

**Willoughby Neighbourhood Development Plan 2019 - 2031**  
**Basic Conditions Statement**  
**(Paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990)**



Willoughby Parish Council  
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With assistance from  
**Kirkwells**  
PLANNING EXPERTS

## 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 Willoughby 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 by a qualifying body, namely Willoughby Parish Council.

### **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 proposed Neighbourhood Plan states the period for which it is to have effect. That period is from 2019 to 2031 (the same period as the new Rugby Borough Council Local Plan 2011 - 2031).

### **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 Willoughby 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 of the Parish at the time of the designation and is shown on Map 1 in the NDP.

### 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 Willoughby Neighbourhood Development Plan has been prepared having appropriate regard to the policies set out in the revised National Planning Policy Framework (NPPF)<sup>2</sup>.

#### 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 Willoughby NDP delivers the 3 overarching Objectives:

**Table 1 Delivering Sustainable Development**

NPPF Overarching Objectives	Willoughby NDP Policies and Proposals
<p><i>a) <b>an economic objective</b> – 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>Willoughby NDP provides a strong and supportive framework for local business and investment in the economy which is appropriate to the parish's location in a rural area.</p> <p><b>Objective 5 is to support home working and small businesses.</b> This sets out that <b>new businesses</b> in the parish will be supported to help ensure Willoughby develops and prospers. New businesses should be suitable for the countryside location and minimise any adverse impacts on local residential amenity. New businesses which enable agricultural diversification and rural enterprise will generally be supported.</p>

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

	<p>Objective 5 will be progressed through <b>NDP Policy W9</b> which supports small scale economic development which is in keeping with Willoughby’s rural location, setting and historic character. The Policy supports homeworking and the sensitive conversion and redevelopment of agricultural buildings and requires development to consider impacts on infrastructure.</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 accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and</i></p>	<p>Willoughby NDP recognises the importance of contributing to the social sustainability of the local community.</p> <p><b>Objective 4 is to provide a positive planning framework to guide the development of new homes within the parish.</b> This goes on to explain that the development of new homes should respond positively to local needs. The scale, location, size and type of any new homes should be sensitive to the rural area and take into consideration the distinctive character of existing buildings.</p> <p>Objective 4 will be progressed through <b>NDP Policy W8 Providing Suitable Homes.</b> <b>Policy W8</b> supports small scale new housing development within the settlement boundary subject to various criteria and sets out the preferred housing types, sizes and tenure in response to the results of local NDP public consultations.</p> <p><b>NDP Objective 3 is to encourage high quality and sustainable design.</b> New development should demonstrate high quality, inclusive and sustainable design and should positively contribute to the character and appearance of the area in which it is sited. This will be progressed through <b>NDP Policies W4, W5 and W7.</b> <b>NDP Policy W4</b> promotes and protects blue and green infrastructure networks in the parish, <b>Policy W5</b> aims to reduce flood risk including through the use of SuDS and <b>Policy W6</b> requires development to conserve and enhance built heritage assets and their settings. <b>Policy W7</b> supports sustainable and</p>

	<p>energy efficient designs using contemporary architecture where appropriate.</p> <p>Willoughby NDP also includes <b>Objective 6 To protect and improve local services and community and recreational facilities</b>. Willoughby’s existing facilities will be protected and proposals for new facilities and services will be encouraged. This will be progressed through <b>NDP Policy W10</b> which identifies existing community and recreation facilities in the neighbourhood area and supports development which contributes towards the improvement of existing or provision of new health, education or community type uses to meet local needs.</p>
<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>Willoughby NDP has a strong emphasis on environmental sustainability.</p> <p><b>Objective 1</b> is to ensure that the rural landscape character and biodiversity of the parish is protected and enhanced. New development should be sustainable and should not detract from the character of the existing structures and landscape or impact adversely on local habitats and wildlife. Landscaping schemes should be designed sensitively taking into account the distinctive character of the historic agricultural landscape and the surrounding countryside. This will be progressed through <b>NDP policies W1, W2, W3 and W4</b>.</p> <p><b>NDP Policy W1</b> sets out how development should protect and enhance the special qualities of the rural landscape character of the parish. <b>Policy W2</b> protects significant local views and <b>Policy W3</b> supports community-led initiatives for renewable and low carbon energy schemes. <b>NDP Policy W4</b> requires new development to protect and where possible enhance existing Green and Blue Infrastructure.</p>

### 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 Willoughby NDP addresses each of these in turn.

**Table 2 Plan Making**

NPPF Plan Making	Willoughby NDP
a) be prepared with the objective of contributing to the achievement of sustainable development;	The Willoughby NDP 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;	<p>The NDP has been prepared positively. The Parish Council, through the Steering Group, has worked hard to ensure policies are positively worded to 'support' and 'encourage' suitable development.</p> <p>The design policies in the NDP set out robust and aspirational criteria which reflect local concerns about the need for housing to respond to the existing local vernacular in terms of scale, density and materials and to be of a high quality in design terms. Housing <b>Policy W8</b> has been prepared in response to local concerns about providing the house types and sizes most needed by the local community to ensure it remains sustainable over the plan period.</p>
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 a relatively high proportion of local people taking part in questionnaires and surveys as the Plan has moved forward through the process.</p> <p>The accompanying Consultation Statement sets out the details of the extensive, wide ranging and multiple community consultation and engagement activities which have been undertaken since 2017 at all stages of the Plan's preparation. Briefly this has included:</p>

	<ul style="list-style-type: none"> <li>• Consideration of results of previous surveys and questionnaire undertaken by the Parish Council to inform the identification of key themes for the NDP in an Issues and Options document;</li> <li>• Informal consultation on an Issues and Options document from May to June 2018;</li> <li>• A Neighbourhood Development Plan Day on Wednesday, 16 May;</li> <li>• Informal consultation on a First Draft Plan from October to November 2018;</li> <li>• A second Neighbourhood Development Plan Day on Wednesday, 17 October 2018;</li> <li>• Formal Regulation 14 public consultation from January to March 2019.</li> </ul> <p>Consultations were promoted using summary documents and questionnaires delivered to local households, and by using flyers and posters. The documents were placed on the NDP webpages and Survey Monkey was used to encourage residents to complete questionnaires online. Paper copies were also provided.</p> <p>At each consultation stage representations have been considered carefully and appropriate amendments to the NDP made.</p>
<p>d) contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals;</p>	<p>The NDP policies and proposals have been prepared by a steering group of local residents, with support from a planning consultant and planning officers at Rugby Borough Council.</p> <p>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.</p>
<p>e) be accessible through the use of digital tools to assist public involvement and policy presentation; and</p>	<p>Updates and documents have been provided on the NDP website at all stages of plan preparation.</p>



	An online survey tool, Survey Monkey, was used at key stages including the Issues and Options and First Draft Plan informal consultations. Responses by email were invited at informal and formal consultation stages.
f) serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area (including policies in this Framework, where relevant).	The NDP has been amended and updated to reduce duplication with policies in the Rugby Local Plan and duplication with national policies.

**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 Willoughby NDP contains non-strategic planning policies and proposals that add local detail and value to strategic policies in the Rugby Local Plan. The supporting text for the NDP policies refers to the relevant strategic policies.

