

## **ROLLESTON-ON-DOVE NEIGHBOURHOOD DEVELOPMENT PLAN - BASIC CONDITIONS STATEMENT**

### **Legal Requirements**

As required by paragraph 8 of Schedule 4B of the Town and Country Planning Act 1990 (as amended by the Localism Act), the following matters are addressed:

#### ***The draft Neighbourhood Development Plan is being submitted by a qualifying body***

The Rolleston-on-Dove Neighbourhood Plan (RODNDP) is being submitted by Rolleston-on-Dove Parish Council.

#### ***What is being proposed is a Neighbourhood Development Plan***

The plan proposal relates to planning matters (the use and development of land) 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 Development Plan period***

The RODNDP states at paragraph 1.3 that it covers the period 2012 to 2031.

#### ***Excluded development***

The RODNDP proposal 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.

#### ***Neighbourhood area***

The RODNDP does not relate to more than one neighbourhood area and there are no other neighbourhood development plans in place within the neighbourhood area.

The RODNDP relates to the Rolleston-on-Dove Neighbourhood Area and to no other area. There are no other neighbourhood plans relating to that neighbourhood area.

### **Appropriate regard to national policy**

It is required that the RODNDP has appropriate regard to the National Planning Policy Framework (NPPF).

The NPPF in sections 183-185 refers to Neighbourhood Plans and seeks that those plans have regard to the policies in the NPPF and to be in 'general conformity' with the Strategic Policies of the Local Plan. This phrasing is explained more clearly by the Localism Act which refers to the 'adopted Development Plan'.

This section demonstrates that the RODNDP has regard to relevant policies within the NPPF in relation to:

- Promoting sustainable transport
- Delivering a wide choice of high quality homes
- Requiring good design
- Promoting healthy communities
- Meeting the challenge of climate change, flooding and coastal change
- Conserving and enhancing the natural environment

The RODNDP has five objectives:

***Objective 1: The community accepts some new homes are necessary but these should be built in the most sustainable and least impacting areas of the village, preserving the village atmosphere for future generations***

This seeks to address the NPPF goal of 'Delivering a wide choice of high quality homes' and 'Conserving and enhancing the natural environment'.

***Objective 2: The preservation of the village of Rolleston on Dove to prevent merging into the suburbs of Burton and the villages of Stretton and Tutbury, thereby losing its important identity***

This seeks to address the NPPF goal of 'Conserving and enhancing the natural environment'.

***Objective 3: The protection of green open space used for sport and recreation***

This seeks to address the NPPF goal of 'Promoting healthy communities' and 'Conserving and enhancing the natural environment'.

***Objective 4: For the scale of development to be in keeping with the village. In particular, large housing developments are not acceptable within the village***

This seeks to address the NPPF goal of 'Delivering a wide choice of high quality homes' and 'Requiring good design'.

***Objective 5: Developments should meet the housing needs of the local community and be designed to be in keeping with the existing properties in the village.***

This seeks to address the NPPF goal of 'Delivering a wide choice of high quality homes' and 'Requiring good design'.

The RODNDP identifies, for every policy, exactly which objectives the policy is addressing.

