



2022-2036

BASIC CONDITIONS STATEMENT

Pre-submission Version January 2023

Prepared by Bovingdon Parish Council &

Bovingdon Neighbourhood Plan Steering Group

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BOVINGDON NEIGHBOURHOOD PLAN

DRAFT BASIC CONDITIONS STATEMENT

1 Introduction

- 1.1 This statement has been prepared by Bovingdon Parish Council to accompany the Draft Bovingdon Neighbourhood Plan.
- 1.2 Whilst reflecting the wishes of the local community, in accordance with the Neighbourhood Planning (General) Regulations 2012 (as amended), the Bovingdon Neighbourhood Plan must satisfy six “basic conditions” before it can come into force. The plan must:
- Have appropriate regard to national planning policy
 - Contribute to the achievement of sustainable development
 - Be in general conformity with the strategic policies in the development plan for the local area
 - Not breach or otherwise be incompatible with European Union (EU) Regulations, including human rights requirements and not be likely to have a significant effect on a European site or European offshore marine site, or UK equivalent
 - Meet the prescribed legal requirements
 - Not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.
- 1.3 This statement confirms that the Bovingdon Neighbourhood Plan 2022 – 2036 meets all the necessary requirements.

2 Legal Requirements

- 2.1 The Localism Act 2011, with effect from April 2012, sets out the provision for communities to produce plans that have statutory weight. Taking part in this plan-making process is an opportunity for communities to have a say about the future growth in their area. The policies contained in the Neighbourhood Plan will be used in determining planning applications, will provide guidance for developers and will inspire local residents to enjoy and improve their area.
- 2.2 At a meeting of Bovingdon Parish Council on 5th March 2018, residents and councillors discussed the need to meet the housing requirements that had been set out in the consultation held by Dacorum on their draft Local Plan Issues and Options, in Autumn 2017. The Parish Council agreed to proceed with the production of a Neighbourhood Plan for Bovingdon.
- 2.3 The Neighbourhood Plan was prepared by the Bovingdon Neighbourhood Plan Steering Group on behalf of Bovingdon Parish Council. The Steering Group thoroughly researched the topics of interest and the issues raised through consultation with the residents and other stakeholders in Bovingdon.

- 2.4 The Neighbourhood Plan is a community-led framework for the future sustainable development of Bovingdon. It has been informed by thorough consultation with the community and other stakeholders and an extensive evidence base which includes mapping, reports produced by external specialist consultants and data from public records.
- 2.5 Following consultation on the Dacorum Local Plan Emerging Strategy for Growth in early 2021, the Borough Council issued a [Consultation Summary Report](#). At a Council Cabinet meeting in June 2021, it was decided that further information should be gathered and a second ‘Call for Sites’ was undertaken.
- 2.6 The unavoidable delays to the production of a new Local Plan impacted on the nature of housing policies in the Bovingdon Neighbourhood Plan. Without the adoption of a new Local Plan the Neighbourhood Plan could not allocate sites for housing outside the Bovingdon village development boundary (in the Green Belt).
- 2.7 Throughout the preparation process, the emphasis shifted from providing for housing to writing the policies that would shape housing growth, safeguard the environment and improve social and economic conditions in the Neighbourhood Plan area. The Vision and Objectives of the Neighbourhood Plan can be found in chapter 4 of the Neighbourhood Plan.
- 2.8 The Neighbourhood Plan vision for the future, objectives, planning policies and a set of actions, aim to ensure that Bovingdon will grow sustainably and thrive over time. It contains an appraisal of housing in Bovingdon Conservation Area and provides policies for shaping housing growth. It seeks to protect the environment and to provide facilities that will support and enhance cater for the wellbeing of the community. It also includes policies to protect and promote the appropriate amount of economic growth and policies to improve traffic and transport issues in Bovingdon village.
- 2.9 The Plan must not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitat and Species Regulations 2017. To this end, a Strategic Environmental Assessment (SEA) Screening Report was produced by and consulted on by Dacorum Borough Council. The Screening Determination (see Appendix A) made by Dacorum was that Bovingdon Neighbourhood Plan is unlikely to have significant effects on Natura 2000 sites therefore a Habitats Regulation Assessment (HRA) is not required. Based on the draft policies contained in the Neighbourhood Plan, it is unlikely to have a significant effect on the environment and so the Bovingdon Neighbourhood Plan does not require a SEA Assessment

3 Qualifying Body and Bovingdon Neighbourhood Plan Area

- 3.1 Bovingdon Parish Council is the qualifying body for the Neighbourhood Plan. On 13 June 2018 Dacorum Borough Council acknowledged receipt of an application by the Parish Council to designate its parish as a neighbourhood plan area. The Neighbourhood Plan Area designation was confirmed by notice dated 24 December 2018. The designated area is shown on a map (see Figure 1).
- 3.2 There are no other neighbourhood plans in place within the designated area and the area does not overlap any other neighbourhood plan area.

