

Basic Conditions Statement

Terrington Neighbourhood Plan

Final Version
January 2025

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1. Introduction

- 1.1. This Statement has been prepared by Terrington Parish Council (TPC) to accompany the Terrington Neighbourhood Plan 2024-2039 (Submission Version 2025) on submission to North Yorkshire Council (NYC) under regulation 15 of the Neighbourhood Planning (General) Regulations 2012 as amended (“the Regulations”).
- 1.2. The Neighbourhood Plan has been prepared for the Neighbourhood Area covering the whole of the Parish, as designated by North Yorkshire Council on 18th May 2023. (Figure 1 below).
- 1.3. The policies described in the Neighbourhood Plan relate to the development and use of land in the designated Neighbourhood Area and do not relate to any other designated Neighbourhood Area. The plan period is from 1st April 2024 to 31st March 2039.
- 1.4. The Neighbourhood Plan does not contain policies relating to excluded development in accordance with the Regulations. The document also contains a number of non-statutory proposals that relate to Aspirations which do not form part of the examined neighbourhood plan but provides a ‘wish list’ that has emerged during consultation and that the Parish Council has considered during the preparation of the document.
- 1.5. The Statement addresses each of the ‘basic conditions’ required of the Regulations and explains how the submitted Neighbourhood Plan meets the requirements of paragraph 8 of schedule 4B to the Town and Country Planning Act 1990.
- 1.6. 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 plan
 - The making of the neighbourhood plan contributes to the achievement of sustainable development
 - 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)
 - The making of the neighbourhood plan does not breach, and is otherwise compatible with EU obligations
 - Prescribed conditions are met in relation to the neighbourhood plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan.



Figure 1: Map showing extent of Neighbourhood Planning Area

2. Background

- 2.1. The plan preparation has been led by TPC, through the Neighbourhood Plan Steering Group. It has comprised three main stages:
 - Evidence gathering and community engagement which has been incorporated into the Neighbourhood Plan,
 - Formal consultation: the Pre-Submission Draft Neighbourhood Plan September 2024 and accompanying background documents were published for more than 6 weeks in accordance with regulation 14 of the Regulations,
 - Submission Neighbourhood Plan (2025) which takes into account representations received on the earlier version and has been modified for submission to NYC; it is accompanied by the Basic Conditions Statement, the Design Code and the Consultation Report.
- 2.2. TPC has consulted the local community extensively throughout the process.
- 2.3. The TPC website has been used throughout the process to disseminate information and publicise consultations. A number of methods to raise awareness have been used, including flyers and notices on the Parish Council noticeboards.
- 2.4. The Draft Neighbourhood Plan was formally consulted upon from 1st July 2024 to the 19th August 2024. Full details are set out in the Consultation Report.
- 2.5. It has also worked with officers of NYC since the start of the project.

- 2.6. The Plan has not duplicated Local Plan policies which will be used in determining planning applications. This has allowed the Neighbourhood Plan to focus on a smaller number of locally relevant and important policies.

