

# Ashwell Neighbourhood Plan 2019 to 2031

## Basic Conditions Statement

Presented by Ashwell Parish Council  
January 2020

# Ashwell Neighbourhood Plan

## Basic Conditions Statement

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### Contents

1	Introduction .....	2
2	Basic condition (a) - conformity with national planning policy .....	5
3	Basic condition (d) - contribution to sustainable development .....	12
4	Basic condition (e) - general conformity with strategic policies .....	15
5	Basic Condition (f) - conformity with EU obligations.....	22
6	Basic condition (g) - conformity with the prescribed conditions.....	22
7	Conclusion .....	23

# Ashwell Neighbourhood Plan

## Basic Conditions Statement

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### 1 Introduction

- 1.1 This Basic Conditions Statement has been produced to accompany the Ashwell Neighbourhood Plan ('the Neighbourhood Plan').
- 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<sup>1</sup> basic conditions before it can proceed to a referendum. These are:

*“(a) Having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan;*

*(d) The making of the neighbourhood development plan contributes to the achievement of sustainable development;*

*(e) 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);*

*(f) The making of the neighbourhood development plan does not breach, and is otherwise compatible with, EU obligations; and*

*(g) 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 Ashwell Neighbourhood Plan 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, organised by North Hertfordshire District Council (NHDC), to ascertain whether or not it requires a Strategic Environmental Assessment and/or a Habitats Regulations Assessments. The Determination Statement, stating that this this was not necessary, is included as part of the accompanying documentation. A Sustainability Statement has been prepared,

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<sup>1</sup> 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.

# Ashwell Neighbourhood Plan

## Basic Conditions Statement

---

however, to illustrate how sustainability issues have been considered as the policies have emerged.

- 1.6 Alongside the planning policies, the Plan 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 Ashwell Parish Council, as the qualifying body, has prepared the Plan which covers the same area as the parish area of Ashwell, as shown in Figure 1 below. NHDC designated a Neighbourhood Area for the whole of the Ashwell parish area on 24 March 2014.
- 1.8 The Plan sets out planning policies that relate to the development and use of land within only the Ashwell Neighbourhood Area.
- 1.9 The Plan refers only to the administrative boundary of Ashwell. There are no other adopted Neighbourhood Development Plans that cover all or part of the Ashwell Neighbourhood Area.
- 1.10 The Ashwell Neighbourhood Plan Working 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 controlling land use and development change over the plan period 2020 to 2031.
- 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.

