

# Dinnington Neighbourhood Plan Policies (as proposed to be modified)

**May 2020**

The Council has published a decision accepting the Examiner's recommended modifications to the Draft Dinnington Neighbourhood Plan and that it should proceed to a referendum to decide whether it should be 'made' (adopted) by the Council as part of the Local Plan. However, in light of legislation which currently postpones any referendum until May 2021, this document provides information regarding the Dinnington Neighbourhood Plan and how it will be used prior to the referendum taking place.

The document is in two parts:

- Part 1 Clarifies the weight (or importance) that can be given the Dinnington Neighbourhood Plan following independent examination and the Council's decision that it should proceed to referendum.
- Part 2 Provides the text of the Dinnington Neighbourhood Plan policies (as proposed to be modified following independent examination) which applicants should be aware of, and which will be taken into account when making planning decisions. This is provided in advance of the full version of the Neighbourhood Plan incorporating the Examiner's recommendations being prepared, and is intended to assist those preparing planning applications.

For further advice regarding this note or the Dinnington neighbourhood Plan, please contact Planning Policy:

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## Part 1: Weight (importance) of Dinnington Neighbourhood Plan prior to referendum

All planning policy documents gather increasing weight as a material consideration when making planning decisions the further they get through the process.

For all Plans the National Planning Policy Framework (2019<sup>1</sup>) states:

*48. Local planning authorities may give weight to relevant policies in emerging plans according to:*

- a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);*
- b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and*
- c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)*

Once adopted, Neighbourhood Plans hold considerable legal status. Should the Dinnington Neighbourhood Plan be supported by the community following the referendum then it will have full weight in planning terms. This means that it will form part of Rotherham's Local Plan and its policies will carry the same weight as other Local Plan policies. Planning decisions will be taken in accordance with the Local Plan, unless material considerations indicate otherwise.

On 7 May 2020 the Council has published its decision<sup>2</sup> which supports the modifications to the Dinnington Neighbourhood Plan recommended by the independent Examiner, and that the Plan should proceed to a referendum. However this referendum has been delayed until May 2021 by recently adopted legislation in response to the coronavirus pandemic.

Government guidance<sup>3</sup> states that in this circumstance, prior to the referendum being held the Dinnington Neighbourhood Plan (as proposed to be modified) can be given 'significant weight' when determining planning applications. This means that its policies should be taken into account when planning applications are being prepared, and when decisions on applications are being taken, and refers to the importance that can be given to the policies when making planning decisions.

However, because the Neighbourhood Plan has yet to be supported by the community at referendum the weight, or importance, given to its policies may be less than adopted Local Plan policies. In practice this means that if there are conflicts between Neighbourhood Plan policies and adopted Local Plan policies, greater weight will be given to current Local Plan policies. However giving significant weight to the Neighbourhood Plan policies may also mean, for example, that proposals which do not meet the requirements of its policies may be refused planning permission.

<sup>1</sup> <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

<sup>2</sup> <https://www.rotherham.gov.uk/downloads/file/1694/dinnington-np-regulation-18-decision-statement>

<sup>3</sup> <https://www.gov.uk/guidance/neighbourhood-planning--2#covid-19>

## Part 2: Dinnington Neighbourhood Plan policies (incorporating the Examiner's recommendations)

The policies of the Neighbourhood Plan are set out below, incorporating the Examiner's recommendations. These are provided to assist applicants prior to the full Neighbourhood Plan incorporating the recommendations being made available. As such it does not include the supporting text, accompanying maps or other information. However, the draft plan and the Examiner's report which sets out the recommendations in full are available from the Council's website:

Draft Dinnington Neighbourhood Plan Submission Version:

<https://www.rotherham.gov.uk/downloads/file/775/01-neighbourhood-plan-draft-submission-version>

Report of the Independent Examination:

<https://www.rotherham.gov.uk/downloads/file/1616/dinnington-st-johns-report-27th-march-2020>

### **POLICY H1: HOUSING MIX**

In order to help meet the present and future housing needs, including the needs of local residents, new housing development proposals, should provide a mix of housing sizes, type and tenure based on the most up to date SHMA available, supplemented by a more up to date assessment of housing need, including local housing need, if appropriate.

Housing for those with a disability and smaller homes for young families, young people and older people will be supported.

Housing for older people or those with a disability should preferentially be located within walking distance, on a safe, level route or within easy reach of public transport to the Town Centre shops and services.