3. Conformity with National Planning Policy

- 3.1. The Neighbourhood Plan has been prepared with regard to national policies as set out in the National Planning Policy Framework 2012 (NPPF) and the revised Framework of December 2023 and is mindful of the National Planning Practice Guidance (NPPG) in respect of formulating neighbourhood plans.
- 3.2. There are several NPPF paragraphs that provide general guidance on neighbourhood planning, to which the Neighbourhood Plan has directly responded:
- 3.3. In relation to the presumption in favour of sustainable development:
- Paragraph 12: the development plan is the starting point for decision making and this includes any neighbourhood plan.
 - Paragraph 13: neighbourhood plans should support the delivery of strategic policies contained in local plans or spatial development strategies and should shape and direct development that is outside of these strategic policies.
 - Paragraph 14: reminds us of the adverse impact of allowing housing that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits provided, two criteria apply.
- 3.4. The Parish Council believes that the Neighbourhood Plan is planning positively for future development in the parishes and supports the delivery of the strategic policies of the adopted Development Plans as advised in the above paragraphs of the NPPF.
- 3.5. Paragraphs 18 and 21 advise that policies to address non-strategic matters and detailed matters should be included within neighbourhood plans, and the Neighbourhood Plan contains such policies.
- 3.6. Advice on non-strategic policies and the role of neighbourhood plans is identified in paragraphs 29 to 31. The Neighbourhood Plan establishes a shared vision for the area and its policies shape, direct and help deliver sustainable development. It has sought to translate objectives into a number of meaningful planning policies to complement other development plan policies for managing development.
- 3.7. The Neighbourhood Plan strikes a positive balance between the policy constraints of the Parish and the need to support the general requirements of the development plan as set out in section 5 below.
- 3.8. The Neighbourhood Plan avoids duplicating development plan policies by focusing on policies that translate the general requirements of the development plan into a local context. Once made, the Neighbourhood Plan should be easily considered alongside the development plan and any other material considerations in determining planning applications.
- 3.9. Set out below is a brief summary of how each policy conforms to the NPPF. The particular paragraphs referred to in the table are those considered the most relevant to each policy but are not intended to be an exhaustive list of all possible relevant paragraphs.

Table 1: NPPF Conformity

Policy	NPPF Para no.	Commentary
Policy E1: Rural Character and Views	131,132, 135, 187	Sets the context for new development to ensure rural character is retained.
Policy E2: Dark Skies and tranquility	187, 189	Development within the National Landscape needs to be sensitively designed to minimise the impact on the landscape and character of the area which includes consideration of lighting and tranquility.
Policy NE1: Protecting the Landscape	132, 180, 189	The rural setting of the village and hamlets within the National Landscape is very important in the context of NPPF policies which seek to ensure development contributes to and enhances the natural environment.
Policy NE2: Biodiversity	187, 192, 193	New development is expected to retain natural features, designated nature conservation sites and enhance them and plant new landscaping
Policy NE3: Trees Hedgerows and Woodland	136, 193	These natural features make an extremely important contribution to the landscape and habitats of the Parish and should be protected and where removal is necessary, replaced.
Policy HE1: Conservation Area and its Setting	131, 135, 202, 203, 204	Seeks to conserve and enhance the Conservation Areas and its setting
Policy HE2: Protecting local heritage assets	131,135 207, 210, 212, 216	Seeks to protect non-designated historic assets
Policy SD1: High Quality Design	96, 131, 132, 134, 135, 139	This policy seeks high quality sustainable design for new development which respects the character of the Area.
Policy SD2: Provision of energy efficient buildings	161-165	Energy efficient development is encouraged in this policy aligning with NPPF policies.
Policy SD3: Water management and Efficiency	162	Water management and efficiency are essential components of climate change resilience aligned with the NPPF.

Policy	NPPF Para no.	Commentary
Policy T1: Car Parking	108, 110, 114, 116	Requires new development to provide parking to NYC standards and retain existing parking
Policy T2: Provision for pedestrians, cyclists and horse riders	108, 110, 116	The policy seeks to improve/provide traffic calming, connectivity and access with encouragement for additional rights of way and safe routes for pedestrians and cyclists
Policy C1: Community Facilities	96, 97	Promotes protection of existing community facilities which are locally valued and increase community cohesion
Policy C2: Local Green Spaces	105, 106, 107, 108	Designates Local Green Spaces in line with the criteria set out in the NPPF
Policy C3: Supporting Local Employment and Agriculture	85, 86, 88, 89	New businesses and expansion of existing businesses are supported in line with the NPPF principle of building a strong competitive economy

4. Contribution to Sustainable Development

- 4.1. Terrington Parish Council has determined that a Strategic Environmental Assessment (SEA) was not required for the Neighbourhood Plan as it considered the policies were unlikely to have a significant environmental effect, as defined by the Environmental Assessment of Plans and Programmes Regulations 2004. The report is dated January 2025.
- 4.2. However, the basic condition of “contributing to the achievement of sustainable development” requires a broader scope of assessment to embrace social and economic as well as environmental objectives. For completeness therefore, Table 2 summarises the economic, social and environmental attributes of each policy.
- 4.3. The vision and objectives of the Neighbourhood Plan comprise a balance of social, economic and environmental goals. The social goals are to retain and encourage the provision of local facilities for the local community. Economic goals are relatively limited in scale in the Parish, but the provision of local business and agriculture is recognised. Environmental goals include the protection and enhancement of the area’s natural and historic environment.
- 4.4. However, the objectives make clear that there are environmental parameters within which these social and economic goals must be kept by ensuring development is in scale with the rural character of the existing parish.

