

Basic Conditions Statement

Findern Parish Neighbourhood Plan

2024-2041



*Prepared by Planning With People on behalf of Findern Parish Council
21 April 2026*

Table of Contents

1. Introduction	3
What is the Findern Parish Neighbourhood Plan?.....	3
What is the Basic Conditions Statement?.....	3
2. Key Statements.....	3
3. Relationship with National and District Policy	5
4. Contribution to the Achievement of Sustainable Development	11
5. Compatibility with EU Obligations post Brexit	12
Strategic Environmental Assessment (SEA) and Habitat Regulation Assessment (HRA) Screening.....	12
Other EU obligations	13
6. How the policies in the FPNP do not have the effect of preventing development as set put in the strategic policies in the Local Plan Part 1 and Part 2	13
7. Consideration of S98 and S99 of LURA	16
8. Conclusion	17
9. Appendix A Sustainability Matrix.....	18

1. Introduction

What is the Findern Parish Neighbourhood Plan?

- 1.1 The Neighbourhood Plan for Findern Parish has been prepared in accordance with the Town and Country Planning Act 1990, the Planning & Compulsory Purchase Act 2004, the Localism Act 2011 and the Neighbourhood Planning (General) Regulations 2012 and Directive 2001/42/EC on Strategic Environmental Assessment. The Plan establishes a vision of the future for the Parish and sets out how that vision will be realised through planning and controlling land use and development change.
- 1.2 The Findern Parish Neighbourhood Plan 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 (general) Regulations 2012.

What is the Basic Conditions Statement?

- 1.3 This Basic Conditions Statement has been prepared to accompany the Findern Parish Neighbourhood Plan (hereafter the FPNP). Paragraph 8 (2) of Schedule 4B to the Town and Country Planning Act 1990 as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004, requires that a Neighbourhood Development Plan meets the basic conditions if:
 - a) having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan,
 - b) Having special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses it is appropriate to make the order,
 - c) Having special regard to the desirability of preserving or enhancing the character or appearance of any conservation area, it is appropriate to make the order
 - d) The making of the order contributes to the achievement of sustainable development
 - e) The making of the order would not have the effect of preventing development from taking place which
 - (i) Is proposed in the development plan for the area of the authority (or any part of that area) and
 - (ii) If it took place would provide housing
 - f) The making of the order does not breach and is otherwise compatible with EU obligations
 - fa) any requirements imposed in relation to the order by or part six of the levelling up and regeneration act 2023 (environmental outcomes reports) have been complied with¹.

- 1.4 This document outlines how the FPNP meets the Basic Conditions.

