

Kings Langley Neighbourhood Plan 2020 to 2038



Basic Conditions Statement

Presented by Kings Langley Parish Council

November 2021

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APPENDIX A: SEA/ HRA Screening Statement (main body)

1. Introduction

- 1.1. This Basic Conditions Statement has been produced to accompany the Kings Langley Neighbourhood Plan ('the Neighbourhood Plan' or 'the Plan').
- 1.2. The relevant legal framework for the preparation and making of neighbourhood plans is supported by the Localism Act 2011 and the Neighbourhood Planning Act 2017 and found in the:
- Town and Country Planning Act 1990: ss. 61F, 61I, 61M-P and Schedule 4B
 - Planning and Compulsory Purchase Act 2004: ss 38A-C
 - Neighbourhood Planning (General) Regulations 2012 (2012 No.637) (as amended)
- 1.3. Paragraph 8(2) of Schedule 4B to the Town & Country Planning Act 1990 requires a neighbourhood plan to meet five¹ basic conditions before it can proceed to a referendum. These are:
- i. Having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan;
 - ii. The making of the neighbourhood development plan contributes to the achievement of sustainable development;
 - iii. 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);
 - iv. The making of the neighbourhood development plan does not breach, and is otherwise compatible with, (retained) EU obligations; and
 - v. Prescribed conditions are met in relation to the neighbourhood plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan. The prescribed condition is that the 'making' of the neighbourhood plan is not likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2012) or a European offshore marine site (as defined in the Offshore Marine Conservation (Natural Habitats etc.) Regulations 2007) (either alone or in combination with other plans or projects).
- 1.4. This document sets out how the Kings Langley Neighbourhood Plan meets the Basic Conditions.

¹ There are two further basic conditions which are relevant only to the making of a Neighbourhood Development Order and are therefore not considered in this document.

Supporting documents and evidence

- 1.5. The Submission Version Neighbourhood Plan, with its policies, is supported by a Consultation Statement, this Basic Conditions Statement and an extensive evidence base. It has also been subject to a Screening, organised by Dacorum Borough Council (DBC), to ascertain whether or not it requires a Strategic Environmental Assessment and/or a Habitat Regulations Assessment, and the Determination Statement is included as part of the accompanying documentation.
- 1.6. Alongside the planning policies, the Plan contains both infrastructure priorities and a series of projects which fall outside planning policy. These are intended to contribute towards the achievement of the Plan's vision and form the basis of the principles for the use of any developer funding and other monies arising from other planning obligations. They complement the Neighbourhood Plan document but are not a formal part of the Development Plan.

Key statements

- 1.7. Kings Langley Parish Council, as the qualifying body, has prepared the Neighbourhood Plan which has the same boundary as the parish area of Kings Langley, as shown in Figure 1. It was designated a Neighbourhood Area by DBC on 28 October 2019.
- 1.8. The Plan sets out planning policies that relate to the development and use of land within only the Kings Langley Neighbourhood Area.
- 1.9. The Plan refers only to the administrative boundary of Kings Langley. There are no other adopted Neighbourhood Plans that cover all or part of the Kings Langley Neighbourhood Area.
- 1.10. The Neighbourhood Plan Working Group has prepared the Plan to establish a vision for the future of the parish and a series of objectives to deliver this. It has engaged with the community to set out how the vision will be realised through planning and controlling land use and development change over the plan period 2020 to 2038.
- 1.11. The Plan does not contain any policies which relate to excluded development as defined by section 61K of the Town and Country Planning Act 1990.