**Table 1: Assessment of how each policy in the RODPC conforms to the NPPF**

No.	Policy title and reference	NPPF ref. (para.)	Commentary
1	Policy H1: Housing requirement	50, 54, 162	Recognises Rolleston-on-Dove’s role as a village which serves a rural hinterland. In this respect, it plans positively to address the housing needs of the local and wider communities over the plan period. This has been informed by the existing and potential capacity of key community services, particularly education and health. The RODNDP has assessed needs from today, so considers that all housing which has yet to be completed and occupied should contribute towards the total for the plan period.
2	Policy H2: Housing types	50, 54	Proposes to deliver a mix of housing sizes which acknowledges the demand and need for homes in Rolleston-on-Dove. Also seeks to provide homes which are flexible to meet a variety of needs.
3	Policy H3: Affordable housing priority	50, 54	Proposes to ensure that the affordable housing needs of those with a proven local connection to Rolleston-on-Dove are prioritised.
4	Policy H4: Affordable housing provision	50, 54	Recognises the extant ESBC policy on affordable housing and seeks to ensure that best use is made of the existing stock of affordable properties in Rolleston-on-Dove.
5	Policy H5a: Housing allocations and phasing – Land at Knowles Hill	50, 54, 55	Allocates a deliverable housing site for development at an appropriate stage in the plan period to ensure a balanced supply of housing coming forward. Specifies an appropriate mix, all in accordance with the criteria set out in Policy H2. The particular focus on addressing older persons’ needs is derived from community feedback on needs of the existing population and demographic projections of an ageing population.
6	Policy H5b: Housing allocations and phasing – Land off Shotwood Close	50, 54	Allocates a deliverable housing site for development at an appropriate stage in the plan period to ensure a balanced supply of housing coming

No.	Policy title and reference	NPPF ref. (para.)	Commentary
			forward.
7	Policy D1: Green spaces within new residential development	58, 69, 70, 73	Ensures that larger developments properly incorporate usable public open space into their developments. Such space must be for the enjoyment of the whole community, providing wider health, well-being and social benefits.
8	Policy D2: Residential storey heights	60, 61	Reflects strong community views about the importance of building height as a connection between the local community and Rolleston-on-Dove as a rural village. This is a key aspect of local distinctiveness from the nearby urban area of Burton-on-Trent.
9	Policy D3: Energy efficiency of new developments	58, 93, 95, 97	This challenges developments to ensure that the highest standards of sustainability in building design are achieved, in order to offset the less sustainable location of Rolleston-on-Dove as a rural village, away from higher order services. The policy seeks to minimise impacts of new development in terms of carbon emissions.
10	Policy D4: Parking standards for new residential development	39	Addresses recent experience of large scale development in Rolleston-on-Dove and problems with on-street parking, particularly with regard to safety and access. Reflects accepted problems of high car ownership in a relatively affluent village.
11	Policy D5: Materials and refuse bin storage for residential development	57, 58, 61	<p>Seeks to address concerns over lack of attractiveness of the streetscape, whilst still enabling innovation in design of roofs.</p> <p>Seeks to provide a solution to visually unattractive refuse bins which detract from the street scene.</p>
12	Policy OS1: Development outside the settlement boundary	55, 109	Redefines the existing built up area boundary to ensure consistency with the need to deliver affordable and open market rural homes and to protect

No.	Policy title and reference	NPPF ref. (para.)	Commentary
			the natural landscape beyond the urban edge.
13	Policy OS2: Protection of local green spaces of community value	74, 76, 77	Makes use of the provision for making a designation and applies the site selection criteria.
14	Policy OS3: Protection of views of local importance	109	Protects views of particularly valued local landscapes
15	Policy IN1: Provision of a community centre	162, 184	Sets out an identified community need along with how this is proposed to be financed and delivered.
16	Policy IN2: Provision of sports/leisure facilities	162, 184	Sets out identified community needs along with how these are proposed to be financed and delivered.
17	Policy IN3: Provision of transport infrastructure	29, 30, 40	<p>Seeks to encourage greater use of public transport as well as more movement by non-car modes (walking and cycling) by reducing vehicular speeds along a key route.</p> <p>Also seeks to encourage greater use of local services and shops by providing more parking.</p>

One particular issue raised by English Heritage as part of its response to the Pre-Submission Consultation version of the RODNDP was that,

*“...the draft objectives do not include any provisions for the conservation and enhancement of the historic environment and the area’s heritage assets. In this context, therefore, English Heritage considers that there is insufficient information at this stage to determine the likely impact of the Plan and any significant effects on cultural heritage.”*

It is not a requirement of neighbourhood development plans which contain heritage assets and/or a conservation area, to have policies that specifically address this. The community of Rolleston-on-Dove did not raise this as a particular issue that the RODNDP should address. Moreover, the NPPF provides a policy framework for considering the impact of proposals on the historic environment along with the relevant saved policies in the ESBC 2006 Local Plan.

