

**Baginton and Bubbenhall  
Submission Neighbourhood Development Plan**

**Paragraph 8 of Schedule 4b The Neighbourhood Planning (General) Regulations 2012  
'Basic Conditions' Statement**

**Baginton and Bubbenhall Parish Councils with assistance from**



**May 2017**

## 1.0 INTRODUCTION

- 1.1 Planning Practice Guidance (Paragraph: 065 Reference ID: 41-065-20140306)<sup>1</sup> sets out that only a draft neighbourhood Plan or Order that meets each of a set of basic conditions can be put to a referendum and be made. The basic conditions are set out in [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. The basic conditions are:
- a. having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the order (or 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. This applies only to Orders.
  - 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. This applies only to Orders.
  - d. the making of the order (or neighbourhood plan) contributes to the achievement of sustainable development.
  - e. the making of the order (or neighbourhood plan) is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).
  - f. the making of the order (or neighbourhood plan) does not breach, and is otherwise compatible with, EU obligations.
  - g. prescribed conditions are met in relation to the Order (or plan) and prescribed matters have been complied with in connection with the proposal for the order (or neighbourhood plan).
- 1.2 This Basic Conditions Statement sets out how the Baginton and Bubbenhall NDP has been prepared to meet the basic conditions. It has been prepared as a supporting document for consideration by the NDP independent Examiner.

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<sup>1</sup> <https://www.gov.uk/guidance/neighbourhood-planning--2#basic-conditions-for-neighbourhood-plan-to-referendum>

## **2.0 LEGAL REQUIREMENTS**

### **2.1 The Submission Plan is being submitted by a qualifying body**

This Submission Plan is being submitted jointly by two qualifying bodies, namely Baginton and Bubbenhall Parish Councils.

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

The plan proposal relates to planning matters (the use and development of land) and has been prepared in accordance with the statutory requirements and processes set out in the Town and Country Planning Act 1990 (as amended by the Localism Act 2011) and the Neighbourhood Planning (General) Regulations 2012.

### **2.3 The proposed Neighbourhood Plan states the period for which it is to have effect**

The proposed Neighbourhood Plan states the period for which it is to have effect. That period is from the Plan being made (2017) up to 2029 (the same period as the emerging new Warwick Local Plan).

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

The Neighbourhood Plan proposal does not deal with county matters (mineral extraction and waste development), nationally significant infrastructure or any other matters set out in Section 61K of the Town and Country Planning Act 1990.

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

The Neighbourhood Plan proposal relates to the designated Baginton and Bubbenhall Neighbourhood Area and to no other area. There are no other Neighbourhood Plans relating to that neighbourhood area. The Neighbourhood Area is the same area as that of the two relevant Parish Councils.

### **3.0 BASIC CONDITIONS**

#### **3.1 a. Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the plan**

The Baginton and Bubbenhall Neighbourhood Plan has been produced with appropriate regard to the guidance contained within the National Planning Policy Framework (NPPF). Paragraphs 183-185 of the NPPF outline specific guidance in relation to the production of Neighbourhood Plans. Paragraph 184 states that “The ambition of the neighbourhood should be aligned with the strategic needs and priorities of the local area. Neighbourhood Plans must be in general conformity with the strategic policies of the local plan.” The Neighbourhood Plan has been drafted with regard to the planning policies of Warwick District Council, and the comprehensive evidence base that supports these policies.

Paragraph 184 also states that Neighbourhood Plans should “not promote less development than set out in the Local Plan or undermine its strategic policies”. The Baginton and Bubbenhall Neighbourhood Plan does not undermine the strategic policies of Warwick District Council; the Plan aims to support these policies and site allocations by promoting the development of proposed allocated housing sites whilst protecting the green belt and natural and built heritage assets, supporting a proposed community hub facility with enhanced recreational facilities, promoting improved connectivity and accessibility with the Parish and to neighbouring centres such as Kenilworth, and promoting improvements in traffic management.

The Plan has regard to the twelve core planning principles set out within paragraph 17 of the Framework, as set out in Table 1 below:

**Table 1 NPPF Core Planning Principles and the Baginton and Bubbenhall Submission Neighbourhood Development Plan**

NPPF Core Planning Principle	Regard that Neighbourhood Plan has to planning principles
<p>Planning should be genuinely plan-led, empowering local people to shape their surroundings, with succinct local and Neighbourhood Plans setting out a positive vision for the future of the area. Plans should be kept up to date, and be based on joint working and co-operation to address larger than local issues. They should provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency.</p>	<p>The Parish Council has produced the Submission Plan in line with these principles. The NDP will provide a framework to ensure that development is genuinely plan-led, and through involvement of the local community in shaping its policies and proposals through consultation, the Plan will empower local people to shape their surroundings. The vision, objectives, policies and proposals in the Plan have been developed with a thorough approach to community engagement. The Plan sets out a positive vision for the area up to 2029. The Neighbourhood Plan sets out a concise and practical suite of policies (18 in total) to guide development management decisions.</p>
<p>Planning should not simply be about scrutiny, but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives.</p>	<p>The Submission Neighbourhood Plan offers the local community the opportunity to shape the future development of Baginton and Bubbenhall in a creative way, ensuring that the quality of the place is enhanced by protecting important local greenspaces and protecting and enhancing the village character of the two villages.</p>
<p>Planning should proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond to wider opportunities for growth. Plans should take account of market signals, such as land prices and housing affordability, and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business communities.</p>	<p>The Submission Neighbourhood Plan refines and adds detail to District-wide policies and proposals set out in Warwick’s Local Plan. The Submission Neighbourhood Plan supports housing development on identified allocated housing sites at Rosswood Farm and Oaklea Farm in the emerging new Local Plan and supports development on smaller infill sites which may come forward over the Plan period. Economic development is supported which is appropriate to the two village’s position in the settlement hierarchy, and the wider rural area. Investment in existing industrial estates such as Middlemarch is supported.</p>

<p>Planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.</p>	<p>The NDP describes different character areas in each settlement and includes policies requiring development to respond positively to local character. Residential amenity is protected.</p>
<p>Planning should take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it.</p>	<p>The Plan seeks to protect the surrounding landscape character and biodiversity across the neighbourhood area and takes into consideration the neighbourhood area's location within the Green Belt.</p>
<p>Support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change, and encourage the reuse of existing resources, including conversion of existing buildings, and encourage the use of renewable resources (for example, by the development of renewable energy).</p>	<p>The NDP includes a general policy which seeks to protect and enhance local landscape character by encouraging developers to include measures such as tree planting, re-creation of riverside habitats and protect the wooded character of river corridors. Such landscaping measures should support programmes aimed at reducing flood risk from water courses in more built up areas.</p> <p>A Policy has been included on the advice of the Environment Agency to address flood risk.</p> <p>Policies which support walking and cycling as low carbon alternatives to car use are also included in the Plan.</p>
<p>Planning should contribute to conserving and enhancing the natural environment and reducing pollution. Allocations of land for development should prefer land of lesser environmental value, where consistent with other policies in the Framework.</p>	<p>The Submission Neighbourhood Plan is fully consistent with this principle.</p> <p>The Plan includes policies to protect local landscape character and biodiversity.</p> <p>Proposals for increasing opportunities for walking and cycling and improving traffic management have the potential to improve traffic flow through the area reducing carbon emissions, and with their concomitant environmental improvements are likely to have a positive impact on air quality.</p>

