

Newbiggin by the Sea Neighbourhood Plan

Basic Conditions Statement

January 2023

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1. Introduction

- 1.1 This statement has been prepared by Newbiggin by the Sea Town Council (NTC). It accompanies the Submission Draft Newbiggin by the Sea Neighbourhood Plan (NNP), which has been submitted to Northumberland County Council (NCC), the lead authority, under section 15 of the Neighbourhood Planning Regulations General (2012 – ‘the Regulations’).
- 1.2 The NNP has been prepared by NTC, the qualifying body for the Newbiggin by the Sea Neighbourhood Area. The neighbourhood area was designated by NCC on 8 February 2018 (a copy of the designation documents is included at Appendix 1).
- 1.3 The NNP relates to planning matters (the use and development of land) in the designated neighbourhood area and covers the period from 2023 to 2036. It does not contain policies relating to excluded development¹ as laid out in the regulations.
- 1.4 This statement sets out how the NNP has been prepared in accordance with the regulations and meets the ‘basic conditions’ set out in 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 2004. The regulations state that a neighbourhood plan will have met the basic conditions if:
- a. having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood development plan;
 - b. the making of the neighbourhood development plan contributes to the achievement of sustainable development;
 - c. 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);
 - d. the making of the neighbourhood development plan does not breach, and is otherwise compatible with, EU obligations as incorporated into UK law; and
 - e. 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 (as amended by the Conservation of Habitats and Species and Planning (various amendments) Regulations (2018) sets out a further basic condition in addition to those set out in the primary legislation: 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.
- 1.5 Sections 2 – 5 of this statement provide information to demonstrate how the Submission Draft NNP meets the basic conditions.

¹ Such as minerals and waste matters or nationally significant infrastructure projects.

2. National policies and advice

- 2.1 National Planning Policy is set out within the National Planning Policy Framework (2021 - NPPF) and guidance is set out within the National Planning Practice Framework (NPPG). The Submission Draft NNP has been prepared having regard to the NPPF and NPPG.
- 2.2 The NNP contains 8 policies. The table below provides a summary of how the policies have had regard to national policy and guidance. The paragraphs referred to are considered to be the most relevant to the policy and are not intended to be a comprehensive list of every possible relevant paragraph.

Table 1: Conformity with national polices and guidance

Newbiggin by the Sea NP policy	National policies and guidance	
	References	Comments on conformity
N1: Design	NPPF: 126-136 NPPG: Gov.uk/guidance/ Design National design guide	Good design is a key aspect of sustainable development. The NPPF attaches great importance to achieving high quality, beautiful and sustainable buildings and places. It identifies that neighbourhood planning groups can play an important role in identifying the special qualities of each area and explaining how this 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. Policy N1 requires new development to conserve and enhance local distinctiveness and includes policy criteria which reflect the qualities of the plan area.
N2: Coastal mitigation	NPPF: 174-182 NPPG: 009/8-009-20190721 to 028/8-028-20190721	The coastal mitigation policy was added into the plan as a result of the appropriate assessment process. It accords with the provisions of the NPPF regarding the impact of development on internationally and nationally designated sites.
N3: Local green space	NPPF: 101-103 NPPG: 007/ 37-007-20140306 to 022/ 37-022-20140306).	The Local Green Space Background Paper sets out how the 8 sites which are proposed to be designated as local green space by policy N3 meet the detailed requirements set out within the NPPF and NPPG. The sites do not have planning permission, nor are they designated for development, or an extensive tract of land. The sites are demonstrably important to the local community and are in close proximity to the community to which they serve.

