

Statement of Basic  
Conditions

Dronfield  
Neighbourhood Plan

January 2019

# Contents

---

1.0	Introduction.....	3
2.0	Legal Requirements.....	4
3.0	The Basic Conditions.....	5
4.0	Conclusion.....	23

## 1.0 Introduction

- 1.1 The Basic Conditions Statement has been prepared by andrewtowlertonassociates on behalf of Dronfield Town Council to accompany the Dronfield 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) 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 and
  - (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.

- 1.4 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.

## **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**

- 2.2 The Plan has been submitted by Dronfield Town Council, which is a qualifying body and entitled to submit a Neighbourhood Plan for the designated Plan Area.

### **What is being proposed is a neighbourhood plan**

- 2.3 The Plan contains policies relating to the development and use of land within the 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**

- 2.4 The Plan states that the period which it relates to is from 2016 until 2034. The period has been chosen to align with that of the draft Publication North East Derbyshire Local Plan.

### **The policies do not relate to excluded development**

- 2.5 The Plan 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. The County Council was consulted as part of the Regulation 14 consultation and did not raise any concerns that the Plan is not compatible with the existing adopted Derbyshire Minerals Local Plan.

**The proposed Neighbourhood Plan does not relate to more than one neighbourhood plan area and there are no other neighbourhood plans in place within the Neighbourhood Plan area.**

- 2.6 The designated Plan area was approved by North East Derbyshire District Council on 23 September 2016. The Plan does not relate to more than one neighbourhood plan area. There are no other neighbourhood plans in place within the Neighbourhood Plan area.
- 2.7 In relation to sub-paragraph 1(c), it is not considered that there is any benefit or reason for extending the area for the referendum beyond the designated Neighbourhood Plan Area.
- 2.8 In relation to sub-paragraph 1(d), 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 (NPPF 2012) and to the strategic 'saved' policies contained in the North East Derbyshire Local Plan 2001 – 2011 (adopted November 2005).
- 3.2 In accordance with national guidance, the Plan has been informed by the evidence base of the emerging Local Plan (Publication draft North East Derbyshire Local Plan).
- 3.3 Detail of how the Plan is in general conformity with strategic policies in the Local Plan is provided in table 2.

#### **Having regard to national policies and advice**

- 3.4 The Plan has been developed having regard to the NPPF. The NPPF was published in March 2012 and revised in July 2018 and sets out the government's planning policies for England and how these are expected to be applied. The policies of the previous Framework apply for the purpose of examining plans, where submitted on or before 24 January 2019.

An explanation of how each of the Plan policies has shown regard to the NPPF 2012 is outlined in table 1 below.

Table 1: Neighbourhood Plan policies regard to NPPF

Neighbourhood Plan Policy	Key Links with NPPF (ref)	Commentary
C1 Retention of Important Community Facilities	Para. 28, 69 & 70	This policy seeks to protect key community facilities. This has regard for the NPPF principle of promoting healthy communities through amongst other things, planning positively for community facilities and guarding against their unnecessary loss.
C2 Supporting New and Enhanced Community Facilities		
C3 Assets of Community Value	Para 28, 69 and 70	The Policy seeks to protect Assets of Community Value and thus guard against the loss of important community assets. This has regard for promoting healthy communities. That the listing of an asset of community value is a planning issue is reflected in a non-statutory DCLG Policy Statement <sup>1</sup> , that states, “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 listing as an asset of community value is a material consideration if an

1

		application for change of use”.
ENV1 Green Belt	Para 79. 80. 81 and 82	The Plan supports to protect and conserve the Green Belt. It has regard to NPPF, which states “The Government attaches great importance to Green Belts”. It is a positive policy given that the Green Belt in the town has been successful in serving the five functions of the Green Belt as set out in Para 80. of the NPPF.
ENV2 Landscape Character	Para 113	The Policy outlines several design principles aimed at the conservation, maintenance and enhancement of the landscape. It is in accordance with the NPPF’s aim to protect and enhance valued landscapes.
ENV3 Lea Brook Valley Green Corridor	Para 109, 110 and 117	The Policy seeks to respect and enhance local biodiversity features and habitats. The Policy has regard to the NPPF, which states that the planning system should contribute to enhancing the natural and local environment, “by minimising impacts on biodiversity and providing net gains where possible..., “including by establishing coherent ecological networks that are more resilient to current and future pressure” (Para 109).
ENV4 Ecology		
ENV5 Local Green Spaces	Para. 76 & 77	The protection of Local Green Spaces through neighbourhood plans identified as being special by the community is advocated through the NPPF. Proposed designations meet the criteria set out in the NPPF.

