

St Stephen Parish Neighbourhood Plan 2019 -2036



**Basic Conditions Statement to accompany
Submission (Regulation 16) Version**

February 2021

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1. Introduction

- 1.1. This Basic Conditions Statement has been produced to accompany the St Stephen Parish Neighbourhood Plan (SSPNP).
- 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 SSPNP meets the Basic Conditions.

Supporting documents and evidence

- 1.5. The Submission Version 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 to ascertain whether or not it requires a Strategic Environmental Assessment and/or a Habitats Regulations Assessment. The Determination Statement is

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.

included as part of the accompanying documentation.

- 1.6. Alongside the planning policies, the SSPNP contains a number of Non-Policy Actions, which 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. These Actions complement the Neighbourhood Plan document but are not a formal part of the Development Plan.

Key statements

- 1.7. St Stephen Parish Council, as the qualifying body, has prepared the Plan which shares the same boundary as the parish (see Figure 1). St Albans City and District Council (SADC) designated the Neighbourhood Area on 23 April 2014.
- 1.8. The SSPNP sets out planning policies that relate to the development and use of land within only the St Stephen Parish Neighbourhood Area.
- 1.9. The Plan refers only to the administrative boundary of St Stephen. There are no other adopted Neighbourhood Development Plans that cover all or part of the St Stephen Neighbourhood Area.
- 1.10. The SSPNP Steering Group has prepared the Plan to establish a vision for the future of the parish 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 land use and development change over the plan period 2019 to 2036.
- 1.11. The Plan does not contain any policies which relate to excluded development as defined by section 61K of the Town and Country Planning Act 1990.

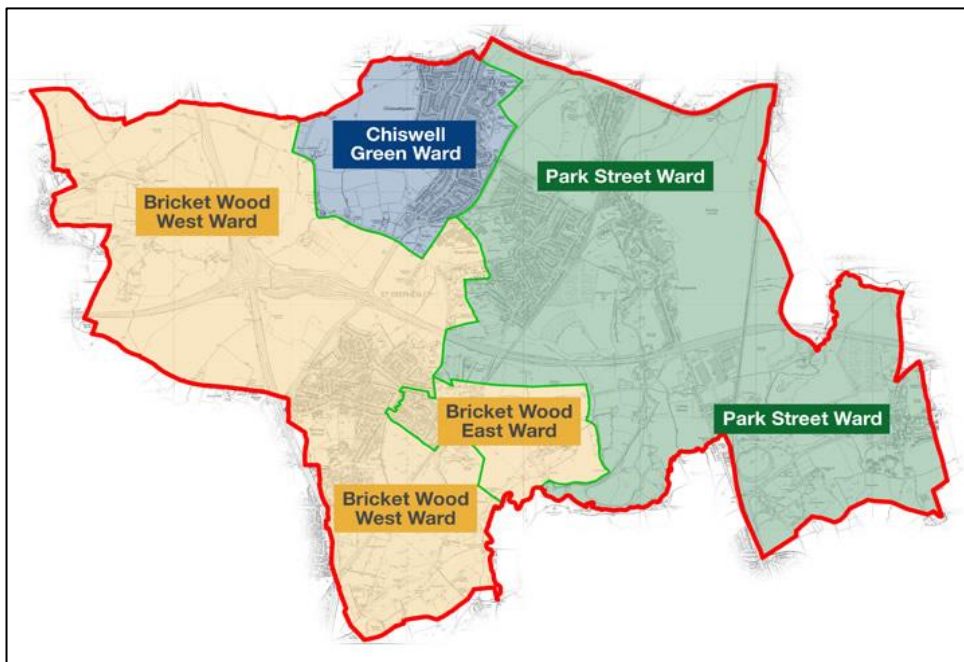


Figure 1: St Stephen Neighbourhood Plan designated area

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

- 2.1. To meet this condition, it is necessary to demonstrate that the Plan 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 SSPNP has been prepared in accordance with the revised NPPF published in February 2019.

National Planning Policy Framework (2019)

- 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 SSPNP 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 Neighbourhood Plan has nine 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 13 policies of the SSPNP and which specific paragraphs of the NPPF it has had regard to, along with a commentary.

