

# WALKERN NEIGHBOURHOOD PLAN 2021 - 2033

## Basic Conditions Statement



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# Walkern Neighbourhood Plan

## Basic Conditions Statement

### 1 Introduction

- 1.1 This statement has been prepared by Walkern Parish 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 Walkern 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 and 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 Walkern Neighbourhood Plan, 2021 - 2033, submitted by Walkern Parish Council, meets all the necessary requirements.

### 2 Legal Requirements

- 2.1 The Walkern Neighbourhood Plan revision (‘the Neighbourhood Plan’) is submitted by Walkern Parish Council, the qualifying body, which is entitled to submit a neighbourhood plan for the Walkern Neighbourhood Plan Area.
- 2.2 The Neighbourhood Plan is a community-led framework for the future development and growth of the parish, originally prepared by Walkern Neighbourhood Planning Group and overseen by the Parish Council. The revision of the Neighbourhood Plan has been compiled by the Parish Council with assistance from a planning consultant. The preparation of the Plan 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 whole parish of Walkern was formally designated as a Neighbourhood Plan Area through an application made under the Neighbourhood Planning (General) Regulations 2012 (part 2 S6) and approved by East Herts District Council on 6<sup>th</sup> January 2015. The Neighbourhood Plan Area is shown in Figure 1.
- 2.5 The Neighbourhood Plan relates to the Walkern Neighbourhood Plan Area. There are no other neighbourhood plans in place within the area and the area does not overlap (but lies adjacent to) any other neighbourhood plan area.
- 2.6 To ensure that the last of the Basic Condition above in paragraph 1.2 has been met, a Strategic Environmental Assessment (SEA) Screening Report was submitted to East Herts Council. Following East Herts consultation with the three prescribed statutory bodies, on the Screening Report, East Herts Council issued a Screening Determination confirming that the Walkern Neighbourhood Plan Review is unlikely to have significant environmental effects. The determination along with responses from each consultee are attached at [Appendix A](#).