## **Contribution towards sustainable development**

The NPPF states in paragraph 14 that a presumption in favour of sustainable development is at the heart of the NPPF and 'should be seen as a golden thread running through both plan-making and decision-taking.'

The strategic objectives of the Neighbourhood Plan comprise a balance of social, economic and environmental goals. The social goals are to maintain a thriving community within Rolleston-on-Dove, recognising that the community and its needs may change over time. This it seeks to achieve by providing an appropriate mix of new homes to meet the demands and needs of the local and wider community and also by providing the supporting infrastructure that the community needs through additional community facilities.

Success in these respects will maintain the economically active population of the NDP area, whilst also addressing the needs of the ageing population. It can therefore be considered that the RODNDP will be making a small, if important contribution towards addressing the wider economic needs of East Staffordshire.

However, the goals make clear that there are environmental considerations which the needs of growth must be balanced with. The village of Rolleston-on-Dove has a significant number of green spaces which are valued by the community and are worthy of retention for the enjoyment of the community and future generations. In particular, the loss of the largest area of open space at the College Fields, used by the community for a variety of activities, would have an unacceptable impact on environmental and social sustainability of the village. Also, whilst not in an area considered to be of high landscape value, Rolleston-on-Dove does have landscape views which are of importance to the local community so should be protected.

The environmental responsibilities of the RODNDP also relate to the impact of built development on carbon emissions. The NDP seeks to ensure that development achieves the highest standards of energy efficiency. Similarly, policies are included to facilitate greater use of non-car modes of transport, particularly, bus usage.

One of the most fundamental policy issues for ensuring that there were no significant environmental effects was the allocation of sites for housing development. In this respect, the approach taken was comprehensive and sought to balance technical assessment of sites with the views of the community. The technical assessment was provided by the ESBC Strategic Housing Land Availability Assessment (SHLAA) process. Where sites were identified which had not been submitted and considered as part of the SHLAA, the same assessment was undertaken by the RODNDP. The sites allocated in the RODNDP are therefore considered to represent sustainable options, providing for the needs of the community in sustainable locations within Rolleston-on-Dove.

A Strategic Environmental Assessment (SEA) Screening Opinion report was prepared for the RODNDP and submitted to ESBC, following comments from the Environment Agency, English Heritage and Natural England. This considered that an SEA was not necessary as the RODNDP was not expected to have any significant environmental effects.

In seeking to address this aspect of the Basic Conditions, it has been important to balance the requirements of the NPPF and development plan on the one hand and the need to deliver a Neighbourhood Plan that would pass a referendum on the other. Too little growth would be in likely conflict with the NPPF and emerging development plan and, in any event, would undermine important social goals. Too much growth would likely result in significant impacts on environmental assets of value to the local community and would simply not win the support of the local community. This latter aspect has been emphasised by the strength of feeling of the community regarding the inappropriateness of development of certain key assets within Rolleston-on-Dove.

The sustainability attributes of each policy are summarised in Table 2 below:

**Table 2: Assessment of policies against sustainability criteria**

No.	Policy title and reference	Social	Econ.	Env.	Commentary
1	Policy H1: Housing requirement	++	+	x	Policy seeks to address the particular needs of the existing community as well as the changing needs of Rolleston-on-Dove, as a rural village serving a wider hinterland, over the plan period. The scale of development reflects the capacity of supporting infrastructure as well as ensuring that impacts on the environment are minimised. The SEA Screening Opinion report shows that this trade-off has been minimised, and in any event, would be unavoidable, but it is accepted that it may have a negative environmental benefit that will require minimising and mitigating.
2	Policy H2: Housing types	++	+	x	This prioritises meeting the needs of those requiring smaller homes – both older people and first-time buyers. Whilst this scores strongly on social measures and to an extent on bolstering the local base of economically active people, it requires some trade off with the environmental capital of the NP area.
3	Policy H3: Affordable housing priority	+	+	-	This addresses social issues for those with a local connection to Rolleston-on-Dove and therefore also serves to have a positive, if limited, impact on the local base of economically active people.
4	Policy H4: Affordable housing provision	+	+	-	This addresses social issues for those with a local connection to Rolleston-on-Dove and therefore also serves to have a positive, if limited, impact on the local base of economically active people.
5	Policy H5a: Housing allocations and phasing – Land at Knowles Hill	++	+	-	The scarcity of unconstrained brownfield land within the NP area means that greenfield sites have had to be allocated, and these therefore have a negative environmental impact. Apart from the two allocated sites which are capable of addressing almost all of the housing requirement in Policy H1, no other sites: <ul style="list-style-type: none"> <li>i. met all the SHLAA criteria;</li> <li>ii. were in more sustainable locations close to the centre of the village; and/or</li> </ul>

No.	Policy title and reference	Social	Econ.	Env.	Commentary
					<p>iii. were considered not to have a detrimental impact on the community in terms of their current role as a green open space asset serving the community.</p> <p>The impact of this site will be minimised by site design and mitigated by the provision of new public open spaces (as required by Policy D1). Therefore the overall environmental impact is considered to be neutral. Social and economic impacts are positive as this site helps to address the housing needs identified in Policies H1-H4.</p>
6	Policy H5b: Housing allocations and phasing – Land off Shotwood Close	++	+	-	<p>The scarcity of unconstrained brownfield land within the NP area means that greenfield sites have had to be allocated, and these therefore have a negative environmental impact. Apart from the two allocated sites which are capable of addressing almost all of the housing requirement in Policy H1, no other sites:</p> <ul style="list-style-type: none"> <li>i. met all the SHLAA criteria;</li> <li>ii. were in more sustainable locations close to the centre of the village; and/or</li> <li>iii. were considered not to have a detrimental impact on the community in terms of their current role as a green open space asset serving the community.</li> </ul> <p>The impact of this site will be minimised by site design and mitigated by the provision of new public open spaces (as required by Policy D1). Therefore the overall environmental impact is considered to be neutral. Social and economic impacts are positive as this site helps to address the housing needs identified in Policies H1-H4.</p>
7	Policy D1: Green spaces within new residential development	+	-	+	<p>This seeks to ensure that new developments provide open space for all the community to enjoy and so prevents an ‘urban’ feel to development which would be out of keeping with Rolleston-on-Dove as a rural village. It therefore has a positive environmental and social effect.</p>
8	Policy D2: Residential storey heights	+	-	-	<p>This seeks to prevent developments having an ‘urban’ feel which would be out of keeping with Rolleston-on-Dove as a rural village. It therefore has a positive social effect.</p>

No.	Policy title and reference	Social	Econ.	Env.	Commentary
9	Policy D3: Energy efficiency of new developments	-	-	++	This seeks to address the negative environmental effects that poorly designed and constructed buildings have on the environment in terms of their lack of energy efficiency. It is therefore considered to have a very positive environmental effect.
10	Policy D4: Parking standards for new residential development	+	-	-	This seeks to ensure that developments are carefully designed to address the realistic number of cars that occupiers will have in an affluent village with already high levels of car ownership. It intends to minimise on-street parking, so addressing safety concerns in terms of people (particularly children) crossing roads between parked cars and also the ability of the emergency services to access all houses on a development. This should have a positive social effect.
11	Policy D5: Materials and refuse bin storage for residential development	+	-	-	This policy intends to provide higher quality, better thought-out developments which address the needs of their occupiers. In particular, Policy H2 which seeks to ensure that a greater number of smaller properties are provided, will mean that space for refuse bins is at a premium. This policy will ensure that it is designed in to developments, rather than being added on as an after-thought. It will therefore have a positive social effect.
12	Policy OS1: Development outside the settlement boundary	++	-	+	<p>The intent of the redrawn boundary is to enable the inclusion of the land allocation at Shotwood Close in Policy H5b. This allows for a larger, more diverse housing scheme than would have been viable had the site been delivered as a rural exception site, thereby having a positive social impact. However, given the impact minimisation and mitigation measures outlined above, its net environmental impact is considered neutral.</p> <p>The identification of the settlement boundary seeks to ensure that the village is not subject to inappropriate sprawl. In particular, this seeks to ensure that the gap between Rolleston-on-Dove and the settlements of Horninglow and Stretton is not eroded. This is considered to have a positive environmental effect.</p>

