

Codicote Neighbourhood Plan 2024 – 2031

Basic Conditions Statement

1. Introduction

1.1 In accordance with the Neighbourhood Plan Regulations 2012 (as amended), this plan must satisfy “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 and otherwise be compatible 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
- Not breach the requirement of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.

1.2 In addition, the Neighbourhood Plan must meet the prescribed legal requirements.

1.3 This statement confirms that the Codicote Neighbourhood Plan 2024-2031, submitted by Codicote Parish Council, meets all the necessary requirements.

2. Legal requirements

2.1 The Codicote Neighbourhood Plan (‘the Neighbourhood Plan’) is submitted by Codicote Parish Council, which as the qualifying body for the Neighbourhood Plan. The Neighbourhood Plan has been prepared by the Codicote Neighbourhood Plan Steering Group (the Steering Group) and overseen by Codicote Parish Council. Codicote has been formally designated as the Neighbourhood Area through an application made under the Neighbourhood Planning (General) Regulations 2012 (part 2 S6) and designated by North Hertfordshire District Council on 24 June 2014.

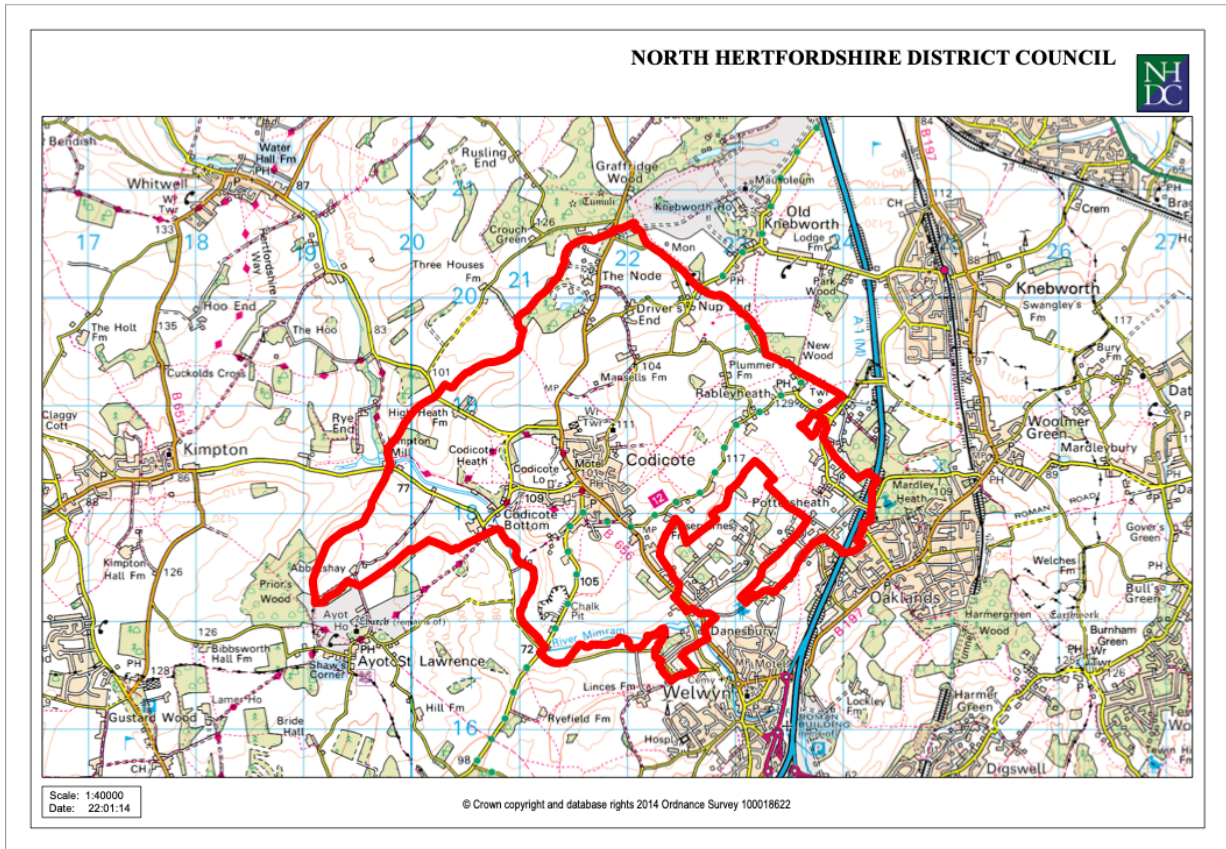
2.2 The Neighbourhood Plan contains policies relating to the development and use of land within the neighbourhood area. The proposals relate to planning matters and have been prepared in accordance with the statutory requirements and processes set out in the Town and Country Planning Act 1990 (as amended by the Localism Act 2011), the Neighbourhood Planning (General) Regulations 2012 (as amended) and the Neighbourhood Planning Act 2017 (as amended).

