

Dinnington St John's Neighbourhood Plan 2016/2028 – Basic Conditions Statement

AUGUST 2019

1.0 INTRODUCTION

- 1.1 This Basic Conditions Statement has been prepared by *andrewtowlertonassociates* on behalf of Dinnington St John's Town Council ("The Town Council") to accompany the submission to the Local Planning Authority Rotherham Metropolitan Borough Council ("Rotherham MBC") of the Dinnington St John's Neighbourhood Plan ("the Plan") under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 ("the Regulations").
- 1.2 In order to satisfy Regulation 15 of the Neighbourhood Planning (General) Regulations 2012, the Town Council, as the 'qualifying body' must include a statement explaining how the proposed neighbourhood plan meets the requirements of paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990 (as amended).
- 1.3 Paragraph 8 (1) states that the examiner must consider the following:
- 1 whether the draft neighbourhood development plan meets the basic conditions (see sub-paragraph (2))
 - 2 whether the draft neighbourhood development plan complies with the provision made by or under sections 61E (2), 61J and 61L, as amended by s38C(5)(b)
 - 3 whether the area for any referendum should extend beyond the neighbourhood area to which the draft neighbourhood development plan relates and
 - 4 such other matters as may be prescribed.
- 1.4 Paragraph 8 (2) (as amended) states that a draft neighbourhood development plan meets the basic conditions if:
- (a) 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;
 - (b) the making of the neighbourhood development plan contributes to the achievement of sustainable development;
 - (c) 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 (or any part of that area);
 - (d) the making of the neighbourhood development plan does not breach, and is otherwise compatible with, EU obligations;
 - (e) prescribed conditions are met in relation to the neighbourhood development plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood development plan.

- (f) 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 2017.12

1.5 Section 2 of this Statement sets out how the Plan complies with the legal requirements of sub-paragraphs 1 (b), (c) and (d). Section 3 of this Statement sets out how the Plan meets the basic conditions contained in sub-paragraph 1 (a) and sub-paragraph 2 (as amended).

2.0 LEGAL REQUIREMENTS

2.1 The Plan complies with the provisions of sub-paragraph 1(b) as described below.

The Plan is being submitted by a qualifying body

2.1.1 The Plan has been submitted by Dinnington St John's Town Council, which is a qualifying body and entitled to submit a Neighbourhood Plan for the neighbourhood area covering the parish of Dinnington St John's. The Plan has been prepared by a steering group comprising town councillors and other members of the community under the auspices of Dinnington St John's Town Council.

What is being proposed is a neighbourhood plan

2.1.2 The Plan contains policies relating to the development and use of land within the Neighbourhood Plan area 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.

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

2.1.3 The Plan states that the period which it relates to is from 2016 until 2028. The period has been chosen to align with that of the Rotherham Local Plan.

The policies do not relate to excluded development

2.1.4 The Plan does not deal with mineral extraction, waste development, nationally significant infrastructure or any other matters set out in Section 61K of the Town and Country Planning Act 1990. Rotherham MBC was consulted as part of the Regulation 14 consultation and did not raise any concerns that the Plan is not compatible with the mineral and waste policies contained in the Rotherham Local Plan.

Other

2.1.5 The Plan does not relate to more than one neighbourhood area, and there are no other

neighbourhood plans in place within the neighbourhood area.

- 2.1.6 The whole parish of Dinnington St John's was formally designated as a Neighbourhood Plan Area by Rotherham MBC on 11 July 2017. The Plan relates only to the parish of Dinnington St John's and no other area. It does not relate to more than one neighbourhood area. There are no other neighbourhood plans in place within the neighbourhood area.
- 2.1.7 In relation to sub-paragraph 1(d), it is not considered that there is any benefit or reason for extending the area for the referendum beyond the designated Neighbourhood Plan Area.
- 2.1.8 In relation to sub-paragraph 1(e), there are no other prescribed matters.

3.0 THE BASIC CONDITIONS

- 3.1 This section addresses how the Plan fulfils the basic conditions set out in sub-paragraph (2). The Plan has been prepared having regard to national policies and advice set out in the National Planning Policy Framework 2019 (NPPF) and the approved policies contained in the Rotherham Local Plan.

