

Dinedor Neighbourhood Development Plan

Submission Version 2018 – 2031

Report of Examination

February 2021

**Undertaken for Herefordshire Council with the support of
Dinedor Parish Council on the submission version of the plan.**



Independent Examiner:

Liz Beth BA (Hons) MA Dip Design in the Built Environment MRTPI

Contents

Summary	3
1. Introduction and Background	4
1.1 Neighbourhood Development Plans.....	4
1.2 Independent Examination.....	4
1.3 Planning Policy Context.....	6
2. Plan Preparation and Consultation	7
2.1 Pre-submission Process and Consultation	7
2.2 Regulation 16 Consultation Responses.....	8
3. Compliance with the Basic Conditions Part 1	9
4. Compliance with the Basic Conditions Part 2: National Policy and the Development Plan.....	10
5. The Referendum Boundary	19

Abbreviations used in the text of this report:

The Dinedor Neighbourhood Development Plan is referred to as ‘the Plan’ or ‘DNDP’.

Dinedor Parish Council is abbreviated to ‘Dinedor PC’.

Herefordshire Council is also referred to as the Local Planning Authority; abbreviated to ‘LPA’.

The National Planning Policy Framework is abbreviated to ‘NPPF’.

The National Planning Practice Guidance is abbreviated to ‘NPPG’.

The Herefordshire Local Plan Core Strategy 2011-2031 is abbreviated to ‘HCS’

Regulations 14 and 16 are abbreviated to ‘Reg14’ and ‘Reg16’ respectively.

Strategic Environmental Assessment is abbreviated to ‘SEA’.

Habitat Regulations Assessment is abbreviated to ‘HRA’.

Local Green Space is abbreviated to ‘LGS’.

Paragraph is also abbreviated to ‘para’.

Summary

- I have undertaken the examination of the Dinedor Neighbourhood Development Plan (DNDP) during January 2021 and detail the results of that examination in this report.
- The Dinedor PC have undertaken appropriate consultation on this Plan, and it complies with legislative requirements. The Plan is a targeted and concise document, well suited to this small, rural parish. The Herefordshire Local Plan Core Strategy (HCS) provides a comprehensive strategic policy framework.
- I have considered the comments made at the Regulation 16 Publicity Stage, and where relevant these have to an extent informed some of the recommended modifications.
- Subject to the modifications recommended, the Plan meets the basic conditions and may proceed to referendum.
- I recommend the referendum boundary is the designated neighbourhood plan area.

Acknowledgements: Thanks to Local Authority staff and the qualifying body for their assistance with this examination. My compliments to the local community volunteers and Dinedor Parish Council, who have produced a well-presented and attractive document.

1. Introduction and Background

1.1 Neighbourhood Development Plans

1.1.1 The Localism Act 2011 empowered local communities to develop planning policy for their area by drawing up neighbourhood plans. For the first time, a community-led plan that is successful at referendum becomes part of the statutory development plan for their planning authority.

1.1.2 Giving communities greater control over planning policy in this way is intended to encourage positive planning for sustainable development. The National Planning Policy Framework (NPPF para 29) states that:

“neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood Plans can ... help to deliver sustainable development”.

Further advice on the preparation of neighbourhood plans is contained in the Government’s Planning Practice Guidance website:

<http://planningguidance.planningportal.gov.uk/blog/guidance/neighbourhood-planning/>

1.1.3 Neighbourhood plans can only be prepared by a ‘qualifying body’, and in Dinedor that is the Dinedor Parish Council. Drawing up the Neighbourhood Plan was undertaken by a Steering Group, working to the Parish Council.

1.2 Independent Examination

1.2.1 Once Dinedor PC had prepared their neighbourhood plan and consulted on it, they submitted it to the LPA, Herefordshire Council. After publicising the plan with a further opportunity for comment, the LPA were required to appoint an Independent Examiner, with the agreement of Dinedor PC to that appointment.

