

Urban Vision Enterprise CIC  
Denstone Neighbourhood Plan  
Basic Conditions Statement V1  
September 2023

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# 1. Introduction

## 1.1 Purpose of the Report

This is a Basic Conditions Statement, prepared to accompany the submission of the Denstone Neighbourhood Plan.

The statement explains how the Neighbourhood Plan meets the Basic Conditions and other legal requirements.

## **2. Meeting Legal Requirements**

### **2.1 General Requirements**

#### **Qualifying Body**

The draft plan proposal is being submitted by Denstone Parish Council which is the qualifying body for neighbourhood planning.

#### **Scope and Statutory Process**

The draft plan relates to the use and development of land and has been prepared in accordance with the statutory requirements and processes set out in planning legislation, policy and guidance. This includes designation of the Neighbourhood Area, screening (SEA and HRA) and statutory consultation (Regulation 14).

#### **Period of Effect**

The draft plan states the period for which it is to have effect, until the end of 2033 (Paragraph 1.2).

#### **Excluded Development**

The draft 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.

#### **Neighbourhood Area**

The draft plan proposal relates to the Denstone Neighbourhood Area and to no other area. The existing 'made' neighbourhood plan for the Denstone Neighbourhood Area will be superseded by the new neighbourhood plan.

## 2.2 The Basic Conditions

The Basic Conditions that neighbourhood plans must meet are as follows:

1. must be appropriate having regard to national policy;
2. must contribute to the achievement of sustainable development;
3. must be in general conformity with the strategic policies in the development plan for the local area;
4. must be compatible with EU obligations (equivalence in UK law).

Regulations specify an additional basic condition that a plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017, which set out the habitat regulation assessment process for land use plans, including consideration of the effect on habitats sites.

In addition, the plan must meet requirements of human rights law.

The following chapters of this statement deal with the basic conditions in more detail.

## 3. Sustainable Development

### 3.1 Dimensions of Sustainable Development

The National Planning Policy Framework states that sustainable development has economic, social and environmental objectives.

The draft plan proposal takes a balanced approach to enabling growth, but also considering economic, social and environmental sustainability.

### 3.2 How Sustainable Development is Addressed

The draft plan proposal seeks to deliver growth and to address sustainability through a set of eleven policies, grouped as follows.

#### **Sustainable Development**

DEN-SD1: Denstone Settlement Boundary

DEN-SD2: Housing

DEN-SD3: Employment and Community Facilities

DEN-SD4: Denstone College

#### **Place and Environment**

DEN-PE1: Design

DEN-PE2: Heritage

DEN-PE3: Natural Environment and Landscape

DEN-PE4: Flooding and Surface Water

#### **Local Green Space**

DEN-LG1: Local Green Space

#### **Energy and Travel (Infrastructure)**

DEN-ET1: Local Energy

DEN-ET2: Transport and Active Travel

The **Sustainable Development** section enables various kinds of growth and development. DEN SD1 defines the settlement boundary, as a focus for development. DEN-SD2 supports housing development in sustainable locations, subject to meeting certain standards. DEN-SD3 supports community facilities and employment development in sustainable locations, subject to consideration of impacts. DEN-SD4 addresses development of the Denstone College site, enabling growth, but subject to impacts on the historic environment and landscape.

The **Place and Environment** section deals with design and environmental protection. DEN-PE1 sets design requirements. Good design is important for quality of life and health, but also to create the conditions for economic prosperity. DEN-PE2 addresses specific local heritage issues, to protect the cultural value of heritage, but also recognising its other social and economic values. DEN-PE3 seeks to protect the

natural environment and landscape, recognising the importance of biodiversity. DEN-PE4 addresses local aspects of flood risk.

The **Local Green Space** section includes one policy, DEN-LG1, making LGS designations. Protecting space with community value.

The **Energy and Travel** section deals with infrastructure. DEN-ET1 enables local energy schemes, subject to impacts. DEN-ET2 sets infrastructure requirements for transport and has an emphasis on active travel, together with the design policy.

### 3.3 Achieving Sustainable Development

The combination of policies enabling growth and those addressing economic, social and environmental sustainability and infrastructure combine to ensure that the plan will help to achieve sustainable development, including practical measures to address climate change and taking account of the needs of current and future generations.

## 4. National Policy and Guidance

### 4.1 Having Regard to National Policy and Guidance

The draft plan proposal has had regard to the National Planning Policy Framework 2023 (NPPF) and Planning Practice Guidance (PPG).

Chapter 2 of the NPPF deals with achieving sustainable development. Sustainable development has economic, social and environmental objectives, set out in Paragraph 8.