<p>Planning should encourage the effective use of land by reusing land that has been previously developed (Brownfield land), provided that it is not of high environmental value.</p>	<p>The NDP does not allocate any development sites on greenfield sites. The Plan supports some proposed site allocations for housing identified in the emerging new Warwick Local Plan and small infill development within the settlement boundaries of Baginton and Bubbenhall. This reflects the neighbourhood area's location in the Green Belt.</p> <p>The Neighbourhood Plan seeks to safeguard locally important open spaces from further new housing or other development through the allocation of Local Green Spaces.</p>
<p>Planning should promote mixed-use developments, and encourage multiple benefits from the use of land in urban and rural areas, recognising that some open land can perform many functions (such as wildlife, recreation, flood risk mitigation, carbon storage or food production).</p>	<p>The Submission Plan promotes a green infrastructure approach to new public open space provision in Policy BAG5, reflecting that most new development in the neighbourhood area will be in the larger settlement of Baginton.</p>
<p>Planning should conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations</p>	<p>The Submission Neighbourhood Plan is fully in line with this principle.</p> <p>The NDP notes that both Baginton and Bubbenhall villages have conservation areas focussed around the historic cores of the villages. Baginton Parish has 13 listed buildings including the Grade I Listed Church of St John the Baptist and scheduled monuments at Baginton Castle and the Roman Fort at the Lunt. There are 9 listed buildings in Bubbenhall including a scheduled monument, pit alignments, north of Bubbenhall village.</p> <p>The NDP includes policies to protect and enhance the villages, requiring new development to be designed sensitively to enhance the setting of the conservation areas.</p>
<p>Planning should actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable</p>	<p>The Submission Neighbourhood Plan promotes an approach which reduces reliance on the private car by improving traffic management through the villages, encouraging new safe pedestrian and cycle schemes linking to local centres and improving safety for pedestrians and cyclists.</p>

<p>Planning should take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural services to meet local needs</p>	<p>The Neighbourhood Plan is fully in accord with this principle. Policies in the Plan safeguard and seek to improve local green spaces and promote a network of routes to support walking and cycling.</p> <p>In addition, policies protect local services, assets and amenities for the benefit of residents.</p>
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**3.2 b. Having Special Regard to the Desirability of Preserving any Listed Building or its Setting or any Features of Special Architectural or Historic Interest**

The Submission Neighbourhood Plan requires new development to protect and enhance the setting of Lunt Fort and other built heritage assets (Policy BAG3).

*[Note: this Basic Condition only applies to Neighbourhood Development Orders but has been included for the sake of completeness].*

**3.3 c. Having Special Regard to the Desirability of Preserving or Enhancing Character or Appearance of any Conservation Area**

The Plan area has 2 Conservation Areas and these is referred to in Policies BAG3 and BUB2.

*[Note: this Basic Condition only applies to Neighbourhood Development Orders but has been included for the sake of completeness].*

**3.4 d. Contributes to the Achievement of Sustainable Development**

The Submission Neighbourhood Development Plan contributes strongly to the achievement of sustainable development.

Paragraphs 6-10 of the National Planning Policy Framework outline the Government’s definition of sustainable development.

The UK Government’s interpretation of the concept of sustainable development builds on that of the UN resolution 24/187, which is ‘meeting the needs of the present without compromising the ability of future generations to meet their own needs.’

The NPPF amplifies this simple definition, at paragraph 7, stating that sustainable development has three dimensions, economic, social and environmental. Planning needs to perform a number of roles in relation to these issues:

- ❑ “an economic role - contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
- ❑ a social role - supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of the present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community’s needs and support its health, social and cultural well- being; and
- ❑ an environmental role - contributing to protecting and enhancing our natural, built and historic environment; and as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.”

In Paragraph 6, the NPPF states that “the policies in paragraphs 18-219, taken as a whole, constitute the Government’s view of what sustainable development in England means in practice for the planning system”.

Table 1 above gives a clear and comprehensive narrative of how the framework complies with the Core Planning Principles of the NPPF, and by corollary, the achievement of sustainable development.

Table 2 below summarises how the policies and allocations in the Baginton and Bubbenhall Submission Plan contribute to the economic, social and environmental aspects of sustainable development.

**Table 2 Submission Plan’s contribution to the economic, social and environmental aspects of sustainable development.**

Sustainable Development Role	Neighbourhood Development Plan’s Contribution
Economic	The Submission Neighbourhood Plan seeks to support additional business premises and employment opportunities. Proposals for mixed use development which provides a mix of office and business accommodation or “live/work units” within or in close proximity to proposed new residential units are supported subject to criteria.

Social	<p>The Neighbourhood Plan sets a strong framework that will help to support the achievement of sustainable social development. The plan protects community facilities and promotes health and well-being by protecting recreational facilities and green spaces.</p> <p>The housing policies promote a mix of house types and tenures with an emphasis on providing more housing for older people and smaller properties, including single storey accommodation.</p>
Environmental	<p>The Submission Neighbourhood Plan sets out policies that protect landscape character, local wildlife and biodiversity and protects open space within and around the villages of Baginton and Bubbenhall.</p> <p>The Plan seeks to promote more sustainable transport patterns through encouraging walking and cycling improving traffic management.</p> <p>Policies seek to protect the local distinctiveness of the 2 villages and wider neighbourhood area.</p>

### 3.5 e. In General Conformity with Strategic Policies in the Development Plan

The Submission Neighbourhood Plan is in general conformity with strategic Local Plan policies contained in the Warwick Local Plan 2005 .

Planning Practice Guidance 2014 para 009 advises that *“Neighbourhood plans, when brought into force, become part of the development plan for the neighbourhood area. They can be developed before or at the same time as the local planning authority is producing its Local Plan.*

*A draft neighbourhood plan or Order must be in general conformity with the strategic policies of the development plan in force if it is to meet the basic condition. A draft Neighbourhood Plan or Order is not tested against the policies in an emerging Local Plan although the reasoning and evidence informing the Local Plan process may be relevant to the consideration of the basic conditions against which a neighbourhood plan is tested.”*

Table 3 below sets out the way that the Neighbourhood Plan conforms to the relevant strategic policies from the Adopted Plan. Note is also made of the relevant policies in the emerging new Local Plan for Warwick, although this Plan has little weight in decision making at the time of Submission of the Neighbourhood Plan.

**Table 3 Conformity with Local Strategic Planning Policy**

<i>Baginton and Bubbenhall Neighbourhood Development Plan</i>	<i>Warwick District Adopted Local Plan 1996 - 2011 Saved Policies</i>	<i>Warwick District Local Plan 2011 – 2029 Publication Draft (incorporating proposed Modifications, January 2016 and March 2017)</i>
<p><b>All Policies</b></p>	<p><b>The Spatial Strategy of the Local Plan</b></p> <p>Most development will be directed to the four towns of the District; Royal Leamington Spa, Warwick, Kenilworth and Whitnash.</p> <p>The three town centres of Royal Leamington Spa, Warwick and Kenilworth will be the main shopping and service centres within the district.</p> <p>The remainder of Warwick District is defined as rural and development here will generally be provided only to meet the needs of the local population and to support rural communities except where development is identified and site specific policies apply.</p> <p>Within the rural area, development to meet local needs will be focussed in the villages of Barford, Bishop’s Tachbrook, Hampton Magna, Lapworth (Kingswood) and Radford Semele.</p>	<p><b>STRATEGIC POLICY DS3: Supporting Sustainable Communities</b></p> <p>We will promote high quality new development including:</p> <ul style="list-style-type: none"> <li>a) delivering high quality layout and design which relates to existing landscape or urban form and, where appropriate, is based on the principles of garden towns, villages and suburbs;</li> <li>b) caring for our built, cultural and natural heritage;</li> <li>c) regenerating areas in need of improvement;</li> <li>d) protecting areas of significance including high quality landscapes, heritage assets and ecological assets;</li> <li>e) delivering a low carbon economy and lifestyles and environmental sustainability. We will expect development which enables new</li> </ul>

		<p>communities to develop and sustain themselves.</p> <p>f) delivering communities and developments that are safe, secure and experience very low crime levels</p> <p>As part of this we will provide for the infrastructure needed to support communities and businesses including:</p> <p>a) Physical infrastructure (such as transport, flood defence and utilities)”;</p> <p>b) social infrastructure (such as education, health, the emergency services and sports facilities);</p> <p>c) green infrastructure (such as parks, open space, playing pitches and ecosystem services such as Sustainable Drainage Systems (SuDS) and habitats).</p>
<p><b>Policy G1 – Protecting and Enhancing Local Landscape Character</b></p> <p>Development proposals should include landscaping schemes which aim to protect and enhance the distinctive rural landscape character of Baginton and Bubbenhall. Schemes should support the aims and objectives of the Princethorpe Woodlands Living Landscape project where possible.</p>	<p><b>DP3 Natural and Historic Environment and Landscape</b></p> <p>Development will only be permitted which protects important natural features and positively contributes to the character and quality of its natural and historic environment through good habitat/landscape design and management.</p>	<p><b>NE1 Green Infrastructure</b></p> <p>The Council will protect, enhance and restore the District’s green infrastructure assets and</p> <p>strive for a healthy integrated network for the benefit of nature, people and the economy.</p>

