

**BASIC CONDITIONS STATEMENT FOR THE  
EMBLETON PARISH NEIGHBOURHOOD  
PLAN – SUBMISSION VERSION 2019 - 2036**

**October 2019**

# Embleton Parish Neighbourhood Plan – Basic Conditions Statement

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Table 1 (within part 4): Full assessment of policies in the Embleton Parish Neighbourhood Plan against strategic policy, NPPF and how the plan contributes to 'sustainable development'.

APPENDIX A: List of Strategic (saved) policies in the Alnwick District LDF Core Strategy DPD (2007) and the Alnwick District Wide Local Plan (1999)

# Embleton Parish Neighbourhood Plan – Basic Conditions Statement

## 1.0 Introduction

- 1.1 This statement sets out how the Embleton Parish 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 of neighbourhood planning and other considerations 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 Embleton Parish Council as the qualifying body for the designated neighbourhood plan area.
- 1.2 The SEA Report and Habitats Regulations Screening Reports are submitted alongside the other submission documents. The Embleton Parish Neighbourhood Plan was screened ‘in’ for requiring a Habitats Regulations Assessment and that Assessment is submitted alongside the Plan. As a result of the need for a Habitats Regulations Assessment, the Embleton Parish Neighbourhood Plan was screened ‘in’ for Strategic Environmental Assessment and an Environmental Report has been produced and is also submitted alongside the Plan.

## 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 Embleton Parish Neighbourhood Plan. Those requirements include provision of the following:

### **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 with the assistance of Northumberland County 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 comprise two ‘inset’ maps covering the villages of Embleton and Christon Bank, and another map covering the whole Neighbourhood Area, which delineates the ‘inset’ areas as well as other local designations.

### **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 Due to a mistake on the policies maps (for both Embleton and Christon Bank), a further Regulation 14 consultation was held (for a period of 6 weeks) to further consult on the correct maps. This additional period of consultation ended on 31<sup>st</sup> July 2019. The results of that consultation are shown in Appendix C4.

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## **The proposed neighbourhood development plan**

- 2.6 The Embleton Parish Neighbourhood Plan (2019 – 2036) is submitted alongside this statement.

**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.

**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 Embleton Parish 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 also be required, and a copy of that Screening Opinion and subsequent Habitats Regulations Assessment is submitted with the Plan.

- 3.0 Legislative Requirements 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)**

### **The draft Plan is Being Submitted by a qualifying body**

- 3.1 This draft Plan is submitted by Embleton Parish Council, which is the qualifying body. The Plan has been prepared by the Embleton Parish Neighbourhood Plan Steering Group, which was given delegated authority under a clear Terms of Reference agreed by the Parish Council. The Steering Group consists of local representatives from the Parish Council, local residents and representatives of local interest groups.
- 3.2 The Parish of Embleton (forming the Plan area for the Embleton Parish 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 24<sup>th</sup> July 2017.
- 3.3 Copies of the Neighbourhood Area designation documents are available on the Northumberland County Council website.
- 3.4 The Parish of Embleton was therefore designated as a Neighbourhood Area for the purposes of section 61(G) of the 1990 Act.

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### **What is being proposed is a neighbourhood development plan**

- 3.5 The Embleton Parish 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).

### **The proposed neighbourhood plan states the period for which it is to have effect**

- 3.6 The draft Plan identifies a 17-year period to which it relates as 2019 to 2036. This is designed to fit in with the Plan period in the emerging strategic plan (the Northumberland Local Plan).

### **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.**

- 3.7 The policies do not relate to excluded development.

### **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.**

- 3.8 The neighbourhood plan proposal relates to the Embleton Parish Neighbourhood Area, which is the designated neighbourhood area consisting of the Parish of Embleton. 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.

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

- 3.9 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 being managed separately by Embleton Parish Council.

## 4.0 Basic Conditions

### What are the 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 Embleton Parish Neighbourhood Plan has regard to national policies and advice contained in guidance issued by the Secretary of State is contained in Table 1.

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

4.4 The meaning of ‘sustainable development’ is set out in paragraph 8 of the Framework. Paragraph 8 identifies three interdependent objectives, related to the economy, society and the environment; 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 ability of future generations to meet their own needs.

4.5 The Embleton Parish Neighbourhood Plan has a specific objective on ‘sustainable development’. To achieve that objective, it has four policies, including a specific policy

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to support Sustainable Development (Policy 1). Throughout the rest of the plan, other policies and objectives weave in the concept of sustainable development as 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]*

- 4.6 Objective 3 in the Plan is specifically related to the local economy. The Plan also has a specific policy to support the local economy in the Neighbourhood Area (Policy 9, Business, Employment and Tourism).

### **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]*

- 4.7 Objective 4 in the Plan focuses on housing, including a policy to ensure all new housing is principal residence only housing; a policy to support the delivery of affordable schemes on rural exception sites and support Community Led Housing schemes, a policy to seek realistic contributions towards affordable housing, providing a mix of tenures, and a policy to support the delivery of permanent occupation housing through applications to remove planning conditions restricting use to holiday-let use only will also be supported.
- 4.8 Objective 5 in the Plan is about community and recreational facilities, and seeks to deliver a range of social benefits, including the designation of Local Green Spaces, and the identification of community facilities, as well supporting the provision of new community facilities.

### **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.’*

- 4.9 The Embleton Parish Neighbourhood Plan has a number of policies that support the environmental objectives for sustainable development. Objective 1 of the Plan focuses on general sustainability principles, whilst Objective 2 (‘Sense of Place’) focuses on green spaces, landscapes and heritage assets. This section includes policies to protect the historic environment, (including non-designated heritage assets), and landscapes around the settlements, by defining settlement boundaries.

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- 4.10 A number of policies have specific requirements for coastal mitigation (via the Northumberland Coastal Mitigation Service) as a result of recommendations that came out of the Habitats Regulations Assessment and the Strategic Environmental Assessment process. These will ensure that appropriate mitigation is sought from development which could otherwise have a significant effect on designated areas (specifically the European designations along the coast).
- 4.11 It is therefore 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.