Table 2.1: Assessment of the St Stephen Parish Neighbourhood Plan objectives against NPPF goals

Plan objective	Relevant NPPF goal
<p>1. Encourage the development of housing that meets an identified local need:</p> <ul style="list-style-type: none"> • Smaller, more affordable properties for first-time buyers, thus helping to attract and retain more young people in the villages; • Properties suitable for existing older residents wishing to downsize; and <p>Housing suitable for and affordable to local workers.</p>	<ul style="list-style-type: none"> • Delivering a sufficient supply of homes
<p>2. Ensure new housing reflects the existing character of the Parish in terms of design, quality, style and materials (whilst not excluding more contemporary design where appropriate) with sustainable energy and water conservation measures included in plans.</p>	<ul style="list-style-type: none"> • Achieving well-designed places • Meeting the challenge of climate change, flooding and coastal change • Conserving and enhancing the historic environment
<p>3. Counter the use of divisive gated communities.</p>	<ul style="list-style-type: none"> • Achieving well-designed places • Promoting healthy and safe communities
<p>4. Retain the village character of each settlement and extend protection to non-designated heritage assets.</p>	<ul style="list-style-type: none"> • Conserving and enhancing the historic environment • Achieving well-designed places
<p>5. Ensure that development is sensitively designed to be attractive, mitigate climate change, promote biodiversity and reduce the Parish’s carbon footprint.</p>	<ul style="list-style-type: none"> • Achieving well-designed places • Meeting the challenge of climate change, flooding and coastal change
<p>6. Enhance and preserve valued green and open spaces, fields, trees and woodlands, ponds, lakes and water courses, within and around each village.</p>	<ul style="list-style-type: none"> • Conserving and enhancing the natural environment • Protecting Green Belt land

<p>7. Protect and increase wildlife habitats</p>	<ul style="list-style-type: none"> • Conserving and enhancing the natural environment
<p>8. Improve transport and movement, in particular through further development of public transport provision and other non-car travel modes, whilst ensuring a safe environment for pedestrians, cyclists and horse-riders as well as motorists.</p>	<ul style="list-style-type: none"> • Promoting sustainable transport
<p>9. Ensure that the provision of local amenities and infrastructure is sufficient to address the needs of existing and future residents.</p>	<ul style="list-style-type: none"> • Promoting healthy and safe communities
<p>10. Strengthen, support and promote appropriate local economic activity in retail, industrial, commercial and professional fields while ensuring that such ventures are located in suitable and appropriate areas of the Parish.</p>	<ul style="list-style-type: none"> • Building a strong, competitive economy

Table 2.2: Assessment of how each policy in the SSPNP conforms to the NPPF

Policy Title and Reference	NPPF Reference (paragraph)	Commentary
POLICY S1: LOCATION OF DEVELOPMENT	20, 117, 118, 134-147, 196	Sustainable development is core to the NPPF. In the absence of an up-to-date Local Plan, Policy S1 provides a spatial strategy for development in the parish, reinforcing the distinction between the three core settlements and the surrounding Green Belt countryside. It seeks to concentrate new development within the Built Up Area Boundaries, as the most sustainable locations in the parish, unless it otherwise relates to development in the countryside supported either by national or local policies. Housing sites were considered as part of the SSPNP process, however all of those assessed as potentially suitable were located in the Green Belt. The absence of an up-to-date Local Plan has meant that Green Belt boundaries cannot be amended through the Neighbourhood Plan at this time. Therefore the Parish Council will explore an update to the Plan once the emerging Local Plan is in place and a growth strategy for the district has been established.
POLICY S2: DWELLING MIX	60, 61	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 SSPNP does not seek to allocate housing sites, the Local Housing Needs Assessment and local engagement has concluded a need for additional homes suited to the needs of downsizers and those wishing to get onto to housing ladder. S2 seeks to ensure that this mix of housing is appropriately reflected in development proposals.
POLICY S3: CHARACTER OF DEVELOPMENT	125, 127	Policy S3 seeks to ensure that planning proposals are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities). It is underpinned by descriptions of the individual settlements within the Parish, offering a greater level of detail than is contained in the Local Plan Review 1994.
POLICY S4: NON-DESIGNATED HERITAGE ASSETS	197	The Parish is rich in heritage assets, including a Scheduled Monument. The Heritage Gateway Register includes many entries that are not protected through a national or local listing. Furthermore, the Parish Barn and St Luke’s Church are of local historic significance and not protected. Policy S4 defines these as non-designated heritage assets to establish their contribution and to ensure that they are appropriately considered as part of any development proposals that could impact on them.

