

# Wallington Neighbourhood Plan 2022-2031



## Basic Conditions Statement

March 2023

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## 1. Introduction

- 1.1. This Basic Conditions Statement has been produced to accompany the Wallington Neighbourhood Plan (WNP).
- 1.2. The relevant legal framework for the preparation and making of neighbourhood plans is supported by the Localism Act 2011 and the Neighbourhood Planning Act 2017 and found in the:
  - Town and Country Planning Act 1990: ss. 61F, 61I, 61M-P and Schedule 4B
  - Planning and Compulsory Purchase Act 2004: ss 38A-C
  - Neighbourhood Planning (General) Regulations 2012 (2012 No.637) (as amended)
- 1.3. Paragraph 8(2) of Schedule 4B to the Town & Country Planning Act 1990 requires a neighbourhood plan to meet five 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. 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.
- 1.5. This document sets out how the WNP meets the Basic Conditions.

## **Supporting documents and evidence**

- 1.6. The Submission Neighbourhood Plan, with its ten policies, is supported by a Consultation Statement, this Basic Conditions Statement, and an extensive evidence base. It has also been subject to a Screening, organised by North Hertfordshire District Council (NHDC), to ascertain whether or not it requires a Strategic Environmental Assessment (SEA) and/or a Habitats Regulations Assessment (HRA). These are described in further detail in sections 5 and 6 of this Basic Conditions Statement.
  
- 1.7. Alongside the planning policies, the WNP contains a series of projects which fall outside planning policy. These are intended to contribute towards the achievement of the Plan's vision and form the basis of the principles for the use of any developer funding and other monies arising from other planning obligations. They complement the Neighbourhood Plan document but are not a formal part of the Development Plan.

## Key statements

- 1.8. Rushden and Wallington Parish Council, as the qualifying body, has prepared the Neighbourhood Plan. The Plan and its policies relate to Wallington village and its rural surrounds, as shown in Figure 1. Rushden village, although within the parish boundary, is not included in the neighbourhood plan area. The Neighbourhood Area was [designated by NHDC on 24 April 2020](#).
- 1.9. The WNP sets out planning policies that relate to the development and use of land within only the Wallington Neighbourhood Area.
- 1.10. The WNP refers only to those areas within the designated Neighbourhood Area boundary. There are no other adopted Neighbourhood Plans that cover all or part of the Wallington Neighbourhood Area.
- 1.11. The Neighbourhood Plan Working Group has prepared the WNP to establish a vision for the future of the neighbourhood area and a series of aims and objectives to deliver this. It has engaged with the community to set out how the vision will be realised through planning and controlling land use and development change over the plan period 2022 to 2031.
- 1.12. The WNP does not contain any policies which relate to excluded development as defined by section 61K of the Town and Country Planning Act 1990.