3.2 Having regard to national policies and advice

- 3.2.1 The Plan has been developed having regard to the NPPF. In broad terms:

[Plan Making and Decision Making \(NPPF paras. 15 - 58\)](#)

The Plan, and the policies it, contains are based on robust and proportionate evidence that provide a practical framework within which planning can be made, with a high degree of predictability and efficiency and are unambiguous. It avoids unnecessary duplication of existing policies that apply to the parish and is consistent with national planning policy. Further, it has been prepared positively in a way that is aspirational but deliverable and contributes to the achievement of sustainable development.

[Delivering a wide choice of high quality homes \(NPPF paras. 59 – 78\)](#)

The Plan's housing policies seek to meet housing needs and improve housing choice. The Housing Chapter generally supports appropriate housing development, which means a local need, including the provision of affordable housing. Policy H1 supports a mix of market housing types and sizes to reflect local needs. Policy H2 seeks to improve the condition of the existing housing stock.

Building a strong, competitive economy (NPPF paras. 80 - 84)

The Plan proactively supports sustainable economic growth, especially through the Education, Employment and Skills chapter. It supports the retention of suitable existing sites and buildings in employment use. It also encourages suitable small scale employment development proposals and seeks to strengthen links between the local people and businesses to these economic and employment opportunities, which is supported by the NPPF.

Ensuring the vitality of town centres (NPPF paras. 85 – 90)

The Plan promotes and sets out policies and actions to support the viability and vitality of Dinnington Town Centre. Policies STC1 and STC 2 sets out in broad terms the type of sustainable development and actions that would be supported to maintain and enhances its attractiveness. The Plan also seeks to improve the visual and physical attractiveness of the Village Centre. This includes Policy STC3, which seeks to ensure that shop front design is to a good standard.

Promoting healthy communities (NPPF paras. 91 – 101)

A range of Plan policies seeks to ensure that Dinnington is a healthy parish. This is a major theme of the Plan. Policy H1 supports the provision of new housing to meet local housing needs, especially for older people. Policy HLC 1 protects key community facilities, including health related ones, and Policy HLC2 promotes the provision of new and enhanced community facilities, again including health related ones. Policy NE2 protects Local Green Spaces, which are important for sport and wellbeing. Policy STC5 controls the proliferation of hot food takeaways in the Parish, which are associated with the high and above rates of obesity in Dinnington and the wider area.

Promoting sustainable transport (NPPF paras. 102 – 111)

The Plan's transport related policies promote the use of sustainable transport and sustainable transport options. Policy BED 1 supports pedestrians and cyclists and seeks to ensure that the design and layouts of development proposals allow for integrated, easy and direct movement.

Supporting high quality communications (NPPF paras. 112 – 116)

This is not a major theme of the Plan.

Making effective use of land (NPPF paras. 117 – 122)

The Plan, and the policies it contains, seeks to actively manage patterns of growth by guiding development to sustainable solutions. This contributes to making effective use of and sustainable development more generally.

[Achieving Well-Designed Places \(NPPF paras. 124 – 133\)](#)

The Plan supports and encourages distinctive and well-designed places by setting out locally formulated design standards and conserving important heritage assets. Policy BED2 specifically requires development proposals to conserve and enhance the local distinctive character. Policy STC3 seeks to ensure that shop front design in the Town Centre is to a good standard. Policy BED1 seeks to conserve locally important heritage assets.

[Protecting Green Belt land \(NPPF paras. 133 – 147\)](#)

The Plan is explicit in its support, and the importance it attaches to the Green Belt, as reflected in Policy NE1.

[Meeting the challenge of climate change, flooding and coastal change \(NPPF paras. 148 – 169\)](#)

Policy NE3 supports biodiversity. Of particular relevance is Policy BED2 which supports walking and cycling.

[Conserving and enhancing the natural environment \(NPPF paras. 170– 183\)](#)

The Plan's natural environment policies contribute to and enhance the local natural environment. Section 4.5 deals with the Natural Environment. Policies NE2 protects important local green spaces and NE3 important sites of biodiversity value.

[Conserving and enhancing the historic environment \(NPPF paras. 184 – 202\)](#)

This is a major theme of the Plan. The Environment, Design and Infrastructure Section deals with the historic environment. This includes Policy BED1 which seeks to conserve locally important heritage assets.

