

Radford Semele Neighbourhood Development Plan (RSNDP)

Basic Conditions Statement

(Paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990)

Radford Semele Parish Council

With assistance from



1.0 Introduction

1.1 Planning Practice Guidance (Paragraph: 065 Reference ID: 41-065-20140306)¹ 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 Radford Semele Neighbourhood Development Plan (RSNDP) has been prepared to meet the basic conditions. It has been prepared as a supporting document for consideration by the RSNDP independent Examiner.

¹ <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 by a qualifying body, namely Radford Semele Parish Council (RSPC). The area was designated by Warwick District Council on 29th December 2016 (https://www.warwickdc.gov.uk/info/20444/neighbourhood_plans/1126/radford_semele)

2.2 What is being proposed is a neighbourhood development plan

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

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

The RSNDP states the period for which it is to have effect. That period is from 2011 to 2029 (the same period as the Warwick District Local Plan 2011-2029 https://www.warwickdc.gov.uk/info/20410/new_local_plan).

2.4 The policies do not relate to excluded development

The RSNDP 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 RSNDP relates to the designated Radford Semele Neighbourhood Area and to no other area. There are no other Neighbourhood Plans relating to that neighbourhood area. The Designated Neighbourhood Plan Area has the same boundary as that for the Parish Council at the time of the designation and is shown on information Map 1 in the RSNDP.

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 RSNDP has been prepared having appropriate regard to the policies set out in the revised National Planning Policy Framework (NPPF, February 2019)².

2. Achieving Sustainable Development

Paragraph 1 of the NPPF explains that '*The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied.*' Paragraph 7 sets out that '*The purpose of the planning system is to contribute to the achievement of sustainable development.*' The planning system has 3 overarching objectives to achieve sustainable development (paragraph 8): an economic objective, a social objective and an environmental objective. These should be delivered through the preparation and implementation of plans (paragraph 9).

Table 1 sets out how the RSNDP delivers the 3 overarching Objectives:

Table 1 Delivering Sustainable Development

NPPF Overarching Objectives	RSNDP Policies and Proposals
<p><i>a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;</i></p>	<p>Objective 1 and associated policy RS1 support housing growth in the village that meets the needs of those living in the area. Objective 7 and associated policy RS13 seek to support and enhance the village economy.</p>
<p><i>b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with</i></p>	<p>The RSNDP meets the social objective of the NPPF in a number of ways:</p> <ul style="list-style-type: none"> • Objective 1/Policy RS1 seeks to provide future housing that meets the needs of those living in the area;

² <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

NPPF Overarching Objectives	RSNDP Policies and Proposals
<p><i>accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being;</i></p>	<ul style="list-style-type: none"> • Objective 2/Policies RS2 and RS3 seek to protect local green and open spaces, many of which provide opportunities for residents and visitors to enjoy for informal recreation and other day to day activity; • Objective 3/Policy RS4 identifies and seeks to protect and enhance the key local facilities in the neighbourhood area. • Objective 5/policies RS8, RS9 and RS10 seeks to minimise the impact of road traffic and improve opportunities for walking and cycling, such measures will improve the environment and increase the opportunities for walking and cycling – these enable greater opportunities for social interaction; • Objective 6/ policies RS11, RS12 seek to maintain the village's identity and sense of community. Policy seeks to do this by supporting a number of measures, such as well-designed streets, footpaths, cycleways and bridleways that link to existing networks, facilities for young people including premises for the thriving Scout and Girl Guide groups and new adult sport/training. Policy RS12 seeks to do this by maintain Radford Semele's physical separation from neighbouring settlements.
<p><i>c) an environmental objective - to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.</i></p>	<p>The RSNDP includes the following to help meet the environmental objective of the NPPF:</p> <ul style="list-style-type: none"> • Objective 2/Policies RS2 and RS3 seek to protect local green and open spaces, many of which support biodiversity, help reduce run-off, aesthetically pleasing, or simply help to provide a greener environment within the village. • Objective 4/ policies RS6, RS7 seek to protect key natural and built environment resources. These include local landscape character (RS6) and non-designated heritage assets (RS7).

3. Plan Making

In Section 3 Plan Making, the NPPF sets out that 6 principles that plans should address. Table 2 sets out how the RSNDP addresses each of these in turn.

Table 2 Plan Making

NPPF Plan Making	Radford Semele NDP
a) be prepared with the objective of contributing to the achievement of sustainable development;	The RSNDP has been prepared to contribute to sustainable development; Table 1 above sets out how the Plan's objectives, policies and proposals address economic, social and environmental objectives.
b) be prepared positively, in a way that is aspirational but deliverable;	The RSNDP has been prepared positively to support new housing development to meet the objectively assessed need in the Warwick District Local Plan (WDLP).
c) be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees;	<p>All the policies have been prepared through an extensive and thorough approach to community engagement. This has led to regular and constructive involvement of the local community in the plan-making process.</p> <p>The accompanying Consultation Statement sets out the details of the extensive and wide ranging community consultation and engagement activities which have been undertaken at all stages of the RSNDP's preparation.</p> <p>At each consultation stage representations have been considered carefully and appropriate amendments to the RLNDP made.</p>
d) contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals;	The RSNDP policies and proposals have been prepared by a Steering Group on behalf of the Parish Council, with support from a planning consultant and planning officers at Warwick District Council.