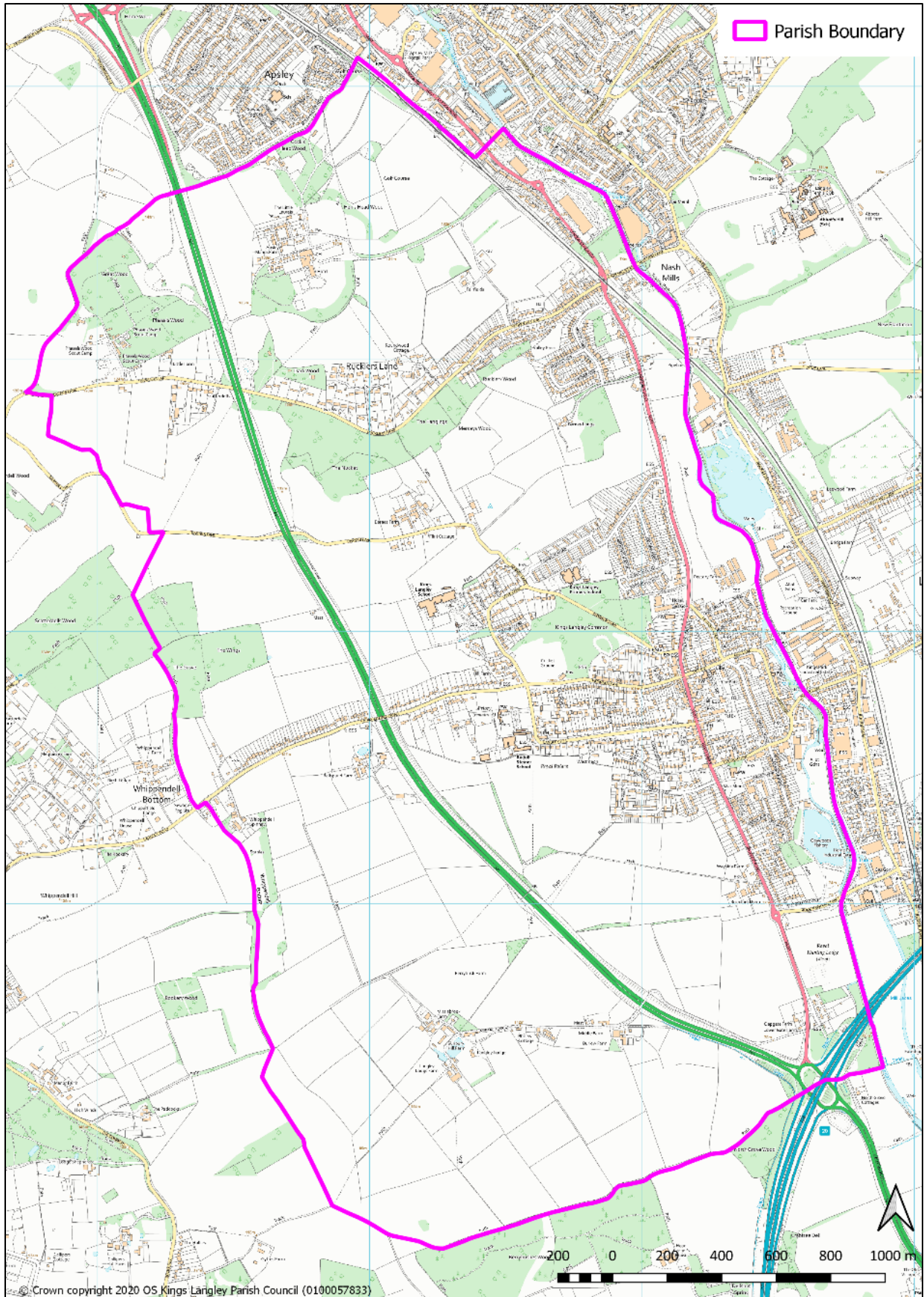


Figure 1: King Langley Neighbourhood Plan designated area

2. Basic condition (i) - conformity with national planning policy

- 2.1. To meet this condition, it is necessary to demonstrate that the Plan has regard to national planning policies and the advice contained in guidance issued by the Secretary of State. National policy and guidance is contained within the National Planning Policy Framework ('NPPF') and the Planning Practice Guidance ('PPG').
- 2.2. It should be noted that the Neighbourhood Plan has been prepared in accordance with the NPPF, most recently revised in July 2021.

National Planning Policy Framework

- 2.3. The NPPF has 13 key objectives which are:
- Delivering a sufficient supply of homes
 - Building a strong, competitive economy
 - Ensuring the vitality of town centres
 - Promoting healthy and safe communities
 - Promoting sustainable transport
 - Supporting high quality communications
 - Making effective use of land
 - Achieving well-designed places
 - Protecting Green Belt land
 - Meeting the challenge of climate change, flooding and coastal change
 - Conserving and enhancing the natural environment
 - Conserving and enhancing the historic environment
 - Facilitating the sustainable use of minerals
- 2.4. This basic conditions statement explains how the Neighbourhood Plan contributes to meeting these objectives, where relevant, and also notes the specific national policies that the Plan is intended to support and supplement.
- 2.5. The Neighbourhood Plan has four objectives, which are shown in Table 2.1 alongside the corresponding NPPF objective or objectives that each one seeks to address.
- 2.6. Table 2.2 then provides further detail by detailing each of the 21 policies of the Neighbourhood Plan and which specific paragraphs of the NPPF it has had regard to along with a commentary.

Table 2.1: Assessment of the Kings Langley Neighbourhood Plan objectives against NPPF goals

Plan objective	Relevant NPPF goal
<p>Objective 1: To ensure that new development is located in appropriate, sustainable locations within the village and surrounding area to protect, so far as possible, the Green Belt, valued green space in and around Kings Langley and local character and heritage. Development should contribute towards a proven local need.</p>	<ul style="list-style-type: none"> • Conserving and enhancing the natural environment • Conserving and enhancing the historic environment • Achieving well-designed places • Protecting Green Belt land • Making effective use of land • Delivering a sufficient supply of homes
<p>Objective 2: To require, of any new development, an assurance of the credibility of the developer and an assurance of the environmental sustainability of any proposed development, with plans delivering a ‘zero carbon’ goal through building materials, alternative energy sources, energy saving design, encouraging walking and cycling.</p>	<ul style="list-style-type: none"> • Promoting healthy and safe communities • Achieving well-designed places • Meeting the challenge of climate change, flooding and coastal change • Promoting sustainable transport
<p>Objective 3: To ensure that development delivers community benefit, in line with initiatives promoted by the other three Parish Plan working groups, for instance enhanced public access; green space; sustainable features; contribution to recreation facilities and on-site food growing land allocation.</p>	<ul style="list-style-type: none"> • Promoting healthy and safe communities • Conserving and enhancing the natural environment • Achieving well-designed places
<p>Objective 4: To support a vibrant and diverse High Street and a strong local economy that offers job opportunities to local people. Any future development, large or small, must not diminish existing business workspace or local employment opportunities. To generate new employment and replace any lost workspace, we will seek to provide small business units.</p>	<ul style="list-style-type: none"> • Building a strong, competitive economy • Ensuring the vitality of town centres

Table 2.2: Assessment of how each policy in the Neighbourhood Plan conforms to the NPPF

Policy Title and Reference	NPPF Reference (paragraph)	Commentary
Spatial strategy		
POLICY KL1: LOCATION OF DEVELOPMENT	20, 29, 80, 119, 120, 121, 130, 137, 147, 148, 149, 150, 151	<p>A core principle of national policy is the need for the planning system to contribute to sustainable development. The NPPF states that plans should support strategic development needs as set out in the adopted Local Plan and actively manage patterns of growth.</p> <p>Policy KL1 supports the development strategy set out in the adopted Core Strategy, while also synchronising with that of the emerging Local Plan. Sites within Kings Langley allocated in both the adopted Core Strategy and emerging Local Plan are considered to adequately address housing need both at the local level and contributing to strategic need.</p> <p>The policy supports the use of brownfield sites, with the inclusion of a local iteration of paragraphs 119 and 120 (c) of the NPPF.</p>
Housing		
POLICY KL2: MEETING LOCAL HOUSING NEEDS	61, 62, 65	<p>The NPPF sets out that the size, type, and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies. Whilst the Neighbourhood Plan does not seek to allocate housing sites, the evidence base and local engagement revealed a predominance of larger-sized homes within a price band well above the average for the wider geographic area. Recent developments have not addressed the imbalance of homes suited to the needs of downsizers and those wishing to get onto the housing ladder.</p> <p>Considering the constraints posed by way of being located within the Green Belt (beyond the village itself), the needs of Kings Langley are considered to be more defined than those set out of the wider local authority area as a whole. Policy KL2 therefore seeks to ensure that all residential development proposals are adequately informed by the locally specific housing need study, that drills down to the neighbourhood level as opposed to relying solely on data prepared at the strategic level.</p>