**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. Willoughby NDP supports development in line with Local Plan Policy GP2: Settlement Hierarchy, where Willoughby is identified as a Rural Village where 'Development will be permitted within existing boundaries only, including the conversion of existing buildings where national policy permits.'

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 Willoughby NDP has been prepared in the context of

Local Plan Policy GP2: Settlement Hierarchy, where Willoughby is identified as a Rural Village where 'Development will be permitted within existing boundaries only, including the conversion of existing buildings where national policy permits.'

Outside the village, the remainder of the parish falls under 'Countryside' where 'new development will be resisted; only where national policy on countryside locations allows will development be permitted.'

Willoughby is located within a rural area. Paragraph 78 advises that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. The NDP supports this principle by guiding new development proposals to the settlement boundary of the village. The NDP notes that some limited additional housing in the village would help to sustain the remaining local services and businesses.

#### **6. Building a strong, competitive economy**

Paragraph 83 advises that in rural areas planning policies should enable a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings; b) the development and diversification of agricultural and other land-based rural businesses; c) sustainable rural tourism and leisure developments which respect the character of the countryside; and d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship. The Willoughby NDP addresses these matters through **Policy W9** which supports home working and small businesses and **Policy W10** which protects existing recreation and community facilities and supports investment in new facilities.

#### **8. Promoting healthy and safe communities**

Paragraph 91 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 NDP includes policies which protect and encourage investment in local health, education or community type uses to meet local needs (**Policy W10**) and which promote walking and cycling (**Policies W4, W7 and W8**).

#### **9. Promoting sustainable transport**

Paragraph 102 advises that opportunities to promote walking, cycling and public transport use should be identified and pursued. Walking, and cycling are promoted in **NDP Policies W4, W7 and W8** but the NDP recognises that opportunities to use public transport are very limited in this rural area.

### **11. Making effective use of land**

Paragraph 118 advises that planning policies should a) encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation or improve public access to the countryside; and b) recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production. The Willoughby NDP supports habitat protection in **Policy W1** which sets out that steps should be taken to preserve and enhance wildlife habitats, green and blue infrastructure corridors and heritage assets such as historic field patterns, hedgerow field boundaries and drainage ditches. A Green and Blue Infrastructure approach to development is promoted in **Policy W4**, including linking schemes to existing Green and Blue infrastructure, neighbouring amenities and communities to increase their environmental and quality of life benefits, and incorporating planting and landscaping schemes using locally appropriate species which contribute to biodiversity and wildlife objectives.

### **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 Willoughby NDP includes several policies (such as **W1, W4, W5, W6 and W7**) which together promote high quality design which responds to existing character and context. All policies have been prepared with the close involvement of the local community.

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

Paragraph 148 advises that 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. Paragraph 151 goes on to set out that to help increase the use and supply of renewable and low carbon energy and heat, plans should c) identify opportunities for development to draw its energy supply from decentralised, renewable or low carbon energy supply systems and for co-locating potential heat customers and suppliers and in paragraph 152, local planning authorities should support community-led initiatives for renewable and low carbon energy, including developments outside areas identified in local plans or other strategic policies that are being taken forward through neighbourhood planning. Willoughby NDP includes **Policy W3** which sets out that small scale renewable and low carbon energy schemes will be supported subject to criteria. .

### **Planning and flood risk**

Paragraph 157 sets out that plans should avoid, where possible, flood risk to people and property. They should do this, and manage any residual risk, by various measures including c) using opportunities provided by new development to reduce the causes and impacts of flooding (where appropriate through the use of natural flood management techniques). Willoughby village has a water course flowing through the centre and flooding is an issue in the area. **NDP Policy W5** aims to reduce flood risk through a range of detailed measures including addressing location of development, providing suitable approaches to drains and runoff and provision for flood storage.

### **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. **NDP Policy W1** protects and enhances local landscape character and wildlife habitats.

### **Ground conditions and pollution**

Paragraph 180 sets out that planning policies and decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. This includes considering such matters as noise and light pollution. Willoughby **NDP Policy W7** protects residential amenity of existing neighbouring occupiers in terms of light, noise, overlooking and odours.

### **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. Willoughby NDP **Policy W6** requires development to be designed to protect and enhance the setting of important buildings and other heritage assets, including buildings identified as suitable for local listing.

### 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 NDP notes that there are six listed buildings in the Parish including the Grade II\* listed Church of St Nicholas and one scheduled monument, The Moat. The area also includes several notable surviving areas of ridge and furrow landscape. **NDP Policy W1** Protecting and Enhancing Rural Landscape Character requires development to be designed and sited to minimise any adverse visual impacts on the local landscape character of Willoughby parish including areas of ridge and furrow and former enclosures identified on maps. Built heritage is protected in **Policy W6** which sets out that development proposals should conserve and enhance built heritage assets in Willoughby, including any locally significant, non-designated heritage assets.

*[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 does not include any Conservation Areas.

*[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 Rugby Borough Council Local Plan 2011-2031.

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 Rugby's Strategic Planning Policies**

Willoughby NDP Policies	Rugby Borough Council Local Plan – 2011-2031 Relevant Strategic Planning Policies	General Conformity
<p><b>Policy W1: Protecting and Enhancing Rural Landscape Character</b></p> <p>Development proposals should be designed and sited to minimise any adverse visual impacts on the valued local landscape character of Willoughby parish as described in the Landscape Assessment of the Borough of Rugby Sensitivity and Condition Study (April 2006).</p> <p>Proposals for new development should incorporate the following landscape design principles:</p> <p>A. The open, rural character of the landscape around Willoughby village should be maintained. Isolated new residential buildings in the open countryside will not be acceptable unless they meet the criteria of Rugby Local Plan Policy H4: Rural Exceptions Sites or fall under permitted development.</p> <p>B. Where possible, proposals for farming related development in the rural area should adjoin the existing built form of farmsteads and other buildings. Large new agricultural buildings and structures should</p>	<p><b>Policy NE3: Landscape Protection and Enhancement</b></p> <p>New development which positively contributes to landscape character will be permitted. Development proposals will be required to demonstrate that they:</p> <ul style="list-style-type: none"> <li>• integrate landscape planning into the design of development at an early stage;</li> <li>• consider its landscape context, including the local distinctiveness of the different natural and historic landscapes and character, including tranquillity;</li> <li>• relate well to local topography and built form and enhance key landscape features, ensuring their long term management and maintenance;</li> <li>• identify likely visual impacts on the local landscape and townscape and its immediate setting and undertakes appropriate landscaping to reduce these impacts;</li> <li>• aim to either conserve, enhance or restore important landscape features in accordance with the latest local and national guidance;</li> </ul>	<p>Local Plan Policy NE3 provides broad strategic protection for landscape character across Rugby Borough Council's area. The Policy requires landscape design to be sensitive and for development to consider local context, landscape features and visual impacts.</p> <p>NDP Policy W1 aims to strengthen and add value to the strategic policy by identifying local landscape features in Willoughby which are significant to local people and which have their own intrinsic heritage value. The policy advises that the siting and design of new agricultural buildings in the countryside should be sensitive to local context. The policy aims to protect wildlife corridors and local habitats and identifies the importance of ridge and furrow and other local landscape features in the area. Green gaps should be protected between settlements and lighting minimised to prevent light pollution.</p>