NPPF Plan Making	Radford Semele NDP
	Amendments have been made at key stages to improve the clarity and reduce ambiguity, but it is understood that the Examiner is likely to recommend further changes to wording following the examination process.
e) be accessible through the use of digital tools to assist public involvement and policy presentation; and	<p>Updates and documents have been provided on the RSNDP website at all stages of plan preparation http://www.radfordsemelepc.org.uk/neighbourhood-plan/ .</p> <p>Responses by email were invited at informal and formal consultation stages.</p>
f) serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area (including policies in this Framework, where relevant).	The RSNDP has been amended and updated to reduce duplication with policies in the WDLP. Again, it is understood that the Examination may lead to further changes to policies and supporting text.

The Plan Making Framework

Paragraph 18 sets out that policies to address non-strategic matters should be included in local plans that contain both strategic and non-strategic policies, and/or in local or neighbourhood plans that contain just non-strategic policies. The RSNDP contains non-strategic planning policies and proposals that add local detail and value to strategic policies in the WDLP. The supporting text for the RSNDP policies refers to the relevant strategic policies, where relevant.

Non-strategic policies

Paragraph 29 advises that neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan. Neighbourhood plans should not promote less development than set out in the strategic policies for the area or undermine those strategic policies. The RSNDP does not undermine the WDLP strategic policies it seeks to set more local non-strategic policies to tackle more local issues e.g. by protecting community facilities and local green spaces and by setting policy that helps retain the village's local identity and distinctiveness.

Paragraph 30 goes on to say that once a neighbourhood plan has been brought into force, the policies it contains take precedence over existing non-strategic policies in a local plan covering the neighbourhood area, where they are in conflict; unless they are superseded by strategic or non-strategic policies that are adopted subsequently.

5. Delivering a sufficient supply of homes

Paragraph 65 sets out that strategic policies should also set out a housing requirement for designated neighbourhood areas which reflects the overall strategy for the pattern and scale of development and any relevant allocations. The WDLP does not set a requirement, nor has one been requested. The RSNDP is happy to rely on the WDLP and any subsequent review to address these issues.

6. Building a strong, competitive economy

Paragraph 80 of NPPF sets out planning policies should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. Paragraph 82 goes on to state planning policies should recognise and address the specific locational requirements of different sectors. This includes making provision for clusters or networks of knowledge and data-driven, creative or high technology industries. The RSNDP includes Policy RS13 this seeks to support or enhance the development of the local economy, where that is compatible with NDP and other development plan policy.

8. Promoting healthy and safe communities

Paragraph 91 of NPPF sets out that planning policies and decisions should aim to achieve healthy, inclusive and safe places which promote social interaction, are safe and accessible and enable and support healthy lifestyles. The RSNDP includes policies which protect and encourage investment in community facilities, policy to protect local green spaces and open spaces and the village's key recreation facilities.

9. Promoting sustainable transport

Transport issues should be considered from the earliest stages of plan-making (Paragraph 102). This is so that opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised; opportunities to promote walking, cycling and public transport use are identified and pursued; and the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account. Paragraph 104 of NPPF sets out that planning policies should provide for high quality walking and cycling networks and supporting facilities such as cycle parking. The RSNDP seeks to meet these policy aims by seeking to **minimise the impact of road traffic and improve opportunities for walking and cycling (Policies RS8, RS9 and RS10)**

12. Achieving well-designed places

Paragraph 124 explains that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Paragraph 125 goes on to say that design policies should be developed with local communities, so they reflect local aspirations, and are grounded in an understanding and evaluation of each area's defining characteristics. Neighbourhood plans can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development. The RSNDP does not include a specific design policy, but a number of the policies do include development management criteria that would impact upon and help promote high quality buildings and places.

14. Meeting the challenge of climate change, flooding and coastal change

The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure (NPPF, paragraph 148). The RSNDP does not include a specific set of policies for these issues, but a number of the plan's development management criteria will help contribute to tackling these issues (e.g. Policy RS1), Policy RS12 in identifying an Area of Separation will make a significant contribution to reducing flood risk by ensuring this area remains open land.

15. Conserving and enhancing the natural environment

Paragraph 170 advises that planning policies and decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes and sites of biodiversity and recognising the intrinsic character and beauty of the countryside. The RSNDP will help to conserve and enhance the natural environment by protecting local green spaces (RS1), protecting small open spaces (RS3), conserving and enhancing landscape character (RS6) and protecting an area of separation (RS12).

16. Conserving and enhancing the historic environment

Paragraph 184 advises that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations. Paragraph 18 goes on to say that plans should set out a positive strategy for the conservation and enjoyment of the historic environment. The RSNDP will help to meet this area of national planning policy by protecting non-designated heritage assets (RS7).

