

Cresswell Neighbourhood Plan

Basic Conditions Statement

March 2024

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1. Introduction

1.1 This statement has been prepared by Cresswell Parish Council. It accompanies the Submission Draft Cresswell Neighbourhood Plan (CNP), which has been submitted to Northumberland County Council (NCC) under section 15 of the Neighbourhood Planning Regulations General (2012 – ‘the Regulations’).

1.2 The CNP has been prepared by Cresswell Parish Council, the qualifying body for the area covering Cresswell Parish, as designated by NCC on 9th June 2022 (a copy of the designation document is included at Appendix 1).

1.3 The CNP relates in particular to the designation of local green spaces in the designated neighbourhood area and covers the period from adoption to 2036.

1.4 This statement sets out how the CNP 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); and
- d. the making of the neighbourhood development plan does not breach, and is otherwise compatible with, EU obligations.

1.5 The key milestones in the preparation of the CNP can be summarised as:

- a)9th June 2022 Designation of the Cresswell Neighbourhood Area
- b)November 2021 Parish wide survey
- c)June 2022-January 2023 Pre-Submission Draft Plan engagement, including a drop-in event (4th January) .
- d)January 2024 Submission

Sections 2 – 5 of this statement provide information to demonstrate how the Submission Draft CNP meets the basic conditions.

2.National policies and advice

2.1 National Planning Policy is set out within the National Planning Policy Framework (2023 - NPPF) and guidance is set out within the National Planning Practice Framework (NPPG). The Submission Draft CNP has been prepared having regard to the NPPF and NPPG.

2.2 The CNP contains only one policy. The table below provides a summary of how it has 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

<p>Policy 1 Designation of local green spaces</p>	<p>NPPF Para 20</p>	<p>Para 20 requires that strategic policies make sufficient provision for conservation and enhancement of the natural built and historic environment, including landscapes and green infrastructure. Cresswell is a small coastal village in a T shaped development with two large residential caravan parks and a touring park in development .The CNP demonstrates the need to protect green spaces within the parish for the community and the environment.</p>
<p>Policy 2 Tourism</p>	<p>NPPF Para 196</p>	<p>Para 196 requires that there should be a positive strategy for the conservation and enjoyment of the historic environment and that this should take into account, among other things the wider social, cultural , economic and environmental benefits that conservation of the historic environment can bring</p>

3. EU obligations

European Convention on Human Rights

3.1 Throughout the preparation of the CNP emphasis has been placed to ensure that no sections of the community have been isolated or excluded. The CNP 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

3.2 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.

3.3 SEA is a way of ensuring that the environmental implications of policies are taken into account before plans are brought into force. NCC provided a screening opinion, which is available on the NCC website(2) , to establish whether a SEA was required for the plan. This concluded that: In the opinion of Northumberland County Council, having regard to the criteria set out in Schedule 1 of the SEA Regulations, the Cresswell Neighbourhood Plan is unlikely to have any significant positive or negative effects on the environment. Therefore, Strategic Environmental Assessment is NOT required.

Habitats Regulations

3.4 The 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. The stages involved in a HRA are:

- Screening - to ascertain whether or not plans or proposals would give rise likely significant effects on European Sites;
- Appropriate Assessment - to identify whether there will be an adverse effect on European Site integrity; and
- Subsequent procedures where significant effect on integrity of European Sites remains.

3.5 A Habitats Regulations Assessment screening opinion was undertaken by NCC. This concluded that :No policies in the plan have a credible risk of a likely significant effect on European sites, and Appropriate Assessment is not required. There is no requirement for SEA because of ecological concerns.

4. Conclusion

4.1 This statement, which is required under Regulation 15 of the Town and Country Planning (Neighbourhood Planning) Regulations 2012 has demonstrated that the CNP:

- has regard to national policies and advice contained in guidance issued by the Secretary of State; • will contribute to the protection of the local environment natural, built and historic
- does not breach, and is compatible with, European Union obligations.

Christine Tyrie

Chair of the Cresswell NP Steering Group

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 CRESSWELL
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 Cresswell as the 'Cresswell 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 area because it is not wholly or primarily business in nature. The relevant designation information is set out below:

Name of Neighbourhood	Cresswell
Relevant qualifying body	Cresswell Parish Council
Decision published	9 June 2022

1. Determination

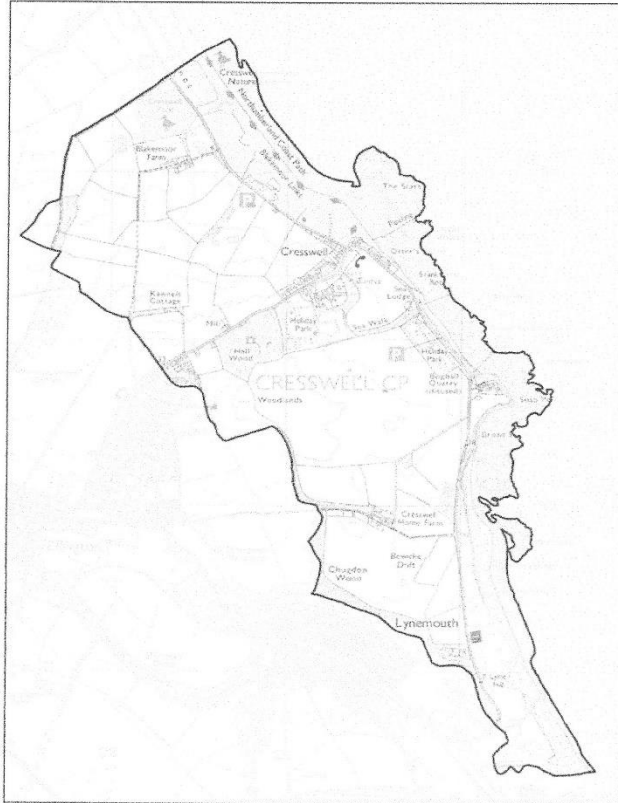
Is the organisation making the area application under Section 61G of the 1990 Act?	Yes
Is the neighbourhood area considered appropriate?	Yes
Does the area overlap another designated area?	No
For joint area applications, have all relevant parish councils given their consent for inclusion of all or part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

2.

a) Parish comprising the neighbourhood area: Cresswell

b) Map of the neighbourhood area: See below

Cresswell Parish Boundary



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