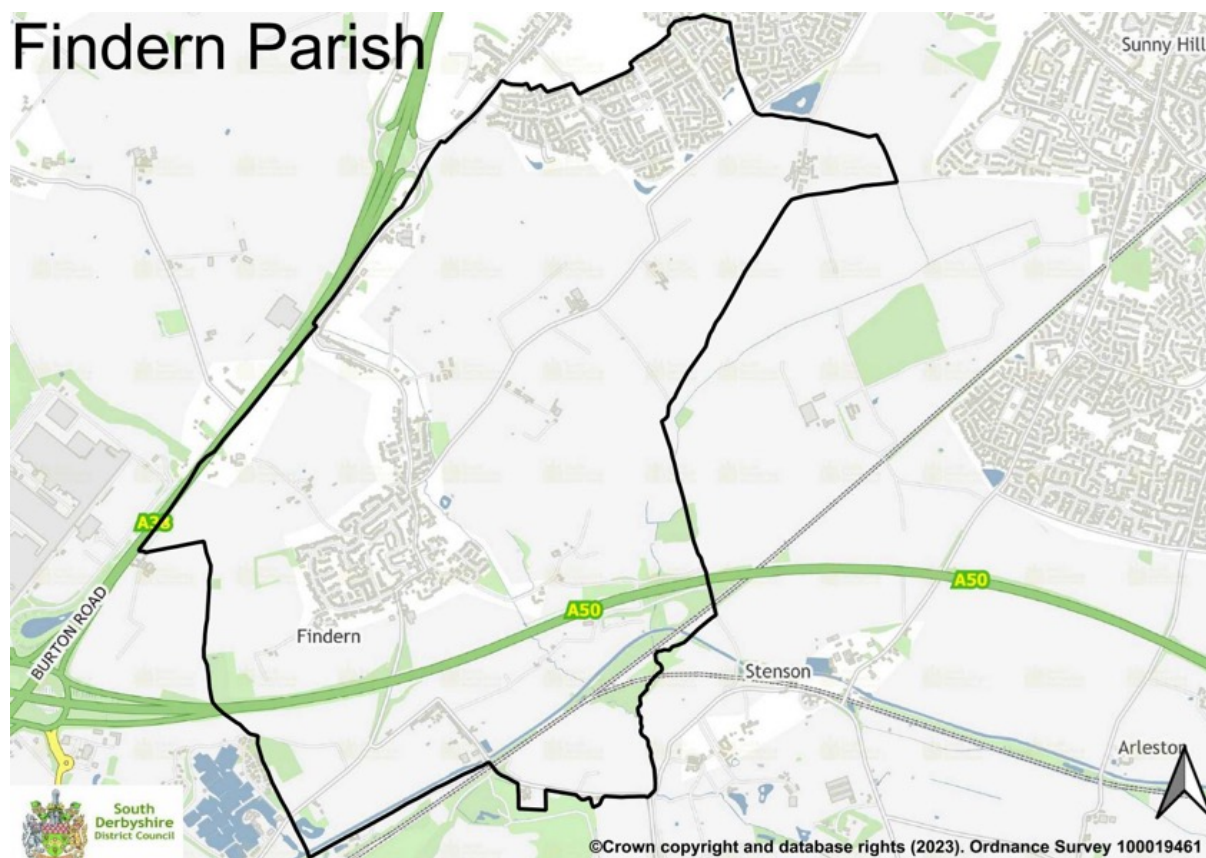
2. Key Statements

- 1.5 The Plan area covers Findern Parish and was designated a neighbourhood plan area in September 2023.

¹ until such time as a completed framework for the implementation of Environmental Assessment Reports is in place, compliance with this Basic Condition cannot be assessed.

- 1.6 The FPNP expresses policies that relate to the development and use of land only within the Neighbourhood Area. Findern Parish Council are the qualifying body for the purposes of neighbourhood planning.
- 1.7 The FPNP expresses policies that relate to the development and use of land only within the Neighbourhood Area.
- 1.8 The Neighbourhood Area is shown on the map accompanying the neighbourhood designation application and the designated area is aligned with the Parish boundary.
- 1.9 The FPNP covers the period from 2022 to 2041 matching the timeframe of the Publication Version of the Local Plan Part 1 Review.
- 1.10 The Plan proposals do not deal with 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 as 'excluded development'. In all other respects the FPNP does not include anything not permitted by section 98 (2) (A1) of the Levelling Up and Regeneration Act.
- 1.11 The FPNP does not relate to more than one neighbourhood area and covers only the Parish of Findern as shown in figure 1 below. There are no other Neighbourhood Plans in place for this area.

Figure 1: Findern Parish Neighbourhood Plan Area



- 1.12 The Pre-Submission Draft FPNP was made available for consultation in accordance with Regulation 14 of the Neighbourhood Plan Regulations from 10th March until 25th April 2025. Amendments have been

made to the document based on all the comments received and these are summarised in the document entitled 'Consultation Statement'.

3. Relationship with National and District Policy

- 1.13 The Neighbourhood Plan has been prepared having regard to national policies and advice set out in the National Planning Policy Framework (NPPF)². Paragraphs 29 to 31 and footnote 17 of the NPPF refers to Neighbourhood Plans requiring them to have regard to the policies in the NPPF.
- 1.14 The NPPF provides a framework within which local communities can produce Neighbourhood Development Plans for their area and sets out how planning should help achieve sustainable development (see paragraphs below relating to achieving sustainable development).
- 1.15 The NPPF also refers to the need for Neighbourhood Plans to be aligned with strategic policies in any Development Plan that covers the area. For Findern Parish this is the Local Plan Part 1 (LPP 1), which is the strategic element, adopted in June 2016, the Local Plan Part 2 (LPP 2), which is the non-strategic housing and detailed development policies plan, adopted in November 2017, the Local Green Spaces Plan adopted in September 2020 and the saved policies in the Minerals Local Plan for Derbyshire County Council adopted in 2000 and amended in 2002.³
- 1.16 Parish area based studies have been commissioned and are available on the Neighbourhood Plan tab at <https://findernparishcouncil.org/neighbourhood-plan/survey-and-supporting-documents/>
- Findern Guidance and Codes 2024
 - Housing Needs Assessment 2024
- 1.17 In addition, the NPG have done their own assessment of Local Green Spaces, Key Views and Significant Green Areas. This involved a walkabout and discussion with the AECOM consultants as part of the Design Code work and the same with the planning consultant supporting the group to write the neighbourhood plan. The NPG then met with maps to agree the Local Green Spaces, Key Views and Significant Green Areas based on criteria provided by the planning consultant.
- 1.18 Table 1 sets out how the FPNP is aligned with the National Planning Policy Framework.