1.2.2 I have been appointed to be the Independent Examiner for this Plan. I am a chartered Town Planner with over thirty years of local authority and voluntary sector planning experience in development management, planning policy and project management. I have been working with communities for many years, and have recently concentrated on supporting groups producing neighbourhood plans. I have been appointed through the Neighbourhood Plan Independent Examiners Referral Service (NPIERS). I am independent of any local connections to Dinedor and Herefordshire Council, and have no conflict of interest that would exclude me from examining this plan.

1.2.3 As the Independent Examiner I am required to produce this report and recommend either:

- (a) That the neighbourhood plan is submitted to a referendum without changes; or
- (b) That modifications are made and that the modified neighbourhood plan is submitted to a referendum; or
- (c) That the neighbourhood plan does not proceed to a referendum on the basis that it does not meet the necessary legal requirements.

1.2.4 The legal requirements are firstly that the Plan meets the 'Basic Conditions', which I consider in sections 3 and 4 below. The Plan also needs to meet the following requirements under Paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990:

- It has been prepared and submitted for examination by a qualifying body;
- It has been prepared for an area that has been properly designated by the Local Planning Authority;
- It specifies the period during which it has effect;
- It does not include provisions and policies for excluded development;
- It does not relate to land outside the designated neighbourhood area.

The DNDP complies with the requirements of Paragraph 8(1). The Neighbourhood Area was designated on the 4th October 2013 by Herefordshire Council. An amendment to the Consultation Statement may be necessary, as it currently states (para 1.3) that the relevant date is the 10th October 2013. With the changes detailed in section 4 below the plan will not relate to land outside the designated Neighbourhood Area. It specifies the period during which it has effect as 2018 – 2031 and has been submitted and prepared by a qualifying body and people working to that qualifying body. It does not include policies about excluded development; effectively mineral and waste development or strategic infrastructure.

1.2.5 I made an unaccompanied site visit to Dinedor to familiarise myself with the area and visit relevant sites and areas affected by the policies. This examination has been dealt with by written representations, as I did not consider a hearing necessary.

1.2.6 I am also required to consider whether the referendum boundary should be extended beyond the designated area, should the Plan proceed to a referendum. I make my recommendation on this in section 5 at the end of this report.

1.3 Planning Policy Context

1.3.1 The Development Plan for Dinedor is the Herefordshire Local Plan Core Strategy (HCS) adopted in 2015, and some saved policies from the Unitary Development Plan 2007. The latter is not relevant for the BANP however, as the saved policies mainly relate to mineral and waste development, issues that are specifically excluded from consideration in neighbourhood plans. All the policies of the HCS are 'strategic policies' for neighbourhood planning purposes.

1.3.2 The National Planning Policy Framework 2019 (NPPF) sets out government planning policy for England, and the National Planning Practice Guidance (NPPG) website offers guidance on how this policy should be implemented.

1.3.3 During my examination of the DNDP I have considered the following documents:

- National Planning Policy Framework (NPPF) 2019
- National Planning Practice Guidance 2014 and as updated
- Town and Country Planning Act 1990 (as amended)
- Planning and Compulsory Purchase Act 2004
- The Localism Act 2011
- The Neighbourhood Planning Regulations 2012 (as amended)
- Submission version of the Dinedor Neighbourhood Development Plan (DNDP)
- The Basic Conditions Statement submitted with the DNDP
- The Consultation Statement submitted with the DNDP
- The SEA Environmental Report June 2020 for the DNDP
- The HRA Report June 2020 for the DNDP
- Neighbourhood Area Designation (map)
- Herefordshire Local Plan Core Strategy 2011 – 2031: Adopted October 2015
- Herefordshire Council Guide to settlement boundaries rev edition June 2015
- Representations received during the publicity period (reg16 consultation)

2. Plan Preparation and Consultation

2.1 Pre-submission Process and Consultation

2.1.1 Dinedor is a small village in Herefordshire, about 2.5 miles to the south of Hereford. The wider Parish has some scattered homes and farms. A significant ancient monument, the Dinedor Hill Fort, is within the Parish and dominates a landscape that is mainly rural. The Parish includes at its northern tip the Rotherwas Industrial Estate, and further industrial development on the fringe of Hereford lies to the north west of the Parish. The River Wye forms the northern border of the Parish.