2.3 The Neighbourhood Plan identifies the period to which it relates as 2024-2031. This period has been chosen to align with the end date of the North Hertfordshire Local Plan 2011-2031. The North Hertfordshire Local Plan was submitted for Examination on the 9 June 2017 and was adopted on 9 November 2022. The Neighbourhood Plan does not deal

Codicote Neighbourhood Plan Basic Conditions Statement

with county matters (mineral extraction and waste development), nationally significant infrastructure or any other matters set out in section 61K of the Town and Country Planning Act 1990.

2.4 The Neighbourhood Plan relates to the Codicote Neighbourhood Area, and to no other area. There are no other neighbourhood plans in place within the neighbourhood area. The Neighbourhood Area is shown on the map below:



2.5 The remainder of the document is concerned with the Key Requirements of a Neighbourhood Plan. These are:

- Regard for the National Planning Policy Framework
- Contributing to Achieving Sustainable Development
- Conformity with the Strategic Policies of the Local Plan
- Compatibility with Human Rights and EU Legislation

2.6 In order to ensure compliance with the environmental Basic Conditions listed in paragraph 1.1, a Strategic Environmental Assessment (SEA) Screening Determination was issued by North Hertfordshire District Council in August 2024 (See Appendix A). This was an updated determination including some contextual information about the Parish and based on the draft Codicote Neighbourhood Plan Policies for the Regulation 14 Consultation.

Codicote Neighbourhood Plan Basic Conditions Statement

3. Regard for the National Planning Policy Framework

3.1 The National Planning Policy Framework December 2023 (NPPF) calls for neighbourhood plans to apply a presumption in favour of sustainable development (Paragraph 11) and support the delivery of strategic policies (Paragraph 13). In accordance with national policy, the Plan seeks to promote sustainable development and embraces a range of social, economic, and environmental issues. It sets out a vision for the designated area, coupled to a range of planning objectives, policies, and proposals.

3.2 Core Planning Principles: The production of the Neighbourhood Plan has been led by the Steering Group, made up of volunteers, overseen by Codicote Parish Council with support from a Planning Consultancy practicing predominantly in Hertfordshire. The policies in the Neighbourhood Plan provide a practical framework to guide the Local Planning Authority in making decisions on planning applications in the parish and to provide the Parish Council with a firm basis on which to comment on planning applications.

3.3 The aims of the Neighbourhood Plan were to meet the aspirations and needs of the residents in a safe, tranquil, rural community which thrives, socially, economically and environmentally, where new development is designed sustainably and intelligently to respect and enhance heritage, biodiversity and landscape.

3.4 Policies in the Neighbourhood Plan aim to ensure all forms of development are sustainable, protecting natural and historic assets, and landscape character beyond the village. These assets should be available to both residents and visitors. Retaining the 'village feel' is very important, whilst also accommodating additional sustainable housing growth. The best balance will be sought to support economic sustainability and continued provision of valued services and amenities for the wellbeing of the community.

3.5 In accordance with the NPPF, it is important that the planning policies have three overarching objectives that are both interdependent and dependent. These objectives are economic, social and environmental objectives (Paragraph 8).

3.4 The economic objective refers to building a 'strong responsive and competitive economy' through supporting growth and innovation, identifying and coordinating the provision of infrastructure, and ensuring that there is sufficient land of the right types in the right places (Paragraph 8a).

3.5 The social objective is 'to build and support a strong, vibrant and healthy community, by ensuring that the number of homes is sufficient in terms of quantity and is able to meet the needs of the current and future generations; and fostering a well-designed and safe built environment, with accessible services and open spaces which reflect the present and future needs; as well as supporting communities' health, social and cultural well-being (Paragraph 8b).

3.6 The environmental objective ensures that the natural, built and historic environment is protected and enhanced, a process which includes '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' (Paragraph 8c).

