BASIC CONDITIONS STATEMENT

LESBURY NEIGHBOURHOOD PLAN – SUBMISSION VERSION 2019 - 2036

November 2019

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APPENDIX A: List of Strategic (saved) policies in the Alnwick District LDF Core Strategy DPD (2007) and the Alnwick District Wide Local Plan (1999) insofar as they relate to the Lesbury Neighbourhood Plan

1.0 Introduction

1.1 This statement sets out how the Lesbury 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 Lesbury Parish Council as the qualifying body for the designated neighbourhood plan area.

2.0 Submission Documents

- 2.1 All the documents required by part 5, paragraph 15 of the Neighbourhood Planning (General) Regulations 2012 (as amended) are included in the submission documents accompanying the Lesbury Neighbourhood Plan. Those requirements include provision of the following:
 - i) A map or statement which identifies the area to which the proposed neighbourhood development plan relates
- 2.2 Policies Maps are contained within the main body of the neighbourhood plan, showing detail in relation to relevant policy in the Plan. The Policies Maps were produced by Northumberland County Council for the Parish Council. It is considered that the maps included within the Neighbourhood Plan give enough clarity to give context to the policies.
- 2.3 The Policies Maps cover the villages of Lesbury, Hipsburn and Bilton, and show proposed settlement boundaries, settlement edges considered sensitive to new housing development, define the Northumberland Coast AONB, identifies Local Green Spaces, recreational spaces and allotments.

ii) A Consultation Statement

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

iii) The proposed neighbourhood development plan

- 2.5 The Lesbury Neighbourhood Plan (Submission Version 2019 2036) is submitted along with this statement.
 - iv) A statement explaining how the proposed neighbourhood development plan meets the requirements of paragraph 8(2) of Schedule 4B to the 1990 Act as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act; (otherwise known as the Basic Conditions Statement)
- 2.6 This statement is the Basic Conditions Statement. The basic conditions are identified in part 4 of this statement.

- v) An environmental report prepared in accordance with paragraphs (2) and (3) of regulation 12 of the Environmental Assessment of Plans and Programmes Regulations 2004; or where it has been determined under regulation 9(1) of those Regulations that the plan proposal is unlikely to have significant environmental effects (and, accordingly, does not require an environmental assessment), a statement of reasons for that determination.
- 2.7 A screening opinion was sought from Northumberland County Council during the Plan preparation period. The Lesbury 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

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

i) The draft Plan is being submitted by a qualifying body

- 3.2 This draft Plan is submitted by Lesbury Parish Council; the qualifying body. The Plan has been prepared by the Lesbury 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.
- 3.3 The Parish of Lesbury (forming the Plan area for the Lesbury Neighbourhood Plan) is entirely within Northumberland County. A Neighbourhood Area application was submitted under the Neighbourhood Planning Regulations 2012 (part 2 section 6) to Northumberland County Council who approved the application on 24th July 2017.
- 3.4 Copies of the Neighbourhood Area designation documents are available on the Northumberland County Council website.
- 3.5 The Parish of Lesbury was therefore designated as a Neighbourhood Area for the purposes of section 61(G) of the 1990 Act.

ii) What is being proposed is a neighbourhood development plan

3.6 The Lesbury Neighbourhood Plan contains policies that relate to planning matters (the use and development of land) and has been prepared in accordance with the statutory requirements and processes set out in the Town and Country Planning Act 1990 (as amended by the Localism Act 2011) and the Neighbourhood Planning Regulations 2012 (as amended).

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

3.7 The draft Plan identifies a 17-year period to which it relates: 2019 to 2036. This is designed to fit in with the Plan period in the emerging Northumberland Local Plan which is currently at examination stage.

- iv) The neighbourhood plan does not deal with excluded development such as strategic county matters (mineral extraction and waste development), nationally significant infrastructure or any other matters set out in Section 61K of the Town and Country Planning Act 1990.
- 3.8 None of the policies in the Plan relate to excluded development.
 - v) The proposed neighbourhood plan does not relate to more than one neighbourhood area and there are no other neighbourhood development plans in place within the neighbourhood area.
- 3.9 The Plan relates to the Lesbury Parish Neighbourhood Area, which is the designated neighbourhood area consisting of the Parish of Lesbury. The Plan does not contain policies or proposals that relate to any other area. There are no other neighbourhood plans relating to this designated neighbourhood area.
 - vi) The Neighbourhood Development Plan only contains policies relating to the development and use of land.
- 3.10 The Neighbourhood Plan contains policies relating to the development and use of land. Other proposals that are not related to the development and use of land are contained in Part 7 of the Plan, entitled 'Community Projects'.