- 3.2.2 A slightly more detailed explanation of how each of the Plan policies has shown regard to the NPPF are outlined below.

Table 1: A summary assessment of how each policy of the Plan conforms to the National Planning Framework		
Neighbourhood Plan Policy	National Planning Policy Framework (para.)	Commentary
H1: Housing Mix	61.	The Policy seeks to ensure a mix of housing that meets an identified need in the community. The Policy is in accordance with para. 61 that, “the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies’.
H2: Houses in Multiple Occupation	52 and 91.	This Policy supports and articulates, para. 91 with its emphasis on planning policies and decisions should aim to achieve healthy, inclusive and safe places. It recognises that the use of Article 4 directions to remove national permitted development rights should be limited to situations where this is necessary to protect local amenity or the well-being of the area (para. 53).
HLC1: Existing Important Health, Leisure and Community Facilities	92.	This Policy is consistent with the stated aim of the NPPF “to guard against the unnecessary loss of valued facilities and services and facilities, particularly where this would reduce the community’s ability to meet its day-to-day needs” (para. 92c).
HLC2: New and Enhanced Health, Leisure and Community Facilities	92.	Planning positively for the provision of social, recreational and cultural facilities and services the community needs is a high priority in the NPPF, as reflected in para 92a. This Policy is in accordance with this.
HLC3: Assets of Community Value	92.	This Policy is consistent with the stated aim of the NPPF “to guard against the unnecessary loss of valued facilities and services and facilities, particularly where this would reduce the community’s ability to meet its day-to-day needs (para. 92c). Further, a non-statutory DCLG Policy Statement ¹ states that a listing of an Asset of Community Value can be a planning consideration, “The provisions do not place any restriction on what an owner can do with their property, once listed, if it remains in their ownership. This is because it is planning policy that determines permitted uses for particular sites. However, the fact that the site is listed may affect planning decisions – it is open to the Local Planning Authority to decide that

¹https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/14880/Community_Right_to_Bid_-_Non-statutory_advice_note_for_local_authorities.pdf

		listing as an asset of community value is a material consideration if an application for change of use”.
STC1: Maintaining and Enhancing the Role and Attractiveness of Dinnington Town Centre	89 & 92	Policies STC1 and STC 2 are in accordance with the NPPF, especially para. 92 which encourages positive planning for the provision of local shops and that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community.
STC2: Enhancing the Character, Attractiveness, Safety and Accessibility of Dinnington Town Centre		
STC 3: Shop Front Design in Dinnington Town Centre	89, 91 92 and 125.	The Policy outlines several design principles and supports the NPPF aim of ‘Achieving well designed places’. Para. 125 makes specific reference to “Neighbourhood plans can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development”. Also, Para. 91c promotes active street frontages.
STC 4: Shops Outside Dinnington Town Centre	92.	This Policy conforms with the NPPF with its emphasis on ensuring “that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community” (para. 92 d).
STC 5: Hot Food Takeaways	85 & 91.	This is in accordance with the stated ambitions of the NPPF (especially para 91) that planning policies should aim to achieve healthy, inclusive and safe places, including enabling and supporting healthy lifestyles; planning positively for the provision and use of shared spaces and enabling communities to set out more detailed policies for specific areas. This is developed in Planning Policy Guidance ‘Healthy and Safety Communities’, which makes specific reference to “Planning policies and supplementary planning documents can, where justified, seek to limit the proliferation of particular uses where evidence demonstrates this”.