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 RSNDP took account of designated heritage assets during its preparation.

[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 NDP area does not include a Conservation Area.

[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. This is set out in more detail in Table 1 above in relation to the economic, social and environmental objectives of the NPPF.

3.5 e. In General Conformity with Strategic Local Planning Policy

The Submission Neighbourhood Plan is in general conformity with strategic Local Plan policies contained in the adopted Warwick Local Plan 2011-2029. Table 3 sets out the way that the Neighbourhood Plan conforms to the relevant strategic planning policies in the Local Plan.

Table 3 General Conformity with Strategic Planning Policies in the Warwick Local Plan 2011-2029

Radford Semele NDP Policies	Warwick District Local Plan Policies 2011-2029 (WDLP)	General Conformity
<p><u>Policy RS1– Securing a Suitable Mix of Housing Types, Tenures and Sizes in New Developments.</u></p> <p>In meeting District-wide planning policies H2 and H4, development proposals for new housing should also be informed by and demonstrate how they have met local housing needs based on up to date information, including local housing needs identified in the Parish Housing Needs Survey.</p> <p>Applicants proposing new homes must show how they have considered and responded to guidance provided through the WDC Residential Design Guide, Secured by Design (SBD) and the Lifetime Homes Standard. New housing must seek to meet WDC’s Climate Emergency commitments.</p> <p>Infill and the creation of multiple dwellings from a single dwelling will only be supported where there is a need for housing and it is compliant with Housing Policy H1.</p>	<p>H2 Affordable Housing</p> <p>Residential development on sites of 11 or more dwellings or where the combined gross floor space is more than 1,000 sq. m will not be permitted unless provision is made for 40% affordable housing.</p> <p>The amount of affordable housing, the form of provision, its location on the site and the means of delivery of the affordable element of the proposal will be subject to negotiation at the time of a planning application. The viability of the development will be a consideration in such negotiations.</p> <p>Planning permission will not be granted until satisfactory arrangements have been made to secure affordable housing as determined by the following principles: -</p> <ul style="list-style-type: none"> a) the affordable housing will be provided on site as either serviced land or dwellings, or a combination of the two; b) the sizes, types and tenures of homes provided will be determined on the basis of local need as identified in the latest Strategic Housing Market Assessment and, 	<p>Policy RS1 seeks to provide additional policy guidance in addition to that contained in Policies H2 and H4 of the WDLP. Policy RS1 cross-references these two WDLP policies and is in general conformity with them. Policy RS1 adds additional policy guidance concerning any up to date information coming forward through a Parish Housing Need Survey; guidance on relevant design standards and supplementary guidance; and a separate criterion on infill development.</p>

Radford Semele NDP Policies	Warwick District Local Plan Policies 2011-2029 (WDLP)	General Conformity
	<p>where appropriate, by other local needs surveys and information;</p> <p>c) the accommodation provided will be genuinely available to those households who have been identified as being in housing need;</p> <p>d) the affordable housing will be well integrated into the overall scheme along with the market housing with consistent qualities of materials, design and open spaces;</p> <p>e) the affordable housing will meet the definition of affordable housing set out in Annex 2 of the National Planning Policy Framework (NPPF) in terms of tenure, eligibility and provider. If the NPPF is replaced by later national guidance while this policy H2 remains in force then, at the time of consideration of a planning application, the definition of affordable housing shall be taken to be as defined by such later national guidance;</p> <p>f) the affordable housing will be built within an agreed timescale; and</p> <p>g) the affordable housing will be available as such in perpetuity, where practicable, and only to those with a demonstrable housing need.</p>	

Radford Semele NDP Policies	Warwick District Local Plan Policies 2011-2029 (WDLP)	General Conformity
	<p>The Council will, in exceptional circumstances, accept contributions of equivalent value in lieu of on-site delivery. This should include financial contributions, land or off-site provision of affordable homes. In such cases, the developer will be required to demonstrate why on-site delivery is not practical.</p> <p>H4 Securing a Mix of Housing</p> <p>The Council will require proposals for residential development to include a mix of market housing that contributes towards a balance of house types and sizes across the district, including the housing needs of different age groups, in accordance with the latest Strategic Housing Market Assessment.</p> <p>In assessing the housing mix in residential schemes, the Council may take into account the following circumstances where it may not be appropriate to provide the full range of housing types and sizes in accordance with the latest Strategic Housing Market Assessment:</p> <ul style="list-style-type: none"> a) physical constraints, such as those associated with small sites of less than five houses and conversion schemes, where opportunities for a range of 	