- 4.5. The chosen policies therefore translate the objectives of the Neighbourhood Plan into viable and effective development management policies which will deliver strong social, economic and environmental impacts.
- 4.6. The sustainability attributes of each policy are summarised in the table below.

Table 2: Sustainability Attributes

Key: *positive - neutral x negative

Policy	Soc	Econ	Env	Commentary
Policy E1: Rural Character and Views	*	*	*	Ensures rural character is retained which is beneficial to both the environment and the wellbeing of residents. There is a minimal economic positive impact because the policy allows for appropriate development.
Policy E2: Dark Skies and tranquility	*	-	*	Ensures the quiet and dark environment is retained which protects both the environment and the wellbeing of residents.
Policy NE1: Protecting the Landscape	*	-	*	Ensures the rural and historic character of the Parish landscape is retained which is beneficial to both the environment and the wellbeing of residents
Policy NE2: Biodiversity	*	-	*	Provides a positive impact for the natural environment and for the sense of place which can enhance the wellbeing of residents.
Policy NE3: Trees Hedgerows and Woodland	*	-	*	Provides a positive impact for the natural environment and for the sense of place which can enhance the wellbeing of residents.
Policy HE1: Conservation Area and its Setting	*	x	*	This policy will deliver a very positive impact on the historic environment and enhance the wellbeing of residents through sympathetic design
Policy HE2: Protecting local heritage assets	*	x	*	This policy will deliver a very positive impact on the historic environment and enhance the wellbeing of residents through sympathetic design
Policy SD1: High Quality Design	*	*	*	In economic terms, this policy is only slightly positive because well designed places and buildings can ensure value is retained/increased, but it is positive in environmental and social terms. It seeks to ensure that important design and biodiversity features are retained and enhanced
Policy SD2: Provision of energy	*	x	*	Provision of energy efficient buildings, is very good for the environment and also health, however, such homes can have a higher cost,

Policy	Soc	Econ	Env	Commentary
efficient buildings				especially if retrofitting, which could impact on economics.
Policy SD3: Water management and Efficiency	*	x	*	Provision of water efficient buildings, is very good for the environment, however, providing appropriate water management can have a higher cost which could impact on economics.
Policy T1: Car Parking	*	*	x	Adequate provision of parking is good for residents who are dependant on cars in this location and also economic factors. It is not positive for the environment as cars are not a sustainable form of transport.
Policy T2: Provision for pedestrians, cyclists and horse riders	*	-	*	The provision of footpaths and bridleways improve the health of residents and visitors and also are positive benefits for the environment, reducing pollution.
Policy C1: Community Facilities	*	*	*	The retention and encouragement of community facilities will clearly be positive in terms of wellbeing and social aspects of village life as well as retaining local businesses.
Policy C2: Local Green Spaces	*	-	*	This policy protects green spaces from being developed and therefore has a positive social and environmental impact
Policy C3: Supporting Local Employment and Agriculture	*	*	x	The retention and expansion of local businesses will clearly have a positive impact on economic factors and social factors, potentially neutral or negative on the environment.

