

THORNER NEIGHBOURHOOD PLAN 2021 - 2033

Conditions Statement

JULY 2023



THORNER PARISH COUNCIL

Thorner Steering Group Committee

Richard Bould

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Thorner Parish Council – Neighbourhood Plan 2022 – 2033

Basic Conditions Statement

June 2023

Introduction and Background

Thorner is situated 8 miles north-east of Leeds. It is a prosperous rural village with strong links to its surrounding agricultural landscape. According to the 2009 update of the 2001 Census, Thorner has a population of 1500 living in over 750 households and dwellings.

The neighbourhood planning process, which commenced in May 2012 has developed a coherent vision for the future of the parish:

"Our vision is to maintain the character of Thorner as a distinctive rural community set in a special landscape setting, conserving its rich historic and architectural heritage, and ensuring that new development reflects the qualities and characteristics that people value in the Parish.

Existing green spaces within the parish will be protected and retained for the benefit of the community, which will also benefit from enhanced pedestrian and cycle connectivity."

1. Legal Requirement

This Basic Condition Statement has been prepared in support of the Thorner Neighbourhood Plan (TNP). It demonstrates how the Plan meets the statutory requirements set out within the Town and Country Planning Act 1990 (as amended by the Localism Act 2011) and the Neighbourhood Planning Regulations 2012.

The plan presented for pre-submission consultation (draft TNP) has been produced by Thorner Neighbourhood Plan Steering Group of Thorner Parish Council, a qualifying body as defined by the Localism Act 2011 and refers solely to the area within the Parish boundary (Figure 1). The TNP covers a Plan Period of 11 years, between 2022 and 2033.

The draft TNP refers only to planning matters (use and development of land) and does not deal with 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.

This statement addresses each of the four “basic conditions” required of the Regulations and explains how the Neighbourhood Plan meets the requirements of paragraph 8 of Schedule 4B of the Town & Country Planning Act. The Regulations state that a Neighbourhood Plan will be considered to have met the basic conditions if:

- 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.
- The making of the neighbourhood development plan contributes to the achievement of sustainable development.
- 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 of LEEDS MDC (or any part of that area).
- The making of the neighbourhood development plan does not breach, and is otherwise compatible with, EU obligations.

2. Submission of Supporting Documents and Evidence

2.1. As part of the Basic Conditions Statement, an Assessment of Compliance has been prepared, testing all policies within the draft Thorner Parish Council Neighbourhood Plan against the principles of sustainable development, NPPF regulation, and strategic policies of the NSDC Core Strategy and Allocations & Development Management Development Plan Document. The result of the Assessment of Compliance has been summarised in the table at Appendix 1.

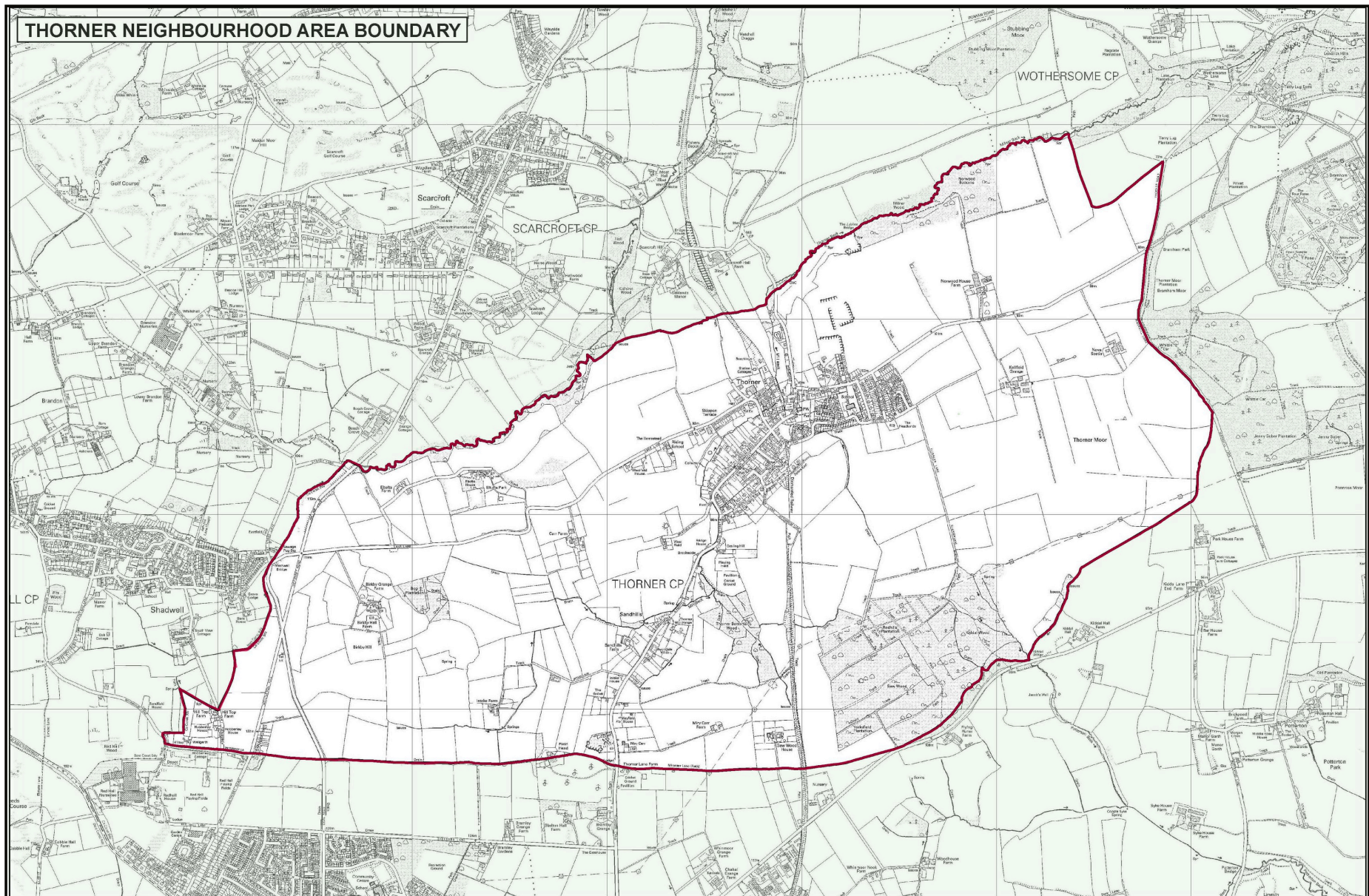
2.2. The definition of sustainable development employed in the Assessment of Compliance has been derived from the NPPF's definition:

