



**2022-2038**

## **BASIC CONDITIONS STATEMENT**

**July 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.

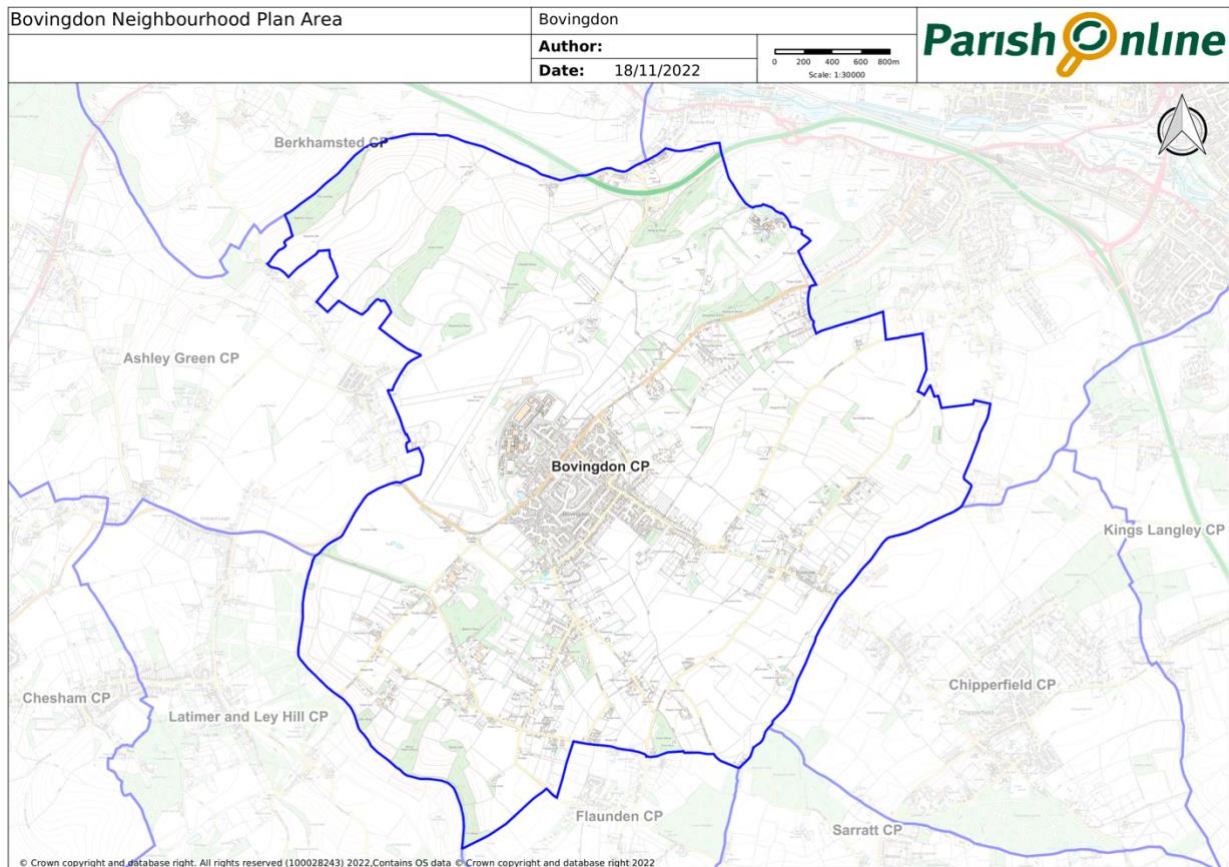
### 2 Legal Requirements

- 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 5<sup>th</sup> 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 SEA Determination**) 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 NP Objectives and Sustainable Development** 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: Policies and Strategic Policies** lists the current Dacorum Borough's strategic policies as stated in the Emerging Local Plan.
- 4.4 An assessment of the Neighbourhood Plan policies to ensure that they are in general conformity with the strategic policies in Dacorum's Emerging Local Plan can be found in **Appendix D Relevant Strategic Policies**.

## **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

<b>Obj no.</b>	<b>Shaping Housing Growth</b>
A	Ensure that any new housing developments are inclusive, affordable and accommodating to the different needs of local residents
<b>Obj. no.</b>	<b>Community, Natural Environment &amp; Heritage</b>
F	Ensure public rights of way are maintained and build new footpath and cycle networks that promote greater access to the countryside, while retaining old paths and routes
<b>Obj. no.</b>	<b>Economy and Employment</b>
I	Ensure that the needs of businesses are identified, and measures are put in place to ensure that these needs are met
J	Protect existing and encourage appropriate retail development in the High Street Commercial Zone
K	Improve Bovingdon's digital infrastructure and connectivity, including providing broadband with sufficient speed and reliability to attract new businesses while ensuring current enterprises flourish
<b>Obj no.</b>	<b>Travel, Transport and Parking</b>
M	Protect and enhance current public transport infrastructure to encourage residents and visitors to take advantage of the public transport available
N	Improve parking provision for the village centre to support shops and to ensure the free flow of traffic
O	Improve non-motorised accessibility to the village centre and safety of the pedestrian environment for all abilities and needs
P	Create safe routes and encourage alternative, sustainable modes of travel, including encouraging new technologies



