



7 October 2022

## CABINET – 17 OCTOBER 2022

A meeting of Cabinet will be held at 6.00pm on Monday 17 October 2022 in the Council Chamber at the Town Hall, Rugby.

*Members of the public may also view the meeting via the livestream available on the Council's website.*

Mannie Ketley  
Chief Executive

### A G E N D A PART 1 – PUBLIC BUSINESS

1. Minutes.

To confirm the minutes of the meeting held on 27 June 2022.

2. Apologies.

To receive apologies for absence from the meeting.

3. Declarations of Interest.

To receive declarations of –

(a) non-pecuniary interests as defined by the Council's Code of Conduct for Councillors;

(b) pecuniary interests as defined by the Council's Code of Conduct for Councillors; and

(c) notice under Section 106 Local Government Finance Act 1992 – non-payment of Community Charge or Council Tax.

***Note: Members are reminded that they should declare the existence and nature of their interests at the commencement of the meeting (or as soon as the interest becomes apparent). If that interest is a prejudicial interest, the Member must withdraw from the room unless one of the exceptions applies.***

***Membership of Warwickshire County Council or any Parish Council is classed as a non-pecuniary interest under the Code of Conduct. A Member does not need to declare this interest unless the Member chooses to speak on a matter relating to their membership. If the Member does not wish to speak on the matter, the Member may still vote on the matter without making a declaration.***

4. Question Time.

Notice of questions from the public should be delivered in writing, by fax or e-mail to the Executive Director at least three clear working days prior to the meeting (no later than Tuesday 11 October 2022).

**Growth and Investment Portfolio**

5. Monks Kirby Neighbourhood Development Plan Regulation 16 Consultation and Regulation 17 Examination.

**Leisure and Wellbeing Portfolio**

Nothing to report to this meeting.

**Finance, Performance, Legal and Governance Portfolio**

6. Initial Review of General Fund Budget 2023/24.

**Communities, Homes, Digital and Communications Portfolio**

Nothing to report to this meeting.

**Regulation and Safety Portfolio**

Nothing to report to this meeting.

**Change and Transformation Portfolio**

Nothing to report to this meeting.

**Operations and Traded Services Portfolio**

Nothing to report to this meeting.

**The following item contains reports which are to be considered en bloc subject to any Portfolio Holder requesting discussion of an individual report**

7. Urgent Decisions under Delegated Powers – September 2022.

**PART 2 – EXEMPT INFORMATION**

There is no business involving exempt information to be considered.

***Any additional papers for this meeting can be accessed via the website.***

The Reports of Officers are attached.

**Membership of Cabinet:**

Councillors Lowe (Chairman), Mrs Crane, Miss Lawrence, Picker, Poole, Roberts and Ms Robbins.

## **CALL-IN PROCEDURES**

*Publication of the decisions made at this meeting will normally be within three working days of the decision. Each decision will come into force at the expiry of five working days after its publication. This does not apply to decisions made to take immediate effect. Call-in procedures are set out in detail in Standing Order 15 of Part 3c of the Constitution.*

***If you have any general queries with regard to this agenda please contact Claire Waleczek, Democratic and Support Services Manager (01788 533524 or e-mail [claire.waleczek@rugby.gov.uk](mailto:claire.waleczek@rugby.gov.uk)). Any specific queries concerning reports should be directed to the listed contact officer.***

## Agenda No 5

### AGENDA MANAGEMENT SHEET

<b>Report Title:</b>	Monks Kirby Neighbourhood Development Plan Regulation 16 Consultation and Regulation 17 Examination
<b>Name of Committee:</b>	Cabinet
<b>Date of Meeting:</b>	17 October 2022
<b>Report Director:</b>	Chief Officer – Growth and Investment
<b>Portfolio:</b>	Growth and Investment
<b>Ward Relevance:</b>	Revel and Binley Woods
<b>Prior Consultation:</b>	Monks Kirby Parish Council carried out a pre-submission Regulation 14 consultation between the 3 <sup>rd</sup> May and 16 <sup>th</sup> June 2022. Rugby Borough Council have not carried out any prior consultation on this document
<b>Contact Officer:</b>	Martin Needham – Senior Planning Officer (Development Strategy) 01788 533741
<b>Public or Private:</b>	Public
<b>Report Subject to Call-In:</b>	Yes
<b>Report En-Bloc:</b>	No
<b>Forward Plan:</b>	Yes
<b>Corporate Priorities:</b>	This report relates to the following priority(ies): <input checked="" type="checkbox"/> Rugby is an environmentally sustainable place, where we work together to reduce and mitigate the effects of climate change. (C) <input checked="" type="checkbox"/> Rugby has a diverse and resilient economy that benefits and enables opportunities for all residents. (E) <input checked="" type="checkbox"/> Residents live healthy, independent lives, with the most vulnerable protected. (HC) <input type="checkbox"/> Rugby Borough Council is a responsible, effective and efficient organisation. (O) <a href="#">Corporate Strategy 2021-2024</a> <input type="checkbox"/> This report does not specifically relate to any Council priorities but
<b>Summary:</b>	The Council is satisfied that the Monks Kirby Neighbourhood Development Plan and other

documents submitted comply with the relevant legislative requirements of the Neighbourhood Planning (General) Regulations 2012.

Therefore, the Monks Kirby Neighbourhood Development Plan is now in a position to be:

- a) publicised for the purposes of Regulation 16 consultation; and
- b) submitted to the appointed Examiner for the Regulation 17 examination.

**Financial Implications:**

The Council will submit an application to receive funding through the Neighbourhood Planning Grant scheme in relation to the Monks Kirby Plan when it reaches the referendum stage. This funding amounts to £0.020m and will offset any costs associated with producing the plan alongside the costs of the examination and holding a referendum.

**Risk Management Implications:**

There would be a risk of the Council not fulfilling its duties required by Regulation 16 and Regulation 17 of the Neighbourhood Planning (General) Regulations 2012 if it were not to proceed with the consultation and examination.

**Environmental Implications:**

The Basic Conditions Statement confirms that environmental impacts have been assessed as part of the development of the Monks Kirby Neighbourhood Plan. There are no environmental implications.

**Legal Implications:**

The Council is required to take certain actions under the Neighbourhood Planning (General) Regulations 2012 to facilitate the neighbourhood plan process. Provided the Monks Kirby Neighbourhood Development Plan meets the requirements of the legislation, the Council must take steps to publicise the plan in accordance with Regulation 16 and submit the plan to the appointed inspector in accordance with Regulation 17.

**Equality and Diversity:**

There are no implications for equality and diversity. An Equality Impact Assessment has been completed to support this document and attached at Appendix 6.

**Options:**

Option One: Approve the Monks Kirby Neighbourhood Development Plan for the

Regulation 16 consultation and the Regulation 17 examination.

Risks: There are no risks associated with this option.

Benefits: Consultation is required on the Neighbourhood Development Plan in order to progress the Neighbourhood Development Plan toward being adopted or 'made'.

Option Two: Do not approve the Monks Kirby Neighbourhood Development Plan for the Regulation 16 consultation and the Regulation 17 examination.

Risks: There could be legal implications if Cabinet were not to follow the recommendation as this would mean the Local Planning Authority was not dealing with the Monks Kirby Neighbourhood Development Plan in line with The Neighbourhood Planning (General) (Regulations 2012).

Benefits: There are no benefits associated with this option.

**Recommendation:**

The Monks Kirby Neighbourhood Development Plan, as at Appendix 1 to this report, be:

- a) publicised for the purposes of Regulation 16 consultation; and
- b) submitted to the appointed Examiner for the Regulation 17 Examination.

**Reasons for Recommendation:**

To comply with the legislative requirement and allow for the Monks Kirby Neighbourhood Development Plan to be consulted on and examined in line with The Neighbourhood Planning (General) Regulations 2012.

**Agenda No 5**

**Cabinet - 17 October 2022**

**Monks Kirby Neighbourhood Development Plan Regulation 16  
Consultation and Regulation 17 Examination**

**Public Report of the Chief Officer – Growth and Investment**

## **Recommendation**

The Monks Kirby Neighbourhood Development Plan, as at Appendix 1 to this report, be:

- a) publicised for the purposes of Regulation 16 consultation; and
- b) submitted to the appointed Examiner for the Regulation 17 examination.

## **1. INTRODUCTION**

- 1.1 Monks Kirby Parish Council submitted its Neighbourhood Development Plan to Rugby Borough Council on 3 August 2021. Rugby Borough Council is now responsible for the next steps in the process namely further consultation, examination, the referendum and adoption.

## **2. PURPOSE OF REPORT**

- 2.1 The Localism Act 2011 introduced Neighbourhood Planning, allowing Neighbourhood Areas to produce a Neighbourhood Development Plan which, once adopted (or 'made'), forms part of the Development Plan for the Borough and contains policies used to make planning decisions within the Neighbourhood Area.
- 2.2 The Neighbourhood Planning (General) Regulations 2012 (the "Regulations") detail the procedure to be followed to produce, submit, examine and adopt a Neighbourhood Development Plan.
- 2.3 This report looks at the next steps in the process, namely further consultation under Regulation 16 and examination under Regulation 17.

## **3. BACKGROUND**

- 3.1 The application to designate the parish of Monks Kirby as a Neighbourhood Area was approved by Rugby Borough Council's Cabinet on 7 June 2021.
- 3.2 A pre-submission consultation on the plan (pursuant to Regulation 14) was carried out between 3 May and 16 June 2022.
- 3.3 Monks Kirby Parish Council submitted its Neighbourhood Development Plan to Rugby Borough Council on 13 September 2022. This is known within the Regulations as a "Regulation 15" submission.
- 3.4 Along with Monks Kirby Neighbourhood Development Plan itself (Appendix 1), the Parish Council submitted all of the required documents namely: a map of the Neighbourhood Area (included within the plan); Basic Conditions Statement (Appendix 2); and a Consultation Statement (Appendix 3). The Basic Conditions are outlined below in paragraph 4.2. The outcome of the Strategic Environmental Assessment Screening (Appendix 4) is also provided. Rugby Borough Council is satisfied that the Monks Kirby Neighbourhood

Development Plan complies with all of the submission requirements as stated in the Regulations.

3.5 The Monks Kirby Neighbourhood Development Plan sets out policies for the Neighbourhood Area which once adopted or 'made' will be used to assess planning applications for the Neighbourhood Area alongside the Local Plan and national policies.

3.6 The plan contains policies on housing and the built environment, the natural, historical and social environment, and sustainability (including community facilities, employment and traffic).

#### **4. Next Steps**

4.1 Following the Regulation 15 submission, the next stage of the process is set out in Regulation 16 which requires the Local Planning Authority to publicise the submitted documents for consultation for a period of no less than 6 weeks. If approval is granted by Cabinet, this consultation is expected to run from 18 October to 29 November 2022. A Consultation Strategy document (Appendix 5) has been produced in line with the Statement of Community Involvement (SCI). This sets out the information on the consultation and how the responses will be reported. It also illustrates how this is in line with both the SCI and the Neighbourhood Planning Regulations.

4.2 The consultation will be focused on whether the proposal meets the basic conditions that are stated in the Regulations. These require that the plan:

- i. Has regard to national policy and guidance from the Secretary of State;
- ii. Contributes to sustainable development;
- iii. Is in general conformity with the strategic policy of the development plan for the area or any part of that area;
- iv. Doesn't breach or is otherwise compatible with EU obligations- this includes the SEA Directive of 2001/42/EC; and that
- v. The making of the Neighbourhood Plan is not likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species regulations 2010(d)) either alone or in combinations with other plans or projects.

4.3 A Strategic Environmental Assessment (SEA) Screening Report has been produced to support this Neighbourhood Development Plan. The screening decision was that a full SEA will not be required. This decision was sent to Historic England, Natural England and the Environment Agency for review. Historic England and Natural England agreed with the decision, and no response was received from the Environment Agency. The SEA screening decision will be published alongside the Neighbourhood Development Plan consultation document.

4.4 In compliance with the Regulations the documents which will be consulted on are:

- The Monks Kirby Neighbourhood Development Plan and Neighbourhood Area Map (Appendix 1);
  - A Basic Conditions Statement (Appendix 2);
  - A Consultation Statement (Appendices 3); and
  - SEA Screening Determination (Appendix 4).
- 4.5 Other documents will be published, not for consultation but for reference to support the consultation. These will include Parish Council Minutes, a compliance with submission requirements letter, Equality Impact Assessment (Appendix 6), a Consultation Strategy document, and further background information relating to the Regulation 14 pre-submission consultation feedback.
- 4.6 Once the 6 week consultation has ended, Regulation 17 requires Rugby Borough Council to submit the Neighbourhood Development Plan, along with the other consultation documents and a copy of all of the representations made, to an independent examiner for examination. The process of appointing an examiner through the Neighbourhood Planning Independent Examiner Referral Service (NPIERS) will be undertaken by Rugby Borough Council with the appointment to be agreed with Monks Kirby Parish Council.
- 4.7 If the Neighbourhood Plan is approved by Cabinet for consultation and examination it will be brought to the Council after the examiner's report is published for a further decision on whether the document can be taken to referendum.

## **5. Conclusion**

- 5.1 Monks Kirby Parish Council has carried out the required steps to comply with the relevant regulations and it is recommended that Monks Kirby Neighbourhood Development Plan and other submission documents proceed to the next stage in the process.
- 5.2 It is recommended that Cabinet approve the Regulation 16 consultation and the Regulation 17 examination for the Monks Kirby Neighbourhood Development Plan as outlined in this report.





# Monks Kirby Neighbourhood Plan 2022-2031 Submission Version

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# Foreword

Monks Kirby Parish Council committed, in 2019, to develop a Neighbourhood Plan. This topic had been discussed over preceding years and previously the Council had decided that developing a Neighbourhood Plan needed a lot of very scarce resource, both from Councillors and Parishioners and that the value from developing such a Plan was not sufficient to warrant the investment of resource. However, discussions in 2019 about the value the Neighbourhood Plan could bring to the Parish in terms of protecting the features of the Parish that are highly valued and having some measure of control over future developments convinced the Council that a Neighbourhood Planning process should be started. This was further validated when the Council sought and received funding to procure external expertise to help create the Plan. It was acknowledged that creation of a Neighbourhood Plan would be a long process and would involve volunteers both from the Council and the wider Parish. The advent of the Covid epidemic just as the planning process was underway in 2020/21 added further complication and delays but the team managed their way through this very successfully.

The process of creating this Plan is part of the Government's approach to planning contained in the Localism Act of 2011. Local people now have a greater say about what happens in the area in which they live by preparing a neighbourhood plan that sets out policies that meet the needs of the community whilst having regard for local, national and EU policies. The aim of this Plan is to put forward the wishes of the community regarding future development and to deliver local aspirations within the context of the strategic planning framework. The Parish Council has overseen its development but has delegated the preparation of this Plan to a Steering Group

This Plan contains a number of policies, including some areas where the Parish Council will support development activity, and other areas such as 'Local Green Spaces' that the community wish to protect. These policies have been drafted following engagement with the residents, landowners and other stakeholders within the Parish.

We are grateful to officers from Rugby Borough Council who have attended meetings and supported us fully as the Neighbourhood Plan has progressed, and to our community for engaging in the process. Many hours of volunteer time and expertise have made this Plan possible. The Parish Council expresses sincere thanks to all the Parishioners who contributed to the development of this Plan.

**Tim Washington - Chair, Monks Kirby Neighbourhood Plan Advisory Committee**

# 1. Introduction

The Monks Kirby Neighbourhood plan has been prepared by the Neighbourhood Plan Advisory Committee, which brings together members of the local community and Parish Councillors.

A key part of the Government's Localism agenda, a neighbourhood plan is a new type of planning document that gives local people greater control and say over how their community develops, now and in the future. This includes, for example, where new homes, shops, etc. should be built, what new buildings and extensions should look like, and which areas of land should be protected from development.

As the Plain English Guide to the Localism Act 2011 states, "Instead of local people being told what to do, the Government thinks that local communities should have genuine opportunities to influence the future of the places where they live".

The Neighbourhood Plan covers the whole of the Parish of Monks Kirby (Figure 1). It sits alongside the Rugby Local Plan (2011-2031) to provide more detailed development 'planning' related policies to help achieve locally identified aims and objectives.

The Neighbourhood Plan sets out a long-term approach for the development of Monks Kirby, and clear development related policies to realise this.

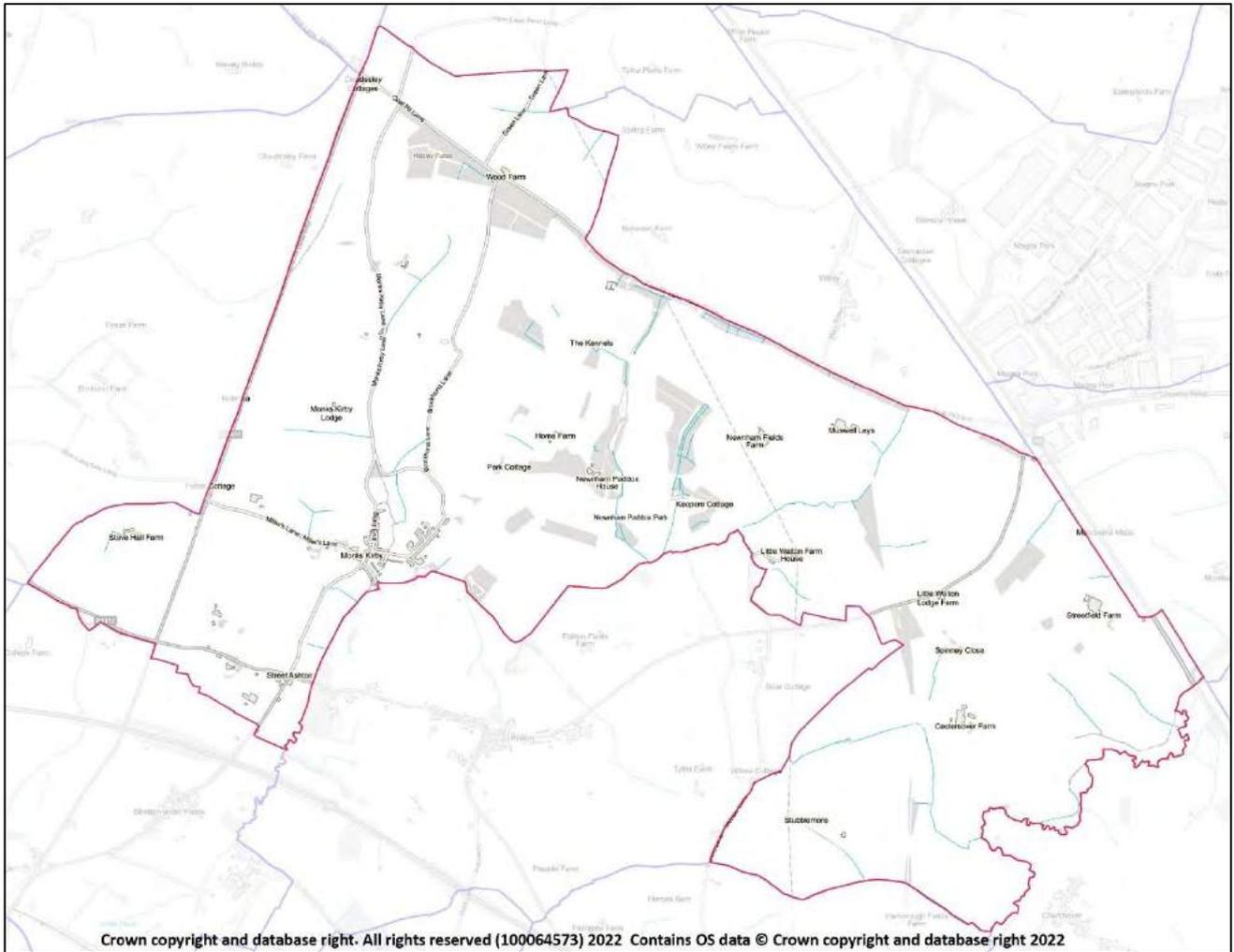
In preparing a neighbourhood plan, a community is not working from 'a blank piece of paper'. Legislation requires that the Neighbourhood Plan, and the policies it contains, must be prepared in a certain manner; in particular, the policies must be in general conformity with relevant national and local (i.e. Rugby) planning policies.

The Neighbourhood Plan is now at the formal pre-submission stage. All comments received from a wide range of stakeholders will be recorded and responded to, indicating where the Neighbourhood Plan has changed, as appropriate.

It will then be submitted to Rugby Borough Council who will undertake further statutory consultation before the Neighbourhood Plan is subject to an Independent Examination. Once all recommendations have been incorporated into the Neighbourhood Plan, it will be brought back to Monks Kirby where a referendum will be held. It will pass if it achieves over 50% of the votes cast.

Once made, the Neighbourhood Plan will form part of the Statutory Development Plan for Rugby. This means that it must be taken into account when considering planning applications affecting Monks Kirby.

Fig. 1 Neighbourhood area – Designated on 8 June 2021



## 2. How the Plan fits into the planning system

The right for communities to prepare Neighbourhood Plans was established through the Localism Act 2011, which set out the general rules governing their preparation.

A Neighbourhood Plan forms part of the Statutory Development Plan for the area in which it is prepared. This statutory status means that it must be taken into account when considering planning decisions affecting that area.

One of the main rules governing the preparation of a Neighbourhood Plan is that it must be in line with European regulations on strategic environmental assessment and habitat regulations which are retained under EU law. It must have regard for national planning policy and also be in general conformity with borough-wide (i.e. Rugby) planning policies. This means that it cannot be prepared in isolation. It will need to take into account, and generally work with, the grain of the borough-wide and national policies unless there are good reasons for not doing so.

The Neighbourhood Plan, once made, sits within the Rugby Development Plan Documents which currently comprise the Rugby Local Plan (2011-31), Warwickshire County Council Minerals and Waste Local Plans and a collection of Supplementary Planning Documents.

Also important is the National Planning Policy Framework (NPPF) which was updated in July 2021. This sets out the Government's planning policies for England and how these are expected to be applied. The NPPF requires the planning system (including Neighbourhood Plans) to encourage sustainable development and details three dimensions to that development:

- An economic dimension – policies should contribute to economic development;
- A social dimension – policies should support strong, vibrant and healthy communities by providing the right supply of housing and creating a high-quality built environment with accessible local services; and
- An environmental dimension – policies should contribute to protecting and enhancing the natural, built and historic environment.

The goal of sustainable development is to enable all people to satisfy their basic needs and to enjoy a better quality of life, without compromising the ability of future generations to meet their own social, economic and environmental needs.

# 3. How the Neighbourhood Plan supports sustainable development

The Neighbourhood Plan seeks to meet its commitment to promoting sustainable development in the following ways:

## a) Economic

- To protect existing employment uses;
- To ensure effective broadband speeds in new development;
- To support appropriate small-scale farm diversification and business development; and
- To encourage appropriate start-up businesses and home working.

## b) Social

- To safeguard existing open space for the enjoyment of residents;
- To protect existing community facilities; and
- To ensure that any new housing meets the needs of present and future generations.

## c) Environmental

- To ensure that housing development does not harm but instead positively reflects the existing and historic character of the area;
- To protect important open spaces from development;
- To ensure that the design of development enhances the Parish's special character and identity;
- To protect and, where possible, improve biodiversity and important habitats; and
- To make provision for improved pedestrian and cycling facilities, as appropriate.

## 4. About Monks Kirby

The Village of Monks Kirby is situated 4 miles south of the centre of Roman England at High Cross where the Roman Watling Street and Fosse Way intersect. Here there was a Roman posting station called Venonae. The history of Monks Kirby is inextricably linked to the Church which dominates the skyline. Originally dedicated to The Blessed Virgin and St Denys and now to St Edith. This indicates that Monks Kirby was once of significant importance as opposed to the quiet rural village we find today. Indeed, Monks Kirby was once the second largest Parish in England and included Rugby within its boundary.

There was a Saxon settlement and place of worship established prior to the Norman conquest. The Domesday Book (1086) refers to Chirchberie which is probably the settlement of Cyricbyrig founded in 917 by Ethelfleda of Mercia, daughter of Alfred the Great. Recorded history of the Church begins in 1077 with the arrival of Benedictine monks from Angers, France, at the invitation of Geoffrey de la Guerche, a supporter of William the Conqueror. A priory was established, and the ruined Saxon Church was rebuilt. The monks remained in Monks Kirby until 1414 and the Church, which has been rebuilt several times, remains the dominant building in the village.

By 1217 Monks Kirby had become one of the wealthiest of the alien priories and brought prosperity to the village which had grown into a small town with a weekly Wednesday market and a 3-day Midsummer Fair. The Midsummer Fair is still held annually in Monks Kirby on the nearest Sunday to Midsummer Day. In 1337 with the advent of the 100 Years War with France the French monks were gradually withdrawn and the Church was re-dedicated to Our Lady and St Edith of Polesworth to be more appropriate as St Denys was the patron saint of France. In the aftermath of the Black Death (1349) the Church was rebuilt. The patronage of Monks Kirby was granted by Henry VIII to Trinity College, Cambridge and this has continued to the present time.



*Duck Puddle - now Bell Lane*



*Main Street*

Up to the advent of the railways in the 19<sup>th</sup> Century when the village was effectively by-passed, Monks Kirby was one of the most important villages in this part of Warwickshire. In the early 17<sup>th</sup> Century the "Hundred of Knightlow", a main administrative division, was divided into four constable divisions:

Kenilworth, Monks Kirby, Rugby and Southam which status Monks Kirby retained until 1828. Monks Kirby District Council was created in 1894 to include the Parishes of Copston Magna, Monks Kirby, Pailton, Stretton-under-Fosse, Wibtoft and Willey. Monks Kirby District Council was abolished in 1932 and merged into Rugby Rural District Council. Monks Kirby is now one of the parished areas of Rugby Borough Council with its own Parish Council and included in the Fosse Ward of Warwickshire County Council.

In 1433 the Feilding family, later to become Earls of Denbigh, had settled at Newnham Paddox, a mile outside the main settlement. The holding included ownership of most of the village and an extensive



*Brockhurst School pre-1912*

area of land. The family, who still live at Newnham Paddox has had a strong influence on the development of the area. The 8<sup>th</sup> Earl brought the Catholic Church to Monks Kirby, founding the present Catholic Parish and St Joseph's Convent and School in 1873. The 8<sup>th</sup> Earl's twin sister, Lady Mary Feilding, however supported the Brockhurst Church of England School which was rebuilt in 1912. Monks Kirby was the first place in the country to share a Catholic Infants School and a Church of England Junior School. Both schools are now amalgamated as the Revel Church of England (Aided) Primary School

which still uses the 1912 building together with a modern block built in 1973.

There is a mix of architectural styles in the village and parish ranging from old cottages through 19<sup>th</sup> Century brick-built properties, originally tenanted by Estate employees or attached to tenant farms on the Estate, to a few Rugby Borough Council owned dwellings and some modern housing. Most of the properties are now privately owned with older ones converted for modern use. Small developments have been built since 1950, each reflecting the decade of their build.

The parish lies almost entirely within the Green Belt and the village together with some of the adjoining farmland is a designated Village Conservation Area and also covered by a Parish Plan.

There is a strong community ethos in the parish contributed to by both parishioners of long-standing and newer residents many of whom have young families growing up in the community.

## 2011 Census data

At the time of the 2011 Census, the Monks Kirby Parish was home to around 445 residents living in 181 households. Analysis of the Census suggests that between 2001 and 2011 the population grew by around 2% (10 people). During this period, it is estimated the number of dwellings increased by 8% (14).