NE1: Green Belt	133.	This sets set out the communities continuing support for the Green Belt This is in accordance with Chapter 13 'Protecting Green Belt' Land. Its inclusion reflects that this issue of special importance to the Parish.
NE2: Local Green Spaces	99.	Protection of Local Green Spaces identified as being of particular importance to the community through Neighbourhood Plans is advocated through the NPPF (para. 99). The proposed designations meet the criteria set out in the NPPF.
NE3: Biodiversity	74.	This Policy seeks to protect and enhance local biodiversity features and habitats. It has regard to the NPPF para. 74, "To protect and enhance biodiversity and geodiversity, plans should: a) Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks...and b) "promote the conservation, restoration and enhancement of priority habitats, ecological networks".
BED1: Dinnington Character Buildings and Structures of Local Heritage Interest	185 & 197.	This Policy seeks to identify, protect and enhance non-designated and designated heritage assets. This Policy supports the ambitions of the NPPF that "Plans should set out a positive strategy for the conservation and enjoyment of the historic environment" (para. 185). This includes non designated heritage assets, as reflected in para. 197 of the NPPF.
BED2: Design and Infrastructure	125.	The Policy outlines several design principles and supports the NPPF aim of 'Achieving well designed places'. Para. 125 makes specific reference to "Neighbourhood plans can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development". The Policy does not prevent or discourage innovation design or change. This is consistent with the NPPF.
BED3: Developer Contributions	43.	The prioritisation of projects funded through developer contributions has regard to the NPPF in terms of setting out the contributions expected from development, while at the same time ensuring the viability and deliverability of the development.

3.3 Achieving sustainable development

- 3.3.1 The Plan is positively prepared, reflecting the presumption in the NPPF in favour of sustainable development. In this regard, the Plan supports the strategic development needs in local planning policies, shaping and directing development in the area.
- 3.3.2 Whilst there is no legal requirement for a neighbourhood plan to have a sustainability appraisal, this section of the Statement demonstrates how the Neighbourhood Plan fulfils the basic condition that the plan contributes to achieving sustainable development.
- 3.3.3 The NPPF sets out three objectives to sustainable development: -
- a) an economic objective – 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;
 - b) an social objective – 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; and
 - c) an environmental objective – 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.
- 3.3.4 The Plan, and the policies it contains, by guiding development to sustainable solutions, contributes to the achievement of sustainable development. Broadly, the Plan seeks to contribute to sustainable development by ensuring schemes will protect local distinctiveness; will serve economic needs; will protect and enhance social facilities; and generally, seek positive improvements to the quality of the natural, built and historic environment, as well as in people’s quality of life, in particular:
- supporting the transition to a low carbon future through actively managing patterns of growth within existing settlements, supporting sustainable modes of transport and local employment opportunities.
 - supporting strong, vibrant, healthy and inclusive communities by facilitating the right mix of housing (including affordable housing) to meet local need
 - protecting and enhancing the distinctive character of the built and natural environment through

promoting good design, protection of important open green space and protection and enhancement of heritage assets.

- conserving and enhancing the natural environment by prioritising development in the built-up area and minimising the impacts and where possible improving biodiversity and important habitats.
- supporting a strong economy by ensuring the ongoing vitality of the Village Centre, protection of existing employment sites, support for small and startup businesses and connection of the local community to new job opportunities.
- safeguarding and enhancing existing open space, community facilities and pedestrian and cycling facilities for the health, social and cultural wellbeing of the community.

3.4 General conformity with the strategic policies of the development plan for the area

3.4.1 There has been a working relationship and collaboration and cooperation between officers and members of Rotherham MBC and the Steering Group. This included meetings and regular dialogue with officers at the Planning Department and Neighbourhoods teams to support and guide the preparation of the Plan, with a particular focus on minimising the risk of any 'conformity issues' between the Plan and the Local Plan.

3.4.1 The Plan has been developed in general conformity with the approved Local Plan for Rotherham. The Local Plan consists of a number of documents. Of particular relevance to the Plan area:

- The Rotherham Core Strategy 2013 – 2028 (adopted 2014).
- Rotherham Local Plan Sites and Policies Document (adopted 2018).

3.4.2 The adopted Rotherham Core Strategy sets out a spatial vision for the whole of Rotherham Borough. It identifies the broad locations for delivering new housing and employment, including provision for retail, leisure and community facilities, how much new development is needed, where it should go and when it should happen.

3.4.3 The Core Strategy is supported by the Rotherham Local Sites and Policies Document that identifies development sites across the borough to meet the targets set out in the Core Strategy. This is for new homes and employment development. It also includes detailed policies to guide decisions on planning applications.

3.4.4 The Local Plan provides a framework for delivering housing and employment growth in the Borough, including Dinnington.