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 polices 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 Lesbury Neighbourhood Plan has regard to national policies and advice contained in guidance issued by the Secretary of State is contained in Table 1 which sets out particular national policies and guidance in the NPPF relevant to policies in the submission Lesbury Neighbourhood Plan.
 - Basic Condition 2: The 'making' of the neighbourhood plan contributes to the achievement of Sustainable Development
- 4.4 The meaning of 'sustainable development' in this context is set out in paragraph 8 of the NPPF. Paragraph 8 identifies three objectives (economic objectives, social objectives and environmental objectives); the combination of which, contribute to the achievement of sustainable development. The objective of sustainable development can be summarised as 'meeting the needs of the present without compromising the ability of future generations to

meet their own needs'.1

4.5 Objective 1 in the Lesbury Neighbourhood Plan specifically relates to 'sustainable development'. To achieve that objective, it has four policies, including a specific policy to support Sustainable Development (Policy 1). Throughout the rest of the Plan, other policies and objectives weave in the concept of sustainable development by addressing all three areas of sustainable development (delivering economic objectives, social objectives and environmental objectives). How the policies deliver these objectives is summarised below:

Economic Objectives

'to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure' [para 8 NPPF]

4.6 Policy 1 supports development to provide small-scale rural business and economic development proposals. Objective 3 in the Plan is specifically related to community facilities but includes a policy to support the rural economy through the provision of visitor facilities, including at Alnmouth Railway Station which could become a 'hub' of economic and social activity in the future.

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 2 in the Plan focuses on housing. Policy 5 supports the delivery of affordable housing schemes on rural exception sites and supports Community Led Housing schemes.
- 4.8 Objective 3 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, the protection of existing recreational spaces and allotments. Policy 6 identifies specific facilities that will be supported. It also seeks to prevent the loss of existing 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 Lesbury Neighbourhood Plan has a number of policies that support the environmental

 $^{^{}m 1}$ Resolution 42/187 of the United Nations General Assembly – referred in paragraph 7 of the NPPF

objectives for sustainable development. Objective 1 of the Plan focuses on general sustainability principles, such as seeking high quality and sustainable development and protecting the special qualities of the Northumberland Coast AONB (which are qualities related to landscape, habitats and species).

- 4.10 Policy 2 has specific requirements for coastal mitigation (via the Northumberland Coastal Mitigation Service) as a result of recommendations that came out of the Habitats Regulations Assessment process. This policy will ensure that appropriate mitigation is sought from development which could otherwise have a significant effect on the European designated areas along the coast.
- 4.11 Policy 3 seeks to delivery high quality design, and includes a number of criteria to deliver environmental gains (such as reducing light pollution, securing a 'net gain' for biodiversity, incorporating SUDs, incorporating appropriate landscaping, etc.)
- 4.12 Objective 4 and Policies 8 and 9 seek to secure benefits for the historic environment with a specific policy for the Lesbury Conservation Area, and a policy that seeks to protect non-designated heritage assets which are defined in the Plan.
- 4.13 In combination, it is considered that this Plan will contribute to the achievement of sustainable development as defined in the NPPF and therefore meets the second Basic Condition. Table 1 assesses each policy in the Plan against the objective of delivering sustainable development.