There is evidence of an ageing population with the number of over 65-year-olds rising by 65%, up from 14% of total population in 2001 to 23% in 2011. In line with national trends the local population is likely

to get older as average life expectancy continues to rise.

Home ownership levels are high with around 70% of households owning their homes outright or with a mortgage or loan and at 8% the share of households living in social rented accommodation is very low when compared with regional and national rates.

There is a predominance of large detached and an under representation of housing for single people with just 3% of dwellings having one bedroom.

Land Registry data indicates some new build housing market activity over recent years. The cost of housing in the parish is high with house prices above the regional and national averages. Accessing affordable housing will be an issue for many first-time buyers and people on lower incomes.

Deprivation is not a significant issue, but IMD domain data suggests that some residents may find it difficult to access owner-occupation or access the private rental market.

## 5. Vision and objectives

The Plan area encompasses the whole of the Parish of Monks Kirby and covers the period up to 2031, a timescale which deliberately mirrors that for the Rugby Local Plan (2011-2031) whose evidence base has been used to provide the justification for the Neighbourhood Plan policies.

The main purpose of the Neighbourhood Plan is not to duplicate national or Rugby strategic planning policies, but to sit alongside these, to add additional or more detailed policies specific to Monks Kirby Parish. Where there are national and county-wide planning policies that meet the needs and requirements of the Parish they are not repeated here.

A vision statement has been prepared by the Advisory Committee as follows

Monks Kirby is a Warwickshire parish a few miles to the north-west of Rugby, generally regarded as an exceptionally attractive place. The village is accessible but lies off the district's major roads. The parish covers a large area and is irregularly shaped. Settlements comprise Monks Kirby village – which is a Village Conservation Area, some small hamlets, scattered farms, and a few isolated houses. The land is agricultural and woodland. Much is included in the Green Belt. Landscape features are gentle with shallow valleys, draining into the Avon and Trent, and land rising slightly at the northern end of the parish. Traditionally employment has been agriculturally based, though this has been overtaken numerically by a population which commutes to the surrounding towns.

We seek in this Neighbourhood Plan to ensure that Monks Kirby continues to develop in a way that:

- a) Maintains/protects and enhances the inherent character and diversity of the landscape, preserves the sense of tranquillity and open space, both in the village and wider Parish
- b) manages considered incremental development to meet local need whilst retaining/maintaining the essential characteristics of the Parish
- c) protects the open spaces and heritage assets of our parish and the views/sight lines into/out of and around the village/Parish
- d) maintains the strong community spirit and social cohesion that the village enjoys
- e) protects the environmental features of and drives sustainability in the Parish and
- f) protects the safety of pedestrians, cyclists, and horse riders, as well as motorists

We have established a series of objectives to help deliver this vision.

- a) To provide a balanced range of housing choices which meet the diverse needs of all generations, by increasing the supply of smaller homes and homes for elderly 'down-sizers';
- b) To encourage high-quality design reflecting the rural character of the village;
- c) To protect and enhance the provision of current facilities and assets which contribute to a

vibrant community spirit;

- d) To promote the development of new community facilities which enhance and enrich community life;
- e) To safeguard the most valued and 'special' open spaces in the parish from inappropriate development;
- f) To enhance the biodiversity characteristics of the parish;
- g) To promote development that is safe and that respects the character of neighbouring properties and preserves the rural aspect of the village providing a strong 'sense of place';
- h) To improve broadband to support village employment opportunities;
- i) To ensure that all listed buildings and any identified community or environmental heritage 'assets' are protected and improved;
- j) To ensure development is compliant within the NPPF and the Core Strategy/strategic policies in the Rugby Local Plan (2011-2031) and target growth identified by Rugby Borough Council.

When using the Plan to form a view on a development proposal or a policy issue the whole document and the policies contained in it must be considered together.

While every effort has been made to make the main parts of this Plan easy to read and understand, the wording of the actual policies is necessarily more formal, so that it complies with statutory requirements.

The Plan will be kept under review and may change over time in response to new and changing needs and requirements.

## 6. How the Neighbourhood Plan was prepared.

The Parish Council decided to undertake the formulation of a Neighbourhood Plan for Monks Kirby in February 2020 and appointed an Advisory Committee to take the process forward.

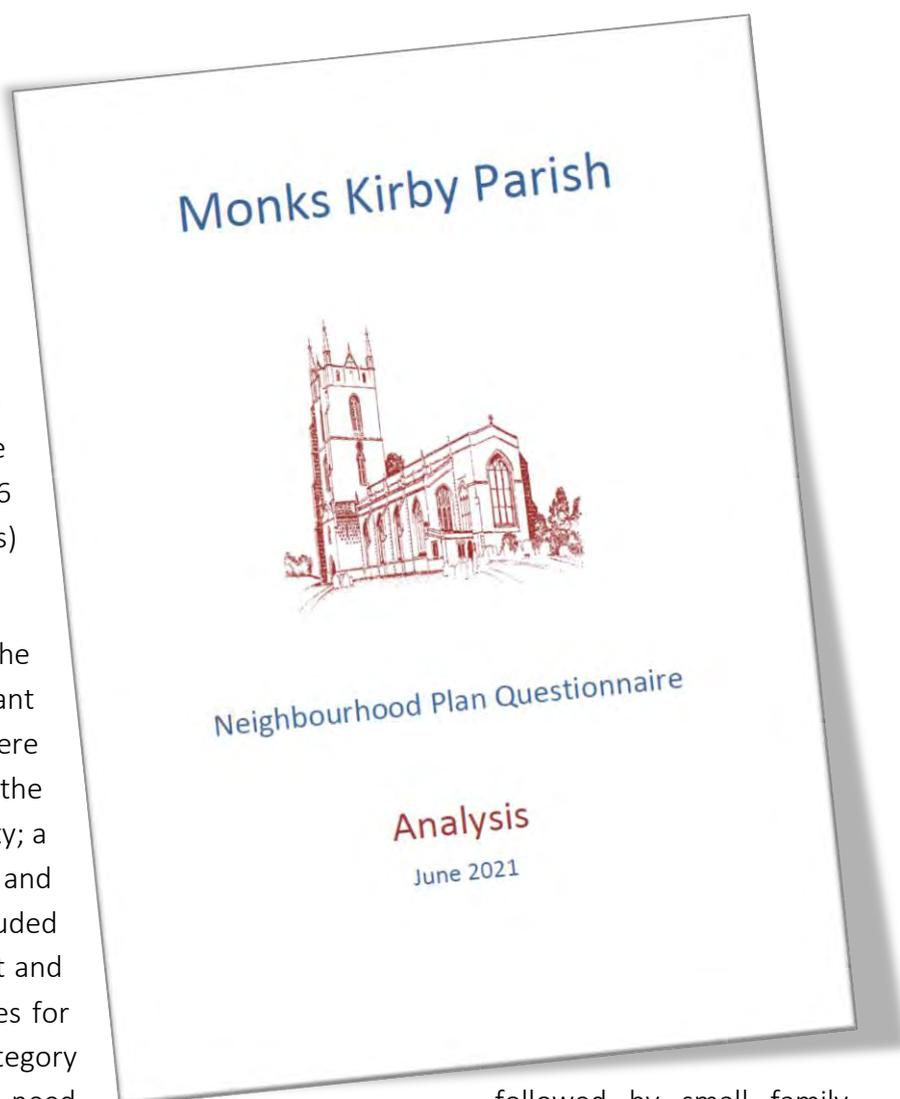
The mandate of the Advisory Committee was to drive the process, consult with the local community, gather evidence to support the development of policies and deliver the plan.

Monks Kirby applied to be a Qualifying Body for neighbourhood planning purposes on 8 December 2020. The whole of the Parish was designated as a neighbourhood area by Rugby Borough Council on 8 June 2021.

Arrangements to progress the Neighbourhood Plan were delayed by the onset of the Coronavirus Pandemic and opportunities to consult with the community were reduced.

Nonetheless, the Advisory Committee continued to meet via Zoom. A questionnaire was distributed throughout Monks Kirby in the spring of 2021. 79 completed questionnaires were returned representing 20 % of the population aged 16 or over (276 residents as at the 2011 Census) and up to 43% of households.

Some key findings included the following: The most important features of Monks Kirby were identified as access to the countryside; peace and tranquillity; a lack of major through roads and village character. Concerns included fly tipping, unlawful development and an abuse of the greenbelt. Homes for young people were the top category when asked about housing need, homes and homes for older people. Owner-Occupied housing was welcomed followed by Affordable Housing for Sale.



followed by small family homes and homes for older people. Owner-Occupied housing was welcomed followed by Affordable Housing for Sale.

When restrictions were relaxed in July 2021, two Theme Groups were launched to explore potential policy options in greater detail and to begin to gather evidence. A total of 11 residents attended the launch event and signed up to groups which were facilitated by our Neighbourhood Planning consultants YourLocale.



*Launch of Theme Groups July 2021*

All of the analyses of the consultation processes are available on the Parish Council website. An Open Event was held on 1 May 2022 to share the draft Plan with the community and to receive feedback.

## 7. Policies

### A. Housing and the Built Environment

Much of the Parish outside of the Settlement Boundary is designated as Green Belt in the Rugby Local Plan (2011-2031).

The fundamental aim of the Green Belt is to prevent urban sprawl by protecting the open character of land designated as such. Within the Green Belt there are additional planning controls over the type of development, which can take place within it. As the Rugby Local Plan (2011-2031) states 'New development will be resisted; only where national policy on Green Belt allows will development be permitted' (Policy GP2: Settlement Hierarchy).

National Planning policy is also clear in its support for the Green Belt, emphasising, "that the essential characteristics of Green Belts are their openness and permanence" (NPPF para 137).

National Planning Policy also states that inappropriate development (such as the construction of new buildings), which is harmful to the role and function of the Green Belt, should be approved only in very special circumstances and that once established, Green Belt boundaries should only be altered where very special circumstances are fully evidenced.

The Green Belt designation of much of the Parish means that it will continue to be protected by borough and national planning policy. Once an area has been designated as Green Belt, national planning policy is explicit that its boundaries should only be altered in very special circumstances.

While the community has shown strong support for the continued role and function of the Green Belt in the local area, national rules governing the preparation of a Neighbourhood Plan mean that it cannot have a specific policy on the Green Belt. Furthermore, it is not appropriate or necessary to have a policy that repeats what already exists especially in the Rugby Local Plan (2011-2031).

It should also be noted that the whole of Monks Kirby village is designated as a Conservation Area, which means that there are additional strict planning controls on the nature, design and location of development that can take place within it. The Green Belt designation of much of the Parish and the Conservation Area status of Monks Kirby does not mean that no development will take place in the village and the wider Parish. National and local planning policy allows for some limited and carefully controlled development.

The Plan cannot, nor does it seek to, prevent this type of development, but seeks to positively guide and influence any such future development proposals. Generally, any development that takes place will be small-scale, meet a local need and should not have a detrimental impact on the openness of the Green Belt or the character of Monks Kirby. It should also be compatible with and, where possible, enhance the special and distinctive qualities of Monks Kirby Parish, including its attractive natural and built environment.

Rugby Borough Council's Local Plan (2011-2031) sets out the Borough's strategy for the overall housing targets for the Parish.

The Local Plan for Rugby (2011-2031) has updated the housing need across the Borough and the allocation of housing within it. It states that there is a requirement to provide for at least 12,400 new dwellings between 2011 and 2031 across the Borough.

The Local Plan (2011-2031) establishes a hierarchy of settlements to help to determine the most appropriate locations for the remaining development.

On the basis of this hierarchy, Monks Kirby is classified as a Rural Village. Paragraph 3.12 of the Local Plan (2011-2031) says 'Rural Villages will not play a role in helping to deliver Rugby Borough's strategic growth. The level of services within Rural Villages is more limited than that of Main Rural Settlements and as such the development strategy affords Rural Villages a greater restriction limiting new development to within existing settlement boundaries'.

The Neighbourhood Plan supports this policy intent.

## Settlement Boundary

In historical terms, rural villages like Monks Kirby have often been protected by the designation of a settlement boundary adopted in a statutory Local Plan. With a settlement boundary in place, development is only permitted inside of the envelope or outside of it in carefully controlled circumstances (for example to provide affordable housing or to meet the needs of the rural community). Settlement boundaries help to ensure that sufficient land is identified to meet residential need and that this is available in the most sustainable locations.

Settlement boundaries were originally established by Rugby Borough Council in order to clarify where all new development activity is best located. They have been used to define the extent of a built-up part of a settlement and to distinguish between areas where, in planning terms, development would be acceptable in principle, such as in the main settlements, and where it would not be acceptable, generally in the least sustainable locations such as in the open countryside. Such unfettered and/or unsustainable growth would risk ribbon or piecemeal development and the merging of distinct settlements to the detriment of the community and visual amenity of the built-up area.

Through the process of preparing the Neighbourhood Plan, there was considerable discussion about future growth in the Parish. There was a recognition that Monks Kirby had witnessed incremental growth throughout its history and that even the most recent developments had integrated well into the settlement pattern of the village.

There was some support for facilitating further small-scale growth into the future, but it was also recognised that the wrapping of the village by the green belt would render such aspirations redundant.

Reluctantly, therefore, it has been agreed to retain the existing settlement boundary as identified in the Rugby Local Plan (2011-2031) unless a review of the Green Belt is undertaken in which the Parish



spaces which was lower than the borough (38%), region (39%) and national (47%) shares.

More than two fifths (44%) of households live in houses with four or more bedrooms which is significantly higher than the borough (23%), regional (18%) and national (19%) averages.

There is evidence of under occupancy in the local area (having more bedrooms than the notional number recommended by the bedroom standard). Analysis of the 2011 Census shows that around 55% of all occupied households in Monks Kirby had two or more spare bedrooms and around 33% have one spare bedroom. Under occupancy is higher than borough, regional and national averages.

Under occupancy is particularly evident in larger properties with around 46% of households with 4 or more bedrooms occupied by just one or two people. This is higher than borough (43%), regional and England (41%) rates.

Census data also suggests that older person households are more likely to under-occupy their dwellings. Data from the 2011 Census allows us to investigate this using the bedroom standard. In total, around 68% of pensioner households had an occupancy rating of +2 or more (meaning there are at least two more bedrooms that are technically required by the household) and was higher than the 52% non-pensioner household rate.

Rugby Local Plan (2011-2031) Policy H1: Informing Housing Mix says ‘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’. The policy also allows alternative mixes where an alternative need is clearly demonstrated.

Paragraph 5.10 of the Local Plan (2011-2031) sets the market housing mix for the borough as follows:

<b>SHMA Recommended Mix of Market Housing in Rugby Borough</b>			
1-bed	2-bed	3-bed	4+ -bed
5-10%	25-30%	40-45%	20-25%

When asked in the Community Questionnaire, there was support for smaller houses of 2-3 bedrooms (45% of respondents scoring small family homes of 2/3 bedrooms 4 or 5 on a scale of 1-5).

Appendix 1 includes the census and land registry data in support of these figures. Appendix 2 is a housing needs report undertaken in 2021.

**POLICY HBE 2: HOUSING MIX - New development should provide for a mixture of housing types having regard to identified local housing needs. The provision of bungalows suitable for elderly people and dwellings of up to three bedrooms will be particularly supported.**

**The inclusion of four-bedroom or larger houses in housing developments will be supported where they are subservient in number to one, two and three-bedroom accommodation and where there is a proven housing need.**

## Affordable Housing

The latest housing affordability data for England and Wales shows that on average, full-time workers could expect to pay an estimated 7.8 times their annual workplace-based earnings on purchasing a home in 2019. This is an improvement from the previous year when the ratio was 8.0.

The housing affordability gap continues to widen between the most and least affordable areas. In Rugby the gap has worsened with average house prices estimated at being 7.7 times workplace-based average annual earnings in 2019 compared with 3.1 times in 1999.

Workplace-based earnings are not available at parish level but as the average 2018 house price in Monks Kirby is above the district, regional and national rates it is presumed the affordability gap also continues to widen. It should be noted, however, that comparisons against larger geographies should be treated with caution.

Latest available figures suggest the 2019 average house price in the Monks Kirby Parish stood at around £513,750 which is higher than the borough average (£273,900) and national (£301,000) average figures (Land Registry Standard Reports, Aug 2020).

Just 8% of households live in social rented accommodation which was lower than the borough (14%), regional (19%) and national (18%) rates.

The Rugby Local Plan (2011-2031) states in relation to Rural Exception Sites:

‘The development of affordable housing that meets the needs of local people will be permitted as a Rural Exception Site adjacent to defined rural settlement boundaries, where development is normally resisted, if all of the following criteria are met:

- a) It is clearly demonstrated that there is a local need for affordable housing which outweighs other policy considerations;
- b) It is demonstrated no suitable alternative sites exist within the defined settlement boundary;
- c) The development consists exclusively of affordable housing;
- d) Developments do not have an adverse impact on the character and/or appearance of settlements, their setting or the surrounding countryside; and
- e) Safeguards are in place to ensure homes remain affordable in perpetuity.

In all cases arrangements for the management and occupation of dwellings must be made to ensure that all dwellings provided will be and will remain available for occupancy by eligible local people at an affordable cost and at a range of tenures, both initially and in perpetuity.

In some circumstances a small proportion of open market housing may be allowed where it can be shown that the scheme will deliver significant affordable housing and viability is a key constraint’.

When asked in the Community Questionnaire, 40% of respondents were opposed to affordable housing with 36% expressing support. 36% supported Affordable Housing when asked what type of housing was needed in the Parish.

The Parish Council has supported the development of exception sites where a local need can be identified, and this policy reinforces that support.

**Policy HBE3: AFFORDABLE HOUSING – To meet identified needs within the community, the provision of high-quality affordable housing through an exception site will be supported where the following criteria are met:**

- a) The site adjoins the Settlement Boundary;
- b) The type and scale of affordable housing is justified by evidence of need from a local housing needs survey;
- c) Planning obligations will be used to ensure that the market and affordable housing is available in perpetuity for people with a local connection to the Plan area; and
- d) The development consists entirely of affordable housing or is for a mixed-tenure scheme where an element of market housing is essential to the delivery of the affordable housing. The market housing must be the minimum necessary to make the scheme viable and be of a type and size that will meet a specific locally identified housing need for low-cost market housing.

First Homes and self-build proposals will be welcomed.

## Windfall development

A windfall site is defined in the NPPF as one which has not been specifically identified as available through the local or neighbourhood plan process. Sites often comprise previously developed land that has unexpectedly become available.

To help protect the character of the Parish, development in Monks Kirby will be restricted to windfall sites as described in policy HBE4.

**POLICY HBE 4: WINDFALL SITES - Small scale development proposals for infill housing will be supported where:**

- a) It is within the Settlement Boundary;
- b) It helps to meet the identified housing requirement for Monks Kirby Parish;
- c) It respects the shape and form of the village in order to maintain its distinctive character and enhance it where possible;
- d) It is of an appropriate scale which reflects the size, character and level of service provision within the Parish;

- e) It retains, where possible, existing important natural boundaries such as trees, hedges and streams;
- f) It provides for a safe vehicular and pedestrian access to the site, and contains off-road parking in line with Rugby Local Plan requirements; and
- g) It does not reduce garden space to an extent where it adversely impacts on the character of the area, the amenity of neighbours and the occupiers of the dwelling or has a significant detrimental heritage or environmental impact.

Cul-de-Sac development is to be avoided unless it connects residents with the wider village by footpaths.

## Design

Design, including the scale and positioning of new buildings (and changes to existing buildings), materials and detailing, is key to making sure that development preserves and enhances the character, appearance and integrity of the area.

The Parish of Monks Kirby has a long and interesting history, with evidence that it has been inhabited since before the Norman Conquest. As a consequence, the settlements and the surrounding rural areas of the Parish are rich in buildings and structures of historical and architectural significance.

These buildings and structures date from many different periods, with individual buildings clustered around historic street patterns.

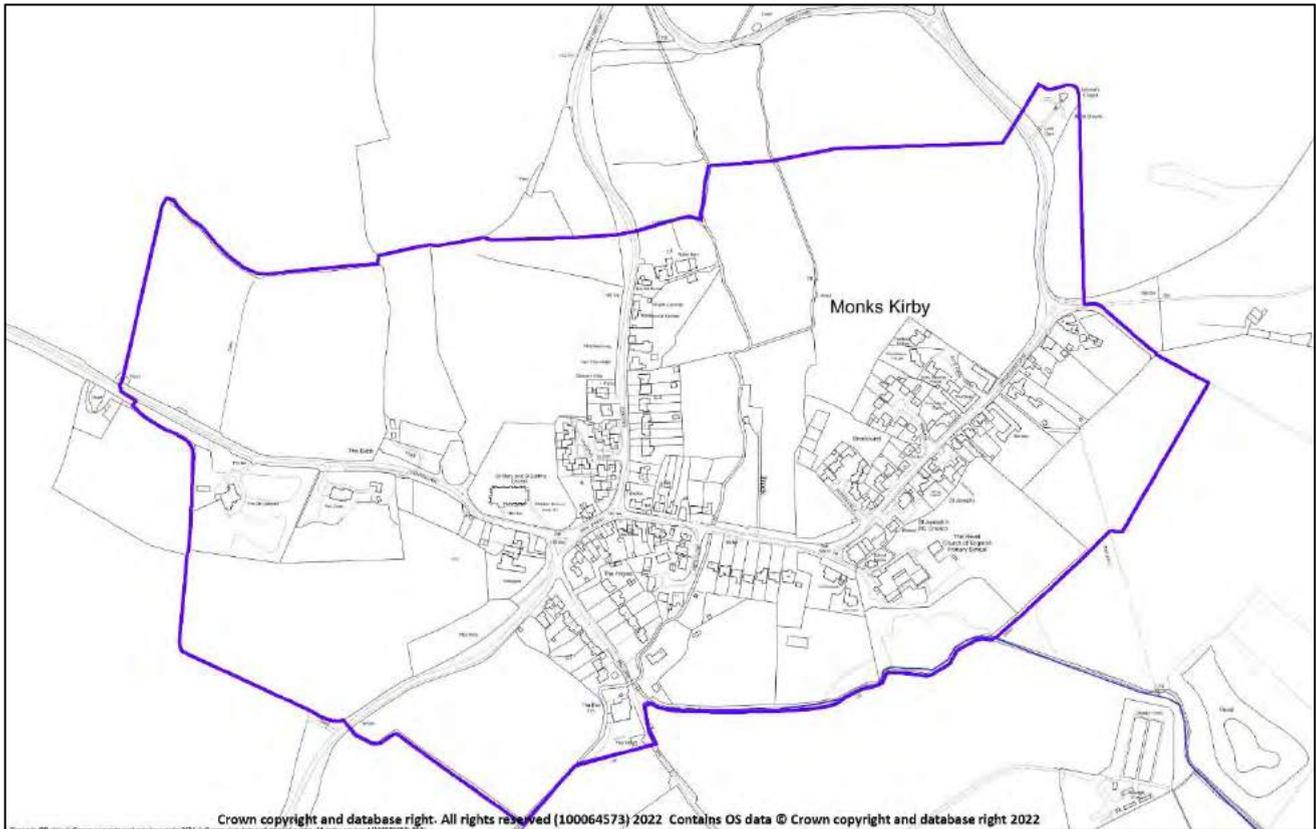
Monks Kirby nestles in the valley folds, almost invisible from every direction from more than a couple of hundred yards. Only the Church, built on a knoll projecting out from the rising ground on the west, indicates the presence of the village. Most of the other village buildings are sited with respect for the gentle contours and are anyway screened by the surrounding fields' hedgerows and the surviving forest trees.

Many buildings and structures have been designated as Listed Buildings. There is also a designated Conservation Area which extends beyond the settlement boundary.

Consultation shows that this historic and attractive built heritage is highly prized and cherished by the local community. It is a source of pride, and a key element in the unique, distinctive and attractive character of the Parish.

The community wishes to ensure that future development preserves and enhances this built heritage and the general rural character of the Parish. This encompasses not only the design and appearance of new buildings, but also their layout and siting. The Plan seeks to ensure that all new development (including minor works) is of good quality and designed to respect the existing character and various building styles of Monks Kirby Parish, particularly where located within or in close proximity to the Conservation Area (which extends beyond the settlement boundary) or affecting a Listed Building or its setting.

Figure 3: *Monks Kirby Conservation Area* (redrawn for clarity from the RBC Appraisal)



Existing settlement patterns have grown incrementally over time. The buildings date from many different periods, providing a richness and variety of styles and materials. This traditional rural character should be enhanced by new development and schemes should be designed to ensure that new buildings sit comfortably within the existing settlement pattern and are respectful of their surroundings.

It is not considered necessary to have a uniform series of properties from new development that all look the same, rather to ensure that new developments respect the features of buildings which make Monks Kirby a desirable place in which to live.

New development proposals should be designed sensitively to ensure that the high-quality built environment of the Parish is maintained and enhanced. New designs should respond in a positive way to the local character through careful and appropriate use of high-quality materials and detail. Proposals should also demonstrate consideration of height, scale and massing, to ensure that new development delivers a positive contribution to the street scene and adds value to the distinctive character of the area.

**POLICY HBE 5: DESIGN – Development proposals should demonstrate a high quality of design, layout and use of materials in order to make a positive contribution to the special character of the Parish and are encouraged to have regard to the building design principles and requirements as stated in the Design Guide in Appendix 4 to a degree that is proportionate to the development.**

# B The Natural, Historical and Social Environment

## Introduction

This chapter of the Neighbourhood Plan deals mainly with the *environmental* objectives of *sustainable development*, together with open spaces of community value in the *social* objective, as described in the *National Planning Policy Framework* (2021), paragraph 8. The chapter aims to balance the requirement for appropriate development in the Plan Area against the value of environmental and other features that are both *special* – appreciated, in their own right and as community assets, by local people – and *significant* for their wildlife and history. It also deals with broader environmental issues of concern to the community, including protection and enhancement of biodiversity, planning for resilience to climate change, and approaches to renewable energy generation.

