



*Stanstead Abbots  
& St Margarets*

Draft Neighbourhood Plan

2017-2033

*DRAFT BASIC CONDITIONS STATEMENT*



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# *Stanstead Abbotts and Saint Margarets Draft Basic Conditions Statement*

## *1. Introduction*

- 1.1 This statement has been prepared by Stanstead Abbotts Parish Council, to accompany the submission of the Stanstead Abbotts and St Margarets Neighbourhood Plan (the Neighbourhood Plan) to the local planning authority, East Hertfordshire District Council.
- 1.2 In accordance with the Neighbourhood Planning (General) Regulations 2012 (as amended), the 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 Stanstead Abbotts and St Margarets Neighbourhood Plan, 2017 – 2033, meets all the necessary requirements.

## *2. Legal Requirements*

- 2.1 The Neighbourhood Plan is a community-led framework for the future development and growth of the Neighbourhood Plan Area. It has been compiled on behalf of the three Parish Councils, Stanstead Abbotts, Stanstead St Margarets, and Great Amwell, by a community Steering Group, which was set up on 21<sup>st</sup> June 2017, for the purpose of managing the process and drafting the document. The Neighbourhood Plan has been thoroughly researched and guided by extensive consultation with the local community. At its heart is the sustainability of the Neighbourhood Plan Area.
- 2.2 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.

- 2.3 After some months of discussion between the Parish Councils and East Herts District Council, Stanstead Abbotts Parish Council, as the lead parish and 'qualifying body' submitted an application for the Designated Area (the entire parishes of Stanstead St Margarets (known as St Margarets) and Stanstead Abbotts and the South East section of Great Amwell Parish within the village settlement). The area covered by the Neighbourhood Plan is shown in **Figure 1**. This was formally designated by East Herts Council on 11<sup>th</sup> September 2018.