2.1.2 A Steering Group, made up of Parish Councillors and volunteers from the local community, led on drawing up the DNDP. Group meetings were publicised and open to the public, and minutes of meetings were made available on the website along with all key documents.

2.1.3 The Consultation Statement sets out the nature and form of consultation prior to the formal Reg14 six week consultation, which primarily concerned considering options for identified key issues. Group meetings were the primary community consultation method, acceptable in a small community of 134 homes and just over 300 people.

2.1.4 As required by regulation 14 of the Neighbourhood Planning Regulations 2012, the formal consultation for six weeks on the pre-submission draft DNDP ran from the 31st October 2017 to the 12th December 2017. The draft DNDP and a copy of the response form could be downloaded from the website. The SEA and HRA reports were also available, and all documents were also available on the LPA website. A newsletter publicising the draft Plan consultation was distributed by hand to all households in the neighbourhood area, the Parish. Two consultation events were held and publicised in the Newsletter, where hard copies of the draft Plan could be inspected. The Plan in hard copy was also available at the Village Hall.

2.1.5 As a result of comments received during the Reg14 consultation from the LPA and some residents, the settlement boundary in the Draft Plan was reviewed and altered to include a small area of development land between dwellings. As this was a significant alteration, the Plan was further consulted on during August 2018. The consultation was also publicised in the Dinedor Newsletter, which also included a comment form. A coffee morning event at the Village Hall was also held during this second consultation. I am satisfied that this further consultation has adequately publicised a significant change to the Draft Plan.

2.1.6 Representations were received from 30 people and organisations during the initial Reg14 Consultation. Twenty five residents commented; four statutory bodies and several different departments of Herefordshire Council. Several amendments have been made to the Plan as a result of constructive suggestions for changes, including to the settlement boundary. The later was the subject of further consultation which is also detailed in the Consultation Statement. The Consultation Statement details all consultation activities, and the record of comments and objections received during the regulation 14 consultation shows that these were properly considered, and where appropriate resulted in amendments to the plan to accommodate points raised. Residents commenting on the Plan are listed in the Consultation Statement by a number, but the LPA has confirmed these comments can be referenced to a particular person if necessary.

2.1.7 As required, the amended plan, together with a Basic Conditions Statement, a Consultation Statement, the Screening Opinion and a plan showing the neighbourhood area was submitted to the LPA on the 31st July 2020.

2.2 Regulation 16 Consultation Responses

2.2.1 Herefordshire Council undertook the Reg 16 consultation and publicity on the DNDP for nine weeks, from the 10th August 2020 to the 5th October 2020. Ten Representations were received during this consultation: six of them from different sections of Herefordshire Council, four from statutory bodies, of which three had no specific comments to make on this Plan but offered general guidance or just confirmed their Reg14 comments. Issues they raise that are pertinent to my consideration of whether the Plan meets the basic conditions are considered in sections 3 and 4 of this report below.

2.2.2 I am specifically limited by legislation to correcting with recommended modifications the Plan's compliance with the Basic Conditions and other legal requirements. Thus notification of minor corrections needed to the text are very useful, but cannot be the subject of any modifications I recommend. The LPA will be aware however that it is authorised to correct minor errors that may have been missed so far [Town and Country Planning Act 1990 Schedule 4B section 12(6)]. Comments from the Transport section of Herefordshire Council are relevant in this regard. This power will also enable updating of the Plan for example the housing statistics in para 5.1 and the process description in paragraphs 2.3 and 3.1 – 3.7.