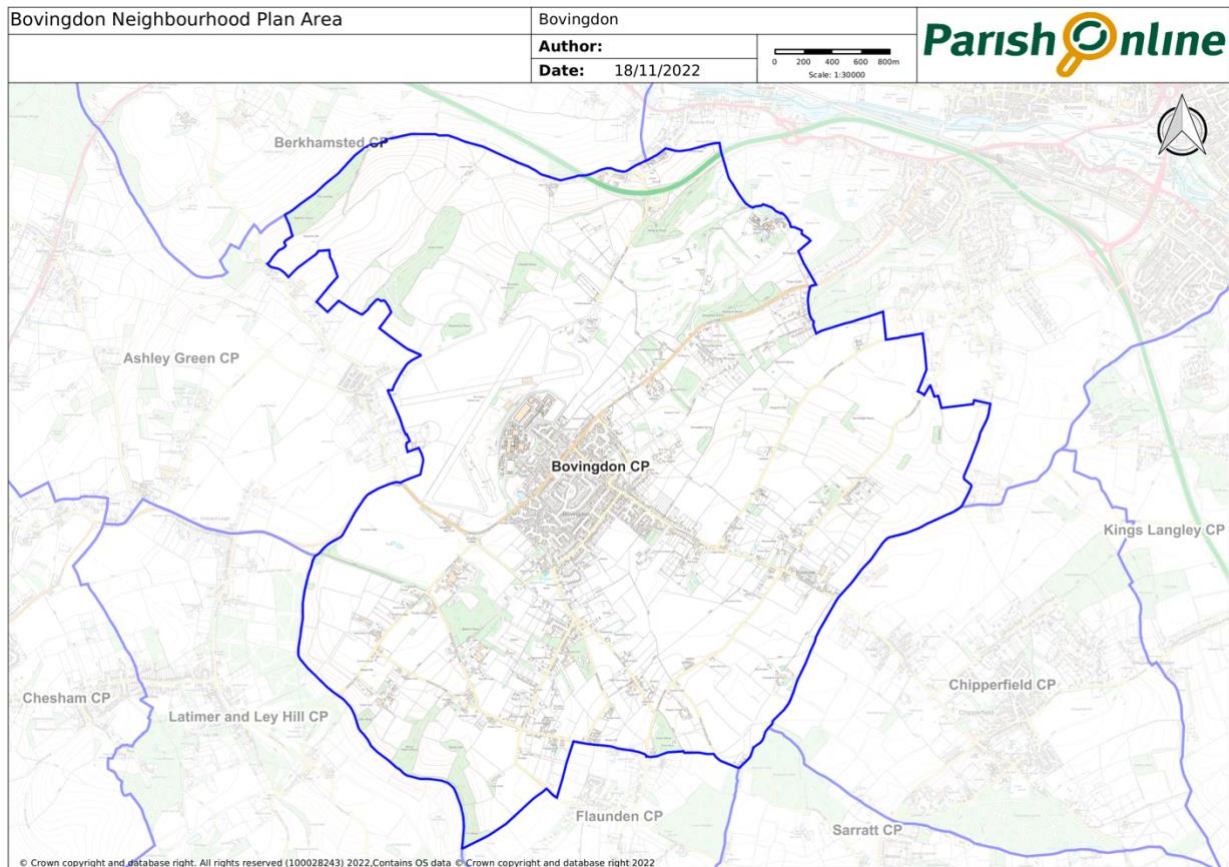


Figure 1: Bovingdon Neighbourhood Plan Area

4 National and Local Planning Policy Context

- 4.1 The Neighbourhood Plan has been prepared with regard to the National Planning Policy Framework (NPPF) July 2021 and current Planning Practice Guidance. Plans should be prepared with the objective of achieving sustainable development. The three overarching objectives are economic, social and environmental objectives (NPPF paragraph 8). Appendix B shows how the objectives of the Neighbourhood Plan support the presumption in favour of sustainable development.
- 4.2 The current development plan for Dacorum Borough consists of:
- Dacorum Borough’s Local Planning Framework Core Strategy (adopted September 2013)
 - Dacorum Site Allocations DPD (adopted July 2017)
 - ‘Saved’ policies from the Dacorum Borough Local Plan 1991-2011 (adopted April 2004)
 - Grovehill Neighbourhood Plan (May 2018)
 - Hertfordshire Minerals Local Plan Review 2002-2016 (adopted March 2007)
 - Waste Core Strategy & Development Management Policies (adopted November 2012)
 - Hertfordshire Waste Site Allocations DPD (adopted July 2014).