Policy Title and Reference	NPPF Reference (paragraph)	Commentary
POLICY S5: DESIGN OF DEVELOPMENT	124, 125, 126, 127, 149, 150, 151	Good design is central to the NPPF and this is reflected in the SSPNP within Policy S5, which sets out a clear vision for applicants as to what is expected within proposals. The policy also sets out criteria that should be encouraged within proposals to support climate mitigation. This is considered to be particularly important in light of the government's zero carbon targets and in the context of the current development plan, which pre-dates this.
POLICY S6: MINIMISING THE ENVIRONMENTAL IMPACT OF DEVELOPMENT	170, 171, 174	This policy supports the national objective of ensuring that development contributes to and enhances the natural environment, by encouraging local biodiversity and maintaining and enhancing locally significant landscape features, such as trees, woodland and hedgerows. The policy seeks to ensure that all development achieves a net gain in biodiversity.
POLICY S7: PROTECTION OF NATURAL HABITATS	170, 174, 175	Policy S7 maps the protected and non-protected habitats and networks in the Parish, in order to ensure that development proposals consider their potential impact on these.
POLICY S8: POLICY S8: PROTECTION AND MAINTENANCE OF LOCAL GREEN SPACES	99, 100, 145	The community has identified 7 green spaces that are of particular importance to them and considered to meet the strict NPPF criteria for Local Green Space designation. The spaces are demonstrably special for a variety of reasons and support the national aim of protecting valued green space.
POLICY S9: PROTECTING THE SETTING AND FUNCTION OF THE RIVER VER AND THE RIVER COLNE AND THEIR TRIBUTARIES	170, 174, 175	One of only 200 or so chalk streams world-wide, the Ver flows through Park Street and joins the River Colne in Bricket Wood. Policy S9 recognises the importance of this habitat and sets out criteria to be considered within applications to maintain, and where possible enhance, this valued natural asset and habitat.
POLICY S10: GREEN INFRASTRUCTURE AND DEVELOPMENT	170, 171, 174	In conjunction with Policies S6 and S7, this policy maps out at a local level the green infrastructure network within the Parish, which will help to guide applications when considering their impacts on this.
POLICY S11: IMPROVEMENTS TO KEY	102, 104, 108, 109, 110, 111	Despite its rural location, the Parish is divided by the major route network and additional local traffic will add to the volume of cars on the road. The NPPF states that transport issues should be considered from

Policy Title and Reference	NPPF Reference (paragraph)	Commentary
LOCAL JUNCTIONS AND PINCHPOINTS		the earliest stages of plan-making and development proposals and Policy S11 identifies particular junctions and pinchpoints which should be considered and used to inform transport assessments and statements.
POLICY S12: OFF-STREET CAR PARKING	105, 106	<p>Policy S12 seeks to ensure that existing publicly accessible off-street car parking is, where possible retained, or relocated if that is not possible, to ensure no net loss of spaces. This is in conformity with national policy, which suggests that local parking standards should take into consideration the availability of and opportunities for public transport and local car ownership levels. St Stephen is a rural area where some of the villages are less well-served by public transport and car ownership is significantly higher than the national level. Therefore many residents are reliant on cars to get around.</p> <p>Whilst the Plan supports and encourages active travel, this policy is considered realistic in the current climate. Provision of spaces for charging plug-in and other ultra-low emission vehicles is included here too, to encourage a shift towards these less polluting vehicles.</p>
POLICY S13: BUS SERVICES AND COMMUNITY TRANSPORT	34	The policy sets out a priority area for the contributions expected from development, to support the public transport infrastructure.
POLICY S14: PROVISION FOR WALKING AND CYCLING AND HORSE-RIDING	98, 102, 104, 108, 110	The policy seeks to support the national aim of encouraging active, sustainable travel. It does this by promoting opportunities for walking and cycling by ensuring that proposals consider linkages to the existing rights of way network.
POLICY S15: IMPROVING THE BRIDLEWAY NETWORK	98, 102, 104	Horse-riding is a popular activity in the Parish, as demonstrated through the consultation. This policy seeks to maximise opportunities for horse-riding, in line with the NPPF.

