

BASIC CONDITIONS STATEMENT

THIRSTON NEIGHBOURHOOD PLAN SUBMISSION VERSION 2020 - 2036

January 2021

Thirston Neighbourhood Plan – Basic Conditions Statement – January 2021

Contents:

1.0	Introduction.....	3
2.0	Submission Documents	3
3.0	Legislative Requirements	4
4.0	Basic Conditions	6
5.0	Conclusions.....	23

APPENDIX A: List of Strategic (saved) policies in the Castle Morpeth Local Plan (2003) insofar as they relate to the Thirston Neighbourhood Plan

Thirston Neighbourhood Plan – Basic Conditions Statement – January 2021

1.0 Introduction

1.1 This statement sets out how the Thirston Neighbourhood Plan has been prepared in accordance with the Neighbourhood Planning (General) Regulations 2012 (as amended), hereafter referred to as ‘the Regulations’, and how the basic conditions have been met as prescribed by Paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990 (as amended) (the 1990 Act). The statement has been prepared by Thirston Parish Council as the qualifying body for the designated neighbourhood plan area.

2.0 Submission Documents

2.1 All the documents required by part 5, paragraph 15 of the Neighbourhood Planning (General) Regulations 2012 (as amended) are included in the submission documents accompanying the Thirston Neighbourhood Plan. Those requirements include provision of the following:

i) A map or statement which identifies the area to which the proposed neighbourhood development plan relates

2.2 A Policies Map is contained within the main body of the neighbourhood plan, showing detail in relation to relevant policy in the Plan. The Policies Map was produced by Northumberland County Council for the Parish Council. It is considered that the maps included within the Neighbourhood Plan give enough clarity to give context to the policies.

2.3 The Policies Maps covers the Parish, and includes the following specific annotations:

- A proposed settlement boundary for West Thirston and Eshott village
- Location of SSSIs in the Parish and proposed Wildlife Corridors
- Areas where Coastal Mitigation contributions will be required
- Local Green Spaces identified in the Plan
- Areas of proposed green belt (as set out in the emerging Northumberland Local Plan)
- Conservation Area boundary (West Thirston)
- A Woodland Burial Site allocation

ii) A Consultation Statement

2.4 A Consultation Statement has been submitted with the Plan, which details the consultation that was carried out throughout the development of the Plan and how this consultation informed the development of policies in the Plan. The document contains details of the persons and bodies consulted about the neighbourhood plan; it explains how they were consulted, and it summarises the main issues and concerns raised by people and organisations who were consulted. It also describes how these concerns have been considered and subsequently addressed in policies and changes to policies in the neighbourhood plan.

2.5 It should be noted that direct consultation with the public in the latter stages of the plan was not possible due to the Covid-19 pandemic. Revised guidelines were issued by government with regard to consultation procedures during the pandemic, and these guidelines have been adhered to throughout.

Thirston Neighbourhood Plan – Basic Conditions Statement – January 2021

iii) The proposed neighbourhood development plan

2.6 The Thirston Neighbourhood Plan (Submission Version 2020 – 2036) is submitted along with this statement.

iv) A statement explaining how the proposed neighbourhood development plan meets the requirements of paragraph 8(2) of Schedule 4B to the 1990 Act as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act; (otherwise known as the Basic Conditions statement)

2.7 This statement is the Basic Conditions Statement. The basic conditions are identified in part 4 of this statement.

v) An environmental report prepared in accordance with paragraphs (2) and (3) of regulation 12 of the Environmental Assessment of Plans and Programmes Regulations 2004; or where it has been determined under regulation 9(1) of those Regulations that the plan proposal is unlikely to have significant environmental effects (and, accordingly, does not require an environmental assessment), a statement of reasons for that determination.

2.8 A screening opinion was sought from Northumberland County Council during the Plan preparation period. The Thirston Neighbourhood Plan was screened 'in' and so a full Strategic Environmental Assessment was required. The Environmental Report is included in the submission documents. A Screening Opinion was also sought as to whether an Appropriate Assessment would be required under the Habitats Regulations. It was concluded that this would not be required, and a copy of that Screening Opinion is submitted with the Plan.

3.0 Legislative Requirements

3.1 Legislative Requirements are set out in the Localism Act (2011), the Town and Country Planning Act (as applied to neighbourhood plans by section 38A and 38B of the Planning and Compulsory Purchase Act) and the Neighbourhood Planning (General) Regulations 2012 (as amended). Each requirement is addressed as follows:

i) The draft Plan is Being Submitted by a qualifying body

3.2 This draft Plan is submitted by Thirston Parish Council; the qualifying body. The Plan has been prepared by the Thirston Neighbourhood Plan Working Group, which was given delegated authority under a clear Terms of Reference agreed by the Parish Council. The Working Group consists of local representatives from the Parish Council and local residents.

3.3 The Parish of Thirston (forming the Plan area for the Thirston Neighbourhood Plan) is entirely within Northumberland County. A Neighbourhood Area application was submitted under the Neighbourhood Planning Regulations 2012 (part 2 section 6) to Northumberland County Council who approved the application on 24th July 2017.

3.4 Copies of the Neighbourhood Area designation documents are available on the Northumberland County Council website.

3.5 The Parish of Thirston was therefore designated as a Neighbourhood Area for the purposes of section 61(G) of the 1990 Act.