Radford Semele NDP Policies	Warwick District Local Plan Policies 2011-2029 (WDLP)	General Conformity
	<p>different house types are limited (unless criterion e) applies);</p> <p>b) locational issues, such as highly accessible sites within or close to the town centre where larger homes and low / medium densities may not be appropriate;</p> <p>c) sites with severe development constraints where housing mix may impact on viability;</p> <p>d) sites where particular house types and / or building forms may be required in order to sustain or enhance the setting of a heritage asset; and</p> <p>e) developments in rural areas, where there is an up-to-date village or parish housing needs assessment that is a more appropriate indication of housing need.</p>	
<p><u>Policy RS2 – Local Green Spaces</u></p> <p>The green spaces below and shown on the Policy Map 2 are designated as local green spaces:</p>	<p>HS3 Local Green Space</p> <p>The Council supports the principle of designating land as Local Green Space.</p>	<p>Policy RS2 is in general conformity with Policy HS3 of the WDLP. Policy HS3 supports the principle of designating Local Green Space through neighbourhood plans and working within this framework and following an assessment against the national planning</p>

Radford Semele NDP Policies	Warwick District Local Plan Policies 2011-2029 (WDLP)	General Conformity
<p>RS2/1 – Church Fields West & East RS2/2 – Leigh Foss RS2/3 – Angle Hole and Woods</p> <p>Development proposals affecting the designated Local Green Spaces will be assessed against national Green Belt policy.</p> <p>The Local Green Space Assessments details are given in Appendix 1 [of the RSNDP].</p>	<p>Local communities, through Neighbourhood Plans, may designate Local Green Spaces that are demonstrably special to their local community and of particular local significance in accordance with national planning policy.</p>	<p>policy criteria, Policy RS2 designates 3 local green spaces.</p>
<p><u>Policy RS3 – Protecting Small Open Spaces</u></p> <p>Development that would result in the loss of the other small, open spaces including those listed in Appendix 2 and shown on Policy Map 3 will only be supported when:</p> <p>a) Equivalent or better provision is provided elsewhere within a suitable location in Radford Semele village; or</p> <p>b) It can be clearly demonstrated that the open space performs no useful function.</p>	<p>HS2 Protecting Open Space, Sport and Recreation Facilities</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 that 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</p>	<p>Policy RS3 is in general conformity with the approach set out in the WDLP. Policy RS3 identifies the small open spaces to which it will be applied.</p>

Radford Semele NDP Policies	Warwick District Local Plan Policies 2011-2029 (WDLP)	General Conformity
	to the proposal being of sufficient benefit to clearly outweigh the loss.	
<p><u>Policy RS4 – Sport and Recreation Facilities</u></p> <p>The following recreation facilities also identified on the Policies Map (Policy Map 4) will be protected in accordance with Local Plan Policy HS2 – Protecting Open Space, Sport and Recreation Facilities:</p> <p>RS4/1 - Village Playing Field/Recreation Ground RS4/2 - Semele Park South, recreation and children’s playing area RS4/3 – Future Semele Park North, recreation and children’s playing area</p> <p>Development proposals for the improvement of the existing recreation facilities on these sites will be supported when they would not have a significant adverse impact on residential amenity. If new leisure, sport and recreation are created during the lifetime of the NDP they will be protected by Policy RS4.</p> <p>Development proposals that would result in the loss of these facilities will only be supported when the applicant can demonstrate that the facility is no longer needed for recreational use or suitable</p>	<p>HS2 Protecting Open Space, Sport and Recreation Facilities</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 that 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>Policy RS4 identifies 3 key sport and recreation facilities for protection. Policy RS4 sets out development management policy for these facilities, this policy is in general conformity with Policy HS2 in the WDLP.</p>

Radford Semele NDP Policies	Warwick District Local Plan Policies 2011-2029 (WDLP)	General Conformity
<p>alternative provision can be provided elsewhere within the neighbourhood area, to an equivalent or better standard, and in a location that is in close proximity to the community it serves.</p>		
<p><u>Policy RS5 – Protection of Community Facilities</u></p> <p>There will be a presumption in favour of the protection of existing facilities in accordance with Local Plan Policy HS8. Where permission is required, the change of use of local community facilities, as listed below, will only be permitted for other health, education or community type uses (such as village halls, local clubhouses, health centres, schools and children’s day nurseries), unless one of the following can be demonstrated:</p> <ol style="list-style-type: none"> 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 2. Satisfactory evidence is produced (including active marketing locally and in the wider area) that, over a minimum period of 12 months, it has been demonstrated that there is no longer a demand for the facility. 	<p>HS8 Protecting Community Facilities</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> <ol style="list-style-type: none"> a) There are similar facilities accessible to the local community by means other than the car, and either; b) The facility is redundant and no other user is willing to acquire and manage it, or; c) There is an assessment demonstrating a lack of need for the facility within the local community. 	