Paragraph 11a) states:

*all plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects;*

This principle has underpinned the draft Neighbourhood Plan, which has the following vision:

***To support the economic growth and development of Denstone Village whilst maintaining its unique character and community.***

This vision translates into the following aims:

- i. Achieve sustainable development and growth through the range of policies within the Plan.***
- ii. Set out sustainable locations for growth and planning requirements for housing, employment, community, and other development.***
- iii. Protect the approved Settlement Boundary for Denstone Village.***
- iv. ensure that new housing will be supported within the agreed Settlement Boundary and should include a mix of sizes and types of accommodation to meet the latest evidence of local need.***
- v. Support development to create employment space and community facilities in accordance with the Neighbourhood Plan policies.***
- vi. Support development of the Denstone College campus for educational purposes in accordance with the Neighbourhood Plan policies.***
- vii. Ensure that development is well-designed and sustainable and to protect the historic and natural environment of the area in accordance with the Neighbourhood Plan policies relating to Design, Heritage, Natural Environment & Landscape and Flooding and Surface Water.***



- viii. Protect spaces of community value (Local Green Space) in accordance with the Neighbourhood Plan policies.**
- ix. Ensure that development is supported by sustainable infrastructure in accordance with the Neighbourhood Plan policies.**

These aims then underpin the policies.

Chapter 3 of the NPPF deals with plan-making. Paragraph 16 requires plans to be prepared with the objective of contributing to the achievement of sustainable development, to be aspirational but deliverable; to be shaped by early, proportionate, and effective engagement and contain policies that are clearly written and unambiguous.

The policies have been written to provide a clear framework for decisions.

The neighbourhood plan is based on a range of evidence, in line with planning practice guidance. This includes evidence on non-designated heritage, natural environment, and design.

A rigorous selection processes was undertaken to identify Local Green Spaces for designation. The analysis for each space is set out in the following report *Local Green Space Assessment, updated, August 2023*.

## 4.2 NPPF Policy Areas

The NPPF was revised in September 2023 and contains a number of policy areas. The following table details the relationship between the Neighbourhood Plan policies and the NPPF chapters.

NPPF Policy	NP Aim	NP Policies
<p><b>Chapter 5: Delivering a sufficient supply of homes</b></p> <p>Supply of homes, mix and affordability. (density is dealt with in Chapter 11).</p> <p><i>... to support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed ...</i></p> <p><i>... that the needs of groups with specific housing requirements are addressed ...</i></p>	<p>I, ii, iii, iv, vii, ix</p>	<p><b>DEN-SD1: Denstone Settlement Boundary</b>  <b>DEN-SD2: Housing</b>  <b>DEN-PE1: Design</b>  <b>DEN-ET2: Transport and Active Travel</b></p> <p>The plan supports housing growth in sustainable locations and sets specifications, infrastructure requirements and design standards for residential development.</p> <p>The policies enable growth, but also seek to ensure quality of provision, to meet diverse local needs.</p>
<p><b>Chapter 6: Building a strong, competitive economy</b></p> <p>Create conditions for businesses to invest, expand and adapt.</p> <p>Includes consideration of economic and investment strategy, infrastructure, and flexibility to changing practices.</p> <p><i>planning policies should ... set out a clear economic vision and strategy which positively and proactively encourages sustainable economic growth ...</i></p>	<p>I, ii, iii, v, vii, ix</p>	<p><b>DEN-SD1: Denstone Settlement Boundary</b>  <b>DEN-SD3: Employment and Community Facilities</b>  <b>DEN-SD4: Denstone College</b>  <b>DEN-PE1: Design</b>  <b>DEN-ET1: Local Energy</b>  <b>DEN-ET2: Transport and Active Travel</b></p> <p>The policy supports local employment in the settlement and Denstone College.</p> <p>Design of development is important in creating positive image and quality of environment, both crucial in attracting investment and employment.</p>
<p><b>Chapter 8: Promoting healthy and safe communities</b></p> <p>Planning policies should aim to achieve ‘healthy, inclusive and safe places ...’. This includes promoting social interaction,</p>	<p>I, ii, iii, v, vii, ix</p>	<p><b>DEN-SD1: Denstone Settlement Boundary</b>  <b>DEN-SD3: Employment and Community Facilities</b>  <b>DEN-SD4: Denstone College</b>  <b>DEN-PE1: Design</b></p>