- 3.4.5 The Local Plan contains several policies and proposals of specific relevance to the Plan.
- 3.4.6 Of particular significance is Policy CS1 'Delivering Rotherham's Spatial Strategy' in the Core Strategy. This sets out the scale and distribution of growth needed. This identifies the Dinnington, Anston and Laughton Common sub area as "Principal settlement for significant growth". This requires the provision of 1300 dwellings and 38 hectares of employment land to be delivered across the Dinnington, Anston and Laughton Common sub area. The supporting Sites and Policies document (adopted 2018) then details the housing sites that will meet the housing requirement for Dinnington, Anston and Laughton Common.
- 3.4.7 Policy CS 1 also identifies 'Dinnington East as a Broad Location For Growth.' This Development will provide for around 700 new dwellings (5% of Rotherham's housing requirement) in accordance with detailed masterplanning of this area. The future masterplanning, *"to be prepared in conjunction with appropriate consultation with local communities and key stakeholders"*. *"Furthermore, "masterplanning will address the need to integrate the proposed development with the existing community, to ensure the protection and enhancement of existing bridleways, cycle ways and footpaths and the promotion and enhancement of sustainable transport accessibility"*.
- 3.4.8 Also of significance is Policy CS 4 'Green Belt'. This identifies that land will be removed from the Green Belt to facilitate the development of the Dinnington East broad location for growth and that the detailed Green Belt boundaries will be defined in the Sites and Policies document and accompanying Policies Map.
- 3.4.9 Policy CS 12 'Managing Change in Rotherham's Retail and Service Centres'. This establishes a hierarchy of Retail and Service Centres across the Borough. It identifies Dinnington as a 'Town Centre' in this hierarchy, the second highest in the hierarchy after Rotherham Town Centre.
- 3.4.10 The Plan sets out over 12 local policies. The table below shows these policies along with for each one the policies of greatest relevance in the Local Plan, which it is in general conformity with. In preparing this document regard has had to the useful document 'Rotherham local plan: Strategic policies in Rotherham' (January 2019) prepared by Rotherham MBC to assist town and parish councils and other groups preparing a neighbourhood plan in the Borough.
- 3.4.1 A slightly more detailed explanation of how each of the Plan policies has regard to the particularly relevant approved strategic policies are outlined below.

Table 2: A summary assessment of how each policy of the Plan conforms to the Rotherham Core Strategy and supporting plans and documents.

Neighbourhood Plan Policy	Adopted Local Plan Policy	Commentary
H1:Housing Mix	CS7.	Policy CS 7 ‘Housing Mix and Affordability’ – This policy seeks to support a mix of housing that meets the present and future needs of all members of the community, with a particular focus on, where possible, address current imbalances in the proportions of different house types in the current housing stock. This supports and is in accordance with this.
H2: Houses in Multiple Occupation	CS7 & SP11.	This supports Core Strategy Objective 4: ‘Provision for housing’ which seeks to improve the quality and amount of housing available in all areas of Rotherham and SP 11 ‘Development in Residential Areas’ which aims to protect existing residential areas to maintain their amenity and character and to ensure that these areas continue to meet ongoing housing needs. Its inclusion also reflects that this issue is of special importance to Dinnington.
HLC1: Existing Important Health, Leisure and Community Facilities	CS29 & SP62.	This is in accordance with policies SP 62 ‘Safeguarding Community Facilities’ and CS 29 ‘Community and Social Facilities’ both of which seek to protect important community facilities. It adds value by identifying ones not already specifically protected under Policy SP 62. It also provides greater local detail and certainty as it identifies those local heritage assets that are of greatest importance to the community.
HLC2: New and Enhanced Health, Leisure and Community Facilities	CS29 & SP64.	This policy supports and encourages supports new and enhanced community facilities that meet a local need. It supports Policy SP 64 ‘Access to Community Facilities’ with its aim of ensuring that all residential development should have good access to a range of shops and services. Also, Policy CS 29 ‘Community and Social Facilities’ which support the retention, provision and enhancement of a range of community and social facilities that serve the changing needs of all of Rotherham’s communities; particularly in areas of housing growth or identified deficiency. Dinnington is both an area of housing growth as well as an area of identified deficiency.
HLC3: Assets of Community Value	CS 29 & 62.	This is in accordance with policies SP 62 ‘Safeguarding Community Facilities’ and CS 29 ‘Community and Social Facilities’ both of which seek to protect important community facilities.