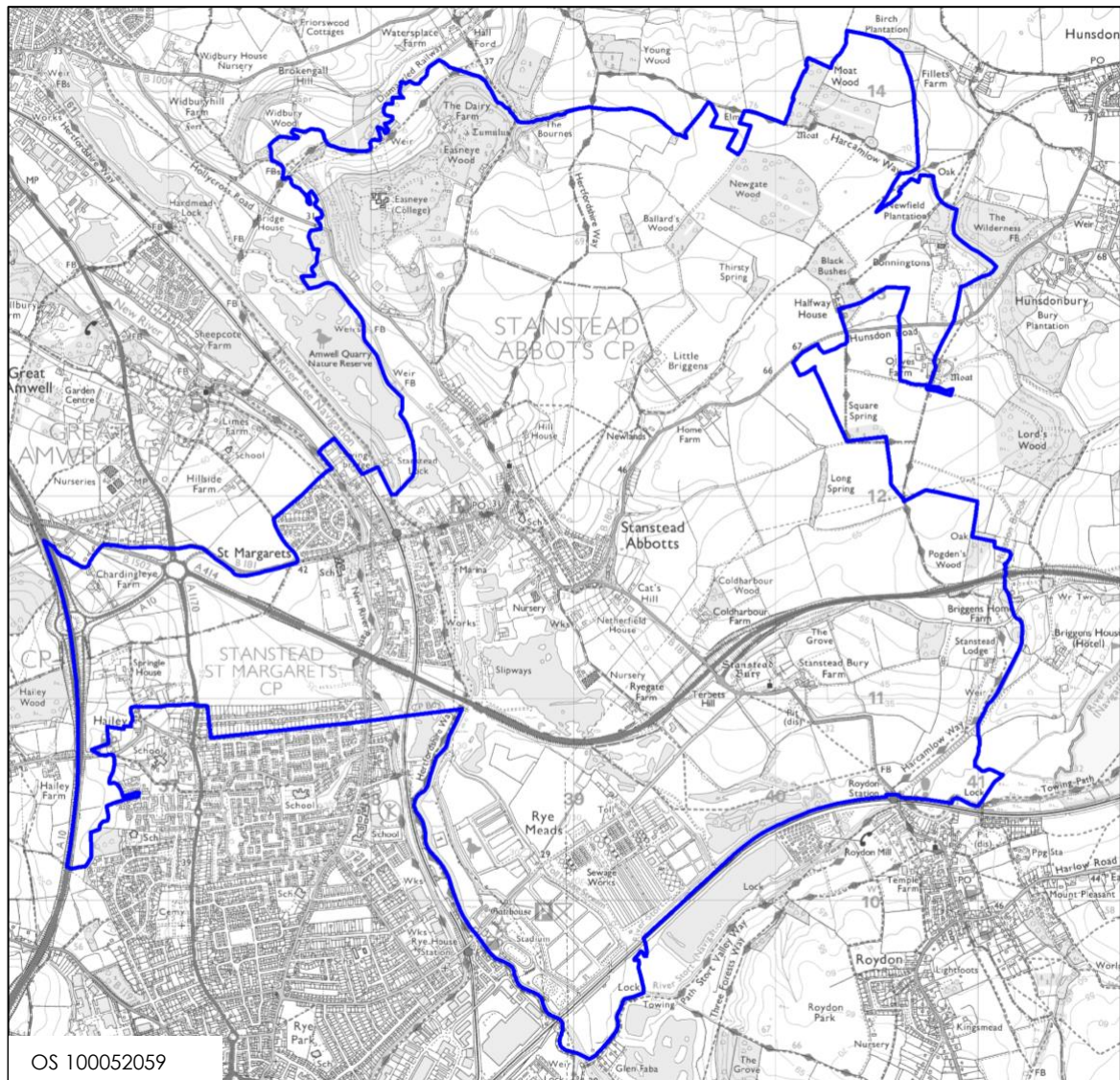


FIGURE 1 NEIGHBOURHOOD PLAN DESIGNATED AREA MAP

- 2.4 To ensure that the last of the Basic Conditions above in paragraph 1.2 has been met, the Neighbourhood Plan is accompanied by a Strategic Environmental Assessment (SEA) and a Habitats Regulations Assessment, produced by AECOM. Although both reports were produced prior to a Screening Report being produced and consultation with the statutory consultees, this process was later completed by



East Herts Council. The report of the determination is attached at **Appendix A: SEA/HRA Screening Determination**. The screening determination concluded that there were likely to be significant environmental effects from implementing the Neighbourhood Plan on a Natura 2000 (European) designation and would therefore require both an HRA and a SEA. Both reports are available on the [Stanstead Abbots Neighbourhood Plan website](#).

### **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 has been prepared having regard to the policies of the East Herts District Plan, adopted in October 2018. The Plan has also been checked against government planning policies in the National Planning Policy Framework February 2019 (NPPF) and the on-line Planning Practice Guidance (NPPG). Within both the national and local frameworks, the Neighbourhood Plan is concerned with the development and use of land in the designated area in the period to 2033. In accordance with national policy, the Plan seeks to promote sustainable development and embraces a range of social, economic, and environmental issues.
- 3.3 A vision for the designated area is coupled to a list of objectives, which will be achieved through planning policies, proposals, and a comprehensive Action Plan. The objectives cover housing, design, the riverside, heritage, natural environment, leisure and community facilities, business and employment, and transport. All of these fit together to support the sustainable growth of the Neighbourhood Plan Area, promoting new housing whilst protecting the vulnerable environment of the area and providing new facilities for the wellbeing of the community.
- 3.4 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).
- 3.5 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).
- 3.6 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).



- 3.7 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).
- 3.8 While preparing the Neighbourhood Plan the Steering Group ensured that the policies satisfy the criteria that the NPPF provides as laid out below. Some policies are named, and others are referred to in passing. The housing, design, riverside, and transport policies aim to support all three aspects of sustainability whilst others are specific. Transport policies promote safe and sustainable transport (SASM TR1). Despite valiant efforts to encourage development proposals on brownfield sites, there was no alternative but to designate a small area of Green Belt outside the village boundary for housing that the village needed (SASM H3). All housing over and above that designated in the Neighbourhood Plan should be on brownfield/appropriate infill sites throughout the Neighbourhood Plan period.