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

- 4.12 The Embleton Parish Neighbourhood Plan area lies entirely within Northumberland County Council. On 1<sup>st</sup> April 2009, Northumberland County Council became a unitary authority, and therefore the Local Planning Authority for the area. Prior to this, the Neighbourhood Area was in within the Alnwick District Local Planning Authority area.
- 4.13 Northumberland County Council has yet to produce a Local Plan for the County (although the emerging Local Plan has now been submitted (29<sup>th</sup> May 2019) and has now commenced examination (8<sup>th</sup> October 2019). Although the Northumberland Local Plan (NLP) is not yet part of the Development Plan, as it is has only just commenced examination, it is nevertheless considered important to assess the Embleton Parish Neighbourhood Plan against the emerging NLP.
- 4.14 The current Development Plan therefore consists of ‘saved’ policies in the Alnwick District LDF Core Strategy DPD (2007) and the Alnwick District Wide Local Plan (1999).
- 4.15 Northumberland County Council has provided the Qualifying Body (Embleton Parish Council) 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 Alnwick District LDF Core Strategy DPD (2007) and the Alnwick District Wide Local Plan (1999).
- 4.16 The neighbourhood plan must be in ‘general conformity’ with strategic local policy. Paragraph 074<sup>1</sup> 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.’
- 4.17 Each policy in the plan has been tested against the relevant strategic policies in the current Development Plan (and the emerging NLP).
- 4.18 Conformity with strategic policies in the Alnwick District LDF Core Strategy DPD (2007) and the Alnwick District Wide Local Plan (1999) are set out below in Table 1.
- 4.19 The conclusions in Table 1 highlight three areas of slight conflict with local strategic policy contained in the Alnwick District LDF Core Strategy DPD (2007) and the Alnwick District Wider Local Plan (1999). These areas of conflict are highlighted in orange in the table. There have been significant changes in the local context and in national planning policy since these policies were written, and it is considered that the level of

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<sup>1</sup> (Reference ID: 41-074- 20140306)

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conflict is minimal.

4.20 There are no conflicts identified with the emerging Northumberland Local Plan. All conflicts identified are with the older local plans. A summary of areas of conflict are identified as follows.

- **Policies 1 and 5 conflict with Policies S1 and S3 in the Alnwick District LDF Core Strategy DPD (2007)** Policy S1 in the Alnwick Core Strategy sets out a spatial strategy that differentiates between the levels of development that should be accommodated in Embleton and Christon Bank by defining a settlement hierarchy, whereas the Neighbourhood Plan does not. However, it is considered that the settlement boundaries, coupled with the other policies in the plan, will serve to achieve a number of social and environmental objectives which do not undermine the purpose of Policies S1 and S3. In addition, policy S3 is out of date, and there is no up to date needs survey to justify new housing being for local needs only in Christon Bank. Instead, the policy of allowing new rural exceptions (which would deliver housing for a locally identified need in any event) and the requirement for principal occupancy does deliver on important social objectives and is more in line with current national planning policy in the NPPF.
- **Policy 9 conflicts with Policies S1, S10 and S14 in the Alnwick LDF Core Strategy DPD (2007):** There are some conflicts with the Alnwick Core Strategy identified with this policy. The Alnwick Core Strategy states (Policy S10, Tourism development) that new tourism development must be in or adjacent to the rural service centres, sustainable village centres and local needs centres in accordance with the development strategy (set out in Policy S1 and S2). Tourism in the open countryside will be considered against policy S14. Policy S14 states that applications for new development in the open countryside will only be permitted where the development is likely to be sustainable in the context of policy S3 and where the development is essential to support farming and other countryside-based enterprise and activity, promote recreation and supports the retention of where the development is likely to be sustainable in the context of policy S3 and where the development is essential to support farming and other countryside-based enterprise and activity, promote recreation and supports the retention of sustainable communities or supports the conservation and enhancement of the countryside. Although there are provisos on landscape impact in Policy 9 in the Neighbourhood Plan, the Plan does seek to support rural development proposals in the Neighbourhood Area without requiring a sequential test, and without requiring an ‘essential need’ as set out in Policy S14. However, it is considered that recent guidance in the NPPF means that Policy S10 and S14 (and S2) are not consistent with national policy, and as such are significantly out of date.
- **Policy 11 conflicts with Policy S6 in the Alnwick LDF Core Strategy DPD (2007):** Policy S6 is out of date. It sets thresholds for affordable housing delivery which are no longer consistent with national policy (3 unit threshold in rural areas, whereas there is currently a 5 unit threshold). The evidence justifying the level of provision of affordable housing is no longer up to date. The Embleton Parish NP seeks a different level of affordable housing contribution to that set out in the Core Strategy. Although there is conflict with this policy in the NP, it is considered that national planning policy changes and more up to date evidence to support

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the emerging Northumberland Local Plan mean that this conflict does not mean that the NP fails to meet the basic conditions.

- 4.21 An assessment of conformity with current national policy indicates there are no conflicts with national planning policy, or national planning practice guidance.
- 4.22 There have been a number of meetings and consultations with planning officers at Northumberland County Council to ensure that the Embleton Parish Neighbourhood Plan is in accordance with emerging policy in the Northumberland Local Plan.
- 4.23 Despite the identification of some conflicts with the Alwick LDF Core Strategy DPD (2007), it is considered that the Embleton Parish Neighbourhood Plan does meet the basic conditions in terms of conformity with up to date strategic policy and the other basic conditions.
- 4.24 Any conflicts have been identified and assessed (above), and it is considered that a combination of factors, including updated evidence, changes in national policy, and changes in emerging local planning policy, mean that these conflicts are well explained.