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

- 4.14 The Lesbury Neighbourhood Plan area lies entirely within Northumberland County Council. On 1st April 2009, Northumberland County Council became a unitary authority, and therefore the Local Planning Authority for the area. Prior to this, the Parish of Lesbury was within the Alnwick District Council Local Planning Authority area.
- 4.15 Northumberland County Council has yet to produce a Local Plan for the County (although the emerging Northumberland Local Plan has now been submitted (29th May 2019) and commenced examination (8th October 2019). This examination is still ongoing and will continue into 2020. Although the Northumberland Local Plan (NLP) is not yet part of the Development Plan, it is nevertheless considered important to assess the Lesbury Neighbourhood Plan against the emerging NLP as well as against the current Development Plan.
- 4.16 The current Development Plan consists of 'saved' policies in the Alnwick District LDF Core Strategy DPD (2007) and the Alnwick District Wide Local Plan (1999).
- 4.17 Northumberland County Council has provided the qualifying body (Lesbury 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).
- 4.18 The neighbourhood plan must be in 'general conformity' with strategic policy. Paragraph 074² of the National Planning Practice Guidance gives an explanation of what is meant by 'general conformity':
 - When considering whether a policy is in general conformity a qualifying body, independent examiner, or local planning authority, should consider the following:
 - whether the neighbourhood plan policy or development proposal supports and upholds the general principle that the strategic policy is concerned with.
 - the degree, if any, of conflict between the draft neighbourhood plan policy or development proposal and the strategic policy.
 - whether the draft neighbourhood plan policy or development proposal provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining that policy.
 - the rationale for the approach taken in the draft neighbourhood plan and the evidence to justify that approach.'
- 4.19 Each policy in the plan has been tested against the relevant strategic policies in the current Development Plan (and the emerging NLP).
- 4.20 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.
- 4.21 The conclusions in Table 1 highlight two areas of slight conflict with local strategic policy contained in the Alnwick District LDF Core Strategy DPD (2007). These areas of conflict are highlighted in red in Table 1. There have been significant changes in the local context and in

² (Reference ID: 41-074- 20140306)

national planning policy since these policies were written. As such it is considered that the rationale for the approach taken in the Plan is well evidenced and justified as explained below.

Conflict identified: Policy 1 (part d) and Policy 3 (part a) conflict with Policies S1, S10 and S14 in the Alnwick LDF Core Strategy DPD (2007): 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). It further states that tourism development proposals 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 1d) in the Lesbury 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.

- 4.22 An assessment of conformity with current national policy indicates there are no conflicts with national planning policy, or national planning practice guidance.
- 4.23 There have been a number of meetings and consultations with planning officers at Northumberland County Council to ensure that the Lesbury Neighbourhood Plan is in accordance with emerging policy in the Northumberland Local Plan.
- 4.24 The identified conflicts have been thoroughly 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.

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

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)	
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). Paragraphs 77 and 78 are relevant to policies on housing. Paragraph 83 is relevant to the aspects of the policy that seek to support new, and expanded social, community, leisure and educational facilities in the settlements, as well as the support for small-scale rural business and economic development proposals. The policy clarifies the meaning of small-scale and clarifies how this can still mean 'major' development in the context of development within the AONB according to NPPF (paragraph 172, footnote 55).	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 community-led housing and rural exception site housing to maintain a balanced community) and environmental objectives (recognising the importance of the AONB and the Heritage Coast). This policy (combined with the Policies Map) defines settlement boundaries for Lesbury, Hipsburn and Bilton. This will achieve economic objectives (certainty to developers about where development is, and is not appropriate), and environmental objectives, by protecting landscapes around the settlements and in particular, the AONB and	Alnwick District LDF Core Strategy DPD (2007) [Policy S1] 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'. Policy S1 identifies Lesbury, Hipsburn and Bilton [and Alnmouth, which is not in the Neighbourhood Area) as 'Sustainable Village Centres' where development can be accommodated where it is well-related to the scale and function of the settlement. Policy S2 sets out a sequential approach to development. This policy is no longer consistent with national planning policy in the NPPF and it is considered that it is therefore out of date. Policy S3 sets out 'sustainability criteria' in new development. The policies in the Lesbury Neighbourhood Plan do not conflict with any of these	

Heritage Coast. Given the sensitive location of Lesbury, Hipsburn and Bilton due to their proximity to these designated areas, coupled with the large amount of development which has taken place over recent years in the Neighbourhood Area, it is considered that this approach will deliver development which will not harm the special character of the area.

Proposed settlement boundaries are drawn relatively tightly round the settlements; however, there is still scope for some further 'infill' development. The Neighbourhood Area has almost met its housing requirement of 45 dwellings over the Plan period (set out in the emerging Northumberland Local Plan), having already had planning permission given for 39 dwellings since end March 2016.

principles. Policy S10 seeks to support tourism development and this is reflected in Policy 1.

