

**BARKWAY AND NUTHAMPSTEAD NEIGHBOURHOOD PLAN 2020-2031
BASIC CONDITIONS STATEMENT**

1. Introduction

1.1 In accordance with the Neighbourhood Plan Regulations 2012 (as amended), this plan must satisfy “basic conditions” before it can come into force. The plan must:

- Have appropriate regard to national planning policy
- Contribute to the achievement of sustainable development
- Be in general conformity with the strategic policies in the development plan for the local area
- Not breach and otherwise be compatible with European Union (EU) Regulations, including human rights requirements and not be likely to have a significant effect on a European site or European off-shore marine site.

1.2 In addition, the Neighbourhood Plan must meet the prescribed legal requirements. This statement confirms that the Barkway and Nuthampstead Parish Neighbourhood Plan 2020 – 2031, which will be submitted by Barkway Parish Council, meets all the necessary requirements.

2. Legal requirements

2.1 The Barkway and Nuthampstead Parish Neighbourhood Plan (hereinafter called the Neighbourhood Plan) will be submitted by Barkway Parish Council, which as the qualifying body is entitled to submit a neighbourhood plan for its own parish. The Neighbourhood Plan has been prepared by the Barkway and Nuthampstead Neighbourhood Plan Steering Group (hereinafter called the Steering Group) and overseen by Barkway Parish Council. The combined parishes of Barkway and Nuthampstead have been formally designated as the Neighbourhood Area through an application made under the Neighbourhood Planning (General) Regulations 2012 (part 2 S6) and approved by North Hertfordshire District Council on 5 August 2014.

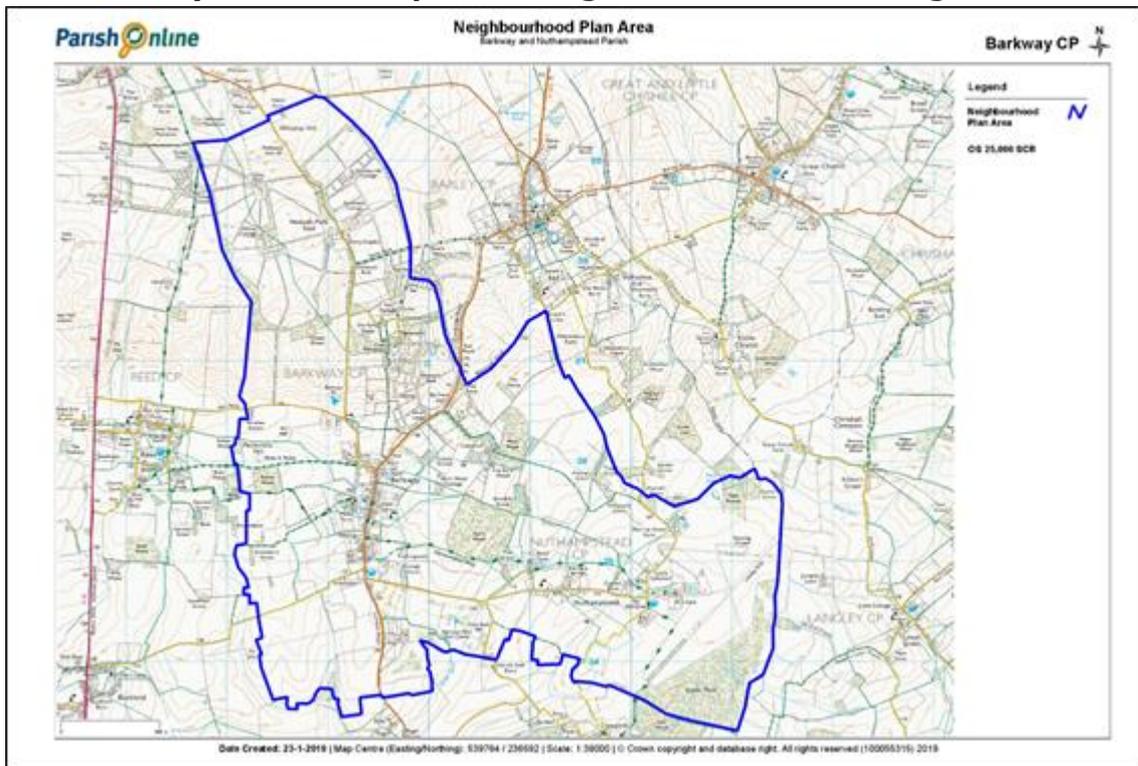
2.2 The Neighbourhood Plan contains policies relating to the development and use of land within the neighbourhood area. The proposals relate to planning matters and have been prepared in accordance with the statutory requirements and processes set out in the Town and Country Planning Act 1990 (as amended by the Localism Act 2011) and the Neighbourhood Planning (General) Regulations 2012 (as amended).

