

Haynes Parish Neighbourhood Plan

Basic Conditions Statement



March 2021

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1. Introduction

- 1.1. This Statement has been prepared by Haynes Parish Council (HPC) to accompany the Haynes Village Neighbourhood Plan 2020-2035 (Submission Version March 2021) on submission to Central Bedfordshire Council (CBC) under regulation 15 of the Neighbourhood Planning (General) Regulations 2012 as amended (“the Regulations”).
- 1.2. The Neighbourhood Plan has been prepared by Haynes, the qualifying body, for the Neighbourhood Area covering the whole of the Parish, as designated by CBC on 12th December 2016. (see Figure 1 below).
- 1.3. The policies described in the Neighbourhood Plan relate to the development and use of land in the designated Neighbourhood Area and do not relate to any other designated Neighbourhood Area. The plan period is from 1st April 2020 to 31st March 2035, the end date of which aligns to the emerging Central Bedfordshire Local Plan.
- 1.4. The Neighbourhood Plan does not contain policies relating to excluded development in accordance with the Regulations. The document also contains a number of non-statutory proposals that relate to Aspirations which do not form part of the examined ‘neighbourhood development plan’ but provides a ‘wish list’ that has emerged during consultation that the Parish Council has considered during the preparation of the document.
- 1.5. The Statement addresses each of the four ‘basic conditions’ required of the Regulations and explains how the submitted Neighbourhood Plan meets the requirements of paragraph 8 of schedule 4B to the Town and Country Planning Act 1990.
- 1.6. The Regulations state that a Neighbourhood Plan will be considered to have met the basic conditions if:
 - Having regard to National Policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood development plan
 - The making of the neighbourhood development plan contributes to the achievement of sustainable development
 - 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)
 - The making of the neighbourhood development plan does not breach, and is otherwise compatible with EU obligations

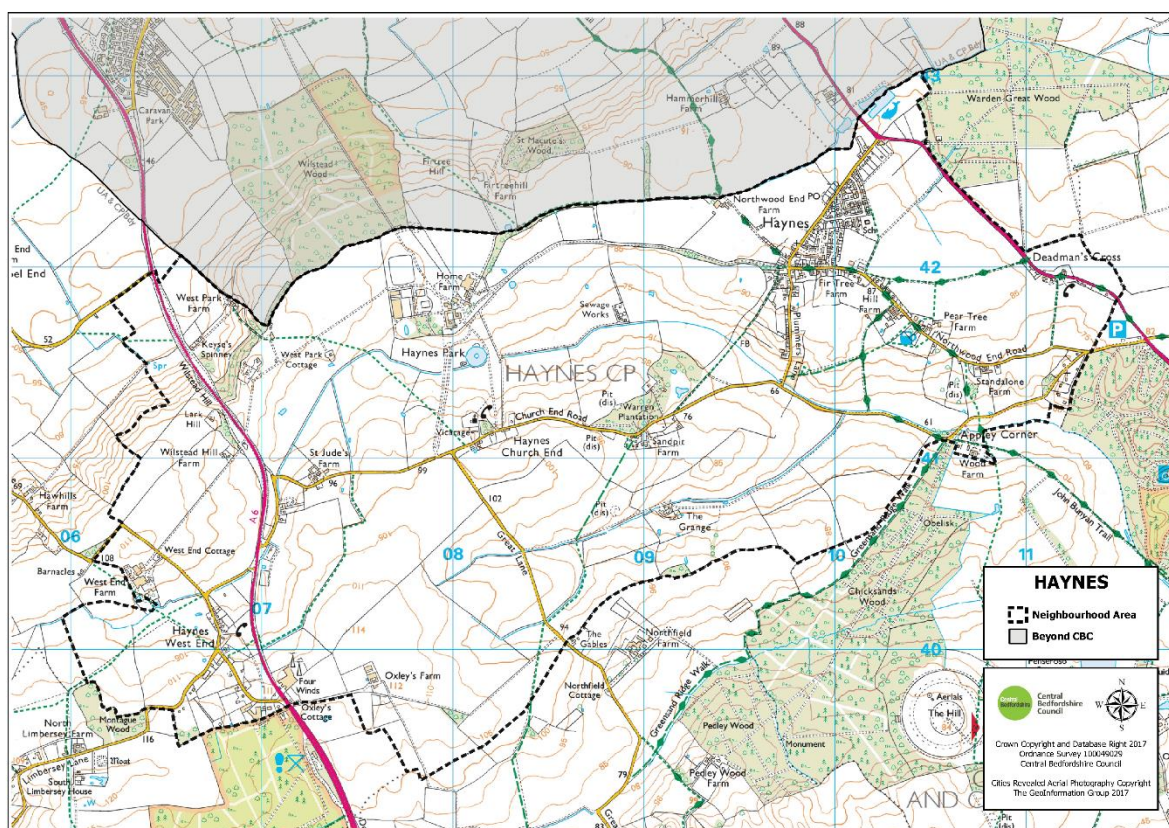


Figure 1: Map showing extent of Neighbourhood Planning Area

2. Background

2.1. The plan preparation has been led by HPC, through the Neighbourhood Plan Steering Group. It has comprised three main stages:

- Evidence gathering which has been incorporated into the Neighbourhood Plan and set out in the supporting documents: Haynes Parish Plan, Haynes Green Infrastructure Plan and the Haynes Housing Needs Survey 2020 (which was produced post Regulation 14).
- Neighbourhood Plan March 2020 (Draft version); the draft plan and accompanying background documents were published for more than 6 weeks in accordance with regulation 14 of the Regulations.
- Submission Neighbourhood Plan (March 2021) which takes into account representations received on the earlier version and has been modified for submission to CBC; it is accompanied by the Basic Conditions Statement and the Consultation Report.

2.2. HPC has consulted the local community extensively throughout the process. Much of it ran in parallel with the production of Haynes Parish Plan during 2016 and 2017 including a questionnaire. The Neighbourhood Plan followed directly on from the development of the Parish Plan and the Green Infrastructure Plan.

2.3. A website www.haynesvillage.com has been used throughout the process to disseminate information and publicise consultations. The Parish Council website signposts this website.

A number of methods to raise awareness have been used, including banners, flyers and notices on the Parish Council noticeboards.

- 2.4. The Draft Neighbourhood Plan was formally consulted upon on 2nd November to 31st December 2020. Full details are set out in the Consultation Report.
- 2.5. It has also worked closely with officers of CBC since the start of the project to collate and examine the evidence base, to design and iterate policy proposals and to define the proper relationship between the NP and the existing Local Development Framework and the emerging Local Plan.
- 2.6. The Plan has not duplicated policies which will be used in determining planning applications. This has allowed the Neighbourhood Plan to focus on a smaller number of locally relevant and important policies.

3. Conformity with National Planning Policy

- 3.1. The Neighbourhood Plan has been prepared with regard to national policies as set out in the National Planning Policy Framework 2012 (NPPF) and the revised Framework of February 2019 and is mindful of the National Planning Practice Guidance (NPPG) in respect of formulating neighbourhood plans.
- 3.2. There are several NPPF paragraphs that provide general guidance on neighbourhood planning, to which the Neighbourhood Plan has directly responded:
- 3.3. In relation to the presumption in favour of sustainable development:
 - Paragraph 12: the development plan is the starting point for decision making and this includes any neighbourhood plan.
 - Paragraph 13: neighbourhood plans should support the delivery of strategic policies contained in local plans or spatial development strategies and should shape and direct development that is outside of these strategic policies.
 - Paragraph 14: reminds us of the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to be significantly and demonstrably outweigh the benefits provided, four criteria apply.
- 3.4. The Parish Council believes that the Neighbourhood Plan is planning positively for future development in the parishes and supports the delivery of the strategic policies of the adopted Development Plans as advised in the above paragraphs of the NPPF.
- 3.5. Paragraphs 18 and 21 advise that policies to address non-strategic matters and detailed matters should be included within neighbourhood plans, and the Neighbourhood Plan contains such policies.
- 3.6. Advice on non-strategic policies and the role of neighbourhood plans is identified in paragraphs 29 and 30. The Neighbourhood Plan establishes a shared vision for the area and its policies shape, direct and help deliver sustainable development. It has sought to translate objectives into a number of meaningful planning policies to complement other development plan policies for managing development.
- 3.7. The Neighbourhood Plan strikes a positive balance between the policy constraints of the Parish and the need to support the general requirements of the development plan as set out in section 5 below.
- 3.8. The Neighbourhood Plan avoids duplicating development plan policies by focusing on site-specific policies that translate the general requirements of the development plan into a local context. Once made, the Neighbourhood Plan should be easily considered alongside the

development plan and any other material considerations in determining planning applications.

- 3.9. Set out below is a brief summary of how each policy conforms to the NPPF. The particular paragraphs referred to in the table are those considered the most relevant to each policy but are not intended to be an exhaustive list of all possible relevant paragraphs.