ENV6 Trees and Woodlands	Para. 117 &118	The Policy in its aims to protect and enhance trees and hedgerows and has regard for the NPPF, specifically, the need to conserve or enhance biodiversity and encourage opportunities for its incorporation in and around developments.
HOU1 Windfall Housing Development	Para 17, 48, 55 and 111	The Policy for small scale windfall sites has regard to the NPPF; by seeking to meet any future housing requirements for the area and maintain the vitality of the settlements, whilst protecting their character and setting. The Plan's prioritisation of brownfield sites above greenfield sites is supported by the NPPF (Paras 17 and 111) both of which encourage the effective use of land by re-using land that has been previously developed (brownfield land).
HOU2 Housing Mix	Para 50	The Policy seeks to support a mix of housing that meets an identified need in the community. The NPPF advocates for inclusive and mixed communities, which will require a mix of housing types based on current and future demographic trends.
HOU3 Affordable Housing	Para 50	This Policy supports the provision of affordable housing and including prioritising allocation to applicants with a local connection. This policy is consistent with the NPPF which outlines the need to widen opportunities for home ownership and create inclusive and mixed communities through amongst other things, supporting affordable housing,



		where there is an identified need.
HOU4 Infrastructure for New Housing and Other Forms of Development	Para 17, 35, 58, and 69	That neighbourhood plans should develop robust and comprehensive policies that set out the quality of development that will be expected for the area is advocated in the NPPF.
HOU5 Developer Contributions	Para 173	The prioritisation of projects funded through developer contributions has regard to the NPPF in terms of ensuring viability and deliverability
T&A1 Highways T&A2 Traffic Management	Para 17, 30, 35, 58 and 95	These policies seek to manage potential traffic issues arising from development and have regard for “create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians”.
T&A3 Cycling and Walking	Para 17, 30, 58 & 75	This Policy aims to protect and improve the existing cycle and pedestrian network. In doing so, it has regard to the NPPF in terms of “actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling”.
T&A4 Car Parking	Para 17, 29, 30 and 58	The adequate provision of off-road vehicle parking contributes towards “good design” and “promoting healthy” and “safer communities” by “reducing congestion” and setting “out the quality of development that will be expected for the area”.
E1 Protecting and Enhancing the Role and Attractiveness of	Para 23	The Policy supports the NFFF aim (2) of “Ensuring the vitality of town centres” with its focus on “promote competitive

Dronfield Town Centre		town centres that provide customer choice and a diverse retail offer and which reflect the individuality of town centres”.
E2 Shop Frontages in the Town Centre	Para 56, 58 and 69	The Policy has regard to the importance of good design as a key aspect of sustainable development and in particular, to create attractive places and respond to the local character and history.
E3 Shopping Hubs and other Local Shops Outside Dronfield Town Centre	69 and 70	This Policy seeks to protect important shops and shopping hubs. This has regard for the NPPF principle of promoting healthy communities through amongst other things, planning positively for community facilities and guarding against their unnecessary loss.
E4 Hot Food Takeaways	Para 17, 23, 56 and 58	This Policy has regard to the emphasis in the NPPF on “Planning policies should be positive, promote competitive town centre environments and set out policies for the management and growth of centres” and “promote competitive town centres that provide customer choice and a diverse retail offer and which reflect the individuality of town centres”.
E5 Existing Employment Uses	Para 17, 21, 22 and 37	This Policy seeks to protect suitable employment sites through the retention of buildings that provide or have the potential to provide employment opportunities. This has regard to the NPPF aim (1) of ‘Building a strong competitive economy’ and that “Planning policies should avoid the long term

		protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose”.
E6 New Small-Scale Employment Uses	Para 17, 21 and 28	Encouraging new small-scale employment uses has regard to the NPPF aims of “Building a strong economy”; “Supporting a prosperous economy” and “supporting the move to a low carbon future by enabling the operation of a home office or small workshop in residential areas”.
D1 Listed Buildings	Para 17, 131 and 132	The Plan seeks to support, conserve and enhance the value and appreciation of Listed Buildings. This Policy has regard to a core NPPF principle and aim; to “Conserve and enhance the historic environment” and its emphasis “on opportunities to draw on the contribution made by the historic environment to the character of a place”.
D2 Dronfield Character Buildings and Structures of Local Heritage Interest	Para 126 and 135	The Policy seeks to identify, protect and enhance non-designated heritage assets and is in accordance with the NPPF with its requirement that “The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application”.
D3 Good Design	Para 17, 56, 58,	The Policy outlines several design principles and supports the NPPF principle aim of “Requiring good design”; and the “need to respond to local character and history of the local

		<p>surroundings”. Importantly the policy does not impose architectural styles and hence does not stifle an innovative approach. The Policy supports sustainable design and construction techniques (including surface water management), a key element for sustainable economic growth, as identified by the NPPF.</p>
--	--	--

### Achieving sustainable development

- 3.5 The Plan is positively prepared, reflecting the presumption in the NPPF in favour of sustainable development, but it seeks to manage development to ensure that, in addition to economic considerations, reasonable environmental and social considerations are taken into account.
- 3.6 Whilst there is no legal requirement for a neighbourhood plan to have a sustainability appraisal, this section of the Statement demonstrates how the Plan fulfils the basic condition that the plan contributes to achieving sustainable development.
- 3.7 The NPPF defines sustainable development as having three dimensions; economic, social and environmental. The Plan has been developed with regard to these principles and has jointly sought environmental, economic and social gains.
- 3.8 The policies contained in the Plan contribute to achieving sustainable development by seeking positive improvements to the quality of the natural, built and historic environment, as well as in people’s quality of life.

The social goals of the Plan include to:

- Conserving Dronfield’s identity and celebrating the town’s heritage.
- Providing good quality and suitable housing that meets the needs of the town.
- Sustaining the town’s infrastructure, shops and community facilities.

The environmental goals include to:

- Protecting and wherever possible enhancing Dronfield’s green and open spaces.
- Protect trees, woodlands and hedgerows of significant importance.
- Conserve the rural character of the surrounding landscape.

The economic goals include to:

- Supporting improvements to the town centre.
- To promote a sustainable transport network which serves all users.
- To provide an environment that promotes new and existing businesses.

### **General conformity with the strategic policies of the development plan for the area**

- 3.9 The Plan has been developed in general conformity with the strategic 'saved' policies contained in North East Derbyshire's approved Local Plan adopted in 2005. To meet the basic conditions, the Plan is only required to demonstrate general conformity with the adopted Local Plan. However, in accordance with national guidance, significant regard has been paid to the evidence base of the emerging (Publication draft Local Plan) in producing the Plan.
- 3.10 Table 2 provides a summary of how each of the Plan policies are in general conformity with the 'saved' strategic policies in the North East Derbyshire Local Plan 2001-2011. A statement regarding general conformity with the Publication Draft Local Plan (2014 – 2034) is also provided where relevant.

Neighbourhood Plan Policies	'Saved' Local Plan Policy (2001-11)	Commentary	Publication Draft Local Plan (2014-2034)
C1 Retention of Important Community Facilities	SH8, CSU3	Policy C1 supports the retention of important community facilities. It also provides greater local detail and certainty as it identifies those community buildings and facilities that community has identified as of greatest importance to them.	The draft Plan notably through policies SP 1 'Dronfield' and ID 5 'Loss of Existing Social Infrastructure', which supports the protection of existing community facilities including the nomination by local communities, of important local buildings and facilities to be added on a central list.
C2 Supporting New and Enhanced Community Facilities	SH8, CSU3	Policy C2 supports the provision of new or enhances community facilities. This is supported by the Plan which provides greater local detail and certainty as it highlights those community buildings and facilities that the community considers are most needed to meet local need.	The Draft Local Plan supports proposals for new community facilities and infrastructure, as reflected in Policy ID 4 'New Social Infrastructure'; Policy SP 1 'Dronfield' and Policy ID1 'Infrastructure Delivery and Developer Contributions'.
C3 Assets of Community Value	SH8, CSU3	Policy C3 supports the listing and protection of Assets of Community Value and the additional protection this gives to them in the planning system and more generally.	The draft Plan supports the protection of existing community facilities including through the nomination by local communities, of important local buildings and facilities on a central list.
ENV 1 Green Belt	GS2	Policy ENV 1 supports and provides local context and prioritisation for the continued designation of the countryside surrounding the Town as Green Belt. The inclusion of the policy also reflects that the issue is of special importance to the town.	Policy SS10 'North East Derbyshire Green Belt' seeks to confirm the detailed boundaries of the Green Belt within North East Derbyshire and protect land within the Green Belt from inappropriate development except in very special circumstances. The inclusion of the Policy in the Plan also