<p>Landscaping schemes should be designed to incorporate the following landscape design principles wherever possible to ensure opportunities are maximised for supporting local biodiversity, and to ensure new development responds positively to this high quality local environment:</p> <ol style="list-style-type: none"> <li>1. Species selection along woodland edges should include native trees and shrubs and tree cover should be enhanced on and around development sites through the planting of new woodlands and belts of trees.</li> <li>2. Existing parkland should be retained and enhanced and where opportunities arise, consideration should be given to restoring areas of former park.</li> <li>3. Primary hedgelines should be conserved and enhanced by reintroducing mixed native species hedgerows along primary boundaries.</li> <li>4. Tree cover within and around rural settlements should be conserved and enhanced and large scale woodland planting on rising ground is encouraged.</li> </ol>	<p>Development proposals will be expected to demonstrate that they:-</p> <ol style="list-style-type: none"> <li>a) protect and/or enhance local ecology, including existing site features of nature conservation value;</li> <li>b) protect and/or enhance features of historical, archaeological, geological and geomorphological significance;</li> <li>c) protect and enhance the landscape character of the area, particularly respecting its historic character;</li> <li>d) provide appropriate levels of amenity space which incorporate suitable habitat features and hard and soft landscaping;</li> <li>e) integrate the amenity space and proposed landscaping into the overall development;</li> <li>f) secure the long term management and maintenance of habitat/landscape features; and</li> <li>g) protect best and most versatile agricultural land</li> </ol> <p>Development proposals which have a significant impact upon the character and appearance of an area will be required to demonstrate how they comply with this policy by way of a Nature Conservation and Landscape Analysis. Where adverse impacts are unavoidable, the Council may consider possible mitigation measures to reduce any harm caused by these adverse impacts. Where</p>	<p>The natural environment will be planned for at a variety of spatial scales:</p> <ol style="list-style-type: none"> <li>a) sub regional level, crossing administrative boundaries;</li> <li>b) district-wide scale;</li> <li>c) town-wide scale, and at;</li> <li>d) local and neighbourhood scales.</li> </ol> <p>The Council recognises the Warwickshire, Coventry and Solihull Sub Regional Green Infrastructure Strategy and will support the periodic updating of this important strategic document. The Council will continue to work with partners, including neighbouring authorities and the Local Nature Partnership to plan for green infrastructure at a landscape scale:</p> <p>protecting and enhancing existing habitats and restoring fragmented areas ensuring access</p> <p>natural green space and improvements to landscape character.</p> <p><b>NE4 Landscape</b></p>
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<p>5. Schemes should protect and enhance the internal open spaces and the irregular outline of village settlements.</p> <p>6. The re-creation of riverside wetland habitats is encouraged.</p> <p>7. The sinuous hedgerows defining river floodplains and the wooded character of river corridors should be retained and enhanced.</p> <p>Overall, landscaping schemes should be designed to maintain the strong rural character, conserve pastoral character, restrict and, where possible, reverse the sub-urbanisation of the landscape, and strengthen local distinctiveness and a sense of place.</p>	<p>mitigation measures are not possible, compensation measures may be appropriate.</p>	<p>New development will be permitted which positively contributes to landscape character.</p> <p>Development proposals will be required to demonstrate that they:</p> <p>a) integrate landscape planning into the design of development at an early stage;</p> <p>b) consider its landscape context, including the local distinctiveness of the different natural and historic landscapes and character, including tranquillity;</p> <p>c) relate well to local topography and built form and enhance key landscape features ensuring their long term management and maintenance;</p> <p>d) identify likely visual impacts on the local landscape and townscape and its immediate setting and undertakes appropriate landscaping to reduce these impacts;</p> <p>e) aim to either conserve, enhance or restore important landscape features in accordance</p>
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		<p>with the latest local and national guidance;</p> <p>f) avoid detrimental effects on features which make a significant contribution to the character, history and setting of an asset, settlement, or area;</p> <p>g) address the importance of habitat biodiversity features, including aged and veteran trees, woodland and hedges and their contribution to landscape character, where possible enhancing these features through means such as buffering and reconnecting fragmented areas;</p> <p>h) maintain the existence of viable agricultural units, and;</p> <p>i) are sensitive to an area's capacity to change, acknowledge cumulative effects and guard against the potential for coalescence between existing settlements.</p>
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<p><b>Policy G2 Protecting and Enhancing Local Biodiversity</b></p> <p><u>Protecting and Enhancing Local Wildlife and Habitats</u></p> <p>Any proposals for new development will be encouraged to demonstrate how the design has taken into account its potential impact on local habitats and species. The neighbourhood area supports a range of protected and vulnerable species and new development should have a positive impact on local wildlife and habitats.</p> <p>Developers will be encouraged to ensure that appropriate measures are put in place to protect wildlife and enhance biodiversity and important habitats. Appropriate measures may include for instance use of swift bricks, bat and owl boxes, and ensuring that new and converted buildings provide nesting and roosting spaces for bats and birds. A mixture of native species typical of this locality should be incorporated in landscaping schemes including oak, hazel, birch, ash and holly.</p> <p><u>Wildlife Corridors and Stepping Stones</u></p> <p>Wildlife corridors and stepping stones are protected and development which is likely to have an unacceptable adverse impact on wildlife corridors (eg hedgerows, woodland and streams) and stepping stones (eg unimproved meadows and ponds) will not be permitted.</p>	<p><b>DP3 Natural and Historic Environment and Landscape</b></p> <p>As above</p> <p><b>DAP3 Protecting Nature Conservation, Geology and Geomorphology</b></p> <p>Development will not be permitted which will destroy or adversely affect the following sites of national importance:-</p> <p>a) designated Sites of Special Scientific Interest (SSSIs). Currently designated sites are shown on the Proposals Map;</p> <p>Development will be strongly resisted that will destroy or adversely affect the following locally important sites/features:-</p> <p>b) designated Ancient Woodlands. Currently designated sites are shown on the Proposals Map;</p> <p>c) designated Local Nature Reserves (LNRs). Currently designated sites are shown on the Proposals Map;</p> <p>d) any other sites subject to a local ecological or geological/geomorphological designation unless the applicant can demonstrate that the benefits of the proposal significantly outweigh the ecological/geological/geomorphological importance of the area;</p>	<p><b>NE3 Biodiversity</b></p> <p>New development will be permitted provided that it protects, enhances and/or restores habitat biodiversity. Development proposals will be expected to ensure that they:</p> <p>a) lead to no net loss of biodiversity, and where possible a net gain where appropriate, by means of an approved ecological assessment of existing site features and development impacts;</p> <p>b) protect or enhance biodiversity assets and secure their long term management and maintenance, and;</p> <p>c) avoid negative impacts on existing biodiversity.</p> <p>Where this is not possible, mitigation measures must be identified. If mitigation measures are not possible on site, then compensatory measures involving biodiversity offsetting will be required.</p>
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<p>New development will be required to demonstrate measures which support and enhance the wildlife value of the wider countryside area, for example through the provision of ponds or of hedges where these will link existing features together.</p>	<p>e) protected, rare, endangered or other wildlife species of conservation importance.</p> <p>In assessing the effect of development on a nature conservation or geological/geomorphological site in relation to b), c), d) and e), proposals will not be permitted unless the applicant can demonstrate that consideration has been given to any mitigation and compensatory measures proposed that take account of the importance of the site/species, the extent to which ecological, geological or geomorphological impact is minimised, the nature of the measures proposed, and proposed long term management of features/sites/habitats of ecological/ geological/geomorphological importance.</p>	
<p><b>Policy G3 Green Belt</b></p> <p>Inappropriate development in the Green Belt in the Parishes will not be permitted unless very special circumstances can be demonstrated.</p> <p>Appropriate proposals within, or conspicuous from the Green Belt, must not be detrimental to the visual amenity of the Green Belt, by virtue of their siting, materials or design.</p>		<p><b>DS19 Green Belt</b></p> <p>The extent of the Green Belt is defined on the Policies Map. The Council will apply national planning policy to proposals within the green belt.</p>
<p><b>Policy G4 Traffic Management and Transport Improvements</b></p> <p>Proposals for improvements in road safety and traffic management and the provision of or improvements</p>	<p><b>DP6 Access</b></p> <p>Development will only be permitted which provides safe, convenient and attractive access routes for</p>	<p><b>TR1 Access and Choice</b></p> <p>Development will only be permitted which provides safe, suitable and attractive access routes for pedestrians,</p>