There is however some conflict with part d) of Policy 1, which supports small scale rural business proposals (in combination with Policy 3) in the open countryside. This does not conform with Policies set out in the strategic plan which require a sequential test and do not have as 'open' an approach to rural/business development in the countryside.

It is considered however, that policy in the NPPF (in particular, policy set out in paragraphs 83 and 84) means that these policies are out of date and the Neighbourhood Plan policy is in line with more up to date policy (including in the emerging NLP).

Other strategic policies in relation to sustainable development are listed in Appendix A — many of these policies are relevant in some way to Policy 1, 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.

Alnwick District Wide Local Plan (1999)

Policy RE16: (Protection of the Northumberland Coast AONB), and Policy RE20: (Rural diversification

proposals) are consistent with the aims of Policy 1. Other elements of Policy 1 do not undermine any of the other strategic policies identified in the ADWLP.
Emerging Northumberland Local Plan (NLP):
The policy is in general conformity with emerging strategic policy in the NLP; in particular, Policy STP1 (Spatial Strategy) which identifies Lesbury, Hipsburn and Bilton as 'Service Villages' which will provide for a proportionate level of housing and be the focus for investment in rural areas, to support the provision and retention of local retail, services and facilities. STP2 (Presumption in favour of sustainable development) and STP3 (Principles of sustainable development are relevant, and there are no conflicts identified with these policies.

Policy 2: Northumberland Coastal Mitigation Service			
Basic Condition 1 (having regard to National Planning policy and Practice)	Basic Condition 2 (contributing to the achievement of sustainable development)	Basic Condition 3 (general conformity with strategic planning policy)	
This policy has been drafted to ensure that mitigation identified as necessary in the Habitats Regulations Assessment Report is incorporated into the Plan. Paragraph 174 states that plans should promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species'. This policy will ensure that development that increases pressure on nearby protected sites and priority species will include provision towards the County Council's Coastal Mitigation Fund, which seeks to mitigate damage caused to the designated areas by providing dog wardens and other measures to reduce the impact of visitors on protected species.	This policy contributes to the achievement of sustainable development by ensuring that mitigation is incorporated into the Plan to offset impacts of additional residential and/or holiday units on European sites.	Alnwick District LDF Core Strategy DPD (2007) [Policy S12] Policy S12 in the Alnwick Core Strategy is about protecting and enhancing biodiversity and geodiversity. In part, Policy 2 is consistent with Policy S12, although Policy 2 has a narrow function compared to Policy S12. There is no conflict identified with other strategic policies in the Core Strategy DPD. Alnwick District Wide Local Plan (1999) Policies RE6, RE7 and RE13 are about protecting habitats. This policy is consistent with the aims set out in those policies and is not in conflict. Emerging Northumberland Local Plan (NLP): Policy ENV1 sets out approaches to assessing the impact of development on the natural (historic and built) environment. The supporting text to this policy explains the Coastal Mitigation Service and how it is intended to function in order to protect internationally significant wildlife areas. This is consistent with Policy 2.	

Policy 3: Settlement Boundaries			
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)	
Policy 3 supports development within the 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. This policy relates to development outside the defined settlement boundaries. There is no conflict identified 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. Paragraph 78 refers to rural housing development and paragraph 79 sets out the circumstances in which new homes may be acceptable in the countryside. Policy 3 reflects these principles as well as supporting business and tourism development outside settlement boundaries	Policy 3 supports the principles of sustainable development. Whilst supporting development within settlement boundaries in Policy 1, this policy seeks to define what types of development are likely to be acceptable outside settlement boundaries, with the overarching principle being the conservation of the AONB, Heritage coast and scenic beauty of the Neighbourhood Area.	Alnwick District LDF Core Strategy DPD (2007) [Policy S1, Policy S13, Policy S14] 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'. Policy S1 identifies Lesbury/Hipsburn and Bilton villages as 'Sustainable Village Centres' where development can be accommodated where it is well-related to the scale and function of the settlement. Policy S14 'Development in the open countryside' 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 (Sustainability criteria) 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. Applicants are required to carry out a sequential test	