Policy Title and Reference	NPPF Reference (paragraph)	Commentary
Design and heritage policies		
POLICY KL3: CHARACTER OF DEVELOPMENT	127, 128, 129, 190, 194, 195	<p>National policy encourages neighbourhood plans to develop policies that achieve well-designed places that reflect local aspirations and are grounded in an understanding and evaluation of each area’s defining characteristics. Policy KL3 contributes to this aim by ensuring that development in the neighbourhood area is designed to respect the recognisable character of Kings Langley. To do this, nine Character Areas have been identified, each displaying recognisable features. These are described further in the Kings Langley Design Guidance and Code, which forms an integral part of the Neighbourhood Plan.</p> <p>The policy also seeks to protect heritage assets, including below ground archaeological deposit that can be found in the neighbourhood area, which are a replaceable resource and therefore should be conserved. The area is rich in such assets.</p>
POLICY KL4: DESIGN OF DEVELOPMENT	62, 126-131	<p>The NPPF states the need for development to be of high quality and inclusive design. Neighbourhood Plans are actively encouraged to consider what this means at the very local level and Policy KL4 achieves this for the Kings Langley context. It seeks to ensure that development is in keeping with the design of surrounding context and sets out criteria that should inform development proposals. A neighbourhood-level Design Guide has been developed to support this, drawing on elements from the National and strategic design guidance, but tailored to Kings Langley.</p>
POLICY KL5: ENERGY EFFICIENCY AND DESIGN	127, 128, 129, 153, 154, 155, 156	<p>The policy supports the national objective of designing development to mitigate climate change, a government priority. Notwithstanding the fact that energy efficiency matters are largely controlled by the Building Regulations, the policy identifies a series of design features which would be supported where they are incorporated into development. In particular it supports features aimed at reducing energy consumption and energy loss that should be incorporated into both new development and to retrofit sensitively historic buildings.</p>

Policy Title and Reference	NPPF Reference (paragraph)	Commentary
The Village Centre and Wilder Employment Opportunities		
POLICY KL6: ENHANCING THE HIGH STREET AND THE VILLAGE CENTRE	86, 92, 93, 98, 26, 127	The NPPF underlines the importance of town and village centres as the heart of the community. Policy KL3 applies this to the neighbourhood level, providing support for development that will enhance the village centre, to underpin the village centre public realm strategy that has been developed. In doing so, the policy supports the national objectives of creating healthy, inclusive, safe places that are well-designed and offer a mix of facilities and amenities.
POLICY KL7: COMMERCIAL PREMISES AND LAND	81, 84, 85	This policy supports the national objective of supporting an environment that enables local businesses to flourish. It recognises the changing nature of work and the increasing desire among many to work from home. Whilst it seeks to safeguard existing employment opportunities, in the context of King's Langley's Green Belt location (and lack of brownfield sites), it is acknowledged that in some cases, it may be preferable to address housing needs as a priority, as part of a mixed commercial/residential development.
POLICY KL8: SUPPORTING SUSTAINABLE TOURISM	84	The policy supports proposals that will enable sustainable tourism, which is recognised as an important part of the economy in the NPPF.
POLICY KL9: HIGH SPEED BROADBAND	114	The NPPF states that planning policies and decisions should support the expansion of electronic communications networks, including next generation mobile technology (such as 5G) and full fibre broadband connections. Whilst the government has introduced the broadband Universal Service Obligation, many properties in the area remain either unconnected or with reduced speeds. Policy KL9 seeks to address this by supporting the provision of fibre optic connection to all new developments, and where possible, to existing ones.

Policy Title and Reference	NPPF Reference (paragraph)	Commentary
Environment and Green Space		
POLICY KL10: CONSERVING AND ENHANCING THE NETWORK OF GREEN AND BLUE INFRASTRUCTURE	131, 174, 175, 179, 180	<p>This policy supports the national objective of ensuring that development contributes to and enhances the natural environment and biodiversity. It maps out, at the neighbourhood level, components of wildlife-rich habitats and wider ecological networks, including the hierarchy of national and locally designated sites of importance for biodiversity; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation through protecting designated and non-designated landscape assets.</p> <p>It recognises the importance of trees and the variety of roles they play, seeking to safeguard them against loss.</p> <p>In line with the emerging Environment Bill, the policy requires developments to deliver a biodiversity net gain of at least 10%. Where this cannot be achieved on-site, the locally mapped network of green infrastructure offers locations where units can most effectively make a positive contribution to local habitats and landscapes.</p>
POLICY KL11: LOCAL GREEN SPACES	101, 102, 103 147-151	<p>The NPPF enables communities to designate spaces that are demonstrably special to them as Local Green Spaces. The policy identifies 13 such spaces in Kings Langley and provides the justification as to how they meet the NPPF criteria. Whilst some of these spaces are located within the Green Belt, planning guidance (Paragraph: 010 Reference ID: 37-010-20140306) does not preclude such sites from being designated as local green space. The benefits of including these spaces in Kings Langley include the fact that Green Belt designation can change, which could leave these sites vulnerable in the future. The purpose of the Local Green Space designation is to protect spaces that are demonstrably special to the local community. Designating these particular spaces would safeguard them even if the Green Belt they are currently located within is released.</p>

Policy Title and Reference	NPPF Reference (paragraph)	Commentary
POLICY KL12: MANAGING THE ENVIRONMENTAL IMPACT OF DEVELOPMENT	130, 131, 174	The policy supports the national aims of policies to improve biodiversity. In particular, it identifies, at a local level, the significant landscape features, such as trees, verges, waterway banks and hedgerows – that are important assets to retain and, where possible enhance. It also provides guidance to applicants on how they can best incorporate open space within development.
POLICY KL13: GRAND UNION CANAL AND RIVER GADE	174, 189	The river and canal corridors play a vital role in the neighbourhood area – for recreation, flora and fauna, wayfinding and local heritage and character. It is important that these assets are looked after and the policy sets out what this means in the context of development.
POLICY KL14: KINGS LANGLEY FARMING SECTOR	84, 174	Kings Langley has a significant agricultural heritage and there are numerous farms dotted in and around the village. These not only play an economic role, but also contribute to maintaining the distinctive landscape character of the area and its biodiversity. As the economy evolves, however, the role of agriculture is also changing and this is recognised in the NPPF, which supports the diversification of farms. Policy KL14 provides support for diversification, subject to a series of locally-specific criteria.
POLICY KL15: PROTECTION OF SIGNIFICANT LOCAL VIEWS	126, 127	<p>The NPPF states that Neighbourhood planning groups can play an important role in identifying the special qualities of each area and explaining how these should be reflected in development, both through their own plans and by engaging in the production of design policy, guidance and codes by local planning authorities and developers.</p> <p>This policy identifies views and viewpoints that are considered to be locally distinctive – either because they encompass a local landmark or notable landscape. The policy seeks to ensure that any development that takes place within the view ‘arcs’ limits its impact on the view itself and, where possible, enhances it.</p>
Transport and Movement		
POLICY KL16: PROTECTION AND ENHANCEMENT OF KEY MOVEMENT ROUTES	100, 104, 106	The policy supports the NPPF objective of encouraging sustainable modes of transport by identifying the key movement routes within the neighbourhood area that enable people to access local facilities most easily and directly by foot or by bike, rather than relying on less sustainable modes of transport. The policy seeks to ensure that all development links up to these