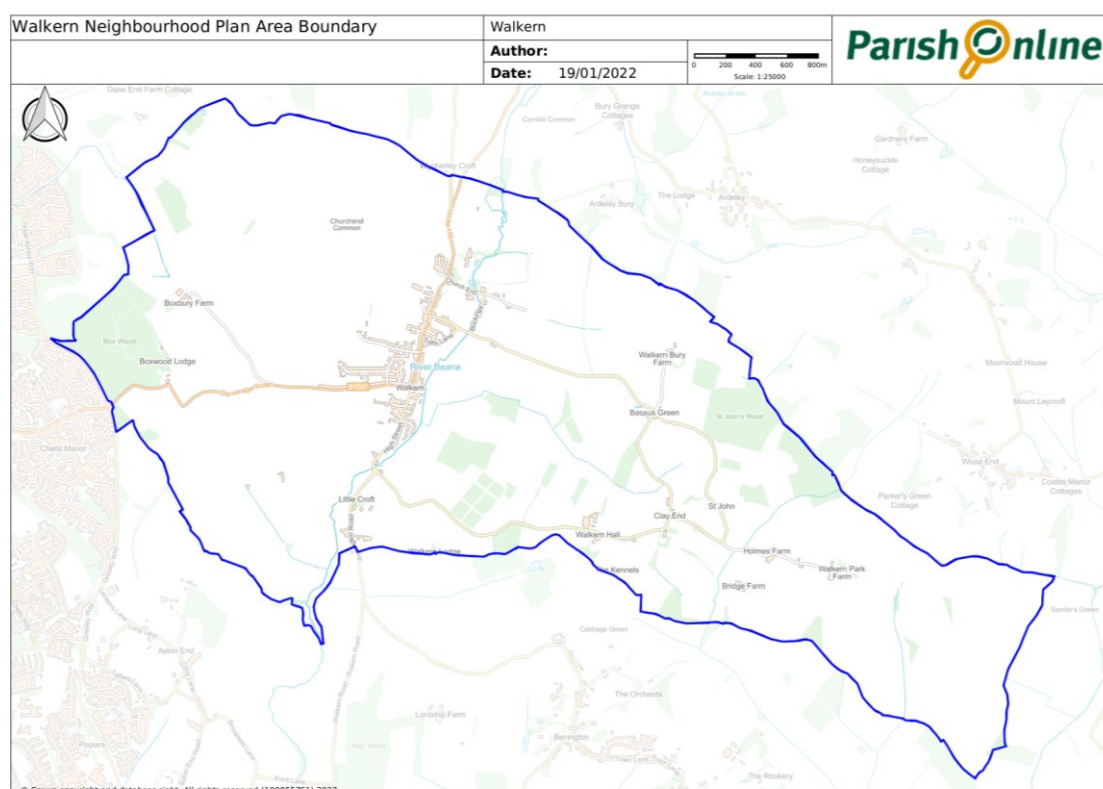


Figure 1 Neighbourhood Plan Area

### 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 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 aims to meet the needs and demands of the local community, conserving the rural feel of the parish and to further enhance the well-being of new and existing residents, as well as ensuring that all development is sustainable.
- 3.3 In accordance with the NPPF, it is important that the planning policies have three overarching objectives that are both interdependent and dependent. These objectives 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 The policies in the Neighbourhood Plan satisfy the criteria that the NPPF provides as laid out below:  
  
Economic Policies
- 3.8 Business is important in Walkern, and local businesses are supported by the village community. Policies in the Plan seek to balance the needs of business with social sustainability and the environment. Policy WLK15 recognises the need for new businesses and Policy WLK16 provides criterion for the diversification of farm businesses provided they are appropriate to the rural setting of Walkern.  
  
Social Policies
- 3.9 Social policies include accessibility of housing (Policies WLK12 - WLK14) including affordability and design; sustainable transport provision (Policy WLK18) on mitigating traffic impact and ensuring sustainable modes of travel; and health and wellbeing policies for open space and providing for healthy activities (WLK8 and WLK19).  
  
Environmental Policies
- 3.10 Environmental policies feature prominently in the Plan. They cover the protection of the landscape, views, heritage, biodiversity and Local Green Space designations (Policies WLK2 - WLK10), and housing design including renewable energy (Policy WLK14).

## 4 Contributing to Achieving 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 Walkern Neighbourhood Area Plan support sustainable development by:
- Providing a framework containing policies which guide new housing developments in the Parish up to 2033
  - Protecting the character of the built environment and rural landscape setting by protecting views and valuable heritage assets
  - Ensuring that new building meets high sustainability and design standards
  - Encouraging appropriate local enterprise
  - Promoting the use of sustainable modes of transport
  - Proposing improved leisure facilities
  - Preserving and enhancing woodlands, hedges, and green spaces
  - Protecting and promoting biodiversity when considering new development
- 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 e.g., cycling and walking. Policies in the Neighbourhood Plan have been prepared having regard to these principles, considering the village location and the lack of sustainable public transport available to residents.

## 5 Conformity with Strategic Policies in the Local Plan

- 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](#) 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](#) shows which of the Neighbourhood Plan policies relate to the strategic District Plan policies listed below:
- INT1 (Presumption in Favour of Sustainable Development)
  - DPS1 (Housing, Employment and Retail Growth)
  - DPS2 (The Development Strategy 2011-2033)
  - DPS3 (Housing Supply 2011-2033)
  - DPS4 (Infrastructure Requirements)
  - DPS5 (Neighbourhood Planning)
  - GBR1 (Green Belt)
  - GBR2 (Rural Area Beyond the Green Belt)
  - VILL1 (Group 1 Villages)
  - HOU1 (Type and Mix of Housing)
  - HOU2 (Housing Density)
  - HOU3 (Affordable Housing)
  - HOU4 (Rural Exception Affordable Housing Sites)
  - ED1 (Employment)
  - ED2 (Rural Economy)
  - DES2 (Landscape Character)
  - TRA1 (Sustainable Transport)
  - CFLR1 (Open Space, Sport and Recreation)
  - CFLR2 (Local Green Space)
  - NE1 (International, National and Locally Designated Nature Conservation Sites)
  - NE3 (Species and Habitats)
  - HA1 (Designated Heritage Assets)
  - CC1 (Climate Change Adaptation)
  - CC2 (Climate Change Mitigation)
  - WAT1 (Flood Risk Management)
  - WAT5 (Sustainable Drainage)
  - EQ4 (Air Quality)
- 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. Walkern Parish Council has reviewed their Neighbourhood Plan and will continue to monitor its effectiveness and ensure that the policies laid out in the Plan remain in general conformity with the adopted East Herts District Plan October 2018 or a new Local Plan prepared by the District Council.