² All references are to the NPPF 2024

³ A new Minerals Local Plan as at examination see

<https://www.localplanservices.co.uk/derbyshiremineralslexamination>

Table 1: Assessment of how each policy in the FPNP has regard to the NPPF.

NP Policy No.	Policy Title	NPPF (para.) Ref	Commentary
1	Development within the Settlement Boundary and Infill Development	7,8, 129	<p>The NPPF para 129 notes that planning policies should take into account <i>'the desirability of maintaining an area's prevailing character and setting (including residential gardens)'</i>. Policy 1 is based on local analysis and reinforces the value of the settlement boundary defined in the Local Plan. The policy clarifies the sort of development that will be appropriate within the settlement boundary as well as the local definition of infill development where it is outside the settlement boundary but in between other dwellings. This local detail ensures that development maintains the area's character.</p>
2	Achieving Well Designed Places	131, 132, 134	<p>The NPPF sees good design as a key aspect of sustainable development (para 131) and para 132 notes that design policies should be developed with local communities.</p> <p>Para 134 supports the production of Design Guides for neighbourhood areas and Policy 2 is underpinned by the Findern Parish Design Guidance and Codes.</p> <p>In accordance with NPPF para 131, Policy 2 is clear about the design expectations and how these will be tested.</p> <p>Policy 2 is based on robust local evidence, has involved the community in its preparation, and sets out a framework for developers.</p>
3	Protecting Landscape Character	135, 187	<p>The landscape character of the Parish is highly valued by the local community.</p> <p>The NPPF at para 135a requires planning policies to ensure that developments will <i>'function well and add to the overall quality of the area not just in the short term but over the life time of the development'</i>.</p> <p>The NPPF at para 187 requires planning policies to <i>'contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes'</i>.</p>

NP Policy No.	Policy Title	NPPF (para.)	Ref Commentary
			<p>The FPNP has focused on defining the quality and location of Significant Green Areas to ensure this is taken into account in decision making.</p> <p>Policy 3 defines the overall approach to protecting landscape character and provides a framework to show how development should be designed to minimise the impact on the landscape. Policy 3 is based on an understanding and evaluation of the defining characteristics of the Plan Area undertaken for the Neighbourhood Plan. The Findern Design Guidance and Codes combines an assessment of the surrounding built environment and landscape setting (in accordance with NPPF para 135c). The identification of the areas of landscape sensitivity, the key views and local green spaces, contributes to this analysis, providing local input in establishing where the landscape is locally valuable.</p>
4	Protecting and Enhancing the Natural Environment	125, 136, 256, 192	<p>At para 192 of the NPPF plans are required to <i>'map and safeguard components of local wildlife rich habitats'</i></p> <p>Policy 4 is based on a wealth of local data about the variety of species in the Parish.</p> <p>The NPPF at para 125 states that planning policies should <i>'take opportunities to achieve net environmental gains such as developments that would enable new habitat creation....'</i> Policy 4 provides a clear policy framework to show how the impact on biodiversity of development will be assessed, how the uplift will be measured and how it can be mitigated.</p> <p>The NPPF para 136 states that <i>'Trees make an important contribution to the character and quality of urban environments and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure</i></p>

NP Policy No.	Policy Title	NPPF (para.)	Ref Commentary
			<p><i>new streets are tree lined and..... existing trees are retained wherever possible.'</i></p> <p>Policy 4 emphasises the importance of the trees and other planting in the Parish and development proposals to protect the existing trees where possible and to include additional planting in landscape schemes.</p>
5	Designation of Local Green Spaces	106,108	The NPPF encourages communities to identify, for special protection, green areas of particular importance. Policy 5 identifies areas of tranquillity and/or community value that will be protected from development.
6a and 6b	Protecting and Enhancing Heritage Assets	202,203	<p>The NPPF places great importance on the protection and enhancement of heritage assets and that <i>'these assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance'</i> (Para 202).</p> <p>The FPNP identifies the listed buildings and nominates some non-designated heritage assets in the Parish based on work with SDDCs conservation officer.</p> <p>Policy 6a and 6b seek to set out <i>'a positive strategy for the conservation and enjoyment of the historic environment'</i> in accordance with NPPF para 203.</p>
7	Reducing the Risk of Flooding	162, 182	<p>Para 162 of the NPPF requires plans to <i>'Take a proactive approach to mitigating and adapting to climate change, taking into account the long-term implications for flood risk'</i>.</p> <p>Flooding incidents are increasing in the Parish and policy 7 reflects the local concern about flood risk and provides a policy framework to set out clearly how it should be taken into account. The importance of SuDs, designed to provide an opportunity to achieve net</p>