Newbiggin by the Sea NP policy	National policies and guidance	
	References	Comments on conformity
N4: Newbiggin by the Sea Conservation Area	NPPF: 190, 194, 197, 199-208 NPPG: 019 18a-019-20190723 18a-040-20190723	Paragraph 190 of the NPPF requires plans to set out a positive strategy for the conservation and enjoyment of the historic environment. Policy N4, informed by the Newbiggin by the Sea Conservation Area Character Appraisal, identifies key considerations when assessing the impact of development on the character or appearance of the conservation area and its setting. It also highlights key buildings which are an important part of the significance of the conservation area.
N5: Housing allocations	NPPF: 60-70 126-135	The NPPF highlights the government’s objective of significantly boosting the supply of homes. Neighbourhood plans have an important role in supporting the delivery of the number, type and mix of homes that are required in the area. They must support the strategic development needs that are set out in local plans and not promote less development. The NPPF also highlights that neighbourhood planning groups should consider opportunities for allocating sites for housing in their area. The housing needs assessment for the town and feedback from the early engagement on the plan highlighted a need for additional housing development than that identified within the local plan to support the sustainability of the town. Policy N5 proposes the allocation of three sites for development. The proposed allocations have been informed by a detailed site assessment process. The policy identifies that the mix of homes provided on the site should be informed by local needs.
N6: Community services and facilities	NPPF: 92-93	Policy N6 reflects the requirements of the NPPF as it identifies those facilities which have great importance to the local community and seeks to guard against their loss.
N7: Sustainable transport and new development	NPPF: 104-106	Policy N7 seeks to maximise the use of sustainable modes of transport, giving priority to pedestrians, cyclists and public transport, whilst reducing the need to travel. This approach accords with the provisions of the NPPF which highlights the important role that transport policies have in facilitating sustainable development but also in contributing to wider sustainability and health objectives.
N8: Rights of way	NPPF: 104-106	The NPPF highlights that planning policies should provide for attractive and well-designed walking and cycling networks. Policy N8 provides support for development proposals that would improve and/ or extend the existing public rights of way network allowing greater access for all.

3. Sustainable development

- 3.1 The NPPF defines the Government’s view of what sustainable development means in practice for the planning system in England. Paragraph 8 explains that there are three overarching objectives to sustainable development which are independent and need to be pursued in mutually supporting ways: economic, social and environmental. This section of the report illustrates the alignment of objectives and policies of the NNP with the three objectives of sustainable development. In many cases, the objectives and policies are applicable to more than one dimension of sustainable development, in these cases they have only been placed within one dimension.
- 3.2 The economic objective of the planning system is defined as:
‘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.’
- 3.3 Whilst objectives 2 and 3, and policies N5 and N7 have been identified as contributing to the economic dimension of sustainable development, it is considered that these are more applicable to the social element.
- 3.4 The social objective of the planning system is defined as:
‘to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being.’
- 3.5 Table 2 illustrates the alignment of the NNP with the social objective of sustainable development.

Table 2: Social alignment

NNP Objective/ Policy	Commentary
Objective 2: Sustainable, thriving and healthy community	Objective 2 seeks to ensure that the plan will support new development which meets the needs of existing and future residents. This includes providing the right types of housing, supporting investment in the economy and strengthening the role of the town centre. The ability of the local community to access housing that meets their needs as well as jobs and services is an important element of the social dimension of sustainable development. The provision of new housing will also support the economy of the plan area, as strengthening the role of the town centre- this will support the delivery of the economic dimension of sustainable development.

NNP Objective/ Policy	Commentary
Objective 3: Well connected	Objective 3 seeks to ensure that access will be promoted to sustainable modes of travel which will connect people to a wide range of services, facilities and employment opportunities. It also seeks to ensure an enhancement of opportunities for safe and active travel and access for all. The ability of the local community to access services and facilities is an important element of the social objective of sustainable development. The ability to improve accessibility by means other than the private car would also support the delivery of the environmental objective.
Policy N3: Local green space	Policy N3 identifies 8 areas of local green space which are important to the local community. Their protection will ensure these sites are not lost to development other than in very special circumstances. Their protection will support the delivery of both the social and environmental objectives.
Policy N5: Housing site allocations	Policy N5 proposes the allocation of three sites for housing, which would support the delivery of an additional 144-173 dwellings, compared to the local plan. The housing would meet identified needs as well as being of an appropriate scale to maintain and enhance the special character of the parish. Ensuring new housing delivered in the area meets the needs of the local community is vital to deliver the social objective of sustainable development. New housing will also support the economy of the area, delivering the economic element of sustainable development.
Policy N6: Community services and facilities	Policy N6 identifies facilities which have great importance to the local community and seeks to resist their loss. The protection of services and facilities which are needed by the local community is an important element of the social objective of sustainable development. Services and facilities are also an important element of the economy of the plan area, the policy therefore supports the delivery of the economic objective of sustainable development.
Policy N8: Rights of way	The rights of way network provides recreation and leisure opportunities and promotes healthy living. Policy N8 seeks to protect and enhance the existing network, this therefore supports the social element of sustainable development. Providing additional opportunities to walk and cycle also support the environmental element of sustainable development.