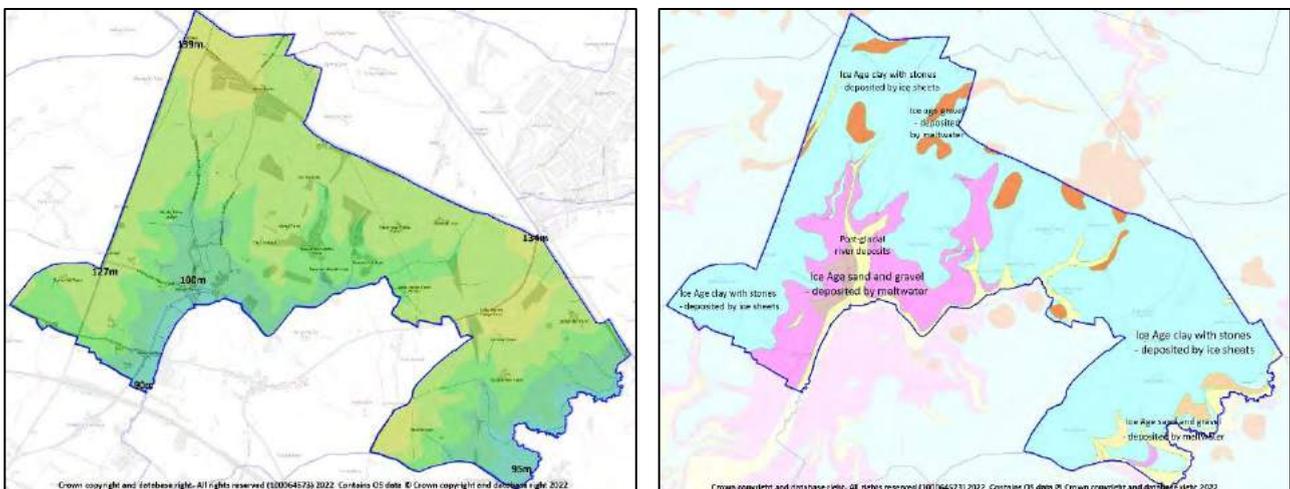
Care was taken during preparation of the Plan to ensure that the policies (and the sites and areas of environmental significance covered by them) were not unduly restrictive on development during the Plan’s lifetime. About 12% by area of all the open and currently undeveloped land in the parish is protected through the Neighbourhood Plan’s policies, and the planning system generally, from potential environmentally damaging development:

1. Total area of Neighbourhood Plan Area	c.1830 ha
2. Open countryside and Green Belt (undeveloped land)	c.1817 ha
3. Area designated or recognised in this Plan for <i>environmental</i> protection	c.220 ha

## Landscape, geology and setting

Figures 4.1 and 4.2: Topography (left) and geology of the Plan Area

Note: a set of full-size versions of all maps is provided in a separate folder in the supporting information



The Plan Area, which coincides with the civil parish of Monks Kirby (the largest in Warwickshire), consists of a dissected, tilted plateau falling from about 140 metres above sea level in the north to 90 metres in the south. The north and west boundaries generally follow three ancient routeways: Roman Watling Street and Fosse Way and the (possibly prehistoric, certainly Anglo-Saxon) Mere Road, here called Coal Pit Lane; the southern edges are mostly on the natural boundaries of watercourses: the Smite Brook, the River Swift and other tributaries of the Rivers Sowe and Avon. Although the difference in height across the Plan Area is relatively modest, the open aspect of the landscape provides a number of valued views, southward from the several roads and footpaths leading toward the village, and from various viewpoints closer to Monks Kirby.

Geologically the landscape of the Plan Area is the legacy of events during the Ice Ages, when (between 1 million and 14 thousand years ago) a succession of very cold periods resulted in sheets of rock debris, clay, sand and gravel being deposited by ice sheets, glaciers and meltwater rivers, by cold tundra wind and in lakes of water dammed by glaciers. In historical times the clay provided the arable and pastoral farmland on which the local economy has depended, while the sand, gravel and brickearth (windblown deposits) have been a local resource as well as providing suitable locations for settlements (particularly Monks Kirby itself) to be established where house footings and residents' feet could be kept clear of the sticky clay.

## Historical environment

Although excavations and finds show that the Plan Area has been inhabited since prehistoric times and through the Roman period, it is the place-name of Monks Kirby (panel at right) which shows that the present pattern of villages, hamlets and land use was established by, at the latest, the 8<sup>th</sup> century – with Monks Kirby itself probably a re-naming of an older Anglo-Saxon settlement with an early Christian church. During the Middle Ages the Plan Area comprised a number of 'townships', including Kirby, Brockhurst, Street Ashton, Newnham, Newbold, Cestersover and Walton. Of these only Kirby and Brockhurst remain as substantial settlements, now almost merged as one but still with their thousand-years-old street plans; the others were either deserted (following population decline resulting from the Black Death and climate change) or depopulated by landowners wishing to create sheepwalks, parks or estates for themselves. Earthworks preserving the house platforms and streets of several of the lost villages survive and are

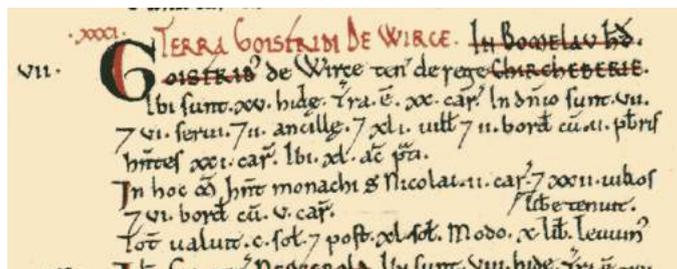
### Monks Kirby 'Church farm/settlement'

#### Elements and their meanings

- **kirkja** (Old Norse) A church.
- **by** (Old Norse) A farmstead, a village.  
+ **monke** (Middle English) A monk.

Source: <http://kep.n.nottingham.ac.uk/>

The Old Norse place-name suggests that Kirby was established on its present site soon after the Danes arrived in the 8<sup>th</sup> century.



Still recorded as 'Chircheberie' in Domesday Book in 1086, the Middle English prefix 'Monks' was presumably added after the present St Edith's church was established in the 11<sup>th</sup> century.

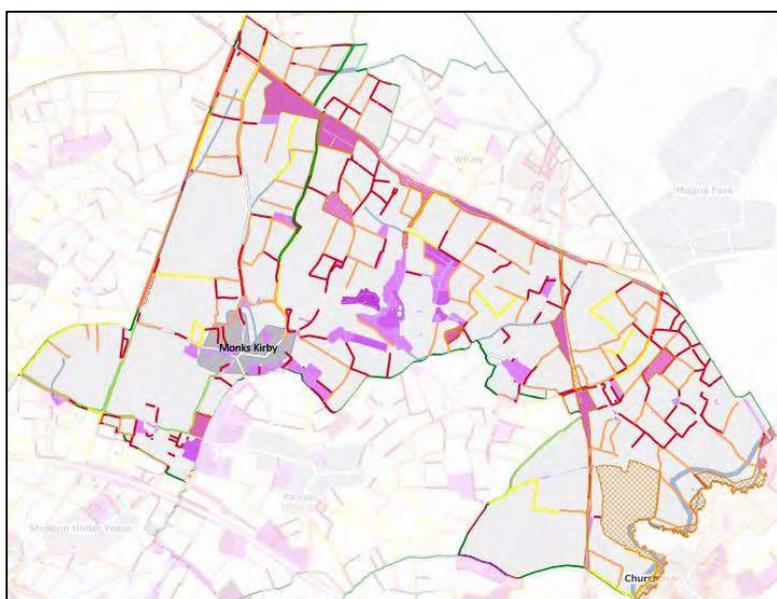
recorded as heritage assets, as are some areas of ridge and furrow, the traces of the medieval ploughlands tilled by the people who lived in the villages.

The present St Edith's church (Grade I Listed) stands on a mounded site of considerable historical significance: it probably originated as an early Christian (or pre-Christian) 'dark ages' sacred place, the first known church was founded in 917; it became a Benedictine priory in 1077 and was substantially rebuilt in the 14<sup>th</sup> century, at which time its dedication was changed to St Edith. The immediate site is also the location of a Roman settlement and one of Kirby's medieval manor houses. The present layout of Monks Kirby village also dates from the 12<sup>th</sup> century, when the wealth and power of the priory apparently resulted in a planned rebuilding of the settlement. Other heritage assets of later dates include 'hills and holes' earthworks on the sites of old brick-clay, sand and gravel pits (local building and road-mending resources), the nationally significant, 18<sup>th</sup>-century ornamental grounds of Newnham Paddox, and the remains of the Midland Counties Railway line from Leicester to Rugby.

The attractive mix of building styles in Monks Kirby includes a group of 'Arts & Crafts' houses and community buildings constructed in the late 19<sup>th</sup>-early 20<sup>th</sup> centuries by the Feilding family, Earls of Denbigh and Lords of the Manor at the time. Otherwise the mix comprises buildings from the 17<sup>th</sup> to 21<sup>st</sup> centuries.

## Natural environment

Occupation of the present Plan Area and farming of most of its territory since prehistoric times (probably) and for the past 1500 years (certainly) means nowhere is fully 'wild'. The same is generally true for every parish in the Rugby Council area, but nature has adapted and evolved to live among humans: despite some 90% by area of Monks Kirby being arable farmland or built on, and even in the context of the known huge declines in (for example) farmland birds, there are still areas of at least locally significant semi-natural habitat. These include mature woodland plantations and shelter belts, hedgerows, stream-sides, permanent pasture, Newnham Paddox parkland (Registered Park and Gardens), ponds, gardens and churchyards.



(Left) The *Warwickshire Habitat Biodiversity Audit* (from c.1995) showed the extent of significant natural environment sites and features in Monks Kirby. There has been further reduction since.

These surviving sites and features are highly valued by the community, and they make an essential local contribution to preserving England’s biodiversity and have a role for carbon sequestration; they should be protected wherever possible by the planning system as a vital component of sustainable development.

## Existing environmental designations

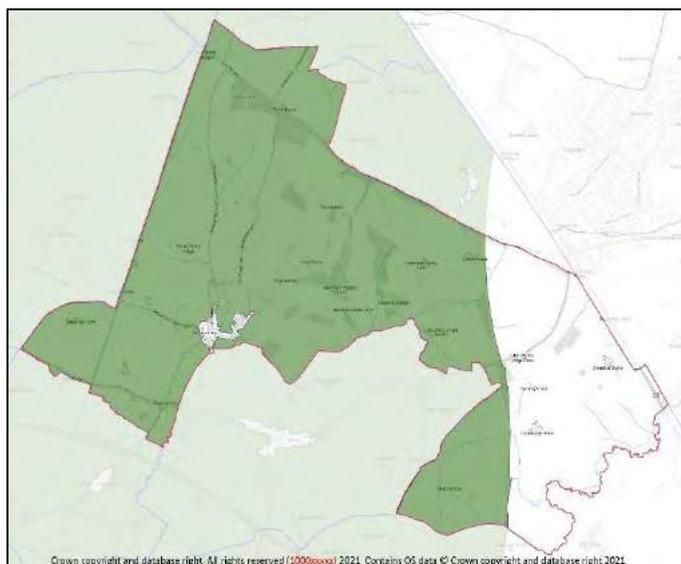


Figure 5: extent of Green Belt land in Monks Kirby

Most of the Plan Area is Green Belt land (2019-20 revision) (figure 5). Monks Kirby is located in National Character Area (NCA) 94 Leicestershire Vales. NCAs are landscape areas defined by Natural England for planning purposes. It is also located in two Rugby Landscape Character Areas (High Cross Plateau, open and High Cross Plateau, village farmlands). In the natural environment there are 18 areas of Priority Habitat and national Forest Inventory (as defined by Natural England), together with two candidate Local Wildlife Sites (cLWS) and 25 further areas of conservation value in the Warwickshire Biological Records database. In the historical

environment there are 14 Listed Buildings and some 30 further sites and features of historical environment significance (Historic England and Warwickshire Historic Environment Record), of which 11 are of direct relevance to this Neighbourhood Plan’s environmental policies. A Conservation Area recognising the historical and architectural features of the village was designated in 2010.

## Local Green Spaces

Of the 200 (approximately) parcels of open land in the Plan Area, some 80 have been identified as having environmental significance at local level or higher (Appendix A). Of these, two sites (Table 1) meet the requirements for designation as Local Green Space, as outlined in National Planning Policy Framework paragraphs 101-102.

The statutory protection afforded by Policy ENV 1 will ensure these sites are safeguarded for future generations.

**POLICY ENV 1: LOCAL GREEN SPACES – Development proposals that would result in the loss of, or have an adverse effect on, the following Local Green Spaces (Table 1) will not be permitted other than in very special circumstances.**

**001 Churchyard of St Edith’s church**

006.1/006.2 The Fishponds community wildlife area, open space, children’s play area, verges and ‘Oak Trees green’

Table 1: Local Green Space evidence base

REF	DESCRIPTION / EVIDENCE	NPPF (2021) LOCAL GREEN SPACE CRITERIA							TOTAL /25
		LOCAL BOUNDED, NOT EXTENSIVE YES/NO	SPECIAL TO COMMUNITY (Max 10)				LOCAL SIGNIFICANCE (Max 10)		
			PROXIMITY 0 - 5	BEAUTY 0 - 3	TRANQUIL 0 - 2	REC. VALUE 0 - 5	HISTORY 0 - 5	WILDLIFE 0 - 5	
001	<a href="#">Churchyard of St Edith’s church</a>	Y	5	3	2	3	5	3	21

**Description, with reference to NPPF (2021) criteria**

Churchyard of St Edith’s church: Setting of the *Listed Grade I* 12<sup>th</sup> century priory church, set on a small mound which is likely an older sacred site. The church occupies the southern part of the large churchyard, which has avenues of yew trees and headstones (some 18<sup>th</sup> century Swithland Slate) in position or rearranged at the side of the plot.

Village centre, geographically, historically and culturally. Attractive and tranquil; serves as a contemplative public open space; also a resource for e.g. family history research.

Includes sites of (with potential buried archaeology) a) a possible Roman settlement Warks HER MWA 4241), b) the medieval Priory (Warks HER MWA4242) to the NE of the present church, in existence 1077 to mid-15<sup>th</sup> century. Parts of the buildings were incorporated in later extensions of the church, while others may have been adapted to become c) a manor house on the same site (MWA3521).

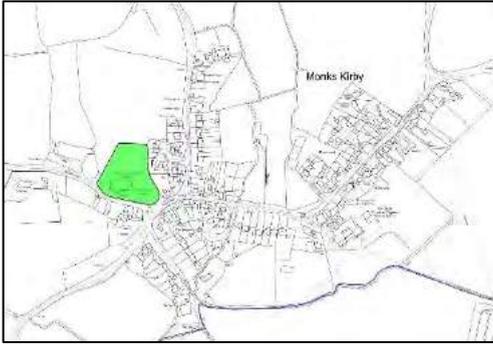
Mown and rough grass, coniferous and deciduous trees. Abundant wildlife including 5 BAP species birds, bats, etc. Warwickshire Green Infrastructure: Phase II survey habitat site (County level significance)



Viewed from the south



Site from the air



Location map



Site plan

REF	DESCRIPTION / EVIDENCE	NPPF (2021) LOCAL GREEN SPACE CRITERIA							TOTAL /25
		LOCAL BOUNDED, NOT EXTENSIVE YES/NO	SPECIAL TO COMMUNITY (Max 10)				LOCAL SIGNIFICANCE (Max 10)		
			PROXIMITY 0 - 5	BEAUTY 0 - 3	TRANQUIL 0 - 2	REC. VALUE 0 - 5	HISTORY 0 - 5	WILDLIFE 0 - 5	
006 1/2	Fishpond community park with children's play area, verges and 'oak trees green'	Y	5	2	1	5	1	3	17

**Description, with reference to NPPF (2021) criteria**

The oak tree triangle includes three very mature and important trees (three remaining from seven) framing the church and the village pub. Area where the community gathers for Christmas tree lighting and other events.

The Fishpond area is well used by local children and by visitors to the Denbigh Arms. Leased by the Parish Council (currently until 2031) and managed as a small informal park. There are plans for a sensory area to be added for local children with visual impairments and cerebral palsy.

Warwickshire Green Infrastructure: Phase I survey habitat site (County level significance)

Fishpond community park entrance



Fishpond community park – interpretative signage

Fishpond community park – children's play area



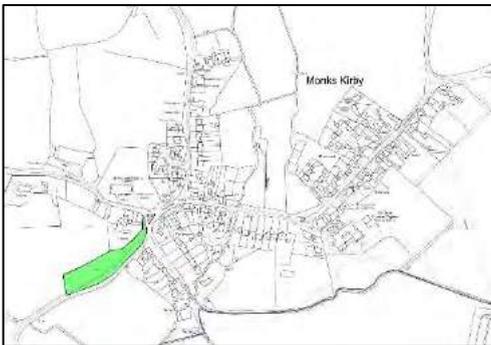
Fishpond community park – wildlife area



Oak trees green, January 2022



Verge south of fishpond park



Location map



Site plan

## Important Open Spaces

A group of sites assessed in the environmental inventory for this Plan (Appendix A) has significant community value as open space for amenity, sport & recreation, children’s play, etc., as allotments, or for their natural environment or village landscape value. Five are already recognised as Open Space, Sport & Recreation sites in Part 4 of the Rugby BC *Open Space, Playing Pitch and Sports Facility Study, 2015*, and some are shown on the inset (settlements) map for Monks Kirby in the Local Plan; of the five, however, two are designated as Local Green Spaces in this Neighbourhood Plan and are thus now covered by policy ENV 1. Three further *de facto* important open spaces in Monks Kirby have been identified in fieldwork, community consultations and in Parish records, and are added to Policy ENV 2

below. All the Important Open Spaces recognised in this Neighbourhood Plan have been allocated to the appropriate RBC Open Space typologies listed in the 2015 Study.

The Monks Kirby Conservation Area appraisal (2010) was supported by a map showing 'important open areas' within the C.A. (figure 6.2). They approximately coincide (there are three areas of difference) with the undeveloped areas of Green Belt Land (figure 5) in the Conservation Area. Their continued protection, as open space making an essential contribution to the setting and character of Monks Kirby (including separating the main village from the historically distinct Brockhurst hamlet), is covered by paragraph 2 of Policy ENV 2 to augment the protection afforded by their location in the Green Belt.

All these sites' values as open space within and close to the built-up areas and/or their actual or potential value as community resources are recognised in Policy ENV 2 (details, Appendix A). The policy is in conformity with, and adds local detail to, Rugby BC Local Plan policy HS4.

**POLICY ENV 2: IMPORTANT OPEN SPACES – (1) The following open spaces (locations, figure 6.1) are of high local value for recreation, beauty, amenity, or tranquillity within or close to the built-up area. Development proposals that result in their loss, or have a significant adverse effect on them, will not be supported unless the open space is replaced by at least equivalent provision in an equally suitable location, or unless it can be demonstrated that the open space is no longer required by the community.**

**The Revel C of E Primary School grounds and wildlife area.** Inventory sites 005 and 014. (In part) Rugby BC Open Space *Outdoor sports facilities* plus (in part) this NP designation as *Outdoor sports facilities / Natural and semi-natural green space*

**War memorial green** Inventory site 015. This NP designation *Amenity green space*

**Catholic burial ground, frontage and verges** Inventory site 008. This NP designation *Cemeteries and closed churchyards*

**(2) Development proposals affecting the additional open spaces shown in figure 6.2, which make an essential contribution to the setting and character of Monks Kirby Conservation Area, will comply with NPPF 2021 paragraphs 147-151 and (if not otherwise 'inappropriate', or not on Green Belt land) will be required to demonstrate that the benefit of the development outweighs the value of the open space to the Conservation Area, to the character of the village overall, or to the community.**

Figure 6.1: Important Open Spaces

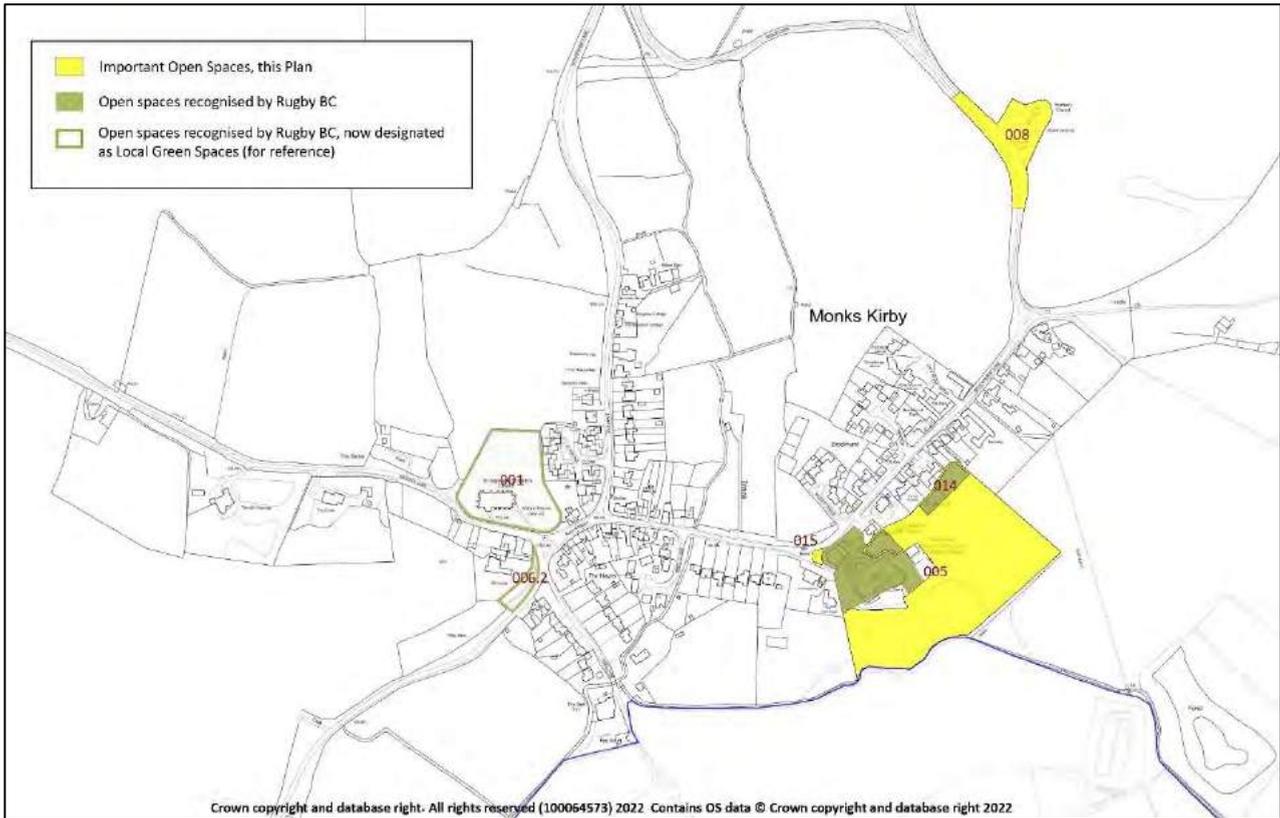
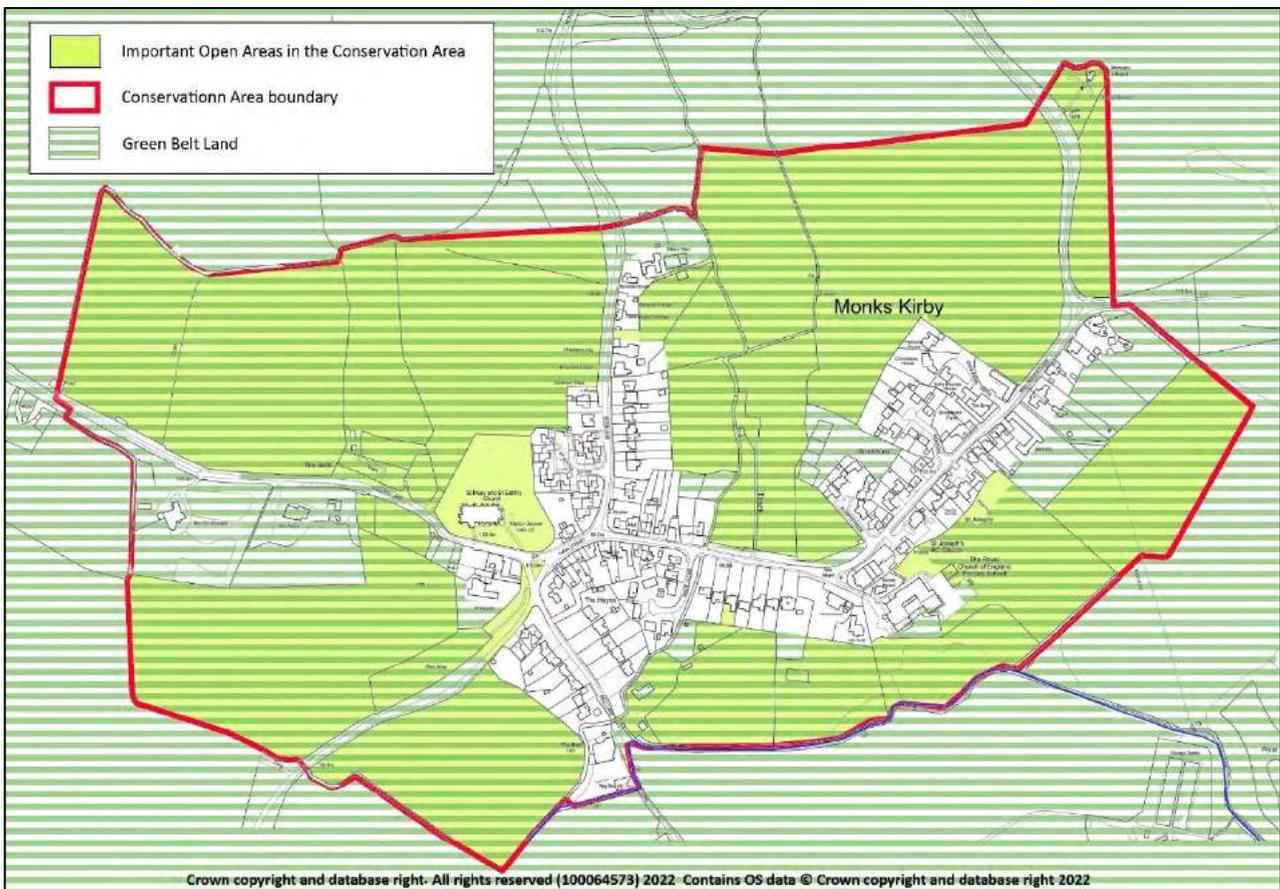


Figure 6.2 'Additional open areas' in the Monks Kirby Conservation Area



# Sites and features of Natural Environment significance

A number of sites in Monks Kirby are important for wildlife (biodiversity). The features and designations for which they have been identified comprise a) statutorily protected sites, if any, b) those where *priority habitats* and *National Forest Inventory* sites occur (Natural England mapping) or where several *biodiversity action plan (BAP) species* have been recorded; c) sites identified as ecologically significant by Warwickshire County Council, including Local Wildlife Sites, and d) sites identified during the preparation of the Neighbourhood Plan as being of high biodiversity significance in the context of the Plan Area. The map (figure 7) shows their locations.

Policy ENV 3 delivers site-specific compliance in the Plan Area with the relevant Rugby Borough Council policies, the Wildlife & Countryside Act 1981 (as amended) and the Natural Environment and Rural Communities Act 2006, and (as and when current) the European Habitats and Species Directives, any 'saved' post-2021 UK legislation and/or the legislation resulting from the draft UK Environment Bill 2019-20.