Policy Title and Reference	NPPF Reference (paragraph)	Commentary
		routes and that the routes are protected, maintained and, where feasible, enhanced, to encourage greater and safer usage.
POLICY KL17: PUBLIC CAR PARKING	105, 106	Whilst the Neighbourhood Plan seeks to encourage sustainable modes of transport through Policy KL16, continued car usage is inevitable in a rural area such as Kings Langley. Policy KL17 seeks to address concerns relating to public car parking, which has been highlighted as a problem in parts of the area. It supports the retention of existing public car parking spaces and, in accordance with the NPPF's call for convenient, safe and secure car parking, supports new provision; as part of this, notably, the policy supports the provision of electric car and bicycle charging points, to encourage a shift towards less polluting vehicles.
Community Facilities, Leisure and Recreation		
POLICY KL18: IMPROVING OPPORTUNITIES FOR SPORT AND RECREATION	92, 93, 98, 99	The NPPF encourages policies that contribute to healthy, inclusive communities. Kings Langley has a range of local facilities for the community and this policy seeks to safeguard these. In addition, it sets out new or improved facilities that would be supported, as evidenced by the community engagement and discussions with facility owners.
POLICY KL19: PROVISION OF LEISURE FACILITIES FOR CHILDREN AND TEENAGERS	92, 93, 98, 99	The policy is closely connected to Policy KL18 but specifically focusses on the needs of children and teenagers. It identifies needs that have arisen as a result of the consultation, which would be supported by further work to inform large-scale developments
POLICY KL20: ALLOTMENTS AND COMMUNITY GROWING SPACES	92, 93	Allotments are noted within the NPPF as facilities that can contribute towards the achievement of healthy and inclusive communities. They also offer a range of biodiversity benefits. The policy seeks to not only safeguard existing allotments – which have been in situ over many decades – but also encourages proposals to consider including community growing spaces. The policy links to Policy KL17 (Public car parking), where such spaces can help to beautify parking areas and provide shade for users.

Policy Title and Reference	NPPF Reference (paragraph)	Commentary
POLICY KL21: PROVISION OF ACCESSIBLE PUBLIC TOILET FACILITIES	92, 93	Supporting the national aims of providing for community needs, provision of a public toilet facility is supported locally.

3. Basic condition (iv) - contribution to sustainable development

- 3.1. The NPPF states in paragraph 7 that *'the purpose of the planning system is to contribute to the achievement of sustainable development.'*
- 3.2. For the Kings Langley Neighbourhood Plan, sustainable development has provided the fundamental basis of each of its policies. The National Planning Practice Guidance advises that *'sufficient and proportionate evidence should be presented on how the draft neighbourhood plan ... guides development to sustainable solutions'².*
- 3.3. Table 3.1 below summarises how the objectives and policies in the Plan contribute towards economic, social and environmental sustainable development, as defined in the NPPF. Many of the objectives of the Plan overlap the three strands of sustainability, so for the purposes of this document, the most relevant strand has been taken to illustrate conformity.

Table 3.1: Assessment of the Kings Langley Neighbourhood Plan objectives and policies against sustainable development

Deliver economic sustainability	
NPPF definition – <i>'to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure.'</i>	
NP Objectives	Objective 4: To support a vibrant and diverse High Street and a strong local economy that offers job opportunities to local people. Any future development, large or small, must not diminish existing business workspace or local employment opportunities. To generate new employment and replace any lost workspace, we will seek to provide small business units.
NP Policies	POLICY KL6: RURAL ENTERPRISE AND USE OF AGRICULTURAL BUILDINGS FOR BUSINESS POLICY KL7: COMMERCIAL PREMISES AND LAND POLICY KL8: SUPPORTING SUSTAINABLE TOURISM POLICY KL9: HIGH SPEED BROADBAND POLICY KL14: KINGS LANGLEY FARMING SECTOR
Commentary	These policies of the Neighbourhood Plan collectively seek to support a vibrant and viable economy, recognising the role of the High Street and including a policy that will enhance the public realm here, thus encouraging greater footfall and spend for local shops and other uses. In doing so, it recognises the wider village centre appeal as a place for the community to socialise, in turn supporting inclusive and safe communities. The existing commercial units in the parish are important as they have the ability to provide local jobs that will help to negate the need for out-commuting. In light of the lack of brownfield sites, however, the Plan provides scope to develop mixed schemes at these sites, where this would, for instance, safeguard much valued greenfield and Green Belt land. This might, for instance, incorporate start-up units or a business hub