Willoughby NDP Policies	Rugby Borough Council Local Plan – 2011-2031 Relevant Strategic Planning Policies	General Conformity
<p>be sited and designed sensitively to avoid breaking the skyline in terms of views from Willoughby village, and landscaping schemes should incorporate screening using native species in hedgerows (see Policy W4) and locally appropriate materials in walls and fences. Larger buildings should be ‘broken up’ using a change in materials or colour or a break in the roof line.</p> <p>C. The sensitive conservation and restoration of traditional farm buildings through continued and appropriate new uses is supported. Repairs and alterations should use local materials and techniques wherever possible.</p> <p>D. Steps should be taken to preserve and enhance wildlife habitats, green and blue infrastructure corridors and heritage assets such as historic field patterns, hedgerow field boundaries and drainage ditches.</p> <p>E. The remaining areas of ridge and furrow landscape and pasture/arable fields of former enclosures as identified on the maps in Appendix 1 are of national importance and development which impacts adversely on these areas and their setting will be strongly resisted.</p>	<ul style="list-style-type: none"> <li>• address the importance of habitat biodiversity features, including aged and veteran trees, woodland and hedges and their contribution to landscape character, where possible enhancing and expanding these features through means such as buffering and reconnecting fragmented areas; and</li> <li>• are sensitive to an area’s capacity to change, acknowledge cumulative effects and guard against the potential for coalescence between existing settlements.</li> </ul>	

Willoughby NDP Policies	Rugby Borough Council Local Plan – 2011-2031 Relevant Strategic Planning Policies	General Conformity
<p>F. The green gaps between Willoughby Village and all other hamlets and villages (existing or proposed) should be protected to prevent coalescence of settlements and to ensure that the settlement of Willoughby village remains distinct.</p> <p>G. Lighting schemes should be designed to minimise light pollution. Security lighting should be operated by intruder switching, be appropriate, unobtrusive and energy efficient and have consideration for neighbouring amenity.</p> <p>H. Development within Willoughby village should protect important local landscape features which enhance the character of the built-up area and link it to the open countryside. These include the following: existing grass verges, hedges, trees, wild areas, swales and ponds. New developments should aim to incorporate these features into landscaping designs.</p>		
<p><b>Policy W2: Protecting Significant Local Views</b></p> <p>The identified Significant Views on Maps 2A and 2B make an important contribution towards</p>	<p><b>Policy NE3: Landscape Protection and Enhancement</b></p> <p>New development which positively contributes to landscape character will be permitted.</p>	<p>Local Plan Policy NE3 includes the requirement for developments to identify visual impacts and to incorporate landscaping to reduce impacts.</p>



<b>Willoughby NDP Policies</b>	<b>Rugby Borough Council Local Plan – 2011-2031 Relevant Strategic Planning Policies</b>	<b>General Conformity</b>
<p>local visual amenity and the neighbourhood area’s landscape character.</p> <p>Development proposals should respect these Significant Views which are locally valued. Where a development proposal impacts on an identified Significant View, a Landscape and Visual Impact Assessment or similar study should be carried out to ensure that the scheme is designed and sited sensitively and appropriately to mitigate any adverse impacts.</p>	<p>Development proposals will be required to demonstrate that they:</p> <ul style="list-style-type: none"> <li>• identify likely visual impacts on the local landscape and townscape and its immediate setting and undertakes appropriate landscaping to reduce these impacts;</li> </ul>	<p>NDP Policy W2 is in general conformity with this Local Plan Policy as it identifies those views in Willoughby which have a particular significance to residents in Willoughby and which should be considered in development schemes.</p>
<p><b>Policy W3: Community-Led Renewable Energy Schemes</b></p> <p>Community-led initiatives for renewable and low carbon energy schemes will be supported, provided that any adverse landscape and visual impacts (including cumulative impacts) are mitigated and, where this is not possible, minimised.</p>	<p><b>Policy SDC8: Supporting the provision of renewable energy and low carbon technology</b></p> <p>Proposals for new low carbon and renewable energy technologies (including associated infrastructure) will be supported in principle subject to all of the following criteria being demonstrated:</p> <ul style="list-style-type: none"> <li>• the proposal has been designed, in terms of its location and scale, to minimise any adverse impacts on adjacent land uses and local residential amenity;</li> <li>• the proposal has been designed to minimise adverse impacts (including any cumulative impacts) on the natural environment in terms of landscape, and ecology and visual impact;</li> </ul>	<p>Local Plan Policy SDC8 supports proposals for renewable energy and low carbon technology subject to various criteria including consideration of impacts on the natural environment and setting.</p> <p>NDP Policy W3 supports community led initiatives for renewable and low carbon energy schemes which may come forward, subject to landscape and visual impacts and suitable mitigation measures.</p>

Willoughby NDP Policies	Rugby Borough Council Local Plan – 2011-2031 Relevant Strategic Planning Policies	General Conformity
	<ul style="list-style-type: none"> <li>• there is no unacceptable impact on heritage assets and their setting;</li> <li>• the scheme maximises appropriate opportunities to address the energy needs of neighbouring uses (for example linking to existing or emerging District Heating Systems);</li> <li>• for biomass, it must be demonstrated that fuel can be obtained from a sustainable source and the need for transportation will be minimised;</li> <li>• for proposals for hydropower the application must be supported by a Flood Risk Assessment and Water Framework Directive assessment;</li> <li>• for wind turbines, the proposed development site is identified as suitable for wind energy development in a Local or Neighbourhood Plan;</li> <li>• for solar farms proposed on the best and most versatile agricultural land a sequential test has to be undertaken as outlined in the supporting text to this policy. Where it is proven that the use of the best and most versatile agricultural land is necessary, conditions may be applied to an approval to require the land to be restored to its previous greenfield use when the operation ceases; and</li> </ul>	

Willoughby NDP Policies	Rugby Borough Council Local Plan – 2011-2031 Relevant Strategic Planning Policies	General Conformity
	<ul style="list-style-type: none"> <li>following consultation, it can be demonstrated that the planning impacts identified by affected local communities have been fully addressed and therefore the proposal has their backing.</li> </ul>	
<p><b>Policy W4: Green and Blue Infrastructure in Willoughby</b></p> <p>Green and Blue Infrastructure networks in Willoughby parish are identified on Map 3. These networks support biodiversity, contribute towards reducing flood risk and improving water quality management and enhance the landscape and historic character of Willoughby Parish.</p> <p>A. New development should protect and where possible enhance existing Green and Blue Infrastructure. Development which delivers the creation of new multifunctional green and blue infrastructure will be supported. New infrastructure should connect to existing infrastructure wherever possible.</p> <p>B. Proposals should demonstrate how existing networks within the site will be maintained during development and thereafter in perpetuity.</p>	<p><b>Policy NE2: Strategic Green and Blue Infrastructure Policy</b></p> <p>The Council will work with partners towards the creation of a comprehensive Borough wide Strategic Green and Blue Infrastructure Network which is inclusive of the Princethorpe Woodland Biodiversity Opportunity Areas (also known as the Princethorpe Woodlands Living Landscape), as shown on the Green and Blue Infrastructure Policies Map. This will be achieved through the following:</p> <ul style="list-style-type: none"> <li>the protection, restoration and enhancement of existing and potential Green and Blue Infrastructure assets within the network as shown on the Policies Map; and</li> <li>the introduction of appropriate multi-functional corridors between existing and potential Green and Blue Infrastructure assets.</li> </ul>	<p>Local Plan Policy NE2 sets out how Rugby Borough Council will work to create a comprehensive Green and Blue Infrastructure network across the Borough by protecting and enhancing existing infrastructure and requiring new development where appropriate to provide new infrastructure linking to existing networks.</p> <p>Willoughby NDP Policy W4 is in general conformity with this strategic policy and it provides more local detail by identifying existing Green and Blue Infrastructure networks in Willoughby and setting out how opportunities could be taken to link in and with these and enhance them.</p>