Codicote Neighbourhood Plan Basic Conditions Statement

3.7 The policies in the Neighbourhood Plan satisfy the criteria that the NPPF provides as laid out below:

Economic Policies

3.8 Supporting the rural economy of Codicote is important for residents. Included in the Amenities Policies are sections about the High Street and retail businesses, the need for a village car park to support the economy of the village, and the consideration of the importance of commercial premises and where they would best be located. In addition, the plan contains a policy to retain the existing pubs as valued community facilities. Examples of Neighbourhood Plan policies that support the economic objective are:

COD 5 Existing Businesses in the Retail Area

COD 6 Village Car Park

COD 7 Commercial Premises

COD 8 Valued Community Facilities

Social Policies

3.9 Social policies include a Design Code and pointer to Building for a Healthy Life, guiding the accessibility of housing, the importance of existing and new community facilities, retention and provision of green leisure and recreational facilities, and the provision of public transport and active travel options. Examples of Neighbourhood Plan Policies that support the economic objective are:

COD 1 Designing with Design Codes

COD 8 Valued Community Facilities

COD 9 New and Improved Community Facilities

COD 10 Protected Recreational Open Spaces

COD 11 Local Green Spaces

COD 12 Traffic Congestion and Road Safety

COD 13 Public Transport

COD 14 Safe and Accessible Active Travel Routes

COD 22 Spending Priorities

Environmental Policies

3.10 Natural and built environment policies feature prominently in the Neighbourhood Plan. Natural environment policies cover the protection of landscape character, the river and other areas of biodiversity, wildlife corridors, resilience to climate change, and a sustainable water supply. Heritage policies cover both designated and non-designated heritage assets. Examples of Neighbourhood Plan policies that support the environmental objective are:

COD 2 Designing for Net Zero

COD 3 Designing for Flood Resilience

COD 4 Designing for Biodiversity

COD 15 Sustainable Water Supply

COD 16 Landscape Character and Important Views

COD 17 Biodiversity and Ecological Connectivity

COD 18 Wildlife Corridors

COD 19 Climate Change Resilience

COD 20 Designated Heritage Asset

COD 21 Non-designated Heritage Assets

Codicote Neighbourhood Plan Basic Conditions Statement

4. Contributing to Achieving Sustainable Development

4.1 The NPPF affirms, “the purpose of the planning system is to contribute to the achievement of sustainable development” (Paragraph 7). Neighbourhood plans should apply a presumption in favour of sustainable development. The policies in the Neighbourhood Plan support sustainable development by:

- Providing a framework containing policies which guide new housing developments in the Parish up to 2031
- Protecting the character of the built environment and rural landscape setting by protecting views and heritage assets
- Ensuring new building meets high sustainability and design standards
- Encouraging appropriate local enterprise
- Promoting the use of sustainable modes of transport
- Welcoming new and improved leisure facilities
- Preserving and enhancing rivers, trees and green spaces
- Protecting and promoting biodiversity when considering new development

4.2 Sustainable development is an integral part of the Neighbourhood Plan and specifically mentioned in the Vision Statement. The 18 objectives describe how the sustainable vision will be achieved. The policies that have been developed with the community were specifically designed to ensure that Codicote develops in a sustainable way.

4.3 Codicote Parish Council will use the policies in the Neighbourhood Plan to ask for conditions to be placed on planning applications, to ensure that they include sustainable features and will support a mixed and inclusive community.

4.4 The NPPF also states that planning policies should be prepared with the active involvement of local highway authorities so that strategies and investment for supporting sustainable transport and development patterns are aligned (paragraph 104b). Hertfordshire’s Local Transport Plan 2018–2031 (the LTP) is guided by four principles: the application of technology, cost effectiveness, integrating land use and transport planning, and encouraging modal shift and active travel. Policies in the Neighbourhood Plan have been prepared having regard to these principles, considering the village location and the lack of sustainable public transport available to residents.

5. Conformity with the Strategic Policies of the Local Plan

5.1 The current development plan for the area is the North Hertfordshire Local Plan 2011-2031, and the Minerals and Waste Plans produced by Hertfordshire County Council. These policies have been considered in the formulation of the Neighbourhood Plan.

5.2 Throughout the Neighbourhood Plan references are made to the policies in the North Hertfordshire Local Plan 2011–2031 and other planning documents. The strategic

Codicote Neighbourhood Plan Basic Conditions Statement

objectives of the Local Plan form the basis of the Local Plan Policies. Appendix B shows how the Neighbourhood Plan Policies help to achieve those overarching strategic objectives.