Policy Title and Reference	NPPF Reference (paragraph)	Commentary
POLICY S16: COMMUNITY FACILITIES	91, 92, 96	The policy supports the retention of local community facilities, which are seen as vital in contributing to the health, inclusivity and social aspect of the villages.
POLICY S17: LEISURE FACILITIES FOR CHILDREN AND TEENAGERS	91, 92, 96	Provision of facilities for younger people, particularly teenagers, is lacking in the Parish and this policy seeks to ensure that new major developments consider fully – in consultation with this cohort – opportunities to address this.
POLICY S18: PROTECTION OF PUBLIC HOUSES	91, 92	The policy supports specifically the retention of public houses, which provide social, recreational and cultural benefits to the local community. There has been an erosion of this type of facility locally, which is why it has been particularly singled out.
POLICY S19: COMMUNITY GROWING SPACES	91, 92	Access to allotments is specifically mentioned in national policy as one way of supporting healthy lifestyles. Demand for allotment space in the parish outstrips supply and the Policy therefore seeks to retain what space there is and the creation of new spaces.
POLICY S20: RETIREMENT AND CARE HOME FACILITIES	61	The Local Housing Needs Assessment for St Stephen analysed the potential need for specialist accommodation for retirees and the elderly and concluded that there is a need to address demand locally. This policy sets out specific support to do so.
POLICY S21: SUPPORT FOR REASONABLE BUSINESS EXPANSION	80, 83, 84, 145	The policy supports that national aim of supporting the local economy, particularly in rural areas where development may have to be adjacent to or beyond existing settlements. There are a number of important businesses within the Parish and this policy seeks to support their growth, where this can be done in a sensitive way.

Policy Title and Reference	NPPF Reference (paragraph)	Commentary
POLICY S22: VILLAGE RETAIL AREAS	85, 91, 92	Each of the villages has a small number of shops and other outlets, which serve the everyday needs of residents. These village retail areas should, where possible, be retained.
POLICY S23: PROTECTION OF EXISTING EMPLOYMENT PREMISES OR LAND	80, 104	The Parish has a sizeable number of businesses, particularly small and medium-sized. As the way of working evolves, and more people are seeking to work either from home or closer to home, this policy seeks to protect the commercial space that exists so that it is retained for the future. This in turn contributes to building a strong economy, particularly in rural areas.
POLICY S24: BROADBAND COMMUNICATIONS	112	The Policy seeks to ensure that development proposals include provision of high speed broadband connectivity.

3. Basic condition (ii) - 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 SSPNP, 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. Inevitably there is some overlap of the three strands of sustainability.

Table 3.1: Assessment of the SSPNP objectives and policies against sustainable development

Deliver economic sustainability	
NPPF definition – ‘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.’	
NP Objectives	10. Strengthen, support and promote appropriate local economic activity in retail, industrial, commercial and professional fields while ensuring that such ventures are located in suitable and appropriate areas of the Parish.
NP Policies	Policy S21: Support for Reasonable Business Expansion Policy S22: Village Retail Areas Policy S23: Protection of Existing Employment Premises or Land Policy S24: Broadband Communications
Commentary	The NPPF states that planning policies should support a strong local economy, including in rural areas such as St Stephen. The SSPNP recognises the important role that businesses have in the Parish, and have undertaken consultation with owners to understand their potential needs in the future. The policies seek to both safeguard existing employment space but also to enable growth where this can be achieved sympathetically. The village retail areas are also highlighted here for their dual role of providing an income but also as valued local facilities. Broadband is vital and the parts of the Parish remain underserved.
Deliver social sustainability	
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.’	