which is also supported in the NPPF (paragraphs 83 and 84).	to demonstrate that no other suitable site is available. There is some conflict identified with part a) of Policy 3 with strategic policy identified above. Principally, Policy 3 does not identify the need to complete a 'sequential test' and does not comply with other policies related to tourism and business proposals in the open countryside. It is considered that this policy conflict is not a concern, as the sequential test is no longer part of national planning policy. It is therefore clear that this part of Policy S3 is out of date. It is therefore rational for Policy 3 not to follow this particular approach. Policy 3 does not require development to meet the same set of 'sustainability criteria' that are set out in Policy S3. However, the policy does not undermine the purpose of policy S3 which can be read alongside
	Policy 3 does not require development to meet the same set of 'sustainability criteria' that are set out in Policy S3. However, the policy does not undermine the purpose of policy S3 which can be read alongside Policy 3 of the Lesbury Neighbourhood Plan without conflicting with it. In addition, Policy 4 in the Lesbury Neighbourhood Plan contains a set of criteria which are well aligned with many of the principles set out in Policy S3.
	Policy S13 is about landscape character. Policy 3 is closely aligned with the objectives.

Alnwick District Wide Local Plan (1999) [Policy RE16]
There are no specific policies that are relevant to
settlement boundaries. However, Policy RE16 is about the protection of the AONB, and the definition
of the settlement boundary for Lesbury, Hipsburn
and Bilton does achieve the protection of the AONB.
Emerging Northumberland Local Plan (NLP):
The policy is in general conformity with emerging
strategic policy in the NLP; in particular, Policy STP1
(Spatial Strategy) which identifies Lesbury, Hipsburn
and Bilton as a 'Service Village'. Policies ECN12 and 13 are about supporting rural economic growth and
meeting rural employment needs, consistent with
Policy 3. The emerging NLP has policies about
exception sites and residential development in the
open countryside, but these policies are not
identified as 'strategic'.

POI	ICy 4:	Design in	i new De	evelopme	ent

Basic Condition 1 (having regard to national policy and guidance)

Policy 4 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, with an emphasis on sustainable/low carbon building principles.

Chapter 12 in the NPPF is about achieving well-designed places. It states that good design is a key aspect of sustainable development. Plans should set out a clear design vision but should not be over prescriptive. This policy seeks to achieve the right balance, by identifying a series of criteria that are most relevant to this Neighbourhood Area without being overly prescriptive.

NPPF 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

Basic Condition 2 (contributing to the achievement of sustainable development)

Policy 4 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.

This policy seeks to integrate sustainable building principles into new development as part of high-quality design.

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 sustainable new 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.

Basic Condition 3 (general conformity with strategic planning policy)

Alnwick District LDF Core Strategy DPD (2007)

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').

Alnwick District Wide Local Plan (1999)

There are no specific polices 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 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

poor design should not be supported.	Policy QOP1 (Design principles).
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.	

Policy 5: Rural Exception Sites and Community Led Housing			
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)	
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.	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. The policy also meets environmental objectives by ensuring that sensitive settlement edges are conserved, as are key views into and out of the settlements.	Alnwick District LDF Core Strategy DPD (2007) [Policy S6] Policy S6 refers to exception sites. The policy approach on exception 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 5 is not 100% in conformity with Policy S6, it is broadly aligned, and not in conflict. Alnwick District Wide Local Plan (1999) There are no saved strategic policies in relation to exception sites and community led housing. Emerging Northumberland Local Plan (NLP) Policy HOU7 refers to exception sites. However, it is not identified as a 'strategic' policy. Notwithstanding this, Policy 5 does not conflict with emerging policy HOU7 which is based on the NPPF.	

Policy 6: Community, Recreational and Visitor Facilities			
Basic Condition 1 (having regard to National Planning policy and Practice)	Basic Condition 2 (contributing to the achievement of sustainable development)	Basic Condition 3 (general conformity with strategic planning policy)	
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 Lesbury Parish and support the communities' health, social and cultural well-being. The policy seeks to be as locally specific as possible, by identifying particular facilities that are needed or which will be supported within the policy.	Alnwick District LDF Core Strategy DPD (2007) [Policy S18, Policy S20] Policy S18 (first part) supports the provision of new and improved social and community facilities. This is consistent with Policy 6 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. Alnwick District Wide Local Plan (1999) There are no saved strategic policies in relation to this matter. Emerging Northumberland Local Plan (NLP) There are no strategic policies in relation to community facilities. Policy INF2 is about community services and facilities, and INF4 is about Assets of Community Value. Neither of these policies is identified as strategic.	