No.	Policy title and reference	Social	Econ.	Env.	Commentary
13	Policy OS2: Protection of local green spaces of community value	++	-	++	The policy will protect vulnerable and yet highly cherished open land in several locations in Rolleston-on-Dove village. It will have a strong environmental and social impact.
14	Policy OS3: Protection of views of local importance	++	-	++	The policy will protect highly cherished views of landscapes which are considered important to the local community. It will have a strong environmental and social impact.
15	Policy IN1: Provision of a community centre	++	-	-	This policy will deliver a strong social impact, providing much needed community space which is accessible by all the community for a range of needs.
16	Policy IN2: Provision of sports/leisure facilities	++	-	-	This policy will deliver a strong social impact, providing sports and leisure facilities which the community considers are needed.
17	Policy IN3: Provision of transport infrastructure	++	-	-	This will help to increase bus usage through the provision of better shelters and Real Time Passenger Information. It will also increase use of the local shopping facilities through the provision of improved parking. Both of these elements of the policy will have social impacts. The speed reduction measures will also have a positive social impact by ensuring that accidents are minimised on a stretch of road identified by the community as being a safety concern.

Key:        \*\* very positive                                \* positive                                - neutral                                x negative                                xx very negative

## **General conformity with the strategic policies in the development plan**

The current status of the development plan – its combination of the adopted 2006 Local Plan and emerging Local Plan by ESBC – has made judging this matter more difficult than would have been the case in other circumstances. At the outset, the Parish Council considered the alternative – of awaiting the adoption of the new Borough Local Plan – as creating an unacceptable risk of uncontrolled development, given the acknowledged five year housing land supply position in East Staffordshire for the duration of the plan preparation period. However it recognised that, as the emerging Local Plan advanced towards submission, examination and then adoption, the weight that should be attached to it would increase. It was also assumed that, over the lifetime of the production of the RODNDP, the emerging Local Plan would have reached a stage where the spatial strategy was established, had been fully consulted on and matters resolved; therefore it would have a reasonable degree of weight attached to it even if it had yet to be examined. The strong push given in the National Planning Policy Framework (NPPF) to produce an up-to-date local plan reinforced this, as did discussions with ESBC officers regarding the stated programme for the emerging Local Plan.

However, since commencement of the RODNDP, progress with the emerging Local Plan has been extremely slow. The RODNDP commenced in November 2011. At that time, ESBC had consulted on its Draft Pre-Publication Strategic Options document (published in August 2011). This had a housing requirement of 13,000 dwellings between 2006 and 2031, an annual average of 520 dwellings. There were three options in terms of housing numbers for Rolleston-on-Dove, two of which were for 50 dwellings and one for 150 dwellings.

Since that August 2011 consultation, ESBC consulted on its Preferred Options in July 2012. This document represented a considerable change from the Draft Pre-Publication Strategic Options. The overall housing requirement had reduced to 8,935 dwellings between 2012 and 2031, an annual average of 470 dwellings. Four options were presented for delivering the preferred spatial strategy, with requirements for Rolleston-on-Dove of 50, 100, 125 and 150 dwellings. It is understood that there were significant objections to the spatial strategy as presented, including from Rolleston-on-Dove Parish Council and a significant proportion of the community of Rolleston-on-Dove.