Table 1: NPPF Conformity

Policy	Policy Title	NPPF Para no.	Commentary
DS1	Rural Character	125, 127, 170, 171	Sets the context for new development to ensure rural character is retained. DELETED
DS2	Development within and beyond the Settlement Envelope	78, 84	The emphasis on supporting new development within the Settlement Envelope as set out in the Local Plan is consistent with NPPF policies. NOW POLICY DS1
NE1	Landscape	125, 127, 170	The setting of the built forms of the settlements in the Parish is very important in the context of NPPF policies which seek to ensure development contributes to and enhances the natural environment.
NE2	Views	125, 126, 127, 170	Supports the protection of key views which are key elements adding to the local distinctiveness of the parish.
NE3	Biodiversity	170, 171, 174	New development is expected to retain natural features, designated nature conservation sites and enhance them and plant new landscaping
NE4	Open spaces	96, 97	Prevents the loss of valued green spaces
NE5	Local green spaces	96, 99, 100, 101	Designates Local Green Spaces in line with the criteria set out in the NPPF
H1	Housing	77, 78, 143, 145	Requires a mix and variety of housing for all new development, including smaller units. Rural exceptions schemes are supported in appropriate locations
D1	The Design of New Development	124, 125, 126, 127, 130	This policy seeks high quality design for new development which respects the character of the village
C1	Heritage	125, 127, 184, 185, 193-199	Seeks to conserve and enhance the Conservation Areas, listed buildings and non-designated historic assets and their setting
TT1	The traffic impact of new development	102, 104, 108, 110, 124	Requires new development to manage traffic and ensure new traffic related infrastructure is appropriate to the rural character

Policy	Policy Title	NPPF Para no.	Commentary
TT2	Car parking	105	Seeks to implement CBC's parking standards for new development
TT3	Better provision for pedestrians & cyclists	102, 103, 104, 108, 110, 127	The policy seeks to improve/provide traffic calming, connectivity and access with encouragement for additional rights of way and safe route for pedestrians and cyclists
LS1	Community facilities	91, 92	Promotes protection of existing community facilities which are locally valued and increase community cohesion

4. Contribution to Sustainable Development

- 4.1. Central Bedfordshire Council has determined that a Strategic Environmental Assessment (SEA) and a Habitats Regulations Assessment (HRA) was not required for the Neighbourhood Plan as it considered the policies were unlikely to have a significant environmental effect, as defined by the Environmental Assessment of Plans and Programmes Regulations 2004. The report is dated February 2020.
- 4.2. However, the basic condition of "contributing to the achievement of sustainable development" requires a broader scope of assessment to embrace social and economic as well as environmental objectives. For completeness therefore, Table 2 summarises the economic, social and environmental attributes of each policy.
- 4.3. The vision and objectives of the Neighbourhood Plan comprise a balance of social, economic and environmental goals. The social goals are to retain and encourage the local facilities and of meeting the need for new homes for the local community. Economic goals are relatively limited in scale in the Parish, but the provision of local business is recognised. Environmental goals include the protection and enhancement of the area's natural and historic environment.
- 4.4. However, the objectives make clear that there are environmental parameters within which these social and economic goals must be kept by ensuring development is in scale with the rural character of the existing parish.
- 4.5. The chosen policies therefore translate the objectives of the Neighbourhood Plan into viable and effective development management policies which will deliver strong social, economic and environmental impacts.
- 4.6. The sustainability attributes of each policy are summarised in the table below.

Table 2: Sustainability Attributes

Key: *positive - neutral x negative

Policy	Policy Title	Soc	Econ	Env	Commentary
DS1	Rural Character	*	-	*	Ensures rural character is retained which is beneficial to both the environment and the wellbeing of residents

Policy	Policy Title	Soc	Econ	Env	Commentary
DS2	Development within and beyond the Settlement Envelope	*	*	*	Ensures rural character is retained which is beneficial to both the environment and the wellbeing of residents. There is a minimal economic positive impact because the policy allows for appropriate development.
NE1	Landscape	*	-	*	Ensures rural character is retained which is beneficial to both the environment and the wellbeing of residents
NE2	Views	*	-	*	Provides a positive impact for the natural environment and for the sense of place which can enhance the wellbeing of residents.
NE3	Biodiversity	*	-	*	Provides a positive impact for the natural environment and for the sense of place which can enhance the wellbeing of residents.
NE4	Open spaces	*	-	*	This policy protects green spaces from being developed and therefore has a positive social and environmental impact
NE5	Local green spaces	*	-	*	This policy protects green spaces from being developed and therefore has a positive social and environmental impact
H1	Housing	*	*	x	This policy may have a negative impact on the environment, because it allows rural exception housing in a location that would not normally be available for housing. However, there are positive effects on social wellbeing by providing affordable housing and also economic benefits by construction and by bringing in additional residents who can support local facilities. A housing mix which reflects the needs of the village will bring positive social benefits by rebalancing the housing stock towards smaller homes.
D1	The Design of New Development	*	*	*	In economic terms, this policy is only slightly positive because well designed places and buildings can ensure value is retained/increased, but it is positive in environmental and social terms. It seeks to ensure that important design and biodiversity features are retained and enhanced
C1	Heritage	*	-	*	This policy will deliver a very positive impact on the historic environment and enhance the wellbeing of residents through sympathetic design
TT1	The traffic impact of new development	*	-	*	Ensuring the traffic environment is safe for pedestrians and does not lead to inappropriate levels of traffic is both positive for the environment and for social goals. Economically the policy may have a negative impact as it would prevent uncontrolled expansion of businesses.