3.6 The environment objective is:

'to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.'

3.7 Table 3 illustrates the alignment of the NNP with the environmental objective of sustainable development.

Table 3: Environmental alignment

NNP Objective/ Policy	Commentary
Objective 1: Distinctive place	Objective 1 seeks to achieve a balance between development and maintaining the clear separation of settlements, conserving and enhancing the natural, built and historic environment, as well as protecting important open spaces. This will support the delivery of the environmental dimension of sustainable. A good quality natural, built and historic environment is also important to the well-being of local communities, therefore relevant to the social element of sustainable development.
Policy N1: Design	Policy N1 provides a positive policy framework to guide and influence the design of all new development. The criteria within the policy seek to ensure that the environment of the plan area is conserved and enhanced, it also includes a number of other environmental criteria. The policy therefore supports the environmental element of sustainable development. As policy criteria relate to matters such as amenity and community safety the policy also contributes to the social objective of sustainable development.
Policy N2: Coastal mitigation	Policy N2 seeks to ensure that the impacts arising from increasing levels of recreational disturbance on designated sites can be addressed. It will support the delivery of the environmental element of sustainable development.
Policy N4: Newbiggin by the Sea Conservation Area	Policy N4 requires a full consideration of the impact of development on the significance of the conservation area. The policy therefore contributes to the environmental element of sustainable development. As the historic environment is important to the well-being of local communities, this policy is also relevant to the social element of sustainable development.
Policy N7: Sustainable transport and new development	Policy N7 supports development where it maximises the use of sustainable modes of transport. This is an important element of the environmental element of sustainable development. The policy also includes a number of other elements that are important to the social objective, such as creating safe and user-friendly places.

4. Development Plan – strategic policies

4.1 This section considers the extent to which the policy contained within the NNP is in general conformity with the strategic policies in the development plan for the neighbourhood area, which is the Northumberland Local Plan (2022 – NLP). The strategic policies contained within the NLP are listed in appendix 2. Table 4 sets out how the NNP policies are in general conformity with the relevant strategic development plan policies.

Table 4: General conformity with the strategic policies

Newbiggin by the Sea Neighbourhood Plan Policy	Strategic Development Plan Policy	
	Policy	Comments on conformity
N1: Design	QOP1	The local plan highlights the importance of achieving high quality and inclusive design through the planning process. Policy N1 requires new development to embed high quality and sustainable design and includes policy criteria which reflect the qualities of the plan area, this accords with the provisions of strategic policy QOP1.
N2: Coastal mitigation	ENV1	Policy ENV1 requires appropriate weight to be given to the hierarchy of international and nationally designated nature conservation sites. Policy N2 will ensure that any net increase in the number of residential units or tourist accommodation contributes to the Coastal Mitigation Service, therefore according with the provisions of policy ENV1.
N3: Local green space	STP6	There are no specific strategic policies within the development plan regarding local green space. However, they are part of the green infrastructure of the plan area therefore this policy accords with the requirements of NLP STP6.
N4: Newbiggin by the Sea Conservation Area	ENV1	Policy N4, informed by the Newbiggin by the Sea Conservation Area Character Appraisal, identifies key considerations when assessing the impact of development on the character or appearance of the conservation area and its setting. It also highlights key buildings which are an important part of the significance of the conservation area. NLP policy ENV1 requires appropriate weight to be given to designated heritage assets and their settings, policy N4 therefore accords with this.
N5: Housing allocations	HOU2 HOU3 HOU6	Local plan policy HOU2 supports the delivery of housing to meet objectively assessed housing needs and housing priorities that are identified in up to date housing assessment. The level of housing proposed to be delivered on new land allocations has been informed by a housing needs assessment. Local plan policy HOU3 identifies a minimum housing