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**Table 1: Policies in the submission Embleton Parish Neighbourhood Plan tested against Basic Conditions 1, 2 and 3. Any conflicts identified are highlighted in orange.**

Policy 1: Sustainable 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>This policy is in line with the NPPF. There are no areas of the policy that are in conflict. As the policy covers all objectives (economic, social and environmental) it is in line with sustainable development objectives set out in paragraph 8 (see next box).</p>	<p>This policy has regard to the NPPF and the purpose of the planning system in contributing to sustainable development. This policy focuses on bringing other policies in the Plan into context under a single policy on sustainable development, which seeks to encourage development which achieves economic (supporting the local economy and rural businesses), social (supporting affordable, community-led and rural exception housing as well as principal residence housing to maintain a balanced community) and environmental objectives (recognising the importance of the AONB, Conservation Areas, heritage assets and the natural environment) which are then set out in more detail in other policies in the rest of the Plan.</p>	<p><b>Alnwick District LDF Core Strategy DPD (2007) [Policy S1 - some conflict]</b></p> <p>Policy S1 in the Core Strategy sets out the policy approach to the location and scale of new development in the Plan area through a 'settlement hierarchy'.</p> <p>Policy S1 identifies Embleton village as a 'Sustainable Village Centre' where development can be accommodated where it is well-related to the scale and function of the settlement. It also identifies Christon Bank as a settlement with limited services. Development in Christon Bank is restricted to that satisfying local needs only.</p> <p>This policy of 'local needs only' has not been implemented in practice for a number of years and is not in line with NPPF policy.</p> <p>The NP does not restrict development in Christon Bank to 'local needs only' and so</p>

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		<p>could be considered as being 'in conflict' with Policy S1. However, all new housing in the Neighbourhood Area will be for principal occupancy only, which will serve a similar purpose in maintaining sustainable communities. Other policies in the NP support local needs housing (for instance, the policy on rural exception sites)</p> <p>Other strategic policies in relation to sustainable development are listed in Appendix A – many of these policies are relevant, but no conflict is identified. In some cases, there are criteria required in those policies which are not required in the Neighbourhood Plan, but this does not amount to a conflict, and apart from Policy S1, it is considered that Policy 1 is in conformity with the Alnwick Core Strategy.</p> <p><b>The Alnwick District Wide Local Plan (1999)</b></p> <p>Policy H1: 'Housing in the minor settlements to meet exceptional local needs' lists settlements where development will be for exceptional local needs only. None of these settlements are in the Neighbourhood Area. Other policies in the Local Plan (Policy RE16: Protection of AONB, Policy RE20: Rural diversification proposals) are consistent with</p>
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		<p>the approach taken in Policy 1 of the Embleton NP.</p> <p><b>Submission Draft Northumberland Local Plan (NLP):</b>          The policy is in general conformity with emerging strategic policy in the NLP; in particular, Policy STP1 (Spatial Strategy) which identifies Embleton as a ‘Service Village’; Christon Bank is not listed in the settlements, and therefore part e) of policy STP1 applies until such time as the Neighbourhood Plan is ‘made’, when part d) would apply. STP2 (Presumption in favour of sustainable development) and STP3 (Principles of sustainable development and STP5 (Health and Wellbeing) are relevant, and there are no conflicts identified with these policies.</p>
<b>Policy 2: Landscapes and Seascapes</b>		
<b>Basic Condition 1 (having regard to National Planning policy and Practice)</b>	<b>Basic Condition 2 (contributing to the achievement of sustainable development)</b>	<b>Basic Condition 3 (general conformity with strategic planning policy)</b>
Paragraph 170 states that planning policies should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, recognising the intrinsic character and beauty of the countryside, maintaining the character of the undeveloped coast (extracts from para 170).	This policy contributes to the achievement of sustainable development by ensuring that the places that have the highest designations (in this case, the Northumberland Coast AONB) are given great weight in decision-making. The policy is an environmental one, which is focussing on securing	<b>Alnwick District LDF Core Strategy DPD (2007) [S13, S15]</b> Policy S13 in the Alnwick Core Strategy is about Landscape Character. It requires all proposals for development to be considered against the need to protect and enhance the

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<p>This policy seeks to identify some of the key characteristics of the area and create a policy that protects and enhances identified features.</p> <p>Paragraph 172 states that ‘great weight should be given to conserving and enhancing landscape and scenic beauty in AONBs. This is reflected in a locally specific way in Policy 2.</p> <p>Paragraph 174 refers to habitat management, enhancement or creation. Part d) of Policy 2 refers to dune systems and the need for potential ‘rollback’ of dunes, particularly as sea levels rise.</p>	<p>environmental objectives of protecting and enhancing the natural, built and historic environment in the Neighbourhood Area.</p>	<p>distinctive landscape character of the district and to be considered against the Alnwick Landscape Character Assessment SPD (2010). This policy does not refer to the SPD but is based on evidence from more recent guidance in the Landscape Character and Sensitivity Capacity Study for the AONB (2013) and the County wide Landscape Character Assessment (2010). This was more specific and locally relevant to the Neighbourhood Area.</p> <p><b>Alnwick District Wider Local Plan (1999)</b>          There are no specific policies on ‘landscape and seascape’, but Policy RE16 ‘Protection of the AONB’ is relevant. This policy states that permission will not normally be granted for developments which would adversely affect the AONB or the Heritage Coast except in exceptional circumstances of overriding national need, where no suitable alternative locations for the developments can be found. This policy is not fully in accordance with latest national planning policy, which has a slightly different approach to protecting the AONB. Other policies related to landscape and the coastal areas were not saved.</p> <p><b>Emerging Northumberland Local Plan (NLP):</b>          Policy ENV1 states in part 1(b) the approach</p>
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		of protecting Northumberland’s most important landscapes and applying a character-based approach to manage, protect and plan across the County. This is consistent with Policy 2.
<b>Policy 3: Habitats and Species</b>		
<b>Basic Condition 1 (having regard to National Planning policy and Practice)</b>	<b>Basic Condition 2 (contributing to the achievement of sustainable development)</b>	<b>Basic Condition 3 (general conformity with strategic planning policy)</b>
<p>Paragraph 174 states that, to protect and enhance biodiversity, plans should identify, map and safeguard components of local wildlife-rich habitats. Embleton Quarry is a locally significant wildlife site, and therefore mentioned in Policy 3 (it is also identified as a Local Green Space). Other European designated sites are protected by law, and the policy is worded in accordance with paragraphs 175 and 176 and in accordance with advice received from Natural England in consultations. This is set out in more detail in the Consultation Statement.</p>	<p>This policy contributes to the achievement of sustainable development, by protecting our most valued habitats and species, as well as promoting the restoration and preservation of priority habitats. The protection of habitats and species also has social and economic benefits. A high-quality environment delivers on all three elements of sustainable development</p>	<p><b>Alnwick District LDF Core Strategy DPD (2007) [Policy S12]</b></p> <p>Policy S12 is about protecting and enhancing biodiversity and geodiversity. Policy 3 is in accordance with Policy S12 and gives a local dimension to the strategic policy. The mitigation referred to in Policy S12 has been superseded now by mitigation required by Northumberland County Council in accordance with the ‘Northumberland Coastal Mitigation Service Strategy Document’ (2018). Other policies in the NP refer to the need for coastal mitigation in accordance with that document.</p> <p><b>Alnwick District Wide Local Plan (1999)</b></p> <p>Policies RE6 (Protection of SSSI sites), RE7 (Protection of LNRs) apply. There is no conflict with these policies identified.</p> <p><b>Emerging Northumberland Local Plan</b></p>