5.3 Policies in the Neighbourhood Plan have been written on the basis that Codicote Village is one of five villages in North Hertfordshire which have been identified to support higher levels of new housing allocations and the defined settlement boundary has been extended into the Green Belt to accommodate this growth. The Neighbourhood Plan has been prepared having regard to the policies in the Local Plan. Appendix C shows the comparison with the North Hertfordshire Local Plan 2011-2031.

5.4 The Neighbourhood Plan has been prepared in consultation and cooperation with the local planning authority.

5.5 Codicote Parish Council will lead and monitor the implementation of the Neighbourhood Plan with a full review every five years to ensure that the policies remain in line with the North Hertfordshire Local Plan and any changes to national legislation.

6. Compatibility with EU Legislation

6.1 The existing requirements of European Law have been complied with. 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, &c.) Regulations 2007), either alone or in combination with other plans or projects.

6.2 A Habitats Regulation Assessment screening is not required because the Neighbourhood Plan does not propose any development allocations which are additional or alternate to the sites proposed in the North Hertfordshire Local Plan 2011-2031.

7. Human Rights

7.1 The Equality Act 2010 places a duty on all public authorities, including parish councils 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.

7.2 The proposal and policies in the Neighbourhood Plan have taken into account the protected characteristics which are defined in the Equality Act as age, disability, gender reassignment, marriage/civil partnership, pregnancy/maternity, race, religion or belief, sex, and sexual orientation, with the addition of health and rurality, which we deemed also to be important for Codicote.

7.3 The Neighbourhood Plan has regard to and is compatible with the fundamental rights and freedoms guaranteed under the European Convention on Human Rights. Whilst an Equality Impact Assessment Report has not been specifically prepared, great care has been taken throughout the preparation and drafting of this Plan to ensure that the views of the whole community were embraced to avoid any unintentional negative impacts on particular groups.

7.4 The main issues for planning are the right to family life and in preventing discrimination. The Neighbourhood Plan makes positive contributions, such as protecting

Codicote Neighbourhood Plan Basic Conditions Statement

the heritage and landscape of the Plan Area and supporting the transition to a more sustainable economy. The population profile has revealed that there are not significant numbers of people who do not speak English (as a first language), and it has not been necessary to produce consultation material in other languages.

7.5 The Neighbourhood Plan has been prepared with extensive input from the community and stakeholders as set out in the accompanying Consultation Statement. Residents were encouraged to participate throughout the Plan preparation process. The draft Neighbourhood Plan has been consulted on as required by Regulation 14 of the Neighbourhood Planning (General) Regulations 2012. Responses have been recorded and changes have been made as per the schedule set out in the Consultation Statement.

8. Summary

8.1 It is a legal requirement that Codicote Parish Council submit this statement. It confirms that the submitted Codicote Neighbourhood Plan meets the basic conditions required of a neighbourhood plan as defined in current neighbourhood planning legislation.

Codicote Neighbourhood Plan Basic Conditions Statement

Appendix A North Herts Strategic Environmental (SEA) Screening Determination Jan 2024

Strategic Environmental Assessment (SEA) Screening Determination for

Codicote Neighbourhood Plan 2024 – 2031

August 2024

A full copy of the SEA Screening Determination is available on [Codicote Parish Council's website](#).

The Screening Assessment, Consultation Process and Determination are provided below.

Codicote Neighbourhood Plan Basic Conditions Statement

4. Screening assessment

- 4.1. As noted above, the Regulations specify a set of criteria which must be used to assess whether any plan covered by the Regulation is likely to have a significant environmental effect and therefore require a SEA. The table below considers each of these criteria in turn for the draft policies of the Codicote Neighbourhood Plan.