NP Policy No.	Policy Title	NPPF (para.)	Ref	Commentary
				biodiversity gains and multi benefits (which has been positively used in Highfields and is highlighted) is supported in Policy 7 in accordance with best practice.
8	Making Vehicular Movements Safer, & Promoting Cycling, Walking and Horse Riding	96,109		<p>The NPPF supports the promotion of sustainable transport like cycling and walking in planning policies to achieve healthy inclusive and safe places (para 96) and to consider the location of development to encourage walking and cycling (para 109).</p> <p>The NPPF sees the enhancement of walking and cycling routes as a way of encouraging healthy, inclusive and safe places. Policy 8 has identified these opportunities and encourages their enhancement. Para 109 also notes that <i>'patterns of movement, streets and parking contribute to making high quality places.'</i> A policy framework is provided to minimise the impact of the proposed South Derby Integrated Transport Link Phase 2 reflecting this consideration.</p>
9	Protecting and Enhancing the Provision of Community Facilities	88		<p>The NPPF states that planning policies should <i>'plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship).'</i></p> <p>Findern Parish has a range of well used and highly valued facilities and Policy 9 supports the need to protect and improve these community facilities.</p>
10a, 10b, 10c	Housing Mix and Type, Affordable Housing, Rural Exception Site	62,63,64,65		Para 62 supports the use of local housing needs assessments to inform policy. The FPNP is supported by a specific HNA. Policies 10a, 10b and 10c support development that meets local housing need in accordance with District and local analysis from the HNA. In Policy 10a a housing size and tenure mix is

NP Policy No.	Policy Title	NPPF (para.)	Ref Commentary
			<p>identified. The use of up-to-date evidence is in accordance with the NPPF. This creates a policy framework that identifies different house sizes and types and encourages a range of development to meet this need - (see NPPF para 63).</p> <p>NPPF para 64 states that where a need is identified (including for affordable housing) this should be reflected in planning policy <i>'where a need for affordable housing is identified, planning policies should specify the type of affordable housing required'</i>.</p> <p>Policy 10a,10b and 10c are a response to the HNA findings and identify the need as required in the NPPF.</p>
11	Renewable Energy, Energy Efficiency and Low Carbon Technologies	161, 164 ,165	<p>The NPPF para 161 sees the planning system as crucial in supporting the transition to a low carbon future to <i>'shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience'</i>. New development should be planned in ways that <i>'can help to reduce greenhouse gas emissions, such as through its location, orientation and design'</i> (para 164).</p> <p>NPPF para 165 notes that <i>'Plans should provide a positive strategy for energy from [renewable] sources.... while ensuring that adverse impacts are addressed satisfactorily including cumulative landscape and visual impacts'</i>.</p> <p>Policy 11 is proactive and encourages the development of low carbon homes and the use of renewable energy reflects statements of government policy. It also provides specific local criteria to ensure that there is a robust balanced assessment of the impact on the Parish so that the local environment is not harmed in the aim to achieve lower carbon emissions.</p>

4. Contribution to the Achievement of Sustainable Development

- 1.31 The NPPF has a presumption in favour of sustainable development. The NPPF defines sustainable development as having three overarching objectives *‘which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives)’*.⁴ The FPNP recognises that this is a balancing act, and the objectives of the Plan comprise a balance of social, economic and environmental objectives.
- 1.32 The **economic** goals relate to the emphasis on supporting development that enhances the vitality of Findern Parish. Protecting the environment and community facilities and ensuring development is well designed ensures that Findern remains an attractive place to live
- 1.33 The **social** goals are to maintain a thriving community, recognising that the community and its needs change over time. The FPNP supports the provision of housing in accordance with SDDCs policies (which is either within the Settlement Boundary or on the edge where it is for affordable housing, or outside the settlement boundary where this is limited and defined as infill). Community facilities are vital to provide social space for people to meet up and these are protected. The FPNP recognises the value the community places on the quality of outdoor recreation as well. The FPNP identifies some outdoor areas of community value as Local Green Spaces (LGS). These Local Green Spaces have a social value (for leisure and recreation) as well as for their tranquillity and environmental value.
- 1.34 The Housing Needs Assessment commissioned for the FPNP provides local analysis and is used to support policies to ensure that house types meet local need ensuring that the community remains cohesive as it expands. The process of producing this neighbourhood plan means that local residents have been actively involved in considering the policy framework for new development.
- 1.35 The FPNP has been prepared on the basis that local people can inform planning policy in their neighbourhood at the pre-application engagement stage (see Key Principle). By enabling people to become more actively involved in the decision-making process the Neighbourhood Plan has assisted in building social capacity.
- 1.36 The **environmental** goals are to protect the natural and built environment. The FPNP policies ensure that proposals protect and where possible enhance valued landscapes and the heritage of the Parish. The FPNP provides locally specific policies based on the Findern Parish Design Guidance and Codes to provide clarity to developers on what constitutes sustainable development. The identification of Significant Green Areas, Local Green Spaces and Key Views based on landscape analysis is an important part of this process to provide clarity to decision makers and developers about the sensitivity of these spaces within and adjoining the Settlement Boundary.
- 1.37 The additional local data on the flora and fauna in the Parish means there is a very clear understanding of the biodiversity of the Parish and the actions required to protect and improve this.
- 1.38 The FPNP also sends a clear signal that the community supports low carbon development in design and construction and in the location of renewable energy technology.