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		<p><b>(NLP):</b> Policy ENV1 sets out the approaches to assessing the impact of development on the natural environment and is a strategic policy. There are no conflicts with this policy which sets out the hierarchy of international, national and locally designated sites.</p>
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<b>Policy 4: High Quality and Sustainable Design</b>		
<b>Basic Condition 1 (having regard to National Planning policy and Practice)</b>	<b>Basic Condition 2 (contributing to the achievement of sustainable development)</b>	<b>Basic Condition 3 (general conformity with strategic planning policy)</b>
<p>The policy, combined with its supporting text, seeks to provide locally specific advice about what kind of development will be supported in the Parish, without being overly prescriptive. The policy seeks to ensure high quality and locally distinctive design, reflecting the character of the area.</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</p>	<p>This policy contributes to the achievement of sustainable development, by seeking to conserve and enhance the character of the area through high quality development which delivers high quality and sustainable design. The historic and natural environment in the area are integral to high-quality design.</p> <p>This policy therefore seeks to integrate sustainable building principles into new development as part of high-quality design.</p> <p>The policy brings together matters such as sustainability, access, design, retention of habitats and sustainable design principles to draw together into a policy which will lead to</p>	<p><b>Alnwick District LDF Core Strategy DPD (2007)</b></p> <p>There are no specific saved policies on design. Policy 4 does not conflict with other policies in the plan which may relate to design (for example, S22 ‘energy efficiency’).</p> <p><b>Alnwick District Wider Local Plan (1999)</b></p> <p>There are no specific policies on design, although Policy CD32 ‘Controlling development that is detrimental to the environment and residential amenity’ is relevant. This policy states: ‘Planning permission will not be granted for development which would cause</p>

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that are most relevant to this Neighbourhood Area.

Paragraph 185 of the NPPF states that ‘plans should set out a positive strategy for the conservation and enjoyment of the historic environment’. It is considered that this policy is consistent with the principles set out in paragraph 185. Chapter 12 of the NPPF is about ‘achieving well-designed places’. This policy is also related to design. Paragraph 130 states that ‘permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.’ It is considered that this approach is in line with National Planning Policy which supports high quality design and states that poor design should not be supported.

Paragraph 125 states that ‘Neighbourhood plans can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development’. 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.

sustainable new housing development.

Although the government’s National Design Guide (2020) was not available at the time of drafting of the NP, it is considered that many of the principles set out in that Guide are incorporated into this policy.

demonstrable harm to the amenity of residential areas or to the environment generally as a result of releases to water, land or air, or of noise, dust, vibration, light or heat.’ Policy 4 picks up on some of the elements of this policy, particularly those related to residential amenity.

### **Emerging Northumberland Local Plan (NLP):**

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).

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Policy 5: Settlement boundaries for Embleton Village and Christon Bank		
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 5 supports development within defined settlement boundaries. This approach is fundamental to a number of areas such as protection of landscapes, the historic environment, the AONB and the countryside.</p> <p>There is no conflict with the NPPF. Paragraph 170 says that planning policies should protect and enhance valued landscapes. In this Plan, settlement boundaries are the key tool for achieving this objective, by preventing ‘sprawl’ into the countryside, and controlling development in the open countryside in accordance with national planning policy.</p> <p>Paragraph 78 states that, to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive especially where this will support local services. Christon Bank will be allowed to grow through infill development, and this will support Embleton as a local service centre. Conflicts identified under Basic Condition 3</p>	<p>This proposal to define settlement boundaries for Embleton and Christon Bank achieves objectives for all areas of sustainable development. Economic objectives (certainty to developers about where development is, and is not appropriate), and environmental objectives, by protecting landscapes around the settlements and in particular, the AONB. Given the sensitive location of Embleton and Christon Bank and the proximity to designated areas, coupled with the large amount of development which has taken place over recent years, it is considered that this approach is the best to deliver development which will not harm the special character of the area.</p> <p>Although settlement boundaries are drawn relatively tightly round the settlements, there is still scope for some further ‘infill’ development. The Neighbourhood Area has been given a housing requirement of 30 dwellings over the Plan period (set out in the emerging Northumberland Local Plan) which has been entirely met by development</p>	<p><b>Alnwick District LDF Core Strategy DPD (2007) [Policy S1]</b></p> <p>Policy S1 in the Core Strategy sets out the policy approach to the location and scale of new development in the Plan area through a ‘settlement hierarchy’.</p> <p>Policy S1 identifies Embleton village as a ‘Sustainable Village Centre’ where development can be accommodated where it is well-related to the scale and function of the settlement. It also identifies Christon Bank as a settlement with limited services. Development in Christon Bank is restricted to that satisfying local needs only.</p> <p>This policy of ‘local needs only’ has not been implemented in practice for a number of years and is not in line with NPPF policy.</p> <p>The NP does not restrict development in Christon Bank to ‘local needs only’ and so could be considered as being ‘in conflict’ with Policy S1. However, all new housing in the Neighbourhood Area will be for principal occupancy only, which will serve a similar</p>