Thirston Neighbourhood Plan – Basic Conditions Statement – January 2021

ii) What is being proposed is a neighbourhood development plan

3.6 The Thirston Neighbourhood Plan contains policies that relate to planning matters (the use and development of land) and has 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) and the Neighbourhood Planning Regulations 2012 (as amended).

iii) The proposed neighbourhood plan states the period for which it is to have effect

3.7 The draft Plan identifies a 16-year period to which it relates: 2020 to 2036. This is designed to fit in with the Plan period in the emerging Northumberland Local Plan which has just finished examination.

iv) The neighbourhood plan does not deal with excluded development such as strategic 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.

3.8 None of the policies in the Plan relate to excluded development.

v) The proposed neighbourhood plan does not relate to more than one neighbourhood area and there are no other neighbourhood development plans in place within the neighbourhood area.

3.9 The Plan relates to the Thirston Parish Neighbourhood Area, which is the designated neighbourhood area consisting of the Parish of Thirston. The Plan does not contain policies or proposals that relate to any other area. There are no other neighbourhood plans relating to this designated neighbourhood area.

vi) The Neighbourhood Development Plan only contains policies relating to the development and use of land.

3.10 The Neighbourhood Plan contains policies relating to the development and use of land. Other proposals that are not related to the development and use of land are contained in Part 6 of the Plan, entitled 'Community Projects'.

Thirston Neighbourhood Plan – Basic Conditions Statement – January 2021

4.0 Basic Conditions

4.1 A Neighbourhood Plan will be considered to have met the Basic Conditions if:

1. Having appropriate regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood development plan;
2. The ‘making’ of the neighbourhood plan contributes to the achievement of sustainable development;
3. The ‘making’ of the neighbourhood 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);
4. The ‘making’ of the neighbourhood plan does not breach, and is otherwise compatible with, retained EU obligations; and
5. Prescribed conditions are met in relation to the plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan. The following prescribed condition relates to neighbourhood plans: Regulation 32 of the Neighbourhood Planning (General) Regulations 2012 (as amended) sets out a further Basic condition in addition to those set out in primary legislation. 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). (See Schedule 2 of the Neighbourhood Planning (General) Regulations 2012 (as amended)).

Basic Condition 1: Having appropriate regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood development plan

4.2 National Planning Practice Guidance states (Paragraph: 070 Reference ID: 41-070-20140306):

‘A qualifying body is advised to set out in its basic conditions statement how they have had regard to national policy and considered whether a particular policy is or is not relevant. A qualifying body is encouraged to set out the particular national policies that it has considered, and how the policies in a draft neighbourhood plan or the development proposals in an Order take account of national policy and advice.’

4.3 How the Thirston Neighbourhood Plan has regard to national policies and advice contained in guidance issued by the Secretary of State is contained in Table 1 which sets out particular national policies and guidance in the NPPF relevant to policies in the submission Thirston Neighbourhood Plan.

Basic Condition 2: The ‘making’ of the neighbourhood plan contributes to the achievement of Sustainable Development

4.4 The meaning of ‘sustainable development’ in this context is set out in paragraph 8 of the NPPF. Paragraph 8 identifies three objectives (economic objectives, social objectives and environmental objectives); the combination of which, contribute to the achievement of sustainable development. The objective of sustainable development can be summarised as ‘meeting the needs of the present without compromising the

Thirston Neighbourhood Plan – Basic Conditions Statement – January 2021

ability of future generations to meet their own needs’.¹

- 4.5 There are two objectives set out in the Thirston Neighbourhood Plan, the combination of which contribute to the delivery of ‘sustainable development’. These objectives cover the natural and built environment (Objective 1) and economy, employment and community (Objective 2).
- 4.6 The Plan contains eight policies, which in combination, seek to deliver the vision and the two objectives, as well as addressing the three areas of sustainable development identified in the NPPF: Delivering economic objectives, social objectives and environmental objectives. How the policies deliver these objectives is summarised below:

Economic Objectives

‘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’ [para 8 NPPF]

- 4.7 Policy 6 supports the sustainable growth and expansion of business in the area by identifying which types of business will be supported, and a set of criteria against which planning applications will be assessed in order to support the interests of all businesses in the Neighbourhood Area.
- 4.8 Policy 7 supports the sustainable provision of tourism accommodation, supporting the tourism economy.
- 4.9 Policy 8 supports a local business (Woodland Burial Site) which provides community and environmental benefits.

Social Objectives

‘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’ [para 8 NPPF]

- 4.10 Policy 2 identifies areas where new housing development will be appropriate and supports the provision of exceptions housing for people with a local need;
- 4.11 Policy 6 supports the delivery of new and improved community facilities and services;
- 4.12 Policy 5 identifies Local Green Spaces, in the area which have a community value.
- 4.13 Policy 6 supports the provision of community facilities and services.
- 4.14 Policy 7 supports tourism development at an appropriate scale and in appropriate locations, whilst seeking to limit the expansion of existing large holiday parks which are considered to be at capacity.

¹ Resolution 42/187 of the United Nations General Assembly – referred in paragraph 7 of the NPPF

Thirston Neighbourhood Plan – Basic Conditions Statement – January 2021

- 4.15 Policy 8 supports the allocation of the Woodland Burial Site and the proposed crematorium, and supports development directly associated with that business, which has a community benefit, by providing green space and a community facility.

Environmental Objectives

‘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.’