5. General Conformity with Strategic Local Policy

- 5.1. Terrington Parish lies within the local planning authority of the new North Yorkshire Council, which was formed in April 2023. However, the most recent development plan was started by the former Local Authority for the area, which was Ryedale District Council. The adopted Local Plan in place is still the Ryedale Local Plan (RLP) (Strategy adopted in 2013 and Sites Document adopted June 2019). There are no sites proposed for the Parish in the latter.
- 5.2. The new North Yorkshire Local Plan covering the whole area except the National Parks was consulted upon at the first Issues and options stage at the end of 2024. The final plan is envisaged to be adopted at the end of 2028.
- 5.3. The following table sets out the comparison of Neighbourhood Plan policies with policies from the RLP Strategy. Accordingly, the TPC considers that the Neighbourhood Plan is in

general conformity with the strategic policies of the Local Plan and the policies have been designed to add local context to the development plan policies of the area.

Table 3: Conformity with Local Plan Policies

Policy	Local Plan policy number	Commentary
Policy E1: Rural Character and Views	SP1, SP20	No allocations are proposed in the NP which is in line with policy SP1 for the purposes of which Terrington and the hamlets are defined in the settlement hierarchy as 'villages, hamlets and in the open countryside' where development is restricted.
Policy E2: Dark Skies and tranquility	-	There is no Local Plan policy referring to dark skies and tranquility specifically. Development within the National Landscape needs to be sensitively designed to minimise the impact on the landscape and character of the area which includes consideration of lighting and tranquility.
Policy NE1: Protecting the Landscape	SP12, SP13, SP15	Protecting and enhancing the landscape setting of the village and hamlets within the National Landscape is very important in the context of Local Plan policies which seek to ensure development contributes to and enhances the natural environment and historic landscape.
Policy NE2: Biodiversity	SP14, SP15	In line with Local Plan policy, new development is expected to retain natural features, designated nature conservation sites and enhance them and plant new landscaping.
Policy NE3: Trees Hedgerows and Woodland	SP14	These natural features make an extremely important contribution to the landscape and habitats of the Parish and should be protected and where removal is necessary, replaced.
Policy HE1: Conservation Area and its Setting	SP12	Seeks to conserve and enhance the Conservation Area and its setting
Policy HE2: Protecting local heritage assets	SP12	In line with Local Plan policy to protect non-designated historic assets, by identifying those with significance in the Parish
Policy SD1: High Quality Design	SP16, SP20	In line with Local Plan policy which emphasizes local distinctiveness, this policy seeks high quality sustainable design for new development which respects the character of the Neighbourhood Area.
Policy SD2: Provision of energy	SP18	Energy efficient development is encouraged in this policy aligning with Local Plan policies.

Policy	Local Plan policy number	Commentary
efficient buildings		
Policy SD3: Water management and Efficiency	SP17	This policy is in line with the flood risk and water resources elements of Local Plan policy.
Policy T1: Car Parking	SP10, SP20	Requires new development to provide parking to NYC standards and retain existing parking
Policy T2: Provision for pedestrians, cyclists and horse riders	SP10, SP20	The policy seeks to improve/provide traffic calming, connectivity and access with encouragement for additional rights of way and safe routes for pedestrians and cyclists
Policy C1: Community Facilities	SP11	Promotes protection of existing community facilities which are locally valued and contribute to the vitality of the Parish and well being of the local community
Policy C2: Local Green Spaces	SP11	Designates Local Green Spaces in line with the criteria set out in the NPPF which in turn reflects Local Plan policy
Policy C3: Supporting Local Employment and Agriculture	SP6, SP9	New rural businesses and expansion of existing businesses are supported in line with the Local Plan Strategy's approach for countryside business support and development

6. Compatibility with EU Legislation

- 6.1. The UK left the EU on 31 January 2019 under the terms set out in the European Union (Withdrawal Agreement) Act 2020 ("the Withdrawal Act"). This established a transition period, which ended on 31 December 2020. The Withdrawal Act retains the body of existing EU-derived law within our domestic law. During the transition period EU law applies to land in the UK.
- 6.2. **Strategic Environmental Assessment.** A formal screening opinion has been issued by the Parish Council in January 2025, available on request from the Parish Council. No SEA was required as set out in Section 9 of that report. The Council received a response from Historic England and Natural England, noting that they agreed with the Council findings that the Terrington NP does not require a full SEA to be undertaken. No response from the Environment Agency was received within the time limit. The Neighbourhood Plan has accordingly been prepared in accordance with EU Directive 2001/42 on strategic environmental assessment (SEA).