Willoughby NDP Policies	Rugby Borough Council Local Plan – 2011-2031 Relevant Strategic Planning Policies	General Conformity
<p>C. Opportunities should be taken to extend existing networks of footpaths, bridleways and cycleways. Where appropriate, new development should make links to existing Green and Blue infrastructure, neighbouring amenities and communities to increase their environmental and quality of life benefits.</p> <p>D. Development should incorporate mitigation measures to protect and enhance the river corridors of the River Leam and its tributaries and the swales which flow through the centre of the village of Willoughby as well as the pond on Lower Street. Proposals should also incorporate opportunities to create space for water to reduce the risk of flooding downstream and to provide other benefits including amenity and enhancing biodiversity.</p> <p>E. New planting and landscaping schemes should use locally appropriate species which contribute to biodiversity and wildlife objectives.</p>	<p>Where appropriate new developments must provide suitable Green and Blue Infrastructure corridors throughout the development and link into adjacent strategic and local GI networks or assets where present.</p> <p>Where such provision is made a framework plan should be produced as part of the planning application demonstrating the contribution to the overall achievements of the multi-functional strategic Green/Blue Infrastructure network. A management plan, based on delivering the framework plan and detailing how the infrastructure will be managed, may be required by condition.</p>	
<p><b>Policy W5: Reducing Flood Risk in Willoughby</b></p> <p>Development schemes should be sited and designed to reduce flood risk in Willoughby by addressing the following:</p>	<p><b>Policy SDC5: Flood Risk Management</b></p> <p>A sequential approach to the location of suitable development will be undertaken by the Council based on the Environment Agency’s</p>	<p>Local Plan Policy SDC5 sets out the strategic planning policy for Rugby Borough to manage flood risk in new development. Policy SDC6 promotes sustainable drainage techniques where appropriate.</p>

Willoughby NDP Policies	Rugby Borough Council Local Plan – 2011-2031 Relevant Strategic Planning Policies	General Conformity
<p><u>Location of New Development</u></p> <p>A. All new development should be located in Flood Zone 1. Only if there is no viable/available land in Flood Zone 1 should other areas be considered using the Sequential Test approach. Any watercourse which does not have any flood extents associated with it, will require further work or modelling as part of detailed planning applications to ensure the proposed development will be safe and not increase flood risk.</p> <p>B. In areas where fluvial flood risk is a known issue, development should be avoided within Flood Zone 2 and 3 unless the development can ensure flood risk is not increased elsewhere as well as ensuring surface water runoff is no greater than the existing pre-development runoff. This should include consideration of flood extents within climate change. This may result in existing areas in Flood Zone 2 being located in Flood Zone 3 under the climate change scenario.</p> <p>C. Development should be located a suitable distance from watercourses to allow access</p>	<p>flood zones as shown on the latest Flood Map for Planning and Strategic Flood Risk Assessment (SFRA). This will steer new development to areas with the lowest probability of flooding, in order to minimise the flood risk to people and property and manage any residual risk.</p> <p>If following application of the sequential test, it is not possible or consistent with wider sustainability objectives for the development to be located in zones with a lower probability of flooding, then the Exception Test can be applied as set out in the NPPF.</p> <p>Following the Sequential Test, and if required the Exception Test, development will only be permitted where the following criteria are met:</p> <ul style="list-style-type: none"> <li>• that the development does not increase flood risk elsewhere</li> <li>• Within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location; and</li> <li>• Development is appropriately flood resilient and resistant, including safe access and escape routes where required, and that any residual risk can be safely managed, including by emergency planning; and it</li> </ul>	<p>Willoughby has a water course flowing through the village centre and includes areas at known risk of fluvial and surface water flooding. NDP Policy W5 is in general conformity with Local Plan Policies SDC5 and SDC6 by setting out how flood risk should be managed in Willoughby, taking account of locally specific circumstances.</p>

Willoughby NDP Policies	Rugby Borough Council Local Plan – 2011-2031 Relevant Strategic Planning Policies	General Conformity
<p>for maintenance and restoring the natural floodplain. This distance will be guided by the latest advice from the Environment Agency. This includes existing culverted watercourses.</p> <p>D. Finished floor levels should be set a minimum of 600mm above the 1 in 100 year plus climate change flood level.</p> <p><u>Drainage and Runoff</u></p> <p>E. Development proposals will be required to provide effective surface water drainage measures to protect existing and future residential areas from flooding. New development should be designed to maximise the retention of surface water on the development site and to minimise the rate of runoff. Overall there should be no net increase in surface water runoff for the lifetime of the development.</p> <p>F. All developments should seek to control and discharge all surface water runoff generated on site during the 1 in 100 year plus climate change rainfall event. For greenfield development sites, the surface water runoff generated as a result of the development should not exceed the greenfield runoff</p>	<p>gives priority to the use of sustainable drainage systems.</p> <p>Land that is required for current and future flood management will be safeguarded from development. Opportunities to reduce the causes and impacts of flooding should be taken where possible.</p> <p>Applicants will be required to demonstrate how they comply with this Policy by way of a site-specific Flood Risk Assessment (FRA) which is appropriate to the scale and nature of the development proposed, where the development is:</p> <ul style="list-style-type: none"> <li>• in Flood Zone 2 or 3 as defined by the Environment Agency’s Flood Map or Rugby Borough SFRA;</li> <li>• minor development and change of use more than 1ha and in Flood Zone 1;</li> <li>• within 20m of a watercourse;</li> <li>• adjacent to, or including, any flood bank or other flood control structure; or</li> <li>• within an area with critical drainage problems.</li> </ul> <p>The FRA must assess the flood risk from all sources and identify options to mitigate the flood risk to the development, site users and surrounding area.</p>	

Willoughby NDP Policies	Rugby Borough Council Local Plan – 2011-2031 Relevant Strategic Planning Policies	General Conformity
<p>rate. For brownfield development sites, developers are expected to deliver a substantial reduction in the existing runoff rate, and where possible, reduce the runoff to the equivalent greenfield rate.</p> <p>G. Sustainable drainage systems (SuDS) should be implemented in accordance with the SuDS hierarchy unless deemed inappropriate.</p> <p>H. Developments should take account of the Drainage Hierarchy and, in particular, schemes should direct surface water away from combined sewers on previously developed land and ensure surface water on new development is not connected to a combined sewer. Where alternatives to a connection to a surface water sewer or to a combined sewer are available these outfall options should be considered prior to determination of the drainage system.</p> <p>I. All SuDs features should be located outside of the 1 in 100 year plus climate change flood extent.</p> <p><u>Flood Storage</u></p>	<p><b>Policy SDC6: Sustainable Drainage</b></p> <p>Sustainable Drainage Systems (SuDS) are required in all major developments and all development in flood zones 2 and 3. Such facilities should preferably be provided on-site or, where this is not possible, close to the site, and:</p> <ul style="list-style-type: none"> <li>• be designed and located outside the floodplain and to integrate with Green/Blue Infrastructure functions;</li> <li>• be appropriate for the needs of the site;</li> <li>• promote enhanced biodiversity;</li> <li>• improve water quality;</li> <li>• increase landscape value; and</li> <li>• provide good quality open spaces.</li> </ul> <p>Infiltration SuDs is the preferred way of managing surface water. The developer will carry out infiltration tests where possible and a groundwater risk assessment to ensure that this is possible and that groundwater would not be polluted. Where it is proven that infiltration is not possible, surface water should be discharged into a watercourse (in agreement with the Lead Local Flood Authority (LLFA) at pre-development greenfield run off rates or into a surface water sewer if there is no nearby surface water body.</p>	