⁴ NPPF para 8

- 1.39 A sustainability matrix of the policies in the FPNP has been produced to assess the policies against sustainability criteria - see Appendix A. The Sustainability Matrix concluded that the FPNP policies would mostly have a positive benefit and occasionally a neutral impact.
- 1.40 There is no legal requirement for neighbourhood plans to have a Sustainability Appraisal. The SEA/HRA Screening process identified that neither a Strategic Environmental Assessment nor a Habitat Regulation Assessment was required (see below for more detail). It is considered that the Sustainability Matrix at Appendix A is adequate in showing how the Neighbourhood Plan policies will deliver sustainable development.

5. Compatibility with EU Obligations post Brexit

- 1.41 The European Withdrawal Act 2018 (EUWA) provides a new constitutional framework for the continuity of retained EU law in the UK, replacing the EU treaties that had until that point applied in the UK. Section 7 of the EUWA 2018 states that *'Anything which was immediately before exit day, primary legislation of a particular kind, subordinate legislation of a particular kind or another enactment of a particular kind and continues to be domestic law on and after exit day continues to be domestic law as an enactment of the same kind'*⁵.
- 1.42 The references below are to EU directives and regulations because *'there is no official record of which EU treaty rights were incorporated into UK law'*⁶ but the EUWA accepts that the same environmental standards remain.
- 1.43 *'The EU (Withdrawal) Bill incorporates the existing body of EU environmental law into UK law, making sure the same protections have effect in the UK and laws still function effectively after the UK leaves the EU'*⁷.
- 1.44 On the basis of the foregoing the FPNP has been assessed in accordance with extant EU regulation that has been incorporated into UK law.

Strategic Environmental Assessment (SEA) and Habitat Regulation Assessment (HRA) Screening

- 1.45 The environmental assessment of plans with a significant environmental impact is a requirement of the EC Directive on the assessment of plans and programmes on the environment (Directive 2001/42/EC), known as the Strategic Environmental Assessment (SEA) Directive.
- 1.46 A Habitats Regulation Assessment (HRA) is required where a Neighbourhood Plan is deemed likely to result in significant negative effects on protected European Sites as a result of the Plan's implementation⁸.
- 1.47 SDDC screened the FPNP in September 2025 to determine whether the FPNP (Submission Draft) required a SEA and HRA. In accordance with regulations Natural England, the Environment Agency and

⁵ See <https://www.legislation.gov.uk/ukpga/2018/16/section/7>

⁶ See <https://www.pinsentmasons.com/out-law/guides/retained-eu-law-uk-after-brexit>

⁷ EU Withdrawal Bill Fact sheet 8 Environmental Principles. EU Withdrawal Bill came into force in January 2020

⁸ Article 6(3) of the EU Habitats Directive and with Regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended).

Historic England were consulted. SDDC advised that HE and NE replied that no SEA/HRA was necessary. EA did not reply and further follow up emails were sent but no response was received. SDDC advised that in the circumstances the FPNP could proceed to examination.⁹