Newbiggin by the Sea Neighbourhood Plan Policy	Strategic Development Plan Policy	
	Policy	Comments on conformity
		<p>requirement for Newbiggin by the Sea of 360. The draft plan proposes allocations to deliver in excess of this requirement.</p> <p>Policy HOU6 supports the delivery of affordable housing and identifies the level of affordable housing that should be delivered on specific sites. Policy N5 specifically refers to the mix of new development being informed by evidence of housing needs.</p>
N6: Community services and facilities	STP5	<p>There are no specific strategic policies within the development plan regarding community services and facilities. However, as they are vital to the health and wellbeing of the local community it could be argued that the policy is relevant to NLP policy STP5, to which it accords.</p>
N7: Sustainable transport and new development	TRA1	<p>NLP policy TRA1 seeks to increase sustainable travel options. Policy N7 seeks to maximise the use of sustainable modes of transport, giving priority to pedestrians, cyclists and public transport, whilst reducing the need to travel. Policy N7 therefore accords with the provisions of local plan policy TRA1.</p>
N8: Rights of way	TRA1	<p>Policy N8 provides support for development proposals that would improve and/ or extend the existing public rights of way network allowing greater access for all. This approach accords with the provisions of policy TRA1 which seeks to protect, enhance and support public rights of way.</p>

5. Legal obligations and prescribed conditions

European Convention on Human Rights

- 5.1 Throughout the preparation of the NNP emphasis has been placed to ensure that no sections of the community have been isolated or excluded. The NNP is fully compliant with the requirements of the European Convention on Human Rights. There is no discrimination stated or implied, nor any threat to the fundamental rights guaranteed under the convention.

Strategic Environmental Assessment and Habitats Regulations

- 5.2 European Directive (2001/42/EC) on the assessment of the effects of certain plans and programmes on the environment is known as the Strategic Environmental Assessment (SEA) Directive. SEA is required for all plans that may have a significant effect on the environment. European Directive (92/43/EEC) on the Conservation of Natural Habitats and Wild Flora and Fauna protects habitats and species of European nature conservation importance. It is a requirement that a Habitats Regulations Assessment (HRA) is undertaken in line with the provisions set by the amended Conservation of Habitats and Species Regulations (2010) to assess the effects of the neighbourhood plan on European Sites.
- 5.3 SEA and HRA screening opinions were undertaken by NCC. The conclusion was a HRA was required, this therefore triggered the need for a SEA. Both a SEA and HRA have been prepared alongside the NNP and have informed the policies contained within it.

6. Conclusion

- 6.1 This statement, which is required under Regulation 15 of the Town and Country Planning (Neighbourhood Planning) Regulations 2012 has demonstrated that the NNP:
- has regard to national policies and advice contained in guidance issued by the Secretary of State;
 - will contribute to the achievement of sustainable development;
 - is in general conformity with the strategic policies of the development plan for the area the Northumberland Local Plan; and
 - does not breach and is compatible with European Union obligations as incorporated into UK law.
- 6.2 The NNP also complies with the legal requirements set out in Paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990.

Appendix 1: Neighbourhood area designation document

Neighbourhood Area Designation Application Decision Document

Neighbourhood Planning (General) Regulations 2012 (Regulation 7)

DECISION REGARDING APPLICATION FOR DESIGNATION OF NEWBIGGIN-BY-THE-SEA PARISH AS A NEIGHBOURHOOD AREA

In accordance with Neighbourhood Planning (General) Regulations 2012 (Regulation 7) Northumberland County Council hereby gives notice on the designation of the Civil Parish of Newbiggin-by-the-Sea as the 'Newbiggin-by-the-Sea Neighbourhood Area' for the purposes of neighbourhood planning under Section 61G(1) of the Town and Country Planning Act 1990 as amended. The designated area is shown on the attached map.