The current planning documents that make up the statutory Development Plan can be found on the [Dacorum Borough Council website](#) and the [Hertfordshire County Council website](#).

- 4.3 In order to properly apply the assumption in favour of sustainable development to neighbourhood plans, they should include policies that support the delivery of strategic policies contained in local plans or spatial development strategies and should shape and direct development that is outside these strategic policies (NPPF paragraph 12). Appendix C lists the current Dacorum Borough's strategic policies as stated in the Emerging Local Plan. However, as the Emerging Local Plan is undergoing further review, this comparison between the Neighbourhood Plan Policies and the Dacorum Strategic Policies has not yet been carried out.
- 4.4 An assessment of the Neighbourhood Plan policies to ensure that they are in general conformity with the Dacorum's Strategic planning policies will be carried out before submission of the Neighbourhood Plan.

5 Compatibility with Human Rights Legislation

- 5.1 The proposals and policies in the Neighbourhood Plan are compatible with the human rights legislation and all the existing requirements of European law or UK equivalents.

APPENDIX A. SEA Determination

Dacorum Borough Council determined that neither an SEA or an HRA was required. The published determination states:

Dacorum Borough Council Screening Statement on the determination of the need for a Strategic Environmental Assessment (SEA) in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 and European Directive 2001/42/EC for the Bovingdon Neighbourhood Development Plan

04 NOVEMBER 2022

Summary

Dacorum Borough Council (the 'Council') determines that Bovingdon Neighbourhood Plan (Bovingdon NP) does not require a Strategic Environmental Assessment (SEA).

The determination also states:

**Appendix 2 - Habitat Regulations Assessment (HRA)
Screening Opinion for the Bovingdon Neighbourhood Development Plan**

CONCLUSION

12. The Bovingdon NP is unlikely to have significant effects on Natura 2000 sites, either alone or in combination with other plans or projects, therefore, an Appropriate Assessment for the Bovingdon NP is not required (*NB. Under Schedule 2 of the Regs, an NP cannot progress if there is a likely significant effect on a Natura 2000 site, therefore all NPs should be screened for HRA).

[Use this link for the full SEA determination on the Dacorum Borough Council website](#)

APPENDIX B. NP Objectives and Sustainable Development

This appendix provides a comparison between the Neighbourhood Plan objectives and the delivery of the three aspects of economic, social and environmental sustainability stated in the NPPF. Appendix A of the full Pre-submission version of the Bovingdon Neighbourhood Plan shows which policies in the Neighbourhood Plan aim to achieve the Neighbourhood Plan objectives.

Delivering economic Sustainability

The NPPF definition of Economic Sustainability is:

“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”

The following Neighbourhood Plan objectives help to deliver economic sustainability

Obj no.	Shaping Housing Growth
A	Ensure that any new housing developments are inclusive, affordable and accommodating to the different needs of local residents
Obj. no.	Community, Natural Environment & Heritage
F	Ensure public footpaths are maintained and build new footpath and cycle networks that promote greater access to the countryside, while retaining old paths and routes
Obj. no.	Economy and Employment
I	Ensure that the High Street is safe for pedestrians and easily accessible for current and future generations
J	Improve parking provision for the village centre to support shops and to ensure the free flow of traffic
K	Ensure that the needs of businesses are identified, and measures are put in place to ensure that these needs are met
L	Improve Bovingdon's infrastructure and connectivity, including providing broadband with sufficient speed and reliability to attract new businesses while ensuring current enterprises flourish
Obj no.	Travel, Transport and Parking
M	Protect and enhance current public transport infrastructure to encourage residents and visitors to take advantage of the public transport available
N	Improve Road Safety on our roads in partnership with key stakeholders

Delivering Social Sustainability

The NPPF definition of social sustainability is:

“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 well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being”

The following Neighbourhood Plan objectives help to deliver social sustainability