Radford Semele NDP Policies	Warwick District Local Plan Policies 2011-2029 (WDLP)	General Conformity
<p>The facilities are listed as follows and shown on the Policies Map.</p> <p>RS5/1 - Parish Church of St Nicholas RS5/2 - Baptist Church RS5/3 - Village shops, including Post Office RS5/4 - White Lion Public House RS5/5 - Community Hall RS5/6 - Sports and Social Club RS5/7 - Radford Semele Church of England Primary School</p> <p>Proposals that would enhance the appearance, improve access and accessibility to these facilities will be supported when they are in accordance with other development plan policies and the policies of RSNBP.</p> <p>Suitable proposals for a future expansion of the Primary School would be supported. Any new Community Facilities adopted during the lifetime of this NDP will be protected under RS5.</p>		
<p><u>Policy RS6 - Conserving and Enhancing Radford Semele's Landscape Character</u> (Details in Appendices,4, 5, 6 and 7)</p>	<p>NE4 Landscape</p> <p>New development will be permitted that positively contributes to landscape character. Development proposals will be required to demonstrate that they:</p>	<p>Policy RS6 is in general conformity with Policy NE4 of the WDLP. Policy NE4 provides a district-wide policy to ensure that significant landscape features are protected from harm and that landscape design is a key component in the design of new development. Within this</p>

Radford Semele NDP Policies	Warwick District Local Plan Policies 2011-2029 (WDLP)	General Conformity
<p>Any new development must protect, conserve and enhance the area’s landscape character by:</p> <ul style="list-style-type: none"> a) protecting the historic character and settlement pattern of the area. Particularly the distinct settlement of Radford Semele, individual farmsteads and key heritage assets; b) retaining the network of water features of rivers, streams, ponds and canals; c) looking to open up any existing culverts on a site providing more open space/green infrastructure for greater amenity and biodiversity; and the creation of new culverts should be kept to a minimum. New culverts will need consent from the Lead Local Flood authority (LLFA) and should be kept to the minimum length. d) protecting the mosaic of woodland, trees and hedgerows; e) planting new hedgerows and improving redundant and gappy existing hedgerows; f) by protecting the essential character and quality of the following views within the Parish of Radford Semele as shown on Policy Map 6: 	<ul style="list-style-type: none"> a) integrate landscape planning into the design of development at an early stage; b) consider its landscape context, including the local distinctiveness of the different natural and historic landscapes and character, including tranquillity; c) relate well to local topography and built form and enhance key landscape features, ensuring their long term management and maintenance; d) identify likely visual impacts on the local landscape and townscape and its immediate setting and undertakes appropriate landscaping to reduce these impacts; e) aim to either conserve, enhance or restore important landscape features in accordance with the latest local and national guidance; f) avoid detrimental effects on features which make a significant contribution to the character, history and setting of an asset, settlement, or area; 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; h) maintain the existence of viable agricultural units, and; 	<p>district-wide framework Policy RS6 of the NDP identifies the key features in the local landscape that should be conserved or enhanced. In this way Policy RS6 adds additional local detail to Local Plan policy.</p>

Radford Semele NDP Policies	Warwick District Local Plan Policies 2011-2029 (WDLP)	General Conformity
<p>RS6/1 – view east from Canal Bridge when entering Radford Semele from Leamington;</p> <p>RS6/2 – view of Church and Church Fields from corner of A425/Offchurch Lane;</p> <p>RS6/3 – view east looking from St Nicholas Graveyard;</p> <p>RS6/4 – view looking east from corner of Semele Park development;</p> <p>RS6/5 – view from footpath south of new Spring Lane development;</p> <p>RS6/6 – view from Valley Woods looking south-east;</p> <p>RS6/7 – view from Valley Road Looking south-east, and</p> <p>RS6/8 – views from Crown Hill Trig Point.</p> <p>g) retaining and improving existing Public Rights of Way, and, where possible and feasible, creating new Public Rights of Way;</p> <p>h) screening urban forms of development and having appropriate transitions from urban to rural areas; and</p> <p>i) in appropriate locations, introduce new planting of coverts and tree belts to restore the Feldon Parklands character.</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>	

Radford Semele NDP Policies	Warwick District Local Plan Policies 2011-2029 (WDLP)	General Conformity
<p><u>Policy RS7 – Non-designated Heritage Assets</u></p> <p>Development proposals affecting the significance of non-designated heritage assets will only be supported in the following circumstances:</p> <p>a) where renovation or alteration of non-designated heritage assets require planning permission, such changes are designed sensitively, and with careful regard to the heritage asset’s local distinctiveness, historical and architectural value and pay appropriate regard to the asset’s setting ensuring it maintains the historic rural character; or</p> <p>b) where a development proposal would result in the total loss of, or substantial harm to the significance of a non-designated heritage asset, such development will only be supported when the public benefit of the proposed development outweighs the total loss of or substantial harm to the significance of the asset and its setting. Where such development is permitted, this will be conditioned in such a way so as to ensure the proposed</p>	<p>HE3 Locally Listed Historic Assets</p> <p>Development that would lead to the demolition or loss of significance of a locally listed historic asset will be assessed in relation to the scale of harm or loss and the significance of the asset.</p> <p>Change to locally listed historic assets should be carried out using traditional detailing and using traditional materials.</p>	<p>Policy RS7 is in general conformity with Policy HE3 of the WDLP. Policy RS7 seeks to protect locally listed historic assets and other non-designated heritage assets by setting out development management policy to help manage future development affecting such assets.</p>