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

<p>NP Objectives</p>	<ol style="list-style-type: none"> 1. Encourage the development of housing that meets an identified local need: <ul style="list-style-type: none"> • Smaller, more affordable properties for first-time buyers, thus helping to attract and retain more young people in the villages; • Properties suitable for existing older residents wishing to downsize; and • Housing suitable for and affordable to local workers. 2. Ensure new housing reflects the existing character of the Parish in terms of design, quality, style and materials (whilst not excluding more contemporary design where appropriate) with sustainable energy and water conservation measures included in plans. 3. Counter the use of divisive gated communities. 9. Ensure that the provision of local amenities and infrastructure is sufficient to address the needs of existing and future residents.
<p>NP Policies</p>	<p>Policy S2: Housing Mix Policy S3: Character of Development Policy S5: Design of Development Policy S13: Bus Services And Community Transport Policy S16: Community Facilities Policy S17: Leisure Facilities for Children and Teenagers Policy S18: Protection of Public Houses Policy S19: Allotments and Community Growing Spaces Policy S20: Retirement Care Home Facilities Policy S24: Broadband Communications</p>
<p>Commentary</p>	<p>The SSPNP has identified housing needs in the Parish, and seeks to ensure that development proposals contribute to those. Much work was undertaken to explore the allocation of sites to contribute to this need, but all identified sites are within the Green Belt. The emerging Local Plan (2018), which was anticipated to be adopted in advance of the SSPNP identified a strategic need to review Green Belt boundaries, but the withdrawal of the Plan means that this is no longer possible. Therefore an early review of the SSPNP will be undertaken following adoption of the new Local Plan, to consider this again.</p> <p>In the meantime, the Plan contains policies that provide locally specific criteria against which development proposals should be assessed including housing mix, design and sustainable build and features. This is considered to provide greater detail than is included in the adopted Local Plan Review 1994.</p> <p>Furthermore the SSPNP supports the ongoing provision of particular local facilities that are valued by the community and which contribute to well-being and inclusivity. It highlights facilities that are either under threat, or lacking, and which should therefore be considered as part of planning proposals.</p>

Deliver environmental sustainability	
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,’	
NP Objectives	<p>4. Preserve local heritage assets and extend protection to non-designated heritage assets.</p> <p>5. Ensure that development is sensitively designed to be attractive, mitigate climate change, promote biodiversity and reduce the Parish’s carbon footprint.</p> <p>6. Enhance and preserve valued green and open spaces, fields, trees and woodlands, ponds, lakes and water courses, within and around each village.</p> <p>7. Protect and increase wildlife habitats.</p> <p>8. Improve transport and movement, in particular through further development of public transport provision and other non-car travel modes, whilst ensuring a safe environment for pedestrians, cyclists and horse-riders as well as motorists.</p>
NP Policies	<p>Policy S1: Location of Development</p> <p>Policy S4: Non-Designated Heritage Assets</p> <p>Policy S5: Design of Development</p> <p>Policy S6: Minimising the Environmental Impact of Development</p> <p>Policy S7: Natural Habitats and Species</p> <p>Policy S8: Protection and Maintenance of Local Green Spaces</p> <p>Policy S9: Protecting the setting and function of the River Ver and the River Colne and their tributaries</p> <p>Policy S10: Green Infrastructure and Development</p> <p>Policy S11: Improvements to Key Local Junctions and Pinchpoints</p> <p>Policy S12: Off-Street Car Parking</p> <p>Policy S13: Bus Services And Community Transport</p> <p>Policy S14: Provision for Walking and Cycling and Horse-Riding</p> <p>Policy S15: Improving the Bridleway Network</p>
Commentary	<p>Protecting the natural and built environment is an important aim of the Plan. It sets out, at a neighbourhood level, the particular features that contribute most strongly to St Stephen’s character including the river corridors, distinctive natural features and the networks of green infrastructure that provide important habitats and wildlife routes.</p> <p>The Plan also emphasises the need to consider how development proposals should seek contribute to climate change mitigation, through sustainable design, consideration of the environmental assets and by encouraging opportunities for active travel.</p>

3.4. As demonstrated in Table 3.1, the strategic objectives of the Plan are considered to comprise a balance of social, economic and environmental goals. The policies in the SSPNP contribute demonstrably to sustainable development.