<p>being safe and accessible, and enable and support healthy lifestyles.</p> <p>Policies should also make provision for shared spaces and community facilities and guard against loss of valued facilities and services.</p> <p>Local Green Space, including criteria for designation, is dealt with in Paragraphs 100-103.</p>		<p><b>DEN-PE3: Natural Environment and Landscape</b>  <b>DEN-PE4: Flooding and Surface Water</b>  <b>DEN-LG1: Local Green Space</b>  <b>DEN-ET2: Transport and Active Travel</b></p> <p>The plan supports the development of the existing settlement and also Denstone College as a key local facility.</p> <p>The plan seeks to maintain or expand local community facilities and designates Local Green Space.</p> <p>Various policies deal with community facilities, environmental quality, health and active travel.</p>
<p><b>Chapter 9: Promoting sustainable transport</b></p> <p><i>transport issues should be considered from the earliest stages of plan-making ...</i></p> <p>This includes consideration of impacts of development, existing and proposed infrastructure, promotion of walking, cycling, and public transport, environmental impacts, and movement, streets, and parking in the design of schemes.</p>	<p>vii, ix</p>	<p><b>DEN-PE1: Design</b>  <b>DEN-ET2: Transport and Active Travel</b></p> <p>The policies promotes sustainable transport and active travel.</p> <p>Policies require development to address pedestrian convenience and sustainable modes of transport.</p> <p>Existing footpaths and cycle paths are protected.</p>
<p><b>Chapter 11: Making effective use of land</b></p> <p><i>Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and</i></p>	<p>I, ii, iii, iv,v, vi</p>	<p><b>DEN-SD1: Denstone Settlement Boundary</b>  <b>DEN-SD2: Housing</b>  <b>DEN-SD3: Employment and Community Facilities</b>  <b>DEN-SD4: Denstone College</b>  <b>DEN-PE1: Design</b>  <b>DEN-PE2: Heritage</b>  <b>DEN-PE3: Natural Environment and Landscape</b></p>

<p><i>ensuring safe and healthy living conditions ...</i></p> <p>This includes promotion of mixed use to achieve environmental net-gain, using undeveloped land for alternative uses, using brownfield land and under-utilised land and buildings, use of airspace.</p>		<p><b>DEN-PE4: Flooding and Surface Water</b>  <b>DEN-LG1: Local Green Space</b>  <b>DEN-ET1: Local Energy</b>  <b>DEN-ET2: Transport and Active Travel</b></p> <p>Collectively, the policies support mixed use, a walkable neighbourhood, use of brownfield land, homes to meet local need and environmentally responsible design.</p>
<p><b>Chapter 12: Achieving well-designed places</b></p> <p>Design considerations include function, adding to the quality of the area, visual attractiveness, effective landscaping, being sympathetic to local character and history, not discouraging innovation and change, maintain strong and distinctive sense of place, optimise site potential, and making safe, inclusive and accessible places.</p> <p><i>... Neighbourhood Planning groups can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development ....</i></p> <p>The National Design Guide (2021) establishes that well-designed places have ten characteristics. These are context, nature, identity, use, resources, movement, built form, public space, homes and buildings and lifespan.</p>	<p>vii</p>	<p><b>DEN-SD2: Housing</b>  <b>DEN-PE1: Design</b>  <b>DEN-PE2: Heritage</b>  <b>DEN-PE3: Natural Environment and Landscape</b>  <b>DEN-ET2: Transport and Active Travel</b></p> <p>The plan includes design policies, with a focus on quality of place, movement, character and green design.</p> <p>Policies are informed by the National Design Guide in addition to other standards, such as ‘Building for a Healthy Life’.</p> <p>Emphasis is placed on pedestrian convenience and permeability and connectivity.</p>
<p><b>Chapter 14: Meeting the challenge of climate change, flooding and coastal change</b></p>	<p>I, ii, iii, vii, ix</p>	<p><b>DEN-SD1: Denstone Settlement Boundary</b>  <b>DEN-SD2: Housing</b></p>

<p>Paragraph 152 states:</p> <p><i>the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change.</i></p> <p>This includes consideration of flood risk, resilience to climate change, and promoting a low carbon economy.</p>		<p><b>DEN-SD3: Employment and Community Facilities</b>  <b>DEN-SD4: Denstone College</b>  <b>DEN-PE1: Design</b>  <b>DEN-PE2: Heritage</b>  <b>DEN-PE3: Natural Environment and Landscape</b>  <b>DEN-PE4: Flooding and Surface Water</b>  <b>DEN-LG1: Local Green Space</b>  <b>DEN-ET1: Local Energy</b>  <b>DEN-ET2: Transport and Active Travel</b></p> <p>Climate change is a key theme running through policies. This includes reducing carbon impact and promoting green development with superior environmental performance and design and landscape features to reduce carbon impacts.</p> <p>Policies also address flood risk, air quality and other aspects of environmental protection.</p>
<p><b>Chapter 15: Conserving and enhancing the natural environment</b></p> <p>Planning policies should protect and enhance valued landscapes, intrinsic character and beauty of the landscape, habitats, and provide net gains in biodiversity.</p> <p>This includes consideration of protection of valued landscapes, intrinsic character, biodiversity net-gain, pollution, mitigation.</p>	<p>vii</p>	<p><b>DEN-SD4: Denstone College</b>  <b>DEN-PE2: Heritage</b>  <b>DEN-PE3: Natural Environment and Landscape</b>  <b>DEN-LG1: Local Green Space</b>  <b>DEN-ET2: Transport and Active Travel</b></p> <p>Policies protect the rural environment and biodiversity, including key landscape features and green spaces.</p>
<p><b>Chapter 16: Conserving and enhancing the historic environment</b></p> <p><i>plans should set out a positive strategy for the</i></p>	<p>vii</p>	<p><b>DEN-SD4: Denstone College</b>  <b>DEN-PE1: Design</b>  <b>DEN-PE2: Heritage</b>  <b>DEN-PE3: Natural Environment and Landscape</b>  <b>DEN-LG1: Local Green Space</b></p>