- 4.16 Objective 1 of the Plan focuses on valuing the built and natural environment. This objective is delivered throughout all the policies in the Plan, but in particular the following:
- 4.17 Policy 1 sets out principles of high quality and sustainable design in all development in the Neighbourhood Area.
- 4.18 Policy 2 seeks to preserve the beauty of the countryside by directing development to the most sustainable locations within the identified settlement boundaries.
- 4.19 Policy 3 identifies wildlife corridors and identifies areas of high biodiversity value (SSSIs) in the area.
- 4.20 Policy 4 has specific requirements for coastal mitigation (via the Northumberland Coastal Mitigation Service) as a result of recommendations that came out of the Habitats Regulations Assessment process. This policy will ensure that appropriate mitigation is sought from development which could otherwise have a significant effect on the European designated areas along the coast).
- 4.21 Policy 5 lists the Local Green Spaces which are proposed in the Neighbourhood Area.
- 4.22 In combination, it is considered that this Plan will contribute to the achievement of sustainable development as defined in the NPPF and therefore meets the second Basic Condition. Table 1 assesses each policy in the Plan against the objective of delivering sustainable development.

Thirston Neighbourhood Plan – Basic Conditions Statement – January 2021

Basic Condition 3: That the Neighbourhood Plan is in General Conformity with Strategic Local Policy

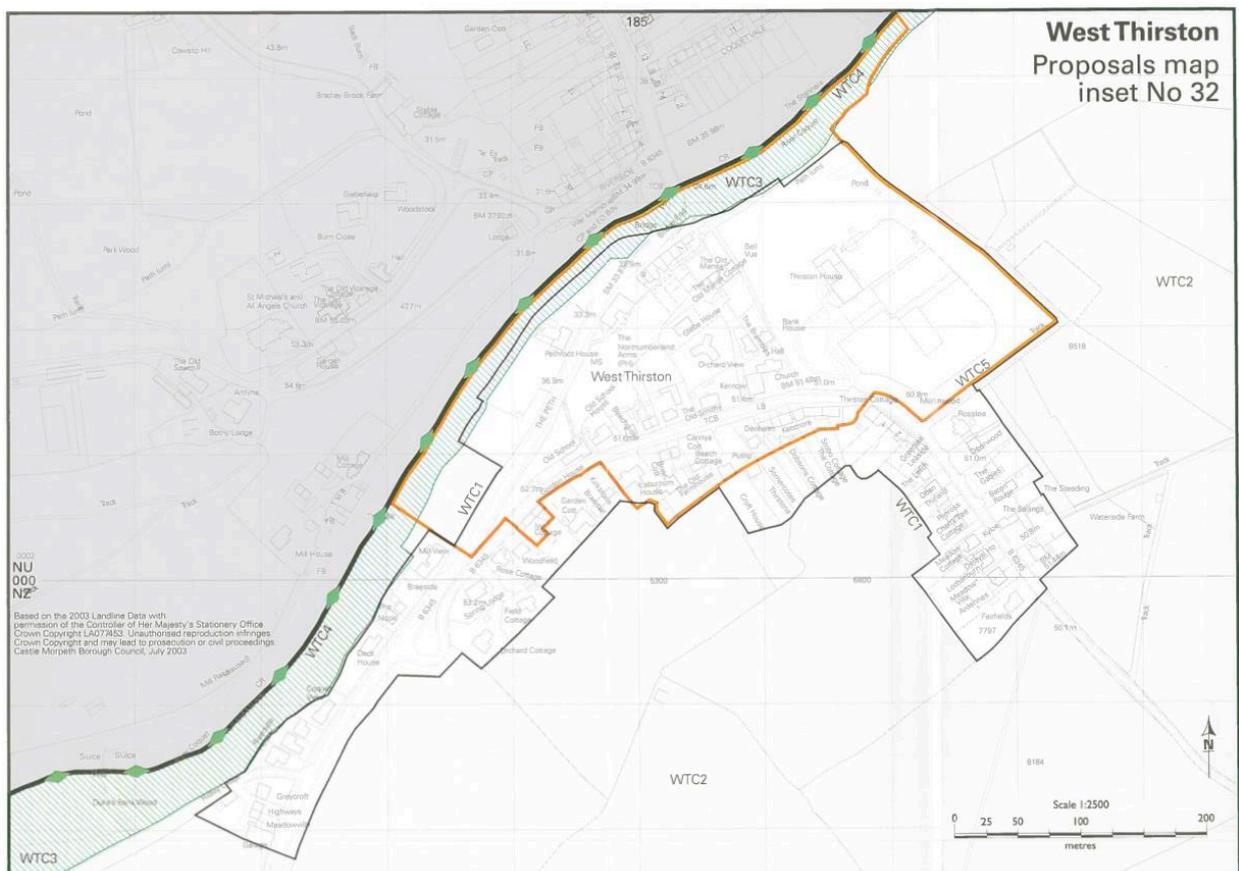
- 4.23 The Thirston Neighbourhood Plan area lies entirely within Northumberland County Council. On 1st April 2009, Northumberland County Council became a unitary authority, and therefore the Local Planning Authority for the area. Prior to this, the Parish of Thirston was within Castle Morpeth District Council area.
- 4.24 Northumberland County Council has yet to produce a Local Plan for the County, although the emerging Northumberland Local Plan has now finished examination and it is expected that the Plan will be adopted in 2021. At the time of writing this statement however, the Northumberland Local Plan (NLP) is still not yet part of the Development Plan.
- 4.25 Notwithstanding this, it is important to assess the Thirston Neighbourhood Plan against the emerging NLP as well as against the current Development Plan, given that the timescale for adoption is likely to be very soon after (or at the same time as) the ‘making’ of the Thirston Neighbourhood Plan.
- 4.26 The current Development Plan consists of ‘saved’ policies in the Castle Morpeth Local Plan (2003), and ‘saved’ Policy S5 of the Northumberland County and National Park Joint Structure Plan First Alteration (February 2005). Saved Policy S5 identifies an extension to the Green Belt (in word format only). This extension to the Green Belt is formalised and defined in detail in the emerging Northumberland Local Plan. Part of this extension to the Green Belt is within the Neighbourhood Area and is shown on the policies maps for the Thirston Neighbourhood Plan.
- 4.27 Northumberland County Council has provided the qualifying body with a list of policies they consider to be ‘strategic’ for the purposes of meeting this basic condition. Appendix A contains the identified strategic (saved) Policies from the Castle Morpeth Local Plan (2003).
- 4.28 The neighbourhood plan must be in ‘general conformity’ with strategic policy. Paragraph 074² of the National Planning Practice Guidance gives an explanation of what is meant by ‘general conformity’:
- ‘When considering whether a policy is in general conformity a qualifying body, independent examiner, or local planning authority, should consider the following:
- *whether the neighbourhood plan policy or development proposal supports and upholds the general principle that the strategic policy is concerned with.*
 - *the degree, if any, of conflict between the draft neighbourhood plan policy or development proposal and the strategic policy.*
 - *whether the draft neighbourhood plan policy or development proposal provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining that policy.*
 - *the rationale for the approach taken in the draft neighbourhood plan and the evidence to justify that approach.’*
- 4.29 Each policy in the plan has been tested against the relevant strategic policies in the current Development Plan. Given the fact that the NLP is likely to be adopted soon, the