## 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

<b>Obj no.</b>	<b>Shaping Housing Growth</b>
A	Ensure that any new housing developments are inclusive, affordable and accommodating to the different needs of local residents
<b>Obj. no.</b>	<b>Community, Natural Environment &amp; Heritage</b>
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 Bovingdon
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 rights of way are maintained and build new footpath and cycle networks that promote greater access to the countryside, while retaining old paths and routes
H	Protect Bovingdon’s historic legacy, including existing and potential conservation areas, as designated and non-designated heritage assets
<b>Obj. no.</b>	<b>Economy and Employment</b>
J	Protect existing and encourage appropriate retail development in the High Street Commercial Zone
<b>Obj no.</b>	<b>Travel, Transport and Parking</b>
L	Improve Road Safety in partnership with key stakeholders
M	Protect and enhance current public transport infrastructure to encourage residents and visitors to take advantage of the public transport available
N	Improve parking provision for the village centre to support shops and to ensure the free flow of traffic
O	Improve non-motorised accessibility to the village centre and safety of the pedestrian environment for all abilities and needs
P	Create safe routes and encourage alternative, sustainable modes of travel, including encouraging new technologies

## 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

<b>Obj no.</b>	<b>Shaping Housing Growth</b>
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
<b>Obj. no.</b>	<b>Community, Natural Environment &amp; Heritage</b>
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 rights of way 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
<b>Obj no.</b>	<b>Travel, Transport and Parking</b>
M	Protect and enhance current public transport infrastructure to encourage residents and visitors to take advantage of the public transport available
O	Improve non-motorised accessibility to the village centre and safety of the pedestrian environment for all abilities and needs
P	Create safe routes and encourage alternative, sustainable modes of travel, including encouraging new technologies

Appendix A of the Neighbourhood Plan maps the Objectives of the Plan to the Policies that aim to achieve the Objectives. This table is repeated below for ease of reference.

<b>Obj no.</b>	<b>Shaping Housing Growth</b>	<b>Neighbourhood Plan Policies</b>
A	Ensure that any new housing developments are inclusive, affordable and accommodating to the different needs of local residents	BOV H1 BOV H2
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	BOV H3
<b>Obj. no.</b>	<b>Community, Natural Environment &amp; Heritage</b>	<b>Neighbourhood Plan Policies</b>
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 Bovingdon	BOV COM1
D	Protect existing Local Green Spaces, wildlife corridors and natural habitats, ensuring future developments include green space and space for wildlife	BOV NE1 & NE2 BOV NE4 BOV NE5
E	Enhance existing recreational spaces such as playgrounds, sports facilities or nature reserves, developing new resources such as allotments	BOV NE2
F	Ensure public rights of way are maintained and build new footpath and cycle networks that promote greater access to the countryside, while retaining old paths and routes	BOV NE3
G	Protect existing views from being compromised through future development	BOV NE6
H	Protect Bovingdon's historic legacy, including existing and potential conservation areas, as designated and non-designated heritage assets	BOV HE1 BOV HE2
<b>Obj. no.</b>	<b>Economy and Employment</b>	<b>Neighbourhood Plan Policies</b>
I	Ensure that the needs of businesses are identified, and measures are put in place, so these needs are met	BOV EE1
J	Protect existing and encourage appropriate retail development in the High Street Commercial Zone	BOV EE2
K	Improve Bovingdon's infrastructure and connectivity, including providing broadband with sufficient speed and reliability to attract new businesses while ensuring current enterprises flourish	BOV EE3 BOV EE4 BOV EE5
<b>Obj no.</b>	<b>Travel, Transport and Parking</b>	<b>Neighbourhood Plan Policies</b>
L	Improve Road Safety in partnership with key stakeholders	BOV T1
M	Protect and enhance current public transport infrastructure to encourage residents and visitors to take advantage of the public transport available	BOV T2
N	Improve parking provision for the village centre to support shops and to ensure the free flow of traffic	BOV T3 BOV EE3
O	Improve non-motorised accessibility to the village centre and safety of the pedestrian environment for all abilities and needs	BOV T3 BOV EE3
P	Create safe routes and encourage alternative, sustainable modes of travel, including encouraging new technologies	BOV T4

## 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 Bovington. There are therefore 13 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 Core Strategy (2013) contains 35 Policies. Many of these are either not strategic or no relevant to Bovington. A list is provided below with those policies in **red** being deemed as either non-strategic, or not relevant to Bovington, or both of these.

The Dacorum Core Strategy (2013) is now 10 years old and the saved policies almost 20 years old. At the Regulation 14 Consultation for the Neighbourhood Plan, no narrative had been attempted for the policies in the Neighbourhood Plan in relation to the emerging local plan strategic policies. No further guidance has been received from Dacorum on their likely future approach to sustainable development.

An assessment of the compatibility of the Neighbourhood Plan Policies with the relevant existing strategic policies is provided in **Appendix D Relevant Strategic Policies**.