“There are three dimensions to sustainable development: economic, social, and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

- *An economic role - contributing to building a strong, responsive, and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure.*
- *A social role - supporting strong, vibrant, and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high-quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and*
- *An environmental role: contributing to protecting and enhancing our natural, built, and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.”*

(Ref: NPPF 2021 paragraph 8)

Boundary Page - Figure 1



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DATE: 21/08/2017



3. Basic Conditions

3.1. Conformity with National Planning Policy.

The Thorner Neighbourhood Plan has been prepared having regard to national policies as set out in the National Planning Policy Framework (NPPF) of 2021. It is also taken account of the National Planning Practice Guidance (NPPG) published by the Government in 2021 in respect of formulating neighbourhood plans.

3.1.1 Paragraph (11) of the NPPF (2021) - Application of Presumption: The Thorner Neighbourhood Development Plan contains policies which support the development needs of the Local Plan including housing and employment.

3.1.2 Paragraph 29 of the NPPF (2012) – Develop a Shared Vision: the community of Thorner has been actively engaged in developing a shared vision in the past, which led to the production of a Village Design Statement published in December 2011. The current (Draft) Thorner Neighbourhood Plan is based on this shared vision.

3.1.3 Paragraph 13 (2012) NPPF - General conformity with the strategic policies of the Local Plan: During the production of the Thorner Neighbourhood Plan the Steering Group has consulted with the local planning authority in order to ensure that the Plan is in general conformity with the saved policies of the Leeds City Council Plan (2014) How the Neighbourhood Plan is in general conformity with the Local Plan is described in more detail in Section 3.

NB: We note LCC plan is under review.