2.3 The Neighbourhood Plan identifies the period to which it relates as 2020 - 2031. This period has been chosen to align with the end date of the emerging North Hertfordshire Local Plan 2011 - 2031. The emerging North Hertfordshire Local Plan was submitted for Examination on the 9th June 2017; that Examination is still in progress. The Neighbourhood Plan does not deal with county matters (mineral extraction and waste development), nationally significant infrastructure or any other matters set out in section 61K of the Town and Country Planning Act 1990.

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2.4 The Neighbourhood Plan relates to the Barkway and Nuthampstead Neighbourhood Area, incorporating the two parishes of Barkway and Nuthampstead, and to no other area. The Neighbourhood Plan relates to this one combined neighbourhood area and there are no other neighbourhood plans in place within the neighbourhood area. The Neighbourhood Area is shown on the map below:

Barkway and Nuthampstead Neighbourhood Plan Designated Area



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

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

2.6 In order to ensure compliance with the last of the Basic Conditions listed in paragraph 1.1, a Strategic Environmental Assessment (SEA) Screening Report was prepared (see document BNNP SEA Screening) which was submitted by Barkway Parish Council to North Hertfordshire District Council who will seek advice from the three prescribed statutory bodies and provide a determination.

3. Regard for the National Planning Policy Framework

3.1 The Neighbourhood Plan has had regard to both the Core Planning Principles of the National Planning Policy Framework (NPPF) and the 13 themes of delivering sustainable development within it.

3.2 Core Planning Principles: The production of the Neighbourhood Plan has been led by the Steering Group, made up of volunteers, overseen by Barkway Parish Council with support, as a 'Critical Friend', from a Planning Consultancy practicing predominantly in Hertfordshire. The policies in the Neighbourhood Plan provide a practical framework to guide the Local Planning Authority in making decisions on planning applications in the parish and to provide the Parish Council with a firm basis on which to comment on planning applications.

3.3 The aims of the Neighbourhood Plan were to meet the aspirations and needs of the local residents in a safe, tranquil, rural community which thrives, socially, economically and environmentally, where new development is designed sustainably and intelligently to respect and enhance heritage, biodiversity and landscape.

3.4 Policies in the Neighbourhood Plan recognise the importance of a high quality of life and vitality for all residents, encouraging a thriving and prosperous community, promoting a distinctive and flourishing economy, supporting sustainable development, having a positive effect on the environment and protecting wildlife interests, whilst also mitigating climate change and reducing the carbon footprint of the parish.

3.5 **Sustainable Development:** Of the 13 themes of delivering sustainable development, only two are not relevant to the Neighbourhood Plan; ensuring the vitality of town centres and facilitating the sustainable use of minerals. The policies in the Neighbourhood Plan that contribute to delivering sustainable development under each of the remaining themes are set out below:

1) Building a strong, competitive economy

- BN E1** – Preserving and Developing Local Employment Opportunities
- BN E2** – Superfast Broadband

2) Ensuring the vitality of town centres (Not relevant to this plan)

3) Supporting a prosperous rural economy

- BN E1** – Preserving and Developing Local Employment Opportunities
- BN E2** – Superfast Broadband AF3 Home-based and Small Businesses

4) Promoting sustainable transport

- BN T1** – Sustainable Transport Provision
- BN T2** – Mitigating Traffic Impact
- BN T3** – Public Rights of Way
- BN T4** – Safe and Accessible Walking and Cycling Routes
- BN T5** – Vehicle Parking in Residential Development

5) Supporting high quality communications infrastructure

BN E2 – Superfast Broadband

6) Delivering a wide choice of high quality homes

BN H1 – Design of New Homes

7) Requiring good design

BN H1 – Design of New Homes

BN H2 – Layout of New Development

BN H3 – Bin Storage

BN H5 – Framework for BK3

BN H6 – Infill Development

BN H7 – Building Extensions

BN T5 - Vehicle Parking in Residential Development

8) Promoting healthy communities

BN L1 – Valued Community Assets

BN L2 – Existing Pubs

BN L3 – Development of a Community Hub

BN L4 – Protected Recreational Open Space

BN T3 – Public Rights of Way

BN T4 – Safe and Accessible Walking and Cycling Routes

BN H1 – Design of New Homes

9) Protecting green belt land

BN H4 – Barkway Village Boundary

BN H8 – Backland Development

BN NE1 – Local Green Spaces

BN NE4 – Priority Views

10) Meeting the challenge of climate change and flooding

BN NE2 – River Quin Protection

BN H1 – Design of New Homes

11) Conserving and enhancing the natural environment

BN NE1 – Local Green Spaces

BN NE2 – River Quin Protection

BN NE3 – Conserve and Enhance Biodiversity

BN NE4 – Priority Views

BN NE5 – Chestnut Avenue Protection

BN H1 – Design of New Homes

12) Conserving and enhancing the historic environment

BN HA1 – Designated Heritage Assets

BN HA2 – Non-Designated Heritage Assets

BN HA3 – Barkway Conservation Area

13) Facilitating the sustainable use of minerals (Not relevant to this plan)