### Emerging Local Plan to 2038, Relevant Strategic Policies:

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 Bovington  
 SP28 Delivering Growth in Markyate  
 SP29 Delivering Growth in the Countryside

**Core Strategy (2013) Relevant Strategic Policies:**

Policy NP1 Supporting Development  
 Policy CS1 Distribution of Development  
 Policy CS2 Selection of Development Sites  
 Policy CS3 Managing Selected Development Sites  
 Policy CS4 The Towns and Large Villages  
 Policy CS5 Green Belt  
 Policy CS6 Selected Small Villages in the Green Belt  
 Policy CS7 Rural Area  
 Policy CS8 Sustainable Transport  
 Policy CS9 Management of Roads  
 Policy CS10 Quality of Settlement Design  
 Policy CS11 Quality of Neighbourhood Design  
 Policy CS12 Quality of Site Design  
 Policy CS13 Quality of the Public Realm  
 Policy CS14 Economic Development  
 Policy CS15 Offices, Research, Industry, Storage and Distribution  
 Policy CS16 Shops and Commerce  
 Policy CS17 New Housing  
 Policy CS18 Mix of Housing  
 Policy CS19 Affordable Housing  
 Policy CS20 Rural Sites for Affordable Homes  
 Policy CS21 Existing Accommodation for Travelling Communities  
 Policy CS22 New Accommodation for Gypsies and Travellers  
 Policy CS23 Social Infrastructure  
 Policy CS24 The Chilterns Area of Outstanding Natural Beauty  
 Policy CS25 Landscape Character  
 Policy CS26 Green Infrastructure  
 Policy CS27 Quality of the Historic Environment  
 Policy CS28 Carbon Emission Reductions  
 Policy CS29 Sustainable Design and Construction  
 Policy CS30 Sustainability Offsetting  
 Policy CS31 Water Management  
 Policy CS32 Air, Soil and Water Quality  
 Policy CS33 Hemel Hempstead Town Centre  
 Policy CS34 Maylands Business Park  
 Policy CS35 Infrastructure and Developer Contributions

## APPENDIX D. Relevant Strategic Policies

Note: Emerging Policies SP1 and SP8, and Core Strategy Policy NP1 are relevant to all policies in this Neighbourhood Plan. Emerging Policies SP2, SP3 and SP11, and Core Strategy Policies CS1, CS4 and CS5 deal with growth, settlement hierarchy, and development in the Green Belt. Emerging Policy SP27 identifies growth in Bovingdon but is under review and likely to change significantly. The Neighbourhood Plan does not identify growth. The Neighbourhood Plan is in general conformity with these policies.

Policy Number & Title	Core Strategy (2013)	Emerging Local Plan to 2038	Commentary
BOVH1 Affordable Housing	CS18 CS19	SP4	Policy goes beyond SP4
BOVH2 Accessible Housing	CS18	SP4	Introduces new criteria
BOVH3 Design Code	CS10 CS11 CS29 CS30	SP13	Detailed Design Code for Bovingdon
BOVCOM1 Community and Recreation Facilities	CS13 CS26	SP6	Supported by research on local needs
BOVNE1 Designated Local Green Spaces	CS23 CS26	SP6	Designation of Bovingdon Local Green Spaces
BOVNE2 New Area of Natural Greenspace	CS10 CS11 CS23 CS26	SP6 SP7 SP10	New requirement to protect Chilterns Beechwoods
BOVNE3 Footpaths and Access to the Countryside	CS8 CS26 CS28	SP6 SP7 SP10	To reduce carbon emissions
BOVNE4 Wildlife Corridors and Biodiversity	CS26 CS32	SP6 SP10	Identification and protection of assets
BOVNE5 Hedges, Woodland and Significant Trees	CS26 CS32	SP6 SP10	Identification and protection of assets
BOVNE6 Important Views	CS11 CS27	SP13	Special local views
BOVHE1 Conservation Areas in Bovingdon	CS27	SP13	Protect existing and proposed new Cons. Area
BOVHE2 Non-designated Heritage Assets	CS27	Not Strategic	Non-designated Heritage Assets identified
BOVEE2 Safeguarding Existing Employment	CS14 CS15 CS16	SP5	Aim to retain local businesses
BOVEE3 Encouraging New Employment	CS14 CS15 CS16	SP5	New employment in appropriate locations
BOVEE4 Support Home-based and Micro Businesses	CS14 CS15 CS16	SP5	Support entrepreneurship in Bovingdon
BOVEE5 Ensuring High-quality Digital Communications	CS35	SP7	Ensure businesses can flourish
BOVT1 Safer Roads	CS8 CS32	SP7 SP10	Sustainable travel
BOV T2 Public Transport Infrastructure	CS8 CS32	SP7 SP10	Sustainable travel available for everyone
BOVT3 Parking in High Street Commercial Zone	CS11 CS32	SP10	Reduce congestion and improve air quality
BOVT4 Encouraging Walking and Cycling	CS8 CS32	SP10	Sustainable active travel and improve air quality
BOVIM1 Funding Priorities	CS35	SP7 SP9	Prioritised Action Plan



# **Bovingdon Neighbourhood Plan**