- 6.3. **Habitats Regulations.** The most recent amendments to the Habitats Regulations – the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 – make it clear that the need for HRA has continued after the end of the transition period (see Paragraph 6.1).
- 6.4. Under the Regulations, an appropriate assessment is required, where a plan or project is likely to have a significant effect upon an international site, either individually or in combination with other projects. The Directive is implemented in the UK by the Conservation of Habitats and Species Regulations 2017 (as amended) (the “Habitats Regulations”).
- 6.5. A formal screening opinion has been carried out by AECOM on behalf of the Parish Council in January 2025. All policies were assessed in relation to the following Habitats Sites:
- Lower Derwent Valley (SAC, SPA & Ramsar)
 - River Derwent SAC
 - Strensall Common SAC
- 6.6. In conclusion, it is considered that the Terrington NP contains an appropriate policy framework to ensure no adverse effects on the integrity of any Habitats Sites, either alone or in combination with other plans or projects.
- 6.7. The Council received no response from the Environment Agency and Natural England on the Habitats Screening report.
- 6.8. **Human Rights.** 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. The overall purpose of the Neighbourhood Plan is to improve the quality of life for people living and working now and in the future in the parish from an environmental, social and economic point of view. The aims and policies in the Neighbourhood Plan have been formulated in response to local people’s views and in the light of evidence gathered for the parish, in order to meets the needs expressed and address the issues identified. In order to confirm that the NP does not have any unintended consequences for particular groups the strategic aims and the policies in the Plan have been systematically scrutinised to ensure that they do not disadvantage any potentially vulnerable groups. The Equality Act 2010 places a duty on all public authorities in the exercise of their functions to have regard to the need to eliminate discrimination, to advance equality of opportunity, and to foster good relations between persons who have a “protected characteristic” and those who do not. “Protected characteristics” are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.
- 6.9. An assessment has been made on whether the policies in the Neighbourhood Plan have a positive, negative or neutral impact on each of the protected characteristics.
- 6.10. Certain protected characteristics are not affected by the Neighbourhood Plan, namely gender reassignment, race, religion, or sexual orientation. For people with these characteristics, the Plan has a neutral effect. Where policies in the Plan would adversely affect persons with these protected characteristics, they would not be differently affected than people without these characteristics. For example, if a person with these protected characteristics were disadvantaged by a policy, it would have the same consequence for a person without the protected characteristic who wished to do the same thing. Similarly, if a person with one of these protected characteristics were to benefit from a policy, it would have the same benefit for a person without the protected characteristic in the same way.

Table 4: Human Rights

Policy	Outcomes for people with certain protected characteristics
Policy E1: Rural Character and Views	Neutral impact
Policy E2: Dark Skies and tranquility	Neutral impact
Policy NE1: Protecting the Landscape	Neutral impact
Policy NE2: Biodiversity	Neutral impact
Policy NE3: Trees Hedgerows and Woodland	Neutral impact
Policy HE1: Conservation Area and its Setting	Neutral impact
Policy HE2: Protecting local heritage assets	Neutral impact
Policy SD1: High Quality Design	Broadly positive impact
Policy SD2: Provision of energy efficient buildings	Neutral impact
Policy SD3: Water management and Efficiency	Broadly positive impact
Policy T1: Car Parking	Broadly positive impact
Policy T2: Provision for pedestrians, cyclists and horse riders	Broadly positive impact
Policy C1: Community Facilities	Broadly positive impact
Policy C2: Local Green Spaces	Broadly positive impact
Policy C3: Supporting Local Employment and Agriculture	Broadly positive impact

7. Conclusion

- 7.1. Terrington Neighbourhood Plan has been carefully prepared in accordance with the requirements of the Regulations and satisfies the Basic Conditions as set out in Paragraph 1.6, thereby contributing to the achievement of sustainable development.