² Planning Practice Guidance, Paragraph: 072 Reference ID: 41-072-20140306

	<p>to service remote workers.</p> <p>The parish is well-situated near to a range of attractions and is also rich in heritage assets. Support for a museum/heritage facility, and other visitor facilities, would enable the parish to capitalise further on this sector.</p> <p>Furthermore, the Plan supports the diversity of farms; this is important as the farming heritage has created (and continues to create) a notable landscape. Where diversification of farms can help to maintain the viability of those farms, this would be considered a positive step.</p> <p>Finally, the Plan supports the continued roll-out of broadband, which is considered an essential utility, particularly as working habits shift towards remote and home-working.</p> <p>In these ways, the Plan seeks to contribute to building a sustainable economy.</p>
Deliver social sustainability	
<p>NPPF definition – ‘to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being.’</p>	
<p>NP Objectives</p>	<p>Objective 1: To direct new development to appropriate, sustainable locations within the village and surrounding area to protect, so far as possible, the Green Belt, valued green space in and around Kings Langley and local character and heritage. Development should contribute towards a proven local need.</p>
<p>NP Policies</p>	<p>POLICY KL1: LOCATION OF DEVELOPMENT POLICY KL2: MEETING LOCAL HOUSING NEEDS POLICY KL17: PUBLIC CAR PARKING POLICY KL18: IMPROVING OPPORTUNITIES FOR SPORT AND RECREATION POLICY KL19: PROVISION OF LEISURE FACILITIES FOR CHILDREN AND TEENAGERS POLICY KL20: ALLOTMENTS AND COMMUNITY GROWING SPACES POLICY KL21: PROVISION OF ACCESSIBLE PUBLIC TOILET FACILITIES</p>
<p>Commentary</p>	<p>The NPPF underlines the importance of supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high-quality built environment, with accessible local services that reflect the community’s needs and support its health, social and cultural well-being.</p> <p>The Neighbourhood Plan has been developed as a result of extensive local engagement to understand local priorities to contribute to this national objective. The Neighbourhood Plan does not seek to allocate homes at this time as both local and strategic housing need is adequately met at the district level. This has been discussed and agreed with DBC but may be considered further at a future review of the Neighbourhood Plan.</p> <p>The Plan therefore focusses on the type of housing that should be supported in the parish, based on the findings of the local housing needs assessment: smaller (in terms of bedroom number) and affordable homes.</p> <p>The Plan includes a range of policies to provide the social, recreational and cultural facilities and services the community needs. These are based on community engagement and each policy provides locally specific detail on what is required and how this can be supported through planning.</p> <p>In these ways, the Plan aims to support a strong, vibrant and healthy community.</p>

Deliver environmental sustainability	
NPPF definition – ‘to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy,’	
NP Objectives	<p>Objective 2: To require, of any new development, an assurance of the credibility of the developer and an assurance of the environmental sustainability of any proposed development, with plans delivering a ‘zero carbon’ goal through building materials, alternative energy sources, energy saving design, encouraging walking, and cycling.</p> <p>Objective 3: To ensure that development delivers community benefit, in line with initiatives promoted by the other three Parish Plan working groups, for instance enhanced public access; green space; sustainable features; contribution to recreation facilities and on-site food growing land allocation.</p>
NP Policies	<p>POLICY KL3: CHARACTER AND HERITAGE POLICY KL4: DESIGN OF DEVELOPMENT POLICY KL5: ENERGY EFFICIENCY AND DESIGN POLICY KL10: CONSERVING AND ENHANCING THE NETWORK OF GREEN AND BLUE INFRASTRUCTURE POLICY KL11: LOCAL GREEN SPACES POLICY KL12: MANAGING THE ENVIRONMENTAL IMPACT OF DEVELOPMENT POLICY KL13: GRAND UNION CANAL AND RIVER GADE POLICY KL15: PROTECTION OF SIGNIFICANT LOCAL VIEWS POLICY KL16: PROTECTION AND ENHANCEMENT OF KEY MOVEMENT ROUTES</p>
Commentary	<p>Protecting the natural and built environment of the parish is an extremely important part of the Plan and conforms to the national aims set out in the NPPF.</p> <p>In addition to the existing Conservation Areas, nine Character Areas are identified and defined, to ensure that any development within them is in-keeping with the immediate context. A locally distinctive Design Guide has been developed to underpin this.</p> <p>Natural features and habitats have been mapped so that they can be safeguarded and, where possible, enhanced. This includes the designation of Local Green Spaces, the recognition of the role of the canal and waterways, and the identification of important local views and viewpoints.</p> <p>The Parish has declared a Climate Emergency and many of the policies underpin the need for development proposals to consider how they will contribute to climate change mitigation.</p> <p>The Plan emphasises the need to promote non-car modes of transport in order to reduce traffic congestion and travel by the private car to reduce carbon emissions.</p> <p>In these ways, the Plan seeks to contribute to protecting and enhancing the natural, built and historic environment of the neighbourhood area.</p>

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

4 Basic condition (v) - general conformity with the strategic policies of the development plan

- 4.1. 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); and
 - Hertfordshire Waste Site Allocations DPD (adopted July 2014).
- 4.2. Whilst the policies of the Neighbourhood Plan must be in general conformity with the strategic policies of the adopted development plan documents, an updated Local Plan for the Borough is currently being developed. The emerging policies within it have been carefully considered to ensure that the neighbourhood plan is in synchronicity with these. A commentary of this is set out in Table 4.1
- 4.3. Where a strategic policy is not identified in Table 4.1, it is considered that the Neighbourhood Plan does not contain any policies that directly relate to it.
- 4.4. It is confirmed that there are no policies in the strategic documents relating to minerals and waste that are of relevance to the Neighbourhood Plan.
- 4.5. To note, those policies starting with "SP" in the table below are considered to be the strategic policies of the emerging Local Plan. For those with the prefix "DM", these are considered to be local policies, and not subject to this element of the basic conditions test and can in essence be replaced by the policies in the Neighbourhood Plan where conflicts exist. The "DM" policies are noted in the table below for information only.

Table 4.1: Relevant strategic policies

Policy Title and Reference	Dacorum Core Strategy (2013)	Emerging Local Plan to 2038	Commentary
POLICY KL1: LOCATION OF DEVELOPMENT	CS1, CS4, CS5, CS20	SP2, SP3, SP4, SP8; SP11, SP12	<p>The strategic planning policies set out the level of growth to be accommodated across the Borough and classify Kings Langley as a large village, to accommodate a proportion of this. The strategic allocations combined with windfall allowance are anticipated to deliver the level of growth required at the local level to meet local housing need, while contributing to the strategic need.</p> <p>Policy KL1 provides a spatial strategy for the parish, supporting the strategic approach. It adds additional local detail, for instance by seeking to restrict sprawl and coalescence between housing in the parish and nearby settlements. It also amends the settlement boundary to incorporate the strategic allocated sites. Finally it seeks to make best use of brownfield sites.</p>
POLICY KL2: MEETING LOCAL HOUSING NEEDS	CS18, CS19	DM1	<p>The policy builds on the evidence base that has been compiled at the neighbourhood level (the Housing Needs Assessment) to add additional local detail to the strategic policies on housing mix. In particular, it encourages proposals to deliver smaller (in terms of no. bedrooms) homes and more affordable homes.</p>
POLICY KL3: CHARACTER OF DEVELOPMENT	CS4, CS9, CS11, CS25, CS27	DM33, DM41, DM43; DM46, DM49	<p>The policy adds additional local detail to the strategic policies, which seek to ensure that development is 'in-keeping' with local character. It does this by defining Character Areas within the Parish, building on and adding greater detail to existing studies. The policy also recognises the rich heritage in the parish – including two Scheduled Monuments – and seeks to ensure that this is fully taken account in planning decisions.</p>