Policy	Policy Title	Soc	Econ	Env	Commentary
TT2	Car parking	*	-	*	Requiring adequate parking for new development provides social benefits for new residents by accommodating cars which would enable them to reach facilities and services which are not available in the villages
TT3	Better provision for pedestrians & cyclists	*	-	*	The provision of footpath and cycleways improve the health of residents and also is a positive benefit for the environment, reducing pollution.
LS1	Community facilities	*	*	*	The retention and encouragement of community facilities will clearly be positive in terms of wellbeing and social aspects of village life as well as retaining local businesses.

5. General Conformity with Strategic Local Policy

- 5.1. The Development Plan currently consists of the Core Strategy and Development Management Policies Development Plan Document 2009 and the Site Allocations Development Plan Document 2011. Central Bedfordshire Council is undertaking a new Local Plan up to 2035, which was submitted for Examination in April 2018. This Local Plan includes new policies for development management as well as allocating sites for new housing and employment development. There is a requirement for neighbourhood plans to be in general conformity with the strategic policies of the Local Plan and it is advised that neighbourhood plan policies also have regard to emerging Local Plan policy. The Neighbourhood Plan has been prepared with this in mind. The CBC documents do not define which policies they consider to be strategic.
- 5.2. Haynes (Silver End and Northwood End) is classified as a large village in the settlement hierarchy of the emerging Local Plan. It was previously a small village in the Core Strategy. The Neighbourhood Plan does not seek to allocate additional development because the emerging Local Plan will allocate a site for up to 29 dwellings at Northwood End Road.
- 5.3. The following tables set out the comparison of Neighbourhood Plan policies with policies from the Mid Bedfordshire Core Strategy and Development Management Policies as well as the emerging Local Plan.
- 5.4. Accordingly, the Neighbourhood Plan is in general conformity with the Core Strategy and the policies have been designed to add local context to the development plan policies of the area.

Table 3: Conformity with CBC Core Strategy and Development Management Policies

Core Strategy & Development Management Policies DPD	HNP Policy
CS1: Development Strategy (Rural Areas)	H1, D1
CS3: Healthy and Sustainable Communities	CF1
CS4: Linking Communities – Accessibility & Transport	TT1, TT3
CS7: Affordable Housing	H1
CS11: Rural Economy and Tourism	CF1
CS14: High Quality Development	DS1 C1 D1 TT2 TT3
CS15: Heritage	DS1 C1
CS16: Landscape and Woodland	DS1 NE1 NE3
CS17: Green Infrastructure	DS1 NE1 NE2
CS18: Biodiversity and Geological Conservation	DS1 NE3
DM3: High Quality Development	DS1 LD1 C1 D1 TT1 TT3
DM4: Development Within and Beyond Settlement Envelopes	DS1
DM5: Important Open Space within Settlement Envelopes	NE4, NE5
DM8: Village Shops & Pubs	LS1
DM9: Providing a range of transport	D1 TT3
DM10: Housing Mix	H1
DM13: Heritage in Development	C1
DM14: Landscape and Woodland	NE1 NE3
DM15: Biodiversity	NE3
DM16: Green Infrastructure	NE1 NE3
DM17: Accessible Green spaces	NE4 NE5

Table 4: Conformity with CBC emerging Local Plan Policies

Local Plan Policies (<i>only relevant policies shown</i>)	HNP Policies
Policy SP7: Development Within Settlement Envelopes	DS2
Policy H1: Housing Mix	H1
Policy H3: Housing of Older People	H1