			reflects that this is an of special importance to the town.
ENV 2 Landscape Character	NE1	Policy ENV2 adds significant and valuable local detail to guide development proposals through the identification of the key local landscape features.	The Draft Local Plan requires development in the countryside to respect, form, scale and character of the landscape, notably through Policy SS9 'Development in the Countryside'.
ENV 3 Lea Brook Valley Green Corridor	NE3, NE4, NE5	This Policy supports and provides local detail and context to existing and emerging Local Plan policies.	The Draft Local Plan seeks to protect and enhance the district's natural environment and seek to increase the quantity and quality of biodiversity and geodiversity as reflected in Policies SDC4 'Biodiversity and Geodiversity' and ID6 'Green Infrastructure'. Also, 3(f) of SP1 'Dronfield' makes specific reference to "Capitalise on any opportunities provided by rivers, streams, ditches, drains and canals in order to improve their ecological status".
ENV 4 Ecology	NE1, NE3, NE5, NE7	The Plan supports these aims through the identification of environmental assets and landscape elements at a local level.	The Draft Local Plan seeks to protect and enhance the district's natural environment and seek to increase the quantity and quality of biodiversity and geodiversity as reflected in Policy SDC4 'Biodiversity and Geodiversity'.
ENV 5 Local Green Spaces	R3, R4	Policy NE5 identifies many important Local Green Spaces within the Plan area. The opportunity to designate areas as Local Green Space was introduced with the NPPF (2012). The Neighbourhood Plan provides	The Draft Local Plan supports the protection of Local Green Spaces identified in a Neighbourhood Plan (para 9.97). Policy SP1 'Dronfield' makes specific reference to the need to "Protect and enhance existing green

		greater local detail and certainty as it identifies those local green spaces that are of greatest importance to them and meet the criterion for designation as such.	space, children's play spaces, outdoor youth facilities and allotments and outdoor and indoor sports facilities to meet identified demand" in Dronfield.
ENV 6 Trees and Woodlands	NE7	Policy ENV 6 seeks to protect ancient important trees and hedgerows that make a significant contribution to the character, ecology or amenity of the Town. The Plan further supports this ambition and provides additional detail regarding some of the specific trees, woodlands and hedgerows in the Plan area that are particularly significant. which the Plan supports and adds local context too.	Policy SDC 2 'Trees, Woodlands and Hedgerows' seeks to protect important trees, woodlands and hedgerows.
HOU 1 Windfall Housing Development	H1, H2	Policy HOU 1 sets out locally developed and determined criteria to help determine planning applications 'windfall' housing development sites in support of relevant national and local policies.	Policy SS1 'Sustainable Development' and the supporting text supports suitable windfall development within settlement boundaries.
HOU2 Housing Mix	H3, GS5, GS6	The Plan supports these policies and provides additional context and detail regarding the specific housing types required to meet local need and address imbalances in the market.	Policy LC4 'Type and Mix of Housing' requires that the mix of housing development proposals "should seek to ensure an appropriate mix of dwelling types, and sizes, taking account of existing imbalances in the housing stock", et al.
HOU 3 Affordable Housing	H6	HOU 3 supports these policies and provides additional context and detail regarding affordable housing provision to meet local need.	Policy LC2 'Affordable Housing' seeks all new housing proposals of more than 10 dwellings within the high-value areas, to provide at least 30% affordable housing.