² (Reference ID: 41-074- 20140306)

Thirston Neighbourhood Plan – Basic Conditions Statement – January 2021

policies are also considered against the NLP.

- 4.30 Conformity with strategic policies in the Castle Morpeth Local Plan (2003) are set out below in Table 1. Context is given in the map below, which shows the inset for West Thirston in the Castle Morpeth Local Plan (2003).
- 4.31 The conclusions in Table 1 **highlight one area of conflict with strategic policy contained in the Castle Morpeth Local Plan (2003)**. The section is highlighted in orange in the table below. This area of conflict relates to Policy 2 in the Thirston Neighbourhood Plan, which allows for a range of housing types in the countryside in accordance with current national planning policy. Policy H16 in the Castle Morpeth Local Plan is restrictive, only allowing dwellings for a very limited range of uses. There have been significant changes in national planning policy since that policy was written. As such it is considered that the rationale for the approach taken in the Neighbourhood Plan is well evidenced and justified.
- 4.32 An assessment of conformity with current national policy indicates there are no conflicts with national planning policy, or national planning practice guidance.
- 4.33 The Castle Morpeth Local Plan inset map for West Thirston is shown below. It shows the existing policy designations in the Neighbourhood Area: WTC1 (Settlement Boundary), WTC2 (Area of High Landscape Value – all around West Thirston), WTC3: (River Coquet and River Coquet Valley Woodlands SSSI) and WTC4 (Wildlife Corridors) and WTC5 (Conservation Area boundary).



Thirston Neighbourhood Plan – Basic Conditions Statement – January 2021

Table 1: Policies in the submission Thirston Neighbourhood Plan tested against Basic Conditions 1, 2 and 3. Any conflicts identified are highlighted. A copy of the existing Policies Map from the Castle Morpeth Local Plan is shown above, to give context to policy references.

Policy 1: Design and Development Principles		
Basic Condition 1 (having regard to National Planning policy and Practice)	Basic Condition 2 (contributing to the achievement of sustainable development)	Basic Condition 3 (general conformity with strategic planning policy)
<p>Policy 1 combined with its supporting text, seeks to provide locally specific advice about what criteria should be met if development is to be supported in the Parish. The policy seeks to ensure future development delivers high quality and locally distinctive design, reflecting the character of the area, with an emphasis on sustainable/low carbon building principles.</p> <p>Chapter 12 in the NPPF is about achieving well-designed places. It states that good design is a key aspect of sustainable development. Plans should set out a clear design vision but should not be over prescriptive. This policy seeks to achieve the right balance, by identifying a series of criteria that are most relevant to this Neighbourhood Area without being overly prescriptive.</p> <p>NPPF paragraph 130 states that ‘permission should be refused for development of poor design that fails to take the opportunities</p>	<p>Policy 1 contributes to the achievement of sustainable development, by seeking to conserve and enhance the character of the area through encouraging development which delivers high quality and sustainable design, with specific advice about what types of design are vernacular to different parts of the Neighbourhood Area.</p> <p>This policy seeks to ensure that all new development incorporates identified matters of significance related to the historic and natural environment. These matters are identified in the policy as relating to design, character, sustainable drainage, landscaping, lighting, amenity, energy efficiency, biodiversity net gain, safe access and impact on heritage assets.</p> <p>This policy has regard to the NPPF and the purpose of the planning system in</p>	<p><u>Castle Morpeth Local Plan (2003)</u></p> <p>There are no strategic saved policies in relation to design and development principles. However, policies in relation to the historic environment are relevant, in particular Policy WTC5, West Thirston Conservation Area.</p> <p><u>Emerging Northumberland Local Plan (NLP):</u></p> <p>The policy is in general conformity with emerging strategic policy in the NLP; in particular, Policy STP3 (Principles of sustainable development) and Policy QOP1 (Design principles).</p>

Thirston Neighbourhood Plan – Basic Conditions Statement – January 2021

<p>available for improving the character and quality of an area and the way it functions.’</p> <p>Paragraph 125 states that <i>‘Neighbourhood plans can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development’.</i></p> <p>Chapter 15 is about conserving and enhancing the natural environment. Paragraph 180 (part c) refers to limiting the impacts of light pollution and paragraph 174 (part b) states that plans should pursue opportunities for securing net gains for biodiversity.</p> <p>It is considered that Policy 1 is in line with National Planning Policy which supports high quality and locally distinctive design.</p>	<p>contributing to sustainable development.</p>	
--	---	--