## 6 Compatibility with Human Rights and EU 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 Walkern Parish Council submit this statement. It confirms that the submitted Walkern Neighbourhood Plan meets the basic conditions required of a neighbourhood plan as defined in current neighbourhood planning legislation.

## 8 Appendices

[APPENDIX A](#): East Herts Council SEA/HRA Screening Determination

[APPENDIX B](#): Table indicating how the policies in Walkern Neighbourhood Plan help to achieve the strategic objectives in the East Herts District Plan 2011 - 2033

[APPENDIX C](#): Table indicating how the policies in the Walkern Neighbourhood Plan are in accordance with the strategic policies in the East Herts District Plan 2011 - 2033



## Appendix A: East Herts SEA Screening Determination

The response letters from the three statutory consultees are attached below followed by the SEA determination from East Herts Council.

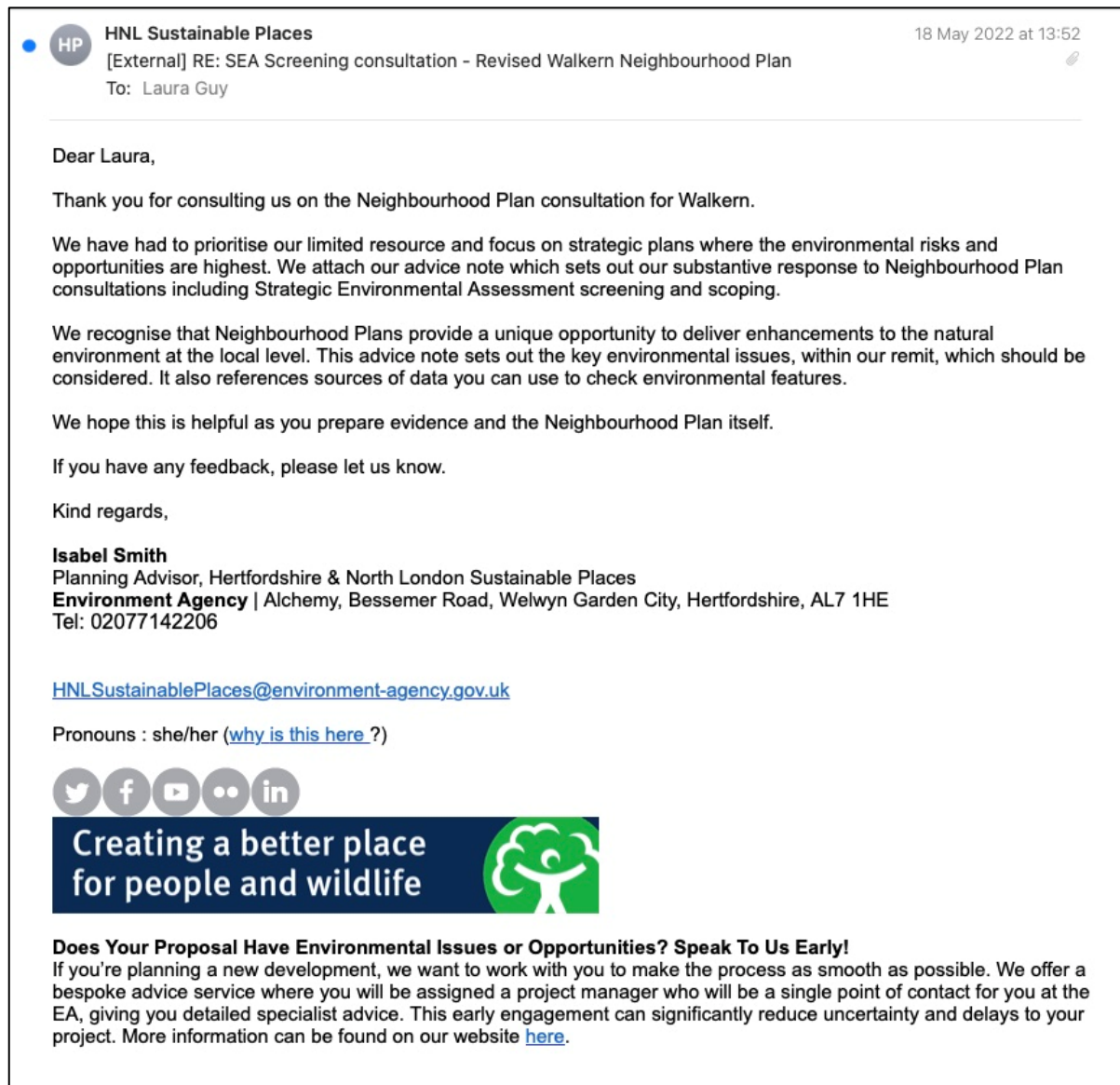


Figure 2 Environment Agency Response

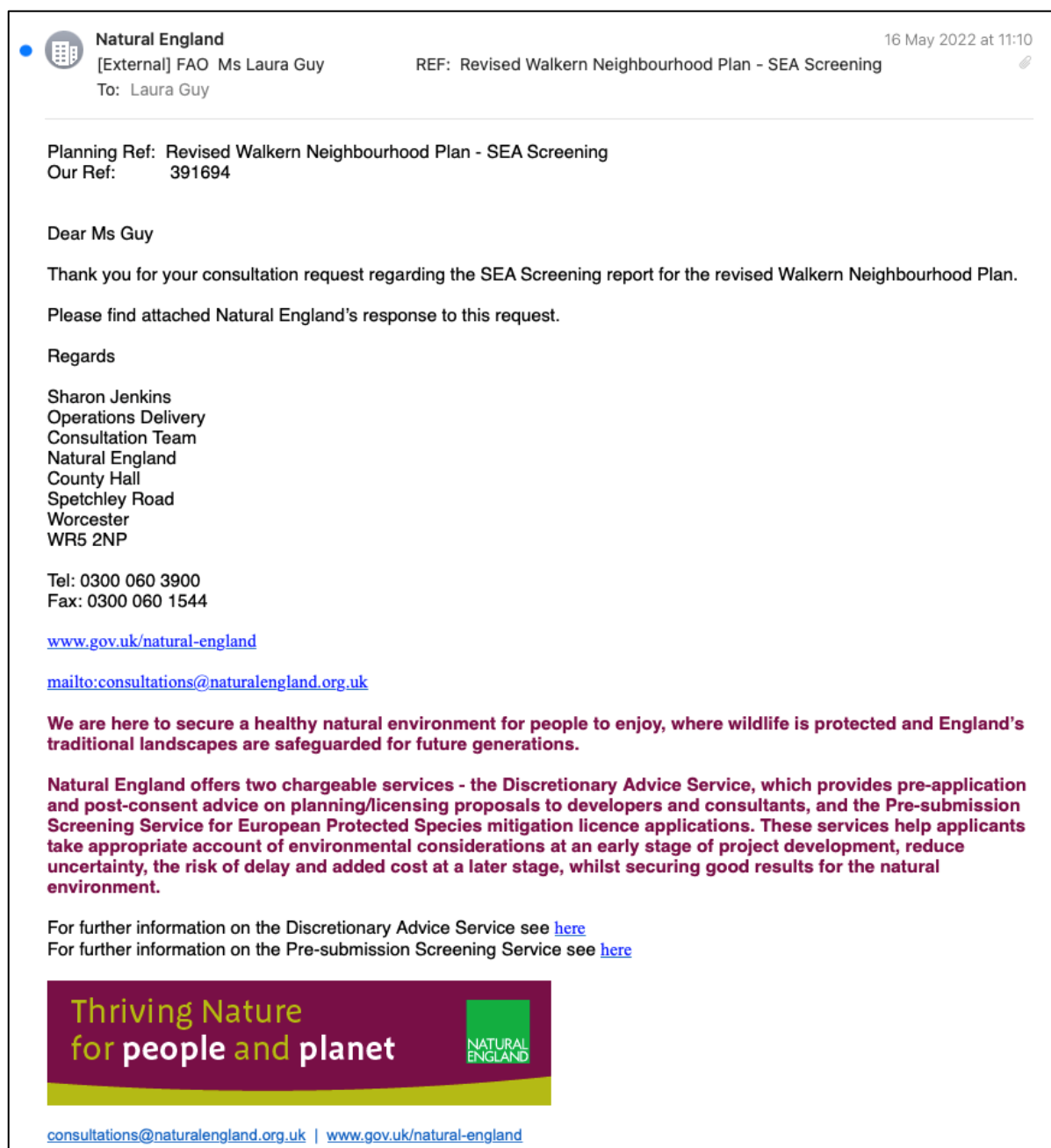


Figure 3 Natural England Response