At a meeting with ESBC in April 2013, officers of the Council stated that the housing requirement was likely to have to change again and that therefore the Pre-Submission Version of the plan was not expected until October 2013, fully 15 months after the previous consultation document. Officers stated that the plan was likely to look “quite different” to the previous version. It is understood that this will include a further change to the overall housing requirement for the Borough but officers were unable to state what this was likely to be as work was still ongoing.

In respect of work on the RODNDP, it had been hoped by the Steering Group that in the 18 months since the start of the process, there would have been greater clarity on the emerging Local Plan. However, this is not the case. Indeed, on several occasions when clarity has been sought by the Steering Group as to whether existing residential planning permissions can count towards the plan period 2012 to 2031, officers at ESBC have been unable to provide an answer.

In light of this and the continuing threat to the village of Rolleston-on-Dove from speculative applications, the Steering Group has felt it appropriate to continue forward with the RODNDP, adopting the principles that the extant Local Plan (2006) holds some weight but the emerging Local Plan, due to the significant amount of work in order to progress it to submission stage and then on through examination, coupled with the significant level of objection to the most recent published version, can hold little weight.

The 2006 Local Plan could not, of course, have anticipated the existence of the Localism Act almost a decade later and so made no provision for translating generic planning policy into a distinct parish-based plan. However, as Table 3 below makes clear, the Neighbourhood Plan policies are in general conformity with the strategic intent of that Plan and its specific saved policies. The table indicates where the Local Plan policies are not relevant; in such circumstances the NPPF provides the policy framework and the RODNDP has been assessed against this in Section 2.

Given that the Pre-Submission Version of the emerging Local Plan is not expected to be published until Autumn 2013, and that officers have stated that this plan will have changes compared to the most recent published version, it is not possible to coherently assess the RODNDP against a consistent emerging policy framework.

**Table 3: RODNDP and Development Plan summary**

No.	Policy title and reference	2006 LP ref.	Commentary
1	Policy H1: Housing requirement	N/A	N/A – the housing requirement in the 2006 Local Plan covered needs over the plan period to 2011 so is out of date.
2	Policy H2: Housing types	H6	Reflects the 2006 Local Plan policy seeking a minimum of 10% of developments of 20 or more dwellings to be built to Lifetime Homes standards and increases the requirement in order to reflect the importance attached by the community to high quality developments which meet the locally specific (and identified) range of needs of the population of Rolleston-on-Dove.
3	Policy H3: Affordable housing priority	H12	Policy H12 in the 2006 Local Plan requires that affordable housing should ‘address any particular needs identified in any adopted Housing Need Survey.’ The RODNDP Policy H3 seeks to ensure that these local needs are addressed so is complementary to the Local Plan policy.
4	Policy H4: Affordable housing provision	H12	RODNDP reflects the fact that the threshold of 25 dwellings applies for seeking affordable housing provision, with the mix of tenure to be determined through appropriate means.
5	Policy H5a: Housing allocations and phasing – Land at Knowles Hill	H2, H6	RODNDP has demonstrated that the provision of new housing cannot be met through brownfield sites, so is in accordance with the 2006 Local Plan policy. The density of development (24 dwellings per hectare, dph) is below the requirement in Policy H6 of the 2006 Local Plan for developments to be a minimum of 30 dph. However, the Local Plan policy reflects previous Government guidance which has subsequently been superseded.
6	Policy H5b: Housing allocations and phasing – Land off Shotwood Close	H2, H6	RODNDP has demonstrated that the provision of new housing cannot be met through brownfield sites, so is in accordance with the 2006 Local Plan policy. The density of development (24 dwellings per hectare, dph) is below the requirement in Policy H6 of the 2006 Local Plan for developments to be a minimum of 30 dph. However, the Local Plan policy reflects previous Government guidance which has subsequently been superseded.
7	Policy D1: Green spaces	L2	RODNDP Policy D1 seeks to complement and build on 2006 Local Plan Policy L2 which requires an