Figure 7.1: Sites and features of Natural Environment significance

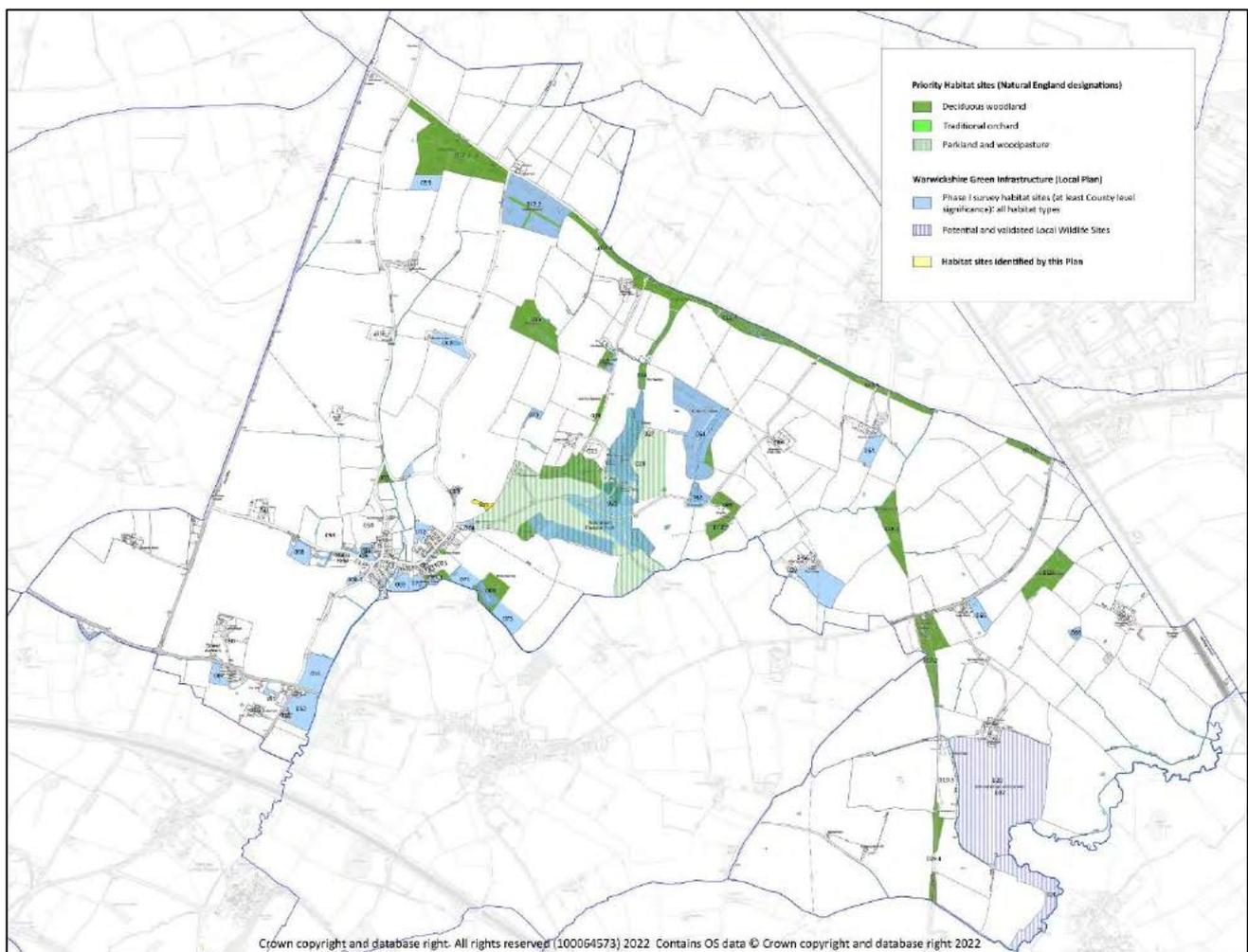
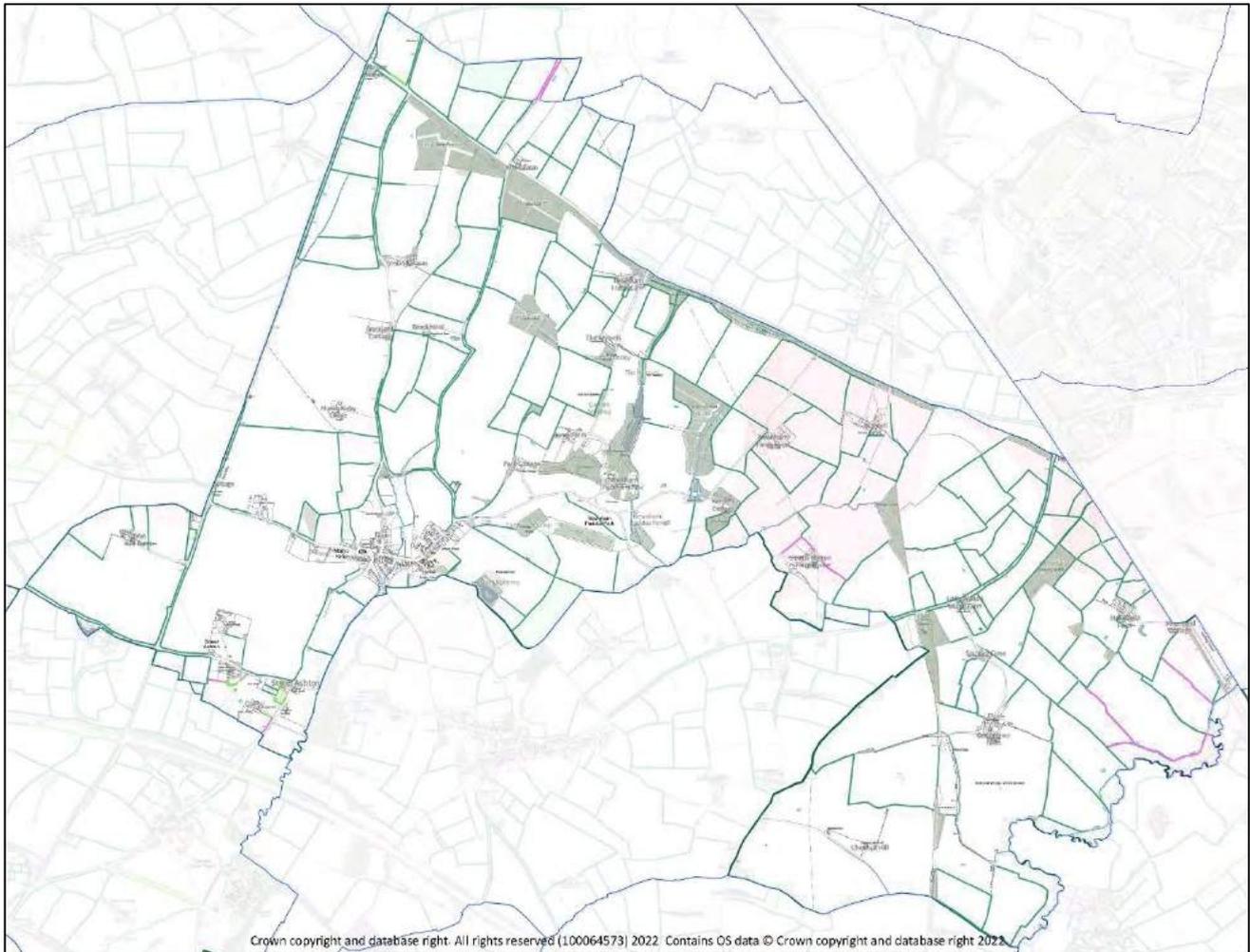


Figure 7.2: Hedges of biodiversity and landscape significance



**POLICY ENV 3: SITES AND FEATURES OF NATURAL ENVIRONMENT SIGNIFICANCE** – The sites and features mapped here (figures 7.1, 7.2) are of at least local significance for their natural environment significance. They are ecologically important in their own right, make a local contribution to carbon sequestration, and are locally valued. The network of hedges (figure 7.2) has been identified in the Warwickshire Habitat Biodiversity Audit as being particularly characteristic and of value to wildlife connectivity, biodiversity and the landscape. The significance of the species, habitats, hedges and other natural environment features should be weighed against the benefit of any development that would adversely affect them.

## Biodiversity and Habitat Connectivity

It might be said that Monks Kirby is a ‘typical’ area of English Midlands countryside because it has no nationally important wildlife hotspots, and thus that it has little or no biodiversity significance to be taken into account in the Planning system. This would be a misunderstanding of the concept of biodiversity. England’s biodiversity is entirely and only the sum of the wildlife in all of its individual parishes: Monks Kirby is as important in this regard as every other parish, and residents want it to play its essential part in protecting what remains of England’s threatened and diminishing biodiversity.

While policy ENV 3 delivers site-specific compliance in the Plan Area with the relevant Rugby Borough Council policies, the Wildlife & Countryside Act 1981 (as amended), the Natural Environment and Rural Communities Act 2006, the Habitats and Species Regulations 2017-2019 and the UK Environment Act 2021, this policy (ENV 4) does the same for strategic planning and future development proposals across the Plan Area. It also refers to the DEFRA *Guidance* of July 7, 2021 in respect of the use of the *biodiversity metric* approach to assessing the value of a development site to wildlife. The policy is explicitly supported by National Planning Policy Framework (2021) paragraphs 174 (a) and (d); 175; 179 and 180(a), on which this policy's wording is partly based.

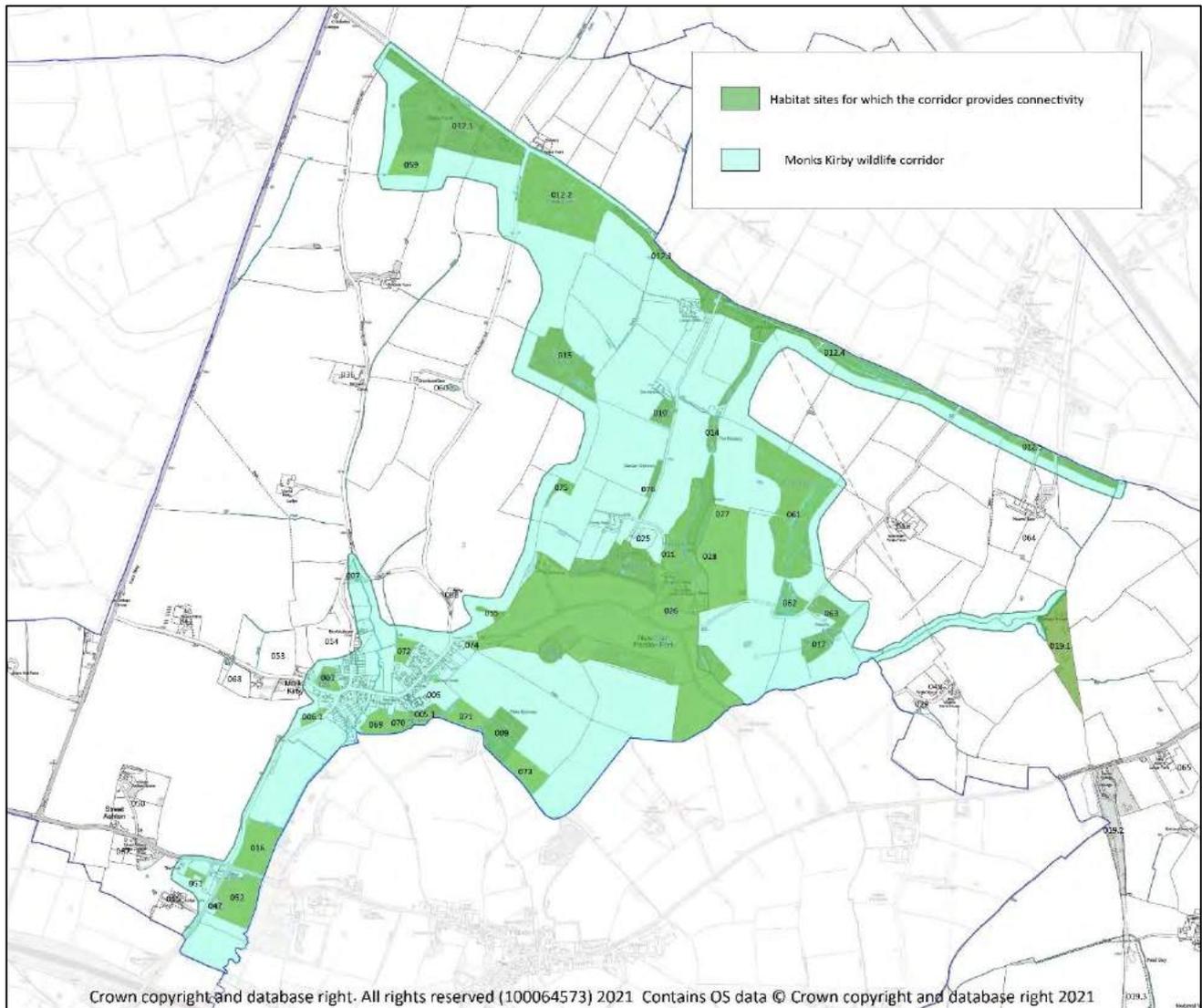
The community also expects all planning strategies, proposals and decisions affecting Monks Kirby to comply with the requirements of the *Climate Change Act 2008*, to follow the spirit of the *Paris Agreement* (UK ratification 2017) and the UK's *25 year environment plan (2018)*, and to plan for biodiversity net gain through the mechanisms described in the *Environment Act 2021*.

Connectivity is an essential component of biodiversity. Isolated populations of animals and plants are at risk of destruction or of simply 'dying out'. Wildlife Corridors aim to re-connect populations and habitats within parishes and more widely. A corridor connecting the woodlands in the north of the Plan Area via the system of species-rich hedgerows in the fields east of Brockhurst Lane and the habitat areas in Newnham Paddock park to Monks Kirby village and the watercourse and banks of Smite Brook. All of these biodiversity sites and features have been identified as part of part of the *Warwickshire, Coventry and Solihull Green Infrastructure* and they, and the specific connectivity route provided by the corridor, should be taken into account in the planning system.

**POLICY ENV 4 BIODIVERSITY AND HABITAT CONNECTIVITY**– All new development proposals will be expected to safeguard habitats and species, including those of local significance, by planning for *net biodiversity gain*. If significant harm to biodiversity cannot be avoided (through relocating to an alternative site with less harmful impacts), adequately mitigated, or compensated for, planning permission should be refused, in conformity with paragraph 175 of the National Planning Policy Framework.

Development proposals should not adversely affect the habitat connectivity provided by the wildlife corridor identified in figure 8.

Figure 8: Monks Kirby wildlife corridor



## Sites of Historical Environment significance

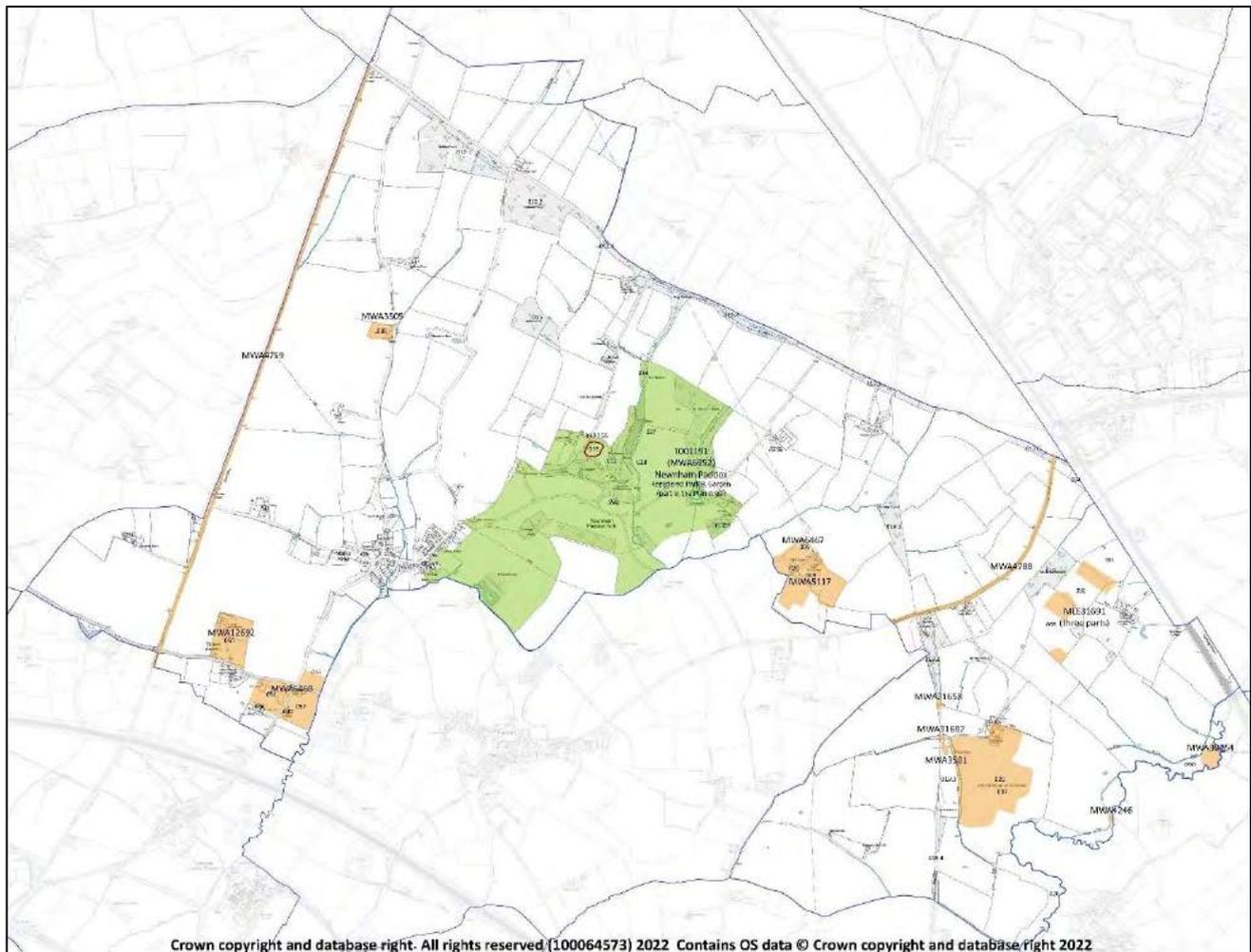
A number of sites in Monks Kirby are important for (at least local) heritage and history. They comprise sites and features of relevance to Neighbourhood Plan policies in the Warwickshire Historic Environment Record (HER) and Historic England databases, and a further set identified (from fieldwork and local history publications and knowledge) in the preparation of the Plan. The map (figure 8) shows their locations.

**POLICY ENV 6: SITES OF HISTORICAL ENVIRONMENT SIGNIFICANCE** - The sites mapped in figure 9 (details in Appendix x) are of at least local significance for their historical features. The features are extant and have visible expression or there is proven buried archaeology on the site, and they are locally valued. The significance of the features present should be balanced against the benefit of any development that would affect or damage them.

Development proposals should take full account of known surface and sub-surface archaeology, ensure that unknown and potentially significant deposits are identified and, after consultation with

Warwickshire Historic Environment Record (HER), appropriately considered during development. Lack of current evidence of sub-surface archaeology should not be taken as proof of absence.

Figure 9: Sites of Historical Environment significance



## Ridge and furrow

The early medieval townships of Monks Kirby, Brockhurst, Street Ashton, Newnham, Newbold, Cestersover and Walton are assumed to have been farmed using the *Open Field* system. All the open land, except small fields (closes) backing onto the houses, floodplain meadows and marshland of the Swift valley, and areas of woodland or waste, was worked in a seasonal and yearly rotation of arable crops (cereals, beans), grazing and fallow. Medieval ploughs were pulled by oxen and, because they were not reversible, the soil was always turned rightwards as the plough team progressed up and down the furlongs, producing a corrugated pattern of ridges and furrows whose dimensions increased with every season. Ridge and Furrow also allowed for better drainage and increased the surface area of the ground.

Across midland England, the open field system was practised for most of the medieval period until changes in land ownership and use gave rise to a change from large open fields to enclosed smaller fields with hedged boundaries, and a change from arable to pastoral (livestock) farming. The land in

the Monks Kirby Plan Area was enclosed in this way, but because of the complexities of multiple townships, ‘lost’ villages and appropriation by wealthy landowners it happened here in several phases and separately in the several townships and manors, probably beginning in the 14<sup>th</sup> century and completed with the Parliamentary Enclosure Awards of the late 18<sup>th</sup> century.

The result of the enclosures was to ‘fossilise’ the ridges and furrows under grass and hedgerows, and this situation persisted until the mid-20<sup>th</sup> century, when a second agricultural revolution after the Second World War effectively reversed the first one. British governments, and later the European Union, encouraged farmers, mainly through subsidies, to plough the pastures and turn them over to intensive arable production. Wherever this happened, modern reversible ploughs quickly obliterated the ridge and furrow. In most English open field parishes, the loss of ridge and furrow since 1950 has been over 90%. In the late 1990s, English Heritage (now Historic England), realising the scale of this destruction, undertook the first of a series of surveys (*‘Turning the Plough’*) across the Midlands, including Warwickshire, and made recommendations for protection and management.

One result of Monks Kirby’s long history of open fields enclosure could be that, unlike most midlands parishes, ridge and furrow earthworks has never been ubiquitous. The extent of ridge and furrow in Monks Kirby mapped from the mid-1990s and in the Warwickshire Historic Environment Record (figure 10.1) provided the baseline for a new survey undertaken for this Plan in 2021-2 (figure 10.2). The summary results show the decline since World War II (extent estimated from local history information and maps) and since 1999; although the 2021/2 survey identified on the ground a few small areas omitted from the Warks. HER mapping, the situation is now as follows:

1950s	[estimated 500 ha]
1995	c.108 ha
2022	c.84 ha

In English legislation ridge and furrow fields (except for the few that are Scheduled Monuments) are not statutorily protected, despite recognition that, in view of the level of loss since the mid-20<sup>th</sup> century, *“as the open field system was once commonplace in NW Europe, these [surviving] sites take on an international importance”* (English Heritage, 2001).

While the 21 individual fields with surviving ridge and furrow in Monks Kirby are not claimed to be of international importance, their rarity across the Midlands and their relationship with the other important medieval heritage assets in the Plan Area, including the lost villages, means that any further, avoidable, loss would be irreversibly detrimental. In conformity with paragraph 194 of the National Planning Policy Framework (including footnote 63) and following the recommendation of Historic England, all surviving ridge and furrow in the Plan Area (figure 10.2) should now be regarded as a non-designated heritage asset and taken into account in the planning system as the visible evidence of a component of national heritage comparable in significance to that of surviving medieval buildings. In future, and whenever possible, increased local housing need or new targets required at a higher level in the planning system should only be fulfilled by allocating development to available sites where there is no surviving ridge and furrow.

Figure 10.1: Ridge and furrow in Monks Kirby c. 1995  
(From *Warwickshire Historic Environment Record*)

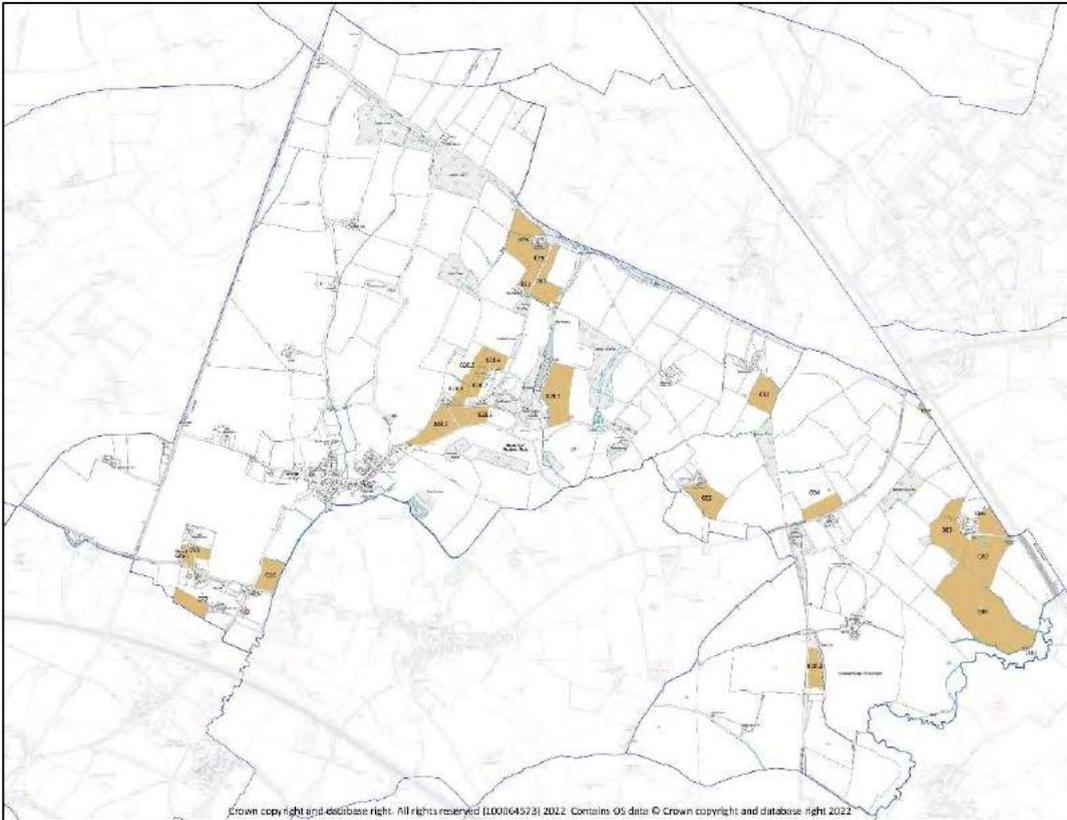
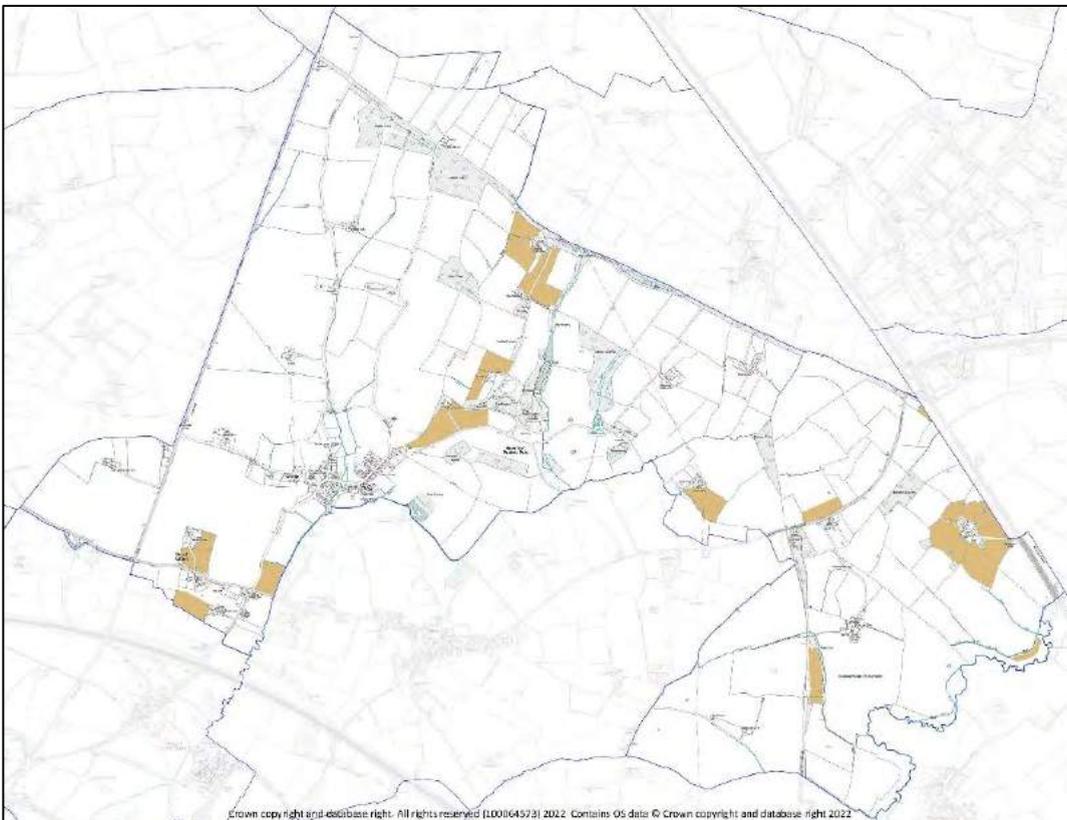


Figure 10.2: Ridge and furrow in Monks Kirby 2021/2 (confirmed for this Plan)



**POLICY ENV 7: RIDGE AND FURROW** – The areas of ridge and furrow earthworks mapped in figure 9.2 are non-designated heritage assets.

Any loss or damage arising from a development proposal (or a change of land use requiring planning permission) is to be avoided; the significance of the ridge and furrow features as heritage assets must be balanced against the benefits of such development.