Thirston Neighbourhood Plan – Basic Conditions Statement – January 2021

Policy 2: New Housing Development		
Basic Condition 1 (having regard to National Planning policy and Practice)	Basic Condition 2 (contributing to the achievement of sustainable development)	Basic Condition 3 (general conformity with strategic planning policy)
<p>Policy 2 supports new housing development within the defined settlement boundaries of West Thirston and Eshott. This policy also identifies what housing development is likely to be acceptable outside the defined settlement boundaries, in accordance with paragraphs 77, 78 and 79 of the NPPF.</p> <p>Paragraph 77 states that, in rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs. Local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs.</p> <p>Paragraph 78 refers to rural housing development and paragraph 79 sets out the circumstances in which new homes may be acceptable in more isolated countryside locations.</p> <p>Paragraph 170 says that planning policies should protect and enhance valued</p>	<p>This policy defines settlement boundaries for West Thirston and the village of Eshott. This will achieve economic objectives (certainty to developers about where development is, and is not appropriate), and environmental objectives, by protecting landscapes around the settlements and the special character of the settlements. The policy will also achieve social objectives, by supporting housing to meet local needs through the potential delivery of rural exceptions sites delivering affordable housing.</p> <p>Although the proposed settlement boundaries are drawn relatively tightly round the settlements; there is still scope for some further ‘infill’ development in West Thirston.</p>	<p><u>Castle Morpeth Local Plan (2003)</u></p> <p>Policies related to housing in the Castle Morpeth Local Plan are policies H1 (Housing land supply), H2 (Phasing) and H16 (Housing in the countryside). Policy H1 shows land allocations for housing (none of which exist in the Neighbourhood Area). Policy H2 refers to phasing of allocated housing sites (again, not relevant in this Neighbourhood Area). Policy H16 refers to housing in the countryside. This policy is restrictive, only permitting agricultural workers dwellings or essential rural workers dwellings. This is in conflict with Policy 2, which allows for other types of housing development as set out in the NPPF.</p> <p><u>Emerging Northumberland Local Plan (NLP):</u></p> <p>The policy is in general conformity with emerging strategic policy in the NLP; in particular, Policy STP1 (Spatial Strategy). Neither West Thirston or Eshott are identified as service villages. However, part (d) of Policy STP1 does defer to neighbourhood plans in some instances to define settlement boundaries</p>

Thirston Neighbourhood Plan – Basic Conditions Statement – January 2021

<p>landscapes. In this Plan, settlement boundaries are the key tool for achieving this objective, by preventing encroachment of development into valued areas of the countryside.</p> <p>Paragraph 65 of the National Planning Policy Framework (NPPF) requires ‘strategic policies’ (contained in a Local Plan produced by the County Council) to set out a housing requirement for designated Neighbourhood Areas which reflects the overall strategy for the pattern and scale of development, and any relevant allocations. The housing requirement states that the neighbourhood area has already delivered sufficient houses over the Plan period, and there is therefore no land for housing identified.</p> <p>There is no conflict identified with the NPPF.</p>		<p>(although the Local Plan does already define a settlement boundary for West Thirston – this is the same boundary as that proposed in the Thirston Neighbourhood Plan).</p> <p>STP2 (Presumption in favour of sustainable development) and STP3 (Principles of sustainable development are relevant, and there are no conflicts identified with these policies).</p> <p>Policy HOU3 in the emerging Northumberland Local Plan sets out housing requirements for Neighbourhood Areas in Northumberland. The Thirston Neighbourhood Area which lies in the Central Delivery Area is expected to deliver no new houses over the Northumberland Local Plan period; this is due to a high level of housing being delivered recently.</p> <p>Policy HOU7 refers to exception sites. However, it is not identified as a ‘strategic’ policy. Notwithstanding this, the Policy 12 does not conflict with emerging policy HOU7 which is based on the NPPF.</p>
---	--	--

Thirston Neighbourhood Plan – Basic Conditions Statement – January 2021

Policy 3: Wildlife Corridors and SSSI		
Basic Condition 1 (having regard to National Planning policy and Practice)	Basic Condition 2 (contributing to the achievement of sustainable development)	Basic Condition 3 (general conformity with strategic planning policy)
<p>This policy identifies wildlife corridors and the SSSI in the Neighbourhood Area. The policy was amended after the SEA consultation, to incorporate recommendations made by the Environment Agency to include an additional area as a wildlife corridor. The Parish Council were also in agreement that this area is important locally for wildlife.</p> <p>Paragraph 174 of the NPPF states that plans should promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species...'. Policy 3 seeks to reflect that in a locally specific way, and identifies the areas referred to on the Policies Map for clarity.</p>	<p>This policy contributes to the achievement of sustainable development by identifying and protecting areas of special biodiversity value. These areas have a biodiversity value, but also have a community value.</p>	<p><u>Castle Morpeth Local Plan (2003)</u></p> <p>Policies WTC3 and WTC4 refer to site specific designations in the Neighbourhood area and can be seen on the Policies Map shown in Figure 1. Although national policy, and legislation in relation to biodiversity has changed since these policies were drafted, the overall intention of these policies and the Neighbourhood Plan policy are the same, and they are therefore in conformity. Policies C9 and C11 refer to wildlife sites and protected species. Policy 3 is consistent with those policies. Policies C12 and C13 refer to the protection and enhancement of wildlife corridors (which are then specified locally in WTC3 and WTC4). Again, Policy 3 is consistent with those policies, identifying two wildlife corridors in the Neighbourhood Area.</p> <p><u>Emerging Northumberland Local Plan (NLP):</u></p> <p>Policy ENV1 sets out approaches to assessing the impact of development on the natural (historic and built) environment. This is consistent with Policy 3.</p>