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

- 4.1. The Development Plan³ for currently consists of the following:
- District Local Plan Review 1994 – Saved and Deleted Policies Version (July 2020)
 - Waste Core Strategy & Development Management Policies DPD - Adopted 2012
 - Waste Site Allocations DPD - Adopted July 2014
 - The Hertfordshire Minerals Local Plan 2007
 - Harpenden Neighbourhood Plan
- 4.2. A new Local Plan to 2026 was being prepared for the district, however it was withdrawn on 23 November 2020, following its Examination⁴. A new Local Plan is currently being prepared but is at a very early stage; the first step of this is to develop a Local Plan Vision, a report on which is anticipated for February 2021. The full timetable for the emerging Local Plan has yet to be confirmed⁵.
- 4.3. The SSPNP, therefore, will need to conform to the saved policies of the District Local Plan Review.
- 4.4. Table 4.1 details the Neighbourhood Plan policies alongside a consideration of how they are in general conformity with the saved policies of the District Plan Review 1994.
- 4.5. Where a policy is not identified in Table 4.1, it is considered that the Neighbourhood Plan does not contain any policies that directly relate to it.
- 4.6. It is confirmed that there are no policies in the strategic documents relating to waste and minerals that the Neighbourhood Plan policies have any relevance to.

³ <https://www.stalbans.gov.uk/current-local-plan>

⁴ <https://www.stalbans.gov.uk/withdrawal-draft-local-plan-2018>

⁵ At January 2021.

Table 4.1: Relevant saved policies of the District Local Plan Review (adopted 1994)

Policy Title and Reference	Saved policies of the District Local Plan Review (1994)	Commentary
POLICY S1: LOCATION OF DEVELOPMENT	Policy 1: Green Belt Policy 2: Settlement strategy Policy 77: Re-use and Adaptation of Buildings in the Green Belt	<p>The strategic policies place strong emphasis on safeguarding the Green Belt. The SSPNP had explored options for sites, but all those coming forward were located within the Green Belt. The Local Plan 2018 was anticipated to include a 'strategic hook' to enable the minor amendment of Green Belt boundaries, however in its absence, there is no established strategic need, hence the Neighbourhood Plan does not allocate sites. A review of the SSPNP will take place once the emerging Local Plan has been adopted.</p> <p>Development is directed to the most sustainable parts of the Neighbourhood Area, which is those areas within the built up area boundaries, unless proposals meet the criteria associated with development in the Green Belt.</p>
POLICY S2: DWELLING MIX	Policy 5: New housing development in specified settlements Policy 7a: Affordable housing in town and specified settlements	<p>The District Local Plan Review sets out the housing strategy for specified settlements, which fall outside Green Belt boundaries, such as the villages in St Stephen. Clearly the figures quoted are now dated and as such the SSPNP seeks to ensure that any new housing proposals deliver against local need, as evidenced through the Local Housing Needs survey.</p>
POLICY S3: CHARACTER OF DEVELOPMENT	Policy 85: Development in Conservation Areas Policy 86: Buildings of Special Architectural or Historic Interest	<p>Policy S3 adds locally specific detail to the existing strategic policies, supporting them in their ambition to ensure that development is in-keeping with local character and preserves the integrity of local heritage.</p>
POLICY S4: NON-DESIGNATED HERITAGE ASSETS	Policy 87: Locally Listed Buildings	<p>Policy S4 identifies additional non-designated heritage assets that are considered to contribute to the local character and history of the area.</p>

Policy Title and Reference	Saved policies of the District Local Plan Review (1994)	Commentary
POLICY S5: DESIGN OF DEVELOPMENT	Policy 69: General Design and Layout Policy 70: Design and Layout of New Housing Policy 72: Extensions in Residential Areas Policy 73: Article 4 Directions Policy 74: Landscaping and Tree Preservation Policy 75: Green Space Within Settlements Policy 77: Re-use and Adaptation of Buildings in the Green Belt	Policy S5 sets out that development should be of high quality, responding to the context within which it is located and meeting a series of criteria. As such, it sets out a more local and modern reflection of the strategic policies. It encourages high standards of energy efficiency and design, line with the strategic policy, bearing in mind expectations and ability to deliver this has evolved greatly since publication of the District Local Plan Review.
POLICY S6: MINIMISING THE ENVIRONMENTAL IMPACT OF DEVELOPMENT	Policy 104: Landscape Conservation Policy 106: Nature Conservation Policy 143a Watling Chase Community Forest	Policy S6 conforms to the strategic need to preserve and enhance the landscape quality and character, adding a locally specific dimension to this.
POLICY S7: PROTECTION OF NATURAL HABITATS	Policy 104: Landscape Conservation Policy 106: Nature Conservation	Policy S6 conforms to the strategic need to preserve and enhance the landscape quality and character, adding a locally specific dimension to this and mapping the particular features and habitats within the Parish.