Radford Semele NDP Policies	Warwick District Local Plan Policies 2011-2029 (WDLP)	General Conformity
<p>development takes place after any harm or loss has occurred and that appropriate recording of the heritage asset takes place prior to any loss or harm occurring.</p> <p>This policy applies to the following sites and is also shown on the Policies Map:</p> <p>RS7/1 - The Manor (Also known as The Gable End House) Corner of Offchurch Lane/Southam Road.</p> <p>RS7/2 - Manor Lodge, Offchurch Lane.</p> <p>RS7/3 - The Baptist Church, Lewis Road.</p> <p>RS7/4 - 29 and 30 The Valley.</p> <p>RS7/5 - 1-3 The Valley.</p> <p>RS7/6 - Site of Ancient Village Stocks.</p> <p>RS7/7 - Nos 5-15 Lewis Road.</p> <p>RS7/8 - No. 50 Lewis Road</p> <p>RS7/9 - Nos. 43-51 Lewis Rd.</p> <p>RS7/10 - Briar Cottage, No. 53 Lewis Rd.</p> <p>RS7/11 - 102 and 104 Lewis Road.</p> <p>RS7/12 - No. 20/22 Lewis Road.</p> <p>RS7/13 - The Old Bakery, No. 2 Lewis Road</p> <p>RS7/14 - The Elms, No. 6 School Lane</p>		

Radford Semele NDP Policies	Warwick District Local Plan Policies 2011-2029 (WDLP)	General Conformity
<p style="text-align: center;">Original Barn building, Radford Hall Farm, Church Lane</p> <p>RS7/15 -</p>		
<p><u>Policy RS8 – Footpaths</u></p> <p>Improvements to footpaths which enable safe access to the valued surrounding landscape for tranquil leisure walking for health and well-being will be encouraged and supported.</p> <p>These improvements include the following:</p> <ul style="list-style-type: none"> a) Installing a safe pedestrian crossing point to link the eastern side of the village, including the recent development at Semele Park, to the village centre and its facilities and to provide access to the bus service into Leamington. A possible site could be east of the Lewis Road, Southam Road junction, near to the bus stop. b) Footpaths and other pedestrian rights of way should allow unimpeded access to villagers of all levels of mobility. Within the neighbourhood area consideration should be given to make access easy for disabled people, pushchairs & wheelchairs. c) Improvements to footpaths to provide better accessibility within the village and 	<p>TR1 Access and Choice</p> <p>Development will only be permitted that provides safe, suitable and attractive access routes for pedestrians, cyclists, public transport users, emergency vehicles, delivery vehicles, refuse vehicles and other users of motor vehicles, as appropriate.</p> <p>Development proposals will be expected to demonstrate that they:</p> <ul style="list-style-type: none"> a) are not detrimental to highway safety; b) are designed to provide suitable access and circulation for a range of transport modes including pedestrians, cyclists, emergency services and public transport services; c) create safe and secure layouts for motorised vehicles, cyclists, pedestrians and public transport and integrate the access routes into the overall development; d) where practical, incorporate facilities for charging plug-in and 	<p>Policy RS8 is in general conformity with WDLP Policy TR1 that seeks to provide safe, suitable and attractive routes for pedestrians. Policy RS8 seeks to identify specific improvements that can help foster this within the neighbourhood area.</p>

Radford Semele NDP Policies	Warwick District Local Plan Policies 2011-2029 (WDLP)	General Conformity
<p>to improve access on foot to the wider countryside, including:</p> <ul style="list-style-type: none"> (i) linking existing footpaths to create a village circular walk; (ii) providing a footpath link between Semele Park and Canalside Community Food along the A425; (iii) providing a footpath link to the canal, Radford Bottom Lock, the Offchurch Greenway and Offchurch village; (iv) an improved footpath link to Leamington Spa; (v) a new footbridge over Radford Brook to connect existing footpath to Whitnash Brook local nature reserve; (vi) a new footpath linking existing path W121 at rear of Williams Road with existing footpath W119b running to the north; (vii) footpath from The Valley through Leigh Foss to connect to existing footpath, and (viii) new access to the canal from the A425 for all users. <p>For further information see Appendix 7 [of the RSNDP].</p>	<p>other ultra-low emission vehicles where the development proposals include provision for off street parking and is for one or more dwelling, and;</p> <p>e) have taken account of the needs of people with disabilities by all modes of transport.</p>	