## Statutorily protected Heritage Assets

Fourteen buildings and structures in the Plan Area have statutory protection through Listing at Grade I or II. The Neighbourhood Plan lists them here for reference, and to note that all new development proposals will be required to take into account their *settings*, as defined on a case-by-case basis by Historic England. [Numbers refer to figures 11.1 and 11.2]

### 1. THE OLD POST OFFICE

- List Entry Number: 1365103
- Heritage Category: Listing
- Grade: II
- Location: THE OLD POST OFFICE, MAIN STREET, Monks Kirby, Rugby, Warwickshire

### 2. 12-20, MAIN STREET

- List Entry Number: 1365105
- Heritage Category: Listing
- Grade: II
- Location: 12-20, MAIN STREET, Monks Kirby, Rugby, Warwickshire

### 3. 8, MAIN STREET

- List Entry Number: 1034854
- Heritage Category: Listing
- Grade: II
- Location: 8, MAIN STREET, Monks Kirby, Rugby, Warwickshire

### 4. CHURCH OF ST EDITH

- List Entry Number: 1034855
- Heritage Category: Listing
- Grade: I
- Location: CHURCH OF ST EDITH, MILLERS LANE, Monks Kirby, Rugby, Warwickshire

### 5. CHAPEL OF THE SACRED HEART

- List Entry Number: 1392656
- Heritage Category: Listing
- Grade: II
- Location: CHAPEL OF THE SACRED HEART, BROCKHURST LANE, Monks Kirby, Rugby, Warwickshire

## **6. HONEYSUCKLE COTTAGE KINGSLEY COTTAGE**

- List Entry Number: 1034851
- Heritage Category: Listing
- Grade: II
- Location: HONEYSUCKLE COTTAGE, 25, BOND END, Monks Kirby, Rugby, Warwickshire

## **7. MANOR FARMHOUSE**

- List Entry Number: 1186155
- Heritage Category: Listing
- Grade: II
- Location: MANOR FARMHOUSE, MILLERS LANE, Monks Kirby, Rugby, Warwickshire

## **8. LODGE FARMHOUSE**

- List Entry Number: 1034853
- Heritage Category: Listing
- Grade: II
- Location: LODGE FARMHOUSE, COVENTRY ROAD, Monks Kirby, STREET ASHTON, Rugby, Warwickshire

## **9. FOUR WINDS (now Woodbine Cottage)**

- List Entry Number: 1034852
- Heritage Category: Listing
- Grade: II
- Location: FOUR WINDS, COVENTRY ROAD, Monks Kirby, STREET ASHTON, Rugby, Warwickshire

## **10. THE WALLED GARDEN C160 METRES NORTH-WEST OF THE STABLES AT NEWNHAM PADDOX**

- List Entry Number: 1392755
- Heritage Category: Listing
- Grade: II
- Location: THE WALLED GARDEN C160 METRES NORTH-WEST OF THE STABLES AT NEWNHAM PADDOX, Monks Kirby, Rugby, Warwickshire

## **11. ICEHOUSE AT SP 4819 8389**

- List Entry Number: 1365106
- Heritage Category: Listing
- Grade: II
- Location: ICEHOUSE AT SP 4819 8389, Monks Kirby, NEWNHAM PADDOX PARK, Rugby, Warwickshire

## **12. SCREEN, GATES AND GATE PIERS**

- List Entry Number: 1186169
- Heritage Category: Listing
- Grade: I
- Location: SCREEN, GATES AND GATE PIERS, Monks Kirby, NEWNHAM PADDOX PARK, Rugby, Warwickshire

### 13. THE COTTAGE

- List Entry Number: 1365104
- Heritage Category: Listing
- Grade: II
- Location: THE COTTAGE, Monks Kirby, LITTLE WALTON, Rugby, Warwickshire

### 14. STREETFIELD FARMHOUSE AND ATTACHED FARM BUILDINGS

- List Entry Number: 1034856
- Heritage Category: Listing
- Grade: II
- Location: STREETFIELD FARMHOUSE AND ATTACHED FARM BUILDINGS, WATLING STREET, Monks Kirby, Rugby, Warwickshire

## Non-designated heritage assets

A number of buildings and structures of local significance (i.e. not statutorily Listed) were noted in the Monks Kirby Conservation Area Appraisal, and these, together with further candidates within the village and in the wider open countryside, have been documented as part of this Neighbourhood Plan's background information. See Appendix 6.

## Important views

Consultation during the Neighbourhood Plan's preparation identified a widely held wish to protect Monks Kirby's rural setting, in particular its visual relationship with the surrounding landscape, based on its location in the landscapes of Natural England National Character Area *94 Leicestershire Vale* and the two Rugby Landscape Character Areas *High Cross Plateau, open* and *High Cross Plateau, village farmlands*.

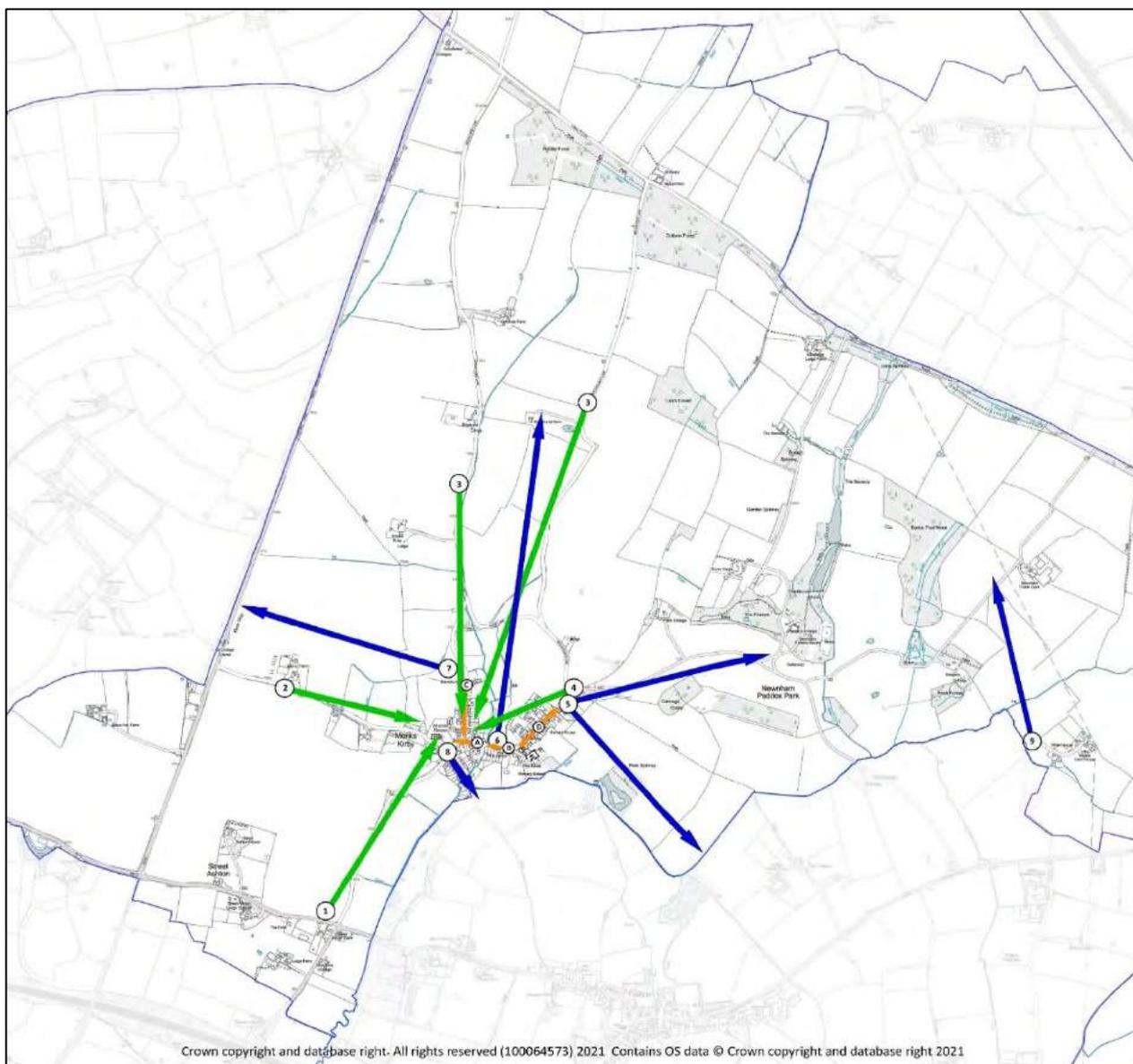
The Monks Kirby *Village Design Statement* (VDS, 1999) is available as a document download supporting Rugby Borough Council Planning Strategy. It identified 17 highly valued views within and around the village and toward the village from the surrounding countryside. The views remain essentially as described, and the most significant of them form the basis of Policy ENV 9 in this Neighbourhood Plan (details appendix 8, locations figure 11).

**POLICY ENV 8: IMPORTANT VIEWS – The following views (map figure 11, details Appendix 7) are important to the setting and character of the village. Development proposals should respect and whenever possible protect them. Development which would have an adverse impact on the identified views will not be supported.**

1. Into the village from Street Ashton
2. Into the village from Miller's Lane
3. Into the village from the north
4. Into the village from Newnham Paddox drive

- 5. Out of the village to Newnham Paddox parkland
- 6. Out of the village east and southeast from Brockhurst Lane
- 7. Out of the village from Bond End to the Fosse Way
- 8. View out of the village down Bell Lane
- 9. View looking north from Little Walton Lane to the east part of Newnham Paddox Park
- A. Within the village: village centre
- B. Within the village: war memorial to the village green
- C: Within the village: Main Street
- D: Within the village: Brockhurst Lane, both directions

Figure 11: Important views

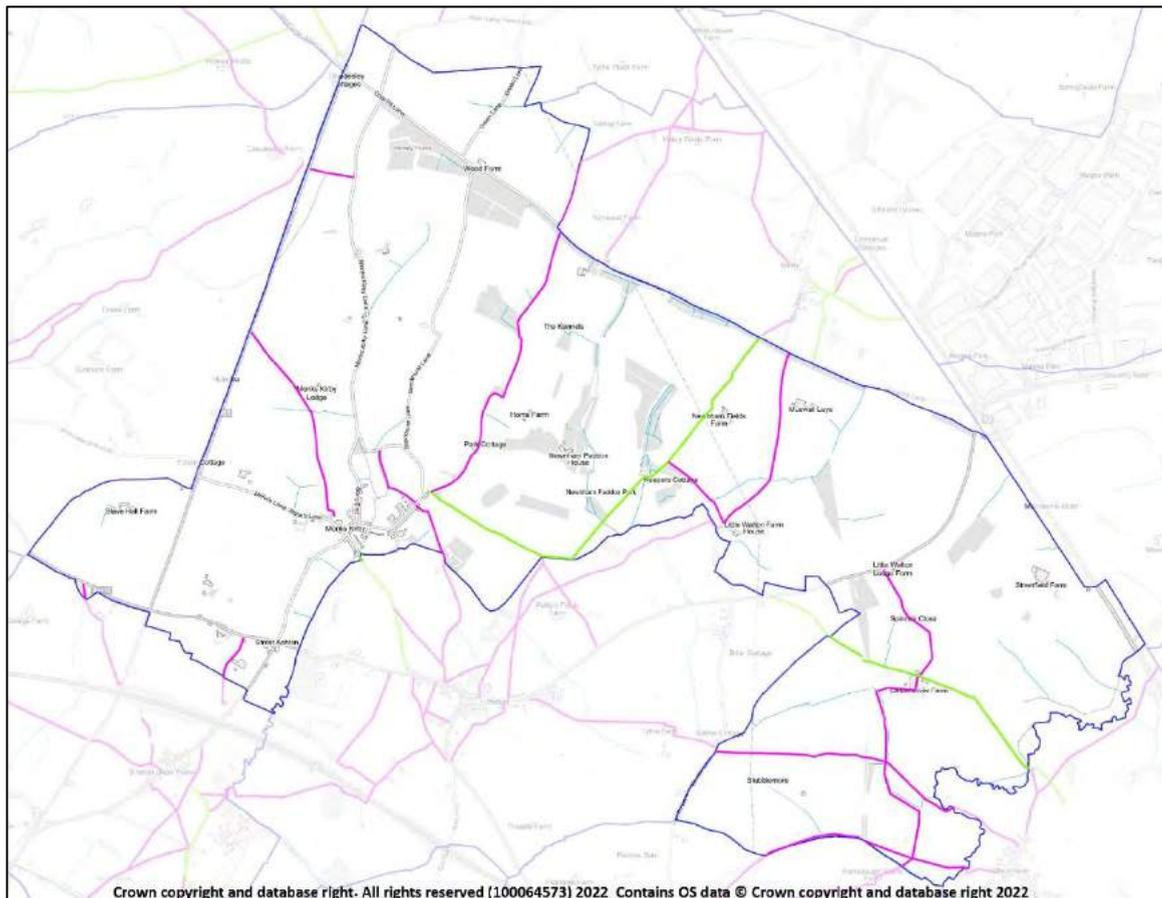


## Footpaths and other walking routes

The network of footpaths and other rights of way in the Plan Area, although not extensive, is popular for recreational use. Because walking routes everywhere tend to be survivors from around the time of

the 18<sup>th</sup> century Enclosure of the farmed landscape and from before the development of paved motor roads, there are good historical reasons for their relative scarcity, including in the case of Monks Kirby the presence of the Newnham Paddox estate and the manorial and agricultural history of the parish. However, with modern recognition of the value of walking routes for health and wellbeing, the lack is unfortunate and any erosion of the network's extent and character will be resisted.

Figure 12: Footpaths and other walking routes (Warwickshire CC mapping)



**POLICY ENV 9: FOOTPATHS AND OTHER WALKING ROUTES** - Development proposals that result in the loss of, or have a significant adverse effect on, the existing network of footpaths (figure 12) will not be supported without appropriate mitigation.

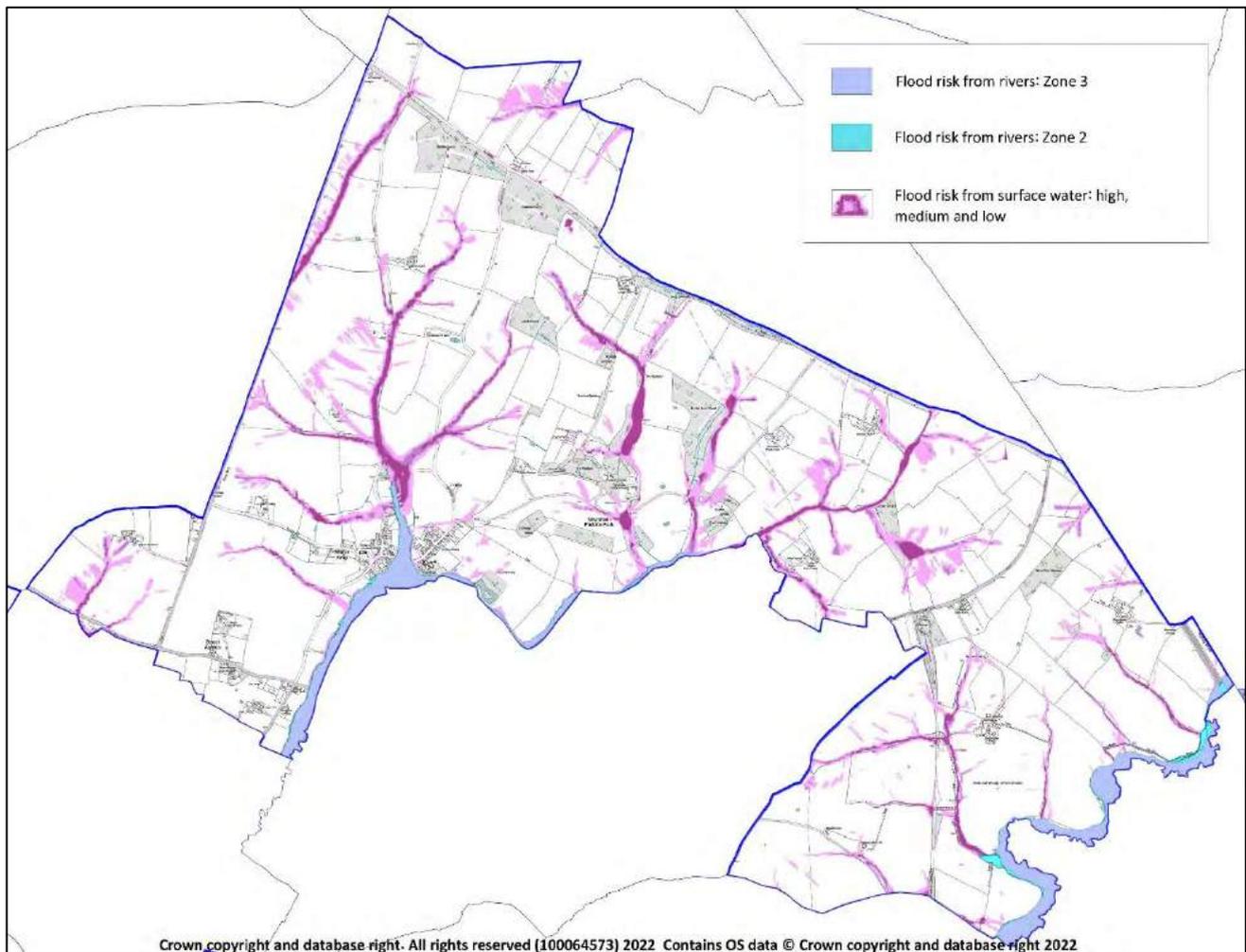
## Flood risk resilience and climate change

Even if international cooperation and national strategies and policies eventually succeed in halting the human and industrial contributions towards climate change, the effects of recent and current warming on weather events will likely persist for decades. It is therefore desirable to plan for at least a medium-term future, in which weather events will continue to become more extreme, by putting in place measures that manage the effects of climate change on flooding for the lifetime of this Plan and beyond. This objective is explicitly supported by the Environment Agency (EA) draft *National Flood and Coastal Erosion Risk Management Strategy for England* (2019), in which the strategic emphasis shifts from

mitigation to resilience; in other words from requiring new development to reduce its adverse effects on flood risk and to avoiding creating or adding to flood risk at all.

In light of this, it is particularly important that the location and technical standards of all new development proposals in the Plan Area should in future be judged on their likely contribution to flooding in a climate change world. To complement this objective, the community will support proposals to improve the infrastructure within the built-up areas for managing flooding from the river and from surface water run-off events, providing this is not unduly detrimental to the historic built environment, biodiversity sites, or open and green spaces.

Figure 13: Risk of flooding from rivers and surface water  
Composite map based on Environment Agency mapping



This policy is in general conformity with Rugby BC Local Plan Policies SDC5 and SDC6.

**POLICY ENV 10: FLOOD RISK RESILIENCE** – Development proposals within the areas indicated in Figure 13 will be required, where appropriate, to demonstrate that the benefit of development outweighs the harm in relation to its adverse impact on climate change targets, and on the likelihood of it conflicting with locally applicable flood mitigation strategies and infrastructure.

Proposals to construct new (or modify existing) floodwater management infrastructure (ditches, roadside gullies, retention pools, etc.), including within or close to the built-up area, will be supported,

provided they do not adversely affect sites and features of natural or historical environment significance.

Proposals to re-profile and re-wild suitable sections of the Smite Brook and River Swift will be supported.

Development proposals of one or more dwellings and/or for employment or agricultural development should demonstrate that:

- if in a location susceptible to flooding from rivers or surface water, no alternative site to meet the local residential development need is available;
- its location and design respect the geology, flood risk and natural drainage characteristics of the immediate area and is accompanied by a hydrological study whose findings must be complied with in respect of design, groundworks and construction;
- it includes a Surface Water Drainage Strategy which demonstrates that the proposed drainage scheme, and site layout and design, will prevent properties from flooding from surface water, including allowing for climate change effects, that flood risk elsewhere will not be exacerbated by increased levels of surface water runoff, and that the development will not threaten other natural habitats and water systems;
- its design includes, as appropriate, sustainable drainage systems (SuDS) with ongoing maintenance provision, other surface water management measures and permeable surfaces;
- proposed SuDS infrastructure includes, where practicable, habitat creation comprising e.g. landscaping, access and egress for aquatic and terrestrial animals, and native species planting;
- it does not increase the risk of flooding to third parties; and
- it takes the effects of climate change into account.

## Renewable Energy Generation Infrastructure

The parts of the Plan Area within Green Belt land are covered by National Planning Policy Framework paragraph 151: 'elements of many renewable energy projects will comprise inappropriate development [...] and] developers will need to demonstrate very special circumstances'.

The landscape of the Plan Area is dominated by four main topographic areas, all largely open and with wide views: from north to south, these are:

- the High Cross ridge, with extensive woodland
- The gently sloping plateau, with large arable fields and isolated farms
- Newnham Paddox parkland (including its area of influence)
- Monks Kirby settlement and the area including Street Ashton

Their generally open appearance and southerly aspect might make them technically suitable for wind and solar generation, but the paucity of screening woodland (except in the far north and in the Newnham Paddox parkland) and absence of topographic basins means there are almost no locations that are not in plain sight from the village and most of the parish.

National Planning Policy Framework 2021 paragraphs 152-154 make it clear that, including through their Neighbourhood Plans, communities should take responsibility for reducing emissions as part of the recognised need to mitigate for and adapt to climate change. Residents of Monks Kirby wish to play their part, but at a scale and in locations appropriate to the landscape sensitivity of the Plan Area.

Pertinently, the impact of wind generation infrastructure on communities has been recognised by the government: a Ministerial Statement (18 June 2015) says that suitable areas for wind energy development must be identified in local plans and that any such developments must have the support of local communities.

Rugby Borough Council has, in conformity with national guidelines and the Ministerial Statement noted above, identified (a) the sensitivity (fragility of inherent character, ecological sensitivity, visibility and overall sensitivity) to general development of the ten *Landscape Character Types* in the Borough (including the two *High Cross Type* areas, in which Monks Kirby is situated) in *Landscape Assessment of the Borough of Rugby: Sensitivity and Condition Study* (2006), and (b) areas suitable for turbines in *Landscape Capacity Study for Wind Energy Developments* (2011); these documents support the Local Plan.

Open plateau Landscape Character Type (Landscape Sensitivity Assessment 2006: RBC): self-evidently sensitive to turbines and large solar arrays



Table 2: RBC *Landscape Sensitivity Assessment* 2006

Plateau farmlands Landscape Character Type			
Cultural	Ecological	Visibility	Overall
Moderate	Low*	Moderate	Moderate

Open plateau Landscape Character Type			
Cultural	Ecological	Visibility	Overall
Moderate	Low*	Moderate	Moderate

\* 'Low' sensitivity should now be updated to 'moderate' to reflect biodiversity loss, in response to relevant measures in the Environment Bill 2021.

Policy ENV 14 takes account of NPPF paragraph 151 and is otherwise in general conformity with Rugby BC Local Plan Policy SDC8. For both wind and solar energy generation infrastructure it takes its guidance from the two RBC documents mentioned above, and from the descriptions and assessments of the adverse effects of 'drivers of change' in Natural England *National Character Area Profile 94 Leicestershire Vales*.

**POLICY ENV 11: RENEWABLE ENERGY GENERATION INFRASTRUCTURE** – Provided they comply with the restrictions associated with Green Belt land in the areas so designated, proposals for small-scale, solar and wind generation infrastructure proposals instigated by local residents, businesses, or the community will be supported, subject to their also complying with the following conditions:

- a) The landscape impact of the development is minimised and mitigated against;
- b) The development links to a specific demand through a decentralised energy network or, where this is not possible, the necessary infrastructure is provided to supply power to the National Grid;
- c) The siting of development avoids harm to the significance of a heritage asset and its setting in accordance with the provisions of the NPPF
- d) The siting of development does not significantly adversely affect the amenity of existing, or proposed, residential dwellings and/or businesses, either in isolation or cumulatively, by reason of noise, odour intrusion, dust, traffic generation, visual impact or shadow flicker;
- e) The development does not result in an adverse impact on the capacity and safety of the highways network and of public rights of way;
- f) The development includes a managed programme of measures to mitigate against any adverse impacts on the built and natural environment resulting from the construction, operation and decommissioning of any equipment/infrastructure;
- g) The development does not create a significant adverse cumulative noise or visual impact when considered in conjunction with other developments planned within Rugby Borough and adjoining local authority areas;
- h) The development retains and enhances on-site biodiversity and supports the enlargement of, and/or connection to, existing biodiversity assets such as wildlife corridors, where possible;
- i) Proposals for solar photovoltaic arrays avoid the best and most versatile agricultural land and deliver solar/agricultural dual land use.

Medium- and large-scale development proposals (for more than two turbines, and/or of tip height more than 35 m; solar arrays of larger area than that needed to generate the local (see above) proposer's on-site consumption requirement, based on current technology) will not be supported.

Proposals for ground source heat pumps will be supported provided there is no adverse effect on biodiversity (habitats and species), the best and most versatile agricultural land, or the historic environment.

All proposals for residential or agricultural development should incorporate an appropriate solar roofing system.

# C Sustainability

This chapter looks at aspects of village life including: - Community facilities; Traffic management & road safety (including parking); and Business & employment.

## 1. Community facilities and amenities

Community facilities and amenities provide important infrastructure for the residents of Monks Kirby, supporting and enhancing the quality of daily life and contributing to the vitality of the village.

Some of these facilities and amenities offer local employment opportunities whilst others provide a focal point for social interaction and support important services; thereby reducing the need to travel, which is particularly important for those who do not have access to a car.

The limited range of facilities in Monks Kirby increases the need to travel, often by car, to nearby settlements. The need to travel outside the Parish to access basic services is one of the main reasons for the high levels of car ownership in the Parish (only 5.5% of households have no car or van compared to 17.5% across the borough according to the 2011 Census). It also creates challenges for those residents without access to a car. Reductions in the frequency of local bus services compound the issue.

The loss and threatened closure of facilities and services is, however, a common dilemma for rural communities. The viability of many rural services is likely to be challenged further in future as a consequence of squeezed local authority budgets and more car owning residents commuting to work, driving to retail centres and accessing leisure facilities and other amenities further afield.

Rugby Local Plan Policy HS3 supports the protection of community facilities and services. This policy adds local detail.

In the community questionnaire 77.2% of respondents identified local facilities as being something they liked about living in the Parish. 53.2% cited the school.

The facilities in Monks Kirby include the following:

### **Revel Church of England (Aided) School**

The school is vitally important to the village attracting young families and helping to maintain a mix of age groups in the community. The old School buildings are a focal point in the village scene, built in 1912 in the Arts and Crafts style. The newer school buildings built by WCC in 1973 sit along a driveway and away from the public highway. There are dedicated parking places for staff and extensive playgrounds both hard surfaced and grassland including a conservation area. The rear of the school overlooks open countryside which includes a large tract of Grade II Listed Parkland. The school is available for community use for larger gatherings. Parking is limited immediately around the school.

### **St Edith's Church**

St Edith's has a lengthy history built in 1077 and is the most important building in the village. The Church dominates the skyline and defines the village and the community. The Trinity Room is available, used mainly for Church related events. A recent survey of 109 people living in or connected to Monks Kirby and St Edith's – 92.5% strongly agreed the importance of protecting St Edith's as part of the local heritage. Comments received included *“a beautiful and historic landmark in a beautiful village”*; *“The most important building in the village that needs to be treasured and maintained.”*

### **St Joseph's Roman Catholic Church**

A modern Church built in 1992 with a small carpark to the rear. The Church won a Rugby Civic Society Design Award in 1993. Extremely well supported covering a Catholic Parish more extensive than Monks Kirby Anglican Parish. St Joseph's brings people to the village especially those with young children to take advantage of Catholic teaching at the Church and a presence at the Revel School.