Thirston Neighbourhood Plan – Basic Conditions Statement – January 2021

Policy 4: Northumberland Coastal Mitigation Service		
Basic Condition 1 (having regard to National Planning policy and Practice)	Basic Condition 2 (contributing to the achievement of sustainable development)	Basic Condition 3 (general conformity with strategic planning policy)
<p>This policy has been drafted to ensure that mitigation identified as necessary in the Habitats Regulations Assessment Report is incorporated into the Plan.</p> <p>Paragraph 174 states that plans should promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species...’.</p> <p>This policy will ensure that development that increases pressure on nearby protected sites and priority species will include provision towards the County Council’s Coastal Mitigation Fund, which seeks to mitigate damage caused to the designated areas by providing dog wardens and other measures to reduce the impact of visitors on protected species.</p>	<p>This policy contributes to the achievement of sustainable development by ensuring that mitigation is incorporated into the Plan to offset impacts of additional residential and/or holiday units on European sites.</p>	<p><u>Castle Morpeth Local Plan (2003)</u></p> <p>There is no policy in the Castle Morpeth Local Plan related to this matter.</p> <p><u>Emerging Northumberland Local Plan (NLP):</u> Policy ENV1 sets out approaches to assessing the impact of development on the natural (historic and built) environment. The supporting text to this policy explains the Coastal Mitigation Service and how it is intended to function in order to protect internationally significant wildlife areas. This is consistent with Policy 4.</p>

Thirston Neighbourhood Plan – Basic Conditions Statement – January 2021

Policy 5: Local Green Spaces		
Basic Condition 1 (having regard to National Planning policy and Practice)	Basic Condition 2 (contributing to the achievement of sustainable development)	Basic Condition 3 (general conformity with strategic planning policy)
<p>NPPF paragraph 100 gives local communities the opportunity to identify areas as Local Green Space, providing that the green space is in reasonably close proximity to the community it serves, and is demonstrably special to the local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife and where it is local in character and not an extensive tract of land. The Local Green Spaces identified in this Neighbourhood Plan meet the requirements set out above, and evidence is provided to demonstrate that in the form of background evidence papers, and information within the Plan itself. The policy states that the management of the Local Green Spaces should be consistent with those for green belts, as required in NPPF paragraph 101.</p> <p>The policy identifies two Local Green Spaces in the Neighbourhood Area.</p>	<p>The provision and retention of Local Green Spaces contributes to the achievement of sustainable development and is key to ensuring that the places people leave have suitable access to green spaces. The spaces identified are highly valued by the local community.</p> <p>The areas identified are important to sustain a vibrant and healthy community and their designation is consistent with the principles of sustainable development.</p>	<p><u>Castle Morpeth Local Plan (2003)</u></p> <p>Local Green Spaces did not exist (in the way they are now defined in planning policy) at the time the Local Plan were drafted, as they came about in National Planning Policy NPPF (2012). The designation of these Local Green Spaces does not conflict with any strategic policies in the Castle Morpeth Local Plan (2003).</p> <p><u>Emerging Northumberland Local Plan (NLP):</u></p> <p>The policy is in general conformity with emerging strategic policy in the NLP. Only Neighbourhood Plans can designate Local Green Space, so there is no equivalent strategic policy, although the emerging NLP Policy STP6 (Green Infrastructure) does support the protection, improvement and extension of Northumberland’s green infrastructure.</p>

Thirston Neighbourhood Plan – Basic Conditions Statement – January 2021

Policy 6: Businesses and Community Facilities		
Basic Condition 1 (having regard to National Planning policy and Practice)	Basic Condition 2 (contributing to the achievement of sustainable development)	Basic Condition 3 (general conformity with strategic planning policy)
<p>Chapter 8 of the NPPF is about promoting healthy and safe communities. Paragraph 92 states that planning policies should plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments.</p> <p>Paragraph 180 states that planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving</p>	<p>This policy contributes to social and economic objectives; some community facilities are businesses also. These businesses support a strong, vibrant and healthy community in Thirston Parish and support the communities’ health, social and cultural well-being.</p> <p>The policy particularly seeks to ensure the amenity of residents and the tranquillity of the local environment is protected from potentially anti-social effects of some uses to reflect specific issues raised by the community. It also seeks to protect the interests of all the rural businesses by ensuring uses are compatible with each other. By balancing the factors identified in Policy 6, it is considered that this policy will contribute to the achievement of sustainable economic development.</p>	<p><u>Castle Morpeth Local Plan (2003)</u> There are no saved strategic policies that are relevant to this policy area.</p> <p><u>Emerging Northumberland Local Plan (NLP)</u> There are no strategic policies in relation to community facilities. Policy INF2 is about community services and facilities but is not identified as ‘strategic’. Policy ECN12 is about a strategy for rural growth, and Policy ECN13 is about meeting rural employment needs. Policy 6 is not in conflict with the aims of either of these policies; it gives a local flavour to similar aims of encouraging rural business.</p>