STC1: Maintaining and Enhancing the Role and Attractiveness of Dinnington Town Centre	CS 12 & SP 19.	This supports and adds local detail and context policies CS 12 Managing Change in Rotherham's Retail and Service Centres and SP 19 Development within Town, District and Local Centres. Policy CS 12 Managing Change in Rotherham's Retail and Service Centres makes specific reference to the need to improve the maintain and enhance the vitality and viability of Dinnington and the other designated retail centres, specifically stating with regard to Dinnington to "Improve the range of retail and service provision, reduce vacancies and improve townscape and landscaping".
STC2: Enhancing the Character, Attractiveness, Safety and Accessibility of Dinnington Town Centre		
STC 3: Shop Front Design in Dinnington Town Centre	CS 12 & SP 59.	This supports the various policies in the Sites and policies documents that highlight the importance of shop frontages in improving the attractiveness of shop frontages especially Policy SP 59 'Shop Front Design' which seeks the highest standards in the control of shop frontages. It also supports Policy CS 12 'Managing Change in Rotherham's Retail and Service Centres', which makes specific reference in the context of Dinnington Town Centre to "improve townscape".
STC 4: Shops Outside Dinnington Town Centre	CS 29.	This is in accordance with and supports Policy CS 29 'Community and Social Facilities' which seeks to protect important community facilities.
STC 5: Hot Food Takeaways	CS 22.	This policy supports and adds local detail and context to Policy CS 22 'Hot Food Takeaways' which seeks to restrict them to the defined town, district and local centres (but outside of Primary and Secondary Shopping Frontages) and limits their number and concentration within these areas. Its inclusion also reflects that the issue is of special importance to the Parish.
NE1: Green Belt	CS 4 and SP 2.	This supports policies CS 4 'Green Belt' and SP 2 'Development in the Green Belt', which seek to protect the Green Belt from inappropriate development. Its inclusion also reflects that this issue of special importance and significance to the local community. Its inclusion also reflects that the issue is of special importance to the Parish.
NE2: Local Green Spaces	CS 19, CS 22, SP 32, SP 38 and SP 39.	This policy seeks to protect important local green spaces by designating them as Local Green Spaces that are not specifically identified in the Local Plan. It supports policies CS 19 Green Infrastructure, Policy CS 22 Green Space, SP 32 Green Infrastructure and

		Landscape, SP 38 'Protecting Green Space', and Policy SP 39 'Design and Location of Green Space, Sport and Recreation'. It also provides greater local detail and certainty as it identifies those local green spaces that are of greatest importance to the community.
NE3:Biodiversity	CS 20.	The policy seeks to protect and enhance local biodiversity features and habitats. The policy has regard to Policy CS 20 and the various other local plan policies that seek to conserve and enhance Rotherham's natural environment.
BED1: Dinnington Character Buildings and Structures of Local Heritage Interest	CS 23 and SP 45.	This seeks to protect and conserve locally important buildings identified by the community as important. This supports and is in accordance with Policy SP 45 'Locally Listed Buildings' which seeks to ensure and encourage the preservation and enhancement of Locally Listed Buildings and Policy CS 23 which states, Proposals will be supported which protect the heritage significance and setting of locally identified heritage assets such as buildings of local architectural or historic interest, locally important archaeological sites and parks and gardens of local interest". It also provides greater local detail and certainty as it identifies those local heritage assets that are of greatest importance to the community.
BED2: Design and Infrastructure	CS1 and SP 55.	This supports and provides local context, detail and certainty to Policy SP 55 Design Principles which requires that all forms of development are required to be of high quality, incorporate inclusive design principles, create decent living and working environments, and positively contribute to the local character and distinctiveness of an area and the way it functions. It also supports Policy CS 1 that identifies that this masterplan " <i>be prepared in conjunction with appropriate consultation with local communities and key stakeholders</i> ". "Furthermore, " <i>masterplanning will address the need to integrate the proposed development with the existing community, to ensure the protection and enhancement of existing bridleways, cycle ways and footpaths and the promotion and enhancement of sustainable transport accessibility</i> ". It also provides greater local detail and certainty as it identifies those local heritage assets that are of greatest importance to the community.
BED3: Developer Contributions	CS 32.	It is in accordance with and provides local detail and context to Policy CS 32 'Infrastructure Delivery and Developer Contributions', which recognises and seeks to ensure that communities are provided with the necessary supporting'. This policy also makes reference to that "it is acknowledged that in some instances there may be a need for negotiation and prioritisation of the overall developer contribution requirements (based on what is needed to make the development acceptable and what the development can afford to contribute)".