### **Pubs/Hospitality**

Sitting directly opposite St Edith's Church in the centre of the village is the Denbigh Arms; this is an important meeting place for social interaction and provides a venue for local events. The Denbigh Arms and The Barn (pub and micro-brewery), situated on Coalpit Lane, attract people to visit Monks Kirby and therefore bring an economic benefit. Ashton Lodge is a specialist weddings event location which also brings economic benefit and local employment.

### **Chapel of the Sacred Heart**

Catholic cemetery for Monks Kirby Parish but also available to Catholics from a wider area. The Chapel was built in 1888 to a design by Thomas Wyatt but is no longer used as a chapel.

### **Bus Service**

This is an essential service to be maintained, necessary for anyone without transport and others wishing to reduce car use. The intermittent but daily service provides a valuable link to both Rugby and Coventry hospitals.

### **Fishponds Community Park**

A unique asset to residents and visitors alike. The area provides play equipment for a wide age range and also includes a quieter space and nature area. The Community Park is something between a conservation area and a park.

### **Village Hall**

This much appreciated community meeting place is host to Mother and Toddler groups, Gardening Club, Women's Institute, Parish Council meetings and also informal coffee mornings and afternoon sessions for all age ranges. A venue for varied social events e.g. birthday parties, wedding receptions, funeral receptions and fundraising events.

## Footpaths and Bridleways

Many and varied throughout the Parish, generally maintained in good condition and passable in all seasons.

## Traffic

The main advantage is that there is no major road through the village which preserves the village community. Monks Kirby is not on a route to any major place of work or habitation that cannot be more easily reached by other routes.

**POLICY CF1: COMMUNITY FACILITIES AND AMENITIES - Development leading to the loss of an existing community facility (including The Revel School, the Village Hall, the Denbigh Arms St Edith's Church and St Joseph's Church) will not be supported unless it can be demonstrated that any of the following apply:**

- a) There is no longer any proven need or demand for the existing community facility;
- b) The existing community facility is no longer economically viable and there are no alternative uses for the building that meet a community need;
- c) The proposal makes alternative provision for the relocation of the existing community facility to an equally or more appropriate and accessible location within the Parish which complies with the other general policies of the Neighbourhood Plan.

Small scale proposals to enhance the provision of community facilities to meet an identified local need will be supported.

## 2. Employment

### Existing and new employment opportunities

The strength of the local economy and of the community go hand in hand. Supporting the growth of a stronger local economy is recognised as an important theme of the Neighbourhood Plan. Paragraph 6.2 of the Rugby Local Plan says 'Where the prospect of new employment development in rural areas is proposed to support the rural economy, including farm diversification and leisure and tourism proposals, policies are included to guide any such proposals and ensure any negative impacts of development are kept to an absolute minimum'.

Monks Kirby has a number of established businesses which are run from home-based facilities within the village. There is an increasing trend for residents to work from home (8.6% of people living in the parish (aged 16-74) compared to 3.8% in Rugby) and with continuing changing employment patterns nationally, particularly in light of the Coronavirus, this trend is likely to continue.

For the majority of workers resident in the parish the lack of significant local employment opportunity

means that their only option is to work away from the area, commuting increasingly greater distances to secure employment. In view of the rural nature of the village, 43% of residents go to work by car.

Where there are buildings dedicated to business use in the parish it is important that they are protected against being lost to other uses. It should be clearly demonstrated that there is little prospect of existing building or land generating employment before allowing demolition or redevelopment.

Meanwhile, new employment initiatives in the right location can greatly help to boost and diversify the local economy and to provide more local employment opportunities.

Overall, maintaining the rural nature of the parish strongly mitigates against any larger scale business development.

Any new employment initiatives should be sensitive to the character of the parish. Employment proposals should only be seen as acceptable if they avoid harmful impacts on other matters agreed to be locally important such as air quality, green spaces, increased traffic flows, parking, residential amenity, the preservation of historic/heritage assets and the local environment.

There is, however, a need to recognise and support the increasing numbers of people who conduct their businesses from home. The Neighbourhood Plan reflects this in its proposals to provide a wider range of housing and to both support conversion of redundant commercial buildings and the development of local business premises where appropriate.

In the community questionnaire, 61% of respondents welcomed more business to the parish. Businesses that would be welcomed to the Parish by 50% or more respondents to the Community Questionnaire include Cottage industry/home based services; agricultural businesses, shops and workshops.

**POLICY E1: EMPLOYMENT DEVELOPMENT - Development proposals that result in the loss of, or have a significant adverse effect on, an existing employment use will not be supported unless it can be demonstrated that the site or building is no longer suitable for employment use.**

**Proposals for employment-related development (for new and/or expansion of employment uses) will be supported where it can be demonstrated that the development will not generate unacceptable disturbance, noise, fumes, smell or traffic; has appropriate off-road parking; that it will respect and be compatible with the local character and surrounding uses; and that it will, where appropriate, protect residential amenity.**

## Working from home

The reduction of CO2 omissions to net zero by 2050 is now enshrined in law, so it is important to consider new employment opportunities in the right location for the residents of Monks Kirby in order to help reduce vehicle usage and carbon footprint. The last census of 2011 identified 12.9% residents as self-employed and 8.6% working mainly from home. 141 people regularly drove to work and back making a total of almost 300 vehicle journeys per day.

It has been demonstrated that there is support for those people who wish to conduct their business from within the village. Again, through the consultation process this will only be seen as acceptable if it avoids impact on other matters that are considered equally important, such as increased traffic flows, parking, retaining the residential amenities, the local environment and the preservation of historic and heritage assets.

The neighbourhood plan therefore supports the rural economy by allowing for new employment planning applications in residential dwellings to provide or safeguard local jobs.

**POLICY E2: WORKING FROM HOME - Proposals for the use of part of a dwelling for office and/or light industrial uses, and for small scale freestanding buildings within its curtilage, extensions to the dwelling or conversion of outbuildings for those uses, will be supported where:**

- a) The commercial development of the property is for the primary use of the property residents only and where the proposed commercial use remains ancillary to the main use of the building as a residential dwelling;
- b) Any extension or free-standing building does not detract from the quality and character of the building to which they are subservient by reason of height, scale, massing, location or the facing materials used in their construction; and
- c) Such development will not result in significantly increased traffic movements, that appropriate parking provision is made, and there is no significant and adverse impact to nearby residents or other sensitive land uses from noise, fumes, light pollution, or other nuisance associated with the work activity.

## Farm diversification

The conversion of former agricultural buildings enables farm diversification, leads to the sustainable reuse of vacant buildings and provides opportunities for the establishment and development of small businesses which generate income and employment opportunities for local people. This is a national trend, which the Parish Council would like to encourage within the Plan area to maintain a balanced and vibrant community, subject to the proper consideration of residential amenity for nearby houses, visual impact on the countryside and highway safety issues. New business development in the countryside is covered in Policy E1.

To help maintain the rural economy and protect the open countryside from inappropriate development, the Plan supports the sustainable growth and expansion of business and enterprise through the development and where appropriate conversion of existing farm buildings in the countryside. Specifically, this is intended to: Promote a viable and sustainable farming and rural economy in the neighbourhood area and the diversification of rural businesses; encourage new businesses to provide a wider range of local produce, services and leisure facilities, to provide local employment and attract both visitors and tourists to the parish and maintain and enhance the local environment of rural and agricultural lands.

The change of use of some rural buildings to new uses is already permitted under the General Permitted Development Orders. The Town and Country Planning (General Permitted Development) (Amendment and Consequential Provisions) (England) Order 2014 allows, under certain circumstances, the change of use of agricultural buildings to residential use and change of use of agricultural buildings to registered nurseries providing childcare or state-funded schools, under the prior approval system. The policy allows for circumstances where planning permission is required.

**POLICY E3: REUSE OF AGRICULTURAL AND COMMERCIAL BUILDINGS** - The reuse, conversion and adaptation of rural buildings for small businesses, recreation, or tourism purposes will be supported where:

- a) The use proposed is appropriate to the rural location;
- b) The conversion/adaptation works respect the character of the surrounding area;
- c) The development will not have an adverse impact on any archaeological, architectural, historic or environmental features;
- d) The local road system is capable of accommodating the traffic generated by the proposed new use and adequate parking can be accommodated within the site; and
- e) There is no significant adverse impact on neighbours through noise, light or other pollution, increased traffic levels or increased flood risk.

## Broadband

The Local Plan Policy SDC9 recognises the importance of broadband infrastructure. This neighbourhood plan recognises the fundamental importance of ultra-fast broadband to the development of the local economy and that rural communities must not be disadvantaged with a poor communication infrastructure. Such facilities are particularly important for promoting and developing homeworking as outlined in policy E3.

53% of respondents to the Community Questionnaire said the Broadband speed was adequate. Only 39% said similarly about the mobile phone signal.

**POLICY E5: BROADBAND INFRASTRUCTURE** - Proposals to provide increased access to a super-fast or ultra-fast broadband service (including future developments at present unforeseen) and improve the mobile telecommunication network that will serve businesses and other properties within the parish will be actively supported. This may require above ground network installations, which must be sympathetically located and designed to integrate into the landscape and not be located in or near to open landscapes. In addition:

- a) All new developments should have access to superfast broadband (of at least 30Mbps). Developers should take active steps to incorporate superfast broadband at the pre-planning phase and should engage with telecoms providers to ensure superfast broadband is available as soon as soon as the initial build on the development is complete; and
- b) Telecommunication providers will be encouraged to improve existing mobile coverage and provide new 5G services.

## School expansion

The Revel Church of England Aided School is not just a village primary school, it serves a very wide community with children arriving at school by bus and private car from not only the Revel group of villages but also Wolvey. Monks Kirby and Wolvey Primary Schools are joined in a Federation, and across the county boundary from Leicestershire. The school is an extremely important part of the Monks Kirby community but it's growth and popularity over recent has come with its own challenges, primarily traffic and parking.

There are many and continuing efforts by the school, the Parish Council and the community to mitigate these traffic issues but like all rural village schools, there is not a simple solution. There is a high volume of traffic at peak school times and a voluntary circular traffic routing system operates which significantly helps the situation when used properly. This Neighbourhood Plan seeks to support and encourage the school in its development whilst trying to manage the potentially adverse impacts on the local community.

**POLICY E6: SCHOOL - Proposals for the expansion of the Primary School will be supported where it can be demonstrated that:**

- a) Expansion would not exacerbate existing access related or traffic circulation problems, unless suitable mitigation measures are brought forward as part of the proposal;
- b) There is no significant loss of outdoor recreation space at the school; and
- c) The development would not result in a significant loss of amenity to local residents or other adjacent users and is in character, scale and form to the current building.

## 3. Traffic

### Traffic management

Traffic concerns have been raised by residents including speeding, road safety, the condition of roads and limiting HGV travel through the village.

The Local Plan promotes improved bus services and facilities, extension and improvement of the cycle network and pedestrian facilities and other forms of sustainable transport.

It seeks to reduce the dependency on the car where possible by providing linkages through footpaths and accessing public transport.

**POLICY T1: TRAFFIC MANAGEMENT** - With particular regard to the rural highway network of the Parish and the need to minimise any increase in vehicular traffic all development must:

- a) Be designed to minimise additional traffic generation and movement;
- b) Incorporate sufficient off-road parking in line with Highways requirements;
- c) Provide any necessary improvements to site access and the highway network either directly or by sufficient financial contributions; and
- d) Consider, where appropriate, the improvement and where possible the creation of footpaths, pedestrian facilities and cycleways to key village services.

## Electric car charging

The UK government has recently announced its intention to ban sales of new petrol and diesel cars from 2030 to combat rising levels of air pollution (in particular NOx) and address climate change concerns. The implication is that the number of 'pure' (i.e. not hybrid) electric vehicles (EVs) on the road will increase rapidly; there is some evidence this is already starting. This raises the crucial question for the planning system of providing infrastructure for EV battery recharging.

This issue is already influencing planning and building regulations and it would seem wise to include such requirements for new developments in Monks Kirby, if rural communities are not to be left behind. Similarly, commercial rapid charging facilities are growing across the country (making use of 3-phase supply not possible at the domestic level and reducing the 7kW re-charge time by a factor of 3). These could be utilised in Monks Kirby for example by installation in a permanent parking area as described above, providing re-charging for residents with no off-road parking, and allowing opportunity fast re-charge for all residents.

The Community Questionnaire revealed that 25% of respondents owned an electric or hybrid vehicle. Local Plan Policy HS5 requires new development to consider including provision for electric vehicle charging capability.

**POLICY T4: ELECTRIC VEHICLES** - Residential development should, where practical, provide 7kW (or current best practice) cabling to a vehicle-accessible location on the exterior of each dwelling to facilitate subsequent installation of a home electric vehicle charging point.

The provision of communal vehicular charging points within the Parish will be supported where there is universal access, and their presence does not impact negatively on existing available parking in the Parish.

## 8. Monitoring and Review

The Neighbourhood plan will last up to 2037. During this time, it is likely that the circumstances which the Plan seeks to address will change.

The Neighbourhood plan will be regularly monitored. This will be led by Monks Kirby Parish Council on at least an annual basis. The policies and measures contained in the Neighbourhood plan will form the core of the monitoring activity, but other data collected and reported at the Parish level relevant to the delivery of the Neighbourhood plan will also be included.

The Parish Council proposes to formally review the Neighbourhood plan on a three-year cycle commencing in 2025 or to coincide with the review of the Development Plan if this cycle is different.

Monks Kirby  
Neighbourhood Plan  
2022-2031  
Statement of Basic  
Conditions

July 2022

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## 1.0 Introduction

- 1.1** The Basic Conditions Statement has been prepared to accompany the Monks Kirby Neighbourhood Plan (“the Neighbourhood Plan”) under regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (“the Regulations”).
- 1.2** In order to satisfy Regulation 15 of the Neighbourhood Planning (General) Regulations 2012, the Parish Council, as the ‘qualifying body’ must include a statement explaining how the proposed neighbourhood plan meets the requirements of paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990 (as amended).
- 1.3** Paragraph 8 (1) states that the examiner must consider the following:
- (a) whether the draft neighbourhood development plan meets the basic conditions (see sub-paragraph (2))
  - (b) whether the draft neighbourhood development plan complies with the provision made by or under sections 61E (2), 61J and 61L, as amended by s38C(5)(b)
  - (c) whether the area for any referendum should extend beyond the neighbourhood area to which the draft neighbourhood development plan relates and
  - (d) such other matters as may be prescribed.
- 1.4** Paragraph 8 (2) states that a draft neighbourhood development plan meets the basic conditions if:
- (a) having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood development plan
  - (b) the making of the neighbourhood development plan contributes to the achievement of sustainable development
  - (c) the making of the neighbourhood development 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)
  - (d) the making of the neighbourhood development plan does not breach, and is otherwise compatible with, EU obligations and
  - (e) prescribed conditions are met in relation to the neighbourhood development plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood development plan.

- 1.5** Section 2 of this Statement sets out how the Neighbourhood Plan complies with the legal requirements of sub-paragraphs 1 (b), (c) and (d). Section 3 of this Statement sets out how the Neighbourhood Plan meets the basic conditions contained in sub-paragraph 1 (a) and sub-paragraph 2.

## **2.0 Legal Requirements**

- 2.1** The Plan complies with the provisions of sub-paragraph 1(b) as described below.

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

The Neighbourhood Plan has been submitted by Monks Kirby Parish Council, which is a qualifying body and entitled to submit a Neighbourhood Plan for the designated Plan area.

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

- 2.2** The Neighbourhood Plan contains policies relating to the development and use of land within the Neighbourhood Plan area 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.

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

- 2.3** The Neighbourhood Plan states that the period which it relates to is from 2022 until 2031. The period has been chosen to align with that of the 2019 Rugby Local Plan.

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

- 2.4** The Neighbourhood Plan 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.

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

- 2.5** The designated Plan area was approved by Rugby Borough Council on 8 June 2021. The Plan does not relate to more than one Neighbourhood Plan area. There are no other neighbourhood plans in place within the Neighbourhood Plan area.

**2.6** In relation to sub-paragraph 1(c), it is not considered that there is any benefit or reason for extending the area for the referendum beyond the designated Neighbourhood Plan Area.

**2.7** In relation to sub-paragraph 1(d), there are no other prescribed matters.

### **3.0 The Basic Conditions**

**3.1** This section addresses how the Neighbourhood Plan fulfils the basic conditions set out in sub-paragraph (2). The Neighbourhood Plan has been prepared having regard to national policies and advice set out in the National Planning Policy Framework (NPPF) and to the saved strategic policies contained in the 2019 Rugby Local Plan.

#### **Having regard to national policies and advice**

**3.2** The Neighbourhood Plan has been developed having regard to the NPPF (2021). An explanation of how each of the Neighbourhood Plan policies have shown regard to the NPPF are outlined in table 1 below.

**3.3** In broad terms the Plan:

- process has empowered the local community to develop the plan for their neighbourhood and has undertaken a creative and thorough exercise in identifying ways to enhance and improve the area;
- policies are based on robust evidence and provide a practical framework within which decisions on planning applications can be made, with a high degree of predictability and efficiency;
- seeks to deliver locally appropriate homes, businesses and infrastructure through housing allocations, a windfall policy and employment policies;
- seeks to actively manage patterns of growth in the most sustainable locations through the designation of a Limits to Development;
- supports local strategies to deliver sufficient community facilities and services, to meet local needs;
- contributes to conserving and enhancing the natural environment through the protection of Local Green Spaces, biodiversity and a range of environmental protections.

### **General conformity with the strategic policies of the development plan for the area**

- 3.4** The Neighbourhood Plan has been prepared in general conformity with the 2019 Rugby Local Plan.
- 3.5** Table 1 provides a summary of how each of the Neighbourhood Plan policies are in general conformity with the Rugby Development Plan and have regard for the NPPF (2021).

<i>Monks Kirby Neighbourhood Plan policies</i>	<i>NPPF para</i>	<i>Regard to National Planning Policy (NPPF 2021)</i>	<i>General Conformity with Rugby Development Plan</i>
<b>Policy HBE1: Settlement Boundary</b>	9, 11, 80,	One of the core principles of the NPPF is to recognise and protect the intrinsic character and beauty of the countryside. Actively managing patterns of growth, within the Limits to Development seeks to support existing services and facilities and protect the countryside and setting of the settlements. Further, Limits to Development facilitate the use of sustainable modes of transport with both benefits to the environment and the health of the community, both underlying premises of the NPPF.	The Rugby Local Plan includes ‘settlement boundaries, within which, subject to certain criteria, a general presumption in favour of development will be applied. The Neighbourhood Plan seeks to update this boundary to reflect housing allocations and thus is in general conformity with the Local plan.  Policy HBE1 is in general conformity with the Core Strategy and the Local Plan which identifies Settlement Boundaries to prevent the unregulated encroachment of development into the countryside.
<b>Policy HBE2: Housing Mix</b>	32, 92	The policy seeks to support a mix of housing that meets an identified need in the community. The NPPF advocates for inclusive and mixed communities, which will require a mix of housing types based on current and future demographic trends.	Local Plan Policy H1 identifies a need for new residential development to contribute to the overall mix of housing in the locality, taking local need into account, amongst other issues. Policy H2 recognises the use of neighbourhood plans to inform identified need.
<b>Policy HBE3: Affordable Housing Provision</b>	61, 62, 63, 64	This policy supports the provision of affordable housing and includes a policy prioritising allocation to local residents. This policy is consistent with the NPPF which outlines the need to widen opportunities for home ownership and create inclusive and mixed communities through amongst other things, supporting affordable housing where there is an identified need.	Policy HBE3 is in general conformity with Local Plan policy H2 which sets targets for affordable housing and establishes the need for an appropriate mix of housing.
<b>Policy HBE4: Windfall Sites</b>	69, 71,	The policy for small scale windfall sites has regard to the NPPF; by seeking to meet any future housing requirements for the area and maintain the vitality of the settlements, whilst protecting their character and setting. This is a positive policy for future housing provision given that this type of development has a proven track record in providing a good	The support of the Neighbourhood Plan for small scale windfall development is in general conformity with the Local Plan which supports small-scale development in Main Rural Centres (paras 4.13 and 11.2).

		source of new housing over recent years in the Parish.	
<b>Policy HBES: Design</b>	8, 28, 110, section 12	The policy outlines several design principles and supports the NPPF principle of requiring good design; and the need to respond to local character and history of the local surroundings. Importantly the policy does not impose architectural styles and hence does not stifle an innovative approach.	Local Plan policy SDC1 requires development to demonstrate high quality design
<b>Policy ENV 1: Local Green Space</b>	101-103	Protection of Local Green Spaces identified as being special by the community is advocated through the NPPF. Proposed designations meet the criteria set out in the NPPF.	The principles underpinning the protection of Local Green Spaces are in general conformity to the Local Plan Policies contained in Chapter 9 of the Local Plan on the Natural Environment.
<b>Policy Env 2: Important Open Spaces</b>	Section 15,	This policy seeks to protect other open space with environmental and historic value on account of their natural and/or historical features. This has regard to the NPPF principles conserving and enhancing the natural and historic environment. It takes into account the designation hierarchy and the protection is commensurate with their status.	The Local Plan seeks to support developments that protect biodiversity (policy NE1 and NE2).
<b>Policy ENV 3: Sites and features of natural environmental significance</b>			The Neighbourhood Plan in identifying locally significant sites for protection, adds further detail and value at the neighbourhood level and is in general conformity with the Local Plan overarching principles
<b>Policy ENV 4: Biodiversity, and habitat Connectivity.</b>	179	The policies seek to protect and enhance local biodiversity features and habitats. The policy has regard to the NPPF, which states that the planning system should contribute to enhancing the natural and local environment by minimizing impacts on biodiversity and providing net gains where possible.	The Local Plan seeks to support developments that protect biodiversity (policy NE1 and NE2).  The Neighbourhood Plan in identifying locally significant sites for protection, adds further detail and value at the neighbourhood level and is in general conformity with the Local Plan overarching principles

<p><b>Policy Env 6: Sites of Historical Environment Significance</b></p>	<p>Section 15</p>	<p>The NPPF requires Plans to set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets</p>	<p>The Local Plan seeks to protect its heritage assets (Policy GP3) by considering the impact of development on any heritage asset. Policy SDC3 is specifically related to protecting and enhancing the historic environment.</p>
<p><b>Policy Env 7: Ridge and Furrow</b></p>	<p>Section 15</p>	<p>This policy seeks to protect ridge and furrow fields and has regard for the NPPF, which considers that non- designated heritage assets of archaeological interest, of equivalent significance to scheduled monuments should be subject to the policies for designated heritageassets.</p>	
<p><b>Policy ENV 8: protection of Important Views</b></p>	<p>130</p>	<p>The policy seeks to protect views identified as being significant to the community. In accordance with the NPPF, the planning system should contribute to and where possible; enhance the landscape. Views are a key component of the landscape</p>	<p>Whilst there is no explicit policy regarding the protection of views, the Local Plan (policy NE4) supports the protection of the character the landscape. Important views are an important element of the character of the landscape and thus their identification and protection is consistent with the broad aims for the countryside and natural environment in the Local Plan.</p>
<p><b>Policy Env 9: Footpaths and other walking routes</b></p>	<p>Section 9</p>	<p>The policy safeguards existing networks of footpaths and bridleways and in so doing, supports the NPPF aims of promoting sustainable transport and promoting healthy communities.</p>	<p>Local Plan Policy D3 is concerned with additional or improved infrastructure and the narrative recognises the value of cycling s a sustainable mode of transport. Similarly D4 on Planning Obligations recognises the need for cycling and walking facilities.</p>
<p><b>Policy Env 10: Flood Risk Resilience</b></p>	<p>Section 14</p>	<p>The NPPF seeks to avoid inappropriate development in areas at risk of flooding by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.</p>	<p>Local Plan Policy CC3 requires development to take place in the areas at lowest risk of flooding</p>

<p><b>Policy Env 11: Renewable Energy Generation Infrastructure</b></p> <p><b>Policy T4: Electric Vehicles</b></p>	<p>148, 151, 154</p>	<p>The policy supports the NNPF aim of meeting the challenge of climate change by supporting the delivery of renewable energy development while ensuring that adverse impacts are addressed satisfactorily.</p>	<p>Policy Env8 is in conformity with Local Plan Policy SDC8 which is concerned with delivering renewable energy and low carbon technology.</p>
<p><b>Policy CF1: Community Facilities and Amenities</b></p> <p><b>Policy E6: School</b></p>	<p>8, 20, 28, 84, 92, 93, 119, 186</p>	<p>This policy seeks to protect key community facilities. This has regard for the NNPF principle of promoting healthy communities through amongst other things, planning positively for community facilities and guarding against their unnecessary loss.</p> <p>In seeking new or improved community facilities, the policy supports the NNPF principle of promoting healthy communities.</p>	<p>Policy CF1 is in general conformity with Local Plan which recognises the importance of community facilities in the provision of sustainable development.</p> <p>Local Plan Policy HS3 seeks to protect and provide local shops, community facilities and services.</p>
<p><b>Policy E1: Employment Development</b></p>	<p>9, 20, 28, 73, 106, 123</p>	<p>The policy supports new employment opportunities through small scale employment premises. Promoting access to employment is a key element in the pursuance of sustainable development as outlined in the NNPF. The policy aims to support a prosperous rural economy, to grow and where possible, diversify the local economy.</p> <p>The policy supports new employment opportunities through small scale employment premises. ‘Making it easier for jobs to be created in cities, towns and villages’ is a key element in the pursuance of sustainable development as outlined in the NNPF. The policy aims to support a prosperous rural economy, to grow and where possible, diversify the local economy.</p>	<p>The Spatial Vision recognises the importance of high- quality employment opportunities whilst Policy ED3 sets the criteria against which employment opportunities will be considered.</p>
<p><b>Policy E2: Home Working</b></p>	<p>106</p>	<p>This policy supports the use of part of a dwelling for office or light industrial use in order to facilitate working from home. Working from home further supports employment activities; thus, contributing to a prosperous rural economy. It also supports the transition to a low carbon future by reducing the dependency of the car for journeys to employment sites outside of the Parish.</p>	<p>The general development principles of Policy E2 conform with those of ED3.</p>

<b>Policy E3: Re-Use of Agricultural and Commercial Buildings</b>	9, 20, 28, 73, 106, 123	Re-use of agricultural buildings for small businesses, recreation or tourism further support a prosperous rural economy and the transition to a low carbon future by encouraging the use of existing resources.	Policy ED3 sets the criteria against which employment opportunities will be considered.
<b>Policy E5: Broadband</b>	42, 43	The NPPF advocates planning that supports high quality communications infrastructure.	Policy E5 is in general conformity with Local Plan Policy SDC9 on Broadband and mobile internet, which requires the provision of broadband infrastructure.
<b>Policy T1: Traffic management</b>	Section 9	The policies seek to manage potential traffic issues arising from development and has regard for ‘promoting sustainable transport’ and supporting reductions in greenhouse gas emissions.	Local Plan Policy HS5 requires development to take account of the cumulative impact on traffic generation.