# Ashwell Neighbourhood Plan Basic Conditions Statement

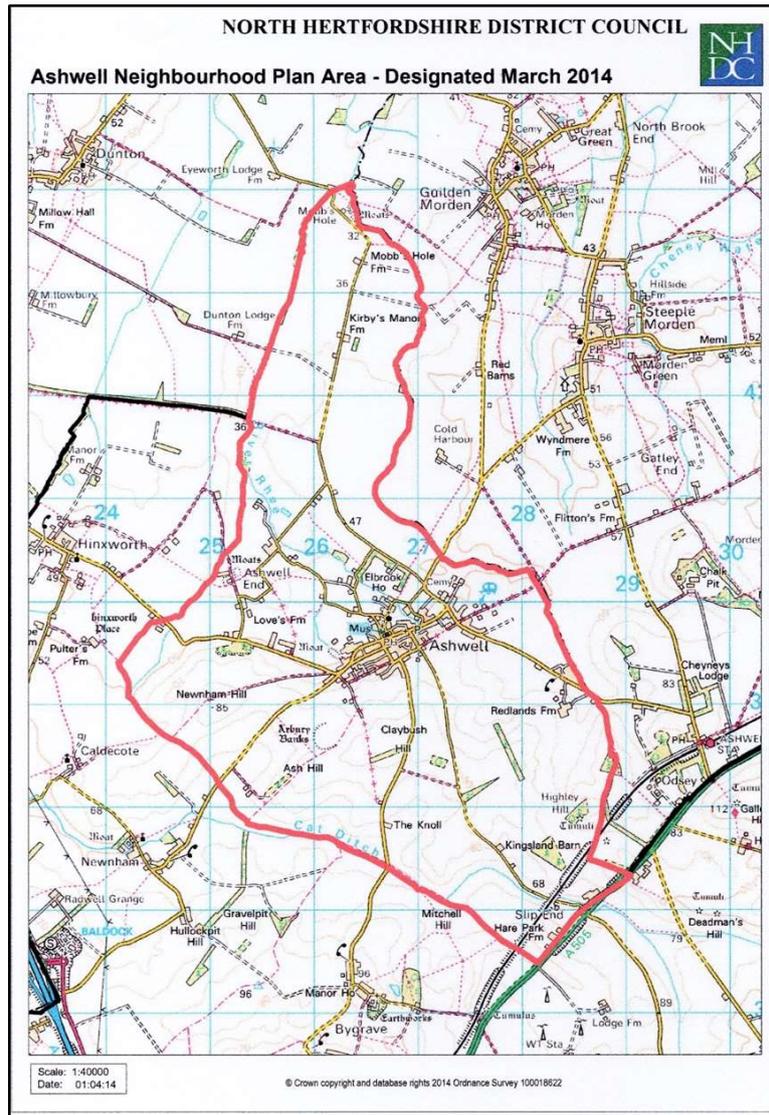


Figure 1.1 Ashwell Neighbourhood Plan designated area

# Ashwell Neighbourhood Plan

## Basic Conditions Statement

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### 2 Basic condition (a) - 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 Neighbourhood Plan 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 Ashwell Neighbourhood Plan 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 ten objectives, which are shown in Table 2.1 alongside the corresponding NPPF objective or objectives that each one seeks to address.
- 2.6 Figure 2.1 then provides further detail by detailing each of the 22 policies of the Neighbourhood Plan and which specific paragraphs of the NPPF it has had regard to along with a commentary.

Plan objective	Relevant NPPF goal
<i>objective 1:</i> To encourage sustainable development that reflects the needs of the village and ensures that the community can develop and evolve in an appropriate way	<ul style="list-style-type: none"> <li>■ Delivering a sufficient supply of homes</li> <li>■ Achieving well-designed places</li> </ul>

## Ashwell Neighbourhood Plan Basic Conditions Statement

Plan objective	Relevant NPPF goal
<i>objective 2:</i> To support sustainable local businesses and encourage the development of a strong local economy	<ul style="list-style-type: none"> <li>■ Building a strong, competitive economy</li> <li>■ Supporting high quality communications</li> </ul>
<i>objective 3:</i> To provide recreation and sporting facilities that meet the needs of the community and reflect changing requirements	<ul style="list-style-type: none"> <li>■ Promoting healthy and safe communities</li> </ul>
<i>objective 4:</i> To promote healthy communities	<ul style="list-style-type: none"> <li>■ Promoting healthy and safe communities</li> </ul>
<i>objective 5:</i> To safeguard against the loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs	<ul style="list-style-type: none"> <li>■ Promoting healthy and safe communities</li> </ul>
<i>objective 6:</i> To provide high quality education facilities for local children	<ul style="list-style-type: none"> <li>■ Promoting healthy and safe communities</li> </ul>
<i>objective 7:</i> To ensure that the village can support the changing needs of the residents by providing improved accessibility and enhancements to key village facilities	<ul style="list-style-type: none"> <li>■ Promoting sustainable transport</li> <li>■ Achieving well-designed places</li> </ul>
<i>objective 8:</i> To conserve and enhance the historic character of the village and its rural setting	<ul style="list-style-type: none"> <li>■ Conserving and enhancing the natural environment</li> <li>■ Conserving and enhancing the historic environment</li> </ul>
<i>objective 9:</i> To conserve and enhance the natural environment of the parish, its flora and its fauna	<ul style="list-style-type: none"> <li>■ Conserving and enhancing the natural environment</li> </ul>
<i>objective 10:</i> To reduce greenhouse gas emissions by using renewable and low carbon energy technologies in new housing and infrastructure developments, as the NPPF (2019) recommends in paras 150 & 151	<ul style="list-style-type: none"> <li>■ Meeting the challenge of climate change, flooding and coastal change Achieving well-designed places</li> <li>■ Conserving and enhancing the natural environment</li> </ul>
Figure 2.1 Assessment of the Ashwell Neighbourhood Plan objectives against NPPF goals	