Policy Title and Reference	Dacorum Core Strategy (2013)	Emerging Local Plan to 2038	Commentary
POLICY KL4: DESIGN OF DEVELOPMENT	CS8, CS9, CS11, CS12	SP13, DM42	The policy builds on the strategic design policies, which seek to ensure high-quality, safe, inclusive design. It does this by adding specific detail at a neighbourhood level, drawing on feedback from the community and reflecting the need to consider the Design Guidance that has been prepared for Kings Langley.
POLICY KL5: ENERGY EFFICIENCY AND DESIGN	CS28, CS29	SP10, DM22 – DM26	The policy sets out detail at a neighbourhood level about how development proposals can contribute to mitigating climate change. Sustainable design policy has evolved greatly since the publication of the Core Strategy and, in the absence of a more recently adopted Local Plan, this policy seeks to align itself to the national objectives.
POLICY KL6: ENHANCING THE HIGH STREET AND THE VILLAGE CENTRE	CS13	SP7, SP13, SP26, DM41	The strategic policies support a high quality public realm, which in turn will help to deliver the national objective of enabling village and town centres that are vital and viable. Policy KL6 adds additional local detail by encouraging development proposals to consider the content of the Kings Langley Public Realm Strategy, which provides a more detailed set of circumstances to respond to. It also identified the key village gateways, which can be enhanced, for instance through planting.
POLICY KL7: COMMERCIAL PREMISES AND LAND	CS4, CS14, CS15	SP26, DM16, DM17	The policy supports the strategic policies, which identify areas for business and commercial use – including Sunderlands Yard in the neighbourhood area. It does, however, enable scope for mixed developments – which might include housing and employment as opposed to just employment, where this would make best use of brownfield land (as set out in Policy KL1).
POLICY KL8: SUPPORTING SUSTAINABLE TOURISM	CS4, CS14	DM18	The policy supports the strategic objectives to promote sustainable tourism locally. It identifies specific developments that are needed/supported in Kings Langley and which would enable this.

Policy Title and Reference	Dacorum Core Strategy (2013)	Emerging Local Plan to 2038	Commentary
POLICY KL9: HIGH SPEED BROADBAND	CS14	SP7, DM57	The policy seeks to ensure that technology provided within development proposals is fit for purpose for modern ways of living and working. Whilst the emerging Local Plan includes a policy about this, the Plan has yet to be adopted and the Core Strategy is limited in scope due to the age of the policy and advancements in technology.
POLICY KL10: CONSERVING AND ENHANCING THE NETWORK OF GREEN AND BLUE INFRASTRUCTURE	CS5, CS9, CS26	SP7, DM29, DM30 DM33	The policy addresses the green and blue infrastructure assets of the Plan area, including their importance in combatting pressure on wildlife, habitats, biodiversity and geodiversity and in offsetting the effects of air pollution. The policy conforms to strategic policies, which seek to safeguard and enhance biodiversity and landscapes across the borough. It provides additional local detail by mapping out, at the local level, the network of green infrastructure. It requires a net gain in biodiversity and the local map identifies areas where this can most helpfully be delivered, should the net gain not be possible wholly on-site.
POLICY KL11: LOCAL GREEN SPACES	CS5, CS26	DM63	The policy identifies 13 Local Green Spaces that are demonstrably special to the community and evidences this in the context of the criteria set out in the NPPF. This adds additional local detail to the Core Strategy and emerging Local Plan policies.
POLICY KL12: MANAGING THE ENVIRONMENTAL IMPACT OF DEVELOPMENT	CS5, CS12, CS25	DM28, DM29, SP13, DM63	The policy adds additional local detail to strategic policies by identifying the specific features of the landscape (both designated and non-designated) that should be both safeguarded. These might also provide inspiration for development proposals seeking to integrate natural features within their schemes.

Policy Title and Reference	Dacorum Core Strategy (2013)	Emerging Local Plan to 2038	Commentary
POLICY KL13: GRAND UNION CANAL AND RIVER GADE	CS5, CS31, CS32	DM33, DM49	The policy recognises the waterways as valued assets within the neighbourhood area. They provide a range of opportunities including for recreation, flora and fauna and transport. They also form an important part of the area’s heritage, in particular the canal. Finally, they provide opportunities to help combat climate change. The policy has been informed by the Canal and River Trust and adds additional local detail about how proposals in the neighbourhood area should take account of and, where possible ameliorate, these important assets.
POLICY KL14: KINGS LANGLEY FARMING SECTOR	CS5	DM4, SP12, DM65	The farming heritage of the area is an important one, providing not only a source of employment, but contributing to the cultural and ecological aspect of the parish. The policy seeks to protect such land and in particular where development proposals can support the ongoing viability of farming, while retaining the farm and farm infrastructure itself.
POLICY KL15: PROTECTION OF SIGNIFICANT LOCAL VIEWS	CS9	DM27, DM41, DM46, DM49	Strategic policy recognises the contribution that views can make to the character of an area – not only does this emphasise the ‘sense of place’ and identity for local people, it can also contribute to attracting visitors to the area. The policy adds additional local detail by identifying 13 view corridors and views that are considered to be particularly significant in the parish – because they take in a landscape feature or historic asset – that epitomises the character and place of Kings Langley.
POLICY KL16: PROTECTION AND ENHANCEMENT OF KEY MOVMENT ROUTES	CS8	SP7, DM50, DM52, DM53	The policy supports the strategic aim of encouraging, as far as possible, sustainable transport modes. It adds additional local detail by identifying key movement routes within the village that offer the most direct and quickest routes between key facilities and residential areas. This is helpful for considering where improvements can be prioritised and to ensure that new homes and development link to this primary route network.