<p>to public transport will be fully supported by the Neighbourhood Development Plan.</p> <p>Developer contributions and Community Infrastructure Levy payments will be sought towards the following within the two Parishes:</p> <ol style="list-style-type: none"> <li>1. Highway improvement schemes which improve the safety of pedestrians and cycle users.</li> <li>2. Traffic calming measures, pedestrian priority schemes and the reduction of traffic speeds on routes through village centres</li> <li>3. Increasing public and community transport to and from the designated area to local towns, supermarkets etc and supporting the school bus service.</li> <li>4. Supporting safe new pedestrian and cycle routes to / from Coventry, Kenilworth and Warwick such as increasing the width of pedestrian footpaths.</li> <li>5. Provision of adequate public parking within the villages, especially near to community facilities.</li> <li>6. Any development should contain measures to minimise traffic flows through the villages.</li> </ol>	<p>pedestrians, cyclists, public transport users and other users of motor vehicles, as appropriate.</p> <p>Development proposals will be expected to demonstrate that they:-</p> <ol style="list-style-type: none"> <li>a) do not cause harm to highway safety;</li> <li>b) are designed to give priority access to, and allow penetration by, pedestrians, cyclists and public transport services, as appropriate; and</li> <li>c) integrate the access routes into the overall development.</li> </ol> <p><b>DP7 Traffic Generation</b></p> <p>Development will not be permitted which generates significant road traffic movements unless practicable and effective measures are taken to avoid adverse impact from traffic generation.</p> <p>In appropriate circumstances, development proposals will be required to demonstrate how they comply with this policy by way of a Transport Assessment and, where necessary, Travel Plan.</p> <p><b>DP8 Parking</b></p> <p>Development will only be permitted that makes provision for parking which:-</p> <ol style="list-style-type: none"> <li>a) does not encourage unnecessary car use;</li> </ol>	<p>cyclists, public transport users, delivery vehicles and other users of motor vehicles, as appropriate. Development proposals will be expected to demonstrate that they:</p> <ol style="list-style-type: none"> <li>a) are not detrimental to highway safety;</li> <li>b) are designed to provide suitable access and circulation for a range of transport modes including pedestrians, cyclists, emergency services and public transport services;</li> <li>c) create safe and secure layouts for motorised vehicles, cyclists , pedestrians and public transport and integrate the access routes into the overall development;</li> <li>d) where practical, incorporate facilities for charging plug-in and other ultra-low emission vehicles where the development proposals include provision for off street parking and is for one or more dwelling, and;</li> <li>e) have taken account of the needs of people with disabilities by all modes of transport.</li> </ol> <p><b>TR2 Traffic Generation</b></p>
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	<p>b) has regard to the location and accessibility of the site by means other than the private car;</p> <p>c) does not result in on-street car parking detrimental to highway safety;</p> <p>d) takes account of the parking needs of disabled car users, motorcyclists and cyclists; and</p> <p>e) takes account of the requirements of commercial vehicles.</p> <p><b>DP15 Accessibility and Inclusion</b></p> <p>The layout and design of development will be encouraged to meet the highest standards of accessibility and inclusion for all potential users, regardless of disability, age or gender. Development proposals will be expected to demonstrate that they provide safe, easy and inclusive access to, into and within buildings and facilities.</p> <p><b>SC12 Sustainable Transport Improvements</b></p> <p>Contributions towards sustainable transport improvements will be sought from all development that would lead to a material increase in traffic on the road network. The level of contributions will be calculated in accordance with criteria set out in the Warwickshire Local Transport Plan or any subsequent revision.</p> <p>Contributions will also be sought in appropriate cases towards footpaths, cycleways and towpaths</p>	<p>All large scale developments (both residential and non-residential) which result in the generation of significant traffic movements, should be supported by a Transport Assessment and where necessary a Travel Plan, to demonstrate practical and effective measures to be taken to avoid the adverse impacts of traffic.</p> <p>Any development that results in significant negative impacts on health and wellbeing of people in the area as a result of pollution, noise or vibration caused by traffic generation will not be permitted unless effective mitigation can be achieved.</p> <p>Any development that results in significant negative impacts on air quality within identified Air Quality Management Areas or on the health and wellbeing of people in the area as a result of pollution should be supported an air quality assessment and, where necessary, a mitigation plan to demonstrate practical and effective</p>
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	<p>both within development sites, and to create links with the wider network.</p>	<p>measures to be taken to avoid the adverse impacts.</p> <p>A Transport Statement may be required for development that has relatively small transport implications in line with the Guidance on Transport Assessments.</p> <p>All measures required in the Policy should take full account of the cumulative impact of all development proposed in this Plan (and any other known developments) on traffic generation and air quality.</p> <p><b>TR4 Parking</b></p> <p>Development will only be permitted that makes provision for parking which:-</p> <ul style="list-style-type: none"> <li>a) has regard to the location and accessibility of the site by means other than the private car;</li> <li>b) has regard to the location and accessibility of the site by means other than the private car;</li> <li>c) does not result in on-street car parking detrimental to highway safety;</li> <li>d) takes account of the parking needs of disabled car users, motorcyclists and cyclists; and</li> </ul>
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		<p>e) takes account of the requirements of commercial vehicles.</p> <p>Development will be expected to comply with the parking standards set out in the most recent Parking Supplementary Planning Document.</p> <p><b>DM1 Infrastructure Contributions</b></p> <p>Development will be expected to provide, or contribute towards provision of:</p> <p>a) Measures to directly mitigate its impact and make it acceptable in planning terms, and</p> <p>b) Physical, social and green infrastructure to support the needs associated with the development</p> <p>Infrastructure and mitigation measures will be provided in a timely manner to support the objectives of the Plan.</p> <p>The Council will, where appropriate, seek to secure site-specific infrastructure investments and/or contributions as well as off-site contributions and/or investments. The nature and scale of these will be related to the form of development and its potential impact on the site and surrounding area. The</p>
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		<p>cumulative impact of developments will also be taken into account.</p> <p>Developer contributions in the form of Planning Obligations and/or Community Infrastructure Levy (CIL) will contribute towards strategic infrastructure required to support the overall development in the Plan.</p> <p>The Council will work in partnership with infrastructure providers and other delivery agencies in updating the Infrastructure Delivery Plan to ensure an up to date evidence base regarding infrastructure requirements and costs is maintained.</p>
<p><b>Policy G5 Additional Business Premises and Employment Opportunities</b></p> <p>The development of new local employment opportunities will be supported within Baginton and Bubbenhall providing that:</p> <ol style="list-style-type: none"> <li>1. They maintain the surrounding residential amenity; and</li> <li>2. Open space or green infrastructure is not lost; and</li> </ol>	<p><b>RAP6 Directing New Employment</b></p> <p>New employment development will be permitted in the following circumstances:-</p> <ol style="list-style-type: none"> <li>a) conversions or replacement of appropriate rural buildings in accordance with policy RAP7 or RAP8 where these are of a small scale or a low intensity, or can be demonstrated to meet a local need;</li> <li>b) farm diversification proposals in accordance with policy RAP9;</li> </ol>	<p><b>DS16 Sub-Regional Employment Site</b></p> <p>Land in the vicinity of Coventry Airport (totalling 235 hectares) as shown on the Policies Map, is will be allocated as a major employment site (for B1, B2 and B8 uses) of sub-regional significance.</p> <p>The Council will require that a Masterplan or Development Brief is prepared, which will ensure that the site is developed in a comprehensive manner.</p>