3. Compliance with the Basic Conditions Part 1

3.1 General legislative requirements of the 1990 Town and Country Planning Act (TCPA) other than the Basic Conditions are set out in paragraph 1.2.4 above. The same section of this report considers that the DNDP has complied with these requirements. What this examination must now consider is whether the Plan complies with the Basic Conditions, which state it must:

- Have regard to national policies and advice contained in guidance issued by the Secretary of State;
- Contribute to the achievement of sustainable development;
- Be in general conformity with the strategic policies of the development plan for the area;
- Be compatible with and not breach European Union (EU) obligations and comply with human rights law; and
- Not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017 (*prescribed basic condition since December 2018*).

3.2 The Basic Conditions Statement discusses how the Plan promotes the social, economic and environmental goals of sustainable development in Table 1 and para 3.1. I accept that the Plan does contribute to sustainable development in line with the Basic Conditions.

3.3 An Environmental Report and Habitat Regulations Assessment (HRA) Report have been submitted with the DNDP as both Strategic Environmental Assessment (SEA) and HRA were required for the Plan. Dinedor Parish is within the catchment of the River Wye including the River Lugg; the Wye Valley and Forest of Dean Bat Sites Special Area of Conservation (SAC) and the Wye Valley Woodlands SAC.

3.4 The Environmental Report states that no changes to the Plan will be required. It is considered to be in conformity with the Development Plan and national policy and no significant effect is likely from the implementation of the Dinedor NDP policies (para 6.11).

3.5 The HRA Report has considered the Plan for likely significant effect on European sites (SACs), and found there were none (para 10.2).

3.6 The DNDP in my view complies with Human Rights Legislation. It has not been challenged with regard to this, and has been produced by the local community and their representatives.

4. Compliance with the Basic Conditions Part 2: National Policy and the Development Plan

4.1 The final and most complex aspect of the Basic Conditions to consider is whether the DNDP meets the requirements as regards national policy and the development plan. This means firstly that the Plan must have regard to national policy and guidance, which for this neighbourhood plan is the NPPF 2019 and the NPPG. Secondly the Plan must be in general conformity with the strategic policies of the development plan. The phrase ‘general conformity’ allows for some flexibility. If I determine that the Plan as submitted does not comply with the Basic Conditions, I may recommend modifications that would rectify the non-compliance.

4.2 The Plan and its policies are considered below in terms of whether they comply with the Basic Conditions as regards national policy and the development plan. If not, then modifications required to bring the plan into conformity are recommended.

Modifications are boxed in this report, with text to *remain in italics*, new text **highlighted in Bold** and text to be deleted ~~shown but struck through~~. Instructions for alterations are underlined.

4.3 The layout of the Plan is good; it is nicely illustrated and concise. The Policies should be clearer in the text however, they are the most important part of the document in planning terms. As the Plan can only deal with land-use issues (NPPG ID 41-004-20190509), the section titled “Parish Council Supporting Actions” (after para 5.6), which are not land-use proposals needs to be placed outside of the formal Plan. In order that the Plan complies with national planning policy and guidance with regard to clarity (NPPF para16d) and being exclusively concerned with land-use issues, I recommend that it is amended as shown in Modification 1.

Modification 1: All policies in the Plan to be clearly defined within a box or other clearly distinguishing feature, and to be set out on one page wherever possible.

Section 7 to be replaced with an Appendix listing the Parish Council Supporting Actions listed after paragraph 5.6 in the submission version of the Plan.

4.4 POLICY A -NEW HOUSING DEVELOPMENT IN DINEDOR VILLAGE The policy needs to formally define a settlement boundary in order to have the clarity required by the NPPF (para16d), and at present it does not do this. The policy title should also make clear that it is dealing with new housing development within the settlement boundary. Reference is made to the Policies Map figure 6a which shows a settlement boundary, but the text does not state what criteria have been used to determine the boundary. In the absence of other criteria, the Neighbourhood Planning Guidance Note 20 issued by the LPA will need to be followed (Herefordshire Council Guide to settlement boundaries rev edition June 2015) and this should be referenced in the policy justification in paragraph 5.2 of the plan.