<p><i>conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats ...</i></p> <p>This includes consideration of sustaining or enhancing heritage assets, wider social, economic and cultural benefits, contribution of new development, and character of place.</p>		<p>Policies protect different elements of heritage and landscape settings, also recognising the social and economic values of heritage.</p>
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## 5. General Conformity

### 5.1 General Conformity with Strategic Local Policies

General conformity relates to the policies of the neighbourhood plan taken as a whole, considered against adopted strategic local policies taken as a whole.

The draft plan proposal has been drafted against the context of strategic local policies and do not undermine, and helps to achieve, the spatial strategy set out in the East Staffordshire Borough Council Local Plan – Planning for Change, 2012-2031, adopted October 2015.

More detailed comparison of Neighbourhood Plan policies to strategic local objectives and policies is contained in 5.2, below. Strategic Local Policies are set out in the Local Plan’s **Neighbourhood Policy 1 – Role of Neighbourhood Plans**. This has been used as a basis for the following table, in addition to relevant Local Plan strategic objectives.

### 5.2 Policy Comparison

East Staffordshire Borough Council Local Plan – Planning for Change, 2012-2031, adopted October 2015	Denstone Neighbourhood Plan Policies
SO1: Well designed communities	<p> <b>DEN-SD1: Denstone Settlement Boundary</b>  <b>DEN-SD2: Housing</b>  <b>DEN-SD3: Employment and Community Facilities</b>  <b>DEN-SD4: Denstone College</b>  <b>DEN-PE1: Design</b>  <b>DEN-PE2: Heritage</b>  <b>DEN-PE3: Natural Environment and Landscape</b>  <b>DEN-PE4: Flooding and Surface Water</b>  <b>DEN-LG1: Local Green Space</b>  <b>DEN-ET1: Local Energy</b>  <b>DEN-ET2: Transport and Active Travel</b> </p> <p>Collectively, policies address green infrastructure, housing growth, design, facilities, distinctiveness and protection of the historic and green environments.</p>
SO2: Housing Choice:	<p> <b>DEN-SD2: Housing</b>  <b>DEN-PE1: Design</b>  <b>DEN-ET2: Transport and Active Travel</b> </p>

	The neighbourhood plan sets local requirements for housing, to meet local need, design requirements and places an emphasis on active travel.
<b>SO3: Accessibility and Transport Infrastructure</b>	<p><b>DEN-PE1: Design</b>  <b>DEN-ET2: Transport and Active Travel</b></p> <p>Design and infrastructures policies support a balanced transport provision including sustainable options, with emphasis on active travel.</p>
<b>SO4: Neighbourhood Planning:</b>	The Denstone Neighbourhood Plan clearly supports this objective.
<b>SO8: Rural Economy</b>	<p><b>DEN-SD1: Denstone Settlement Boundary</b>  <b>DEN-SD3: Employment and Community Facilities</b>  <b>DEN-SD4: Denstone College</b>  <b>DEN-PE3: Natural Environment and Landscape</b>  <b>DEN-ET1: Local Energy</b></p> <p>The neighbourhood plan supports employment development in sustainable locations.</p>
<b>SO9: Heritage (Historic Environment – Sustainable Management and Use)</b>	<p><b>DEN-SD4: Denstone College</b>  <b>DEN-PE1: Design</b>  <b>DEN-PE2: Heritage</b>  <b>DEN-PE3: Natural Environment and Landscape</b></p> <p>Policies seek to protect heritage, supporting heritage-led regeneration. Policies place emphasis on the importance of ‘place’.</p>
<b>SO10: Flood Risk</b>	<p><b>DEN-PE4: Flooding and Surface Water</b></p> <p>The policy provides a local dimension in terms of flood risk.</p>
<b>SO11: Prudent Use of Resources</b>	<p><b>DEN-SD1: Denstone Settlement Boundary</b>  <b>DEN-SD2: Housing</b>  <b>DEN-SD3: Employment and Community Facilities</b>  <b>DEN-SD4: Denstone College</b>  <b>DEN-PE1: Design</b>  <b>DEN-PE2: Heritage</b>  <b>DEN-PE3: Natural Environment and Landscape</b>  <b>DEN-PE4: Flooding and Surface Water</b>  <b>DEN-LG1: Local Green Space</b>  <b>DEN-ET1: Local Energy</b>  <b>DEN-ET2: Transport and Active Travel</b></p>