<p>3. There are no severe impacts from traffic and there is adequate provision of parking for employees and visitors; and</p> <p>4. They are located within the settlement boundary of the villages, or comprise the redevelopment of or small scale expansion of existing sites, or involve the sympathetic re-use of existing rural buildings; and</p> <p>5. There are no adverse impacts on the natural environment.</p> <p>Proposals for mixed use development which provide a mix of office and business accommodation or “live / work units” within and in close proximity to proposed new residential units will be supported, subject to the above criteria.</p>	<p>c) proposals on identified major developed sites within the Green Belt in accordance with policy SSP2;</p> <p>d) on previously-developed land within a limited growth village where this can be demonstrated to meet a local need;</p> <p>e) the redevelopment or limited expansion of existing employment sites outside the Green Belt unless the scale of this will be greater than that required to meet local needs; and</p> <p>f) on committed employment land within the Middlemarch Business Park, Siskin Drive.</p>	<p><b>EC1 Directing New Employment Development In Rural Areas</b></p> <p>New employment development will be permitted in the rural areas in the following circumstances:</p> <p>a) To promote sustainable development in the growth villages (identified on the Policies Map)</p> <p>b) For the diversification of agricultural and other land based rural businesses in accordance with policy EC2</p> <p>c) Within the major sites identified on the policies map in accordance with Policy MS2.</p> <p>d) Within the allocated sub regional employment site where it provides for sub regional employment needs in accordance with DC16</p> <p>e) To support the sustainable growth and expansion of existing rural business and enterprise</p> <p>In all instances applicants will be required to demonstrate that:</p> <p>a) The proposal would not generate significant traffic movements which</p>
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		<p>would compromise the delivery of wider sustainable transport objectives, including safety, in accordance with TR2</p> <p>b) The design and scale of the proposal would not have a detrimental impact on the landscape and character of the area In the Green Belt proposals will be determined in line with national policy and policies MS1 and MS2.</p>
<p><b>Policy G6 Managing Flood Risk</b></p> <p>Flood mitigation measures will be required to protect and enhance the river corridors of River Sowe and River Avon. These are:</p> <ul style="list-style-type: none"> <li>• Setting back development 8m from watercourses to allow access for maintenance and restoring the natural floodplain; and</li> <li>• Ensuring all SuDS features are located outside of the 1 in 100 year plus climate change flood extent; and</li> <li>• Opening up culverted watercourses and removing unnecessary obstructions.</li> </ul>	<p><b>DP11 Drainage</b></p> <p>Development will be encouraged to incorporate sustainable drainage systems which provide for the disposal of surface water. Where this is not possible, it will be necessary to demonstrate:-</p> <p>a) why it is not possible to incorporate sustainable drainage systems, and</p> <p>b) that an acceptable means of surface water disposal is provided which does not increase the risk of flooding or give rise to environmental problems.</p> <p>The re-use and recycling of surface water and domestic waste water within new development will be encouraged.</p> <p>(Note Policy DP10 Flooding was deleted)</p>	<p><b>Overarching Policy SC0: Sustainable Communities</b></p> <p>New development should be high quality and should ensure that it is brought forward in a way which enables strong communities to be formed and sustained. It is also important that new development protects and enhances the historic, built and natural features that make Warwick District a great place. To achieve this the development should:</p> <p>....</p> <p>l) manage flood risk to ensure that proposals do not unduly increase the risk of flooding.</p>

<p><b>Policy BAG1 Land North of Rosswood Farm</b></p> <p>Appropriate new development will be supported on Land north of Rosswood Farm (as shown on Map 2), provided that:</p> <ol style="list-style-type: none"> <li>1. Development comprises smaller family units (1-3 bedrooms) and housing for people looking to downsize from larger units to small units, including housing designed for older people;</li> <li>2. 40% of new housing will be affordable housing. Affordable housing provision should be provided on site and be fully integrated into the scheme, with units designed to be “tenure blind”;</li> <li>3. 9% of market demand housing should be for specialist housing for older people.</li> <li>4. Development is restricted to roadside only, with a landscape buffer of native tree planting to the west and fences should be replaced with native hedgerows;</li> <li>5. Development does not extend any further south than the public house;</li> <li>6. Development is designed and sited to promote integration into the existing village and accessibility to village services and</li> </ol>	<p><b>RAP1 Directing New Housing</b></p> <p><u>Note – NDP is not in conformity with this as Baginton is not identified as a Limited Growth Village.</u></p> <p>However the NPPF sets out that:</p> <p>16. The application of the presumption [of sustainable development] will have implications for how communities engage in neighbourhood planning. Critically, it will mean that neighbourhoods should:</p> <ul style="list-style-type: none"> <li>● develop plans that support the strategic development needs set out in Local Plans, including policies for housing and economic development;</li> <li>● plan positively to support local development, shaping and directing development in their area that is outside the strategic elements of the Local Plan; and</li> <li>● identify opportunities to use Neighbourhood Development Orders to enable developments that are consistent with their neighbourhood plan to proceed.</li> </ul>	<p><b>POLICY DS6: Level of Housing Growth</b></p> <p>Provision will be made for a minimum of 16,776 new homes between 2011 and 2029. The average annual housing requirement for 2011/12 to 2016/17 is 600 new homes and for 2017/18 to 2028/29 it is 1,098 new homes.</p> <p><b>DS10 Broad Location of Allocated Housing Sites</b></p> <p>Sites within Growth Villages and the rural area - 968</p> <p><b>DS11 Allocated Housing Sites</b></p> <p>The following sites, as shown on the Policies Map, will be allocated for housing development and associated infrastructure and uses:</p> <p><b>H19 Baginton –</b></p> <p><b>Land north of Rosswood Farm - 80 dwellings</b></p> <p><b>DS19 Green Belt</b></p> <p>The extent of the Green Belt is defined on the Policies Map. The Council will</p>
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<p>facilities is strengthened through footpath and cycle way enhancements;</p> <p>7. A contribution to local village amenities to be made under S106 agreements or community infrastructure levy on any developments.</p>		<p>apply national planning policy to proposals within the green belt.</p> <p>2.81 Land has been removed from the Green Belt at:</p> <ul style="list-style-type: none"> <li>• Oak Lea, Finham (H08);</li> <li>• Baginton (H19);</li> </ul> <p><b>H1 Directing New Housing</b></p> <p>1. Housing development will be permitted in the following circumstances:</p> <ul style="list-style-type: none"> <li>a) Within the Urban Areas, as identified below and on the Policies Map;</li> <li>b) Within the allocated housing sites at Kings Hill Lane (H43) and Westwood Heath (H42) as shown on the Policies Map</li> <li>c) Within the boundaries of Growth Villages and Limited Infill Villages, as identified below and as shown on the Policies Map;</li> </ul>
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		... Baginton is identified as a Growth Village.
<p><b>Policy BAG2 Land at Oaklea Farm, Finham</b></p> <p>New development for at least 20 new houses will be supported on Land at Oaklea Farm, provided that:</p> <ol style="list-style-type: none"> <li>1. Important trees on the site are protected and a significant buffer of appropriate trees, hedgerows and landscaping is provided along the boundary of the A46.</li> <li>2. Development is designed and sited to promote integration into the existing village and accessibility to village services and facilities is strengthened through footpath and cycle way enhancements;</li> <li>3. A contribution to local village amenities to be made under S106 agreements or community infrastructure levy on any developments.</li> </ol>	<p><b>RAP1 Directing New Housing</b></p> <p><u>Note – NDP is not in conformity with this as Baginton is not identified as a Limited Growth Village.</u></p> <p>However the NPPF sets out that:</p> <p>16. The application of the presumption [of sustainable development] will have implications for how communities engage in neighbourhood planning. Critically, it will mean that neighbourhoods should:</p> <ul style="list-style-type: none"> <li>● develop plans that support the strategic development needs set out in Local Plans, including policies for housing and economic development;</li> <li>● plan positively to support local development, shaping and directing development in their area that is outside the strategic elements of the Local Plan; and</li> <li>● identify opportunities to use Neighbourhood Development Orders to enable developments that are consistent with their neighbourhood plan to proceed.</li> </ul>	<p><b>POLICY DS6: Level of Housing Growth</b></p> <p>As above.</p> <p><b>Policy DS10 Broad Location of Allocated Housing Sites</b></p> <p>As above.</p> <p>The following sites, as shown on the Policies Map, are allocated for housing development and associated infrastructure and uses:</p> <p><b>Greenfield Site – Edge of Coventry</b></p> <p>H08 Oaklea Farm, Finham 20 dwellings</p> <p><b>Policy DS19 Green Belt</b></p> <p><b>Mod 16</b></p> <p>Land has been removed from the Green Belt at:</p> <p>- Oaklea Farm, Finham (H08);</p> <p><b>H1 Directing New Housing</b></p> <p>As above.</p>