### *Economic Policies*

- 3.9 There is a wide range of local business and employment opportunities with over 200 businesses supported in the Neighbourhood Plan Area, including three designated employment areas and the shops and services in the High Street. The Neighbourhood Plan encourages new businesses to establish and prosper.
- 3.10 Policies support diversification of farm businesses and tourism uses in the Lee Valley Park (SASM B4), protect local employment areas whilst also considering new uses within those areas (SASM B1), and consider how best to maintain the viability and vitality of the High Street (SASM B2). There is also a policy to encourage flexible design of employment premises and flexible working from home (SASM B5 and SASM B3).

### *Social Policies*

- 3.11 These policies deal with community and leisure facilities, protecting what the village already has and also looking for new activities and services (SASM CL1 to CL4). The list of valued community facilities includes allotments, community centres and popular pubs, orchards, woodland and the footpath along the old Buntingford Railway Line. The Action Plan contains a list of new facilities that will be sought.

### *Environment Policies*

- 3.12 The natural and the historic environment have their own sections in the Neighbourhood Plan. Through the preparation of the Neighbourhood Plan, collecting evidence for policy formulation has been created new interest in heritage assets, particularly archaeology and has resulted in published heritage walks. The Heritage policies protect both designated and non-designated heritage assets (SASM HA1 to HA3) and include a policy for protected views (SASM HA4) which are considered to be part of the heritage of the village.



- 3.13 The special features of the Neighbourhood Plan Area include special areas of nature conservation, particularly wetlands but this also means much of the central area is in Flood 2 or 3. Policies designate Local Green Spaces (SASM NE1) and identified valued hedgerows and trees for protection (SASM NE3).

#### *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 Stanstead Abbots and St Margarets Neighbourhood Plan support sustainable development by:
- Providing a framework containing policies to allocate sites for and guide new sustainable housing developments, including along the riverside
  - Ensuring that new building meets high sustainability and design standards through the Design Codes
  - Improving access to locally affordable housing
  - Protecting the historic fabric, character, rural identity of the area
  - Identifying and protecting trees, hedges, green spaces, wildlife and biodiversity
  - Proposing improved leisure and community facilities
  - Maintain and expand the employment/business opportunities including social enterprise and tourism in the village to reduce travel to work
  - Promoting sustainable travel options for everyone
- 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, considering the village location and the benefit of a railway station and active river corridor.

#### *5. Conformity with Local Plan 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 Plan Policies and Neighbourhood Plan** Policies 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)

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)

WAT2 (Source Protection Zones)

WAT5 (Sustainable Drainage)

WAT6 (Wastewater Infrastructure)

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. Accordingly, Stanstead Abbots Parish 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 or future revision.

## **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 Stanstead Abbots Parish Council submit this statement. It confirms that the submitted Stanstead Abbots and St Margarets Neighbourhood Plan meets the basic conditions required of a neighbourhood plan as defined in current neighbourhood planning legislation.

## **8. *Appendices***

**Appendix A: SEA/HRA Screening Determination**

**Appendix B: District Objectives and Neighbourhood Plan Policies**

**Appendix C: Strategic District Plan Policies and Neighbourhood Plan Policies**



## *Appendix A: SEA/HRA Screening Determination*

### **East Herts Council – Non-Key Decision Record**

**Record of executive decision made by an individual under Regulation 13 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012**

**Reference Number: NKD23/01**

**Taken by: Councillor Jan Goodeve – Executive Member for Planning and Growth**

#### **Decision**

- (A) The emerging Stanstead Abbots and St Margarets Neighbourhood Plan is likely to have a significant effect upon a Natura 2000 (European) designations and therefore does require a Habitats Regulation Assessment (HRA);**
- (B) That in accordance with the Strategic Environmental Assessment (SEA) Directive, the emerging Stanstead Abbots and St Margarets Neighbourhood Plan also requires an SEA.**

#### **Date of Decision**

6 January 2023

#### **Reason(s) for decision**

The purpose of this report is to determine whether or not a Strategic Environmental Assessment (SEA) and/or a Habitats Regulations Assessment (HRA) of the emerging Stanstead Abbots and St Margarets Neighbourhood Plan is required.