Willoughby NDP Policies	Rugby Borough Council Local Plan – 2011-2031 Relevant Strategic Planning Policies	General Conformity
<p>J. Schemes should make use of open space to retain water as part of flood risk management.</p> <p>K. Areas of land in Flood Zone 2 and Flood Zone 3 adjacent to the River Leam and its tributaries will be protected from development to support flood attenuation measures or natural flood risk management. This will help to ensure that sites are safe and that development will not increase flood risk elsewhere.</p> <p>L. Wherever possible, development proposals should seek to provide a betterment. Developments should create space for water by restoring floodplains and contributing towards Green and Blue Infrastructure (see Policy W4). Culverted watercourses should be opened up and any unnecessary obstructions removed.</p>	<p>In exceptional circumstances, where a sustainable drainage system cannot be provided, it must be demonstrated that:</p> <ul style="list-style-type: none"> <li>• an acceptable means of surface water disposal is provided which does not increase the risk of flooding or give rise to environmental problems and improves on the current situation; and</li> <li>• contributions will be made to off-site SUDS schemes if located in an area known to suffer surface water flooding the development should seek to offer a strategic solution.</li> </ul>	
<p><b>Policy W6: Conserving and Enhancing Built Heritage Assets and their Settings</b></p> <p>Development proposals should conserve and enhance built heritage assets in Willoughby, including any locally significant, non-designated heritage assets. Wherever possible, the following criteria should be addressed:</p>	<p><b>Policy SDC3: Protecting and enhancing the Historic Environment</b></p> <p>Development will be supported that sustains and enhances the significance of the Borough’s heritage assets including listed buildings, conservation areas, historic parks and gardens,</p>	<p>Local Plan Policy SDC3 requires development to consider the significance of heritage assets in the Borough and to sustain and enhance them.</p> <p>Willoughby NDP is in general conformity with this strategic planning policy. The NDP provides more local detail by identifying and describing proposed local heritage assets in Willoughby for</p>



Willoughby NDP Policies	Rugby Borough Council Local Plan – 2011-2031 Relevant Strategic Planning Policies	General Conformity
<p>A. Development proposals including alterations to existing buildings should describe the significance of any heritage assets affected, including any contribution made by their setting, and conserve and enhance assets according to their significance.</p> <p>B. All development should seek to conserve both designated and non-designated heritage assets including listed buildings and locally significant non-designated assets identified in this Neighbourhood Development Plan for consideration by Rugby Borough Council (see Appendix 3), and put in place measures to avoid or minimise impact or mitigate damage.</p> <p>C. Development proposals in areas on maps in the Warwickshire Historic Environment Record (HER) for Willoughby Parish must take account of known surface and subsurface archaeology and ensure unknown and potentially significant deposits are identified and appropriately considered during development. In all instances the Warwickshire Historic Environment Record should be consulted at an early stage in the formulation of proposals.</p>	<p>archaeology, historic landscapes and townscapes.</p> <p>Development affecting the significance of a designated or non-designated heritage asset and its setting will be expected to preserve or enhance its significance.</p> <p>a) Understand the Asset Applications with the potential to affect the significance of a heritage asset will be required to provide sufficient information and assessment (such as desk-based appraisals, field evaluation, and historic building reports) of the impacts of the proposal on the significance of heritage assets and their setting. The Warwickshire Historic Environment Record, the Borough’s Conservation Area Character Appraisals and Management Plans, the Local List of non-designated heritage assets, the Warwickshire Historic Towns Appraisal Study and Historic Landscape Characterisation Study are examples of sources of information that will be used to inform the consideration of future development including potential conservation and enhancement measures.</p> <p>b) Conserve the Asset Great weight will be given to the conservation of the Borough’s designated heritage assets.</p>	<p>protection under NDP Policy W6 and requires development proposals to take account of the HER and to conserve designated and non-designated heritage assets or put in place suitable mitigation measures.</p>

Willoughby NDP Policies	Rugby Borough Council Local Plan – 2011-2031 Relevant Strategic Planning Policies	General Conformity
	<p>Any harm to the significance of a designated heritage asset must be justified.</p> <p>Proposals causing substantial harm to designated heritage assets will need to demonstrate that the harm is necessary to achieve substantial public benefits sufficient to outweigh the harm or loss. Alternatively it must be demonstrated that all of the following apply:</p> <ul style="list-style-type: none"> <li>• the nature of the heritage asset prevents all reasonable uses of the site; and</li> <li>• no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and</li> <li>• conservation by grant funding or some form of charitable or public ownership is demonstrably not possible; and</li> <li>• the harm or loss is outweighed by the benefit of bringing the site back into use.</li> </ul> <p>Where a development will lead to less than substantial harm to the significance of a designated heritage asset, this will be weighed against the public benefits of the proposal.</p> <p>In weighing applications that affect non-designated heritage assets, a balanced judgement will be required having regard to the</p>	

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	<p>scale of any harm or loss and the significance of the asset.</p> <p>Non-designated archaeological sites of equivalent significance to scheduled monuments should be considered subject to the criteria for designated heritage assets.</p>	
<p><b>Policy W7: Encouraging High Quality and Sustainable Design</b></p> <p>New development proposals and alterations and extensions to existing buildings should demonstrate how they have addressed the following design principles:</p> <p><u>General Principles</u></p> <p>A. New development should be of a scale, mass and built form which responds to the characteristics of the site and its surroundings. Care must be taken to ensure that building(s) height, scale, and form, including the roofline, do not disrupt the visual character of the street scene and impact on any significant wider landscape views (see Policy W2).</p> <p>B. Proposals should demonstrate how they have considered the distinctive character of</p>	<p><b>Policy SDC1: Sustainable Design</b></p> <p>All development will demonstrate high quality, inclusive and sustainable design and new development will only be supported where the proposals are of a scale, density and design that responds to the character of the areas in which they are situated. All developments should aim to add to the overall quality of the areas in which they are situated.</p> <p>Factors including the massing, height, landscape, layout, materials and access should also be a key consideration in the determination of planning applications.</p> <p>The Council will consider appropriate housing density on a site by site basis with decisions informed by local context of the area in terms of design considerations, historic or environmental integration, local character,</p>	<p>High quality and sustainable design is promoted in Local Plan Policy SDC1 and more detailed requirements are set out in Policy SDC4.</p> <p>NDP Policy W7 is in general conformity with these strategic planning policies by promoting high quality and sustainable design in Willoughby, taking into account local character and context which are described in some detail in the NDP. At the same time innovative, modern and sustainable approaches to design are supported and encouraged where they are appropriate to their local context.</p>