	Collectively, policies address sustainable use of resources, setting requirements for design, location and layout of development.
<b>SO12: Countryside</b>	<b>DEN-PE3: Natural Environment and Landscape</b>  The policy protects the local countryside, character, distinctiveness and quality of the landscape and the diversity of wildlife and habitats.
<b>Principle 1 – Presumption in favour of sustainable development</b>	The principle largely reflects national policy. The neighbourhood plan would form part of the statutory development plan, as recognized in the principle.
<b>SP1 - East Staffordshire Approach to Sustainable Development</b>	Collectively, the Neighbourhood Plan’s policies address various issues, including amenity, active travel, green infrastructure, character, landscape, townscape, heritage, design, flood risk, biodiversity, local facilities, business, housing and agriculture.
<b>SP2 – Settlement Hierarchy</b>	Denstone is identified as a Tier 2 Local service Village, which should meet local needs by providing a more limited range of facilities and services which sustain village life. The Neighbourhood Plan’s policies should help to achieve this.
<b>SP3 – Provision of Homes and Jobs 2012-2031</b>	<b>DEN-SD1: Denstone Settlement Boundary</b> <b>DEN-SD2: Housing</b> <b>DEN-SD3: Employment and Community Facilities</b> <b>DEN-SD4: Denstone College</b>  The Neighbourhood Plan sets the settlement boundary and supports development of homes and employment facilities in sustainable locations.
<b>SP4 – Distribution of Housing Growth 2012 - 2031</b>	<b>DEN-SD1: Denstone Settlement Boundary</b> <b>DEN-SD2: Housing</b>  A requirement for 20 homes is set for Denstone. Taking account of previous development since the Local Plan adoption and development enabled by the Denstone Neighbourhood Plan, this figure is exceeded somewhat.
<b>SP5 – Distribution of Employment Growth 2012 – 2031</b>	<b>DEN-SD3: Employment and Community Facilities</b> <b>DEN-SD4: Denstone College</b>  The Local Plan policy relates to larger settlements. However, the Neighbourhood Plan allows for

	<p>proportionate employment development in Denstone.</p>
<p><b>SP8 – Development outside Settlement Boundaries</b></p>	<p><b>DEN-SD1: Denstone Settlement Boundary</b>  <b>DEN-SD2: Housing</b>  <b>DEN-SD3: Employment and Community Facilities</b>  <b>DEN-SD4: Denstone College</b>  <b>DEN-PE1: Design</b>  <b>DEN-PE3: Natural Environment and Landscape</b>  <b>DEN-ET1: Local Energy</b>  <b>DEN-ET2: Transport and Active Travel</b></p> <p>The Neighbourhood Plan seeks to focus development within the settlement boundary or Denstone College. Neighbourhood Plan policies would complement Policy SP8.</p>
<p><b>SP13 – Burton and Uttoxeter Existing Employment Land Policy</b></p>	<p>This Policy is not relevant to Denstone.</p>
<p><b>SP14 – Rural Economy</b></p>	<p><b>DEN-SD1: Denstone Settlement Boundary</b>  <b>DEN-SD3: Employment and Community Facilities</b>  <b>DEN-SD4: Denstone College</b>  <b>DEN-PE3: Natural Environment and Landscape</b>  <b>DEN-ET1: Local Energy</b></p> <p>Neighbourhood Plan policies support employment in sustainable locations, subject to impacts, complementing SP14.</p>
<p><b>SP16 – Meeting Housing Needs</b></p>	<p><b>DEN-SD1: Denstone Settlement Boundary</b>  <b>DEN-SD2: Housing</b>  <b>DEN-PE1: Design</b>  <b>DEN-ET2: Transport and Active Travel</b></p> <p>The Neighbourhood Plan sets sustainable locations and standards for housing, to meet local need. These policies complement SP16.</p>
<p><b>SP17 – Affordable Housing</b></p>	<p><b>DEN-SD2: Housing</b>  <b>DEN-PE1: Design</b>  <b>DEN-ET2: Transport and Active Travel</b></p> <p>The Neighbourhood Plan seeks to influence how affordable housing is provided but does not seek to amend thresholds or proportions set in the Local Plan.</p>

