

Hauxley Neighbourhood Plan

Basic Conditions Statement

October 2023

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1. Introduction

- 1.1 This statement has been prepared by Hauxley Parish Council (HPC). It accompanies the Submission Draft Hauxley Neighbourhood Plan (HNP), 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 HNP has been prepared by HPC, the qualifying body for the Hauxley Neighbourhood Area. The neighbourhood area was initially designated by NCC in March 2019. As a result of a formal boundary review, the neighbourhood area was amended and designated on 1 April 2021 (a copy of the designation documents is included at Appendix 1).
- 1.3 The HNP 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 HNP 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 HNP 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 (2023 - NPPF) and guidance is set out within the National Planning Practice Framework (NPPG). The Submission Draft HNP has been prepared having regard to the NPPF and NPPG.
- 2.2 The HNP contains 6 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

| Hauxley NP policy | National policies and guidance | |
|------------------------|---|--|
| | References | Comments on conformity |
| H1: 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. |
| H2: 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 16 sites which are proposed to be designated as local green space by policy H2 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. |
| H3: Green gaps | NPPF: 174, Glossary NPPG: 036/8-036-20190721 | Green gaps are not specifically defined in national planning policy or guidance. It is considered that the proposed green gaps form part of the important green infrastructure of the parish. The glossary of the NPP highlights that GI can deliver a wide range of environmental, economic, health and well-being benefits for nature, climate, local and wider communities and prosperity. The NPPF highlights that planning policies should: contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes and sites of biodiversity value; recognise the intrinsic character and beauty of the countryside and wider benefits from natural capital and ecosystem services; and maintain the character of the undeveloped coast. NPPG states that where landscapes have a particular local value, it is important for policies to identify their special characteristics and be supported by proportionate evidence. Policies may set out criteria against |

| Hauxley NP policy | National policies and guidance | |
|------------------------------|---|---|
| | References | Comments on conformity |
| | | <p>which proposals for development affecting these areas will be assessed.</p> <p>Policy H3 defines the purposes of the designation of the green gaps and seeks to ensure new development does not conflict with these purposes.</p> |
| H4: Local distinctiveness | <p>NPPF: 126-136</p> <p>NPPG: Gov.uk/guidance/Design</p> <p>National design guide</p> | <p>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 H4 requires new development to conserve and enhance local distinctiveness and includes policy criteria which reflect the qualities of the plan area.</p> |
| H5: Residential design codes | <p>NPPF: 129</p> <p>NPPG: Gov.uk/guidance/Design</p> <p>National design guide</p> | <p>The NPPF highlights that design guides and codes can be prepared at an area-wide, neighbourhood or site specific scale. That design guides and codes should be based on effective community engagement and reflect local aspirations for the development of their area.</p> <p>Policy H5 was informed by the principles set out within the Hauxley Design Code. It requires development to respond to local character and provides guidance to support development which harmonises with the existing character of the area.</p> |
| H6: Settlement boundaries | <p>NPPF: 28, 174</p> <p>NPPG: 036/8-036-20190721</p> | <p>Whilst there is no specific reference to settlement boundaries within the NPPF, they play an important role in helping to protect the countryside, prevent the merging of settlements, maintain the character and form of settlements and protect ecological assets. Therefore the definition of settlement boundaries particularly conforms with section 15 of the NPPF which seeks to conserve and enhance the natural environment.</p> |

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 HNP 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 objective 3 (sustainable and cohesive community) has been identified as contributing to the economic dimension of sustainable development, it is considered that this is 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 HNP with the social objective of sustainable development.

Table 2: Social alignment

| HNP Objective/ Policy | Commentary |
|---|--|
| Objective 3: Sustainable and cohesive community | Plan objective 3 seeks to ensure that new development is sustainable, supporting that which is needed by the local community, whilst protecting the intrinsic character and beauty of the surrounding countryside. This would include protecting areas that are important to the community as well as supporting small scale development that is needed. |
| Policy H2: Local green space | Policy H2 identifies 16 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. |

- 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 HNP with the environmental objective of sustainable development.