Policy 7: Local Green Spaces, Recreational Spaces and Allotments			
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)	
NPPF paragraph 100 gives local communities the opportunity to identify areas as Local Green Space, providing that the green space is in reasonably close proximity to the community it serves, and is demonstrably special to the local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife and where it is local in character and not an extensive tract of land. The Local Green Spaces identified in this Neighbourhood Plan meet the requirements set out above, and evidence is provided to demonstrate that in the form of background evidence papers, and information within the Plan itself. The policy states that the management of the Local Green Spaces should be consistent with those for green belts, as required in NPPF paragraph 101. The policy separates out those areas that are designated as Local Green Spaces from those that are recreational areas and those that are allotments.	The provision and retention of Local Green Spaces contributes to the achievement of sustainable development and is key to ensuring that people have suitable access to green spaces. The spaces identified are highly valued by the local community. The areas identified are important to sustain a vibrant and healthy community and contribute to a high-quality sense of place in the settlements. The designation of these areas is done in combination with other policies in the plan to support sustainable development.	Alnwick District LDF Core Strategy DPD (2007) [Policy S20] Local Green Spaces did not exist (in the way they are now defined in planning policy) at the time the Local Plan was 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). Policy S20 is a policy which supports the provision of open space for sport and recreation. Two areas are identified as recreational spaces (RS1 and RS2) and their identification as such and conservation as such, is consistent with Policy S20. In addition, Policy S12 is about protecting and enhancing biodiversity. A number of the LGS designations are valued for their richness of biodiversity. Alnwick District Wide Local Plan (1999) There are no specific policies identified in relation to Local Green Spaces, recreational areas or allotments.	

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Policy 8: The Lesbury Conservation Area				
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)		
Policy 8 has clear regard to National Planning Policy contained in Chapter 16 of the NPPF. Consultation on the Plan has been undertaken with Historic England, who also supported (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 Lesbury Conservation Area, drawing out key elements identified in the Conservation Area Appraisal.	A crucial part of sustainable development is the conservation of the historic environment. This policy which specifically seeks to conserve the Lesbury Conservation Area and its setting is consistent with the principles of sustainable development.	Alnwick District LDF Core Strategy DPD (2007) [Policy S16] 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. 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 8 is broadly aligned and certainly does not conflict with the essence of Policy S16.		
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.		Alnwick District Wide Local Plan (1999) There are no saved policies related to the historic environment or conservation areas. Emerging Northumberland Local Plan (NLP): The policy is in general conformity with 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 8 in the NP gives a local
dimension, identifying specific features in the
conservation area that contribute to its
significance.

Policy 9 Non-Designated Heritage Assets			
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)	
Paragraph 197 in the NPPF 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 9. A list of non-designated heritage assets has been identified by the local community using guidance from Historic England. Although this list is not exhaustive, it identifies those non-designated assets that are best known and valued in the local community for their historic significance. They are listed in an appendix to the Plan, with a link to a more substantial document that assesses their significance.	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 positive improvements to the local environment.	Alnwick District LDF Core Strategy DPD (2007) [Policy S15] 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 9 is consistent with the principles set out in Policy S15. Alnwick District Wide Local Plan (1999) There are no saved policies related to the historic environment or conservation areas. Emerging Northumberland Local Plan (NLP): The policy is in general conformity with emerging strategic policy in the NLP; in particular, Policy ENV1.	