## Embleton Parish Neighbourhood Plan – Basic Conditions Statement

<p>should be considered against this national planning policy which does allow for some settlements to grow where they will support the sustainability of nearby settlements.</p>	<p>already delivered. This indicates that there is no requirement for any significant further housing development.</p> <p>For this reason, settlement boundaries are tightly drawn around existing (and recently permitted) development, and any further development coming forward will be to deliver affordable housing through exceptions sites on the edge of the settlements, or through small-scale infill developments.</p>	<p>purpose in maintaining sustainable communities. Other policies in the NP support local needs housing (for instance, the policy on rural exception sites)</p> <p><b>The Alnwick District Wide Local Plan (1999) [Policy RE16]</b>          There are no specific policies that are relevant to settlement boundaries. Policy RE16 is about the protection of the AONB, and the definition of the settlement boundary for Embleton does achieve the protection of the AONB.</p> <p><b>Submission Draft Northumberland Local Plan (NLP):</b>          The policy is in general conformity with emerging strategic policy in the NLP; in particular, Policy STP1 (Spatial Strategy) which identifies Embleton as a 'Service Village'; Christon Bank is not listed in the settlements, and therefore part e) of policy STP1 applies until such time as the Neighbourhood Plan is 'made', when part d) would apply.</p>
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<b>Policy 6: Development affecting Embleton Village Conservation Area</b>		
<b>Basic Condition 1 (having regard to National Planning policy and Practice)</b>	<b>Basic Condition 2 (contributing to the achievement of sustainable development)</b>	<b>Basic Condition 3 (general conformity with strategic planning policy)</b>
<p>Policy 6 has regard to National Planning Policy contained in Chapter 16 of the NPPF. Consultation on the Plan has been undertaken with Historic England, who also support (subject to some minor alterations) this policy. The policy, combined with its supporting text, seeks to provide locally specific advice about development in the Conservation Area, without being overly prescriptive. The policy seeks to ensure high quality and locally distinctive design, reflecting the significance of the Conservation Area. The ‘significance’ is explored and clarified in the supporting text and the policy itself is locally specific to the Embleton Conservation Area, drawing out key elements identified in the Conservation Area Appraisal.</p> <p>Paragraph 185 of the NPPF states that ‘plans should set out a positive strategy for the conservation and enjoyment of the historic environment’. It is considered that this policy is consistent with the principles set out in paragraph 185. Chapter 12 of the NPPF is about ‘achieving well-designed places’. This</p>	<p>A crucial part of sustainable development is the conservation of the historic environment. This policy which specifically seeks to conserve the Embleton Conservation Area and its setting is consistent with the principles of sustainable development.</p>	<p><b>Alnwick District LDF Core Strategy DPD (2007) [Policy S16]</b></p> <p>Policy S16 states that the district’s built and historic environment, in particular its listed buildings, scheduled ancient monuments and conservation areas will be conserved. All development involving historic assets or their settings will be required to preserve, and where appropriate, enhance the asset for the future.</p> <p>Although Policy S16 is not strictly in accordance with more recent policy in the NPPF (which places an emphasis on a judgement of ‘significance’ of heritage assets), Policy 6 is broadly aligned and certainly does not conflict with the essence of Policy S16.</p> <p><b>Alnwick District Wide Local Plan (1999)</b></p> <p>There are no saved policies related to the historic environment or conservation areas.</p> <p><b>Emerging Northumberland Local Plan (NLP):</b></p> <p>The policy is in general conformity with</p>

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<p>policy is also related to design.</p> <p>Paragraph 125 states that ‘Neighbourhood plans can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development’</p>		<p>emerging strategic policy in the NLP. Policy ENV1 is about approaches to assessing the impact of development on the natural, historic and built environment. Policy 6 in the NP gives a local dimension, identifying specific features in the conservation area that contribute to its significance.</p>
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<b>Policy 7: Local Green Spaces in Embleton Village and Christon Bank</b>		
<b>Basic Condition 1 (having regard to National Planning policy and Practice)</b>	<b>Basic Condition 2 (contributing to the achievement of sustainable development)</b>	<b>Basic Condition 3 (general conformity with strategic planning policy)</b>
<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</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 live have suitable access to green spaces. The spaces identified are highly valued by the local communities in Embleton and Christon Bank.</p> <p>The areas identified are important to sustain a vibrant and healthy community and contribute to a high-quality sense of place in the settlements.</p>	<p><b>Alnwick District LDF Core Strategy DPD (2007) [Policy S20]</b></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 Alnwick District LDF Core Strategy DPD (2007).</p> <p>Policy 20 is a policy which supports the provision of open space for sport and recreation. One of the LGS is a recreational area, and its protection as a LGS is consistent with Policy S20. In addition, Policy S12 is about protecting and enhancing</p>



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<p>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>biodiversity. A number of the LGS designations are also valued for the richness of biodiversity.</p> <p><b>Emerging Northumberland Local Plan (NLP):</b></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>
<b>Policy 8: Non-Designated Heritage Assets in the Neighbourhood Area</b>		
<b>Basic Condition 1 (having regard to National Planning policy and Practice)</b>	<b>Basic Condition 2 (contributing to the achievement of sustainable development)</b>	<b>Basic Condition 3 (general conformity with strategic planning policy)</b>
<p>Paragraph 197 is specific to non-designated heritage assets. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. This approach is reflected in the wording of Policy 8. Appendix A contains</p>	<p>Sustainable development includes protecting and enhancing the historic environment. This in turn leads to improvements in the built environment and the enjoyment of the built environment, as well as benefits to the local economy. This policy is consistent with the principles of sustainable development, as it seeks to ensure that development affecting non-designated heritage asset leads to</p>	<p><b>Alnwick District LDF Core Strategy DPD (2007) [Policy S15]</b></p> <p>There are no strategic policies in relation to non-designated heritage assets. However, Policy S15, which is about protecting the built and historic environment applies. Policy 8 is consistent with Policy S15.</p> <p><b>Alnwick District Wide Local Plan (1999)</b></p>