### **POLICY H2: HOUSES IN MULTIPLE OCCUPATION**

Development proposals for the extension and change of use to a House in Multiple Occupation use (Sui Generis in the Use Class Order), will only be supported where:

- a) it does not harm the visual character and appearance of the building, neighbourhood and street scene;
- b) the scale and intensity of the use proposed would not have an unacceptable impact on amenity for its occupiers and neighbouring residential amenities especially in terms of noise, outlook, light, privacy, parking, vehicular and pedestrian access, disturbance;
- c) any associated extensions or external alterations required would not have an unacceptable impact on neighbouring residential amenities through reduced levels of daylight, sunlight, outlook or privacy; and
- d) adequate refuse storage facilities are provided in accordance with standards in the adopted South Yorkshire Residential Design Guide SPD, or subsequent replacement document and management arrangements for them are put into place.

### **POLICY HLC1: NEW AND ENHANCED HEALTH, LEISURE AND COMMUNITY FACILITIES**

Development proposals involving the provision of a new or enhanced community facility will be supported where it can be demonstrated to Rotherham MBC in consultation with the Town Council that it contributes to the health and wellbeing of local communities. Where possible facilities should:

- a) be co-located, and seek where applicable, to integrate services including health, education, social services, arts and leisure;
- b) support public transport use or opportunities for pedestrian/cyclist movement; enabling convenient, safe and attractive access;
- c) be of a siting, scale and design which respects the character of the surrounding area, including any historic and natural assets; and
- d) demonstrate that the local road network is capable of accommodating the additional movements. Development proposals involving the provision of new or enhanced medical facilities or a new leisure centre to serve the Parish will be especially supported and encouraged.

### **POLICY STC1: ENHANCING THE CHARACTER, ATTRACTIVENESS, SAFETY AND ACCESSIBILITY OF DINNINGTON TOWN CENTRE**

Development proposals will be required to demonstrate how they contribute to enhancing the character, attractiveness, safety and accessibility of Dinnington Town Centre, especially by:

- a) ensuring that it is of an appropriate scale, is well designed and is of a mass, layout and materials that respond positively to the character of the Town Centre, and where appropriate;
- b) improving the public realm; and
- c) improving the Town Centre environment and accessibility for pedestrians, cyclists and car users.

They should have regard to and respond positively to the general principles as outlined in the Dinnington Town Centre Design Support document (2018) and summarised above.

### **POLICY STC2: SHOP FRONT DESIGN IN DINNINGTON TOWN CENTRE**

Development proposals to alter, replace or introduce shop fronts will be required to be of high quality, contributing to an overall improvement in terms of urban design and architecture, by:

- a) being visually attractive;
- b) enhancing streets and spaces through quality design and architecture;
- c) promoting visual links between the interior of the shop and the street;
- d) being suitable in terms of crime prevention, community safety and security;
- e) having regard to the general principles and objectives as outlined in the Section 5 Shop Front Guidance of the Dinnington Town Centre Design Support document (2018); and;
- f) having regard to the Rotherham Interim Planning Statement Shopfront Design Guidance (2006) or any subsequent replacement document

### **POLICY STC3: SHOPS OUTSIDE DINNINGTON TOWN CENTRE**

Development proposals that would result in the loss of, or have a significant adverse effect on, neighbourhood shops outside of the defined Dinnington Town Centre will not be supported unless it can be demonstrated to Rotherham MBC in consultation with the Town Council that:

- a) in the case of a significant adverse impact, the benefits of the development outweigh the impact and that opportunities to mitigate the impact have been considered; or
- b) in the case of a loss of use, it can be demonstrated that the use is no longer viable, and the site has been actively and appropriately marketed in accordance with the requirements set out in Policy SP62 (Safeguarding Community Facilities) in the adopted Rotherham Sites and Policies Document, or any subsequent replacement policy.

The development of local shopping facilities to serve the day-to-day needs of their immediate community will be supported subject to satisfying the sequential and, where appropriate, the impact test requirements set out in NPPF and Policy CS12, and satisfying other planning policy requirements including transport, environmental and amenity considerations.

### **POLICY STC4: HOT FOOD TAKEAWAYS**

Hot food takeaways (including A3 restaurants with takeaway facilities) will not be permitted where they are within 800 metres walking distance of a primary school, secondary school, secondary school or college (measured from any pedestrian access to the school or college), except where they are within Dinnington Town Centre as defined in the Rotherham Local Plan and satisfy the provisions of Policy SP22 Hot Food Takeaways in the Rotherham Sites and Policies Document or any subsequent replacement policy.