Willoughby NDP Policies	Rugby Borough Council Local Plan – 2011-2031 Relevant Strategic Planning Policies	General Conformity
<p>the neighbouring area in Design and Access Statements taking into account the local character appraisals in Appendix 4.</p> <p>C. New buildings should follow a consistent design approach in the use of materials, windows/doors and the roofline to the building. Materials should be chosen to complement the design of a development and add to the quality or character of the surrounding environment.</p> <p>D. Older traditional buildings should be retained where possible. Where alterations are proposed these should be sympathetic to the existing character not detract from it.</p> <p>E. Extensions should be sympathetic in design to the main building and be proportionate in terms of scale.</p> <p>F. Residential amenity of existing neighbouring occupiers should be protected in terms of light, noise, overlooking and odours.</p> <p><u>Sustainable Development</u></p> <p>G. Sustainable, energy efficient designs will be supported. Where planning consent is required, small scale domestic renewable</p>	<p>identified local need and, where relevant, a Neighbourhood Development Plan.</p> <p>Proposals for new development will ensure that the living conditions of existing and future neighbouring occupiers are safeguarded.</p> <p>Proposals for housing and other potentially sensitive uses will not be permitted near to or adjacent sites where there is potential for conflict between the uses, for example, an existing waste management site. Such proposals must be accompanied by supporting information demonstrating that the existing and proposed uses would be compatible and that the proposal has addressed any potential effects of the existing use on the amenity of the occupiers of the proposed development.</p> <p>Developers should provide adequate off-street storage space for wheeled bins, including storing recycling, to serve all new residential properties, including conversions. This requirement is particularly important in designated Conservation Areas where the visual importance of the street scene has been acknowledged and there is a duty for the area’s character and appearance to be preserved or and enhanced. Provision can be in the form of storage space integral to the design of the</p>	

Willoughby NDP Policies	Rugby Borough Council Local Plan – 2011-2031 Relevant Strategic Planning Policies	General Conformity
<p>energy schemes such as solar panels, solar water heating and ground source heat pumps will be supported provided that schemes are sited and designed to be unobtrusive.</p> <p>H. New developments should also be designed to include water efficiency measures to reduce water consumption to an estimated water use of no more than 110 litres per person per day or subsequent target. Such measures could include for instance use of water efficient fixtures and fittings, installation of water butts to collect rainwater for garden and external use and recycling of grey water in toilets.</p> <p>I. Contemporary designs and modern architectural approaches, including the use of innovative construction techniques and new or recycled building materials, will be acceptable where they are of outstanding or innovative design and where they clearly demonstrate that they are appropriate to their context.</p> <p>J. Proposals for new development should aim to promote walking and cycling by linking to existing routes where possible and including suitable storage provision for bicycles.</p>	<p>property, dedicated space externally, in a communal storage area, or in underground waste storage systems.</p> <p>Proposals relating to the enhanced energy efficiency of existing buildings will be supported in accordance with the most up to date national regulations.</p> <p><b>Policy SDC4: Sustainable Buildings</b></p> <p><u>Residential buildings</u></p> <p>All new dwellings shall meet the Building Regulations requirement of 110 litres of water/person/day unless it can be demonstrated that it is financially unviable.</p> <p><u>Non-residential buildings</u></p> <p>All non-residential development over 1000 sqm is required should aim to achieve as a minimum BREEAM standard ‘very good’ (or any future national equivalent) unless it can be demonstrated that it is financially unviable.</p> <p>In meeting the carbon reduction targets set out in the Building Regulations and BREEAM standards the Council will expect development</p>	

Willoughby NDP Policies	Rugby Borough Council Local Plan – 2011-2031 Relevant Strategic Planning Policies	General Conformity
<p>Electric charging points for vehicles should be provided on external elevations or in garages.</p> <p>K. Development should not increase flood risk elsewhere. Surface water runoff should be no greater than the existing pre-development runoff, irrespective of whether or not the receiving watercourse has capacity to take additional flows as any additional runoff may exacerbate flood risk downstream.</p> <p><u>Respecting Local Character</u></p> <p>L. New buildings should be orientated to front the road. Existing building lines should be maintained. Where existing buildings are set back behind front gardens new development should continue this approach and incorporate similar boundary treatments such as low front walls or hedges.</p> <p>M. Local building materials typically include traditional red brick and render and Northamptonshire ironstone in some older properties and tiled or slate roofs. Proposals should reference existing local materials in the neighbouring area as</p>	<p>to be designed in accordance with the following energy hierarchy:</p> <ul style="list-style-type: none"> <li>• Reduce energy demand through energy efficiency measures</li> <li>• Supply energy through efficient means (i.e. low carbon technologies)</li> <li>• Utilise renewable energy generation</li> </ul> <p>Actual provision will be determined through negotiation, taking account of individual site characteristics and issues relating to the viability of development.</p> <p>The re-use and recycling of surface water and domestic waste water within new development will be encouraged.</p>	

Willoughby NDP Policies	Rugby Borough Council Local Plan – 2011-2031 Relevant Strategic Planning Policies	General Conformity
<p>described in the character appraisals in Appendix 4 and incorporate these into the design of new schemes to help integrate them into the local context.</p> <p>N. Dormer roofs that can be seen from the street should be pitched and should be functional and unobtrusive.</p> <p>O. Building heights should be no more than two storeys.</p> <p>P. Windows should be appropriate to the type and size of house and alterations to older properties should retain the size and style of the original opening wherever possible. Larger windows may be acceptable if they do not detract from the original building design and are not visible from the road.</p> <p>In the wider rural area, redevelopment, alteration or extension of historic farmsteads and agricultural buildings should be sensitive to their distinctive character, materials and form.</p>		
<p><b>Policy W8: Providing Suitable Homes</b></p> <p><u>Housing inside the Settlement Boundary</u></p>	<p><b>Policy GP2: Settlement Hierarchy</b></p> <p>Development will be allocated and supported in accordance with the following Settlement Hierarchy, as defined on the Policies Map:</p>	<p>Local Plan Policy GP2 sets out the settlement hierarchy and Willoughby village is identified as a rural village where development is supported within the identified settlement boundary and the surrounding area is included in the wider</p>

Willoughby NDP Policies	Rugby Borough Council Local Plan – 2011-2031 Relevant Strategic Planning Policies	General Conformity
<p>New housing development will be supported within the settlement boundary of Willoughby village where:</p> <ul style="list-style-type: none"> <li>A. Schemes are small in scale (around 1 or 2 houses) and are on small infill or brownfield sites.</li> <li>B. Development does not have an unacceptable impact on the character of the surrounding area and responds positively to design policies in the Neighbourhood Development Plan.</li> <li>C. Residential development in rear gardens demonstrates that proposals would not have an unacceptable impact on the character of the local area in terms of loss of openness, mature trees, hedges and shrubbery and a substantial increase in the density of built form. Local residential amenity and privacy should be protected.</li> <li>D. Suitable access is provided linked to existing local vehicular, pedestrian and cycle networks.</li> <li>E. Car parking provision is provided in accordance with the most up to date parking</li> </ul>	<p>Rural Villages Development will be permitted within existing boundaries only, including the conversion of existing buildings where national policy permits.</p> <p>Countryside New development will be resisted; only where national policy on countryside locations allows will development be permitted.</p> <p><b>Policy H1: Informing Housing Mix</b></p> <p>To deliver a wide choice of high quality market homes across the Borough residential development proposals must form a mix of market housing house types and sizes consistent with the latest Strategic Housing Market Assessment.</p> <p>New residential development should contribute to the overall mix of housing in the locality, taking into account the current need, particularly for older people and first time buyers, current demand and existing housing stock.</p> <p>The council will consider an alternative mix in the following circumstances where it is clearly demonstrated how the delivery of a mix which</p>	<p>countryside where rural area policies will apply. A suitable housing mix is required in Local Plan policy H1.</p> <p>Willoughby NDP Policy W8 supports suitable small scale housing within the settlement boundary and provides more local detail taking into account local residents' concerns and priorities for new housing design and mix. The Policy has been prepared taking account of residents' feedback in surveys and informal engagement in consultations for the NDP.</p>