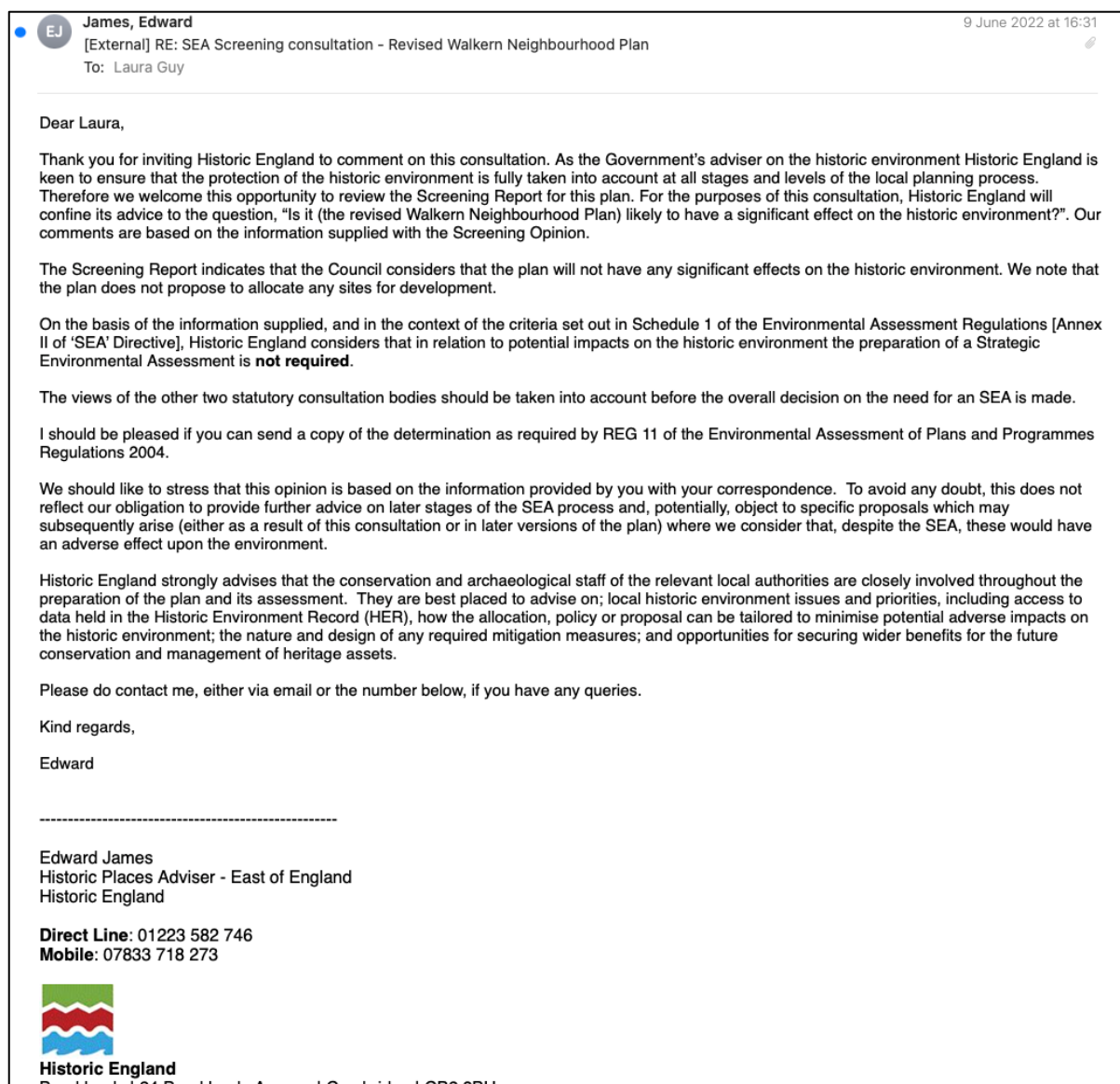


Figure 4 Historic England Response

## Policy and Implementation

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www.eastherts.gov.uk  
East Herts Council, Wallfields, Pegs Lane, Hertford, SG13 8EQ

EastHertsDC  
EastHerts  
easthertscouncil



Thursday, 03 November 2022

Dear Ms Broady,

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

I write to advise that on the 6<sup>th</sup> October 2022 it was agreed that the Parish 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 Walkern Neighbourhood Plan Review 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 Walkern Neighbourhood Plan Review for 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 13<sup>th</sup> October.

The screening decision can be viewed on the Council's website: [Decision - Walkern Neighbourhood Plan Revision 2021-2033. Draft Pre-Submission SEA Screening Report \(NKD22/14\) - East Herts District Council](#)

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

Kind regards,

A handwritten signature in blue ink, appearing to read 'L. Guy'.

Laura Guy  