<p><b>SP18 – Residential Development on Exception Sites</b></p>	<p><b>DEN-SD1: Denstone Settlement Boundary</b>  <b>DEN-SD2: Housing</b>  <b>DEN-PE1: Design</b>  <b>DEN-PE3: Natural Environment and Landscape</b>  <b>DEN-ET2: Transport and Active Travel</b></p> <p>The Neighbourhood Plan would complement SP18, in particular requiring consideration of impacts of housing on exception sites.</p>
<p><b>SP20 – Town and Local Centres Hierarchy</b></p>	<p><b>DEN-SD3: Employment and Community Facilities</b></p> <p>SP20 deals with larger centres. However, the Neighbourhood Plan would allow proportionate growth within the Denstone settlement.</p>
<p><b>SP32 - Outdoor sports and Open Space</b></p>	<p><b>DEN-SD3: Employment and Community Facilities</b>  <b>DEN-PE1: Design</b>  <b>DEN-PE3: Natural Environment and Landscape</b>  <b>DEN-LG1: Local Green Space</b>  <b>DEN-ET2: Transport and Active Travel</b></p> <p>The Neighbourhood Plan addresses community facilities, which would include sports facilities. Green spaces and active travel are also addressed.</p>

IT is not clear why Local Plan policies on design, heritage and other matters are not considered to be strategic. However, it should be noted that the Neighbourhood Plan complements several other Local Plan policies, in particular the following:

- **SP22 Supporting Communities Locally**
- **SP23 Green Infrastructure**
- **SP24 High Quality Design**
- **SP25 Historic Environment**
- **SP27 Climate Change, Water Body Management and Flooding**
- **SP28 Renewable and Low Carbon Energy Generation**
- **SP29 Biodiversity and Geodiversity**
- **SP34 Health and Wellbeing**
- **SP35 Accessibility and Sustainable Transport**

## 6. EU Obligations and Human Rights

### 6.1 Screening

The plan has been screened to determine whether full Strategic Environmental Assessment (SEA) and Habitat Regulations Assessment (HRA) were required. This included consultation with national statutory bodies.

The East Staffordshire Borough Council screening opinion for the Denstone Neighbourhood Plan June 2023 states:

*‘East Staffordshire Borough Council believes that the Neighbourhood Plan would not have significant environmental effects and, as a result, a Strategic Environmental Assessment of the Plan will not be required’*  
(Paragraph 8)

and

*‘a Habitat Regulation Assessment would not need to be carried out as it is not considered that any of the development proposed in the Plan would be likely to have an adverse effect on the nearest European sites (SAC, SPA or Ramsar) due to a combination of the distance from the nearest European site and the relatively small size of any new development resultant from the Neighbourhood Development Plan; none of which is allocated by the plan, and all of which was also assessed as not requiring an HRA when the change to the settlement boundary was made as part of the 2017 plan.’*  
(Paragraph 11)

### 6.2 EU Obligations

Given the above screening outcome which takes account of the responses of national statutory bodies, the Denstone Neighbourhood Plan meets the basic conditions relating to not breaching EU obligations and Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.

## 6.3 Human Rights

The draft plan proposal is a result of extensive engagement with the local community and stakeholders, from the earliest stages of the process. This has informed the content of the draft plan.

Statutory consultation (Regulation 14) was undertaken and this took account of consultation case law, including compliance with Gunning principles.

An equalities assessment is included at Appendix 1. This indicates that the plan would have positive impacts for people with protected characteristics.

The draft plan proposal meets human rights requirements.

# Appendix 1

## Equalities Assessment

### 1. Diversity

The Neighbourhood Plan needs to cater for the widest range of needs, for all of the population. Planning should be inclusive and rigorous engagement has taken place as part of the process of creating the plan.

Equally, there is evidence to suggest that diversity is an important factor in achieving sustainable growth.

### 2. Legal Requirements

The Equality Act 2010 places a duty on all public authorities in the exercise of their functions to have regard to the need to eliminate discrimination, to advance equality of opportunity, and to foster good relations between persons who have a “protected characteristic” and those who do not. Protected characteristics are defined in the Equality Act as age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