Other EU obligations

- 1.48 The Neighbourhood Plan has regard to and is compatible with the fundamental rights and freedoms guaranteed under the **European Convention on Human Rights**. Whilst an Equality Impact Assessment Report has not been specifically prepared, great care has been taken throughout the preparation and drafting of this Plan to ensure that the views of the whole community were embraced to avoid any unintentional negative impacts on particular groups.
- 1.49 The main issues for planning are the right to family life and in preventing discrimination. The FPNP makes positive contributions, such as protecting the heritage and landscape of the Plan area, protecting the countryside, supporting the improvement of walking and cycling routes, promoting housing to meet local needs and protecting community facilities. The population profile has revealed that there are not significant numbers of people who do not speak English (as a first language) and it has not been necessary to produce consultation material in other languages.
- 1.50 The FPNP has been prepared with extensive input from the community and stakeholders as set out in the accompanying Consultation Statement.¹⁰ There was consultation and engagement early on in the process and residents were encouraged to participate throughout. The Pre Submission Draft FPNP has been consulted on as required by Regulation 14 of the Neighbourhood Planning (General) Regulations 2012; responses have been recorded and changes have been made as per the schedule set out in the Consultation Statement. The Consultation Statement has been prepared by the Neighbourhood Plan Group and meets the requirements set out in Paragraph 15 (2) of the Regulations.

6. How the policies in the FPNP do not have the effect of preventing development as set out in the strategic policies in the Local Plan Part 1 and Part 2

- 1.51 To meet the Basic Conditions, the Neighbourhood Plan is required to demonstrate that it does not hinder growth planned via the strategic policies in the adopted Local Plan, here the Local Plan Part 1 and Part 2. The strategic policies provide detailed guidance on where new development can take place and sets out the factors that will be considered by SDDC when considering all proposals for development.
- 1.52 Table 2 provides a summary of how each of the FPNP policies do not prevent development.

⁹As advised in email exchanges with SDDC on 23rd October 2025.

¹⁰See Consultation Statement under neighbourhood plan at www.Findern.Parishparishcouncil.gov.uk

Table 2: Assessment of how the policies in the FPNP do not have the effect of preventing development as set out in the Strategic Policies in the Local Plan Part 1 and Part 2

Local Plan Part 1 ¹¹	Findern Parish Neighbourhood Plan Policy
S1 Sustainable Growth Strategy and H1 Settlement Hierarchy	The FPNP is aligned with SDDCs growth strategy, follows SDDCs settlement boundary and does not propose any site allocations Policy 1 is aligned with S1.
S2 Presumption in favour of Sustainable development	The FPNP does not seek to prevent development, rather it provides more detail about the parish both within the settlement boundary and beyond to ensure that decision making is based on local analysis. This means that mitigation, where required, can be more effective in minimising the local impact of development. Policies 1,3 and 4 are aligned with S2.
S3 Environmental Performance	The FPNP supports the construction of low carbon homes, designs that minimises water usage and the use of renewable energy in the Parish. It also supports the provision of accessible and adaptable (lifetime) homes. Policies 11 and 10a are aligned with S3.
S4 Housing Strategy	The FPNP aligns its housing policies 10a,10b and 10c and policy 1 to SDDCs settlement hierarchy.
S6 Sustainable Access	Policy 8 promotes ways of extending cycling and walking routes and making road layout safer for non-car users and is aligned with S6.
H20 Housing Balance, H21 Affordable Housing	The Findern Parish HNA provided parish specific housing data and the policies 10a and 10b provide a locally specific response. They are aligned with H20 and H21.
SD2 Flood Risk	Policy 7 reflects local concern about flood risk and reinforces the significance of considering it in the location and design of housing in the future in Findern Parish. Policy 7 is aligned with SD2.
SD2 Sustainable water Supply	Policy 11 identifies the need to meet the water efficiency standards set out in SD2 and Policy 11 is aligned with SD2.
SD6 Sustainable Energy and Power Generation	Policy 11 supports the need to use more renewable energy and to use less energy in the construction and operation of buildings and is aligned with SD6.

¹¹ Note only those SDDC policies that have an overlap with FPNP policies are listed