No.	Policy title and reference	2006 LP ref.	Commentary
	within new residential development		appropriate amount of green space to be provided as part of larger developments. RODNDP seeks to reflect the local circumstances and the views of the local community that such space should be designed for all the community to use.
8	Policy D2: Residential storey heights	H6	The 2006 Local Plan states that, “permission will not be granted for development which harms the setting of buildings or the overall street scene, or which has an adverse effect on adjacent properties by virtue of size of dwelling, intrusion on privacy, loss of daylight, bulk...” The RODNDP policy specifically addresses the most significant of these as identified by the community.
9	Policy D3: Energy efficiency of new developments	N/A	N/A
10	Policy D4: Parking standards for new residential development	T7	The policy in the 2006 Local Plan was supported by Supplementary Planning Guidance which specified maximum parking standards in line with Planning Policy Guidance Note 13. This has since been superseded but Policy D4 in the RODNDP seeks to reflect the position in Rolleston-on-Dove in respect of the criteria applied to considering parking needs associated with development.
11	Policy D5: Materials and refuse bin storage for residential development	H6	RODNDP has reflected the requirement for good design and use of appropriate materials required by Policy H6 in the 2006 Local Plan. It has sought to reflect the particular local issue of concern, namely the use of inappropriate materials and poor design of developments requiring unsightly refuse bins to be left outside the front of properties.
12	Policy OS1: Development outside the settlement boundary	NE1	RODNDP supports Policy NE1 in the 2006 Local Plan, but slightly revises the boundary for Rolleston-on-Dove village to reflect the allocation at Shotwood Close (Policy H5b). The Local Plan policy was adopted prior to neighbourhood planning so could not have foreseen that, being a local matter, the opportunity to revise settlement boundaries could be undertaken by neighbourhood plans.

No.	Policy title and reference	2006 LP ref.	Commentary
13	Policy OS2: Protection of local green spaces of community value	L1	There is no direct policy of relevance to this. However, in respect of the College Playing Fields, one of the areas identified for protection as an open space of community value, the 2006 Local Plan Policy L1 is relevant. This states that the loss of green space for informal recreation will be assessed against the ESBC's Greenspace SPG. It is considered that the loss of such an area would not fulfil the criteria so should be resisted.
14	Policy OS3: Protection of views of local importance	N/A	N/A
15	Policy IN1: Provision of a community centre	CSP5, IMR2	2006 Local Plan Policies CSP5 and IMR2 facilitate the use of developer contributions to address community infrastructure needs. Needs will have changed since the plan was adopted and RODNDP Policy IN1 reflects the assessment of the community's needs.
16	Policy IN2: Provision of sports/leisure facilities	CSP5, IMR2	2006 Local Plan Policies CSP5 and IMR2 facilitate the use of developer contributions to address community infrastructure needs. Needs will have changed since the plan was adopted and RODNDP Policy IN1 reflects the assessment of the community's needs.
17	Policy IN3: Provision of transport infrastructure	T8, IMR2, T6	The 2006 Local Plan seeks to improve the quality of bus services and the proposals in RODNDP Policy IN3 seek to contribute towards this. Also, 2006 Local Plan Policy IMR2 facilitates the use of developer contributions to address community infrastructure needs and this includes transport and parking infrastructure. RODNDP Policy IN3 does not specify a scheme for providing additional parking to serve the shops on Rolleston-on-Dove village, so does not conflict with 2006 Local Plan Policy T6.

## **Does not breach, and is compatible with, EU obligations and Human Rights requirements**

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.

A formal screening opinion by ESBC, following consultation with the Environment Agency, English Heritage and Natural England considered that a strategic environmental assessment (SEA) was not necessary.

The Neighbourhood Area is not in close enough proximity to any European designated nature sites to warrant an Appropriate Assessment under the EU Habitats Regulations and so this has not been required by ESBC.

## **Conclusion**

The Basic Conditions as set out in Schedule 4B to the TCPA 1990 are considered to be met by the RODNDP and all the policies therein. It is therefore respectfully suggested to the Examiner that the RODNDP complies with Paragraph 8(1)(a) of Schedule 4B of the Act.