Table 1: Screening of the draft policies for the Codicote Neighbourhood Plan against SEA criteria

Criteria for determining the likely significance of effects	Likely to have significant effects	Justification for assessment
1 (a) the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources	No	<p>The draft policies which have been submitted for assessment set out a framework which can be used when considering development proposals in Codicote Parish in conjunction with the North North Hertfordshire Local Plan 2011 – 2031 and the NPPF.</p> <p>The draft policies do not indicate that any site allocations will be included in the neighbourhood plan.</p> <p>However, the draft policies do make provision for supporting the provision of a car park in the village which might have environmental effects in the future, but it is not possible to assess whether there would be any significant effects without more detail.</p>
1 (b) the degree to which the plan or programme influences other plans or programmes including those in a hierarchy.	No	A Neighbourhood Plan is at the bottom of the planning hierarchy and must be in general conformity with the strategic policies of the Local Plan.
1 (c) the relevance of the plan or programme for the integration of environmental considerations in	No	The draft policies appear to focus on protecting the quality of the neighbourhood and its

Codicote Neighbourhood Plan Basic Conditions Statement

Criteria for determining the likely significance of effects	Likely to have significant effects	Justification for assessment
particular with a view to promoting sustainable development.		environment. The adopted Local Plan has been subject to sustainability appraisal at all stages in its preparation and the outcomes of those assessments have been considered with regard to the draft policies for this Neighbourhood Plan. It is considered that the impact of the draft policies will be to have a positive effect on the environment by providing an additional layer of policy protection.
1(d) environmental problems relevant to the plan	No	None have been identified
1 (e) the relevance of the plan or programme for the implementation of community legislation on the environment (e.g. plans and programmes linked to waste management or water protection)	No	The draft policies will be in conformity with the policies in the Local Plan and the NPPF, which have each taken account of existing legislation for environmental protection. As noted above it is likely to have a positive effect by improving environmental protection.
2 (a) the probability, duration, frequency and reversibility of the effects	No	No significant effects have been identified
2 (b) the cumulative nature of the effects	No	No significant effects have been identified
2 (c) the trans-boundary nature of the effects	No	No significant effects have been identified
2 (d) the risks to human health or the environment (e.g. due to accidents)	No	No significant effects have been identified

Codicote Neighbourhood Plan Basic Conditions Statement

Criteria for determining the likely significance of effects	Likely to have significant effects	Justification for assessment
2 (e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	No	No significant effects have been identified
<p>2 (f) the value and vulnerability of the area likely to be affected due to:</p> <p>(i) special natural characteristics or cultural heritage</p> <p>(ii) exceeded environmental quality standards</p> <p>(iii) intensive land-use</p>	No	<p>There appear to be no draft policies which are likely to have significant environmental effects on these features.</p> <p>In fact, there are a number of draft policies which are designed to protect these features:</p> <p>Policy COD6: Protected recreational open spaces</p> <p>Policy COD7: Local Green Spaces</p> <p>Policy COD8: Sustainable water supply</p> <p>COD14: Biodiversity and ecological connectivity</p> <p>COD15 Climate change resilience</p> <p>COD16: Designated heritage assets</p> <p>COD17: Non-designated heritage assets</p>
2 (g) the effects on areas or landscapes which have a recognised national, community or international protection status	No	<p>The draft policies identify two Local Nature Reserves in the parish. The draft policy COD14: Biodiversity and ecological connectivity seeks to protect and enhance these features.</p> <p>The District Council updated the Habitats Regulation Assessment, September 2018. Where a neighbourhood plan</p>

Codicote Neighbourhood Plan Basic Conditions Statement

Criteria for determining the likely significance of effects	Likely to have significant effects	Justification for assessment
		does not allocate a site for development, it is not necessary for an HRA to be prepared.

5. Consultation Responses

- 5.1. Consultation with the three statutory consultation bodies took place in July and August 2023. Responses were received from Historic England and Natural England and both agreed that on the basis of the information pro. Both organisations have concluded that on the basis of the draft policies provided, an SEA of the neighbourhood plan is not necessary. No response was received from the Environment Agency.
- 5.2. Copies of the full responses from Historic England and Natural England are attached as Appendices A and B respectively.

6. Screening Determination for the draft policies

- 6.1. In summary, it is concluded that the draft policies for the Codicote neighbourhood plan are not likely to have significant environmental effects and therefore a SEA is unlikely to be required. The principal reasons for this conclusion are:
 - there are no sites allocated for development;
 - the neighbourhood plan focuses on protecting the character of the village and its environment;
 - there are no proposals in the neighbourhood plan which are likely to have significant environmental effects on the natural and heritage features in the neighbourhood planning areas; and
 - the neighbourhood plan does not seek to change the outcomes of the development proposals in the Local Plan to the extent that it might lead to substantively different effects to those which have already assessed.
- 6.2. This determination will be reviewed once a full draft of the neighbourhood plan has been published for public consultation.