# Ashwell Neighbourhood Plan

## Basic Conditions Statement

### Assessment of how each policy in the Plan conforms to the NPPF

Policy Title and Reference	NPPF Reference (paragraph)	Commentary
<b>Spatial strategy</b>		
POLICY ASH1: Location of Development	8, 16, 17, 28, 117, 118	<p>A core principle of national policy is the need for the planning system to contribute to sustainable development. The NPPF states that plans should support the strategic development needs as set out in the adopted Local Plan and actively manage patterns of growth.</p> <p>Policy ASH1 supports the development strategy set out in the adopted Local Plan, while also synchronising with that of the emerging Local Plan, identifying the settlement boundaries for the village. The policy supports the prioritisation of brownfield sites, with the inclusion of a local iteration of paragraph 118 c) of the NPPF.</p>
<b>Housing</b>		
POLICY ASH2: Housing Mix	61, 62, 64	<p>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 Ashwell Neighbourhood Plan does not seek to allocate housing sites, the evidence and local engagement revealed a need to address the shortage of homes suited to the needs of downsizers and those wishing to get onto the housing ladder. Policy ASH2 seeks to ensure that all residential development proposals are adequately informed by <u>locally specific</u> housing need survey, that drills down to the neighbourhood level as opposed to relying on data prepared at the strategic level. The policy also supports the provision of self- and custom-build housing in the parish.</p>
<b>Design and heritage policies</b>		
POLICY ASH3: Character of Development	125, 127, 184, 185	<p>National policy encourages neighbourhood plans to develop policies that achieve well-designed places that reflect local aspirations and are grounded in an understanding and evaluation of each area's defining characteristics. Policy ASH3 contributes to this aim by ensuring that development in the neighbourhood area is designed to respect the character of Ashwell, in terms of architecture, built form</p>

## Ashwell Neighbourhood Plan Basic Conditions Statement

Policy Title and Reference	NPPF Reference (paragraph)	Commentary
		and materials. It also seeks to conserve and enhance the heritage assets both designated and non-designated, that can be found in the neighbourhood area.
POLICY ASH4: Design of Development	124, 125, 126, 127	The NPPF states the need for development to be of high quality and inclusive design. Policy ASH4 seeks to ensure that development is in keeping with the design of surrounding context and makes use of the existing design guidance relating to the parish. Particular criteria are noted, which have stemmed from the community engagement.
POLICY ASH5: Flood Risk	20, 34, 148-150, 155-165	It is important that policies take a proactive approach to risk from flooding. Surface water flooding continues to be a problem for the village and this policy seeks to ensure that development proposals mitigate this and, preferably, in a way that enhances biodiversity opportunities.
POLICY ASH6: Sustainable Water Supply	20, 34, 149	The parish houses the source of the Chalk River Rhee at Ashwell Springs SSSI. This policy seeks to ensure that development proposals consider and appropriately manage water consumption needs, to ensure the continued safeguarding of this vulnerable waterway network.
POLICY ASH7: Environmentally Sustainable Design	149, 150(b), 151	The policy supports the national objective of designing development to mitigate climate change. Notwithstanding the fact that energy efficiency matters are largely controlled by the Building Regulations, it identifies a series of locally-distinctive design features which would be supported where they are incorporated into development. In particular it supports features aimed at reducing energy consumption and energy loss that should be incorporated into both new development and to retrofit sensitively historic buildings.
POLICY ASH8: Protecting Historic Assets	189, 190, 192-197	The Neighbourhood Plan identifies a series of non-designated heritage assets that should be conserved and enhanced to improve opportunities to celebrate local heritage in Ashwell. This accords with national policy, which seeks to safeguard not only nationally important heritage assets, but also those which are special at the more local level.
POLICY ASH9: Locally Significant Views	170, 171	The policy sets out 13 locally significant views that have been identified by the local community as warranting protection from development because they are particularly special to the area and contribute to Ashwell's character.
<b>Natural Environment policies</b>		

## Ashwell Neighbourhood Plan Basic Conditions Statement

Policy Title and Reference	NPPF Reference (paragraph)	Commentary
POLICY ASH10: Natural Landscape and Rural Character	127(e), 170, 171, 174, 175, 177	This policy supports the national objective of ensuring that development contributes to and enhances the natural environment, through identifying, maintaining and enhancing locally significant landscape features, such as the chalk rivers, trees, orchards, woodlands and hedgerows. It also sets out parameters for developments, which provide publicly accessible open space.
POLICY ASH11: Natural Wildlife Assets, Wildlife Corridors and Green Infrastructure	170, 171, 175, 177	This policy supports the national aim for development to achieve a net gain in biodiversity. As suggested by the NPPF, it maps the network of green infrastructure at the neighbourhood level, in order to identify the corridors of green space that should be conserved and managed in a way that provides net environmental gain.
POLICY ASH12: Local Green Spaces	99-101, 145, 146	The policy seeks to designate a Local Green Space, that has been identified by the local community and which is considered to meet the criteria as set out in the NPPF.
<b>Business and Economy policies</b>		
POLICY ASH13: Incubator/Flexible Start-up Business Space	83, 84	The policy seeks to support the sustainable growth of the rural economy in Ashwell by supporting the provision of incubator business space locally in a way that is sensitive to the rural surroundings. This will provide needed space for local residents who might otherwise travel much further afield.
POLICY ASH14: Broadband Provision	80, 81, 112	Ashwell is a rural parish and this policy seeks to ensure that those wishing to work from home, or work locally, can do so, by ensuring that adequate broadband infrastructure is provided. Such provision also has a wider social role for the community.
POLICY ASH15: Ashwell Village Centre	83, 91, 92	The village centre provides a lifeline for the community, with a variety of services. This policy seeks to safeguard against the loss of these, which in turn will promote healthy, inclusive and safe place, as well as contributing to the viability of the rural economy.
<b>Sport, leisure and recreation policies</b>		
POLICY ASH16: Sport Facilities	91, 92, 96, 97	The NPPF encourages policies that contribute to healthy, inclusive communities. Despite its size and rurality, Ashwell has a range of leisure and recreational facilities that are well-used by the community