4. Contributing to Achieving Sustainable Development

4.1 Sustainable development is an integral part of the Neighbourhood Plan and is specifically incorporated in two of its overall objectives. Sustainability is included in most of the housing design policies, particularly policy BN H1 (Design of New Homes); also, housing policies BN H6 and BN H7 seek to ensure that any infill development or extensions are built in a sustainable way and policies BN H2 and BN H5 seek to protect the character of the villages.

4.2 The policies that have been developed with the community were specifically designed to ensure that Barkway and Nuthampstead develop in a sustainable way, for example BN T1 Sustainable Transport Provision. It was recognised that good connectivity was vitally important to support the existing businesses operating from home and to ensure that new business is sustainable (Policies BN E1 and BN E2).

4.3 Conditions should be placed on planning applications to ensure that they include sustainable features and will support a mixed and inclusive community (Policy BN H1). This was recognised as being particularly important in relation to the potential new housing development on site BK3 – a site identified in the emerging North Hertfordshire Local Plan for 140 new homes – and covered in policy BN H5.

5. Conformity with the Strategic Policies of the Local Plan

5.1 At the time of preparing this document, the current development plan for the area consisted of the Saved Local Plan Written Statement 2007 (based on the saved policies from the District Local Plan 1996 and the Minerals and Waste Plans produced by Hertfordshire County Council). These policies have been taken into account in the formulation of the Neighbourhood Plan.

5.2 The emerging North Hertfordshire Local Plan 2011 – 2031 was submitted for examination on the 9th June 2017; the examination highlighted some issues which are in the process of being resolved but these could take several months and might require another submission under Regulation 15. Throughout the Neighbourhood Plan references are made to the policies in the emerging North Hertfordshire Local Plan 2011 – 2031 and other planning documents. However, because this plan requires changes and has not yet been adopted, the Neighbourhood Plan Policies have been compared with the relevant saved policies from North Hertfordshire District Local Plan No. 2, in the table in Appendix A to ensure compatibility; Appendix B shows the comparison with the emerging North Hertfordshire Local Plan 2011-2031.

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5.3 Policies in the Neighbourhood Plan have been written on the basis that Barkway Village has a defined settlement boundary and has currently been classed as a Village for Growth outside the Green Belt.

5.4 In addition, the Car Parking Standards contained in Policy 55 in the North Hertfordshire District Local Plan No. 2 are very out of date; the Neighbourhood Plan proposes new more relevant car parking standards and justifies those new requirements.

5.5 Barkway Parish Council will lead and monitor the implementation of the Neighbourhood Plan with a full review every five years to ensure that the policies remain in line with the North Hertfordshire Local Plan and any changes to national legislation

6. Compatibility with Human Rights and EU Legislation

6.1 The proposal and policies in the Neighbourhood Plan are compatible with the human rights legislation and all the existing requirements of European Law. The making of the Neighbourhood Plan is not likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2012) or a European offshore marine site (as defined in the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007), either alone or in combination with other plans or projects.

6.2 A Habitats Regulation Assessment screening is not required because the Neighbourhood Plan does not propose any development allocations which are additional or alternate to the sites proposed in the emerging North Hertfordshire Local Plan 2011-2031

7. Summary

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

Appendix A: Neighbourhood Plan Policy Map to the Strategic Objectives in the existing North Hertfordshire District Local Plan No. 2.