#### **Details of alternative options considered and rejected**

In order for a Neighbourhood Plan to meet the Basic Conditions it must be compatible with relevant legal obligations. Therefore the Local Planning Authority must determine whether the Plan requires a



Strategic Environmental Assessment or Habitats Regulations Assessment. A Neighbourhood Plan cannot proceed through examination without fulfilling the legal requirements of the SEA and HRA process.

**Does the decision or report contain exempt information?**

No

**State nature of any declaration of conflict of interest made by any Executive Member who is consulted by the Member taking the decision**

None

**State, in respect of any declared conflict of interest, whether any dispensation has been granted**

None

**Contact Officer**

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Claire Sime – Service Manager (Policy and Implementation)

Sara Saunders – Head of Planning and Building Control



### *Appendix B: District Objectives and Neighbourhood Plan Policies*

Table indicating how the policies in Stanstead Abbots and St Margarets Neighbourhood Plan help to achieve the strategic objectives in the East Herts District Plan 2011 – 2033.

District Plan Strategic Objectives	Neighbourhood Plan Policies (SASM)
Mitigate the effects of climate change	NE3 & NE4
Encourage safe and vibrant mixed communities	H5, H10 D1, SD3 & D4 NE1, NE4 CL1 & CL3 TR1 IM1
Balance the housing market	H1 to H11 inclusive R1
Protect the countryside & historic environment and promote good design	H1 D1 to D4 R1 & R2 HA1 to HA4
Foster entrepreneurship	B1 to B5
Improve access and sustainable transport	TR1
Maintain and improve existing facilities and provide new facilities	CL1 to CL4 IM1
Improve health and wellbeing and reduce health inequalities	CL1 to CL4 IM1
Protect and enhance environmental assets including biodiversity	NE1 to NE4
Provide necessary infrastructure	H3 D2 R2 NE1 CL2 TR1 to TR3





### *Appendix C: Strategic District Plan Policies and Neighbourhood Plan Policies*

Table indicating how the policies in the Stanstead Abbots and St Margarets Neighbourhood Plan are in accordance with the strategic policies in the East Herts District Plan 2011 – 2033.

<b>District Plan Strategic Policies</b>	<b>Neighbourhood Plan Policies</b>
INT1 Sustainable Development	All policies
DPS1 Housing, Employment and Retail Growth	H2 to H9 and B1 to B5
DPS2 Development Strategy	H1 and H2
DPS3 Housing Supply	H2 to H11
DPS4 Infrastructure Requirements	H3, D2, R2, NE1, CL2, TR1 to TR3
DPS5 Neighbourhood Planning	All Policies
GBR1 Green Belt	H1
VILL1 Group 1 Villages	H1 to H8
VILL4 Village Employment Areas	B1
ED2 Rural Economy	B4
DES2 Landscape Character	HA4 and NE3
TRA1 Sustainable Transport	TR1
CFLR1 Open space, Sport and Recreation	CL3
CLFR2 Local Green Space	NE1
NE1 Designated Nature Conservation	NE2
NE3 Species and Habitats	NE2 and NE3
HA1 Designated Heritage Assets	HA1 to HA3
CC1 Climate Change Adaption	NE3
CC2 Climate Change Mitigation	NE4
WAT1 Flood Risk Management	NE4
WAT2 Source Protection Zones	NE4
WAT5 Sustainable Drainage	H5 and NE4
WAT6 Wastewater Infrastructure	H2
EQ4 Air Quality	TR1, IM1





Rooftops, The Maltings, Linda Gifford

[Front cover, The Canal, Linda Gifford]