BNE1 Design Excellence	Policy 2 defines what good design means for Findern Parish based on the Findern Design Guidance and Codes and provides more detail in relation to BNE1 e) and g). Policy 2 is aligned with BNE1.
BNE2 Heritage Assets	Policy 6a protects the parish's heritage assets. Policy 6b identifies locally significant heritage assets to contribute to the local list identified in BNE2 Ci. Policy 6 is aligned with BNE2.
BNE3 Biodiversity	Policy 4 uses local data to provide more information about the parish's biodiversity and requires development to achieve biodiversity net gain in accordance with national legislation. Policy 4 is aligned with BNE3.
BNE4 Landscape Character and Local Distinctiveness	Policy 3 identifies key views and significant green areas providing more local detail about the landscape character and local distinctiveness of the parish. This means that mitigation, where required, can be more effective in minimising the local impact of development. The key valued landscape components listed in BNE4 are also identified in policy 3.
INF2 Sustainable Transport	Policy 8 aligns with INF2 B Walking and Cycling – providing local information to identify existing and potential extensions to walking and cycling and highlighting the importance of the canal as an active travel corridor. Policy 8 is aligned with INF2.
INF6 Community Facilities	Policy 9 lists the community facilities that require protecting in the Parish – the list is in accordance with SDDCs glossary definition and is in aligned with.
INF7 Green Infrastructure	Green Infrastructure in the FPNP is addressed across a number of policies – the canal is the most significant. It is protected in SDDC policy as a conservation area and the FPNP highlights its local value for its heritage, biodiversity and as an active travel corridor. As such the FPNP is aligned with INF7.
INF9 Open Space, Sport and Recreation	Policy 5 identifies some of the sport and recreation spaces in the parish as local green spaces – as they are demonstrably special to local people. The FPNP highlights the contribution all the parks and play areas make to the quality of life in Findern Parish and the FPNP is aligned with INF9.
Local Plan Part 2	
SDT1 Settlement Boundaries and Development and BNE5 Development in Rural Areas	The approach set out in SDT1 and BNE5 is mirrored in policies in the FPNP particularly policy 1 and 3. The settlement boundary map is included before policy 1 for clarity. Specific reference is made to the requirements of BNE5 in policy 1 and 3.
BNE7 Trees, Woodland and Hedgerows	Policies 3 and 4 emphasise the important multi benefits of trees, woodland and hedgerows in contributing to landscape character and for biodiversity. The FPNP provides local data on their presence and significance and the policies in the

	FPNP seek their protection where possible in aligned with BNE7.
BNE8 Local Green Space	BNE8 allows for the identification of LGSs in neighbourhood plans and the FPNP policy 5 proposes additional spaces that meet the NPPF criteria. Policy 5 is aligned with BNE8.
BNE10 Heritage	Polices 6a reinforces the value of the heritage in the plan area and that it should be protected in accordance with BNE10. Policy 6b identifies additional buildings that have local heritage value and is intended to contribute to SDDCs local list. Policies 6a and 6b or in aligned with BNE10.

7. Consideration of S98 and S99 of LURA

1.53 Sections 98 and 99 of the Levelling-up and Regeneration Act 2023 came into force on 25 March 2026. The legal compliance and the Basic Conditions requirements are as follows:

- so far as the qualifying body considers appropriate, and having regard to the subject matter of the plan, the plan must be designed to ensure that the development and use of land in the neighbourhood area contribute to the mitigation of, and adaptation to, climate change; and
- so far as the qualifying body considers appropriate and having regard to the subject matter of the plan, the plan must be designed to take account of any local nature recovery strategy under section 104 of the Environment Act 2021 that relates to all or part of the neighbourhood plan area.

1.54 Policy 4 Protecting and Enhancing the Natural Environment identifies those factors that will contribute to the mitigation of climate change. These are:

Policy 4 (1) provide at least 10% biodiversity net gain

Policy 4 (3) planting and other biodiversity enhancements that are good for wildlife

Policy 4 (4) protecting mature trees and hedgerows

1.55 Policy 7 Reducing the Risk of Flooding criteria (1) requires development to be located in areas away from flood risk and criteria (3) encourages the use of sustainable drainage systems which can mitigate the increase flood risk associated with climate change.

1.56 Policy 8 Making Vehicular Movements Safer and Promoting Cycling Walking and Horse Riding supports measures that make cycling and walking easier and is intended to encourage less use of the car.

1.57 Policy 11 supports the use of renewable energy, energy efficiency and local carbon technologies, all crucial to mitigating climate change.

1.58 Policy 4 (1) requires enhancement measures associated with any new development to have regard to the Local Nature Recovery Strategy.

8. Conclusion

- 1.59 It is the view of Findern Parish Council that the foregoing has shown that the Basic Conditions as set out in Schedule 4B to the Town and Country Planning Act 1990 are considered to be met by the FPNP and all the policies therein.
- 1.60 The FPNP has appropriate regard to the NPPF and will contribute to the achievement of sustainable development. The FPNP does not have the effect of preventing development as set out in strategic policies contained in SDDCs adopted Local Plan Part 1 and Part 1 and the FPNP meets relevant EU obligations that have been transferred into UK Law.
- 1.61 On that basis, it is respectfully suggested to the Examiner that the FPNP complies with Paragraph 8(2) of Schedule 4B of the Act.