BNNP compatibility with Existing NHDC Strategic Policies	BNNP Policy Ref.																										
	H1	H2	H3	H4	H5	H6	H7	H8	NE1	NE2	NE3	NE4	NE5	HA1	HA2	HA3	L1	L2	L3	L4	E1	E2	T1	T2	T3	T4	T5
Policy 2 - Green Belt	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2
Policy 3 - Settlements within the Green Belt	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2
Policy 5 - Excluded villages	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2
Policy 6: Rural Areas beyond the Green Belt	1	1	0	1	1	1	1	1	1	1	1	1	1	1	1	1	0	0	0	0	0	0	0	0	0	0	1
Barkway	0	0	0	1	0	0	0	1	1	0	1	1	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0
Policy 14: Nature Conservation	0	0	0	0	0	0	0	0	1	1	1	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Policy 16: Areas of Archaeological Significance and other Archaeological Areas	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Policy 19: Historic Parks and Gardens	0	0	0	0	0	0	0	0	0	0	1	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
Policy 21: Landscape and Open Space Patterns in Towns	1	1	0	0	1	0	0	0	1	1	1	1	1	1	1	1	0	0	0	0	0	0	0	0	0	0	0
Policy 25: Re-use of Rural Buildings	1	0	0	0	0	0	1	0	1	1	1	1	0	1	1	1	1	1	0	1	1	0	0	0	0	0	1
Policy 26: Housing Proposals	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	0	1	0	0	0	0	0	0	0	0	1
Policy 28: House Extensions	1	0	0	0	0	0	1	0	0	1	1	1	0	0	0	1	0	0	0	0	0	0	0	0	0	0	1
Policy 29: Rural Housing Needs	1	1	1	0	0	1	1	1	1	1	1	1	1	0	0	1	0	0	0	0	0	0	0	0	0	0	1
Policy 29A: Affordable Housing for Urban Local Needs	1	0	0	0	1	1	1	0	1	1	1	1	0	0	0	1	0	0	0	0	0	0	0	0	0	0	1
Policy 30: Replacement or Extension of Dwellings in the Countryside	1	0	0	0	0	0	1	0	1	1	1	1	1	0	0	1	0	0	0	0	0	0	0	0	0	0	1
Policy 33: Relatives and Staff Accommodation	1	0	0	0	0	1	1	0	1	0	0	1	0	0	0	1	0	0	0	0	0	0	0	0	0	0	1
Policy 34: Residential Caravans and Mobile Homes	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Policy 36: Employment Provision	1	0	0	0	0	1	1	1	1	1	1	1	1	0	0	1	0	0	0	0	1	1	0	0	0	1	0
Policy 37: Business Uses (B1 Use Class)	1	0	0	0	0	1	0	0	1	1	1	1	1	2	1	1	1	0	0	0	0	0	0	0	0	0	0
Policy 39: Leisure Uses	1	1	1	0	0	1	1	0	1	1	1	1	1	0	0	1	1	0	1	1	1	0	0	0	0	0	1
Policy 42: Shopping	1	0	1	0	0	1	1	0	1	0	1	1	1	0	0	1	1	0	0	0	1	0	0	0	0	0	1
Policy 43: Shopping Areas in Town Centres	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2
Policy 45: Shopfronts	1	0	0	0	1	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0
Policy 47: General Aviation	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Policy 51: Development Effects and Planning Gain	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	1	0	1	0	0	0	1	1	0	0	1
Policy 55: Car Parking Standards	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
Policy 57: Residential Guidelines and Standards	1	1	1	0	1	1	1	0	1	1	1	1	1	0	0	1	0	0	0	0	0	0	1	1	1	1	0

Note: 1 indicates compatibility; 0 No Link or not applicable; blue shows no impact or relevance to Barkway or Nuthampstead

Appendix B: Neighbourhood Plan Policy Map to the Strategic Policies in the emerging North Hertfordshire Local Plan 2011-2031

BNNP compatibility with Proposed NHDC Strategic Policies	BNNP Policy Ref.																											
	H1	H2	H3	H4	H5	H6	H7	H8	NE1	NE2	NE3	NE4	NE5	HA1	HA2	HA3	L1	L2	L3	L4	E1	E2	T1	T2	T3	T4	T5	
Policy SP1: Sustainable development in North Hertfordshire	1	1	0	0	1	1	1	0	1	1	1	1	0	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
Policy SP2: Settlement Hierarchy	1	1	0	1	1	1	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Policy SP3: Employment	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1	0	0	0	0	
Policy SP4: Town and Local Centres	2	2	2	2	2	2	2	2	2	2	2	2	0	2	2	2	2	2	2	2	2	2	2	2	2	2	2	
Policy SP5: Countryside and Green Belt	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	0	0	0	0	0	0	0	1	1	0	0	1
Policy SP6: Sustainable transport	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1	1	1	1
Policy SP7: Infrastructure requirements and developer contributions	1	1	1	0	1	1	1	0	0	0	0	0	0	0	0	0	0	0	1	1	1	0	1	1	1	1	1	
Policy SP8: Housing	1	1	0	1	1	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Policy SP9: Design and sustainability	1	1	1	0	1	1	1	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	1	1	0	0	1	
Policy SP10: Healthy communities	1	0	0	0	0	0	0	0	1	1	1	1	0	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
Policy SP11: Natural resources and sustainability	1	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Policy SP12: Green infrastructure, biodiversity and landscape	0	0	0	0	0	0	0	0	1	1	1	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Policy SP13: Historic environment	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1	1	1	1	0	0	0	0	0	0	0	0	0	

Note: 1 indicates compatibility; 0 No Link or not applicable; blue shows no impact or relevance to Barkway or Nuthampstead