### **POLICY NE1: BIODIVERSITY**

Development proposals which conserve, enhance and incorporate biodiversity in and around them (including networks) will be supported, particularly where they conserve, and where possible, enhance significant habitat types, local wildlife sites and features of the Parish.

### **POLICY BED1: DINNINGTON CHARACTER BUILDINGS AND STRUCTURES OF LOCAL HERITAGE INTEREST**

The Plan identifies the buildings and structures listed below as Dinnington Character Buildings and Structures of Local Heritage Interest.

1. Dinnington Colliery Pit Wheel (Coronation Park).
2. Gurnhill Trough (Coronation Park).
3. Cenotaph (Coronation Park).
4. Old Library (Laughton Road).
5. Front of the Old Brewery (Laughton Road).
6. Handsworth Woodhouse Co-op Buildings (Laughton Road).
7. Old Dentists (Lidgett Lane).
8. Croft Cottage (Barleycroft Lane).
9. Middleton Institute (Barleycroft Lane).
10. Silverdales Social Club (Lordens Hill).

11. Carlisle Terrace (Last of “The Barracks”).
12. Remains of the Old Blacksmiths (Laughton Road next to Twibells).
13. The Old Plant Workshop (Bottom of Church Lane).
14. St Leonards Church (Anglican) (including Font, Lectern and Dinnington Miners Banner)
15. St Josephs Church (Catholic).
16. The Old Rectory.
17. The Older Rectory (Laughton Road).

Development proposals will be supported which conserve or enhance the heritage significance and setting of a Character Building or Structure.

Development proposals will be required to take into account the character, context and setting of these locally important assets, including important views towards and from them.

Development proposals will be required to be designed appropriately, taking account of local styles, materials, detail and heritage value.

Development proposals that may impact upon any Dinnington Character Building or Structure shall be accompanied by a heritage statement which considers the impact of the specific development proposed with regard to the character, context and setting of the assets on or in the vicinity of the site.

## **POLICY BED2: DESIGN AND INFRASTRUCTURE**

1. The design and master planning of development proposals should support the creation and maintenance of inclusive and healthy communities.

Development proposals, where appropriate, will be expected to:

- a) maximise opportunities to integrate development physically and functionally into the Parish through, for example, creating new connections and improving existing ones, and which allow for easy and direct movement to and from the Town Centre and wider built-up part of Dinnington for all ages;
- b) provide attractive, direct and integrated networks of walking and cycling routes;
- c) provide attractive, safe, secure and accessible buildings and spaces that “design out crime and anti-social behaviour” and are easy to get around for all, particularly for older people and those with disabilities;
- d) maximise opportunities to enhance the role of Dinnington Town Centre as the main shopping and service centre in the local area;
- e) design new buildings and the spaces they create to help reinforce or enhance the character, legibility, permeability, and accessibility of Dinnington
- f) provide suitable infrastructure and services, including SuDS, and address any impact it may have on local infrastructure and facilities, especially roads, health, policing and schools;

- g) incorporate adequate measures for the future maintenance of open spaces SuDS, hard and soft landscaping and other public spaces and facilities;
- h) explore and maximise employment, education, training and business opportunities within the Parish; and
- i) conserve and enhance locally distinctive character having regard to scale, siting, layout, density, massing, height, landscape, appearance, material, details and access.

2. Additional infrastructure needs arising as a result of planning consent should as far as possible be addressed through planning conditions, where required. Approvals will be conditioned so that, where necessary, infrastructure required as part of the planning approval is delivered at the earliest practicable stage in development, including at appropriate times in the phasing of the development.

### **POLICY BED 3: DEVELOPMENT CONTRIBUTIONS**

Where appropriate, contributions from new development towards infrastructure projects will be sought through planning obligations, Community Infrastructure Levy receipts and similar sources, where it is in accordance with the tests as set out relevant national and local planning policies.

The local community has identified a number of local priorities for spending its share of Community Infrastructure Levy receipts, which are identified above, and which will be kept under review.

Developers are encouraged to engage with the Town Council prior to the preparation of any planning application to confirm what these local priorities are, to ensure that where appropriate and viable, the facilities proposed to complement any development proposals reflect these aspirations.