Willoughby NDP Policies	Rugby Borough Council Local Plan – 2011-2031 Relevant Strategic Planning Policies	General Conformity
<p>standards of Rugby Borough Council<sup>3</sup> and suitable provision is made on site to minimise additional on-street parking in the village.</p> <p>F. Development proposals are not in areas at risk of flooding.</p> <p><u>House Types and Sizes</u></p> <p>All proposals for new housing and conversions of existing buildings will be required to demonstrate that they meet local housing needs in terms of house type, size and tenure or a need identified in an updated Local Housing Needs Assessment.</p> <p>The following will be particularly encouraged:</p> <ol style="list-style-type: none"> <li>1. Smaller starter homes (1-2 bedrooms) for young people.</li> <li>2. Homes for young families (2-3 bedrooms) with gardens.</li> <li>3. Smaller homes for older residents (1-2 bedrooms) and extra care/sheltered accommodation to provide opportunities for downsizing.</li> </ol>	<p>has regard to the SHMA, or relevant update, is compromised:</p> <ul style="list-style-type: none"> <li>• where the shape and size of the site justifies the delivery of a mix of housing; or</li> <li>• the location of the site, for example sustainable and very accessible sites within or close to Rugby town centre or the train station; or</li> <li>• sites with severe development constraints where the housing mix may impact on viability, where demonstrated through submission of viability appraisal; or</li> <li>• where a mix of housing would compromise the ability of the development to meet a specifically identified affordable or specialist housing need; or</li> <li>• conversions, where the characteristics of the existing building prohibit a mix to be delivered; or</li> <li>• where market factors demonstrate an alternative mix would better meet local demand.</li> </ul> <p>Large development proposals</p> <p>Sustainable Urban Extensions will be expected to provide opportunities for self-build and</p>	

<sup>3</sup> See Rugby Local Plan Appendix 5: Car Parking Standards

Willoughby NDP Policies	Rugby Borough Council Local Plan – 2011-2031 Relevant Strategic Planning Policies	General Conformity
<p>4. Affordable housing<sup>4</sup> in line with Rugby Borough Council's most up to date requirements for affordable housing provision, including shared ownership schemes.</p> <p><u>Dwellings in the Countryside</u></p> <p>Applications for isolated dwellings outside the village boundary in the countryside will be assessed in line with national policy which takes the approach that planning decisions should avoid the development of isolated homes in the countryside unless they fall within a set of specific criteria.</p>	<p>custom build as part of the mix and type of development.</p>	
<p><b>Policy W9: Supporting Home Working and Small Businesses</b></p> <p>Small scale economic development which is in keeping with Willoughby's rural location, setting and historic character will be supported. Proposals for such development, including development related to homeworking, will be supported where:</p>	<p><b>Policy ED3: Employment development outside Rugby urban area</b></p> <p>With the exception of those sites allocated for employment purposes in this Local Plan, or with a current B use class, employment development will not be permitted outside the Rugby urban area except in the following circumstances:</p>	<p>Local Plan Policy ED3 supports suitable employment related development outside allocated sites and Rugby urban area, including conversions, redevelopment and appropriate expansion of existing premises. Policy ED4 sets out where economic development in the wider rural (and urban) area would be acceptable.</p>

<sup>4</sup> See Appendix 7 for definition of Affordable Housing

Willoughby NDP Policies	Rugby Borough Council Local Plan – 2011-2031 Relevant Strategic Planning Policies	General Conformity
<p>A. Development involves the sensitive refurbishment or conversion of existing rural buildings and, where new buildings or extensions are proposed, designs are appropriate in terms of other policies in the NDP including Policy W1.</p> <p>B. Development is appropriate to the rural parish setting in terms of size, design and type of business.</p> <p>C. Proposals demonstrate consideration of impact on infrastructure and incorporate appropriate mitigation measures to minimise any adverse impacts on local residential amenity in terms of noise, disturbance, capacity of the road network, highway safety, odour and any other environmental contamination.</p> <p>D. Adequate car parking is provided for employees and visitors.</p> <p>In addition, schemes will be encouraged where:</p> <p>E. Proposals are for small businesses and facilities which support local services or the visitor economy linked to the quiet enjoyment of the countryside; and</p>	<ul style="list-style-type: none"> <li>• Conversion of a building for employment purposes, subject to its location and character, including historic or architectural merit, being suitable for the proposed use and it having been in existence for at least ten years;</li> <li>• Redevelopment, at a similar scale, of an existing building or vacant part of an existing employment site for employment purposes, where this would result in a more effective use of the site;</li> <li>• Sustainable expansion of an existing group of buildings for business uses where the site is readily and regularly accessible by means of transport other than the private car; or</li> <li>• A building or structure related to agriculture, horticulture or forestry where it is genuinely required as an ancillary use for an existing rural employment development.</li> </ul> <p>To be considered acceptable, any proposals meeting one of these exceptions must also demonstrate compliance with all other relevant policies in the Local Plan, in particular where a proposal is located in the Green Belt.</p> <p>All proposals will be subject to a thorough assessment to make sure their scale, nature and location are appropriate, including the need to:</p>	<p>Willoughby NDP Policy W9 is in general conformity with the Local Plan Policies as it seeks to support business investment and development appropriate to Willoughby's rural location. Such development could include suitable and sensitive conversions of rural buildings where impacts on infrastructure are minimised and sufficient car parking is provided. The aim is to support local economic development to enhance local employment opportunities whilst recognising the need to balance protection of the rural setting of the village and wider parish.</p>

Willoughby NDP Policies	Rugby Borough Council Local Plan – 2011-2031 Relevant Strategic Planning Policies	General Conformity
<p>F. Proposals are for the redevelopment or re-use of existing former agricultural buildings, workshops or previously used sites in the countryside for small scale retail (such as farm shops), professional and artisan type uses.</p> <p>Proposals for haulage and distribution type businesses which would lead to an unacceptable level of additional traffic and heavy goods vehicles on rural roads in the parish leading to adverse impacts on highway safety will be strongly resisted.</p>	<ul style="list-style-type: none"> <li>• Limit the impact on local communities, the character of the local landscape, and the natural environment;</li> <li>• Minimise impact on the occupiers and users of existing properties in the area;</li> <li>• Avoid an increase in traffic generation that would have a severe impact on the local road network, unless suitable mitigation to address the impact can be provided;</li> <li>• Make provision for sustainable forms of transport wherever appropriate and justified; and</li> <li>• Prioritise the re-use of brownfield land and existing buildings.</li> </ul> <p><b>Policy ED4: The Wider Urban and Rural Economy</b></p> <p>The following forms of development and uses are acceptable in principle both in and outside the urban area, subject to the content of other policies in the Local Plan.</p> <p>Tourism and Leisure</p> <ul style="list-style-type: none"> <li>• Small-scale tourism, visitor accommodation and leisure based uses, including sport and recreation, particularly those which would help to provide local employment and support rural services;</li> </ul>	