Table 3: Environmental alignment

| HNP Objective/ Policy | Commentary |
|---|---|
| Objective 1: Rich natural environment | Objective 1 seeks to ensure that the tranquil and valued nature of the coastal environment of the parish is conserved and enhanced. This will support the delivery of the environmental dimension of sustainable development. A good quality natural environment is also important to the well-being of local communities, therefore relevant to the social element of sustainable development. |
| Objective 2: Distinctive built and historic environment | Objective 2 seeks to ensure that new development maintains and enhances local distinctiveness and contributes positively to the built and historic environment. This will support the delivery of the environmental dimension of sustainable development. A good quality built and historic environment is also important to the well-being of local communities, therefore relevant to the social element of sustainable development. |
| Policy H1: Coastal mitigation | Policy H1 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 H3: Green gaps | Policy H3 seeks to ensure that new development within the gaps between Amble and High Hauxley, and that between High and Low Hauxley are protected. The purposes of the green gaps are to protect the rural and coastal character of the parish, prevent coalescence, protect the landscape and seascape character as well as visual amenity and important views, as well as helping to retain a valuable wildlife corridor and coastal habitats. The policy therefore supports the environmental element of sustainable development. |
| Policy H4: Local distinctiveness | Policy H4 defines four character areas and includes criteria to guide new development within those areas. It requires new development to conserve local distinctiveness by demonstrating high quality design. The policy therefore supports the environmental element of sustainable development. |
| Policy H5: Residential design codes | Policy H5 contains residential design codes which would apply to new residential development and work to existing dwellings. The criteria within the policy seek to ensure that new developments responds positively to the rural and coastal character in terms of building heights, roof forms, materials and detailing, frontages and boundaries. The policy therefore supports the environmental element of sustainable development. |

| HNP Objective/ Policy | Commentary |
|--|--|
| Policy H6: Sustainable location of new development | Policy H6 defines settlement boundaries around Low and High Hauxley to protect the countryside from unsuitable and unsustainable development. This approach will support the environmental element of sustainable development. |

4. Development Plan – strategic policies

4.1 This section considers the extent to which the policy contained within the HNP 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 HNP policies are in general conformity with the relevant strategic development plan policies.

Table 4: General conformity with the strategic policies

| HNP Policy | Strategic Development Plan Policy | |
|----------------------------------|-----------------------------------|--|
| | Policy | Comments on conformity |
| Policy H1: Coastal mitigation | ENV1 | Policy ENV1 requires appropriate weight to be given to the hierarchy of international and nationally designated nature conservation sites. Policy H1 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. |
| Policy H2: Local green space | STP5 STP6 QOP1 ENV1 | There are no specific strategic policies within the development plan regarding local green space. However, as they are of great importance to the character and identity of an area and valued for a wide range of issues including visual amenity, historic significance, recreational value, tranquillity and richness of wildlife. Therefore, their identification accords with several NLP strategic policies, particularly: <ul style="list-style-type: none"> • STP5 (health and wellbeing) – the protection of green spaces will support the mental and physical health and wellbeing of the local community. • STP6 (green infrastructure) – LGS are part of the green infrastructure of the parish and their identification and protection will therefore accord particularly with part 2 of the policy which seeks to protect the GI network. • QOP1 (design principles) – refers to the importance of development making a positive contribution to local character and distinctiveness. LGS are an important part of the character of the area. • ENV1 (natural, historic and built environment) – requires the character and/ or significance of Northumberland’s distinctive and valued natural, historic and built environments to be conserved, protected and enhanced. The assessment of proposed LGS within the parish included consideration of their visual amenity, historic significance and richness of wildlife. |
| Policy H3: Green gaps | STP1 STP6 ENV1 | The proposed approach to green gaps would ensure that development would be supported where it would not conflict with the purpose of the designation. It would provide a locally specific approach which accords with the provisions of the strategic policies of the development plan: <ul style="list-style-type: none"> • Criterion ‘a’ which seeks to ensure that new development would protect and enhance the rural character of the parish |