## Achieving sustainable development

- 3.7 The Neighbourhood Plan is positively prepared, reflecting the presumption in the NPPF in favour of sustainable development. In this regard, the Plan supports the strategic development needs in the Development Plan, shaping and directing development in the area that is outside of the strategic elements of the Core Strategy and Local Plan.
- 3.8 The NPPF defines sustainable development as having three dimensions; economic, social and environmental. The Neighbourhood Plan has been developed with regard to these principles and has jointly sought environmental, economic and social gains.
- 3.9 The policies contained in the Neighbourhood Plan contribute to achieving sustainable development by seeking positive improvements to the quality of the natural, built and historic environment, as well as in people's quality of life, including:
- supporting strong, vibrant, healthy and inclusive communities by facilitating the right mix of housing to meet local need;
  - supporting the transition to a low carbon future through actively managing patterns of growth within existing settlements, supporting sustainable modes of transport and local employment opportunities;
  - protecting and enhancing the distinctive character of the built and natural environment through high quality design, protection of important local green space and protection of important views;
  - conserving and enhancing the natural environment by protecting and supporting a net gain in biodiversity and important habitats;
  - supporting a strong economy through the protection of existing employment sites, support for new businesses including home working, farm diversification and encouragement of superfast broadband;
  - safeguarding and enhancing existing open space, community facilities and pedestrian and cycling facilities for the health, social and cultural wellbeing of the community.

## EU obligations

### Strategic Environmental Assessment (SEA)

3.10 In some limited circumstances, where a neighbourhood plan could have significant environmental effects, it may require a Strategic Environmental Assessment under the relevant EU Directive. DCLG planning guidance suggests that, whether a neighbourhood plan requires a strategic environmental assessment and (if so) the level of detail needed, will depend on what is proposed in the draft neighbourhood plan. A strategic environmental assessment may be required, for example, where:

- a neighbourhood plan allocates sites for development;
- the neighbourhood area contains sensitive natural or heritage assets that may be affected by the proposals in the plan;
- the neighbourhood plan may have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the Local Plan.

3.11 A Screening opinion was issued by Rugby Borough Council with which determined that a full SEA would not be required. The statutory consultees concurred with this conclusion.

### Habitats Directive

3.12 Rugby Borough Council undertook a Habitat Regulation Assessment (HRA) screening of the Neighbourhood Plan and concluded that an HRA was not required. The statutory consultees concurred with this conclusion.

### Convention on Human Rights

3.13 The Neighbourhood Plan has regard to and is compatible with the fundamental rights and freedoms guaranteed under the European Convention on Human Rights. The Neighbourhood Plan has been prepared with extensive input from the community and stakeholders as set out in the accompanying Statement of Consultation. Considerable care has been taken throughout the preparation and drafting of this Plan to ensure that the views of the whole community were embraced to avoid any unintentional negative impacts on particular groups.

3.14 There was extensive consultation and engagement in identifying issues and objectives and the community has been consulted on the draft Neighbourhood Plan, as required by Regulation 14 of the Neighbourhood Planning (General) Regulations 2012. Responses have been recorded and changes have been made as per the schedule

set out in the appendices to the Statement of Consultation. The Statement of Consultation has been prepared by the Advisory Committee and meets the requirements set out in Paragraph 15 (2) of the Regulations. An Executive Summary of the Neighbourhood Plan was produced to further aid understanding within the community.

## **4.0 Conclusion**

- 4.1** The Basic Conditions as set out in Schedule 4B of the Town and Country Planning Act 1990 are considered to have been met by the Monks Kirby Neighbourhood Plan.
- 4.2** The Plan has regard to national policy, will contribute towards the achievement of sustainable development, is in general conformity with the saved strategic policies in the Charnwood Local Plan 2015 and meets relevant EU obligations.
- 4.3** It is therefore respectfully suggested to the Examiner that the Monks Kirby Neighbourhood Plan complies with Paragraph 8(1)(a) of Schedule 4B of the Act.

Appendix 3

# Monks Kirby Neighbourhood Plan Consultation Statement

July 2022

## Introduction

This Consultation Statement for the Monks Kirby Neighbourhood Plan has been prepared to fulfil the legal obligations of the Neighbourhood Planning Regulations 2012. Section 15(2) of Part 5 of the Regulations sets out what a Consultation Statement should contain:

- a) contains details of the persons and bodies who were consulted about the proposed neighbourhood development plan
- b) explains how they were consulted
- c) summarises the main issues and concerns raised by the persons consulted
- d) describes how these issues and concerns have been considered and, where relevant, addressed in the proposed Neighbourhood Plan.

## Aims of consulting on the Plan

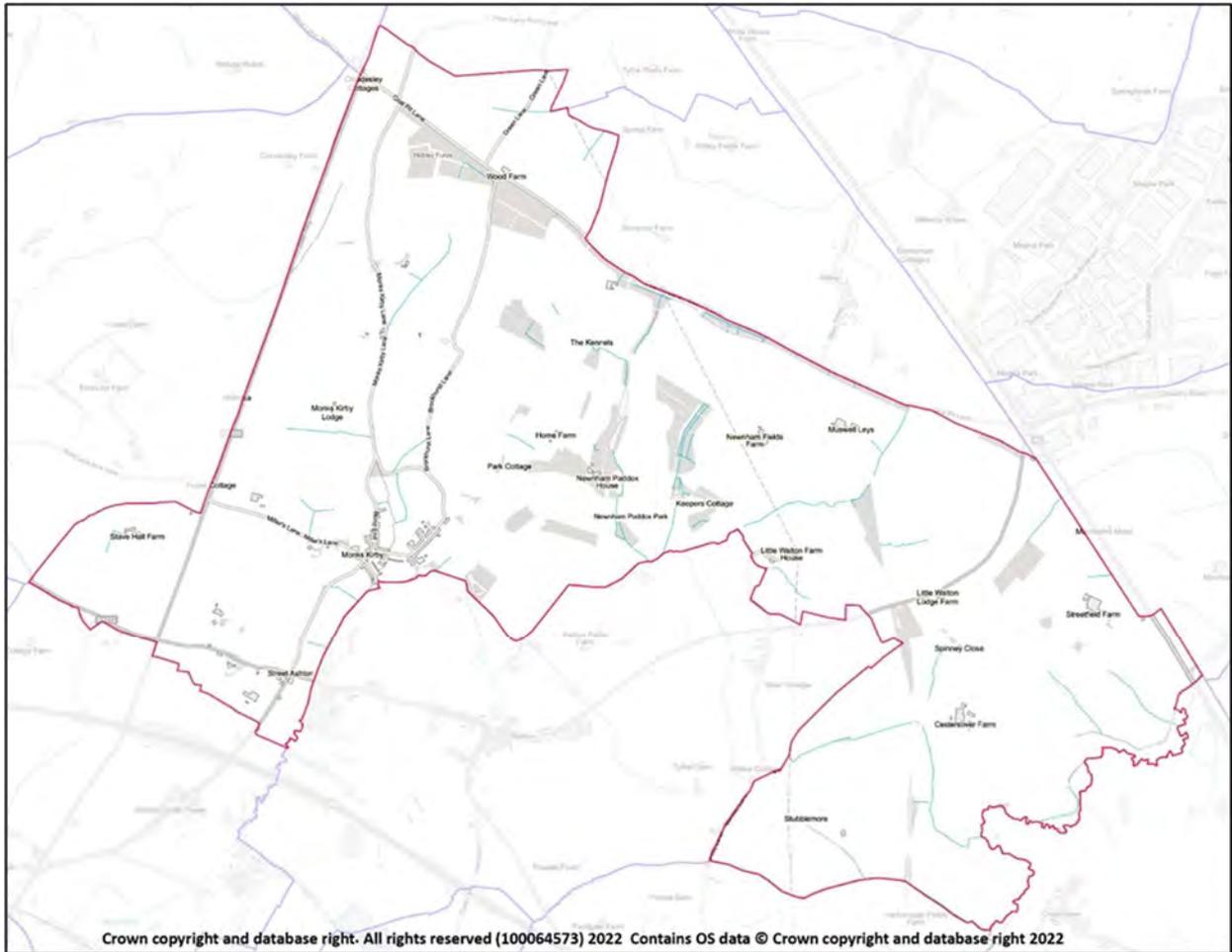
The aim of the engagement process was to:

- Inform residents, local businesses, and other stakeholders about the neighbourhood planning process and to invite their participation so that local opinion informed the plan
- Ensure that consultation events took place at critical points in the process.
- Ensure that as wide a range of people as possible were involved, that they could receive information and could provide feedback in a way that suited them.
- Ensure that information was readily available and accessible to everyone.
- Make sure that consultation feedback was available as soon as possible after events

## Background to the consultation - Initiating the Neighbourhood Plan

The whole of the parish was formally designated by Rugby Borough Council for neighbourhood planning purposes on 8 June 2021.

Figure 1 - Parish of Monks Kirby Designated Area

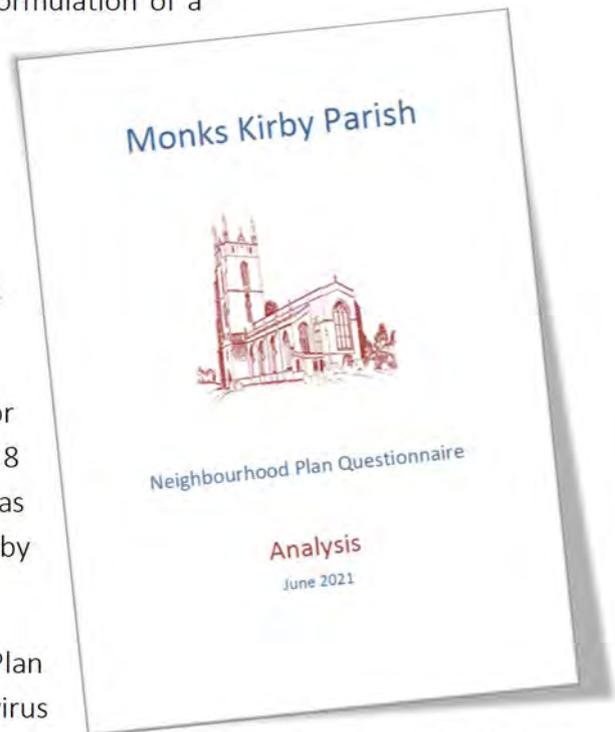


The Parish Council decided to undertake the formulation of a Neighbourhood Plan for Monks Kirby in February 2020 and appointed an Advisory Committee to take the process forward.

The mandate of the Advisory Committee was to drive the process, consult with the local community, gather evidence to support the development of policies and deliver the plan.

Monks Kirby applied to be a Qualifying Body for neighbourhood planning purposes on 8 December 2020. The whole of the Parish was designated as a neighbourhood area by Rugby Borough Council on 8 June 2021.

Arrangements to progress the Neighbourhood Plan were delayed by the onset of the Coronavirus Pandemic and opportunities to consult with the



community were reduced.

Nonetheless, the Advisory Committee continued to meet via Zoom. A questionnaire was distributed throughout Monks Kirby in the spring of 2021. 79 completed questionnaires were returned representing 20 % of the population aged 16 or over (276 residents as at the 2011 Census) and up to 43% of households.

Some key findings included the following: The most important features of Monks Kirby were identified as access to the countryside; peace and tranquillity; a lack of major through roads and village character. Concerns included fly tipping, unlawful development and an abuse of the greenbelt. Homes for young people were the top category when asked about housing need, followed by small family homes and homes for older people. Owner-Occupied housing was welcomed followed by Affordable Housing for Sale.



When restrictions were relaxed in July 2021, two Theme Groups were launched to explore potential policy options in greater detail and to begin to gather evidence. A total of 11 residents

attended the launch event and signed up to groups which were facilitated by our Neighbourhood Planning consultants YourLocale.



All of the analyses of the consultation processes are available on the Parish Council website. An Open Event was held on 1 May 2022 to share the draft Plan with the community and to receive feedback, attended by 42 residents.

#### Advisory Committee Meetings

The Advisory Committee met regularly and in accordance with Parish Council regulations. The meeting dates are as follows:

- 17<sup>th</sup> November 2020
- 8<sup>th</sup> December 2020
- 28<sup>th</sup> January 2021
- 4<sup>th</sup> March 2021
- 9<sup>th</sup> June 2021
- 5<sup>th</sup> April 2022

A full set of meeting minutes can be found on the Monks Kirby Parish Council Website ([www.monkskirby.org.uk](http://www.monkskirby.org.uk))

#### Theme Groups

Two Theme groups were formed to manage Neighbourhood Plan policy development with focus on the Environment. Local Amenities and Housing Requirements. Each Theme group was supported by a YourLocale facilitator with expertise in the relevant field. Other members of the community volunteered to participate in the Theme Groups.

The aim of these groups was to explore in detail the issues that had been raised by villagers through the Questionnaire in the spring of 2021 and to collate evidence and identify emerging priorities. Their expertise, local knowledge and commitment was invaluable in making sure that the Plan reflects the requirements of Monks Kirby and represents the views of the parishioners. They met regularly over the duration of the project, conducted research and collated a significant amount of evidence that formed the basis of the Neighbourhood Plan policy development. A further group was established to progress issues related to community facilities and employment.

The Housing Theme Group meeting dates are as follows:

- 21st June 2021
- 12th August 2021
- 1st September 2021
- 6th October 2021
- 27th October 2021

The Environment Theme Group meeting dates are as follows:

- 10th August 2021
- 9th September 2021
- 2nd October 2021
- 26th October 2021
- 18th November 2021
- 9th December 2021

Full sets of meeting minutes for these groups can be found on the Monks Kirby Parish Council Website ([www.monkskirby.org.uk](http://www.monkskirby.org.uk))

### Questionnaire

An important part of this inclusive process is, of course, obtaining the views and aspirations of the community. Key to this has been the development and dissemination of a community questionnaire.

The questionnaire contains 40 questions and is based on important themes established following initial consultation work by the team leading the Monks Kirby Neighbourhood Plan.

The questionnaire took place during April and May of 2021. It was available to complete electronically and as a paper version. The level of response from the community was good, there being 79 responses. This represents a return from over 20% of the adult population, (382 aged 16 plus).

Given that some households choose to respond collectively rather than as individuals; it is also pertinent to consider the number of responses in relation to the number of households in the

Neighbourhood Plan area. The number of responses represents the equivalent of up to 43% of the 181 occupied households.

A copy of the Questionnaire analysis is available as Appendix 1

This demonstrates a good level of commitment to the Neighbourhood Plan by the community and, in turn, adds strength to the validity of the collected views expressed.

### Open Event

An Open Event to share the emerging policies was held in the Village Hall in Monks Kirby on 1 May 2022

This was an engaging event where people had the opportunity to see the draft policies and to ask questions of those who have drafted the Plan. People stayed for a long time to read and consider each policy area and the turnout was very good for a community the size of Monks Kirby.

There was overwhelming support for the policies on display.

A copy of the Open Event analysis is available as Appendix 2

### Ongoing Communication with Parishioners

The parishioners of Monks Kirby were kept informed and consulted on the progress of the Neighbourhood Plan Development via a series of communication methods:

- Public participation at monthly Parish Council Meetings
- Articles in the Monks Kirby Village Hall Newsletter (approx. 3 times per year)
- Articles on the Monks Kirby WhatsApp Network (over 100 members)
- Articles on the Parish Council Noticeboard outside Village Hall

### Funding and Support

YourLocale was appointed to provide professional support to the Advisory Committee.

Funding for YourLocale as well as community consultation and engagement, was by the Parish Council and by grants from the Locality.

### Consultation – list of people and bodies consulted

The following stakeholders were contacted at the start of the process and again prior to the Regulation 14 Pre-Submission Consultation:

- The Coal Authority

## Monks Kirby Neighbourhood Plan - Consultation Statement July 2022

- Homes and Communities Agency
- Natural England
- The Environment Agency
- English Heritage
- Historic England
- Network Rail Infrastructure Limited
- Highways Agency
- British Telecommunications Plc
- Open Reach
- NHS Coventry and Rugby Clinical Commissioning Group
- National Grid
- British Gas Properties
- Severn Trent Water Ltd
- Anglian Water Ltd
- Age UK Warwickshire
- Voluntary Action Rugby
- CPRE
- Equality and Inclusion Partnership
- Federation of Gypsy Liaison Groups
- Rugby Interfaith Forum
- Coventry and Warwickshire Chamber of Commerce
- Leicestershire Centre for Integrated Living
- Warwickshire Integrated Disability Service
- Warwickshire Police
- Warwickshire Fire and Rescue

### Local Planning Authority

- Warwickshire County Council.
- Rugby Borough Council
- County Councillor Adrian Warwick
- Borough Councillors Tony Gillias, Heather Timms, Belinda Garcia

### Adjoining Parishes

### Member of Parliament:

- MP Mark Pawsey

## Summary of findings from the events and questionnaires

By involving residents, business owners and other stakeholders at key stages in the development of the Monks Kirby Neighbourhood Plan, the plan is both evidence-based and has been shaped by local opinion, with policies being tested as they have been developed.

There was a detailed analysis after the consultation event which has informed the next step in drafting the plan.

## Regulation 14, Pre-Submission Consultation

This consultation took place over a six-week period (3 May – 13 June 2022). The comments received were collated by the Parish Clerk and after an initial review by YourLocale, the updated the plan was agreed and submitted to the Parish Council for final approval ahead of submission to Rugby Borough Council.

The comments and responses are attached as Appendix 3.

## Conclusion

The draft Neighbourhood Plan is now ready to be submitted to Rugby Borough Council who will publicise it for a further six weeks and then forward it, with accompanying documents and all representations made during the publicity period, to an Independent Examiner who will review it and check that it meets the 'Basic Conditions'. If the Plan successfully passes this stage, following any modifications, it will be put forward for referendum.

The referendum question will be a straight "yes" or "no" on the entire Plan, as set out by Neighbourhood Planning Regulations. People will not be able to vote for or against individual policies. If 50% or more of respondents vote for the Plan, it will be brought into force ('Made') and become part of Borough-wide planning policy.

This Consultation Statement and the supporting Appendices are provided to comply with Section 15(2) of part 5 of the 2012 Neighbourhood Planning Regulations.

## THE ENVIRONMENTAL ASSESSMENT OF PLANS AND PROGRAMMES REGULATIONS 2004 REGULATION 9 SCREENING DETERMINATION STATEMENT

### Monks Kirby Neighbourhood Plan

#### Introduction

European Union Directive 2001/42/EC requires a Strategic Environmental Assessment to be undertaken for certain types of plans or programmes that would have a significant environmental effect. The Environmental Assessment of Plans and Programmes Regulations 2004 (the regulations) require that this is determined by a screening process, which should use a specified set of criteria (set out in Schedule 1 of the Regulations). The results of this process must be set out in an SEA Screening Statement, which must be publicly available. Before the Council make a formal determination, there is a requirement to consult three statutory consultation bodies designated in the regulations (Historic England, Environment Agency & Natural England) on whether an environmental assessment is required.

This document is the Screening Determination of the need to carry out a Strategic Environmental Assessment for the Monks Kirby Neighbourhood Plan and is made in accordance with the regulations. Within 28 days of making its determination, Rugby Borough Council and Monks Kirby Parish Council will publish a statement, setting out this decision. If it is determined that an SEA is not required, the statement must include reasons for this.

#### Determination

In accordance with Regulation 9 of the SEA Regulations 2004, Rugby Borough Council has determined that an environmental assessment of the emerging Monks Kirby 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 **24<sup>th</sup> August 2022**.

#### Further Information

A copy of this determination will be sent to the Consultation Bodies and made available on the Rugby Borough Council website and Monks Kirby Parish Council's website.

**Appendix 1- SEA and HRA Screening Report**

Monks Kirby Neighbourhood Plan  
Strategic Environmental Assessment and Habitat Regulations  
Assessment  
Screening Report  
29th July 2022

## **Contents**

1. Introduction

2. Legislative Background

3. Criteria for Assessing the Effects of Neighbourhood Planning Documents

4. Assessment

5. Screening Outcome

## **1. Introduction**

1.1 Under the requirements of the European Union Directive 2001/42/EC and Environmental Assessment of Plans and Programmes Regulations (2004) certain types of plans that set the framework for the consent of future development projects, must be subject to an environmental assessment.

1.2 This screening report has been prepared to determine whether the Monks Kirby Neighbourhood Development Plan to 2031 should be subject to a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC (SEA Directive) and associated Environmental Assessment of Plans and Programmes Regulation 2004 (SEA Regulations)

## **2. Legislative Background**

2.1 The basis for Strategic Environmental Assessments and Sustainability Appraisal legislation is European Directive 2001/42/EC. This was transposed into English law by the Environmental Assessment of Plans and Programmes Regulations 2004, or SEA Regulations. Detailed Guidance on these regulations can be found in the Government publication 'A Practical Guide to the Strategic Environmental Assessment Directive' (ODPM 2005).

2.2 This report will also screen to determine whether the Neighbourhood Plan requires a Habitats Regulations Assessment (HRA) in accordance with Article 6(3) and (4) of the EU Habitats Directive and with Regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended). A HRA is required when it is deemed that likely adverse significant effects may occur on protected European Sites (Natura 2000 sites) as a result of the implementation of a plan/project. As a general 'rule of thumb' it is identified that sites with pathways of 10-15km of the plan/project boundary should be included with a HRA.

2.3 This report focuses on screening for SEA and HRA and the criteria for establishing whether a full assessment is needed.

### 3. Criteria for Screening for SEA

3.1 Criteria for determining the likely significance of effects are set in Schedule 1 of The Environmental Assessment of Plans and Programmes Regulations 2004.

These are:

The characteristics of plans and programmes, having regard, in particular, to

- the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources,
- the degree to which the plan or programme influences other plans and programmes including those in a hierarchy,
- the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development,
- environmental problems relevant to the plan or programme,
- the relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste-management or water protection).

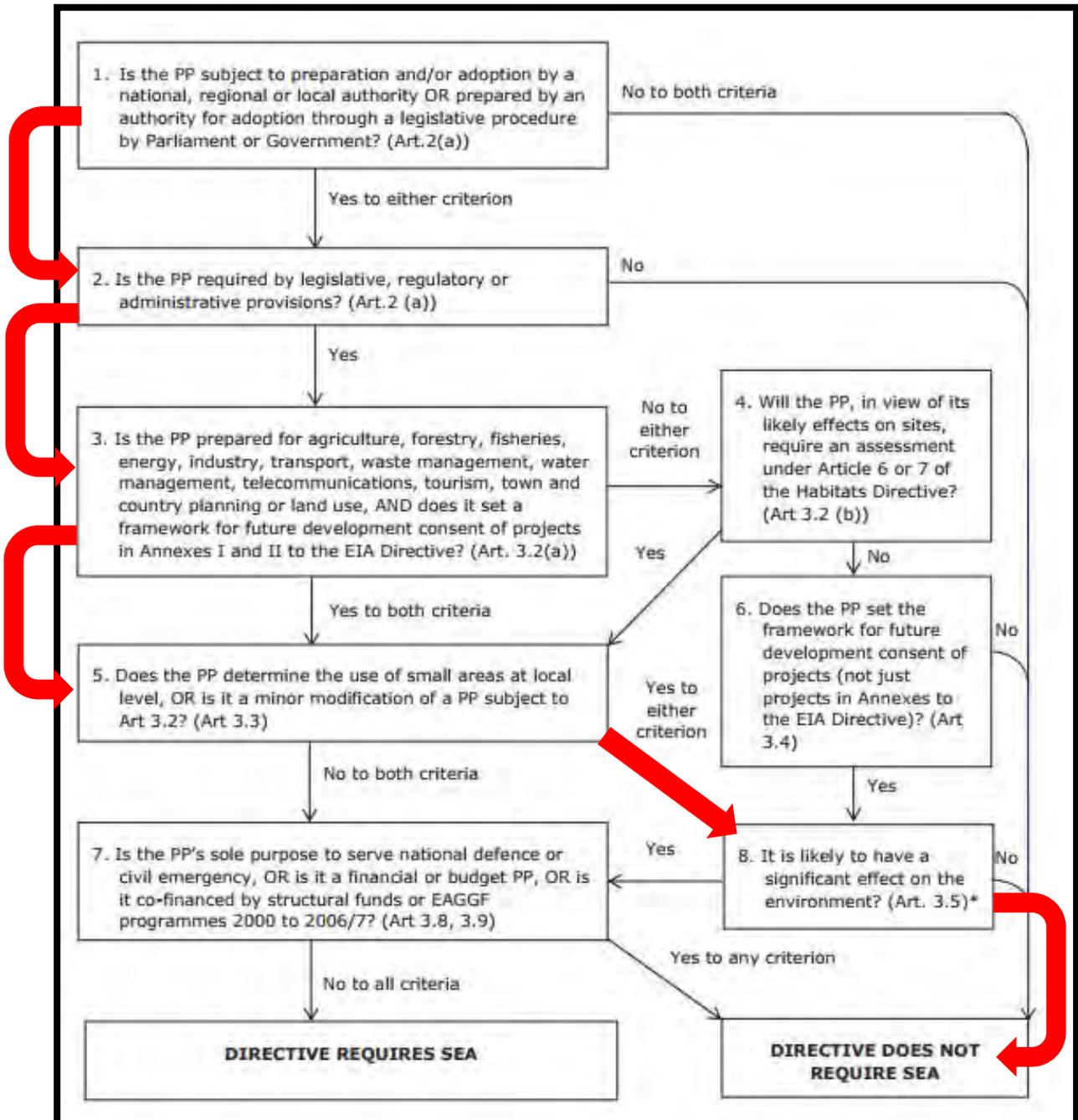
2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to

- the probability, duration, frequency and reversibility of the effects,
- the cumulative nature of the effects,
- the transboundary nature of the effects,
- the risks to human health or the environment (e.g. due to accidents),
- the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected),
- the value and vulnerability of the area likely to be affected due to:
  - special natural characteristics or cultural heritage,
  - exceeded environmental quality standards or limit values,
  - intensive land-use,
- the effects on areas or landscapes which have a recognised national, Community or international protection status.

Source: Schedule 1 of the Environmental Assessment of Plans and Programmes Regulations 2004

## 4. Assessment for SEA

### 4.1 Neighbourhood Plan SEA screening route.



Source: Practical Guide to the Strategic Environmental Assessment Directive (2005)

Table 1: Establishing the need for an SEA

Stage	No/Yes	Reason
1. Is the PP (plan or programme) subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament or Government? (Art. 2(a))	Yes	If the final Neighbourhood Plan is successful at referendum and is subsequently Made by the Local Planning Authority it will become a Development Plan Document with equal status to the Local Plan.
2. Is the PP required by legislative, regulatory or administrative provisions? (Art. 2(a))	Yes	Communities have a right to produce a Neighbourhood Plan; however communities are not required by legislative, regulatory or administrative purposes to produce a Neighbourhood Plan. However, once 'made' the Monks Kirby Neighbourhood Plan would form part of the statutory development plan, and will be used when making decisions on planning applications within the Neighbourhood Area. Therefore it is considered necessary to answer the following questions to determine further if an SEA is required.
3. Is the PP prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? (Art 3.2(a))	Yes	The Monks Kirby Neighbourhood Plan is prepared for town and country planning and land use. The plan sets out a framework for some aspects of future development in the Monks Kirby Neighbourhood Area. Once 'made' the Monks Kirby Neighbourhood Plan would form part of the statutory development plan, and will be used when making decisions on planning applications which may include development which may fall under Annex I and II of the EIA directive.
5. Does the PP Determine the use of small areas at local level, OR is it a minor modification of a PP subject to Art. 3.2? (Art.3.3)	Yes	Once 'made' the Neighbourhood Plan would form part of the statutory development plan and be used when making decisions on planning applications of small areas at the local level.

6. Does the PP set the framework for future development consent of projects (not just projects in annexes to the EIA Directive)? (Art 3.4)	Yes	The Neighbourhood Plan, once the 'made', forms part of the statutory development plan and will be used to determine planning applications within the designated Neighbourhood Area. Therefore the Neighbourhood Plan will set the framework for future developments.
7. Is it likely to have a significant effect on the environment? (Art. 3.5)	No	See table 2 below for further detail.