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<p>a list of non-designated heritage assets that have been identified by the local community using guidance from Historic England. Although this list is not exhaustive, it shows those non-designated assets that are best known and valued in the local community for their historic significance.</p>	<p>positive improvements to the local environment.</p>	<p>There are no saved policies related to the historic environment or conservation areas.</p> <p><b>Emerging Northumberland Local Plan (NLP):</b> The policy is in general conformity with emerging strategic policy in the NLP; in particular, Policy ENV1.</p>
<p><b>Policy 9: Business, Employment and Tourism</b></p>		
<p><b>Basic Condition 1 (having regard to National Planning policy and Practice)</b></p>	<p><b>Basic Condition 2 (contributing to the achievement of sustainable development)</b></p>	<p><b>Basic Condition 3 (general conformity with strategic planning policy)</b></p>
<p>This policy has regard to national planning policy, in particular paragraph 83 in the NPPF, which is about ‘supporting a prosperous rural economy’. This paragraph states that planning policies should enable the sustainable growth and expansion of all types of business in rural areas, enable development and diversification of agricultural and other land-based rural businesses and enable sustainable rural tourism and leisure development. Policy 9 seeks to support these types of development whilst retaining the special landscapes of the AONB (consistent with AONB policy in the NPPF).</p>	<p>This policy focuses on the economic dimension of sustainable development but retains control over environmental considerations (that new business/tourism development must respect the character of the AONB). Many local people depend on tourism for their economic well-being, and this policy seeks to support the local economy whilst protecting the wider environment.</p>	<p><b>Alnwick District LDF Core Strategy DPD (2007) [Policy S10, S1, S14]</b></p> <p>There are some conflicts with the Alnwick Core Strategy identified with this policy. The Alnwick Core Strategy states (Policy S10, Tourism development) that new tourism development must be in or adjacent to the rural service centres, sustainable village centres and local needs centres in accordance with the development strategy (set out in Policy S1 and S2). Tourism in the open countryside will be considered against policy S14. Policy S14 states that applications for new development in the open countryside will only be permitted where the development is likely to be sustainable in the context of policy S3 and</p>



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		<p>where the development is essential to support farming and other countryside-based enterprise and activity, promote recreation and supports the retention of sustainable communities or supports the conservation and enhancement of the countryside. Although there are provisos on landscape impact in Policy 9 in the Neighbourhood Plan, the Plan does seek to support rural development proposals in the Neighbourhood Area without requiring a sequential test, and without requiring an ‘essential need’ as set out in Policy S14. However, it is considered that recent guidance in the NPPF means that Policy S10 and S14 (and S2) are not consistent with national policy, and as such are significantly out of date.</p> <p><b>Alnwick District Wide Local Plan (1999) [Policy RE20]</b></p> <p>Policy RE20 is specific to rural diversification proposals. Policy 9 does not conflict with policy RE20 which supports rural diversification proposals where they can be assimilated into the landscape and do not conflict with other land-use policies or create volumes of traffic inappropriate to the rural road network.</p> <p><b>Emerging Northumberland Local Plan</b></p>
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		<p><b>(NLP):</b> Policy ECN12 and ECN13 are strategic policies related to the rural economy and supporting growth in rural economies. Policy 9 is consistent with both these strategic policies.</p>
<b>Policy 10: Principal Residence Housing</b>		
<b>Basic Condition 1 (having regard to National Planning policy and Practice)</b>	<b>Basic Condition 2 (contributing to the achievement of sustainable development)</b>	<b>Basic Condition 3 (general conformity with strategic planning policy)</b>
<p>There is no specific guidance in the NPPF with regard to principal residence housing. However, Policy 10 seeks to ensure that the communities in the Plan area remain vibrant, and do not become ‘holiday towns’ as has happened on some parts of the coast. Although it is accepted that this policy will have a limited role in achieving that aim (it only applies to new-build properties), it is considered important in the community. Similar policies have successfully passed referendum in other parts of the Northumberland Coast (for instance, in Seahouses, Bamburgh and Beadnell).</p>	<p>This policy is consistent with sustainable development, as it supports sustainable communities, by seeking to ensure that a healthy balance of permanent residents is retained in the Neighbourhood Area (although it is accepted that this policy will play only a limited role in achieving this aim).</p> <p>This policy seeks to contribute to sustainable development by allowing rural communities to seek to limit the loss of new development to second homes. It is known that a recent development in Embleton (Creighton Place), once built, lost 30% of the dwellings to second and holiday homes, meaning that there are less (and less affordable) properties available for local people. This policy seeks to redress the balance.</p>	<p><b>Alnwick District LDF Core Strategy DPD (2007)</b> There are no specific policies in relation to principal occupancy housing.</p> <p><b>Alnwick District Wide Local Plan (1999)</b> There are no specific policies in relation to principal occupancy housing.</p> <p><b>Emerging Northumberland Local Plan (NLP)</b> Policy HOU10 (Second and holiday homes) states that within Parishes identified in the most up-to-date Census as having 20% or more household spaces with no usual (i.e. permanent) residents, new market dwellings will only be supported where first and future occupation is restricted in perpetuity to ensure that each new dwelling is occupied</p>

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		only as a principal residence. Census (2011) results in Embleton Parish Neighbourhood Area showed a 27% ‘no spaces’ figure.
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<b>Policy 11: Affordable Housing Contributions</b>		
<b>Basic Condition 1 (having regard to National Planning policy and Practice)</b>	<b>Basic Condition 2 (contributing to the achievement of sustainable development)</b>	<b>Basic Condition 3 (general conformity with strategic planning policy)</b>
<p>A key element of government policy and reflected in the NPPF is the need to provide more affordable housing in the UK. Chapter 5 in the NPPF (delivering a sufficient supply of homes) outlines the policy approach. In particular, paragraphs 61 and 62. Paragraph 61..’the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people etc..). . Embleton carried out a housing needs survey which identified a small need for local affordable housing.</p>	<p>The delivery of affordable housing is a key aspect of delivering sustainable development. Although it is accepted that due to the nature of the Neighbourhood Area, and the lack of new larger scale housing developments, it is unlikely that much affordable housing will be delivered (as part of market housing schemes – other policies seek to deliver affordable housing in other ways). The delivery of affordable housing is supported in the NP and uses the most up to date evidence from NCC on housing needs in Northumberland.</p>	<p><b>Alnwick District LDF Core Strategy DPD (2007) [Policy S6]</b></p> <p>Policy S6 is out of date. It sets thresholds for affordable housing delivery which are no longer consistent with national policy (3 unit threshold in rural areas, whereas there is currently a 5 unit threshold). The evidence justifying the level of provision of affordable housing is no longer up to date. The Embleton Parish NP seeks a different level of affordable housing contribution to that set out in the Core Strategy. Although there is conflict with this policy in the NP, it is considered that national planning policy changes and more up to date evidence to support the emerging Northumberland Local Plan mean that this conflict does not mean that the NP fails to meet the basic conditions.</p> <p><b>Alnwick District Wide Local Plan (1999)</b></p>