4.4.1 Several recent planning permissions have been granted since the settlement boundary was drawn up, and in order that the 2015 guidance from the LPA is followed, they should be included within the settlement boundary (fifth bullet point under Criteria section). In order that the guidance is also followed with respect to clear boundaries and the built up area (first and second bullet points Criteria section), the boundary should be amended as shown in figure 1 of this report. This amendment has been agreed with the LPA, and as the planning permissions were subject to consultation I am satisfied that amending the boundary to accommodate them and meet the criteria is a correction for accuracy not a significant policy alteration requiring further consultation.

4.4.2 The first paragraph of Policy A defines small scale as 'up to 2 dwellings', which is overly prescriptive and does not have due regard to the NPPF (paras 28 and 126). The qualifying statement "providing that it is proportionate to the existing number and form of housing in the immediate area of the village" is not intelligible in a planning sense, and I have not been satisfied by the answer offered to my question during this examination that it is a criteria that could be applied to a development proposal in a clear and consistent manner. As policy A contains other criteria to assess proposals, in order that the policy has the clarity required by the NPPF (para16d), this sentence should be removed. In criteria c), 'adverse impact' on residential amenity will need to be 'unacceptable' in order that the Policy meets the requirements of positive planning in the NPPG (ID: 41-005-20190509). Any development is likely to have some adverse impact. The final criteria e) is not relevant within the settlement boundary, as the only greenfield land within the settlement boundary already has a planning permission for development.

4.4.3 The last sentence of the policy is not relevant for development within the settlement boundary, and is not in general compliance with the development plan as policy RA3 in the HCS may

allow some residential development outside of the defined built area of the village in the wider parish.

4.4.4 In order that the DNDP complies with the Basic Conditions and as required by them pays due regard to national policy and is in general conformity with the development plan, I recommend that it is amended as shown in Modification 2 below:

Modification 2: Policy A to be amended as follows:

POLICY A -NEW HOUSING DEVELOPMENT WITHIN THE SETTLEMENT BOUNDARY OF ~~IN~~ DINEDOR VILLAGE

Small scale proposals (~~up to 2 dwellings~~) for new market and affordable housing will be supported within the village settlement of Dinedor and a settlement boundary is defined for the village as shown on ~~(see Figure 6a, Policies Map. providing that it is proportionate to the existing number and form of housing in the immediate area of the village.~~ Such proposals will be assessed against the following criteria and will be required to: ~~they~~

- a. relate well to the existing built-up area of the village;
- b. meet, or exceed, the highest possible sustainable design and construction standards prevailing at the time;
- c. ~~do not~~ have an **unacceptable** adverse impact on residential amenity ~~of existing and future occupiers~~, heritage assets and local infrastructure; and
- d. ~~do not~~ erode the existing character and setting of the village area. ~~and~~

The concluding text of Policy A from this point to be deleted.

Figure 6a to show only the settlement boundary and protected community facilities (modification 6 refers), and the settlement boundary to be amended as shown below to incorporate recent planning permissions and a coherent boundary definition in line with the criteria and guidance from the LPA.



4.5 POLICY B – RURAL EXCEPTION HOUSING Complies with the Basic Conditions.

4.6 POLICY C – HIGH QUALITY DESIGN The policy complies with the Basic Conditions. You may wish to insert the word ‘that’ at the end of the sentence before the second criteria a): “*where appropriate that they:* Also in the second criteria c) the second use of ‘traditional’ is spelt wrong. None of these issues are Basic Condition issues however, and I am drawing your attention to them, not making a formal recommendation for modification.

4.6.1 To include two lists of criteria both starting with ‘a)’ is confusing, and in order that the policy complies with the NPPF requirement that policy are clear I recommend it is altered as stated in Modification 2.

Modification 3: The current alphabetic identification from a) to d) in the first set of criteria in Policy C to be replaced with the numbers 1) through to 4) identifying each of them.