## Ashwell Neighbourhood Plan Basic Conditions Statement

Policy Title and Reference	NPPF Reference (paragraph)	Commentary
		and Policy ASH16 seeks to safeguard these. In addition, it supports proposals which would ameliorate this offer, for instance the extension of the Recreation Ground and provision of accessible toilet facilities.
POLICY ASH17: Public Houses	91, 92	The NPPF encourages the provision of spaces that promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other. In a rural village such as Ashwell, the public houses have historically played such a role and this policy seeks to safeguard against their conversion into different uses.
POLICY ASH18: Maintaining existing health services	83, 91, 92	The NPPF encourages policies that enable and support healthy lifestyles, especially where this would address identified local health and well-being needs. Whilst the village benefits from a series of health facilities, there is already pressure on these which, as the village continues to grow, may be exacerbated in the future. The policy seeks to support their ongoing provision and, where there is evidence of need and it can be achieved in a sensitive way, their expansion. This policy also contributes to the national aim of supporting prosperous rural economies.
POLICY ASH19: Education Provision	91, 92, 94	The policy seeks to guard against the unnecessary loss of valued educational facilities and services, as this would reduce the community's ability to meet its day-to-day needs.
<b>Transport and movement policies</b>		
POLICY ASH20: Accessible paths in the village and rural areas	98, 102-104, 127	The policy seeks to promote and enhance the walking and cycling opportunities in the village, wider parish and connecting to areas and settlements beyond. This contributes directly to the national aim of promoting sustainable modes of transport as well as helping to contribute to Ashwell's sense of place.
POLICY ASH21: Bus Services and Community Transport	102-104, 108, 110, 111	The policy actively supports proposals that will contribute to greater provision of public transport services, a key aim of the NPPF.

## Ashwell Neighbourhood Plan Basic Conditions Statement

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Policy Title and Reference	NPPF Reference (paragraph)	Commentary
POLICY ASH22: Residential and Public Car Parking	105, 106	Notwithstanding Policies ASH20 and ASH21, it is important to consider the rural nature of the parish, which has led to higher than average car ownership. The village is fairly hilly too, which means that whilst walking and cycling are encouraged and supported through the Neighbourhood Plan, inevitably some residents will still prefer to use their cars to access services and facilities. This policy seeks to ensure that parking provision is retained and where possible, new parking is provided off-street to reduce problems already associated with on-street congestion. The policy also actively encourages electric-vehicle charging points and cycle storage, to support a shift away from more polluting types of vehicle.

Figure 2.2 Assessment of conformity to the NPPF

# Ashwell Neighbourhood Plan

## Basic Conditions Statement

### 3 Basic condition (d) - 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 Ashwell Neighbourhood Plan, 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’<sup>2</sup>.
- 3.3 Figure 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. Many of the objectives 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.

### Assessment of the Ashwell Neighbourhood Plan objectives and policies against sustainable development

Deliver economic sustainability	
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>	
NP Objectives	Objective 2: To support sustainable local businesses and encourage the development of a strong local economy
NP Policies	POLICY ASH13: Incubator/Flexible Start-up Business Space POLICY ASH14: Broadband Provision POLICY ASH15: Ashwell Village Centre
Commentary	<p>The NPPF seeks to support the rural economy and the policies in the Neighbourhood Plan reinforce this, in particular seeking to support the development, where it can be done in a sensitive way, of opportunities to support local business both through providing start-up space and maintaining a vibrant village centre.</p> <p>The parish of Ashwell is very rural and as such it is an attractive location for workers seeking a more flexible approach to employment, including home-working. This is likely to be even more so in light of the shift in ways of working as a result of the Covid-19 pandemic. The Plan seeks to support home-working by ensuring that the right conditions are in place – for instance broadband availability.</p> <p>In these ways, the Plan seeks to contribute to building a sustainable economy.</p>
Deliver social sustainability	