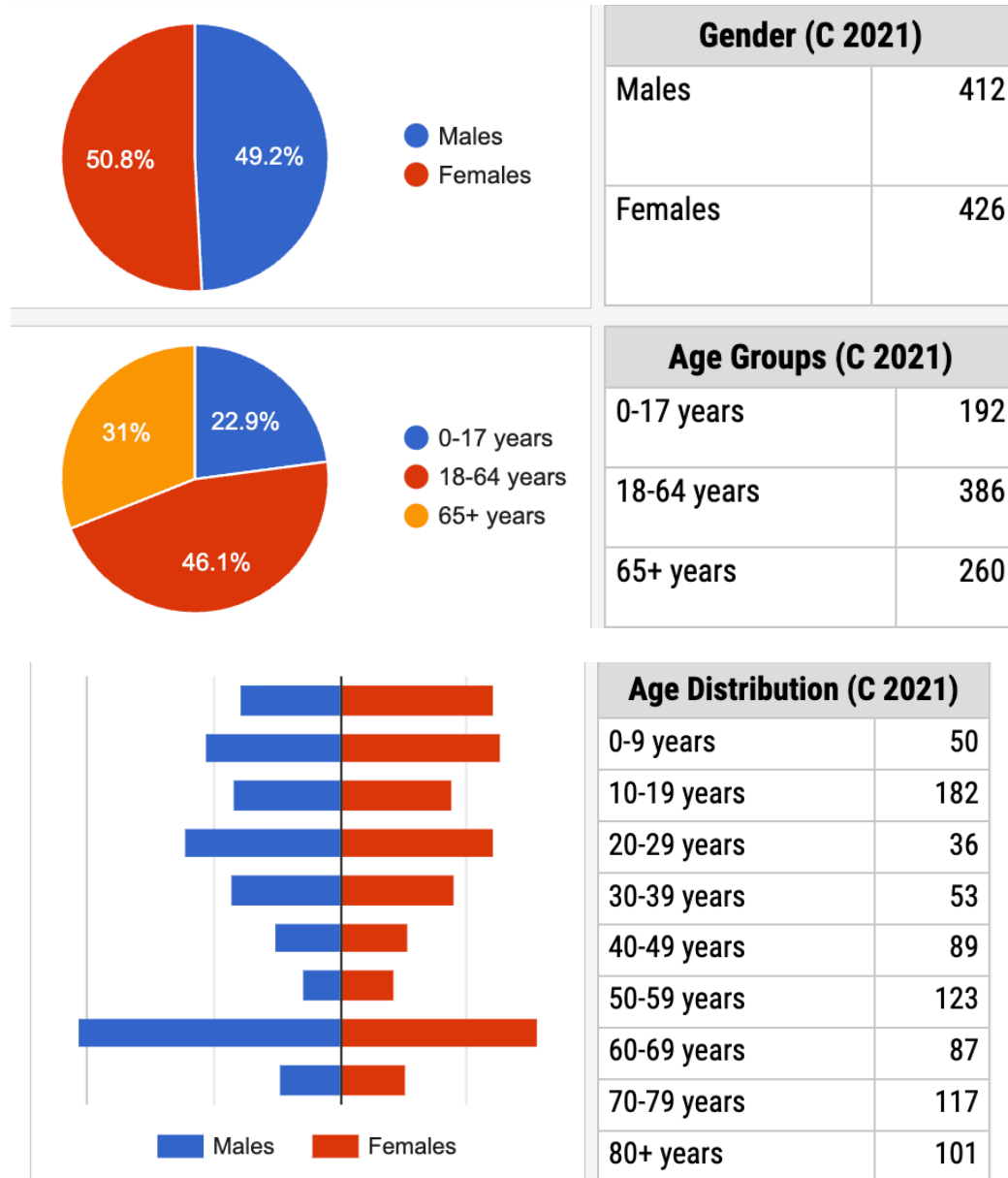
An Equalities Assessment is a systematic analysis of a policy or policies in order to scrutinise the potential for an adverse impact on a particular group or community, in particularly those with a protected characteristic.

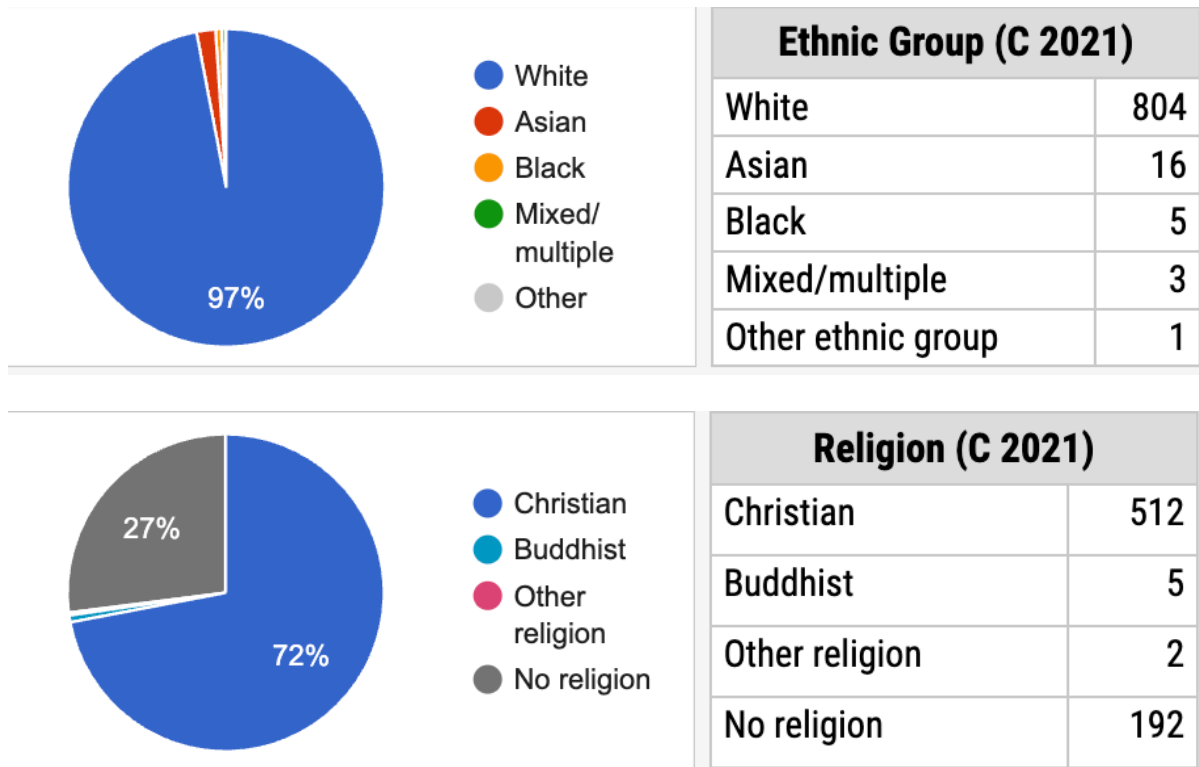
An assessment has been made on whether the Neighbourhood Plan has a positive, negative or neutral impact on each of the protected characteristics. If the impact is negative, this is given a high, medium or low assessment. The following table describes these:

<b>Impact</b>	<b>Description</b>
High	A significant potential impact, risk of exposure, history of complaints, no mitigating measures in place etc.
Medium	Some potential impact exists, some mitigating measures are in place, poor evidence.
Low	Almost no relevancy to the process, e.g. an area that is very much legislation led.

### 3. Denstone General Population Characteristics

The following Office of National Statistics 2021 figures for Denstone are as follows.





For sexual orientation, the figures are available for the West Midlands.

Straight or Heterosexual	89.91%
Gay or Lesbian	1.21%
Bisexual	1.06%
Pansexual	0.20%
Asexual	0.05%
Queer	0.02%
Other	0.02%



## 4. Policies

The Neighbourhood Plan policies are:

- DEN-SD1: Denstone Settlement Boundary
- DEN-SD2: Housing
- DEN-SD3: Employment and Community Facilities
- DEN-SD4: Denstone College
- DEN-PE1: Design
- DEN-PE2: Heritage
- DEN-PE3: Natural Environment and Landscape
- DEN-PE4: Flooding and Surface Water
- DEN-LG1: Local Green Space
- DEN-ET1: Local Energy
- DEN-ET2: Transport and Active Travel

## 5. Impacts on Protected Characteristics

Equalities assessment requires consideration of each of the protected characteristics. However, it should be noted that the needs, attitudes and opinions of people within any of these groups are as diverse as in the population as a whole, including sometimes very polarised views.

The plan will achieve a range of benefits which potentially benefit all of the local population, including creation of housing and community facilities to meet a range of needs. In addition, the plan protects green infrastructure or promotes high quality design, with an emphasis on ease of movement and pedestrian convenience.

The plan addresses climate change and biodiversity through a range of practical requirements. This is of key importance to everybody, including those with protected characteristics.

The following table refers to specific policies relevant to different protected characteristics.

Protected Characteristic	Implications	Analysis	Impact
Age	Age can have implications for mobility, access to a cars (especially older and younger groups), reliance on local facilities, housing needs and health, among other matters.	DEN-SD1 and SD3 seek to focus development within the Settlement Boundary, maintaining a walkable neighbourhood. DEN-SD2 seeks to shape housing development to meet local needs and makes specific reference to older people. DEN-PE1 and DEN-ET2 ensures that development is well designed and supports active travel. Den-LG1 helps to ensure access to green space.	Positive
Disability	Disability can have implications for accessibility, housing needs, access to employment, access to facilities and other factors.	DEN-SD2 addresses housing needs and makes explicit reference to specialist needs. DEN-SD3 supports local employment and community facilities.	Positive
Maternity and Pregnancy	Maternity has implications for numerous factors, including ease of movement, changing housing needs, and access to local facilities.	DEN-SD2 seeks to shape housing development to meet diverse local needs. Ease of movement is given particular emphasis in DEN-PE1 and ET2. DEN-SD3 seeks to maintain or enhance local employment and community facilities.	Positive
Sex (Gender), Race, Religion, Gender Re-assignment, Sexual orientation:	Race, gender, religion or LGBT+ status may have implications for housing, community facilities, safety and a range of other planning matters.	The plan cannot directly address the social attitudes that underpin prejudice and hate crimes. However, DEN-PE1 addresses design to create a high quality and safe environment. DEN-SD2 seeks to shape housing to meet diverse local needs. DEN-SD3 seeks to maintain or enhance local employment and community facilities.	Positive.

## **6. Conclusion**

The Neighbourhood Plan provides a range of policies which will result in positive benefits for the local community, including those with protected characteristics.

## Contact



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