Policy 10: Parking and Highways Improvements at Alnmouth Railway Station		
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)
This is a positive policy which seeks to improve safety and allow an expansion to a car park (which is already at capacity), particularly in view of the potential additional capacity that may be required when the Aln Valley Railway connects to the station (linking Alnwick with Alnmouth Railway Station). There are no conflicts with national planning policy identified.	This proposal is consistent with the principles of sustainable development as it is seeking to support the continuing use of the railway (which is heavily used by commuters locally). The policy requires the installation of electric charging points as part of any car park expansion.	Alnwick District LDF Core Strategy DPD (2007) This document contains no specific policies that relate to Alnmouth Station. Alnwick District Wide Local Plan (1999) There are no policies that specifically relate to Alnmouth Station. Emerging Northumberland Local Plan (NLP) Strategic policy TRA1 is about promoting sustainable connections. Part c) of this policy is about promoting sustainable transport choices, and part f) is about supporting the delivery of reliable, safe and efficient transport networks. Part g) requires development to be designed to enable charging of vehicles.

Policy 11: Improvements to Walking and Cycling Routes				
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)		
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, 104 d) all promote the improvement of pedestrian and cycle routes for environmental and health benefits. Policy 11 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.	the health of the population through improved walking and cycling infrastructure contributes to the achievement of sustainable development, by encouraging healthy communities. Proposals set out in Policy 11 will not only benefit members of the community, but also be a benefit to visitors to	Alnwick District LDF Core Strategy DPD (2007) [Policy S20] 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. Alnwick District Wide Local Plan (1999) There are no saved strategic policies in relation to this matter. Emerging Northumberland Local Plan (NLP) 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.'		

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.
- 4.27 The Environmental Report (dated 18th October 2019) was produced by Northumberland County Council for the qualifying body. The conclusions set out in paragraph 6.93 of that report conclude that: 'Overall the Lesbury Neighbourhood Plan is likely to lead to positive or neutral environmental effects.' The full Environmental Report and the Habitats Regulations Assessment Report are included in the submission documents. Details of the specific elements from these reports that were incorporated into policies in the Plan is contained in the Consultation Statement. Responses to the consultation on the Environmental Report are also contained in the Consultation Statement.
- 4.28 It should be noted that the Environmental Report was prepared on the version of the Plan which had not yet incorporated an additional policy (Policy 2) to reflect the mitigation requirements of the Habitats Regulations Assessment. It was decided that instead of adding in paragraphs with regard to mitigation into a number of policies in the Plan, that it would be easier to create a stand-alone policy on mitigation, which would apply to all development likely to result in a netgain of visitors or residents to the Neighbourhood Area. This has since been incorporated into the Submission version of the Neighbourhood Plan. Therefore, numbers of policies referred to in the Environmental Report differ from the policy numbers in the Submission Plan.
- 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 sites as a result of the plan's implementation (either alone or 'in combination' with other plans or projects); and, if so, whether these effects will result in any adverse effects on that site's integrity with reference to the site's conservation objectives. The process by which the effects of a plan or programme on European sites are assessed is known as 'Habitats Regulations Assessment' (HRA).
- 4.30 In accordance with the Habitats Regulations, an HRA screening exercise was undertaken to identify the likely impacts of the Pre-Submission Draft Lesbury Neighbourhood Plan upon European sites, either alone or 'in combination' with other projects or plans, and to consider whether these effects are likely to be significant.
- 4.31 A screening opinion was sought from Northumberland County Council, and it was concluded that a HRA would also be required. This HRA Report (dated October 2019) was produced by Northumberland County Council for the qualifying body and is included in the submission documents.

European Convention on Human Rights (ECHR)

4.32 The Lesbury 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)

- 4.33 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.'
- 4.34 The accompanying Habitats Regulations Assessment concludes that with some minor additions to the wording in some policies (which have been incorporated by providing an additional policy (Policy 2) which identifies the need to mitigate increase in disturbance to designated sites through the contribution to the Northumberland Coastal Mitigation Service where there is a net-gain in residential or visitor units) 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 Lesbury 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
- 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

Lesbury Neighbourhood Plan

The current statutory development plan for the Lesbury 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 Lesbury 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 Lesbury 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

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 RE13: Protecting wildlife habitats

Policy RE16: Protection of the AONB

Policy RE20: Rural diversification proposals

Policy RE21: Control of new agricultural buildings

Policy RE23: Development in the open countryside

Policy BE2: Regional and local archaeological significance

Policy H10: Residential development in open countryside

Policy TT1: Controlling the redevelopment of public transport facilities

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