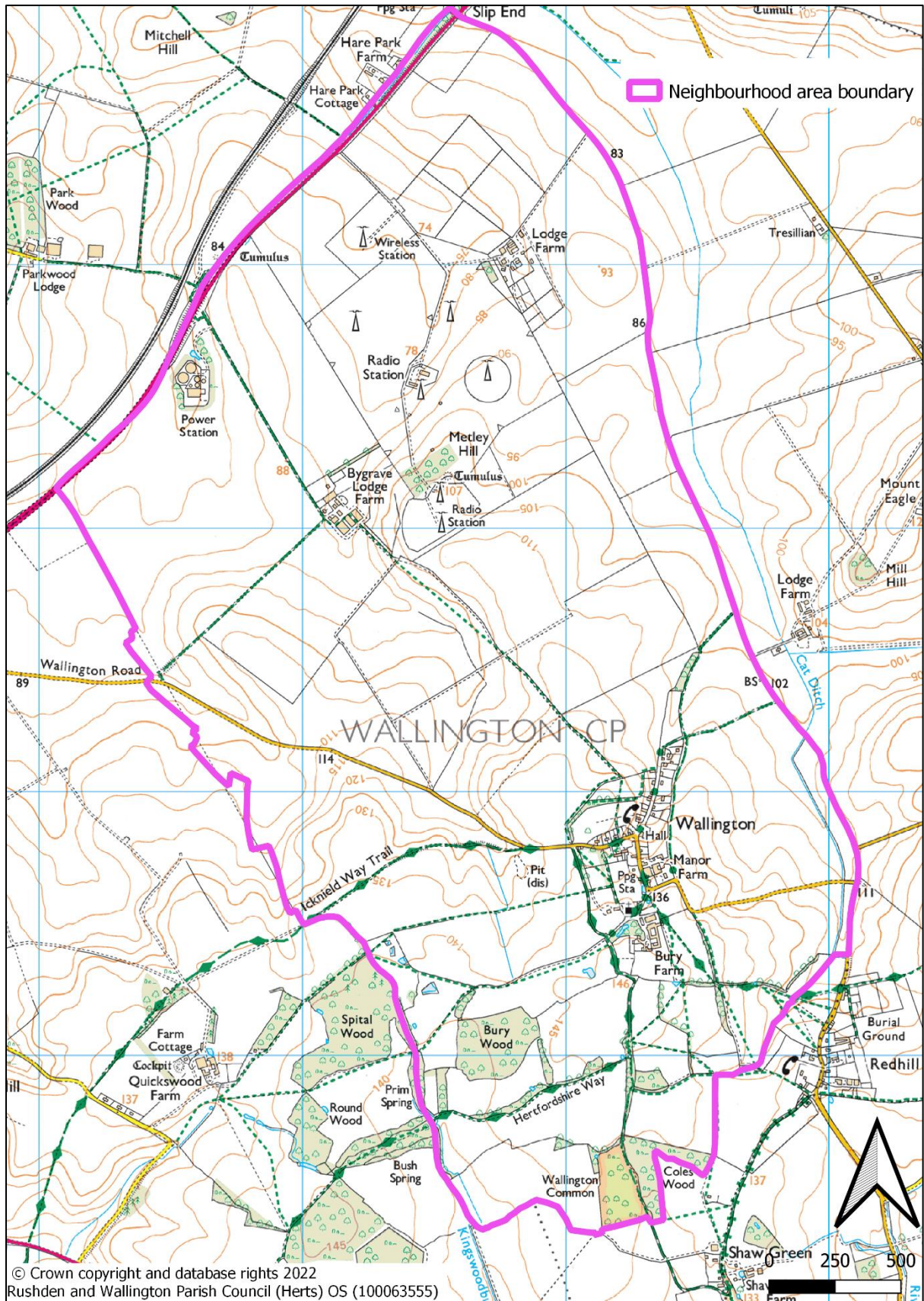


Figure 1: Wallington Neighbourhood Plan designated area

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

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

### **National Planning Policy Framework**

- 2.3. The NPPF has 13 key objectives which are:
- Delivering a sufficient supply of homes
  - Building a strong, competitive economy
  - Ensuring the vitality of town centres
  - Promoting healthy and safe communities
  - Promoting sustainable transport
  - Supporting high quality communications
  - Making effective use of land
  - Achieving well-designed places
  - Protecting Green Belt land
  - Meeting the challenge of climate change, flooding and coastal change
  - Conserving and enhancing the natural environment
  - Conserving and enhancing the historic environment
  - Facilitating the sustainable use of minerals
- 2.4. This basic conditions statement explains how the WNP contributes to meeting these objectives, where relevant, and also notes the specific national policies that the Plan is intended to support and supplement.
- 2.5. The WNP has five overarching objectives these 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 10 policies of the Neighbourhood Plan and which specific paragraphs of the NPPF it has had regard to along with a commentary.

**Table 2.1: Assessment of the Wallington Neighbourhood Plan aims against NPPF goals**

Plan objective	Relevant NPPF goal
<p><b>Objective 1: Preserving the beautiful natural setting of the village, maximising biodiversity and safeguarding valued green spaces in the village.</b></p>	<ul style="list-style-type: none"> <li>• Achieving well-designed places</li> <li>• Conserving and enhancing the natural environment</li> <li>• Protecting Green Belt land</li> </ul>
<p><b>Objective 2: Reinforcing the distinctive character of the village, by safeguarding local heritage assets and setting out locally-specific, sustainable design principles for developments.</b></p>	<ul style="list-style-type: none"> <li>• Conserving and enhancing the historic environment</li> <li>• Achieving well-designed places</li> <li>• Meeting the challenge of climate change, flooding and coastal change</li> <li>• Promoting sustainable transport</li> </ul>
<p><b>Objective 3: Supporting village life through the safeguarding of community assets and facilities and encouraging participation in village activities.</b></p>	<ul style="list-style-type: none"> <li>• Promoting healthy and safe communities</li> </ul>
<p><b>Objective 4: Supporting the provision of limited infill housing where it meet local needs.</b></p>	<ul style="list-style-type: none"> <li>• Delivering a sufficient supply of homes</li> <li>• Making effective use of land</li> </ul>
<p><b>Objective 5: Supporting opportunities for economic activity locally that can be achieved sympathetically to the village, for instance home-working and farm diversification.</b></p>	<ul style="list-style-type: none"> <li>• Building a strong, competitive economy</li> <li>• Ensuring the vitality of town centres</li> </ul>