Thirston Neighbourhood Plan – Basic Conditions Statement – January 2021

<p>rise to significant impacts on health and the quality of life.</p> <p>Policy 6 identifies the cumulative impacts that noise generating businesses can have on the amenity of residents and other businesses in neighbourhood area; an issue that is pertinent in the neighbourhood area and was raised by residents and businesses in the consultation.</p> <p>Paragraphs 83 and 84 in the NPPF are about supporting a prosperous rural economy, promoting the sustainable expansion of all types of business in rural areas. Policy 6 is locally specific to the area, and makes it clear how businesses can expand in a sustainable way reflecting local issues, with a specific range of types of business in the Neighbourhood Area.</p>		
---	--	--

Thirston Neighbourhood Plan – Basic Conditions Statement – January 2021

Policy 7: Caravan and Tourist Accommodation		
Basic Condition 1 (having regard to National Planning policy and Practice)	Basic Condition 2 (contributing to the achievement of sustainable development)	Basic Condition 3 (general conformity with strategic planning policy)
<p>Paragraphs 83 and 84 refer to sustainable rural development, and tourism development. Policy 7 seeks to encourage sustainable tourism development, by being specific about what is considered ‘sustainable’ in the context of the existing situation in the Neighbourhood Area. Due to the significant amount of caravan developments already, it is considered that the expansion of these would not constitute ‘sustainable’ development in the context of national planning policy. Other, smaller scale types of tourism accommodation are, however, encouraged. It is considered that this is in line with NPPF policy, and balances the economic tourism benefits with the need to protect the special character and the intrinsic natural beauty of the countryside.</p>	<p>The policy defines what constitutes sustainable development in the context of tourism accommodation for the area.</p>	<p><u>Castle Morpeth Local Plan (2003)</u></p> <p>There are no saved strategic policies relating to this matter.</p> <p><u>Emerging Northumberland Local Plan (NLP)</u></p> <p>Policy ECN 15 is about tourism and visitor development, but is not identified as a strategic policy. There is some conflict with part (e) of Policy ECN15, but it is not a strategic policy and it is not yet part of the development plan.</p>

Thirston Neighbourhood Plan – Basic Conditions Statement – January 2021

Policy 8: Woodland Burial Site		
Basic Condition 1 (having regard to National Planning policy and Practice)	Basic Condition 2 (contributing to the achievement of sustainable development)	Basic Condition 3 (general conformity with strategic planning policy)
<p>This is a locally specific policy which is not found to be in conflict with the NPPF. Most relevant parts of the NPPF are those already cited in relation to Policy 6. The woodland burial site and proposed crematorium are a community facility, as well as a business. The business is highly valued by residents and people both in and outside the Neighbourhood Area.</p>	<p>The woodland burial site contributes to the achievement of sustainable development; it is an important local business, it provides a valuable local facility, and contributes to improving the environment through the planting of trees and the provision of green space in the Neighbourhood Area.</p>	<p><u>Castle Morpeth Local Plan (2003)</u> There are no policies relevant to this proposal.</p> <p><u>Emerging Northumberland Local Plan (NLP)</u> Policies about encouraging rural businesses are relevant. These policies are compatible with Policy 8.</p>

Thirston Neighbourhood Plan – Basic Conditions Statement – January 2021

Basic Condition 4: The ‘making’ of the neighbourhood plan does not breach, and is otherwise compatible with EU obligations

- 4.34 Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment (often referred to as the Strategic Environmental Assessment (SEA) Directive),
- 4.35 The Conservation of Habitats and Species Regulations 2017 (the ‘Habitats Regulations’) requires that competent authorities assess the potential impacts of land use plans on the Natura 2000 network of European protected sites. This is to determine whether there will be any ‘likely significant effects’ on any European sites as a result of the plan’s implementation (either alone or ‘in combination’ with other plans or projects); and, if so, whether these effects will result in any adverse effects on that site’s integrity with reference to the site’s conservation objectives. The process by which the effects of a plan or programme on European sites are assessed is known as ‘Habitats Regulations Assessment’ (HRA).
- 4.36 The requirements for Strategic Environmental Assessment and Habitats Regulations Assessment are therefore set out in separate legislation. The Thirston Neighbourhood Plan was screened for both. The pre-screening opinion under the Habitats Regulations Assessment was that Policy 1 (at that time) was screened in. This was (at that time) the policy that proposed settlement boundaries (now Policy 2). Mitigation was proposed and Policy 4 was incorporated into the Plan to provide this mitigation.
- 4.37 The qualifying body sought a screening opinion as to whether a Strategic Environmental Assessment would be required. The Thirston Neighbourhood Plan was screened ‘in’ for SEA, and an Environmental Report was therefore needed.
- 4.38 The Environmental Report (dated September 2020) was produced by Northumberland County Council for the qualifying body. The conclusions set out in paragraph 6.92 state:
- ‘The assessment concludes that overall, the Thirston Neighbourhood Development Plan is likely to lead to slightly positive or neutral environmental effects. Whilst the area hosts a number of environmental designations reflecting its environmental value and sensitivity, the Neighbourhood Plan’s vision, objectives and policies should, on the whole help to avoid significant environmental impacts arising from development in the future, and the policies will, to a limited degree, serve to mitigate some of the potential adverse effects.’*
- 4.39 The full Environmental Report is included in the submission documents. Details of the specific elements from these reports that were incorporated into policies in the Plan is contained in the Consultation Statement. Responses to the consultation on the Environmental Report are also contained in the Consultation Statement.
- 4.40 In accordance with the Habitats Regulations, an HRA screening exercise was undertaken to identify the likely impacts of the Pre-Submission Draft Thirston Neighbourhood Plan upon European sites, either alone or ‘in combination’ with other projects or plans, and to consider whether these effects are likely to be significant.
- 4.41 It was concluded that a HRA would not be required if the Plan incorporated a policy requiring contributions to coastal mitigation impacts. Such a policy was incorporated into the Thirston Neighbourhood Plan (Policy 4).