Radford Semele NDP Policies	Warwick District Local Plan Policies 2011-2029 (WDLP)	General Conformity
<p><u>Policy RS9 Cycling</u></p> <p>Measures to provide and improve safe cycle routes to Leamington and into the wider countryside will be supported. These include:</p> <ul style="list-style-type: none"> a) providing safe access for cyclists to the Grand Union Canal (National Cycle Route 41), west of the village; b) new shared use access to the Grand Union Canal for cyclists from A425 (see also Policy RS8 Footpaths), and c) extending the shared-use cycle lane from Leamington to Radford Semele to increase cycling and thereby providing a means for a safe, sustainable means of transport into Leamington Spa. 	<p>TR1 Access and Choice</p> <p>Development will only be permitted that provides safe, suitable and attractive access routes for pedestrians, cyclists, public transport users, emergency vehicles, delivery vehicles, refuse vehicles and other users of motor vehicles, as appropriate.</p> <p>Development proposals will be expected to demonstrate that they:</p> <ul style="list-style-type: none"> f) are not detrimental to highway safety; g) are designed to provide suitable access and circulation for a range of transport modes including pedestrians, cyclists, emergency services and public transport services; h) create safe and secure layouts for motorised vehicles, cyclists, pedestrians and public transport and integrate the access routes into the overall development; i) where practical, incorporate facilities for charging plug-in and other ultra-low emission vehicles where the development proposals include provision for off street 	<p>Policy RS9 is in general conformity with WDLP Policy TR1 that seeks to provide safe, suitable and attractive routes for cyclists. Policy RS8 seeks to identify specific improvements that can help foster this within the neighbourhood area.</p>

Radford Semele NDP Policies	Warwick District Local Plan Policies 2011-2029 (WDLP)	General Conformity
	<p>parking and is for one or more dwelling, and;</p> <p>j) have taken account of the needs of people with disabilities by all modes of transport.</p>	
<p><u>Policy RS10 Traffic Management and Public Transport</u></p> <p>Proposals to improve road safety, traffic management and public transport throughout the Parish will be fully supported in particular initiatives to address the following:</p> <p>a) measures to address the volume and speed of traffic within the village;</p> <p>b) measures to control the speed of traffic along Southam Road, Lewis Road, School Lane, Radford Road and Offchurch Lane;</p> <p>c) improvements to public transport, new bus stops to service new housing development and, where necessary, improvements to facilities such as good quality, locally appropriate, bus shelters;</p> <p>d) improvements to bus routes to facilitate direct access to Leamington Spa Railway station and, local schools and hospitals (connections to these facilities are currently difficult), and</p> <p>e) measures to improve car parking.</p>	<p>TR2 Traffic Generation</p> <p>All large-scale developments (both residential and non-residential) that result in the generation of significant traffic movements should be supported by a Transport Assessment, and where necessary a Travel Plan, to demonstrate the 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 the 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 by an air quality assessment and, where necessary, a mitigation plan to</p>	<p>Policy RS10 is in general conformity with WDLP Policy TR2. Policy RS10 identifies a range of measures in the neighbourhood area to help traffic management and reduce congestion.</p>

Radford Semele NDP Policies	Warwick District Local Plan Policies 2011-2029 (WDLP)	General Conformity
	<p>demonstrate practical and effective 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><u>Policy RS11 – Community</u></p> <p>To ensure that the parish is a healthy, inclusive community, where appropriate, feasible and viable, development proposals should include the following:</p> <p>a) well-designed streets that are accessible to all and offer people places and spaces to meet. Priority should be given to pedestrians and cyclists over road vehicles;</p> <p>b) footpaths, cycleways and bridleways that link to existing networks and offer opportunities to use non-car transport to access facilities, services and recreation resources;</p>	<p>HS1 Healthy, Safe and Inclusive Communities</p> <p>The potential for creating healthy, safe and inclusive communities will be taken into account when considering all development proposals.</p> <p>Support will be given to proposals that:</p> <p>a) provide homes and developments that are designed to meet the needs of older people and those with disabilities;</p> <p>b) provide energy efficient housing to help reduce fuel poverty;</p> <p>c) design and layout development to minimise the potential for crime and anti-</p>	<p>Policy RS11 is in general conformity with and seeks to add more localised detail to WDLP Policy HS1.</p>

Radford Semele NDP Policies	Warwick District Local Plan Policies 2011-2029 (WDLP)	General Conformity
<p>c) facilities for young people including premises for the thriving Scout and Girl Guide groups;</p> <p>d) new adult sport/training facilities such as a running track and exercise machines could be installed on the Village Recreation Ground; and</p> <p>e) parish noticeboards and other signage.</p>	<p>social behaviour and improve community safety;</p> <p>d) contribute to the development of a high-quality, safe and convenient walking and cycling network;</p> <p>e) contribute to a high-quality, attractive and safe public realm to encourage social interaction and facilitate movement on foot and by bicycle;</p> <p>f) seek to encourage healthy lifestyles by providing opportunities for formal and informal physical activity, exercise, recreation and play and, where possible, healthy diets;</p> <p>g) improve the quality and quantity of green infrastructure networks and protect and enhance physical access, including public rights of way to open space and green infrastructure;</p> <p>h) deliver or contribute to new and improved health services and facilities in locations where they can be accessed by sustainable transport modes;</p> <p>i) provide good access to local shops, employment opportunities, services, schools and community facilities, and;</p> <p>j) do not involve the loss of essential community buildings and social infrastructure.</p>	
<p><u>Policy RS12 – Area of Separation</u></p>	<p>No relevant policy.</p>	<p>No relevant policy.</p>