<p><b>Policy BAG3 Protecting and Enhancing Baginton Village</b></p> <p>New development within Baginton, including small infill sites and extensions to existing properties will be supported where they are sited and designed sensitively to enhance the setting of the conservation area and other parts of the village.</p> <p>Schemes for well-designed self-build housing will be encouraged on small infill sites.</p> <p>New development will be required to:</p> <ol style="list-style-type: none"> <li>1. Be of a suitable scale, height and massing which responds to the built form of surrounding properties. Properties should be small in scale and no more than two stories in height;</li> <li>2. Use appropriate local materials and detailing wherever possible, sympathetic to the design of properties in each identified character area;</li> <li>3. Take into consideration the protected views identified on Map 5. These include all views towards Coventry where the Green Belt protects against urban sprawl and other views, as listed below: <ul style="list-style-type: none"> <li>• View 1 View towards Coventry from Lunt Cottages;</li> </ul> </li> </ol>	<p><b>DP3 Natural and Historic Environment and Landscape</b></p> <p>As above</p> <p><b>DAP8 Protection of Conservation Areas</b></p> <p>Development will be required to preserve or enhance the special architectural and historic interest and appearance of Conservation Areas as defined on the Proposals Map.</p> <p>Development will also be expected to respect the setting of Conservation Areas and important views both in and out of them.</p> <p>Detailed plans shall be submitted for all types of applications involving building works in Conservation Areas, including a full specification of building materials and finishes to be used, to demonstrate how they comply with this policy. Notification of works to trees in Conservation Areas will also be required.</p>	<p><b>BE1 Layout and design</b></p> <p>New development will be permitted where it positively contributes to the character and quality of its environment through good layout and design. Development proposals will be expected to demonstrate that they:</p> <ol style="list-style-type: none"> <li>a) harmonise with, or enhance, the existing settlement in terms of physical form, patterns of movement and land use;</li> <li>b) relate well to local topography and landscape features; (see policy NE4);</li> <li>c) reinforce or enhance the established urban character of streets, squares and other spaces;</li> <li>d) reflect, respect and reinforce local architectural and historical distinctiveness;</li> <li>e) enhance and incorporate important existing features into the development;</li> <li>f) respect surrounding buildings in terms of scale, height, form and massing;</li> <li>g) adopt appropriate materials and details;</li> </ol>
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<ul style="list-style-type: none"> <li>• View 2 View towards Coventry from Rowley Road;</li> <li>• View 3 View West from Churchyard;</li> <li>• View 4 View south from Church Road; and</li> <li>• View 5 View South-West from Millennium Field.</li> </ul> <p>4. Include suitable landscaping and boundary treatment which is appropriate to the character of a rural Warwickshire village such as provision of low brick walls and hedges.</p> <p>5. Designs should protect and enhance the setting of Lunt Fort and other built heritage assets.</p> <p>Overall development should be sympathetic to the varied nature of each of the character areas within the village, which differ significantly.</p>		<p>h) integrate with existing paths, streets, circulation networks and patterns of activity;</p> <p>i) incorporate design and layout to reduce crime and fear of crime; (see policy HS7);</p> <p>j) provide for convenient, safe and integrated cycling and walking routes within the site and linking to related routes and for public transport; (see policy TR1);</p> <p>k) provide adequate public and private open space for the development in terms of both quantity and quality; (see policy HS4);</p> <p>l) incorporate necessary services and drainage infrastructure without causing unacceptable harm to retained features including incorporating sustainable water management features;;</p> <p>m) ensure all components, e.g. buildings, landscaping, access routes, parking and open spaces are well related to each other and provide a safe and attractive environment;</p> <p>n) make sufficient provision for sustainable waste management</p>
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		<p>(including facilities for kerbside collection, waste separation and minimisation where appropriate) without adverse impact on the street scene, the local landscape or the amenities of neighbours;</p> <p>o) meet the highest standards of accessibility and inclusion for potential users regardless of disability, age or gender, and;</p> <p>p) ensures that layout and design addresses the need for development to be resilient to climate change; (see policy CC1).</p> <p>q) Ensure that there is an appropriate easement between all waterbodies/ watercourses to allow access and maintenance</p> <p>Development proposals which have a significant impact on the character and appearance of an area will be required to demonstrate how they comply with this policy by way of a Layout and Design Statement.</p> <p><b>HE2 Protection of Conservation Areas</b></p> <p>There will be a presumption in favour of the retention of unlisted buildings that</p>
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		<p>make a positive contribution to the character and appearance of a Conservation Area. Consent for total demolition of unlisted buildings will only be granted where the detailed design of the replacement can demonstrate that it will preserve or enhance the character or appearance of the Conservation Area.</p> <p>Measures will be taken to restore or bring back into use areas that presently make a negative contribution to Conservation Areas.</p>
<p><b>Policy BAG4 Protecting Local Green Spaces</b></p> <p>The following local green spaces within and surrounding the village are identified for protection:</p> <ol style="list-style-type: none"> <li>1. Millennium Field and Village Green;</li> <li>2. Spinney and Pond near Baginton Oak;</li> <li>3. Bagots Castle;</li> <li>4. Lucy Price Playground</li> <li>5. Green Space near Roman Way</li> <li>6. Village Green near Oak</li> <li>7. Village Hall Grounds.</li> </ol> <p>These are shown on Map 7.</p>		<p><b>HS3 Local Green Space</b></p> <p>The Council supports the principle of designating land as Local Green Space. Local communities, through Neighbourhood Plans, may designate Local Green Spaces which are demonstrably special to their local community and of particular local significance in accordance with national planning policy.</p>

<p><b>Policy BAG5 Protecting Local Services, Assets and Amenities</b></p> <p>The following local recreational facilities are protected:</p> <ul style="list-style-type: none"> <li>• Village hall and grounds;</li> <li>• Old smithy;</li> <li>• The Lunt Fort;</li> <li>• Millennium Field;</li> <li>• Village Green.</li> </ul> <p>There will be a presumption in favour of the re-use of such facilities for recreational, health, community type uses. The change of use of existing facilities to other uses will not be permitted unless the following can be demonstrated:</p> <ol style="list-style-type: none"> <li>1. The proposal includes alternative provision, on a site within the locality, of equivalent or enhanced facilities. Such sites should be accessible by public transport, walking and cycling and have adequate car parking; or</li> <li>2. There is no longer a need for the facility, and this can be demonstrated to the satisfaction of the Parish Council.</li> </ol>	<p><b>SC8 Protecting Community Facilities</b></p> <p>Redevelopment or change of use of community facilities that serve local needs will not be permitted unless:-</p> <p>a) there are other similar facilities accessible to the local community by means other than the car;</p> <p>and either</p> <p>b) the facility is redundant and no other user is willing to acquire and manage it; or</p> <p>c) there is an assessment demonstrating a lack of need for the facility within the local community.</p>	<p><b>HS2 Protecting Open Space, Sport and Recreation Facilities</b></p> <p>Development on, or change of use of open spaces and sport and recreation facilities will not be permitted unless:</p> <p>a) an alternative can be provided which is at least equivalent in terms of size, quality, accessibility, usefulness and attractiveness, and a management plan is submitted to ensure the future viability of the provision, or</p> <p>b) there is a robust assessment demonstrating a lack of need for the asset currently or in the future.</p> <p>Development on open spaces for sport and recreation purposes will be permitted subject to the proposal being of sufficient benefit to clearly outweigh the loss.</p> <p><b>HS8 Protecting Community Facilities</b></p> <p>Redevelopment or change of use of community facilities that serve local needs will only be permitted where it can be demonstrated that:</p>
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<p>Development which contributes towards the improvement of existing, or provision of new recreational facilities will be encouraged.</p> <p>A Green Infrastructure (GI) approach will be promoted for all new public open space proposals in order to support community access and protect and enhance the natural and historic environment. Proposals must be designed to provide open space, sport and recreation uses which:</p> <ul style="list-style-type: none"> <li>• Are accessible to all;</li> <li>• Safeguard and enhance the natural and historic environment; and</li> <li>• Protect priority species and enhance habitats and sites of special biodiversity interest.</li> </ul>		<p>a) There are similar facilities accessible to the local community by means other than the car,</p> <p>and either;</p> <p>b) The facility is redundant and no other user is willing to acquire and manage it, or;</p> <p>c) There is an assessment demonstrating a lack of need for the facility within the local community.</p>
<p><b>Policy BAG6 Traffic Management and Transport Improvements</b></p> <p>Traffic measures which improve local road safety and the health and wellbeing of residents will be supported.</p> <p>Developer contributions, Community Infrastructure Levy (CIL) payments and other funding will be sought towards the following initiatives within the Parish:</p> <ol style="list-style-type: none"> <li>1. Joint working with Warwick District Council, Warwickshire County Council and the police</li> </ol>	<p><b>DP6 Access</b></p> <p><b>DP7 Traffic Generation</b></p> <p><b>DP8 Parking</b></p> <p><b>DP15 Accessibility and Inclusion</b></p> <p><b>SC12 Sustainable Transport Improvements</b></p> <p>As above</p>	<p><b>TR1 Access and Choice</b></p> <p><b>TR2 Traffic Generation</b></p> <p><b>DM1 Infrastructure Contributions</b></p> <p>As above</p>