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

Policy Title and Reference	NPPF Reference (paragraph)	Commentary
POLICY W1: Location of development	11, 13, 60, 69, 70, 78, 79, 80, 84, 85, 93e, 105, 119-121, 124, 152, 174, 176, 177	<p>The policy sets out the WNP’s approach to the location of development within the Neighbourhood Plan Area. Wallington village is classified as a Category B village within the Local Plan, which is suited to limited small-scale infill development within the built core of the settlement. Policy W1 defines what is meant by the ‘built core’ in the Wallington context and shows this on a map. This will help to ensure that development is focused in the most sustainable locations, close to local facilities, while protecting the wider rural landscape.</p> <p>The policy supports the use of brownfield land within the development boundaries, in advance of greenfield land. This is important for Wallington, which has a couple of former agricultural sites, which could be developed in the future.</p> <p>As such the policy supports the NPPF’s sustainable development objectives.</p>
POLICY W2: Meeting local housing needs	60-65, 78	<p>The policy is underpinned by the Local Housing Needs Assessment prepared for the neighbourhood area, and further supported by local evidence gathered from the community, sets out information about the size, type and tenure of housing that is needed to address local housing need. It also stipulates that housing should meet the particular needs of older people, in the context of an aging demographic.</p> <p>Opportunities to deliver affordable homes may be limited in the context of potential sites and are limited to the redevelopment of brownfield sites (largely farm sites) and any rural exception sites that might come forward over the lifespan of the WNP.</p>
POLICY W3: Residential development within the built core	60, 69, 70, 79, 124	<p>The policy supports national policy in promoting sustainable development in rural areas, setting out where housing should be located so that it will enhance or maintain the vitality of the rural community. It supports small-scale (infill) within the built core, which might increase in terms of numbers on brownfield/ former farm sites.</p>
POLICY W4: Reinforcing Wallington’s local character through design	153, 154, 92, 100, 104e, 107, 124-132, 134,	<p>The NPPF supports the creation of high quality, beautiful and sustainable buildings and places and encourages communities, through neighbourhood plans, to set out the detail about what is expected at the local level. The Wallington Design Guidance and Codes has been developed</p>

	174	to underpin this policy and provides this local detail. It forms an integral part of the plan, as opposed to simply planning guidance, and should be proactively used alongside other relevant design guidance to influence planning applications.
POLICY W5: Heritage assets in Wallington	189, 190, 192, 194, 196, 199, 200-203, 206	The NPPF states that plans should set out a positive strategy for the conservation and enjoyment of the historic environment. Policy W5 supports the conservation and enhancement of the historic environment and identifies five non-designated heritage assets that are considered to hold local historic significance. The importance of assets both above and below ground is emphasised.
POLICY W6: Design to mitigate climate change	104, 126, 127, 152-156, 169,	The policy supports the national objectives to ensure that all development is designed and delivered to support the transition to a low carbon future in the context of a changing climate. The policy includes a number of clauses that seek to encourage developers to seek ways to reduce greenhouse emissions and maximise opportunities for on-site energy generation, making use of renewable energy sources.  The policy provides broad support for community-scale renewable energy schemes, where these can be achieved in harmony with the wider landscape.
POLICY W7: Locally significant views	126-130	The NPPF states that neighbourhood planning groups can play an important role in identifying the special qualities of their area and explaining how these should be reflected in development, both through their own plans and by engaging in the production of design policy, guidance and codes by local planning authorities and developers.  This policy identifies views and viewpoints that are considered by the community to be locally significant – either because they encompass a local landmark or notable landscape. The policy seeks to ensure that any development that takes place within the view ‘arcs’ limits its impact on the view itself and, where possible, incorporates or enhances it.
POLICY W8: Green and blue infrastructure, landscape features and biodiversity	174, 175, 179, 180	This policy supports the national objective of ensuring that development contributes to and enhances the natural environment and biodiversity. It maps out, at the neighbourhood level, components of wildlife-rich habitats and wider ecological networks, including the hierarchy of national and locally designated sites of importance for biodiversity.  It recognises the importance of trees hedgerows and ponds to the local landscape and the variety of roles they play, seeking to safeguard them against loss.  In line with the Environment Act, the policy requires developments to deliver a biodiversity net gain of at least 10%. Where this cannot be achieved on-site, the locally mapped network