3.5 EU obligations

Strategic Environmental Assessment (SEA)

3.5.1 In some limited circumstances, where a neighbourhood plan could have significant environmental effects, it may require a Strategic Environmental Assessment under the relevant EU Directive. DCLG planning guidance suggests that, whether a neighbourhood plan requires a strategic environmental assessment and (if so) the level of detail needed, will depend on what is proposed in the draft neighbourhood plan. A strategic environmental assessment may be required, for example, where:

- a neighbourhood plan allocates sites for development;
- the neighbourhood area contains sensitive natural or heritage assets that may be affected by the proposals in the plan;
- 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.

3.5.2 In the case of the Dinnington St Neighbourhood Plan:

- it does not allocate any sites for development;
- there are no sensitive natural or heritage assets that may be adversely affected by the policies in the Plan;
- it does not have significant environmental effects as defined by the criteria set out in Schedule 1 to the Environmental Assessment of Plans and Programmes Regulations 2004 (as amended) and shown at Appendix 2; and
- it does not contain significant proposals beyond those which have already been the subject of a SEA within the Sustainability Appraisal carried out for Rotherham Core Strategy.

3.5.3 The Town Council has screened the Plan to determine whether an SEA is required. They considered that one is not required. They have consulted in February 2019 with Historic England, Environment Agency and Natural England on their opinion whether a SEA was not required, and they have each confirmed that they do not consider that a SEA is required. Rotherham MBC also agree that an SEA is not required.

Habitats Directive

3.5.4 An HRA screening of the Plan has been undertaken by the Town Council. This did not identify any significant effects arising from the proposals contained in it.

3.5.5 It is therefore considered, therefore, that the Plan is not in breach of the EU Habitats Directive.

Convention on Human Rights

3.5.6 The Plan must have regard to, and is compatible with, the fundamental rights and freedoms guaranteed under the European Convention on Human Rights. The Plan has had regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights (ECHR).

3.6 Other Relevant Basic Conditions

3.6.1 An additional basic condition prescribed under Regulation 32 of the Neighbourhood Planning (General) Regulations 2012 is that: - The making of the neighbourhood development plan is not likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2010(2)) or a European offshore marine site (as defined in the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007(3) (either alone or in combination with other plans or projects).

3.6.2 Rotherham MBC, Natural England, Environment Agency and Historic England have formally been consulted on the draft Plan and did not raise any concerns that the Plan would adversely affect an internationally or nationally designated nature conservation sites or heritage within Dinnington Parish or the surrounding area. It is therefore considered that the Plan meets the additional prescribed basic condition.

3.7 Consultation

3.7.1 The Plan has been prepared with extensive input from the community and stakeholders as set out in the accompanying Statement of Consultation. The draft Plan was consulted on and publicised in accordance with Regulation 14 of the Neighbourhood Planning (General) Regulations 2012. Responses were recorded and the Plan amended as appropriate. The Statement of Consultation has been prepared and meets the requirements set out in Paragraph 15 (2) of the Regulations.

4.0 Conclusions

4.1 The Basic Conditions as set out in Schedule 4B of the Town and Country Planning Act 1990 (as amended) are considered to have been met by the Plan.

- 4.2 The Plan has regard to national planning policy and guidance, will contribute towards the achievement of sustainable development, and is in general conformity with the approved policies contained in the Rotherham Core Strategy 2013 – 2028 (adopted 2014) and Rotherham Local Plan Sites and Policies Document (adopted 2018).
- 4.3 It is therefore respectfully suggested to the Examiner that the Neighbourhood Plan complies with Paragraph 8(1)(a) of Schedule 4B of the Act.