			Also, “that an agreed mix of affordable housing tenures will be determined through local evidence of housing need at the time of granting planning permission”. Also relevant here is Policy SP1 ‘Dronfield, which amongst other things, aims to “Help to re-balance the local housing market through the provision of affordable housing in line with Affordable Housing Policies”.
HOU 4 Infrastructure for New Housing and Other Forms of Development	H12, GS9	Policy HOU 4 sets out the communities infrastructure, and other aspirations and expectations for necessary physical infrastructure arising from new housing and other forms of development. This includes locally developed criteria.	Policy ID1 ‘Infrastructure Delivery and Developer Contributions’ requires development proposals should only be permitted where they can be made acceptable through the provision of necessary physical, social and green infrastructure.
HOU 5 Developer Contributions	GS9	HOU 5 is in accordance with local planning policies concerning developer contributions. It provides greater local detail and certainty as it sets local priorities that the community considers are most needed.	Section 2 of Policy ID1 ‘Infrastructure Delivery and Developer Contributions’ requires “where new development will necessitate the provision of new or improved infrastructure, and/or when suitable mitigation is required the developer will be required to make direct provision of such infrastructure on site within the development, or make a financial contribution to its funding through the use of Planning Obligations (Section 106 of the Town and Country Planning Act 1990)”.

T&A1 Highways	T2, T3	This Policy is in accordance with, and provides local detail and support, for local and national policies concerning highway considerations in planning applications. Its inclusion reflects that the issue is of special importance to the town.	Policy ID1 'Infrastructure Delivery and Developer Contributions' requires proposals for development will only be permitted provided they can be made acceptable through the provision of necessary physical, social and green infrastructure in accordance with Policies ID 2 to 9 and suitable measures to mitigate the impacts of development.
T&A 2 Traffic Management	T2, T3	Policy T&A 3 supports appropriate measures aimed at improving road and pedestrian safety, especially in the identified locations where road safety issues have been highlighted by the local community.	The Plan supports the draft Local Plan's ambitions to support traffic management measures that seek to reduce congestion and increase road safety for all users. This includes Policy ID3 'Sustainable Travel' that seeks to maximise walking, cycling, and the use of public transport through the location and design of new development, with the aim of reducing congestion, and improving air quality and health
T&A3 Cycling and Walking	T2, T3, T5	Policy T&A3 supports opportunities to improve the network of footpaths and cycleways.	Policy ID3 'Sustainable Travel' seeks to maximise walking, cycling, and the use of public transport through the location and design of new development as well as Policy SDC12 'High Quality Design and Place-Making'.
T&A4 Car Parking	T3, T9	Policy T&A 4 sets out the community's aspirations in regard to car parking provision. Its inclusion also reflects that the issue is of special importance to the town.	This supports the draft Plans objectives for car parking as articulated in sections 9.49 and 9.50, Policy ID3 'Sustainable Travel' and Policy SDC12: 'High Quality Design and Place-Making' as well as Derbyshire County

			Council's guidance and standards on car parking.
E1 Protecting and Enhancing the Role and Attractiveness of Dronfield Town Centre	SH2, SH3	This Policy supports development proposals that protect and enhance Dronfield Town Centre	This supports and gives local emphasis to Policy WC5 'Retail Hierarchy and Town Centre Uses' which identifies Dronfield as a Town Centre and seeks to safeguard the retail character and function of the Town Centre and control the mix of uses and Policy D1 'Dronfield', which seeks to "Encourage uses within the town centre that enhance the offer of the town as an evening destination, particularly leisure facilities".
E2 Shop Frontages in the Town Centre	BE3, SH3	Policy E2 sets out locally formulated criteria aimed at good quality design of shop frontages in the Town Centre.	This supports and gives local emphasis to Policy WC5 'Retail Hierarchy and Town Centre Uses' which seeks to safeguard the retail character and function of the Town Centre and Policy SDC12 'High quality Design and Place-Making'. Section 7.11 makes reference to the condition of the civic centre needs addressing in order to maintain the vitality and viability of the town centre.
E3 Shopping Hubs and other Local Shops Outside Dronfield Town Centre	SH8	The Plan seeks to retain shops that meet a local need in shopping use.	This is in accordance with Policies WC5 'Retail Hierarchy and Town Centre Uses' and ID6 'Social Infrastructure' that resist the loss of important shops. It provides greater local detail and certainty as it identifies the key ones.
E4 Hot Food Takeaways	SH9	This Policy sets out locally formulated that details the local communities ambitions and priorities in relation to Hot Food Takeaways.	This supports, and is accordance, with Policy D1 'Dronfield', which seeks to "Encourage uses within the town centre that enhance the offer of the town as an evening destination, particularly leisure facilities" as well as Policy WC5 'Retail Hierarchy and Town Centre