<sup>2</sup> Planning Practice Guidance, Paragraph: 072 Reference ID: 41-072-20140306

# Ashwell Neighbourhood Plan

## Basic Conditions Statement

<p>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></p>	
NP Objectives	<p>Objective 1: To encourage sustainable development that reflects the needs of the village and ensures that the community can develop and evolve in an appropriate way</p> <p>Objective 3: To provide recreation and sporting facilities that meet the needs of the community and reflect changing requirements.</p> <p>Objective 4: To promote healthy communities</p> <p>Objective 5: To safeguard against the loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs</p> <p>Objective 6: To provide high quality education facilities for local children</p>
NP Policies	<p>POLICY ASH1: Location of Development</p> <p>POLICY ASH2: Housing Mix</p> <p>POLICY ASH16: Sport Facilities</p> <p>POLICY ASH17: Public Houses</p> <p>POLICY ASH18: Maintaining existing health services</p> <p>POLICY ASH19: Education Provision</p> <p>POLICY ASH20: Accessible path in the village and rural areas</p> <p>POLICY ASH21: Bus Services and Community Transport</p> <p>POLICY ASH22: Residential and Public Car Parking</p>
Commentary	<p>The NPPF underlines the importance of supporting strong, vibrant and healthy communities. For Ashwell, it will be important to try to ensure that the village and its facilities remain viable by attracting families and others to live here. Therefore, whilst the Neighbourhood Plan does not seek to allocate sites specifically, as this is being addressed in the emerging Local Plan, it does seek to influence the type, mix and affordability of housing to be delivered to meet a defined local need. In particular, 1, 2 and 3 bedroom homes suited to downsizers and first-time buyers, which are currently lacking in the parish.</p> <p>The Plan also seeks to support the continued provision of a range of facilities and services and, where suitable, their further expansion.</p> <p>Supporting healthy and inclusive living is an important aim of the Plan and this is achieved by encouraging active travel (walking and cycling) to access to local facilities and the surrounding countryside and nearby settlements. Equally, it seeks to support a reduction in reliance on more polluting modes of transport by supporting both public transport and electric vehicle infrastructure requirements.</p> <p>In these ways, the Plan aims to support a strong, vibrant and healthy community.</p>
<p><b>Deliver environmental sustainability</b></p>	
<p>NPPF definition – <i>‘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></p>	

# Ashwell Neighbourhood Plan

## Basic Conditions Statement

NP Objectives	<p>Objective 7 To ensure that the village can support the changing needs of the residents by providing improved accessibility and enhancements to key village facilities</p> <p>Objective 8 To conserve and enhance the historic character of the village and its rural setting</p> <p>Objective 9 To conserve and enhance the natural environment of the parish, its flora and its fauna</p> <p>Objective 10 To reduce greenhouse gas emissions by using renewable and low carbon energy technologies in new housing and infrastructure developments</p>
NP Policies	<p>POLICY ASH3: Character of Development</p> <p>POLICY ASH4: Design of Development</p> <p>POLICY ASH5: Flood Risk</p> <p>POLICY ASH6: Sustainable Water Supply</p> <p>POLICY ASH7: Environmentally Sustainable Design</p> <p>POLICY ASH8: Protecting Heritage Assets</p> <p>POLICY ASH9: Locally Significant Views</p> <p>POLICY ASH10: Natural Landscape and Rural Character</p> <p>POLICY ASH11: Natural Wildlife Assets, Wildlife Corridors and Green Infrastructure</p> <p>POLICY ASH12: Local Green Spaces</p>
Commentary	<p>Ashwell is a rural parish and the settlement itself is thought to date to at least the tenth century, and is noted in the Domesday Book as being an important market settlement in the area. This long history has left its mark in the form of a rich variety of heritage assets, with the church providing a focal point for travelers reaching the village today.</p> <p>The NPPF places a high importance on defining and preserving local character and the Neighbourhood Plan seeks to enable this through a range of policies relating to character, local views and protecting and celebrating heritage.</p> <p>The rural character too contributes to Ashwell’s distinctiveness, providing a deeply rural backdrop to the historic village. The Plan therefore also contains a series of policies including conserving the landscape character, defining Ashwell’s network of green infrastructure and promoting biodiversity.</p> <p>Finally, the Plan proactively supports and contributes to the national aim of mitigating climate change through, for instance, the inclusion of sustainable design criteria, policies to reduce the potential for flooding.</p> <p>In these ways, the Plan seeks to contribute to protecting and enhancing the natural, built and historic environment of the neighbourhood area.</p>