3.1. Conformity with National Planning Policy

NP Policy	NP Page ref	NPPF (2021) paragraph reference	How Conformity is achieved
Theme A - Development			
A1 - Design of New Development	Page 13	124 126 – 136 179,180,181, 189,195	This policy ensure that design of new development responds to and interprets the local character, <u>appearance</u> and history of Thorne and that such development has the necessary infrastructure, parking provision and amenities. This policy promotes design characteristics for new development that reinforce local identity, that are respectful of the Thorne character and that improve the visual impact of private-public boundaries.
A2 - Building Extensions	Page 15	126 – 136	As above. Most new dev is due to <u>bdg</u> extensions which are part of same planning constraints
A3 - Garden Development	Page 17	137,138, 149 174,175,179,182	This policy protects designated and non-designated sites of particular biodiversity at the same time protect green facilities that contribute to and enhance the community's health and social wellbeing
A4 - light Constraints	Page 19	174, 179, 180, 189 - 192	This policy protects designated and non-designated sites of particular biodiversity at the same time protect green facilities that contribute to and enhance the community's health and social wellbeing
A5 - Parking	Page 21	107,	This Policy ensures that new development has the necessary infrastructure, parking provision and amenities.
A6 - Flooding	Page 23	152,154 159,160,161,167,167,169	This policy ensures that new development does not impact on existing flood patterns or drainage systems
Theme B – Green Spaces			
B1 - Local Green Spaces	Page 25	8b,181,126,127,128,130,131 Sports 92c,98,99,101,102	This policy protects existing green infrastructure and public right of way, promoting alternative means of transportation, protecting sites of particular biodiversity values and green facilities that contribute to enhance the community's health and social wellbeing
B2 - Trees	Page 27	8b, 131,139,140,174 to 176	
B3 - Views	Page 29	8b 130, 174,189	This Policy ensures that new development outside the village curtilage is motivated by objective need and that it is respectful of the distinctive landscape and natural environment of the parishes
B4 - Pedestrian & Cycle Links	Page 31	92c, 100, 104, 112,	This policy promotes sustainable means of transportation like cycling and walking and ensures adequate access to open spaces and green infrastructure is in place.

3.2 Conformity with saved policies of Leeds Local Plan

NP Policy	Local Plan (ref. saved Policies) & Core Strategy 2019	How Conformity is achieved
Theme A - Development	CS = Core Strategy 2019	
A1 - Design of New Development	H2, H3, P10, P11, T12, G1, G2, G4, G6, G8, G9 SP10 EN1, EN5, EN6	This Policy references all sites which are in general conformity with the Growth Level of the Leeds Local Plan, within the current village curtilage, respectful of the setting and appearance of the area and ensures that such development has the necessary infrastructure, parking provision and amenities. This policy also allocate site for provision of social housing.
A2 - Building Extensions	H2, H3, P10, P11, T12, G1, G4, G6, G8 EN5	This Policy references all building extensions which are in general conformity with the Growth Level of the Leeds Local Plan, within the current village curtilage, respectful of the setting and appearance of the area and ensures that such development has the necessary infrastructure, parking provision and amenities. This policy also allocate site for provision of social housing.
A3 – Backland Development	H2, H3, P10, P11, T12, G1, G2, G4, G6, G8, G9 EN5	As above plus biodiversity requirements.
A4 - Light Constraints	H2, G1, G8, P10, P11, P12	Preserve Local Character & Protecting biodiversity
A5 – Parking	T12, T2, P10	This policy ensures that new development does not increase on road parking and that there is adequate space to park off road.
A6 – Flooding	EN5	This policy ensures that new development takes account of existing flood plains in the village and that new development does not increase flooding risks.
Theme B – Green Spaces		
B1 - Local Green Spaces	Spatial Policy 10, H2, P9, G1, G4, G8, G9	This policy protects existing green infrastructure and public right of way from the impact of future development and promotes alternative means of transportation, such as walking and cycling.
B2 – Trees	G1, G2	
B3 – Views	P11, P12	
B4 - Pedestrian & Cycle Links	T12, P10	This policy protects existing green infrastructure and public right of way from the impact of future development and promotes alternative means of transportation, such as walking and cycling.

4. Compatibility with EU Obligations and Legislation

4.1. The Thorner Neighbourhood Development Plan has regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and comply with the Human Rights Act.

4.2. An email was issued by Leeds City Council on 24/06/20 confirming that neither a Strategic Environmental Assessment (SEA) nor a Habitat Regulations Assessment (HRA) was not required. A copy is attached at Appendix 1. The full report will be submitted at the pre-submission consultation stage.

4.3. The Neighbourhood Area is not near any European designated nature sites, so it does not require an Appropriate Assessment under the EU Habitats Regulations.

5. Conclusion

5.1. The Basic Conditions as set out in Schedule 4B to the Town & Country Planning Act 1990 are met by the Thorner Neighbourhood Plan and all the policies contained within it.

Appendix 1

From: Miladinovic, Abbie <abbie.miladinovic@leeds.gov.uk>

To: 'Richard Bould' srichsgp@yahoo.com>

Sent: Wednesday, 24 June 2020, 15:22:19 BST

Subject: Thorner NP SEA-HRA Screening Report

Hi Richard,

Hope all is well with you.

As previously mentioned, we have now completed the screening exercise for the draft Thorner NP (based on the latest version of the plan) which determines whether the NP will require an Environmental Assessment or Habitats Regulations Assessment.

The screening report concludes that neither an Environmental Assessment or Habitat Regulations Assessment are required. If the nature of the plan changes materially then we will need to revisit the screening. This screening report should be made available at the pre-submission consultation stage.

Many thanks,

Abbie

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