Obj no.	Shaping Housing Growth
A	Ensure that any new housing developments are inclusive, affordable and accommodating to the different needs of local residents
Obj. no.	Community, Natural Environment & Heritage
C	Improve social facilities and spaces for all generations, to promote social inclusivity, foster well-being and build on the already strong sense of community and social harmony in Bovington
D	Protect existing Local Green Spaces, wildlife corridors and natural habitats, ensuring future developments include green space and space for wildlife
E	Enhance existing recreational spaces such as playgrounds, sports facilities or nature reserves, developing new resources such as allotments
F	Ensure public footpaths are maintained and build new footpath and cycle networks that promote greater access to the countryside, while retaining old paths and routes
H	Protect Bovington’s historic legacy, including existing and potential conservation areas, as designated and non-designated heritage assets
Obj. no.	Economy and Employment
I	Ensure that the High Street is safe for pedestrians and easily accessible for current and future generations
J	Improve parking provision for the village centre to support shops and to ensure the free flow of traffic
Obj no.	Travel, Transport and Parking
M	Protect and enhance current public transport infrastructure to encourage residents and visitors to take advantage of the public transport available
N	Improve Road Safety on our roads in partnership with key stakeholders
O	Create safe routes and encourage alternative, sustainable modes of travel, including encouraging new technologies
P	Improve the village centre pedestrian environment for all abilities and needs

Delivering Environmental Sustainability

The NPPF definition of environmental sustainability is:

“to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy”

The following Neighbourhood Plan objectives help to deliver environmental sustainability

Obj no.	Shaping Housing Growth
B	Require new development to be of high-quality design, complementary to the existing built environment in the parish and built to a high sustainability standard
Obj. no.	Community, Natural Environment & Heritage
D	Protect existing Local Green Spaces, wildlife corridors and natural habitats, ensuring future developments include green space and space for wildlife
E	Enhance existing recreational spaces such as playgrounds, sports facilities or nature reserves, developing new resources such as allotments
F	Ensure public footpaths are maintained and build new footpath and cycle networks that promote greater access to the countryside, while retaining old paths and routes
G	Protect existing views from being compromised through future development
H	Protect Bovingdon’s historic legacy, including existing and potential conservation areas, as designated and non-designated heritage assets
Obj no.	Travel, Transport and Parking
M	Protect and enhance current public transport infrastructure to encourage residents and visitors to take advantage of the public transport available
O	Create safe routes and encourage alternative, sustainable modes of travel, including encouraging new technologies

APPENDIX C. Policies and Strategic Policies

The list below contains all the Strategic Policies in the Emerging Local Plan to 2038, with policy reference and title. Those in red are not relevant to Bovingdon. There are therefore 15 relevant strategic policies in the Emerging Local Plan. Please note that following the second consultation in 2020, Dacorum issued a statement to say that further information was being gathered in relation to the potential development constraints in the Borough, particularly the Green Belt, the Chilterns Area of Outstanding Natural Beauty and the Chilterns Beechwoods Special Area of Conservation. They will also revisit development opportunities in urban areas, to see if the impact on the Green Belt can be reduced and re-examine matters that may have changed following the Covid-19 pandemic.

The Dacorum Core Strategy (2013) is now 10 years old and the saved policies almost 20 years old. At this stage in the consultation process for the Neighbourhood Plan, no narrative has been attempted for the policies in the Neighbourhood Plan in relation to the emerging local plan strategic policies.

Further work will be undertaken prior to the submission of the Neighbourhood Plan when guidance has been received from Dacorum on their likely future approach to sustainable development.

- SP1 Sustainable Development in Dacorum
- SP2 Spatial Strategy for Growth
- SP3 The Settlement Hierarchy
- SP4 Delivering the Housing Strategy
- SP5 Delivering the Employment Strategy
- SP6 Delivering the Retail and Leisure Strategy
- SP7 Delivering Infrastructure
- SP8 Neighbourhood Planning
- SP9 Monitoring and Review
- SP10 Climate Change Mitigation and Adaption
- SP11 Development in the Green Belt
- SP12 Development in the Rural Area
- SP13 Delivering High Quality Design
- SP14 Delivering Hemel Garden Communities
- SP15 Delivering Growth in Hemel Hempstead
- SP16 North and East of Hemel Hempstead Growth Areas
- SP17 Hemel Hempstead Town Centre
- SP18 Two Waters Opportunity Area
- SP19 Maylands Business Park
- SP20 Delivering Growth in Berkhamsted
- SP21 Delivering Growth in South Berkhamsted
- SP22 Delivering Growth in West Berkhamsted
- SP23 Delivering Growth in Tring
- SP24 Delivering Growth in East Tring
- SP25 Delivering Growth in South East Tring
- SP26 Delivering Growth in Kings Langley
- SP27 Delivering Growth in Bovingdon
- SP28 Delivering Growth in Markyate
- SP29 Delivering Growth in the Countryside



Bovingdon Neighbourhood Plan