Policy EMP4: Rural & Visitor Economy	LS1
Policy R2: Retail for minor service centres, villages and rural economy	LS1
Policy T2: Highway Safety and Design	TT1, TT2, TT3
Policy T3: Parking	TT2
Policy EE1: Green Infrastructure	DS1 NE1 NE3
Policy EE2: Enhancing Biodiversity	RC1 LD1
Policy EE3: Nature Conservation	LD1
Policy EE4: Trees Woodlands & Hedgerows	LD1
Policy EE5: Landscape Character & Value	LD1
Policy EE8: Greensand Ridge Nature Improvement Area	DS1 NE1 NE3
Policy EE12: Public Rights of Way	TT3
Policy EE13: Outdoor sport Leisure and Open Space	NE4 NE5
Policy HQ1: High Quality Development	D1
Policy HE1: Archaeology and Scheduled monuments	C1
Policy HE3: Built Heritage	C1

6. Compatibility with EU Legislation

- 6.1. **Strategic Environmental Assessment.** A formal screening opinion has been issued by CBC, available to view on their website at <https://centralbedfordshire.app.box.com/s/yu26l6dwxfv6qea644hqgzm08ppjhmjn> No SEA was required. The report concluded at paragraph 7.1 *“The screening assessment undertaken in Sections 5 & 6 concludes that, it is unlikely there will be any significant environmental effects arising from the Haynes NP. As such, Haynes NP does not require a full SEA to be undertaken.”* The Council received a response from each of the statutory consultees, noting that they agreed with the Council findings that the Haynes NP does not require a full SEA to be undertaken. The Neighbourhood Plan has accordingly been prepared in accordance with EU Directive 2001/42 on strategic environmental assessment (SEA).
- 6.2. **Habitats Regulations.** The Neighbourhood Area is not in close proximity to any European designated nature sites so does not require an Appropriate Assessment under the EU Habitats Regulations. The screening was carried out by CBC as a part of the SEA screening (see link above). Paragraph 7.5 of the report states that *“As part of this screening, Habitat Regulations screening was undertaken because plans that are likely to have significant impact on European sites require a Strategic Environmental Assessment in addition to an Appropriate Assessment (Habitat Regulation Assessment). This screening concluded that the Haynes NP is unlikely to have significant impact on European sites and therefore Haynes NP does not require a full HRA to be undertaken.”*
- 6.3. **Human Rights.** The Neighbourhood Plan has regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and complies with the Human Rights Act. The overall purpose of the Neighbourhood Plan is to improve the quality of life for people living and working now and in the future in the parish from an environmental,

social and economic point of view. The aims and policies in the Neighbourhood Plan have been formulated in response to local people's views and in the light of evidence gathered for the parish, in order to meet the needs expressed and address the issues identified. In order to confirm that the NP does not have any unintended consequences for particular groups the strategic aims and the policies in the Plan have been systematically scrutinised to ensure that they do not disadvantage any potentially vulnerable groups. The Equality Act 2010 places a duty on all public authorities in the exercise of their functions to have regard to the need to eliminate discrimination, to advance equality of opportunity, and to foster good relations between persons who have a "protected characteristic" and those who do not. "Protected characteristics" are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

- 6.4. An assessment has been made on whether the policies in the Neighbourhood Plan have a positive, negative or neutral impact on each of the protected characteristics.
- 6.5. Certain protected characteristics are not affected by the Neighbourhood Plan, namely gender reassignment, race, religion, or sexual orientation. For persons with these characteristics, the Plan has a neutral effect. Where policies in the Plan would adversely affect persons with these protected characteristics, they would not be differently affected than persons without these characteristics. For example, if a person with these protected characteristics were disadvantaged by a policy, it would have the same consequence for a person without the protected characteristic who wished to do the same thing. Similarly, if a person with one of these protected characteristics were to benefit from a policy, it would have the same benefit for a person without the protected characteristic in the same way.

Table 5: Human Rights

Policy	Policy Title	Outcomes for persons with certain protected characteristics
DS1	Rural Character	Neutral impact
DS2	Development within and beyond the Settlement Envelope	Neutral impact
NE1	Landscape	Neutral impact
NE2	Views	Neutral impact
NE3	Biodiversity	Neutral impact
NE4	Open spaces	Neutral impact
NE5	Local green spaces	Broadly positive impact
H1	Housing	Broadly positive impact
D1	The Design of New Development	Broadly positive impact
C1	Heritage	Neutral impact
TT1	The traffic impact of new development	Neutral impact
TT2	Car parking	Neutral impact
TT3	Better provision for pedestrians & cyclists	Broadly positive impact
LS1	Community facilities	Broadly positive impact

7. Conclusion

- 7.1. Haynes Neighbourhood Plan has been carefully prepared in accordance with the requirements of the Regulations and satisfies the Basic Conditions as set out in Paragraph 1.6 thereby contributing to the achievement of sustainable development.