4.7 POLICY D – THE MANAGEMENT OF TRAFFIC AROUND DINEDOR The highway authority has pointed out in their Reg16 response that as Dinedor is only 2.5 miles from the centre of Hereford, active travel is possible, and para 2.5 of the DNDP could mention this possibility. They also point out that Para 4.7 of the Plan needs to be corrected grammatically, and 4.7 and 4.18 may need updating. None of these are Basic Condition issues, but you may like to consider them and correct the text where necessary.

4.7.1 Figure 3, as mentioned in Policy D, shows rights of way in the area, and indicates routes that the Parish Council are prioritising for improvement as a blue cross-hatched line. There is no key showing what the blue line indicates however, and the route that runs roughly east-west along Watery Lane is partly outside of the parish and cannot be included in any policy within this Plan therefore. The last line of criteria b) refers to ‘adequate or better’ replacement, and for clarity this term should be replaced by ‘acceptable’. In order that the DNDP complies with the neighbourhood planning regulations and has due regard to national policy on policy clarity (NPPF para 16d) and thus complies with the Basic Conditions, I recommend it is amended as shown in Modification 4.

Modification 4: The last sentence of Policy D criteria b) to read:

... .. *Development proposals leading to loss or breaks in this network of routes will not be supported, unless **an acceptable adequate or better** replacement is provided.*

Figure 3 to be amended so that only rights of way improvements within the parish are shown and the indication of improvements and additions desired are properly distinguished from the existing public rights of way network shown in Figure 3 by the addition of a key detailing added detail.

4.8 POLICY E – TO SUPPORT THE GROWTH OF SMALL SCALE RURAL BUSINESSES The policy mentions the need for a proposal to comply with Policy C of this Plan, but of course it will need to comply with the rest of the development plan. For the avoidance of doubt I agree that it is better to mention it. In order that the policy has the clarity required by the NPPF (para16d), I recommend that it is modified as shown in modification 3 below. Some minor grammatical alterations are also recommended for clarity.

Modification 5: Policy E to be amended as follows:

*Proposals for the development of small-scale business enterprises suitable to a rural area will be encouraged when they **comply with other policies in the development plan** and do not **significantly** adversely affect the rural character, environment and landscape of Dinedor or existing residential amenities. **They may include but not exclusively the following development proposals:** and are for the following:*

- a. for the conversion or reuse of an existing building;
- b. homeworking proposals;
- c. live/work units;
- d. diversification of an existing rural business;
- ~~e. the proposal is in accordance with Policy C in terms of its design.~~

4.9 POLICY F – TO PROTECT AND ENHANCE THE RURAL ENVIRONMENT AND LANDSCAPE

The policy in several places refers to ‘protect or enhance’ and ‘conserve or enhance’, although it could be possible for a proposal to enhance but not protect another aspect of the rural environment. For the avoidance of ambiguity and to give the policy the clarity required by the NPPF, I recommend this form of words is amended to the more usual ‘protect and enhance’, and other minor grammatical alterations are made, as shown in Modification 4 below.

Modification 6: Policy F to be amended as follows:

Development proposals should protect ~~or~~ and enhance the rural environment and landscape of the area. Proposals should:

- a. have a ~~be designed in terms of~~ scale, form and siting ~~so as to~~ that retains rural character;*
- b. protect and enhance ~~or protect~~ the landscape setting of Dinedor village;*
- c. conserve ~~or~~ and enhance biodiversity and heritage assets;*
- d. protect and ~~or~~ enhance the natural and scenic beauty of Dinedor;*
- e. incorporate, where necessary, landscaping schemes and future on-going management arrangements to ensure the proposal integrates into the surrounding landscape and rural environment;*
- f. in suitable locations, maintain and extend woodland and hedgerows by using native species; and*
- g. ~~should~~ not have an adverse impact on the environmental quality of the parish’s rivers, streams and brooks.*

4.10 POLICY G – PROTECTING LOCAL HERITAGE ASSETS This policy also needs to ‘conserve and enhance’ local heritage assets in order that the policy has the clarity required by the NPPF (para16d). The instruction to consult the Historic Environment Record is sensible but not a land-use issue directly. This could form a recommendation in the justification, but not part of this policy, which in order to comply with the NPPG (ID 41-004-20190509) needs to concern itself with land-use issues. In order that Policy G meets the Basic Conditions, I recommend that it is amended as shown in Modification 5.