Policy Title and Reference	Saved policies of the District Local Plan Review (1994)	Commentary
POLICY S8: PROTECTION AND MAINTENANCE OF LOCAL GREEN SPACES	Policy 104: Landscape Conservation	Policy S8 seeks to designate seven Local Green Spaces, which supports the strategic aim of conserving valued parts of the landscape.
POLICY S9: PROTECTING THE SETTING AND FUNCTION OF THE RIVER VER AND THE RIVER COLNE AND THEIR TRIBUTARIES	Policy 84: Flooding and River Catchment Management Policy 104: Landscape Conservation Policy 106: Nature Conservation	Policy S9 conforms to the strategic need to preserve and enhance the landscape quality and character, adding a locally specific dimension to this, in this case relating to the Rivers Ver and Colne, which are examples of rare chalkrivers.
POLICY S10: GREEN INFRASTRUCTURE AND DEVELOPMENT	Policy 104: Landscape Conservation Policy 106: Nature Conservation	Policy S10 maps out the green infrastructure network at the very local level, supporting the strategic aims of conserving valued and important landscapes and, where possible enhancing and further connecting this.
POLICY S11: IMPROVEMENTS TO KEY LOCAL JUNCTIONS AND PINCHPOINTS	Policy 34: Highways Considerations In Development Control Policy 35 Highway Improvements in Association With Development	Policy S11 conforms to the strategic policy to ensure that new development affecting the road network surrounding it, should ensure that any adverse effects are avoided or minimised. It sets out specific areas in the Parish that have been identified as parts of the road network that are already pressured and which should therefore be given particular focus.
POLICY S12: OFF-STREET CAR PARKING	Policy 39 Parking Standards, General Requirements	Policy S12 conforms to strategic policy in that consideration should be given to the provision of parking as part of new development. The rural nature of the Parish has led to high levels of car ownership, combined with inadequate public transport services in some of the villages, notably Bricket Wood and

Policy Title and Reference	Saved policies of the District Local Plan Review (1994)	Commentary
	Policy 42 Loss of Residential Off-Street Parking Areas and Garage Courts	Park Street. This means that local residents are likely to be more car reliant. The Plan supports active travel and includes policies to achieve this, however a shift away from parking provision needs to be balanced against the need for such spaces in the short to medium term.
POLICY S13: BUS SERVICES AND COMMUNITY TRANSPORT	Policy 36a Location of New Development in Relation to Public Transport Network	Strategic policy generally encourages the use of public transport and encourages the provision of facilities to enable this.
POLICY S14: PROVISION FOR WALKING AND CYCLING AND HORSE-RIDING	Policy 97: Existing Footpaths, Bridleways and Cycleways	Policy S14 supports the retention of the existing rights of way network, as set out strategically, and encourages development proposals to connect to these.
POLICY S15: IMPROVING THE BRIDLEWAY NETWORK	Policy 97: Existing Footpaths, Bridleways and Cycleways	Policy 15 recognises the important role that bridleways play locally, where horse riding is a popular activity.
POLICY S16: COMMUNITY FACILITIES	Policy 67 Public Meeting Rooms and Facilities Policy 91: Location of Leisure Facilities Policy 9 Non - Residential Uses Within Residential Areas	Policy S16 seeks to safeguard local facilities – including meeting facilities and those that enable social interaction. The strategic policy suggests appropriate locations for new facilities, but does not protect existing ones.