Under Section 61H(1) of the Town and Country Planning Act 1990 as amended, the area has not been designated as a business neighbourhood area because it is not wholly or primarily business in nature. The relevant designation information is set out below:

Name of Neighbourhood Area	Newbiggin-by-the-Sea
Relevant qualifying body	Newbiggin Town Council
Decision Published	08 February 2018

1. Determination

Is the organisation making the area application the relevant body under section 61G(2) of the 1990 Act?	Yes
Is the neighbourhood area considered appropriate?	Yes
Does the area overlap another designated area?	No
For joint area applications, have all relevant parish councils given their consent for inclusion of all or part of their area?	N/A
Are any modifications required to this or any adjoining neighbourhood area?	No

2. A) Parish/Parishes comprising the neighbourhood area

Newbiggin-by-the-Sea Parish

B) Map of the neighbourhood area

See attached



Appendix 2: Northumberland Local Plan - strategic policies

- Policy STP 1 Spatial strategy (Strategic Policy)
- Policy STP 2 Presumption in favour of sustainable development (Strategic Policy)
- Policy STP 3 Principles of sustainable development (Strategic Policy)
- Policy STP 4 Climate change mitigation and adaptation (Strategic Policy)
- Policy STP 5 Health and wellbeing (Strategic Policy)
- Policy STP 6 Green infrastructure (Strategic Policy)
- Policy STP 7 Strategic approach to the Green Belt (Strategic Policy)
- Policy STP 8 Development in the Green Belt (Strategic Policy)
- Policy STP 9 Safeguarded land (Strategic Policy)
- Policy ECN 1 Planning strategy for the economy (Strategic Policy)
- Policy ECN 2 Blyth Estuary Strategic Employment Area (Strategic Policy)
- Policy ECN 3 West Hartford Prestige Employment Area (Strategic Policy)
- Policy ECN 4 'Round 2' Enterprise Zones (Strategic Policy)
- Policy ECN 5 Large-scale windfall employment development (Strategic Policy)
- Policy ECN 6 General employment land - allocations and safeguarding (Strategic Policy)
- Policy ECN 12 A strategy for rural economic growth (Strategic Policy)
- Policy ECN 13 Meeting rural employment needs (Strategic Policy)
- Policy TCS 1 Hierarchy of centres (Strategic Policy)
- Policy TCS 2 Defining centres in Main Towns (Strategic Policy)
- Policy TCS 3 Maintaining and enhancing the role of centres (Strategic Policy)
- Policy HOU 1 Making the best use of existing buildings (Strategic Policy)
- Policy HOU 2 Provision of new residential development (Strategic Policy)
- Policy HOU 3 Housing requirements for neighbourhood areas (Strategic Policy)
- Policy HOU 4 Housing development site allocations (Strategic Policy)
- Policy HOU 6 Affordable housing provision (Strategic Policy)
- Policy HOU 11 Homes for older and vulnerable people (Strategic Policy)
- Policy QOP 1 Design principles (Strategic Policy)
- Policy TRA 1 Promoting sustainable connections (Strategic Policy)
- Policy TRA 8 Ports, harbours and beach launch facilities (Strategic Policy) 182
- Policy ENV 1 Approaches to assessing the impact of development on the natural, historic and built environment (Strategic Policy)

- Policy MIN 1 Environmental criteria for assessing minerals proposals (Strategic Policy)
- Policy MIN 2 Criteria for assessing the benefits of minerals proposals (Strategic Policy)
- Policy MIN 3 Mineral and landfill site restoration, aftercare and after-use (Strategic Policy)
- Policy MIN 4 Safeguarding mineral resources (Strategic Policy)
- Policy MIN 6 Safeguarding minerals related infrastructure (Strategic Policy)
- Policy MIN 7 Aggregate minerals (Strategic Policy)
- Policy MIN 8 Aggregate mineral site allocations - Sand and gravel (Strategic Policy)
- Policy MIN 9 Aggregate mineral site allocations - Crushed rock (Strategic Policy)
- Policy MIN 10 Coal (Strategic Policy)
- Policy MIN 11 Clays (Strategic Policy)
- Policy MIN 12 Natural building and roofing stone (Strategic Policy)
- Policy MIN 13 Conventional and unconventional oil and gas (Strategic Policy)
- Policy MIN 14 Peat (Strategic Policy)
- Policy WAS 1 Principles for the location of waste re-use, recycling and recovery facilities (Strategic Policy)
- Policy WAS 3 Waste disposal (Strategic Policy)
- Policy WAS 4 Safeguarding waste management facilities (Strategic Policy)
- Policy INF 1 Delivering development related infrastructure (Strategic Policy)