Codicote Neighbourhood Plan Basic Conditions Statement

Appendix B Neighbourhood Plan Policies Mapped to Strategic Objectives

This Appendix maps the Codicote Neighbourhood Plan Policies to relevant North Herts Local Plan Strategic Objectives. Where a Local Plan Strategic Objective is not quoted, this is because the village of Codicote is unable to contribute to these specific objectives.

Local Plan Strategic Objectives	Neighbourhood Plan Policies
ENV1 Direct development towards the most sustainable locations which seek to maintain the existing settlement pattern.	COD1 COD7
ENV2 Protect and enhance the historic character of North Hertfordshire's towns, villages, hamlets and landscape by promoting good design that creates a distinctive sense of place.	COD1 & COD2 CO16 COD20 & COD 21
ENV3 Protect, maintain and enhance the District's historic and natural environment, its cultural assets and network of open spaces, urban and rural landscapes.	COD10 & COD11 COD20 & COD21
ENV4 Mitigate the effects of climate change by encouraging the use of sustainable construction techniques, the appropriate use of renewable energy technologies and reducing the risk of flooding.	COD1 – COD4 COD15 – COD19
ENV5 Reduce water consumption, increase biodiversity and protect and enhance the quality of existing environmental assets by enhancing new green spaces and networks of green space for both recreation and wildlife.	COD1 – COD4 COD15 – COD19
ECON1 Support a vibrant, diverse and competitive local economy that provides a range of job opportunities enabling new and existing businesses to grow and thrive.	COD5 – COD8
ECON2 Ensure an adequate supply of employment land, office accommodation and support facilities to meet the needs of new and existing businesses within our urban and rural areas.	COD7
ECON6 Sustain the vitality of our villages and the rural economy in supporting rural diversification whilst ensuring development is of an appropriate scale and character.	COD5 – COD9

Codicote Neighbourhood Plan Basic Conditions Statement

Local Plan Strategic Objectives	Neighbourhood Plan Policies
ECON7 Improve access opportunities, minimise the need to travel, and encourage journeys to be made by sustainable means of transport to ease congestion, reduce carbon emissions and the impacts on air quality management areas.	COD12 – COD14
SOC1 Identify locations for a range of types and tenures of homes, including affordable homes, to meet identified needs and provide adequate housing for an increasing and ageing population.	COD1
SOC3 Improve access to, maintain and make provision for new facilities including community, sports, leisure, health and cultural facilities, that meet the needs of all North Hertfordshire’s communities	COD9 COD13 & COD 14
SOC4 Enable rural communities to plan to meet their own local needs, especially through neighbourhood planning.	All policies

Codicote Neighbourhood Plan Basic Conditions Statement

Appendix C Neighbourhood Plan Policies Mapped to Strategic Policies

This Appendix maps the supporting Codicote Neighbourhood Plan Policies to relevant North Herts Local Plan Strategic Policies. Where a Local Plan Strategic Policy is not quoted, this is because it has no relevance to Codicote.

Local Plan Strategic Policies	Neighbourhood Plan Policies
SP1: Sustainable development in North Hertfordshire	The Neighbourhood Plan is in general conformity with the strategic policies of the Local Plan as identified below.
Policy SP2: Settlement Hierarchy and Spatial Distribution	The housing allocations in Policy SP2 are supported with a Design Code (Policy COD1) to guide all new development in the Parish.
Policy SP3: Employment	Supporting policies are COD5 - COD8
Policy SP4: Town Centres, Local Centres and Community Shops.	Supporting policies are COD5, COD6 & COD8
Policy SP5: Countryside and Green Belt	The principles of the Green Belt are recognised and valued. Policy COD7 identified commercial premises only on existing developed land in the Green Belt
Policy SP6: Sustainable transport	Supporting policies are COD12 – COD14
Policy SP7: Infrastructure requirements and developer contributions	Supporting policies are COD12 - COD15
Policy SP8: Housing	The Design Code COD1 will guide the provision of sustainable housing development
Policy SP9: Design and Sustainability	Supporting Policies are COD1 (the Design Code), and COD2 – COD4, and COD19
Policy SP10: Healthy Communities	Supporting Policies are COD8 – COD11 & COD22
Policy SP11: Natural resources and sustainability	Supporting Policies are COD2 and COD15
Policy SP12: Green infrastructure, landscape and biodiversity	Supporting Policies are COD10 & COD11, COD16 – COD19
Policy SP13: Historic environment	Supporting Policies are COD1, COD20 & COD21