9. Appendix A Sustainability Matrix

Policy	Environmental Impact	Economic Impact	Social Impact
Policy 1 Development within the Settlement Boundary and Infill Development	Positive Impact Minimises the impact of development on the environment by defining where development can be located and that it should be designed in accordance with the Findern Design Guidance and Codes.	Positive Impact Sets out clear guidelines for the location of new development. Ensures that the impact of new development avoids harm to the local character of the Parish as a place to live. Protecting the quality of the place will ensure the Parish remains a desirable and economically attractive place to live/work.	Positive Impact Allows some housing within Findern village (and on the edge where it is defined as affordable).
Policy 2 Achieving Well Designed Places	Positive Impact Minimises the impact of development on the environment by setting out design guidelines that ensure development will blend with the existing built form and landscape. Ensures that development will reinforce existing character.	Positive Impact Ensures a high-quality design that will have community support and that will increase the attractiveness of the area as somewhere to live and work.	Positive Impact Provides existing and future residents with confidence that future development will be of the highest design quality.
Policy 3 Protecting the Landscape Character	Positive Impact Requires development to protect the local landscape, provides a detailed understanding of this landscape and why it is important (the sense of openness around the Parish and the contribution made by the significant green areas and key views are highlighted.)	Positive Impact The rurality of the Parish is an attribute that attracts people to live and work in the here.	Positive impact The quality of the landscape around the Parish is a valuable attribute. This policy provides assurance that the quality of the landscape within and around the Parish will remain largely unchanged for the duration of the Plan period.
Policy 4 Protecting and	Positive impact	Positive impact	Positive impact

Policy	Environmental Impact	Economic Impact	Social Impact
Enhancing Biodiversity	Highlights the specific biodiversity quality of the Parish and requires development to make a net contribution to biodiversity. The policy identifies areas of nature conservation and specific actions that would enhance biodiversity in the Plan Area. The policy requires development to retain existing trees and have a landscape plan that enhances the greenery along boundaries and within development sites.	The quality of the natural environment is an attribute that attracts people to living in Findern Parish.	The biodiversity of the Plan area is a valuable attribute; residents enjoy the quality and accessibility of nature. This policy provides assurance that the biodiversity of the Parish will be protected and encourages their enhancement for the duration of the Plan period.
Policy 5 Designation of Local Green Spaces	Positive impact The designation of Local Green Spaces affords them additional protection from development enhancing the environment.	Neutral Impact	Positive impact These Local Green Spaces have been put forward by local people and are very important to them; their designation provides assurance that they will be protected from development for the duration of the Plan period. The focus on them may enable improved maintenance of them to enhance their form and function.
Policy 6a and 6b Protecting and Enhancing Heritage Assets	Positive Impact Protecting the historic environment is an important tenet of sustainable development. Policies 6a and 6b provide a policy framework to protect heritage assets in accordance with NPPF guidelines	Positive Impact Protecting the historic environment maintains the quality of the Parish—ensuring the Plan Area remains an attractive, economically vibrant place to live and work.	Positive Impact The community value the historic character of the Parish. Policy 6b is locally specific and reinforces this requirement to protect these assets.
Policy 7 Reducing the Risk of Flooding	Positive Impact Recognises the flood risk issues in the parish	Positive Impact Minimising the impact of flooding on a	Positive Impact Flooding causes significant anxiety – reducing its

Policy	Environmental Impact	Economic Impact	Social Impact
		community is a cost saving to residents and businesses.	impact is a significant benefit to a community.
Policy 8 Making Vehicular Movement Safer and Promoting Cycling, Walking Horse Riding	Positive impact Reducing car usage by improving active travel routes and making people feel safer walking around Findern village has multi benefits for the environment.	Neutral Impact	Positive impact Cycling and walking is good for health and will improve the well-being of residents. Improving the layout of existing and future roads will make it safer to walk around the Parish.
Policy 9 Protecting and Enhancing Community Facilities	Neutral Impact	Positive Impact A good range of community provision creates a more vibrant neighbourhood where people want to live and work.	Positive Impact Access to a range of indoor and outdoor community facilities is vital to foster a sense of community cohesion and well-being in the Parish.
Policy 10a, Housing Mix and Type, 10b Affordable Housing and 10c Rural Exception Site	Neutral impact	Positive Impact Seeks to address the need for smaller dwellings, reflecting community feedback, findings from the HNA and an understanding of the existing housing stock. Housing should meet local need and be a valuable addition to the existing housing stock.	Positive impact Seeks to provide new houses that will meet local need and meet the changing needs of local residents over their lifetime.
Policy 11 Renewable Energy, Energy Efficiency and Low Carbon Technologies	Positive Impact Low carbon development and the use of renewable energy will reduce the use of fossil fuels and reduce the waste of resources.	Positive Impact In the long-term addressing climate change is an economic necessity.	Positive Impact The community want a lower carbon neighbourhood and support the move to renewable energy, in the long term this will enhance resident's quality of life.