European Convention on Human Rights (ECHR)

- 4.42 The Thirston Neighbourhood Plan is fully compliant with European Convention on

Thirston Neighbourhood Plan – Basic Conditions Statement – January 2021

Human Rights. There is no discrimination stated or implied, or threat to the fundamental rights and freedoms guaranteed under the Convention.

Basic Condition 5: Regulation 32 of the Neighbourhood Planning Regulations 2012 (as amended)

- 4.43 Regulations 32 and 33 of the Neighbourhood Planning (General) Regulations 2012 (as amended) add a basic condition for neighbourhood plans in addition to those set out in the primary legislation. (Regulation 33 applies to Neighbourhood Orders) Regulation 32 applies to Neighbourhood Plans and requires that: ‘the making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.’
- 4.44 The Neighbourhood Plan was screened ‘out’ as it was not considered that the making of the Plan would breach the requirements of the Regulations set out above.

5.0 Conclusions

- 5.1 The evidence provided in this Basic Conditions Statement concludes that this submission version of the Thirston Neighbourhood Plan (2020-2036) meets the Basic Conditions as set out in the Neighbourhood Planning Regulations (2012) (as amended).

Thirston Neighbourhood Plan – Basic Conditions Statement – January 2021

APPENDIX A: LIST OF STRATEGIC POLICIES IN THE DEVELOPMENT PLAN

(Provided by Northumberland County Council)

NORTHUMBERLAND

Northumberland County Council

Neighbourhood Plans: Basic Conditions Statements Strategic Policies in the Development Plan

Introduction

1. This note is intended to support neighbourhood planning groups in the preparation of their 'basic conditions statement', specifically in relation to the need to demonstrate general conformity with current development plan policies. It briefly sets out the background to this requirement then defines the strategic policies set out in the development plan covering the neighbourhood area.

2. Regulation 15 of The Neighbourhood Planning (General) Regulations 2012, as amended, requires that certain specified information is provided alongside a draft neighbourhood development plan when it is submitted to the local planning authority. In summary, this information is:

(a) a map or statement which identifies the area to which the proposed neighbourhood development plan relates;

(b) a consultation statement;

(c) the proposed neighbourhood development plan;

*(d) a '**basic conditions statement**'; and*

(e) (i) an environmental report, or

(ii) a screening opinion indicating that an environmental report is not required.

3. The '**basic conditions statement**' is a requirement of the Regulations. Its purpose is to allow the parish council submitting the neighbourhood plan to demonstrate how their plan has met a set of 'basic conditions' which are prescribed in legislation. The basic conditions statement must demonstrate that the policies in the plan:

- are in general conformity with the **strategic policies** in the development plan for the area
- have been prepared having regard to national policies and guidance;
- contribute to the achievement of sustainable development; and

- are not in conflict with European Union obligations on human rights and the environment

4. A definition of **strategic policies** is given in the National Planning Policy Framework (2012) at paragraph 156. It is expected that Local Plans should include strategic policies to deliver the following:

- *homes and jobs needed in the area;*
- *retail, leisure and other commercial development;*
- *infrastructure for transport, telecommunications, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat);*
- *health, security, community and cultural infrastructure and other local facilities; and*
- *climate change mitigation and adaptation, conservation and enhancement of the natural and historic environment, including landscape.*

5. The strategic policies in the current development plan covering the neighbourhood plan area have been identified by the County Council as local planning authority. These are set out in Appendix A to this note.

Appendix A

Thirston Neighbourhood Plan

The current statutory development plan for the Thirston Neighbourhood Area is the Castle Morpeth District Local Plan (2003) and Policy S5 of the Northumberland County and National Park Joint Structure Plan (2005). The saved strategic policies from the Local Plan and Structure Plan are listed below. The policies in the Thirston Neighbourhood Plan must be assessed for general conformity with these saved strategic policies. The findings of this assessment should be presented in the basic conditions statement. The saved strategic policies for the Thirston Neighbourhood Area are as follows:

Castle Morpeth District Local Plan (2003)

Policy RE2: Renewable Energy

Policy RE3: Wind Power Areas of Search

Policy RE4: Water Quality

Policy RE5: Surface water run-off and flood defences

Policy RE6: Service Infrastructure

Policy RE8: Contaminated Land

Policy RE9: Ground Stability

Policy C1: Settlement Boundaries

Policy C3: Areas of High Landscape Value

Policy C4: Landscape corridors

Policy C9: Sites of Nature Conservation Importance, Local Nature Reserves and Regionally Important Geological or Geomorphological Sites

Policy C11: Protected Species

Policy C12: Wildlife Corridors

Policy C13: Wildlife Corridors

Policy C16: Green Belt

Policy C17: Green Belt

Policy C26: Conservation Areas

Policy C45: Network Communications

Policy H1: Housing land supply

Policy H2: Phasing

Policy H16: Housing in the countryside

Policy E1: Employment Land Supply

Policy S2: Out of town retail development

Policy S12: Protection of Services

- Policy T1:** Major road improvements
- Policy T2:** Major road improvements
- Policy T6:** Provision for cyclists – cycle routes

Policy WTC1: Settlement Boundary

Policy WTC2: Areas of High Landscape Value

Policy WTC3: Sites of Special Scientific Interest and Wildlife Corridors

Policy WTC4: Sites of Special Scientific Interest and Wildlife Corridors

Policy WTC5: Conservation Area

Northumberland County and National Park Joint Structure Plan (2005)

Policy S5: Extension to the Green Belt

DE/RN

05 August 2019