Modification 7: Policy G to be amended as follows:

Development proposals should conserve ~~or~~ and enhance the local heritage assets, including those listed below, ...

~~Proposals for new development should consult the Historic Environment Record. Where there is an indication or potential that there may be assets of heritage or archaeological interest appropriate~~
~~suitable~~ *desk-based and site investigations should be carried out. Site investigations must follow the appropriate professional practices so that there is no detriment to the rural environment.*

4.11 POLICY H– PROTECTING LOCAL GREEN SPACES This policy designates two very different local green spaces (LGS). Dinedor Camp is an ancient monument of national importance and a prominent and special place for local people. I accept that it's designation as a LGS is justified, but Policy H needs to formally designate this site as a LGS; at present the text merely 'identifies' it.

4.11.1 A second LGS designation is proposed for the village green, a very small sliver of land, with no intrinsically valuable features or attributes that the Plan (para 4.19) describes as used mainly for parking 2 or 3 cars. The NPPF (para100) states that LGS designation should only be used when the green space is demonstrably special and holds a particular local significance. I do not accept that this proposed designation meets these criteria and so in order that the Plan meets the Basic Conditions and complies with policies in the NPPF, I recommend that the designation of the Village Green is removed and that the policy is amended as shown in Modification 6.

Modification 8: Policy H to be amended as follows:

Dinedor Camp is designated as a ~~The Local Green Spaces as shown identified below and~~ on the Dinedor Policies Map figure ~~(Figures 6a and 6b. below will be protected.~~ Development of ~~these~~ spaces will only be supported in very special circumstances.

~~the Village Green~~

~~Dinedor Camp~~

4.12 **POLICY I – COMMUNITY FACILITIES** Complies with the Basic Conditions.

4.13 **POLICY J – LOCAL RESIDENTS' ENJOYMENT OF THE PARISH** The policy needs to protect against 'significant adverse impact' in order to have a positive attitude to development as required by the NPPG (ID: 41-005-20190509). The current wording of 'adverse impact' is too restrictive as most development will have some adverse impact. The policy is dealing with tranquillity, which is a land-use issue and a quality suggested for protection in the NPPF policy on LGS, but the title of the policy currently does not mention this, and 'Enjoyment of the Parish' is not necessarily a land-use issue. As neighbourhood plans and their policies need to deal with land-use issues (NPPG ID 41-004-20190509), the title of Policy J needs to change to be clear that land-use issues are the subject of the policy. In order that Policy J has paid due regard to national planning policy and therefore complies with the Basic Conditions, I recommend that it is amended as shown in Modification 7.

Modification 9: Policy J to be amended as follows:

POLICY J – TRANQUILLITY ~~LOCAL RESIDENTS' ENJOYMENT OF THE PARISH~~

*All new development proposals should respect Dinedor's rural environment and tranquillity. Proposals should include suitable measures to mitigate any impact on residential amenity and proposals that are considered to have a **significant** adverse impact on residential amenity will not be supported.*

To preserve the area's rural environmental quality and relative tranquillity, proposals will only be supported where they retain or enhance that environmental quality and retain the parish's tranquillity.

5. The Referendum Boundary

5.1 The Dinedor Neighbourhood Development Plan has no policy or proposals that have a significant enough impact beyond the designated Neighbourhood Plan Boundary that would require the referendum boundary to extend beyond the Plan boundary. Therefore I recommend that the boundary for the purposes of any future referendum on the Dinedor Neighbourhood Development Plan 2018 – 2031 shall be the boundary of the designated Neighbourhood Area for the Plan.