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		<p>There are no saved strategic policies in relation to affordable housing.</p> <p><b>Emerging Northumberland Local Plan (NLP)</b></p> <p>The policy is in general conformity with emerging strategic policy in the NLP.</p> <p>Policy HOU6 refers to Affordable housing provision and supports a 25% affordable housing contribution within the medium value areas (Embleton is in a medium value area as identified on the emerging Local Plan (interactive) policies map).</p>
<b>Policy 12: Rural Exception Sites and Community Led Housing</b>		
<b>Basic Condition 1 (having regard to National Planning policy and Practice)</b>	<b>Basic Condition 2 (contributing to the achievement of sustainable development)</b>	<b>Basic Condition 3 (general conformity with strategic planning policy)</b>
<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>This policy will allow for schemes that will benefit local people on the edges of settlements. This gives flexibility to provide community and affordable housing (providing environmental factors are fully considered). This ‘exception’ is in line with sustainable development principles and is a key element of the revised NPPF to provide flexibility for housing provision in rural communities.</p>	<p><b>Alnwick District LDF Core Strategy DPD (2007) [Policy S6]</b></p> <p>Policy S6 refers to exceptions sites. The policy approach on exceptions sites in Policy S6 is not entirely consistent with that set out in the NPPF, in so far as it does not allow for cross-subsidy with market housing, whereas the NPPF does allow some flexibility on this issue. Although Policy 12 is not 100% in conformity with Policy S6, it is broadly aligned, and not in conflict.</p>

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		<p><b>Alnwick District Wide Local Plan (1999)</b> There are no saved strategic policies in relation to exceptions sites and community led housing.</p> <p><b>Emerging Northumberland Local Plan (NLP)</b> 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>
<b>Policy 13: Change of use from holiday accommodation to principal residence housing</b>		
<b>Basic Condition 1 (having regard to National Planning policy and Practice)</b>	<b>Basic Condition 2 (contributing to the achievement of sustainable development)</b>	<b>Basic Condition 3 (general conformity with strategic planning policy)</b>
<p>There is no specific reference in the NPPF to holiday accommodation and changes to principal residence housing. This policy does not conflict with other policy areas in the NPPF.</p>	<p>See comments made in relation to Policy 10. The aim of the policy is to increase the amount of housing available for local people, in order to seek to redress the balance between holiday homes and permanently occupied dwellings.</p>	<p><b>Alnwick District LDF Core Strategy DPD (2007)</b> There are no saved strategic policies in relation to this matter.</p> <p><b>Alnwick District Wide Local Plan (1999)</b> There are no saved strategic policies in relation to this matter.</p> <p><b>Emerging Northumberland Local Plan (NLP)</b></p>

## Embleton Parish Neighbourhood Plan – Basic Conditions Statement

		There are no specific policies in relation to this matter. Policies with regard to development in the countryside do allow changes of use of existing buildings.
<b>Policy 14: Assets of Community Value and Community Facilities</b>		
<b>Basic Condition 1 (having regard to National Planning policy and Practice)</b>	<b>Basic Condition 2 (contributing to the achievement of sustainable development)</b>	<b>Basic Condition 3 (general conformity with strategic planning policy)</b>
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.	This policy contributes to social and economic objectives; many community facilities are businesses also; some community owned ones. These community facilities support a strong, vibrant and healthy community in Embleton Parish and support the communities' health, social and cultural well-being.	<p><b>Alnwick District LDF Core Strategy DPD (2007) [Policy S18, Policy S20]</b></p> <p>Policy S18 (first part) supports the provision of new and improved social and community facilities. This is consistent with Policy 14 which seeks to do the same. Policy S18 does not seek to protect ACVs or community facilities that are existing, but this is not considered to comprise a conflict. Policy S20 refers to recreational spaces and (amongst other things) securing existing spaces.</p> <p><b>Alnwick District Wide Local Plan (1999)</b></p> <p>There are no saved strategic policies in relation to this matter.</p> <p><b>Emerging Northumberland Local Plan (NLP)</b></p> <p>There are no strategic policies in relation to community facilities. Policy INF2 is about community services and facilities, and INF4 is</p>

## Embleton Parish Neighbourhood Plan – Basic Conditions Statement

		about Assets of Community Value. Neither of these policies is identified as strategic.
<b>Policy 15: Provision and improvement of pedestrian and cycle routes</b>		
<b>Basic Condition 1 (having regard to National Planning policy and Practice)</b>	<b>Basic Condition 2 (contributing to the achievement of sustainable development)</b>	<b>Basic Condition 3 (general conformity with strategic planning policy)</b>
<p>Chapters 8 and 9 of the NPPF promote healthy and sustainable communities, and also sustainable transport. In particular, paragraphs 91 a) and c), 102 c) 103, 104d) all promote the improvement of pedestrian and cycle routes for environmental and health benefits. Policy 15 has regard to the NPPF on this matter, giving a local dimension and identifying specific pedestrian and cycle links which would improve the sustainability of the area for residents and visitors.</p>	<p>Reducing the need to travel by car and improving the health of the population through improved walking and cycling infrastructure contribute to the achievement of sustainable development, by encouraging healthy communities. The policy will not only benefit members of the community, but also be a benefit to visitors and the visitor economy.</p>	<p><b>Alnwick District LDF Core Strategy DPD (2007) [Policy S20]</b></p> <p>There are no specific policies in relation to pedestrian and cycle routes, although Policy S20 does seek to improve and enhance the quality of provision for sport and recreation where possible and necessary.</p> <p><b>Alnwick District Wide Local Plan (1999)</b></p> <p>There are no saved strategic policies in relation to this matter.</p> <p><b>Emerging Northumberland Local Plan (NLP)</b></p> <p>Strategic policy TRA1 ‘Promoting Sustainable Connections’ which seeks to promote sustainable transport choices, including ‘supporting, providing and connecting to networks for walking, cycling and public transport infrastructure.’</p>
<b>Policy 16: Telecommunications and broadband</b>		
<b>Basic Condition 1 (having regard to</b>	<b>Basic Condition 2 (contributing to the</b>	<b>Basic Condition 3 (general conformity</b>