Figure 3.1 Assessment against sustainable development criteria

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

# Ashwell Neighbourhood Plan

## Basic Conditions Statement

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### 4 Basic condition (e) - general conformity with strategic policies

4.1 The adopted Local Plan for North Herts District Council currently consists of the following:

- Saved policies from the North Hertfordshire District Local Plan No. 2 with Alterations adopted 1996 (NHDC)<sup>3</sup>
- Hertfordshire Minerals Local Plan adopted in 2007 (HCC)
- Hertfordshire Waste Core Strategy and Development Management Policies Document, 2012 (HCC)
- Hertfordshire Waste Site Allocations Document, 2014 (HCC)

4.2 An updated Local Plan for North Herts to 2031 is currently being developed<sup>4</sup> and is being examined at the time of writing.

4.3 Table 4.1 details the Ashwell Neighbourhood Plan policies alongside a consideration of how they are in general conformity with the Saved policies from the North Hertfordshire District Local Plan No. 2 with Alterations adopted 1996. Whilst the new Local Plan has not yet been adopted, the Neighbourhood Plan has sought to synchronise itself with the emerging policies and these are also shown in Table 4.1

4.4 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.

4.5 It is confirmed that there are no policies in the minerals and waste plans that the Neighbourhood Plan policies have relevance to.

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<sup>3</sup> <https://www.north-herts.gov.uk/planning/planning-policy/local-plan-current-policy/district-local-plan-no2-alterations/saved-local>

<sup>4</sup> <https://www.north-herts.gov.uk/sites/northherts-cms/files/Proposed%20Submission%20Local%20Plan.pdf>

## Ashwell Neighbourhood Plan Basic Conditions Statement

Relevant strategic policies in the saved policies from the North Hertfordshire District Local Plan No. 2) and the emerging Local Plan

Policy Title and Reference	Local Plan (1996)	Emerging NHDC Local Plan	Commentary
POLICY ASH1: Location of Development	<p>Policy 7: Selected villages beyond the Green Belt</p> <p>Policy 25: Re-use of rural buildings</p> <p>Policy 26: Housing Proposals</p> <p>Policy 29: Rural Housing Needs</p>	<p>Policy SP1: Sustainable development in North Hertfordshire</p> <p>Policy SP2: Settlement hierarchy</p> <p>Policy D2: House extensions, replacement dwellings and outbuildings</p>	<p>This policy defines where development should be directed within Ashwell parish. It amends the settlement boundary, to enable modest growth over the Plan period in line with Ashwell's emerging classification as a Category A village. It supports bringing back into use redundant buildings.</p>
POLICY ASH2: HOUSING MIX	<p>Policy 29: Rural Housing Needs</p> <p>Policy 29A: Affordable housing for urban local needs</p>	<p>Policy SP8: Housing</p>	<p>The policy supports the provision of housing that has been identified as needed in the parish. This relates particularly to 1, 2 and 3 bedroom dwellings at a more affordable cost as well as homes suited to older people. To support this, the policy requests proposals to be supported by housing needs evidence.</p>
POLICY ASH3: CHARACTER OF DEVELOPMENT	<p>Policy 7: Selected villages beyond the Green Belt</p>	<p>Policy SP8: Housing</p> <p>Policy SP13: Historic Environment</p>	<p>The adopted Local Plan sets out visual character areas within Ashwell. These are considered to remain relevant and are included within the Neighbourhood Plan. The Ashwell Village Design Statement has been revised for the Neighbourhood Plan. Whilst NHDC have adopted parts of the previous statement, it is considered that the guidance contained within the amended version forms part of the Neighbourhood Plan and therefore should be used to guide development in the parish.</p>
POLICY ASH4: Design of Development	<p>Policy 21: Landscape and open space pattern in towns</p>	<p>Policy SP8: Housing</p>	<p>This policy conforms to the strategic policies by promoting high quality and inclusive design for all</p>