Radford Semele NDP Policies	Warwick District Local Plan Policies 2011-2029 (WDLP)	General Conformity
<p>To ensure that Radford Semele village remains a distinct, separate settlement and to prevent coalescence with Royal Leamington Spa, Sydenham and Whitnash the Area of Separation identified in Policies Map 8 will be maintained. This area lies between the village envelope west of Radford Semele and extends up to the Parish boundary. Any developments that would result in a significant reduction in the area of separation, or distance between settlements, or harm the landscape and openness of the environment within the area of separation, such that it threatens the village's physical separate and distinct identity will not be supported. Erosion of the area by multiple small developments will also not be supported.</p>		
<p><u>Policy RS13: - Local Economy</u></p> <p>Development proposals which would support or enhance the village economy will be supported subject to conformity with other policies in the RSNP and the development plan; in particular:</p> <ul style="list-style-type: none"> a) small retail premises (Use Class A1); b) food and drink outlets (Use Classes A3 and A4); 	<p>EC1 Directing new employment development</p> <p>In rural areas</p> <p>New employment development will be permitted in the rural areas in the following circumstances:</p> <ul style="list-style-type: none"> a) To promote sustainable development in the growth villages (identified on the policies map) 	<p>Policy RS13 is in general conformity with Policy EC1 of the WDLP that seeks to direct appropriate forms of employment to rural areas.</p>

Radford Semele NDP Policies	Warwick District Local Plan Policies 2011-2029 (WDLP)	General Conformity
<p>c) expansion of existing small businesses, and d) new small businesses.</p>	<p>b) For the diversification of agricultural and other land-based rural businesses in accordance with policy EC2 c) Within the major sites identified on the policies map in accordance with policy MS2. d) Within the allocated sub-regional employment site where it provides for sub-regional employment needs in accordance with DS16 e) To support the sustainable growth and expansion of existing rural business and enterprise in all instances applicants will be required to demonstrate that:</p> <ul style="list-style-type: none"> • The proposal would not generate significant traffic movements which would compromise the delivery of wider sustainable transport objectives, including safety, in accordance with TR2 • The design and scale of the proposal would not have a detrimental impact on the landscape and character of the area. <p>In the green belt proposals will be determined in line with national policy and policies MS1 and MS2</p>	

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).

Strategic Environmental Assessment (SEA)

To meet the 'basic conditions' which are specified by law a Neighbourhood Development Plan must be compatible with EU obligations. Furthermore, as at 9th February 2015 Regulation 15 of the 2012 Neighbourhood Planning Regulations was amended to require that when a plan is submitted to the Local Planning Authority it should include either an environmental report prepared in accordance with the applicable regulations or where it has been determined as unlikely to have significant environmental effects, a statement of reasons for the determination.

A Strategic Environmental Assessment Screening was undertaken on the RSNDP by Warwick District Council in March/June 2019. This concluded that:

“4.1 As a result of the screening assessment in section 3, it is considered unlikely there will be any significant environmental effects arising from the Radford Semele Neighbourhood Plan that were not covered/ addressed in the Sustainability Appraisal (s) of the Local Plan. As such, it is considered that the Radford Semele Neighbourhood Development Plan does not require a full SEA to be undertaken.”

The full report is submitted alongside the RSNDP.

Requirement for Habitats Regulations Assessment (HRA)

Article 6 (3) of the EU Habitats Directive (Council Directive 92/43/EEC) and Regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended) requires that an appropriate assessment of plans and programmes is carried out with regard to the conservation objectives of European Sites (Natura 2000 sites) and that other plans and projects identify any significant effect that is likely for any European Site. In the context of neighbourhood planning, a Habitats Regulation Assessment (HRA) is required where a Neighbourhood Plan is deemed likely to result in significant negative effects occurring on protected European Sites (Natura 2000 sites) as a result of the plan's implementation.

The Strategic Environmental Assessment Screening was undertaken on the RSNDP by Warwick District Council in March/June 2019. This concluded that:

“The Neighbourhood Plan must be prepared in conformity with the Local Plan. The development of the Local Plan is subject to a detailed SA which is considered compliant with European Directive 2001/42/EC the Strategic Environmental Assessment Directive. A Habitats Regulation Assessment (HRA) of the Local Plan has also been produced and reported on separately that is also considered relevant in the assessment of the environmental effects of the Radford Semele Neighbourhood Development Plan. It is unlikely that the Radford Semele NDP will have a significant effect on important Habitat / Biodiversity assets.”

European Convention on Human Rights

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 RSNDP has been produced in full consultation with the local community. The RSNDP 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 Council has developed the policies and proposals within the RSNDP 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).

The prescribed conditions have therefore been met in relation to the Radford Semele Neighbourhood Development Plan and prescribed matters have been complied with in connection with the proposal for the Plan.

Radford Semele Parish Council

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