		of green infrastructure offers locations where units can most effectively make a positive contribution to local habitats and landscapes.
POLICY W9: Local green spaces	101-103 147-151	The NPPF enables communities to designate spaces that are demonstrably special to them as Local Green Spaces. Policy W9 identifies 13 such spaces in the neighbourhood area and provides the justification as to how they meet the NPPF criteria.
POLICY W10: Rural enterprise	81, 84, 85	The policy supports the national objective of supporting an environment that enables local businesses to flourish. Within a rural area such as Wallington, the main opportunities are likely to stem from home-working and small start up units, which are supported through the policy.

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

- 3.1. The NPPF states in paragraph 7 that *'the purpose of the planning system is to contribute to the achievement of sustainable development.'*
- 3.2. For the WNP, sustainable development has provided the fundamental basis of each of its policies. The National Planning Practice Guidance advises that *'sufficient and proportionate evidence should be presented on how the draft neighbourhood plan ... guides development to sustainable solutions'* (Planning Practice Guidance, Paragraph: 072 Reference ID: 41-072-20140306).
- 3.3. Table 3.1 below summarises how the objectives and policies in the Plan contribute towards economic, social, and environmentally sustainable development, as defined in the NPPF. Many of the aims of the Plan overlap the three strands of sustainability, so for the purposes of this document, the most relevant strand has been taken to illustrate conformity.

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

<b>Deliver economic sustainability</b>	<b>NPPF definition – <i>'to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure.'</i></b>
<b>NP Objectives</b>	<b>Objective 5: Supporting opportunities for economic activity locally that can be achieved sympathetically to the village, for instance home-working and farm diversification.</b>
<b>NP Policies</b>	<ul style="list-style-type: none"> <li>• POLICY W10: Rural enterprise</li> </ul>
<b>Commentary</b>	<p>The policies of the WNP collectively seek to support a vibrant and viable local rural economy. They recognise that, in the context of very limited growth, the main economic opportunities will likely be supported very locally through providing an environment that will support home working, farm diversification and potentially the provision of small start up units. This will rely on the associated provision of adequate communications infrastructure, which is supported at the Local Plan level.</p> <p>In these ways, the WNP seeks to contribute to building a sustainable economy.</p>
<b>Deliver social sustainability</b>	<b>NPPF definition – <i>'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.'</i></b>

<p><b>NP Objectives</b></p>	<p><b>Objective 3: Supporting village life through the safeguarding of community assets and facilities and encouraging participation in village activities.</b></p> <p><b>Objective 4: Supporting the provision of limited infill housing where it meet local needs.</b></p>
<p><b>NP Policies</b></p>	<ul style="list-style-type: none"> <li>• POLICY W1: location of development</li> <li>• POLICY W2: Meeting local housing needs</li> <li>• POLICY W3: Residential development within the built core</li> </ul>
<p><b>Commentary</b></p>	<p>The NPPF underlines the importance of supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high-quality built environment, with accessible local services that reflect the community’s needs and support its health, social and cultural well-being.</p> <p>The WNP has been developed as a result of extensive local engagement to understand local priorities to contribute to this national objective. New development should be directed to within the built core, defined in the Wallington context, as these represent the most sustainable locations, located close to community facilities. It will also help to restrict coalescence between the individual settlements and encroachment into the wider countryside.</p> <p>Whilst the WNP does not seek to allocate homes, it contains a policy seeking to influence the types of dwellings that should be prioritised in the Parish, so as to accommodate locally evidenced housing need. The policy will influence small-scale infill development, the potential redevelopment of brownfield (farm) spaces and any rural exception sites that may come forward.</p> <p>Design of development is important and the WNP is underpinned by a Design Guidance and Codes, which seeks to ensure that local character is reflected and developments are of a high quality.</p> <p>Local Green Spaces and locally significant views are identified, which contribute to the physical and mental health and wellbeing of the community.</p> <p>In these ways, the WNP aims to support a strong, vibrant and healthy community.</p>
<p><b>Deliver environmental sustainability</b></p>	<p><b><i>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,’</i></b></p>
<p><b>NP Objectives</b></p>	<p><b>Objective 1: Preserving the beautiful natural setting of the village, maximising biodiversity and safeguarding valued green spaces in the village.</b></p> <p><b>Objective 2: Reinforcing the distinctive character of the village, by safeguarding local heritage assets and setting out locally-specific, sustainable design principles for developments.</b></p>