## Ashwell Neighbourhood Plan Basic Conditions Statement

Policy Title and Reference	Local Plan (1996)	Emerging NHDC Local Plan	Commentary
	<p>Policy 28: House Extensions</p> <p>Policy 55: Car parking standards</p> <p>Policy 57: Residential Guidelines and standards</p>		development that is in keeping with the local context. The policy sets out, at a more local level, key criteria for design, directing applicants to the Ashwell Village Design Guide.
POLICY ASH5: Flood Risk	None saved	<p>Policy SP11: Natural resources and sustainability</p> <p>Policy D1: Sustainable design</p> <p>Policy NE7: Reducing flood risk</p> <p>Policy NE8: Sustainable drainage systems</p>	The village is impacted by flooding and the inclusion of a policy to address this has been flagged as important by Local Authority officers, in particular in the absence of a saved Local Plan policy on this topic and as the emerging Local Plan has not yet been adopted. The policy provides localised detail about how proposals should seek to mitigate their contribution to future flood risk.
POLICY ASH6: Sustainable Water Supply	None saved	<p>Policy SP11: Natural resources and sustainability</p> <p>Policy D1: Sustainable design</p> <p>Policy NE10: Water Framework Directive and wastewater infrastructure</p>	Ashwell is situated in an area where water is vulnerable to over-exploitation and this policy seeks to protect this asset by limiting consumption and supporting close liaison with the Water Board. It adds locally specific detail to a gap in existing policy, and as the emerging Local Plan is not yet adopted.
POLICY ASH7: Environmentally Sustainable Design	<p>Policy 21: Landscape and open space pattern in town</p> <p>Policy 57: Residential guidelines and standards</p>	<p>Policy SP11: Natural resources and sustainability</p> <p>Policy D1: Sustainable Design</p> <p>Policy D4: Air quality</p>	The adopted Local Plan supports high quality design. This policy seeks to encourage this to the highest level, which will contribute to mitigating the climate emergency.
POLICY ASH8: Protecting heritage assets	Policy 16: Areas of archaeological significance and other archaeological areas	<p>Policy SP13: Historic Environment</p> <p>Policy HE1: Designated heritage assets</p>	The policy adds an additional local dimension to existing strategic policy, by setting out the non-designated heritage assets that are considered notable within the parish.

## Ashwell Neighbourhood Plan Basic Conditions Statement

Policy Title and Reference	Local Plan (1996)	Emerging NHDC Local Plan	Commentary
	Policy 21: Landscape and open space pattern in town	Policy HE2: Heritage at Risk Policy HE3: Local heritage	
POLICY ASH9: Locally Significant Views	Policy 21: Landscape and open space pattern in towns	Policy NE1: Landscape Policy HE1: Designated heritage assets	The policy reinforces the need to resist development that would have a significantly detrimental effect on the character, form, extent and structure of the pattern. It does this by providing more locally specific detail about views that are considered important in Ashwell. Some of these relate to landscape, others relate to local heritage.
POLICY ASH10: Natural Landscape and Rural Character	Policy 14: Nature Conservation	Policy SP12: Green infrastructure, biodiversity and landscape	NHDC expect development proposals to take account of, and where possible, to show improvements to the nature conservation value of the site and its surroundings. In addition, the Council may require the preparation and implementation of a management scheme to maintain or enhance the site's nature conservation value. This policy provides additional local detail, specific to Ashwell, to achieve this.
POLICY ASH11: Natural Wildlife Assets, Wildlife Corridors and Green Infrastructure	Policy 14: Nature Conservation	Policy SP12: Green infrastructure, biodiversity and landscape	The policy maps out the natural spaces and corridors within the parish (which connect to those beyond), which form the local green infrastructure network. It is considered that these spaces, within Ashwell, are important for wildlife and biodiversity and should, where feasible, be enhanced. This is in line with the strategic view on natural assets.
POLICY ASH12: Local Green Spaces	Policy 14: Nature Conservation	Policy SP12: Green infrastructure, biodiversity and landscape	The policy provides a local angle to nature conservation by demonstrating the need to designate a Local Green Space.

## Ashwell Neighbourhood Plan Basic Conditions Statement

Policy Title and Reference	Local Plan (1996)	Emerging NHDC Local Plan	Commentary
POLICY ASH13: Incubator/Flexible Start-up Space	Policy 36: Employment Provision Policy 37: Business Uses (B1 Use Class)	Policy SP4	This policy supports the strategic aim of supporting applications, particularly for small firms, for development and redevelopment to meet the needs of the available labour supply and changes in the local economy. As a rural location, Ashwell would benefit from additional small-scale employment opportunities within the parish.
POLICY ASH14: Broadband Provision	Policy 36: Employment Provision Policy 57: Residential Guidelines and Standards	Policy SP10: Healthy communities	The policy recognizes the need for improved broadband at the parish level, which in turn will assist in meeting the needs of changes in the local economy.
POLICY ASH15: Ashwell Village Centre	Policy 36: Employment Provision Policy 37: Business Uses (B1 Use Class) Policy 39: Leisure Uses Policy 42: Shopping	Policy SP4: Towns and Local Centres Policy SP10: Healthy communities	The policy recognises the valuable role played by the village centre, providing a range of services and facilities to local people. It seeks to support proposals across a mix of uses that will facilitate this ongoing role, contributing to both strategic economic aims as well as encouraging community activities.
POLICY ASH16: Sport Facilities	Policy 39: Leisure Uses	Policy SP10: Healthy communities	The policy supports the strategic policy around leisure and recreational provision, in particular providing additional local detail about specific needs in Ashwell, for instance relating to the recreation ground.
POLICY ASH17: Public Houses	Policy 39: Leisure Uses	Policy SP4: Towns and Local Centres Policy SP10: Healthy communities	Opportunities for leisure and recreation that strengthen the role of town (and village centres) are supported at the strategic level. In addition, activities that encourage community cohesion. In a rural village such as Ashwell, public houses perform these roles, as well as contributing to the local economy, and therefore this policy seeks to safeguard these vital services from change of use.

