

Stainton and Thornton Neighbourhood Plan.

Basic Conditions Statement

1. Legal requirements

1.1 This statement has been prepared by the Stainton and Thornton Neighbourhood Planning Group on behalf of Stainton and Thornton Parish Council to accompany its submission to Middlesbrough Borough Council of the Stainton and Thornton Neighbourhood Development Plan under section 15 of the Neighbourhood Planning Regulations 2012.

1.2 The Neighbourhood Plan has been prepared by the Planning Group on behalf of Stainton and Thornton Parish Council, a qualifying body, for the area covering the whole of the Parish of Stainton and Thornton as designated by Middlesbrough Borough Council on the 7th March 2017.

1.3 The plan proposal relates to planning matters (the use and development of land) in the designated neighbourhood area and covers the period from 2020-2035. It does not contain policies relating to excluded development as laid out in the regulations.

1.4 The following statement will address each of the four basic conditions required of the Regulations and explains how the Neighbourhood Plan meets the requirement of paragraph 8 of schedule 4B to the 1990 Town and Country Planning Act.

1.5 The Regulations state that the Neighbourhood Plan will have met the basic conditions if it:

Has regard to national policies and advice contained in guidance issued by the Secretary of State;

Contributes to the achievement of sustainable development;

Is in general conformity with the strategic policies of the Local Development Plan of Middlesbrough Borough Council 2014.

Is compatible with EU and ECHR obligations.

2. Having regard to National planning Policy

The Neighbourhood Plan has been prepared having regard to the policies set out in the NPPF of February 2019, alongside the NPPG published by the Government in April 2014 in relation to the formation of Neighbourhood Plans.

3. General conformity with the strategic policies of the Local Plan.

The Neighbourhood Plan has been prepared to ensure that it is in general conformity with the current local plan adopted by the LPA in 2014, the Middlesbrough Local Development Framework, Core Strategy adopted February 2008 and the LDF regeneration Development Plan Document adopted February 2009.

4. Compatibility with EU obligations and legislation.

The Neighbourhood Plan has regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and complies with the Human Rights Act. Emphasis has been placed throughout the consultation process to ensure that no sections of the community have been isolated or excluded.

In some limited circumstances, where a Neighbourhood Plan could have significant environmental effects, it may require a Strategic Environmental Assessment (SEA) under the relevant EU Directive.

National planning guidance suggests that, whether a Neighbourhood Plan requires a SEA, will depend on what is proposed in the Plan.

A SEA may be required for example, where:

A Neighbourhood Plan allocates sites for developments

The Neighbourhood Plan contains sensitive natural or heritage assets that may be affected by the proposals in the plan and

The Neighbourhood Plan may have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the Local Plan.

The Neighbourhood Planning Group concluded that their plan does not require a SEA and that it is compliant with EU obligations in terms of the Strategic Environmental Directive because it does not contain any of the proposals indicated above.

Habitats Directive.

An appropriate assessment was undertaken for the Council's Housing Local Plan. This included an Issues and Options Appropriate Assessment Screening report- May 2012 and a preferred Options Habitats Regulations Assessment (HRA)- January 2013. The Appropriate Assessment showed that the Council's Housing Local Plan was unlikely to have any significant effects on the nearest SAC and SPA sites at Teesmouth and the Cleveland Coast SPA/Ramsar site and the North Yorks Moor SAC and SPA, it was therefore decided that the Habitats Directive was not considered to be relevant to the Stainton and Thornton Neighbourhood Plan.

The following sets out the policies in the Stainton and Thornton Neighbourhood Plan and how they relate to the current NPPF and the current adopted MBC Local Plan, 2014.

Policy ST 1 Green Spaces and Green Infrastructure.

Conforms with NPPF 15 Conserving and enhancing the natural environment, section 170.

Policy ST 2 Heritage.

Conforms with NPPF 16 Conserving and enhancing the historic environment.

Policy ST 3 Community Assets.

Conforms with NPPF 16 Conserving and enhancing the historic environment and NPPF 6 Building a strong competitive economy, section 83 (d) retention of community facilities.

Policy ST 4 Traffic/Parking/Public Transport and Roads.

Conforms with NPPF Strategic Policy section 20 (b) infrastructure and transport and NPPF 9 Promoting sustainable transport.

Policy ST 5 Infrastructure and Rights of Way.

Conforms with NPPF 9 Promoting sustainable transport section 102 (c) and section 104 (d)

Conforms with NPPF 8 Promoting healthy and safe communities.

Policy ST 6 Services/Schools/Shops/Unicorn Centre/Larchfield.

Conforms with NPPF 8 Promoting healthy and safe communities, section 92 (d), ensuring existing facilities are retained and able to develop.

Section 94 ensure that enough choice of school places is available to meet the needs of existing and new communities/developments.

Policy ST 7 Site and Design/Height, size and type of buildings

Conforms with NPPF 2. Achieving sustainable development.

Policy REG4 LDF Regeneration Development Plan 2009 and Policy H23 of the adopted Housing Local Plan 2014 suggest that any residential development should be built to provide a variety and diversity in layout and design. Apartments will not be permitted.

Policy ST 8 Rate of new builds/density/landscaping/green corridors.

Conforms with NPPF 11 section 122 and 123 achieving appropriate densities

Conforms with NPPF 15 Conserving and enhancing the natural environment,

Section 174 Habitats and biodiversity a) Identify map and safeguard components of local wildlife-rich habitats and wildlife corridors.

Conforms with Policy H23 (g) of the HLP 2014 green corridors should be incorporated within the layout of any development to facilitate the movement of wildlife.

Policy ST 9 Developer contributions and Planning Obligations.

Conforms with NPPF 4 section 34 Development contributions.

Policy ST 10 Wind and Solar Energy

Conforms with NPPF 14 section 151