<p>to measure traffic flows and speeds in Baginton;</p> <ol style="list-style-type: none"> <li>2. Development of a comprehensive long term plan for managing safety, volumes, speed, HGV's etc including such measures as effective speed humps, speed measurement, chicanes, speed limits, Community Speedwatch, adequate parking arrangements, enforcement of the parking regulations etc;</li> <li>3. Improvements in public transport and working with the Councils and providers to meet these needs;</li> <li>4. Making Baginton a safe and attractive route for cyclists and pedestrians. In addition to vehicle traffic management this includes for example, roads and pavements free of pot holes, pavements of adequate useable width and additional pavements in some areas. New / improved cycle routes to surrounding towns, villages and places of employment are also needed.</li> </ol>		
<p><b>Policy BAG7 Commercial and Industrial Development and Employment</b></p> <p>Employment related development appropriate to Baginton's location will be supported to ensure the</p>	<p><b>RAP6 Directing New Employment</b></p> <p>New employment development will be permitted in the following circumstances:-</p>	<p><b>DS16 Sub-Regional Employment Site</b></p> <p>As above</p>

<p>Parish remains a sustainable and attractive residential area.</p> <p>Investment which supports local job creation at Middlemarch is encouraged, in terms of expansion of existing businesses and attracting new enterprises wishing to locate in and around the village.</p> <p>New employment related development should contribute positively to the local community in Baginton and should not impact adversely on residential amenity and the quality of life enjoyed by residents or the built and natural environment of Baginton and its surroundings.</p>	<p>a) conversions or replacement of appropriate rural buildings in accordance with policy RAP7 or RAP8 where these are of a small scale or a low intensity, or can be demonstrated to meet a local need;</p> <p>b) farm diversification proposals in accordance with policy RAP9;</p> <p>c) proposals on identified major developed sites within the Green Belt in accordance with policy SSP2;</p> <p>d) on previously-developed land within a limited growth village where this can be demonstrated to meet a local need;</p> <p>e) the redevelopment or limited expansion of existing employment sites outside the Green Belt unless the scale of this will be greater than that required to meet local needs; and</p> <p>f) on committed employment land within the Middlemarch Business Park, Siskin Drive.</p>	<p><b>EC1 Directing New Employment Development In Rural Areas</b></p> <p>New employment development will be permitted in the rural areas in the following circumstances:</p> <p>a) To promote sustainable development in the growth villages (identified on the Policies Map)</p> <p>b) For the diversification of agricultural and other land based rural businesses in accordance with policy EC2</p> <p>c) Within the major sites identified on the policies map in accordance with Policy MS2.</p> <p>d) Within the allocated sub regional employment site where it provides for sub regional employment needs in accordance with DC16</p> <p>e) To support the sustainable growth and expansion of existing rural business and enterprise</p> <p>In all instances applicants will be required to demonstrate that:</p> <p>a) The proposal would not generate significant traffic movements which would compromise the delivery of wider</p>
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		<p>sustainable transport objectives, including safety, in accordance with TR2</p> <p>b) The design and scale of the proposal would not have a detrimental impact on the landscape and character of the area In the Green Belt proposals will be determined in line with national policy and policies MS1 and MS2.</p>
<p><b>Policy BUB1 New Housing in Bubbenhall</b></p> <p>New housing in Bubbenhall should contribute towards providing a mix of new homes to meet the needs of all sections of the community.</p> <p>New housing will be limited to rural affordable housing, limited infill development, the re-use of buildings, the redevelopment or partial redevelopment of previously developed land, self-build schemes and replacement dwellings.</p> <p>Whilst affordable housing for local people is a priority, larger market housing may also be acceptable where appropriate, and subject to other planning policies. Housing which is designed to meet the needs of older people is particularly welcome, such as single storey accommodation.</p> <p>New development should be sited and designed appropriately in line with Policy BUB2 below.</p>	<p><b>RAP1 Directing New Housing</b></p> <p>Residential development will only be permitted in the following circumstances:-</p> <p>a) it is on previously developed land within the Limited Growth Villages of Barford, Bishop’s Tachbrook, Hampton Magna, Lapworth (Kingswood) and Radford Semele as defined on the Proposals Map where any market housing meets a specific local need as identified by the community in an appraisal or assessment;</p> <p>b) it is affordable housing in accordance with Policy RAP4;</p> <p>c) it is housing for rural workers;</p> <p>d) it is the conversion or subdivision of appropriate rural buildings in accordance with RAP7 where all the following additional criteria are met:-</p> <p>I. the building is located within or adjacent to a village;</p>	<p><b>H1 Directing New Housing</b></p> <p><b>1.</b> Housing development will be permitted in the following circumstances:</p> <p>a) Within the Urban Areas, as identified below and on the Policies Map;</p> <p>b) within the Growth Villages and Limited Infill Villages, as identified below and on the Policies Map;</p> <p>c) in the open countryside; where:</p> <p>I. the development is for rural affordable housing, in accordance with Policy H3;</p> <p>II. the development is for a rural worker in accordance with Policy H12;</p> <p>III. the development would represent the optimal viable use of a heritage asset or would be appropriate enabling</p>

	<p>II. the housing meets an identified local need; and</p> <p>III. outside of the Limited Growth Villages, the applicant can demonstrate that other uses (as identified by policies of this Plan) or a mixed use (where the residential element is subordinate to a business use) are not appropriate or viable.</p> <p>e) it is a replacement dwelling in accordance with Policy RAP3.</p>	<p>development to secure the future of heritage assets;</p> <p>IV. the development would re-use redundant or disused buildings in accordance with Policy BE4 and lead to an enhancement to the immediate setting; or</p> <p>V. the design of the dwelling is of very exceptional quality or innovative nature</p> <p>2. Housing development on garden land, in urban and rural areas, will not be permitted unless the development reinforces, or harmonises with, the established character of the street and/ or locality and respects surrounding buildings in terms of scale, height, form and massing.</p> <p>Bubbenhall is identified as Limited Infill Village.</p>
<p><b>Policy BUB2 Protecting and Enhancing Bubbenhall Village</b></p> <p>New development within Bubbenhall, including small infill sites and extensions to existing properties will be supported where they are sited and designed sensitively to enhance the setting of the conservation area and other parts of the village. New development will be required to:</p>	<p><b>DP3 Natural and Historic Environment and Landscape</b></p> <p><b>DAP8 Protection of Conservation Areas</b></p> <p>As above</p>	<p><b>BE1 Layout and design</b></p> <p>As above</p> <p><b>HE2 Protection of Conservation Areas</b></p> <p>As above</p>