Willoughby NDP Policies	Rugby Borough Council Local Plan – 2011-2031 Relevant Strategic Planning Policies	General Conformity
	<ul style="list-style-type: none"> <li>• Purpose-built visitor accommodation that is directly associated with and related to the scale and nature of an existing use;</li> <li>• A small-scale expansion of an existing holiday caravan/chalet site where this would secure benefits to its function and appearance;</li> <li>• Golf courses, golf driving ranges and ancillary facilities;</li> <li>• New or extended, relative to the scale and nature of an existing development, garden centres and nurseries; or</li> <li>• Equine and equestrian related activities, wherever practicable using existing buildings and structures.</li> </ul> <p>Farm Diversification</p> <p>Proposals that would support the ongoing viability of farms and other agricultural operations will be encouraged, subject to the following criteria being assessed and satisfied:</p> <ul style="list-style-type: none"> <li>• development on best quality agricultural land is avoided;</li> <li>• existing buildings and structures can be utilised as much as possible;</li> <li>• the scale and nature of the development is integrated into the existing landscape, with minimal adverse impact to its character;</li> </ul>	

Willoughby NDP Policies	Rugby Borough Council Local Plan – 2011-2031 Relevant Strategic Planning Policies	General Conformity
	<ul style="list-style-type: none"> <li>the impact of the proposal on existing properties in the locality is minimal; and</li> <li>the generation of vehicular movements is acceptable, and suitable consideration is given to of access and parking.</li> </ul>	
<p><b>Policy W10: Protecting Existing Community and Recreation Facilities and Supporting Proposals for New Facilities and Services</b></p> <p><u>Existing Community and Recreation Facilities</u></p> <p>The following local community and recreation facilities in Willoughby (as identified on Map 8) are protected:</p> <ul style="list-style-type: none"> <li>Village Hall and Garden</li> <li>Church of St. Nicholas and Graveyard</li> <li>Rose Inn</li> <li>Cricket Club</li> <li>Playing Field and Children’s Playground</li> <li>Allotments</li> <li>Hayward Lodge Nature Reserve</li> <li>Amenity Garden</li> </ul> <p>There will be a presumption in favour of the re-use or redevelopment of these facilities for health, education or community type uses. The change of use of existing facilities to other uses</p>	<p><b>Policy HS3: Protection and Provision of Local Shops, Community Facilities and Services</b></p> <p>Proposals that would result in a significant or total loss of a site and/or premises currently or last used for a local shop, post office, public house, community or cultural facility or other service that contributes towards the sustainability of a local settlement or the urban area will not be permitted except where the applicant demonstrates that:</p> <ul style="list-style-type: none"> <li>alternative provision of equivalent or better quality, that is accessible to that local community, is available within the settlement or will be provided and made available prior to commencement of redevelopment; or</li> <li>there is no reasonable prospect of retention of the existing use as it is unviable as demonstrated by a viability assessment and all reasonable efforts to secure suitable alternative business or community re-use been made for a minimum of 12 months or</li> </ul>	<p>Local Plan Policy HS3 protects local community facilities and supports suitable new provision. Policy HS4 protects open spaces and recreation provision and supports new provision. NDP Policy W10 is in general conformity with these Local Plan Policies and it adds local detail by identifying local community and recreation facilities in Willoughby for protection and supports investment in improved provision.</p>

Willoughby NDP Policies	Rugby Borough Council Local Plan – 2011-2031 Relevant Strategic Planning Policies	General Conformity
<p>will be resisted unless the following can be demonstrated:</p> <p>A. The proposal includes alternative provision, on a site within the locality, of equivalent or enhanced facilities. Such sites should be accessible by various means of transport including walking and cycling and have adequate car parking, or</p> <p>B. There is no longer a need for the facility, and this can be robustly demonstrated in accordance with Local Plan Policy HS3 to the satisfaction of the Parish Council and Rugby Borough Council.</p> <p><u>Proposals for New Community and Recreation Facilities</u></p> <p>Development which contributes towards the improvement of existing or provision of new health, education or community type uses to meet local needs will be supported where they:</p> <ol style="list-style-type: none"> <li>1. Demonstrate that they meet the needs of the population; and</li> <li>2. Adopt a design that is appropriate to a rural location in terms of scale, siting and massing, and</li> </ol>	<p>a period agreed by the Local Planning Authority prior to application submission.</p> <ul style="list-style-type: none"> <li>• Provision of new community facilities and services will be supported provided that:</li> <li>• it is readily accessible by a choice of means of transport, including by foot and cycle; the nature and the scale of the development would be commensurate with its function to provide facilities for the local resident population. The nature and scale of service provision will reflect and relate to the size and function of the individual settlement; and</li> <li>• the development would not adversely affect the vitality and viability of the Town Centre or any planned town centre development.</li> </ul> <p><b>Policy HS4: Open Space, Sports Facilities and Recreation</b></p> <p>C. Public open space, sports and recreational buildings and land, including playing fields within the Open Space Audit evidence and/or defined on the Policies Map and/or last in sporting or recreational use should not be built upon unless:</p>	

Willoughby NDP Policies	Rugby Borough Council Local Plan – 2011-2031 Relevant Strategic Planning Policies	General Conformity
<p>3. Ensure accessibility for all through provision of adequate car and cycle parking and safe pedestrian and cycle access.</p>	<ul style="list-style-type: none"> <li>• An assessment has been undertaken which has clearly shown the open space, building or land to be surplus to requirements; or</li> <li>• it can be demonstrated that the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or</li> <li>• the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.</li> </ul> <p>Planning permission will be granted for development, which enhances the quality and accessibility of existing open space providing it accords with section B of this Policy.</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.

THE ENVIRONMENTAL ASSESSMENT OF PLANS AND PROGRAMMES REGULATIONS 2004 REGULATION 9 SCREENING DETERMINATION STATEMENT Willoughby Neighbourhood Plan was prepared by Rugby Borough Council prior to the Regulation 14 consultation. This included the following determination:

#### **'Determination**

*In accordance with Regulation 9 of the SEA Regulations 2004, Rugby Borough Council has determined that an environmental assessment of the emerging Willoughby Neighbourhood Plan is not required as it is unlikely to have significant environmental effects. In making this determination, Rugby Borough Council has had regard to Schedule 1 of the Regulations and has carried out consultation with the consultation bodies. An assessment against Schedule 1 of Regulations forms **Appendix 1** to this determination and comments made by the Consultation bodies form **Appendix 2**.*

*This determination has been made on **Friday 16th November 2018**.*

The Report concludes in 6. Screening Outcomes, that *'as a result of the assessment in section 4, it is unlikely that there will be any significant environmental effects arising from the emerging proposals to be contained within the Willoughby NDP'*.

### **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 Screening Report sets out in 5. Assessment for HRA that *'there are not any European sites within 15km of the Neighbourhood Area.'*

### **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 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 Council has 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).**

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

Willoughby Parish Council  
May 2019