Principal Planning Officer  
Planning Policy

Figure 5 East Herts Council SEA Decision Letter

## Appendix B: WALKERN Policies Mapped to the Strategic Objectives in East Herts District Plan 2011–2033

Table indicating how the policies in Walkern 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	WLK7, WLK11, WLK14
Encourage safe and vibrant mixed communities	WLK11, WLK14, WLK19, WLK20
Balance the housing market	WLK1, WLK12, WLK13
Protect the countryside & historic environment and promote good design	WLK2, WLK3, WLK4, WLK5, WLK10, WLK11, WLK14
Foster entrepreneurship	WLK15, WLK16, WLK17
Improve access and sustainable transport	WLK18
Maintain and improve existing facilities and provide new facilities	WLK19, WLK20
Improve health and wellbeing and reduce health inequalities	WLK8, WLK10, WLK20
Protect and enhance environmental assets including biodiversity	WLK6, WLK7, WLK9, WLK10
Provide necessary infrastructure	WLK1, WLK18



## Appendix C: WALKERN Policies Mapped to the Strategic Policies in East Herts District Plan 2011–2033

Table indicating how the policies in the Walkern Neighbourhood Plan are in accordance with the strategic policies in the East Herts District Plan 2011 - 2033

District Plan Strategic Policies	Neighbourhood Plan Policies
INT1 Sustainable Development	All
DPS1 Housing, Employment and Retail Growth	WLK1, WLK12-WLK13, WLK15-WLK17
DPS2 Development Strategy	WLK1,
DPS3 Housing Supply	WLK1, WLK12-WLK13,
DPS4 Infrastructure Requirements	WLK1, WLK11, WLK14, WLK20
DPS5 Neighbourhood Planning	All
GBR1 Green Belt	WLK1, WLK2,
GBR2 Rural Area Beyond the Green Belt	WLK1, WLK2, WLK13
VILL1 Group 1 Villages	WLK1
ED2 Rural Economy	WLK15, WLK16, WLK17
DES2 Landscape Character	WLK2, WLK3, WLK9, WLK10, WLK11
TRA1 Sustainable Transport	WLK8, WLK18, WLK19
CFLR1 Open space, Sport and Recreation	WLK8, WLK9, WLK10, WLK11, WLK19
CLFR2 Local Green Space	WLK10
NE1 Designated Nature Conservation	WLK6, WLK10
NE3 Species and Habitats	WLK6, WLK7, WLK9
HA1 Designated Heritage Assets	WLK3, WLK4, WLK5
CC1 Climate Change Adaption	WLK7, WLK11, WLK14
CC2 Climate Change Mitigation	WLK7, WLK11, WLK14
WAT1 Flood Risk Management	WLK9, WLK11, WLK14
WAT5 Sustainable Drainage	WLK11, WLK14
EQ4 Air Quality	WLK14, WLK18