Policy Title and Reference	Saved policies of the District Local Plan Review (1994)	Commentary
POLICY S17: LEISURE FACILITIES FOR CHILDREN AND TEENAGERS	Policy 91: Location of Leisure Facilities Policy 9 Non - Residential Uses Within Residential Areas	Policy S17 adds local detail to the strategic policy, by setting out specific recreation requirements identified by the local community during the engagement process for the SSPNP.
POLICY S18: PROTECTION OF PUBLIC HOUSES	Policy 67 Public Meeting Rooms and Facilities	Policy S16 seeks to safeguard local facilities – including meeting facilities and those that enable social interaction. There is no strategic policy directly relating to this, hence the NP offers additional local detail.
POLICY S19: COMMUNITY GROWING SPACES	Policy 95: Allotments	The strategic policy guards against the loss of allotment space unless specific criteria are met. The NP policy adheres to this, setting out additional detail that is considered to be more locally specific. In addition it encourages the development of new growing spaces within new development where feasible.
POLICY S20: RETIREMENT AND CARE HOME FACILITIES	Policy 9 Non - Residential Uses Within Residential Areas Policy 62 Community Care	The strategic policy supports provision where there is an identified need. The Neighbourhood Plan has demonstrated a need locally.
POLICY S21: SUPPORT FOR REASONABLE BUSINESS EXPANSION	Policy 9 Non - Residential Uses Within Residential Areas Policy 19 Overall Employment Strategy	The strategic policies highlight the need to encourage business expansion. Policy S21 supports this bearing in mind the businesses in the Parish and the fact that in order to expand, this could require some use of Green Belt land. Whilst the strategic policy suggests that such expansion will not normally be permitted, The extent of the development of businesses in the Green Belt has been tested in the High Court and deemed acceptable ⁶ . Such expansion should not be limited to extensions but can also involve the

⁶ <https://www.out-law.com/en/articles/2015/august/inspector-misinterpreted-policy-allowing-reasonable-expansion-of-business-in-midlands-green-belt-high-court-rules/>

Policy Title and Reference	Saved policies of the District Local Plan Review (1994)	Commentary
	Policy 24 Unallocated Employment Sites	construction of a new building or new buildings which might, or might not, be development within one of the exceptions in paragraph 145 of the National Planning Policy Framework ⁷ .
POLICY S22: VILLAGE RETAIL AREAS	Policy 9 Non - Residential Uses Within Residential Areas Policy 55 Local Shopping Facilities	Policy S22 conforms to strategic policy, which states that Bricket Wood, Chiswell Green, How Wood and Park Street are classified as Local Centres, which are considered important for 'top up' shopping.
POLICY S23: PROTECTION OF EXISTING EMPLOYMENT PREMISES OR LAND	Policy 19 Overall Employment Strategy	Policy S23 seeks to safeguard employment land, which conforms to adopted policy.
POLICY S24: BROADBAND COMMUNICATIONS	No relevant policy	

⁷ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/810197/NPPF_Feb_2019_revised.pdf

5. Basic Condition (iv) - conformity with retained EU obligations

- 5.1. The SSPNP, 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, it was determined on 2 February 2021 that a Strategic Environmental Assessment (SEA) of St Stephen Parish Neighbourhood Plan is not required as it is unlikely to have significant environmental effects. This was an amendment to the original screening, which found that an SEA was required because the Plan had originally intended to allocate sites and Historic England raised concerns about this. The subsequent decision not to allocate sites led to the screening being repeated and the determination being amended in light of the breadth and potential impact of the policies.
- 5.3. A copy of the Determination Statement is contained in the Evidence Base.

6. Basic condition (v) - conformity with the prescribed conditions

- 5.4. Under Directive 92/43/EEC, also known as the Habitats Directive⁸, it must be ascertained whether the draft 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.
- 5.5. It was determined in May 2019 that the St Stephen Parish Neighbourhood Plan is unlikely to have significant impact on European sites and therefore does not require a full HRA to be undertaken.
- 5.6. 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.
- 5.7. A copy of the Determination Statement is included in the Evidence Base.

⁸ 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>

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 St Stephen Parish Neighbourhood Plan and all the policies therein.
- 7.2. It is therefore respectfully suggested to the Examiner that the St Stephen Parish Neighbourhood Plan complies with Paragraph 8(1) (a) of Schedule 4B of the Act.