<p><b>NP Policies</b></p>	<ul style="list-style-type: none"> <li>• POLICY W4: Reinforcing Wallington’s local character through design</li> <li>• POLICY W5: Heritage assets in Wallington</li> <li>• POLICY W6: Design to mitigate climate change</li> <li>• POLICY W7: Locally significant views</li> <li>• POLICY W8: Green and blue infrastructure, landscape features and biodiversity</li> <li>• POLICY W9: Local green spaces</li> </ul>
<p><b>Commentary</b></p>	<p>Conserving and enhancing the natural landscape that surrounds the built core, some of which extends into Green Belt, is intrinsic to the WNP. The policies seek to safeguard the openness of the landscape and preserve the dark skies.</p> <p>The network of green (and blue) infrastructure, which supports biodiversity, is mapped and recognised, along with significant green spaces, important views and other natural features notable to the parish, some of which are protected through statutory designations, others which are not.</p> <p>Alongside the natural environment, the WNP recognises the importance of conserving historic assets so that they can be enjoyed for their contribution to the quality of life of existing and future generations. Five non-designated heritage assets are identified which are considered to hold historic significance at the local level.</p> <p>Design is an important element of the WNP and the policies emphasise the need for development proposals to contribute to mitigating climate change.</p> <p>contribute to protecting and enhancing the natural, built and historic environment of the neighbourhood area and a shift towards a low carbon economy.</p>

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

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

- 4.1. The following documents currently comprise North Herts District Council's development plan:
- North Hertfordshire Local Plan 2011 to 2031 (adopted November 2022)
  - [The Waste Site Allocations Development Plan Document 2011-2026](#) (adopted July 2014)
  - [The Waste Core Strategy & Development Management Policies Development Plan Document 2011-2026](#) (adopted November 2012)
  - [The Minerals Local Plan 2002-2016](#) (adopted March 2007)
  - Made Neighbourhood Plans in the District
- 4.2. Supplementary Planning Documents are a material consideration in the determination of planning applications in North Herts District. They comprise:
- The Employment Land Areas of Search Supplementary Planning Document (adopted November 2015)
  - The Minerals Consultation Areas Supplementary Planning Document (adopted November 2007)
- 4.3. The policies of the WNP must be in general conformity with the strategic policies of the adopted development plan documents. Within the Local Plan, strategic policies are those that begin with the letters 'SP'.
- 4.4. Where a strategic policy is not identified in Table 4.1, it is considered that the WNP does not contain any policies that directly relate to it.
- 4.5. It is confirmed that there are no policies in the strategic documents relating to minerals and waste that are of relevance to the WNP.

**Table 4.1: Relevant strategic policies**

Policy Title and Reference	Local Plan Strategic Policy	Commentary
POLICY WAD1: Location of development	SP1, SP2, SP5, SP8	<p>The policy is supportive of the strategic growth strategy for the district. It adds additional local detail by defining what is meant by the ‘built core of the village’ in the Wallington context.</p> <p>This will assist in ensuring that development takes place in the most sustainable locations and in a way that is in-keeping with the scale and context of the village. It will assist in protecting those areas beyond the built core which, within the neighbourhood area, comprise Green Belt and Rural Areas beyond the Green Belt.</p>
POLICY W2: Meeting local housing needs	SP2, SP8	<p>The Local Plan supports a range of tenures to be provided to meet local needs. The WNP is underpinned by a Local Housing Needs Assessment (informed too by local engagement), which provides detail of need in the Wallington context. Whilst it is not anticipated that large scale development will take place over the WNP period, there may be scope to deliver against this need through windfall development, the redevelopment of vacant farm sites and possibly a rural exception site.</p>
POLICY W3: Residential development within the built core	SP2	<p>Local Plan policy allows for limited affordable housing and facilities for local community needs meeting the requirements of Policy CGB2 will be allowed in the Category C settlements. Policy W3 of the WNP provides support for infill (with criteria to ensure that it can be met sustainably within the Wallington context), and the redevelopment of brownfield/former farm sites which might enable larger numbers than what might be expected through infill.</p>