Policy Title and Reference	Dacorum Core Strategy (2013)	Emerging Local Plan to 2038	Commentary
POLICY KL17: PUBLIC CAR PARKING	CS8	SP7, DM53	Notwithstanding the overarching aim of encouraging sustainable modes of transport, particularly for journeys within the parish, the area is largely rural and car dependency remains higher than average across the wider area. The policy supports the ongoing provision of car parking, including specific support for the expansion of The Nap. In parallel, however, it seeks electric charging points and cycle storage, which supports the aims of Policy KL16.
POLICY KL18: IMPROVING OPPORTUNITIES FOR SPORT AND RECREATION	CS23	SP7, DM62, DM63, DM64	The policy adds additional local detail to the strategic policies, which support the provision and safeguarding of community recreational facilities. In particular, it sets out specific projects that are needed locally, as informed by local engagement.
POLICY KL19: PROVISION OF LEISURE FACILITIES FOR CHILDREN AND TEENAGERS	CS23	SP7, DM63	Provision for children, and particularly teenagers, is lacking locally. The policy provides additional local detail to strategic policies, by setting out the need for an additional playground in a broad location. Whilst not within the policy, a supporting action will be for the Parish Council to identify additional needs that can be shared with developers, when putting together their proposals.
POLICY KL20: ALLOTMENTS AND COMMUNITY GROWING SPACES	SC23	SP7, DM38, DM63	Strategic policy recognises the value of allotments – for health, recreation, social, biodiversity and cultural reasons. Policy KL20 supports this with two clauses, firstly to resist the loss of all or part of existing allotment spaces (which are identified in para 10.13) and secondly, to support and encourage the provision of new community growing spaces of a size appropriate to developments, which could, for example, provide screening to adjoining urban uses.

Policy Title and Reference	Dacorum Core Strategy (2013)	Emerging Local Plan to 2038	Commentary
POLICY KL21: PROVISION OF ACCESSIBLE PUBLIC TOILET FACILITIES	CS23	SP7, DM64	The policy reflects local feedback, which has called for accessible toilet facilities to be available locally.

5 Basic Condition (vi) - conformity with EU obligations

- 5.1 The Plan, and the process under which it was made, conforms to the Strategic Environmental Assessment (SEA) Directive (EU 2001/42/EC) and the Environmental Assessment of Plans and Programmes Regulations 2004 (the Regulations).
- 5.2 In accordance with Regulation 9 of the SEA Regulations 2004, Dacorum Borough Council, as the responsible authority, determined on 9 April 2021 that a Strategic Environmental Assessment (SEA) is not required as the Plan's policies are unlikely to have significant environmental effects.
- 5.3 A copy of the body of the report of the Screening Statement is contained in Appendix A. The full Statement including Appendices, is contained in the Evidence Base alongside the Neighbourhood Plan.

6 Basic condition (vii) - conformity with the prescribed conditions

- 6.1 Under Directive 92/43/EEC, also known as the Habitats Directive³, it must be ascertained whether the Plan is likely to breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017. Assessments under the regulations are known as Habitats Regulation Assessments ("HRA"). An appropriate assessment ("AA") is required only if the Plan is likely to have significant effects on a European protected species or site. To ascertain whether or not it is necessary to undertake an assessment, a screening process is followed.
- 6.2 Dacorum Borough Council, as the responsible authority, determined on 9 April 2021 that the Neighbourhood Plan is unlikely to have significant impact on European sites and therefore does not require a full HRA to be undertaken.
- 6.3 In addition to conforming to its EU obligations, the Plan does not breach and is not otherwise incompatible with the European Convention on Human Rights.
- 6.4 A copy of the body of the report of the Screening Statement is contained in Appendix A. The full Statement including Appendices, is contained in the Evidence Base alongside the Neighbourhood Plan.

³ Directive 92/43/EEC 'on the conservation of natural habitats and of wild fauna and flora': <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:31992L0043>

7 Conclusion

- 7.1. The relevant Basic Conditions as set out in Schedule 4B to the TCPA 1990 are considered to be met by the Kings Langley Neighbourhood Plan and all the policies therein. It is therefore respectfully suggested to the Examiner that the Neighbourhood Plan complies with Paragraph 8(1) (a) of Schedule 4B of the Act.

Appendix A: SEA/ HRA Screening Statement (main body)

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 Kings Langley Neighbourhood Development Plan

9 APRIL 2021

SUMMARY

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

INTRODUCTION

1. This statement determines whether or not the contents of the emerging Kings Langley Neighbourhood Plan (Kings Langley NP) requires a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC (the Directive) and associated Environmental Assessment of Plans and Programmes Regulations 2004 (the Regulations).
2. Any land use plan or programme 'which sets the framework for future development consent of projects' must be screened according to a set of criteria from Annex II of the Directive and Schedule 1 of the Regulations. These criteria include exceptions for plans 'which determine the use of a small area at local level' or which only propose 'minor modifications to a plan', if it is determined that the plan is unlikely to have significant environmental effects.
3. This initial screening opinion must be subject to consultation with Historic England, the Environment Agency and Natural England. The results of the screening process must be detailed in a Screening Statement, made available to the public.

THE SCREENING PROCESS

1. Using the criteria set out in Annex II of the Directive and Schedule 1 of the Regulations, a Screening Opinion determines whether a plan or programme is likely to have significant environmental effects.
2. The extract from 'A Practical Guide to the Strategic Environmental Assessment Directive' in Appendix 1 provides a flow diagram to demonstrate the SEA screening process.

3. Table 1 in Appendix 1 sets out the criteria from the Practical Guide, along with an assessment of the Kings Langley NP against each criterion to ascertain whether a SEA is required.
4. Also part of the screening process is the Habitats Regulations Assessment Screening, which can be found in Appendix 2, and the assessment of likely significance effects on the environment, which can be found in Appendix 3.
5. These two assessments feed into Table 1 and the SEA screening opinion.

KINGS LANGLEY NEIGHBOURHOOD DEVELOPMENT PLAN

6. The Kings Langley NP will contain the following vision, objectives and policies:

Vision for Kings Langley parish to 2038:

To preserve and enhance what villagers most value about Kings Langley in line with the priorities suggested by the 2019 Parish Plan Survey - its village status, environmental action, greenbelt, proximity to open countryside, canal, woods and common, its thriving high street and strong sense of community.

The four objectives of the Kings Langley NP are as follows:

Objectives	
1.	To direct new development to appropriate, sustainable locations within the parish in order to protect, so far as possible, the Green Belt, valued green space in and around Kings Langley and local character and heritage. Development should contribute towards a proven local need.
2.	To require, of any new development, an assurance of the credibility of the developer and an assurance of the environmental sustainability of any proposed development, with plans ideally approaching a 'zero carbon' goal through building materials, alternative energy sources, energy saving design, encouraging walking and cycling.
3.	To ensure that development delivers community benefit, in line with initiatives promoted by the other three Parish Plan working groups, for instance car free/car sharing development; enhanced public access; contribution to recreation facilities and on-site food growing land allocation.
4.	To support a vibrant and diverse High Street and a strong local economy that offers job opportunities to local people. Any future development, large or small, must not diminish existing business workspace or local employment opportunities. To generate new employment and replace any lost workspace, we will seek to provide small business units.