| HNP Policy | Strategic Development Plan Policy | |
|--|-----------------------------------|--|
| | Policy | Comments on conformity |
| | | <p>would accord with local plan policies: STP1(i) (sensitivity of the open countryside) and ENV1(1) to protect the character and/ or significance of Northumberland’s distinctive and valued natural, historic and built environments;</p> <ul style="list-style-type: none"> • Criterion ‘b’ preventing the coalescence of Amble and High Hauxley would accord primarily with local plan policy STP1 which seeks to focus new development in existing settlements and protect the open countryside; • Criterion ‘c’, to protect the important landscape character and visual amenity would accord primarily with local plan ENV1(1) to protect the character and/ or significance of Northumberland’s distinctive and valued natural environment; • Criterion ‘d’ to retain a valuable wildlife corridor and habitat would accord with local plan policies STP6 (protecting/ improving green infrastructure) and ENV1(1) to protect the character and/ or significance of Northumberland’s distinctive and valued natural environment. |
| Policy H4: Local distinctiveness | QOP1 | The local plan highlights the importance of achieving high quality and inclusive design through the planning process. Policy H4 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. |
| Policy H5: Residential design codes | QOP1 | Policy H5 supports residential development and extensions to existing dwellings where it can be demonstrated that it responds positively to the rural and coastal character of the area. The local plan highlights the importance of achieving high quality and inclusive design through the planning process. The criteria contained within policy H5 accord with the provisions of strategic policy QOP1. |
| Policy H6: Sustainable location of new development | STP1 | Low and High Hauxley are identified within policy STP1 as small villages. Criterion e refers to neighbourhood plans defining settlement boundaries. However, no specific guidance is included within the local plan on their definition. The proposed settlement boundaries have been defined to reflect the role and position of the settlements within the local plan settlement hierarchy. |

5. Legal obligations and prescribed conditions

European Convention on Human Rights

- 5.1 Throughout the preparation of the HNP emphasis has been placed to ensure that no sections of the community have been isolated or excluded. The HNP 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 HNP 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 HNP:
- 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 HNP 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 HAUXLEY 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 Hauxley as the 'Hauxley 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 Area | Hauxley |
| Relevant qualifying body | Hauxley Parish Council |
| Decision published | 12 October 2021 |

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? | Not applicable |
| Are any modifications required to this or any adjoining neighbourhood area? | No |

2.

a) Parish/Parishes comprising the neighbourhood area: Hauxley

b) Map of the neighbourhood area: See below.



Appendix 2: Northumberland Local Plan - strategic policies

- Policy STP 1 Spatial strategy
- Policy STP 2 Presumption in favour of sustainable development
- Policy STP 3 Principles of sustainable development
- Policy STP 4 Climate change mitigation and adaptation
- Policy STP 5 Health and wellbeing
- Policy STP 6 Green infrastructure
- Policy STP 7 Strategic approach to the Green Belt
- Policy STP 8 Development in the Green Belt
- Policy STP 9 Safeguarded land
- Policy ECN 1 Planning strategy for the economy
- Policy ECN 2 Blyth Estuary Strategic Employment Area
- Policy ECN 3 West Hartford Prestige Employment Area
- Policy ECN 4 'Round 2' Enterprise Zones
- Policy ECN 5 Large-scale windfall employment development
- Policy ECN 6 General employment land - allocations and safeguarding
- Policy ECN 12 A strategy for rural economic growth
- Policy ECN 13 Meeting rural employment needs
- Policy TCS 1 Hierarchy of centres
- Policy TCS 2 Defining centres in Main Towns
- Policy TCS 3 Maintaining and enhancing the role of centres
- Policy HOU 1 Making the best use of existing buildings
- Policy HOU 2 Provision of new residential development
- Policy HOU 3 Housing requirements for neighbourhood areas
- Policy HOU 4 Housing development site allocations
- Policy HOU 6 Affordable housing provision
- Policy HOU 11 Homes for older and vulnerable people
- Policy QOP 1 Design principles
- Policy TRA 1 Promoting sustainable connections
- Policy TRA 8 Ports, harbours and beach launch facilities
- Policy ENV 1 Impact of development on the natural, historic and built environment
- Policy MIN 1 Environmental criteria for assessing minerals proposals
- Policy MIN 2 Criteria for assessing the benefits of minerals proposals
- Policy MIN 3 Mineral and landfill site restoration, aftercare and after-use
- Policy MIN 4 Safeguarding mineral resources
- Policy MIN 6 Safeguarding minerals related infrastructure
- Policy MIN 7 Aggregate minerals
- Policy MIN 8 Aggregate mineral site allocations - Sand and gravel
- Policy MIN 9 Aggregate mineral site allocations - Crushed rock
- Policy MIN 10 Coal
- Policy MIN 11 Clays
- Policy MIN 12 Natural building and roofing stone
- Policy MIN 13 Conventional and unconventional oil and gas
- Policy MIN 14 Peat
- Policy WAS 1 Principles for the location of waste re-use, recycling and recovery facilities
- Policy WAS 3 Waste disposal
- Policy WAS 4 Safeguarding waste management facilities
- Policy INF 1 Delivering development related infrastructure