## Embleton Parish Neighbourhood Plan – Basic Conditions Statement

National Planning policy and Practice)	achievement of sustainable development)	with strategic planning policy)
<p>Chapter 10 of the NPPF is about supporting high quality communications. It states that advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being. Planning policies should support the expansion of electronic communication networks.</p>	<p>High quality communications infrastructure is essential to a healthy local economy, but it is also essential in the 21<sup>st</sup> century for modern day living generally. Policy 16 is consistent with the principles of sustainable development as it is important for community cohesion and for the local economy to thrive.</p>	<p><b>Alnwick District LDF Core Strategy DPD (2007)</b></p> <p>There are no strategic policies in relation to telecommunications and broadband</p> <p><b>Alnwick District Wide Local Plan (1999)</b></p> <p>There are no strategic policies in relation to telecommunications and broadband</p> <p><b>Emerging Northumberland Local Plan (NLP)</b></p> <p>There are no strategic policies which are directly relevant to this policy. There is a policy on planning for high quality communications infrastructure (Policy ICT1) but this is not identified as a strategic policy.</p>



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

- 4.25 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)
- 4.26 While the requirements for Strategic Environmental Assessment and Habitats Regulations Assessment are set out in separate legislation, there is a relationship between the two. The SEA Regulations state that, where plans and programmes require Appropriate Assessment for HRA, this will trigger the need for a Strategic Environmental Assessment. This will be the case even if SEA would not normally have been considered to be required following screening. Accordingly, it was determined that the Embleton Parish Neighbourhood Plan would require SEA on the basis of it requiring Appropriate Assessment.
- 4.27 The Environmental Report (dated 16 September 2019) was produced by Northumberland County Council. The conclusions set out in part 7 of that report conclude that the Embleton Parish Neighbourhood Plan is likely to lead to positive or neutral environmental effects. All the recommendations from these reports were incorporated into policies in the submission version of the Embleton Parish Neighbourhood Plan. The full Environmental Report and the Habitats Regulations Assessment report are included in the submission documents. Details of the specific elements that were incorporated into policies is contained in the Consultation Statement. Responses to the consultation on the Environmental Report are also contained in the Consultation Statement.

### **Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora and Directive 2009/147/EC on the conservation of wild birds (often referred to as the Habitats and Wild Birds Directives respectively)**

- 4.28 It is a requirement that a Habitats Regulations Assessment (HRA) is undertaken in line with the provision set by the Conservation of Habitats and Species Regulations (2017) to assess the effects of the Plan on European Sites.
- 4.29 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 site 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).
- 4.30 In accordance with the Habitats Regulations, an HRA screening exercise was undertaken to identify the likely impacts of the Pre-Submission Draft Embleton Parish Neighbourhood Plan (January 2019) upon European sites, either alone or ‘in combination’ with other projects or plans, and to consider whether these effects are likely to be significant.
- 4.31 That screening exercise found the possibility of significant effects could not be excluded and therefore it was deemed necessary to undertake a more detailed assessment, known as ‘Appropriate Assessment’. The Appropriate Assessment is reported separately from the SEA of the Neighbourhood Plan, but importantly has helped to

## Embleton Parish Neighbourhood Plan – Basic Conditions Statement

inform the appraisal process, particularly in respect of biodiversity.

- 4.32 A screening opinion was sought from Northumberland County Council, and it was concluded that a HRA would also be required. This HRA (dated October 2019) and produced by Northumberland County Council for the qualifying body, is included in the submission documents.

### **European Convention on Human Rights (ECHR)**

- 4.33 The Embleton Parish Neighbourhood Plan is fully compliant with European Convention on 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)**

- 4.34 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.’
- 4.35 The accompanying Habitats Regulations Assessment concludes that with some minor additions to the wording in some policies (which have been incorporated by providing additional wording in policies 1, 5, 12 and 13 to identify the need to mitigate increase in disturbance to designated sites through the contribution to the Northumberland Coastal Mitigation Service) the Plan will not breach the requirements set out in Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulation 2017.

## **5.0 Conclusions**

- 5.1 The evidence provided in this Basic Conditions Statement concludes that the Embleton Parish Neighbourhood Plan meets the Basic Conditions as set out in the Neighbourhood Planning Regulations (2012) (as amended).

**APPENDIX A: LIST OF STRATEGIC POLICIES IN THE DEVELOPMENT PLAN**

**(Provided by 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

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- 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

### Embleton Neighbourhood Plan

The current statutory development plan for the Embleton Neighbourhood Area is the Alnwick District Core Strategy (2007) and the “Saved” strategic policies from the Alnwick District Wide Local Plan (1997). The policies in the Embleton Neighbourhood Plan must be assessed for general conformity with the strategic policies listed below. The findings of this assessment should be presented in the basic conditions statement. The strategic policies for the Embleton Neighbourhood Area are as follows:

#### **Alnwick District Local Development Framework, Core Strategy Development Plan Document, Adopted October 2007.**

**Policy S1:** Location and scale of new development

**Policy S2:** The sequential approach to development

**Policy S3:** Sustainability criteria

**Policy S4:** The phased release of housing land

**Policy S6:** Provision of affordable housing

**Policy S8:** Economic Regeneration

**Policy S9:** Employment land allocation

**Policy S10:** Tourism development

**Policy S11:** Locating development to maximise accessibility and minimise impact from travel

**Policy S12:** Protecting and enhancing biodiversity and geodiversity

**Policy S13:** Landscape character

**Policy S14:** Development in the open countryside

**Policy S15:** Protecting the built and historic environment

**Policy S17:** Town centres

**Policy S18:** Provision of social and community facilities

**Policy S20:** Providing for open space, sport and recreation

**Policy S21:** Renewable energy

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**Policy S22:** Energy efficiency

**Policy S23:** Planning obligations

## **Alnwick District Wide Local Plan, 1997**

**Policy RE6:** Protection of Sites of Nature Conserve Importance

**Policy RE7:** Protection of Local Nature Reserves

**Policy RE16:** Protection of the AONB

**Policy RE20:** Rural diversification proposals

**Policy RE21:** Control of new agricultural buildings

**Policy BE2:** Regional and local archaeological significance

**Policy H1:** Housing in the minor settlements to meet exceptional local needs

**Policy TT1:** Controlling the redevelopment of public transport facilities

**Policy TT2:** Protection of route of A1 dualling from development

**Policy ED4:** Providing a broader base of job opportunities on designated commercial site

**Policy CD32:** Controlling development that is detrimental to the environment and residential amenity