The four objectives will be delivered through twenty policies which cover a range of topics, and are listed on the next page:

Policies	Main intent
Spatial Strategy	
Policy KL1: Location of Development (Page 17)	Direct new development towards the most sustainable locations, whilst protecting the Green Belt and the green spaces within the Parish and avoiding coalescence.
Housing	
Policy KL2: Meeting Local Housing Needs (Page 19)	Ensure that new homes meet the needs of local people and achieve a balanced mix of development.
Character, Heritage, and Design	
Policy KL3: Character of Development (Page 24)	Protect and enhance the character of the area, incorporating the principles set out in the Conservation Area and Urban Design Zones.
Policy KL4: Design of Development (Pages 29-30)	Ensure good quality design is incorporated into new developments.
Policy KL5: Energy Efficiency and Design (Page 31)	Ensure all developments meet the highest energy efficiency and environmental standards.
The Village Centre and Wider Employment Opportunities	
Policy KL6: Enhancing the High Street and the Village Centre (Page 35)	Support the Arup Report recommendations to enhance Kings Langley High Street and Village Centre.
Policy KL7: Commercial Premises and Land (Pages 36-37)	Safeguard existing employment land (including compensation for displaced businesses) whilst also encouraging new businesses to locate to the area.
Policy KL8: Supporting Sustainable Tourism (Page 38)	Ensure Kings Langley benefits from the development of local tourism.
Policy KL9: High Speed Broadband (Page 38)	Promote the provision of high speed broadband into all residential, commercial and community development proposals.
Environment and Green Space	
Policy KL10: Conserving and Enhancing the Network of Green Infrastructure (Pages 40-41)	Protect, enhance and extend areas and corridors featuring valuable flora and/or fauna.
Policy KL11: Local Green Spaces (Page 42)	Protect Green Spaces that are demonstrably special to the local community.
Policy KL12: Minimising the Environmental Impact of Development (Page 44)	Protect and enhance identified habitats to ensure the Rural and Green character of the Parish is retained.
Policy KL13: Kings Langley Farming Sector (Page 46)	Protect the viability of farming, which contributes to both the local economy and the landscape.
Policy KL14: Protection of Significant Local Views. (Page 47)	Protect individual views throughout the Parish that hold particular significance of local heritage.
Transport and Movement	
Policy KL15: Protection and Enhancement of Key Movement Routes (Page 51)	Protect and enhance key movement routes (particularly footpaths and cycle routes) within the Parish.
Policy KL16: Public Car Parking (Page 51)	Provide additional publicly accessible off-road car parking spaces, including the expansion of the Nap Car Park.
Community Facilities, Leisure and Recreation	
Policy KL17: Improving Opportunities for Sport and Recreation (Page 54-55)	Set out the parameters for assessing new community, recreational and leisure facilities.
Policy KL18: Provision of Leisure Facilities for Children and Teenagers (Page 56)	Ensure all new major developments consider and provide for the needs of children and young people.
Policy KL19: Allotments and Community Growing Spaces (Page 57)	Require all major developments to provide for new allotment and/or Community Growing spaces.
Policy KL20: The Provision of Accessible Public Toilets (Page 588)	Support the provision of accessible public toilets within the Village Centre.

7. The Kings Langley NP contains policies to maintain a sensible balance in the Parish between housing, character and design, employment opportunities, green infrastructure, open spaces, agriculture, landscape, wildlife habitats, transport, health and well-being and community facilities.
8. The policies are wide-ranging and seek many benefits for existing and new residents in the parish. On housing, there is a strong emphasis on

addressing the particular shortfalls in housing mix, such as delivering more 2-bed units, and meeting the needs of the aging population.

9. A lot of detail has been developed to support design principles that accord with local character, and to ensure key views/prospects are protected. A number of new Local Green Spaces are also proposed and will be offered the same level of protection as Green Belt land.
10. Policies support the broad retention of existing employment land and premises as well as new employment development, alongside the delivery of high quality broadband which can enable greater flexibilities such as working from home.
11. A number of environment policies are proposed which seek to combat and mitigate against the effects of climate change, and deliver net gains in biodiversity.
12. Policies are also supportive of enhanced connectivity, including the delivery of new and enhanced footpaths and cycleways. There are also general policies which support the provision of new sports and leisure facilities alongside new or enhanced community facilities in the parish.
13. Overall, we note that the plan does not allocate any sites for development and places great emphasis on conserving the character and appearance of the area.
14. It is therefore concluded that the implementation of the Kings Langley NP would not result in likely significant effects on the environment.

RESPONSES

15. The Council consulted with the statutory consultees, Environment Agency, Historic England and Natural England on the screening opinion from 1 February 2021 to 15 March 2021. Responses were received from each of the three bodies and these are attached as Appendix 4.
16. Historic England note that the draft Neighbourhood Plan does not propose to allocate any sites for development. Historic England agree with the Council's opinion that the Neighbourhood Plan is not likely to have a significant effect on the historic environment and therefore does not require an SEA.
17. The Environment Agency whilst noting a number of potential environmental constraints existing within the Neighbourhood Plan area advise by email to the Council, dated 25 March 2021, that it agrees with the Council's opinion that the Neighbourhood Plan does not require an SEA.

18. Natural England advise that it is not aware of significant populations of protected species which are likely to be affected by the policies / proposals within the Neighbourhood Plan and that there are unlikely to be significant environmental effects from the Neighbourhood Plan. Natural England confirm that on the information provided in its view the proposals contained within the Neighbourhood Plan will not have significant effects on sensitive sites that Natural England has a statutory duty to protect.

CONCLUSION

19. As a result of the screening undertaken by the Council, the following determination has been reached.
20. The Kings Langley NP is unlikely to have significant effects on Natura 2000 sites, therefore, an Appropriate Assessment for the Kings Langley Neighbourhood Development Plan is not required.
21. Based on the assessment presented in Appendices 1 & 3, the Kings Langley NP is unlikely to have a significant effect on the environment.
22. The Kings Langley NP does not require a Strategic Environment Assessment.