## Ashwell Neighbourhood Plan Basic Conditions Statement

Policy Title and Reference	Local Plan (1996)	Emerging NHDC Local Plan	Commentary
POLICY ASH18: Maintaining Existing Health Services	<p>Policy 43: Shopping areas in town centres</p> <p>Policy 51: Development effects and planning gain</p>	Policy SP10: Healthy communities	As a larger village, Ashwell has been able to retain a range of vital services for its local community. This includes a GP surgery, pharmacy and dental surgery. This policy seeks to enable their continued presence and, if required, their expansion. This supports the adopted policy of encouraging other uses to shops with centres if it can be shown that the proposal will not disrupt the shopping pattern and will attract people to that centre.
POLICY ASH19: Education Provision	Policy 51: Development effects and planning gain	<p>Policy SP1: Sustainable development in North Hertfordshire</p> <p>Policy SP7: Infrastructure requirements and developer contributions</p> <p>Policy SP10: Healthy communities</p> <p>Policy AS1: Land west of Claybush Road</p>	Whilst education provision is generally dealt with at the County Council level, It is considered that the continued provision of the school in Ashwell village is particularly important, as it is a vital facility for both existing and potential residents. Careful thought will need to be given to how the existing facility can be expanded (or relocated) to meet future demand, while still providing a village service.
POLICY ASH20: Accessible paths in the village and rural areas	<p>Policy 51: Development effects and planning gain</p> <p>Policy 57: Residential guidelines and standards</p>	<p>Policy SP6: Sustainable transport</p> <p>Policy SP7: Infrastructure requirements and developer contributions</p>	The policy seeks to support the strategic aim of encouraging safe walking and cycling routes and encourages the extension of the network to promote active travel within the village, wider and beyond.
POLICY ASH21: Bus Services and Community Transport	Policy 51: Development effects and planning gain	<p>Policy SP6: Sustainable transport</p> <p>Policy SP7: Infrastructure requirements and developer contributions</p>	The policy seeks to support improvements to public transport infrastructure, which will contribute to the strategic aims around promoting sustainable forms of transport.

## Ashwell Neighbourhood Plan Basic Conditions Statement

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Policy Title and Reference	Local Plan (1996)	Emerging NHDC Local Plan	Commentary
		Policy SP10: Healthy communities	
POLICY ASH22: Residential and Public Car Parking	Policy 55: Car Parking Standards	Policy SP6: Sustainable transport	Notwithstanding the overarching aim to promote more sustainable modes of transport, the policy recognises Ashwell's rural location and high dependence on cars and the need to service this as a general shift in transport is achieved at a national level. The policy supports the provision of cycle parking and electric vehicle charging points to assist with this more global shift.

# Ashwell Neighbourhood Plan

## Basic Conditions Statement

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### 5 Basic Condition (f) - conformity with retained EU obligations

- 5.1 The Ashwell Neighbourhood Plan, 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 Hertfordshire District Council, as the responsible authority, determined on 22 June 2020 that a Strategic Environmental Assessment (SEA) of the emerging Ashwell 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, as this was being pursued at the strategic level, 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 Letter is contained in Appendix A. The full Determination Statement is contained in the Evidence Base alongside the Neighbourhood Plan.
- 5.4 A Sustainability Statement has been prepared to sit alongside the Plan however, which aided in the process of determining policies with the least negative impact on the environment.

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

- 6.1 Under Directive 92/43/EEC, also known as the Habitats Directive<sup>5</sup>, 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.
- 6.2 North Herts District Council, as the responsible authority, determined on 26 July 2019 that the Ashwell NP is unlikely to have significant impact on European sites and therefore the Ashwell NP 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 An extract from the original Determination Letter is contained in Appendix A.

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<sup>5</sup> 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>

# Ashwell Neighbourhood Plan

## Basic Conditions Statement

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