			Uses', which, amongst other things, seeks to safeguard the retail character and function of existing centres and ensure developments not detract from their vitality and viability and to ensure the vibrancy and economic health of the District's centres, the mix of uses will be controlled.
E5 Existing Employment Uses	E6, E7	Policy E5 seeks to protect existing employment uses that meet modern business needs.	This supports and gives added local context and detail to the draft Plan's economic ambitions for Dronfield and the District more generally especially as articulated in Policy SP1 'Dronfield' and Policy WC3 'Employment Areas'.
E6 Small Scale Employment Uses	E8	The Policy supports suitable small-scale employment uses.	This supports and gives added local context and detail to the draft Plan's economic ambitions for Dronfield and the District more generally especially as articulated in Policy SP1 'Dronfield' and Policy WC3 'Employment Areas'.
D1 Listed Buildings	BE6, BE12	Policy D1 supports development proposals and measures which support, conserve and enhance the value and appreciation of Listed Buildings.	The Draft Local Plan seeks to protect Listed Buildings as reflected in Policy SDC 6 'Development affecting Listed Buildings' and Policy D1 'Dronfield' (especially section e). The inclusion of the Policy in the Plan also reflects that this is an of special importance to the town. This is acknowledged in para 7.11, which states, "Dronfield Heritage Trust and the Town Council are both active, and the initiatives such as the Barn project are positive additions to the town's heritage and attractions".

D2 Dronfield Character Buildings and Structures of Local Heritage Interest	BE6, BE12	Policy D2 identifies buildings and structures of local heritage interest and requires development proposals to take into their value.	The Draft Local Plan supports the identification and conservation of heritage assets of local importance. It has an aim to aim to identify and establish a list of locally important buildings and structures for inclusion on a local list (para 8.41). Policy D2 adds significant and valuable local detail to guide development proposals through the identification of locally important buildings.
D3 Good Design	BE1	Policy D3 seeks that the design of development proposals respond positively to the character and historic context of the Town, including locally formulated and specific criteria.	The Plan supports and provides local detail to the Draft Local Plan aims to ensure that new development proposals contribute to creating and maintaining an attractive built environment.

## **EU obligations**

### **Strategic Environmental Assessment (SEA)**

3.11 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.

3.12 A screening of the draft Plan for environmental effects was undertaken in January 2019. It was determined that a Strategic Environmental Assessment was not required. The relevant statutory bodies are being consulted on the outcomes of this Screening.

### **Habitats Directive**

3.13 A Habitat Regulation Assessment (HRA) screening of the Plan was undertaken in conjunction with the SEA screening (mentioned above). It was determined that an Appropriate Assessment under the EU Habitats Regulations was not required.

### **Convention on Human Rights**

3.14 The Plan has regard to and is compatible with the fundamental rights and freedoms guaranteed under the European Convention on Human Rights. The Plan has been prepared with extensive input from the community and stakeholders as set out in the accompanying Statement of Consultation. Considerable care has been taken throughout the preparation and drafting of this Plan to ensure that the views of the whole community were embraced to avoid any unintentional negative impacts on particular groups.

3.15 There was extensive consultation and engagement in identifying issues and objectives, and the community has been consulted on the draft Plan, as required by Regulation 14 of the Neighbourhood Planning (General) Regulations 2012. Responses have been recorded, and changes have been made as per the schedule set out in the appendices to the Statement of Consultation. The Statement of Consultation has been prepared by the

Advisory Group and meets the requirements set out in Paragraph 15 (2) of the Regulations.

#### **4.0 Conclusion**

- 4.1 The Basic Conditions as set out in Schedule 4B of the Town and Country Planning Act 1990 are considered to have been met by the Dronfield Neighbourhood Plan.
- 4.2 The Plan has regard to national policy, will contribute towards the achievement of sustainable development, is in general conformity with the 'saved' strategic policies in the North East Derbyshire District Local Plan 2001 -2011 and meets relevant EU obligations.
- 4.3 It is therefore respectfully suggested to the Examiner that the Dronfield Neighbourhood Plan complies with Paragraph 8(1)(a) of Schedule 4B of the Act.