Policy Title and Reference	Local Plan Strategic Policy	Commentary
POLICY W4: Reinforcing Wallington's local character through design	SP6, SP9, SP12, SP13	The WNP has prepared Design Guidance and Codes for Wallington, drawing on national design guidance and that contained in the Wallington Conservation Area Statement. This will ensure that any development proposal is prepared and undertaken in a way that will contribute to local character and, where possible, enhance it.
POLICY W5: Heritage assets in Wallington	SP13	The policy supports the strategic aims in relation to heritage conservation. It identifies five non-designated heritage assets within the neighbourhood area that are considered to hold historic significant locally. This should be taken into account should any planning applications come forward that relate to these buildings and structures.
POLICY W6: Design to mitigate climate change	SP9, SP11	Sustainable design that contributes to mitigating climate change is important at all policy levels and this is reinforced through the WNP.
POLICY W7: Locally significant views	SP9, SP10	The policy supports the strategic aims of ensuring that development is in-keeping with the local context. It also recognises the important role that the landscape and its features, including built features, play in supporting the physical health and wellbeing of local people. They also contribute to the sense of place. The WNP is blessed with a range of views that contribute significantly to this and these have been set out in the policy.
POLICY W8: Green and blue infrastructure, landscape features and biodiversity	SP10, SP12	The policy maps out, at the local level, the sites and features that contribute to biodiversity within the Parish and which should be protected and, where possible enhanced and better connected. This accords with the strategic policy on this matter and contributes to the district-wide aim of ensuring access to open space, which has a positive effect on health and wellbeing.

Policy Title and Reference	Local Plan Strategic Policy	Commentary
POLICY W9: Local green spaces	SP12	The Local Plan does not designate Local Green Space, rather it will support the designation and enhancement of Local Green Space as proposed by local communities, for instance in Neighbourhood Plans, where appropriate. In accordance with this, the WNP designates 13 local green spaces, which are considered to meet the requirements of the NPPF.
POLICY W10: Rural enterprise	SP3	The Local Plan supports sustainable local economic growth. This is likely to be fairly limited in the neighbourhood area but the WNP provides support for those particular areas of the economy that might be most suited to Wallington, namely some working, microbusinesses and the conversion of existing buildings such as farm buildings.

## 5 Basic Condition (vi) - conformity with EU obligations

- 5.1 The WNP, and the process under which it was made, conforms to the Strategic Environmental Assessment (SEA) Directive (EU 2001/42/EC) and the Environmental Assessment of Plans and Programmes Regulations 2004 (the Regulations).
- 5.2 In accordance with Regulation 9 of the SEA Regulations 2004, North Herts District Council, as the responsible authority, determined in March 2022 that a Strategic Environmental Assessment (SEA) is not required as the Plan's policies are unlikely to have significant environmental effects.
- 5.3 The screening opinion report can be found in the Evidence Pack.

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

- 6.1 Under [Directive 92/43/EEC](#), also known as the Habitats Directive (Directive 92/43/EEC 'on the conservation of natural habitats and of wild fauna and flora', it must be ascertained whether the WNP is likely to breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017. Assessments under the regulations are known as Habitats Regulation Assessments ("HRA"). An appropriate assessment ("AA") is required only if the Plan is likely to have significant effects on a European protected species or site. To ascertain whether or not it is necessary to undertake an assessment, a screening process is followed.
- 6.2 North Herts District Council, as the responsible authority, determined in March 2022 that the Neighbourhood Plan is unlikely to have significant impact on European sites and therefore does not require a full HRA to be undertaken.
- 6.3 In addition to conforming to its EU obligations, the Plan does not breach and is not otherwise incompatible with the European Convention on Human Rights.
- 6.4 The screening opinion report can be found in the Evidence Pack.

A Sustainability Appraisal has been prepared to support the WNP.

## **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 Wallington Neighbourhood Plan and all the policies therein. It is therefore respectfully suggested to the Examiner that the Wallington Neighbourhood Plan complies with Paragraph 8(1) (a) of Schedule 4B of the Act.