<ol style="list-style-type: none"> <li>1. Be of a suitable scale, height and massing which responds to the built form of surrounding properties. Properties should be small in scale and no more than 2 storeys in height;</li> <li>2. Use appropriate local materials and detailing appropriate to the local character area wherever possible, such as traditional brick, local sand stone, tiled / slate roofs, timber frames, wooden window frames and doors;</li> <li>3. Take into consideration the protected views identified on Map 9 above. These are: <ul style="list-style-type: none"> <li>• View 1 - The village green and the triangle of land formed by Pit Hill, Spring Hill and the A445;</li> <li>• View 2 - The view across the open field from the junction of Lower End, Stoneleigh Road and Spring Hill;</li> <li>• View 3 - Church Fields;</li> <li>• View 4 - The view from the public footpath towards the river Avon;</li> <li>• View 5 - The view across open fields behind Orchard Way towards Ryton on Dunsmore.</li> </ul> </li> </ol>		
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<p>4. Include suitable landscaping and boundary treatment which is appropriate to the character of a rural Warwickshire village and which does not introduce unsuitable urban, and suburban forms of treatment. Grass verges should be provided wherever possible;</p> <p>5. Provide sufficient car parking for residents and visitors;</p> <p>6. Street furniture, signage and lighting must be designed and sited to enhance local character and distinctiveness.</p>		
<p><b>Policy BUB3 Provision and Protection of Facilities and Services</b></p> <p>Development which contributes towards the improvement of existing or provision of new community facilities and services such as education, health or other social provision will be supported provided that:</p> <p>A. It meets the needs of the population and;</p> <p>B. It is appropriate in terms of scale and design.</p>	<p><b>SC8 Protecting Community Facilities</b></p> <p>As above</p> <p><b>SC14 Community Facilities</b></p> <p>Contributions will be sought towards community facilities in conjunction with new development where appropriate.</p>	<p><b>HS2 Protecting Open Space, Sport and Recreation Facilities</b></p> <p>As above</p> <p><b>HS8 Protecting Community Facilities</b></p> <p>As above</p>

<p>The change of use of existing facilities to other uses or redevelopment will not be permitted unless the following can be demonstrated:</p> <ol style="list-style-type: none"> <li>1. The proposal includes alternative provision, in a suitable location, of equivalent or enhanced facilities; and</li> <li>2. Such sites must also be accessible by public transport, walking, cycling, by car and have adequate car parking; or</li> <li>3. There is no longer a village need for the facility.</li> </ol> <p>Proposals to improve existing or build new changing facilities on sports and recreation grounds will be supported in principle.</p>		
<p><b>Policy BUB4 Sports and Recreation Facilities</b></p> <p>Development which contributes to the provision of new sports and recreation facilities will be supported provided that the proposal:</p> <ol style="list-style-type: none"> <li>A. Meets the needs of the current and future population of all ages;</li> <li>B. Is appropriate in terms of scale and design; and</li> <li>C. Is accessible to all.</li> </ol>	<p><b>SC13 Open Space and Recreation Improvements</b></p> <p>Contributions from residential and commercial developments will be sought to provide, improve and maintain appropriate open space, sport or recreational facilities to meet local needs. The exact level and form of contributions required will have regard to the location, nature and size of development.</p> <p>Where appropriate, applicants will be required to ensure that provision is made for:-</p>	<p><b>HS5 Directing Open Space, Sport and Recreation Facilities</b></p> <p>The Council will support proposals for new and improved open space, sport and recreation facilities in accordance with relevant priorities. Development proposals will be expected to demonstrate that they:</p> <p>a) address any shortfall in provision identified in the Built and Indoor Sports Facilities Strategy, Playing Pitch Strategy,</p>

	<p>a) well designed informal open space for quiet relaxation on site;</p> <p>b) appropriate children’s play facilities which are visible from nearby houses but not so close they would cause disturbance, and</p> <p>c) outdoor or indoor sport accessible by walking, cycling and public transport.</p> <p>Developments will be expected to provide a proportion of the site as recreational facilities, except where it would be more appropriate to provide, improve or enhance recreation facilities off-site but within the catchment area of the site.</p>	<p>Green Infrastructure Study and/or Green Space Strategy,</p> <p>and;</p> <p>b) for sport and recreation facilities, accord with the town centres first principle outlined in national planning policy and elsewhere in this Plan, unless:</p> <p>I. the proposal is accessible to the community it proposes to serve by means other than the private car; and</p> <p>II. there is a need to enhance an existing facility or provide a new facility that has specific locational requirements.</p> <p>Subject to the above criteria, the Council will support proposals for shared sports facilities with other community uses, including at educational centres, where the sports facility also serves the local area and there are clear benefits of combining with other community uses.</p> <p>The Council considers the Green Belt an appropriate location for the provision of outdoor sport and outdoor recreation as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it.</p>
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### 3.6 f. Be Compatible with EU Obligations

The Submission Neighbourhood Plan is fully compatible with EU Obligations.

**The making of the neighbourhood development plan is not likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2010(2)) or a European offshore marine site (as defined in the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007(3)) (either alone or in combination with other plans or projects).**

The Neighbourhood Plan has been subjected to an SEA Screening Assessment prepared by Warwick District Council published for consultation with Natural England, Environment Agency and English Heritage. The responses all concurred with the Warwick District Council view that a full Environmental Report would not be required and the full responses are provided in the Consultation Statement.

The Submission Neighbourhood Plan is fully compatible with the **European Convention on Human Rights**. It has been prepared with full regard to national statutory regulation and policy guidance, which are both compatible with the Convention. The Plan has been produced in full consultation with the local community. The Plan does not contain policies or proposals that would infringe the human rights of residents or other stakeholders over and above the existing strategic policies at national and district-levels, as demonstrated below.

The Human Rights Act 1998 incorporated into UK law the European Convention on Human Rights (“The Convention”). The Convention includes provision in the form of Articles, the aim of which is to protect the rights of the individual.

Section 6 of the Act prohibits public bodies from acting in a manner, which is incompatible with the Convention. Various rights outlined in the Convention and its First Protocol are to be considered in the process of making and considering planning decisions, namely:

Article 1 of the First Protocol protects the right of everyone to the peaceful enjoyment of possessions. No one can be deprived of possessions except in the public interest and subject to the conditions provided by law and by the general principles of international law. The Submission Neighbourhood Plan is fully compatible with the rights outlined in this Article. Although the Submission Plan includes policies that would restrict development rights to some extent, this does not have a greater impact than the general restrictions on development rights provided for in national law, namely the Planning and Compulsory Purchase Act 2004 and the Localism Act 2011. The restriction of development rights inherent in the UK’s statutory planning system is demonstrably in the public interest by ensuring that land is used in the most sustainable way, avoiding or mitigating adverse impacts on the environment, community and economy.

Article 6 protects the right to a fair and public hearing before an independent tribunal in determination of an individual's rights and obligations. The process for Neighbourhood Plan production is fully compatible with this Article, allowing for extensive consultation on its proposals at various stages, and an independent examination process to consider representations received.

Article 14 provides that "The enjoyment of the rights and freedoms set forth in ... [the] ... European Convention on Human Rights shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status." The Parish Councils have developed the policies and proposals within the Plan in full consultation with the community and wider stakeholders to produce as inclusive a document as possible. In general, the policies and proposals will not have a discriminatory impact on any particular group of individuals.

**3.7 g. Prescribed conditions are met in relation to the Order (or plan) and prescribed matters have been complied with in connection with the proposal for the order (or neighbourhood plan).**

Therefore the prescribed conditions have been met in relation to the Baginton and Bubbenhall Neighbourhood Development Plan (NDP) and prescribed matters have been complied with in connection with the proposal for the Plan.

## 4.0 Conclusion

4.1 This Basic Conditions Statement sets out that:

- having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the order (or neighbourhood plan).
- 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. This applies only to Orders. *(However for completeness reference is made to this in relation to the NDP.)*
- 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. This applies only to Orders. *(However for completeness reference is made to this in relation to the NDP.)*
- the making of the order (or neighbourhood plan) contributes to the achievement of sustainable development.
- the making of the order (or neighbourhood plan) is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).
- the making of the order (or neighbourhood plan) does not breach, and is otherwise compatible with, EU obligations.
- prescribed conditions are met in relation to the Order (or plan) and prescribed matters have been complied with in connection with the proposal for the order (or neighbourhood plan).

4.2 Therefore the Baginton and Bubbenhall Submission Neighbourhood Development Plan (NDP) has been prepared to meet the above Basic Conditions.

