment to conserving and enhancing those important landscape and townscape elements which form a key part of the district’s character and the quality of life of its residents.</p> <p>It does this by mapping out, at a neighbourhood level, the natural green and blue features and corridors that provide habitats and movement routes for flora and fauna. It also sets out criteria that should be considered for development impacting this network, including how such development might enhance the network. Opportunities for biodiversity improvements are identified where biodiversity net gain units, for instance, might be beneficial.</p>
POLICY W13: LOCAL GREEN SPACES	CFLR2	<p>The East Herts District Plan notes that local communities, through Neighbourhood Plans, can identify green areas of particular importance to them for special protection. Policy W13 identifies 12 such spaces that are demonstrably special to the community and which are considered to meet the NPPF Local Green Space criteria.</p>
POLICY W14: MANAGING THE ENVIRONMENTAL IMPACT OF DEVELOPMENT	DES2, DES3, NE3	<p>The East Herts District Plan supports proposals that will be beneficial to biodiversity. Policy W14 identifies natural features and habitats that contribute to this, but which are not statutorily protected. These features should be retained and enhanced. The policy also considers other design features that are supported within developments, to optimise flora and fauna.</p>
POLICY W15: IMPROVING WALKING AND CYCLING	WARE2, TRA1	<p>The District Plan echoes the national and county-wide aims to seek a reduction in the growth of car usage and the greater use of more sustainable modes of transport. Policy W15 supports this by setting out, at the neighbourhood level, key movement routes that have been identified as critical to linking developments to and ensuring that they well-maintained, safe and pleasant to use. Ware is of a size that is considered to be very walkable and cyclable. The routes demonstrate the most effective linkages to enable this. Whilst this will not necessarily reduce through-traffic, it will encourage more local journeys to be undertaken by more sustainable modes. In turn, this will contribute to wider strategic ambitions, for instance reducing air pollution and encouraging healthier</p>

Policy Title and Reference	East Herts District Plan (2018)	Commentary
		lifestyles and choices.
POLICY W16: MITIGATING VEHICULAR IMPACTS AT JUNCTIONS	TRA1, TRA2	The District Plan states that where additional trips are predicted from a site it is necessary to ensure that measures can commensurately mitigate the impact where possible. This includes being acceptable in highway safety terms; not resulting in any severe residual cumulative impact and not having a significant detrimental effect on the character of the local environment. Policy W16 seeks to add additional detail to this by setting out the particular junctions and roads that are already problematic – from a traffic and pedestrian perspective – in the neighbourhood area and requiring development proposals to be mindful of these when preparing their transport assessments/statements.
POLICY W17: MAXIMISING THE POTENTIAL FOR CHILDREN TO WALK SAFELY TO SCHOOL	TRA2	Policy W17 is closely linked to Policy W16, focussing specifically on the potential impacts of additional and cumulative traffic movement on areas where school pick-up and drop-offs occur. Detail of these at the neighbourhood level is provided.
POLICY W18: ELECTRIC VEHICLE CHARGING	TRA3	Whilst the overarching feature of the neighbourhood plan is to encourage active modes of travel, Policy W18 recognises the fact that car usage will continue for many. The policy sets out, at a local level, support for the provision of electric vehicle charging points, to encourage and support a shift towards more sustainable modes of car travel. The justifying text includes specific areas in the town that would benefit from such provision.
POLICY W19: IMPROVING PROVISION OF COMMUNITY FACILITIES, INCLUDING ACCESSIBLE TOILET FACILITIES, AND PROMOTING SHARED, FLEXIBLE SPACES	CFLR1, CFLR7	Community facilities provide for the health and wellbeing, social, educational, recreational, leisure and cultural needs of the community. The District Plan states that the provision of adequate and appropriately located community facilities will be sought in conjunction with new development. Policy W19 adds additional local detail to this by setting out the sort of provision that is required in Ware, as evidenced through the community engagement.

Policy Title and Reference	East Herts District Plan (2018)	Commentary
POLICY W20: ALLOTMENTS AND COMMUNITY GROWING SPACES	CFLR1	One of the District Council’s priorities is to tackle health inequalities across the District and to improve and promote the health and wellbeing of East Herts residents. Policy W20 supports this by emphasising the importance that allotment provision makes to this ambition, alongside broader environmental benefits. The policy seeks to safeguard existing provision and encourages new provision, including smaller ‘growing spaces’, which could be more achievable within denser development proposals.

5 Basic Condition (vi) - conformity with EU obligations

- 5.1 The WNP, and the process under which it was made, conforms to the Strategic Environmental Assessment (SEA) Directive (EU 2001/42/EC) and the Environmental Assessment of Plans and Programmes Regulations 2004 (the Regulations).
- 5.2 In accordance with Regulation 9 of the SEA Regulations 2004, East Herts District Council, as the responsible authority, determined on 2 March 2022 that a Strategic Environmental Assessment (SEA) is not required as the Plan's policies are unlikely to have significant environmental effects.
- 5.3 A copy of the Screening Statement letter is contained in Appendix A.

6 Basic condition (vii) - conformity with the prescribed conditions

- 6.1 Under Directive 92/43/EEC, also known as the Habitats Directive³, it must be ascertained whether the Plan is likely to breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017. Assessments under the regulations are known as Habitats Regulation Assessments ("HRA"). An appropriate assessment ("AA") is required only if the Plan is likely to have significant effects on a European protected species or site. To ascertain whether or not it is necessary to undertake an assessment, a screening process is followed.
- 6.2 East Herts District Council, as the responsible authority, determined on 2 March 2022 that the Neighbourhood Plan is unlikely to have significant impact on European sites and therefore does not require a full HRA to be undertaken.
- 6.3 In addition to conforming to its EU obligations, the Plan does not breach and is not otherwise incompatible with the European Convention on Human Rights.
- 6.4 A copy of the Screening Statement letter is contained in Appendix A.

7 Conclusion

- 7.1. The relevant Basic Conditions as set out in Schedule 4B to the TCPA 1990 are considered to be met by the Ware Neighbourhood Plan and all the policies therein. It is therefore respectfully suggested to the Examiner that the Neighbourhood Plan complies with Paragraph 8(1) (a) of Schedule 4B of the Act.

³ Directive 92/43/EEC 'on the conservation of natural habitats and of wild fauna and flora': <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:31992L0043>

Appendix A: SEA/ HRA Screening Statement letter

Policy and Implementation

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

EastHertsDC
EastHerts
easthertscouncil



Tuesday, 15 March 2022

Dear Ms Eardley,

Strategic Environmental Assessment and Appropriate Assessment Screening Report for Ware Neighbourhood Plan

I write to advise that on the 2nd 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 Ware Neighbourhood 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 Ware Neighbourhood 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 Wednesday 9th March.

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

Kind regards,

A handwritten signature in black ink that reads 'L. E. Guy'.

Laura Guy
Principal Planning Officer
Planning Policy and Implementation