Source: Stages taken from the Practical Guide to the Strategic Environmental Assessment Directive (2005)

4.2 The following assessment in table 2 provides further detail on the response to criteria 7 in table one. The assessment considers the likelihood of the Monks Kirby Neighbourhood Plan to have significant effects on the environment.

Table 2: Likelihood of significant effects on the environment part 1

<b>Characteristics of the Plan</b>	<b>Summary of Effects</b>
The degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources.	Once 'made', the Neighbourhood Plan will set out the framework which will be used to determine proposals for development within the neighbourhood area.
The degree to which the plan or programme influences other plans or programmes including those in a hierarchy.	The Neighbourhood Plan must be in general conformity with the strategic policies of the currently adopted Rugby Local Plan and the National Planning Policy Framework and all proposals within the Neighbourhood Area must comply with the policies of all three documents.
The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development.	The Monks Kirby Neighbourhood Plan includes a Natural, Historical and Social Environment Section (Section B). The policies within this part ENV1 to ENV14 cover a variety of environmental protection issues including:

	<ul style="list-style-type: none"> <li>• Protection of local green spaces and important open spaces.</li> <li>• Protection for natural and sites of significance</li> <li>• Protection for historical sites of significance</li> <li>• Protection of ridge and furrow</li> <li>• Biodiversity and habitat connectivity</li> <li>• Protection of important views</li> <li>• Flood risk resilience</li> <li>• Renewable energy</li> </ul> <p>In addition to the neighbourhood plan, any proposal would have to comply with the principle of Sustainable Development as laid out in the NPPF and the environmental protection policies of both the NPPF and the Local Plan.</p>
<p>Environmental problems relevant to the plan.</p>	<p>The plan seeks to safeguard the neighbourhood area in accordance with the environmental protection issues above, however no specific problems have been identified.</p> <p>It is not considered that the plan itself would have any increased impact on these matters as no sites have been allocated for development.</p>
<p>The relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste management or water protection).</p>	<p>The Local Plan has regard to European community legislation on the environment and the Monks Kirby Neighbourhood Plan has to be in general conformity with the strategic policies of the Local Plan.</p>

Source: Criteria taken from Schedule 2, Paragraph 1&2 of the Environmental Assessment of Plans and Programmes Regulations 2004

Table 3 looks at the specific issues and assesses the likelihood of a significant environmental impact.

**Table 3: Likelihood of significant effects on the environment part 2**

	Traffic	Flooding	Biodiversity	Historic Environment	Landscape	Agricultural Land
<b>Characteristics of the effects and of the area likely to be affected.</b>	The Neighbourhood Plan does not allocate sites for development. Limited development on infill sites is supported within the village boundary. Support is given for 'rural exception sites' on the settlement edge. This is in line with the Local Plan.	The Neighbourhood Plan does not allocate sites for development. Limited development on infill sites is supported within the village boundary. Support is given for 'rural exception sites' on the settlement edge. This is in line with the Local Plan.	The Neighbourhood Plan does not allocate sites for development. Limited development on infill sites is supported within the village boundary. Support is given for 'rural exception sites' on the settlement edge. This is in line with the Local Plan.	The Neighbourhood Plan does not allocate sites for development. Limited development on infill sites is supported within the village boundary. Support is given for 'rural exception sites' on the settlement edge. This is in line with the Local Plan.	The Neighbourhood Plan does not allocate sites for development. Limited development on infill sites is supported within the village boundary. Support is given for 'rural exception sites' on the settlement edge. This is in line with the Local Plan.	The Neighbourhood Plan does not allocate sites for development. Limited development on infill sites is supported within the village boundary. Support is given for 'rural exception sites' on the settlement edge. This is in line with the Local Plan.
<b>The probability, duration, frequency</b>	Any proposal would have to comply with transport policies	Applications would have to comply with flooding policies	Any proposal would have to comply with biodiversity	Any proposal which impacts a Listed Building or Scheduled	Any proposal which has an impact on the wider landscape	Any proposal would have to have regard to National and

<p><b>and reversibility of the effects.</b></p>	<p>at National and Local level as well as those in the neighbourhood plan. The Highways Authority would be consulted on this. Additionally there may be no development proposals put forward. Therefore the probability of significant traffic effects would be very low.</p>	<p>at National and Local level as those in the neighbourhood plan. This would which would minimise the probability of significant . Additionally there may be no development proposals put forward.</p>	<p>policies at National and Local level as well as the policies within this Neighbourhood Plan.</p> <p>Therefore the probability of a negative impact would be low.</p> <p>Under these policies there is scope for positive impacts.</p>	<p>Monument would be subject to National and local policies as well as the neighbourhood plan ones on the historic environment.</p> <p>Policies in this plan identify further historic features important to the village and also cover the importance of retaining the character of the village.</p> <p>As such the probability of a negative impact is low.</p>	<p>would be subject to National and Local policies as well as policies within this Neighbourhood Plan.</p> <p>As such the potential for negative impacts is very low.</p>	<p>local plan policies on agricultural land as well as those in the neighbourhood plan.</p> <p>Therefore the potential for negative impacts is low.</p>
<p><b>The cumulative nature of the effects.</b></p>	<p>Any impacts of additional traffic would be an addition to that which already</p>	<p>Additional development in a flood zone would have a negative cumulative effect on flooding.</p>	<p>Impacts on one species could impacts further species.</p>	<p>Any detraction or deterioration of important historic features could lead to further</p>	<p>If the quality of the relationship between the village and the wider landscape deteriorates this</p>	<p>This would impact only specific land parcels although may reduce supply of</p>

	passes through the village.			deterioration in future.	could lead to further deterioration in future.	agricultural land over time.
<b>The trans boundary nature of the effects.</b>	The plan is not expected to give rise to air pollution from traffic although this issue has the potential to have a trans boundary effect.	The plan is not expected to give rise to flooding issues however these would generally be localised.	The plan is not expected to give rise to biodiversity concerns however these would generally be localised.	The plan is not expected to give rise to historic environment concerns however these would be localised.	The plan is not expected to give rise to landscape concerns however individual proposals would need to consider the impact on the wider landscape..	The plan is not expected to give rise to agricultural land concerns however these would be localised.
<b>The risks to human health or the environment (e.g. due to accidents).</b>	The plan would help reduce health and environment risks from traffic through the application of its policies.	The plan would help reduce health and environment risks from flooding through the application of its policies	The plan would help reduce health and environment risks from biodiversity issues through the application of its policies	The plan would help reduce health and environment risks from historic environment issues through the application of its policies	The plan would help reduce health and environment risks from landscape issues through the application of its policies.	The plan would help reduce health and environment risks from agricultural land issues through the application of its policies
<b>The magnitude spatial extent of the effects (geographical area and size of the population likely to be affected).</b>	No specific effects identified however these would be very localised.	No specific effects identified however these would be very localised.	No specific effects identified however these would be very localised.	No specific effects identified however these would be very localised.	No specific effects identified however these would be very localised.	No specific effects identified however these would be very localised.

<p><b>The value and vulnerability of the area likely to be affected due to:</b></p> <ul style="list-style-type: none"> <li>- special natural characteristics or cultural heritage</li> <li>- exceeded environmental quality standards</li> <li>- intensive land use</li> </ul>	<p>The settlement of Monks Kirby and nearby surrounding land is within a Conservation Area. A Registered Park and Garden also sits within the neighbourhood area, part of which falls within the settlement boundary. There are 13 listed buildings in the neighbourhood area.</p> <p>The neighbourhood plan is not expected to give rise to issues causing harm to these features and may afford additional protection.</p>
<p><b>The effects on areas or landscapes which have a recognised national, community or international protection status.</b></p>	<p>There are no nationally or internationally protected areas or landscapes within the Neighbourhood Area.</p>

Source: Criteria taken from Schedule 2, Paragraph 1&2 of the Environmental Assessment of Plans and Programmes Regulations

2004

## **Assessment for HRA**

### **5.1**

The Monks Kirby Neighbourhood Plan is not allocating any sites, so it is not considered that there would be any detrimental impacts.

## **6. Screening Outcomes**

6.1 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 Monks Kirby Neighbourhood Plan.

**Appendix 2- Consultation Body Responses**



Mr Martin Needham  
Rugby Borough Council  
Town Hall  
Evreux Way  
Rugby  
Warwickshire  
CV21 2RR

Direct Dial: 0121 625 6887

Our ref: PL00784784

9 August 2022

Dear Mr Needham

### **MONKS KIRBY NEIGHBOURHOOD PLAN- SEA AND HRA SCREENING**

Thank you for your consultation and the invitation to comment on the SEA and HRA Screening Document for the above Neighbourhood Plan.

For the purposes of consultations on SEA Screening Opinions, Historic England confines its advice to the question, "Is it likely to have a significant effect on the environment?" in respect of our area of concern, cultural heritage.

Our comments are based on the information supplied with the screening request. On the basis of the information supplied and in the context of the criteria set out in Schedule 1 of the Environmental Assessment Regulations [Annex II of the 'SEA' Directive], Historic England concurs with your view that the preparation of a Strategic Environmental Assessment is not required.

Regarding HRA Historic England does not disagree with your conclusions but would defer to the opinions of the other statutory consultees.

The views of the other statutory consultation bodies should be taken into account before the overall decision on the need for a SEA is made. If a decision is made to undertake a SEA, please note that Historic England has published guidance on Sustainability Appraisal / Strategic Environmental Assessment and the Historic Environment that is relevant to both local and neighbourhood planning and available at: <https://www.historicengland.org.uk/images-books/publications/sustainability-appraisal-and-strategic-environmental-assessment-advice-note-8/>

I trust the above comments will be of help in taking forward the Neighbourhood Plan.

Yours sincerely,

P. Boland.



THE FOUNDRY 82 GRANVILLE STREET BIRMINGHAM B1 2LH

Telephone 0121 625 6888  
HistoricEngland.org.uk





Historic England

Peter Boland  
Historic Places Advisor  
peter.boland@HistoricEngland.org.uk

cc:



THE FOUNDRY 82 GRANVILLE STREET BIRMINGHAM B1 2LH

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*Historic England is subject to both the Freedom of Information Act (2000) and Environmental Information Regulations (2004). Any Information held by the organisation can be requested for release under this legislation.*

Date: 18 August 2022  
Our ref: 402168  
Your ref: Monks Kirby Neighbourhood Plan



Mr M Needham  
Rugby Borough Council

Hornbeam House  
Crewe Business Park  
Electra Way  
Crewe  
Cheshire  
CW1 6GJ

**BY EMAIL ONLY**

[Martin.Needham@rugby.gov.uk](mailto:Martin.Needham@rugby.gov.uk)

T 0300 060 3900

Dear Mr Needham

**Monks Kirby Neighbourhood Plan – Review SEA & HRA Screening**

Thank you for your consultation on the above dated and received by Natural England on 29 July 2022.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

**Screening Request: Strategic Environmental Assessment**

It is our advice, on the basis of the material supplied with the consultation, that, in so far as our strategic environmental interests (including but not limited to statutory designated sites, landscapes and protected species, geology and soils) are concerned, that there are unlikely to be significant environmental effects from the proposed plan.

**Neighbourhood Plan**

Guidance on the assessment of Neighbourhood Plans, in light of the Environmental Assessment of Plans and Programmes Regulations 2004 (as amended), is contained within the [National Planning Practice Guidance](#). The guidance highlights three triggers that may require the production of an SEA, for instance where:

- a neighbourhood plan allocates sites for development
- the neighbourhood area contains sensitive natural or heritage assets that may be affected by the proposals in the plan
- the neighbourhood plan may have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the Local Plan.

We have checked our records and based on the information provided, we can confirm that in our view the proposals contained within the plan will not have significant effects on sensitive sites that Natural England has a statutory duty to protect.

We are not aware of significant populations of protected species which are likely to be affected by the policies / proposals within the plan. It remains the case, however, that the responsible authority should provide information supporting this screening decision, sufficient to assess whether protected species are likely to be affected.

Notwithstanding this advice, Natural England does not routinely maintain locally specific data on all potential environmental assets. As a result the responsible authority should raise environmental issues that we have not identified on local or national biodiversity action plan species and/or habitats, local wildlife sites or local landscape character, with its own ecological and/or landscape advisers, local

record centre, recording society or wildlife body on the local landscape and biodiversity receptors that may be affected by this plan, before determining whether an SA/SEA is necessary.

Please note that Natural England reserves the right to provide further comments on the environmental assessment of the plan beyond this SEA/SA screening stage, should the responsible authority seek our views on the scoping or environmental report stages. This includes any third party appeal against any screening decision you may make.

**Habitats Regulations Assessment (HRA) Screening**

Natural England agrees with the report's conclusions that the Monks Kirby Neighbourhood Plan would not be likely to result in a significant effect on any European Site, either alone or in combination and therefore no further assessment work would be required.

For any new consultations, or to provide further information on this consultation please send your correspondences to [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk).

Yours sincerely

Sally Wintle  
Consultations Team

**Environment Agency:**

No comments received

## Appendix 5

<b>Consultation Strategy</b>	
<b>Document title: Monks Kirby Neighbourhood Development Plan Regulation 16 Consultation and Regulation 17 Examination</b>	
<b>Nature of Plan being prepared:</b>	This document is the submission version of the Monks Kirby Neighbourhood Development Plan. Once adopted, or 'made', it will form part of the development plan for Rugby and the policies contained within it will be used to make decisions on planning applications within the Neighbourhood Area alongside local and national policy.
<b>Purpose of consultation</b>	This consultation is required under Regulation 16 of The Neighbourhood Planning (General) Regulations 2012.
<b>Nature of issues that need to be consulted upon</b>	<p>The focus of the consultation and subsequent examination will be on whether the plan meets the basic conditions. These require that the plan:</p> <ul style="list-style-type: none"> <li>• Has regard to national policy and guidance from the Secretary of State;</li> <li>• Contributes to sustainable development;</li> <li>• Is in general conformity with the strategic policy of the development plan for the area or any part of that area;</li> <li>• Doesn't breach or is otherwise compatible with EU obligations- this includes the SEA Directive of 2001/42/EC; and that</li> <li>• The making of the Neighbourhood Plan is not likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species regulations 2010(d)) either alone or in combinations with other plans or projects.</li> </ul>
<b>Who should be consulted</b>	<p>All individuals and organisations referred to in the consultation statement will be notified directly in accordance with the Regulations. Other statutory bodies and individuals will be notified directly in line with the SCI.</p> <p>The consultation will also be publicised on the Rugby Borough Council website and with a press notice in line</p>

	with the Regulations and the SCI. Hard copies will be available at Rugby Borough Council and local libraries.
<b>Why are we consulting</b>	The consultation is to obtain views on whether the Neighbourhood Development Plan meets the basic conditions.
<b>When will the consultation take place</b>	Consultation will take place between 18 <sup>th</sup> October to 29 <sup>th</sup> November 2022.
<b>Accessible Inclusive Consultation</b>	<p>Notifications will be made in the local newspaper, online and by email and post. Electronic copies of the documents will be available to download with hard copies available in local libraries. (This will be subject to Covid-19 regulations in force at the time. Please see the Council's updated and amended guidance to the Statement of Community Involvement in response to the Coronavirus pandemic)</p> <p>Representation can be received in several formats; via an online form, via email or by post.</p>
<b>How comments will be taken into account</b>	All comments received will be passed onto the Examiner and be used in examining the Neighbourhood Plan.
<b>How will comments be reported</b>	Responses received will be considered by the Examiner. The representations will be made public by the Council following the close of the consultation.

# EQUALITY IMPACT ASSESSMENT (EqIA)

## Context

1. The Public Sector Equality Duty as set out under section 149 of the Equality Act 2010 requires Rugby Borough Council when making decisions to have due regard to the following:
  - eliminating unlawful discrimination, harassment and victimisation, and other conduct prohibited by the Act,
  - advancing equality of opportunity between people who share a protected characteristic and those who do not,
  - fostering good relations between people who share a protected characteristic and those who do not, including tackling prejudice and promoting understanding.
2. The characteristics protected by the Equality Act are:
  - age
  - disability
  - gender reassignment
  - marriage/civil partnership
  - pregnancy/maternity
  - race
  - religion/belief
  - sex/gender
  - sexual orientation
3. In addition to the above-protected characteristics, you should consider the crosscutting elements of the proposed policy, such as impact on social inequalities and impact on carers who look after older people or people with disabilities as part of this assessment.
4. The Equality Impact Assessment (EqIA) document is a tool that enables RBC to test and analyse the nature and impact of what it is currently doing or is planning to do in the future. It can be used flexibly for reviewing existing arrangements but in particular should enable identification where further consultation, engagement and data is required.
5. The questions will enable you to record your findings.
6. Where the EqIA relates to a continuing project, it must be reviewed and updated at each stage of the decision.
7. Once completed and signed off the EqIA will be published online.
8. An EqIA must accompany all **Key Decisions** and **Cabinet Reports**.
9. For further information, refer to the EqIA guidance for staff.
10. For advice and support, contact:  
Minakshee Patel

Corporate Equality & Diversity Advisor

[minakshee.patel@rugby.gov.uk](mailto:minakshee.patel@rugby.gov.uk)

Tel: 01788 533509



## Equality Impact Assessment

<b>Service Area</b>	Development Strategy
<b>Policy/Service being assessed</b>	Monks Kirby Neighbourhood Development Plan
<b>Is this is a new or existing policy/service? If existing policy/service please state date of last assessment</b>	This is a new policy document
<b>EqlA Review team – List of members</b>	Martin Needham - Senior Planning Officer (Development Strategy)
<b>Date of this assessment</b>	23 <sup>rd</sup> September 2022
<b>Signature of responsible officer (to be signed after the EqlA has been completed)</b>	Martin Needham

A copy of this Equality Impact Assessment report, including relevant data and information to be forwarded to the Corporate Equality & Diversity Advisor.

If you require help, advice and support to complete the forms, please contact Minakshee Patel, Corporate Equality & Diversity Advisor via email: [minakshee.patel@rugby.gov.uk](mailto:minakshee.patel@rugby.gov.uk) or 01788 533509

### Details of Strategy/ Service/ Policy to be analysed

<b><u>Stage 1 – Scoping and Defining</u></b>	
(1) Describe the main aims, objectives and purpose of the Strategy/Service/Policy (or decision)?	The Monks Kirby Neighbourhood Plan contains policies which, once the document is adopted or 'made' will form part of the Development Plan for the Borough and will be used alongside local and national policies to determine planning applications in the Parish.
(2) How does it fit with Rugby Borough Council's Corporate priorities and your service area priorities?	<p>This Plan has the potential to contribute towards several corporate priorities:</p> <ul style="list-style-type: none"> <li>• Rugby is an environmentally sustainable place, where we work together to reduce and mitigate the effects of climate change</li> <li>• Rugby has a diverse and resilient economy that benefits and enables opportunities for all residents</li> <li>• Residents live healthy, independent lives, with the most vulnerable protected</li> </ul> <p>All Parish Councils have the right to produce a Neighbourhood Plan if they choose to. The Local Planning Authority has a statutory duty to assist in their production and follow the Regulations in dealing with these. Once adopted or 'made' the Local Planning Authority has a statutory duty to use the policies in the determination of planning applications.</p>
(3) What are the expected outcomes you are hoping to achieve?	That the document can eventually be used in the determination of planning applications.
(4) Does or will the policy or decision affect: <ul style="list-style-type: none"> <li>• Customers</li> <li>• Employees</li> <li>• Wider community or groups</li> </ul>	The policy may affect customers or the wider community. Specifically it will affect those living or working in the Parish of Monks Kirby.

**Stage 2 - Information Gathering**

As a minimum you must consider what is known about the population likely to be affected which will support your understanding of the impact of the policy, eg service uptake/usage, customer satisfaction surveys, staffing data, performance data, research information (national, regional and local data sources).

(1) What does the information tell you about those groups identified?

At the time of the 2011 Census, the Monks Kirby Parish was home to around 445 residents living in 181 households. Analysis of the Census suggests that between 2001 and 2011 the population grew by around 2% (10 people). During this period, it is estimated the number of dwellings increased by 8% (14).

There is evidence of an ageing population with the number of over 65-year-olds rising by 65%, up from 14% of total population in 2001 to 23% in 2011. In line with national trends the local population is likely to get older as average life expectancy continues to rise.

Home ownership levels are high with around 70% of households owning their homes outright or with a mortgage or loan and at 8% the share of households living in social rented accommodation is very low when compared with regional and national rates. There is a predominance of large detached and an under representation of housing for single people with just 3% of dwellings having one bedroom.

Land Registry data indicates some new build housing market activity over recent years. The cost of housing in the parish is high with house prices above the regional and national averages. Accessing affordable housing will be an issue for many first-time buyers and people on lower incomes.

Deprivation is not a significant issue, but IMD domain data suggests that some residents may find it difficult to access owner-occupation or access the private rental market.

<p>(2) Have you consulted or involved those groups that are likely to be affected by the strategy/ service/policy you want to implement? If yes, what were their views and how have their views influenced your decision?</p>	<p>Monks Kirby Parish Council have carried out their own statutory consultation on their draft Plan. They received comments back which have been identified in their consultation statement.</p> <p>This document has now been submitted to Rugby Borough Council. If approved by Cabinet it will undergo a further consultation by the Council who will contact directly all parties who have previously registered an interest as well as statutory bodies. The consultation will be widely publicised to ensure other interested parties have the chance to respond. The representations made will be passed on to an Independent Examiner who will take these representations into account when producing an examination report.</p>
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<p>(3) If you have not consulted or engaged with communities that are likely to be affected by the policy or decision, give details about when you intend to carry out consultation or provide reasons for why you feel this is not necessary.</p>	<p>N/A</p>
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**Stage 3 – Analysis of impact**

<p><u>(1)Protected Characteristics</u> From your data and consultations is there any positive, adverse or negative impact identified for any particular group, which could amount to discrimination?  If yes, identify the groups and how they are affected.</p>	<p><b>RACE</b> No</p>	<p><b>DISABILITY</b> No</p>	<p><b>GENDER</b> No</p>
	<p><b>MARRIAGE/CIVIL PARTNERSHIP</b> No</p>	<p><b>AGE</b> No</p>	<p><b>GENDER REASSIGNMENT</b> No</p>
	<p><b>RELIGION/BELIEF</b> No</p>	<p><b>PREGNANCY MATERNITY</b> No</p>	<p><b>SEXUAL ORIENTATION</b> No</p>

<p><u>(2) Cross cutting themes</u>  (a) Are your proposals likely to impact on social inequalities e.g. child poverty, geographically disadvantaged communities? If yes, please explain how?</p> <p>(b) Are your proposals likely to impact on a carer who looks after older people or people with disabilities? If yes, please explain how?</p>	<p>A Neighbourhood Plan is unlikely to impact social inequalities.</p> <p>No.</p>
<p>(3) If there is an adverse impact, can this be justified?</p>	<p>N/A</p>
<p>(4) What actions are going to be taken to reduce or eliminate negative or adverse impact? (this should form part of your action plan under Stage 4.)</p>	<p>N/A</p>
<p>(5) How does the strategy/service/policy contribute to the promotion of equality? If not what can be done?</p>	<p>The policies have been developed taking into account the thoughts and ideas from a wide cross section of those living and working within the Parish. The policies were designed to be of broad benefit for the community.</p> <p>They include policies on housing and the built environment, the natural, historical and social environment, and sustainability (including community facilities, employment and traffic).</p> <p>The Consultation Statement which accompanies the document states the ways in which the community were consulted on with consultation being widely publicised and accessible.</p>

(6) How does the strategy/service/policy promote good relations between groups? If not what can be done?	Good relations were promoted throughout the process of creating the Neighbourhood Plan with everyone given the chance to be involved and have their say. Once adopted or 'made', the policies within the Neighbourhood Plan will be applied across the whole of the Neighbourhood Area
(7) Are there any obvious barriers to accessing the service? If yes how can they be overcome?	No

<b><u>Stage 4 – Action Planning, Review &amp; Monitoring</u></b>																										
<p>If No Further Action is required then go to – Review &amp; Monitoring</p> <p>(1) Action Planning – Specify any changes or improvements that can be made to the service or policy to mitigate or eradicate negative or adverse impact on specific groups, including resource implications.</p>	<p>EqlA Action Plan</p> <table border="1" data-bbox="875 874 2112 1101"> <thead> <tr> <th>Action</th> <th>Lead Officer</th> <th>Date for completion</th> <th>Resource requirements</th> <th>Comments</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	Action	Lead Officer	Date for completion	Resource requirements	Comments																				
Action	Lead Officer	Date for completion	Resource requirements	Comments																						
(2) Review and Monitoring State how and when you will monitor policy and Action Plan	After the draft Neighbourhood Plan has been to examination the examiner may recommend some further changes. At this stage the EqlA will be reviewed and an amended version will be taken back to Cabinet before the Neighbourhood Plan progresses to a public referendum.																									

Please annotate your policy with the following statement:

**'An Equality Impact Assessment on this policy was undertaken on (date of assessment) and will be reviewed on (insert review date).'**



## Agenda No 6

### AGENDA MANAGEMENT SHEET

**Report Title:** Initial Review of General Fund Budget 2023/24

**Name of Committee:** Cabinet

**Date of Meeting:** 17 October 2022

**Report Director:** Chief Officer - Finance and Performance

**Portfolio:** Finance, Performance, Legal and Governance

**Ward Relevance:** All

**Prior Consultation:** None

**Contact Officer:** Jon Illingworth, Chief Officer - Finance and Performance (Chief Financial Officer)  
jon.illingworth@rugby.gov.uk 01788 533410

**Public or Private:** Public

**Report Subject to Call-In:** No

**Report En-Bloc:** No

**Forward Plan:** Yes

**Corporate Priorities:** This report relates to the following priority(ies):  
 Rugby is an environmentally sustainable place, where we work together to reduce and mitigate the effects of climate change. (C)  
 Rugby has a diverse and resilient economy that benefits and enables opportunities for all residents. (E)  
 Residents live healthy, independent lives, with the most vulnerable protected. (HC)  
 Rugby Borough Council is a responsible, effective and efficient organisation. (O)  
Corporate Strategy 2021-2024  
 This report does not specifically relate to any Council priorities but

**Summary:** This is an initial update on the 2023/24 General Fund budget setting process. The primary purpose of this report is to provide an initial overview of the Council's financial outlook taking into consideration the risks and challenges faced by the Council, alongside the approach that will be taken over the

coming months to ensure a balanced budget be reported to Full Council in February 2023.

**Financial Implications:**

None as a direct result of this report.

**Risk Management/Health and Safety Implications:**

None as a direct result of this report

**Environmental Implications:**

There are no environmental implications arising from this report. It may be necessary later in the budget process to carry out a Climate change impact assessment for the options arising.

**Legal Implications:**

There are no legal implications arising from this report.

**Equality and Diversity:**

There are no Equality and Diversity implications arising from this report. It may be necessary later in the budget process to carry out Equality Impact Assessments of the implications of any service changes.

**Options:**

This is the first of a series of budget reports to provide the financial options and budget proposals as part of the budget setting process which will be finalised and approved by Full Council in February 2023.

**Recommendation:**

The report be considered alongside the Council's Medium-Term Financial Plan and the budget monitoring for 2023/24.

**Reasons for Recommendation:**

This initial overview of the Council's General Fund revenue and capital budgets is for consideration by Cabinet as part of the budget setting process and the contribution to delivering the Corporate Strategy.

**Cabinet - 17 October 2022**

**Initial Review of General Fund Budget 2023/24**

**Public Report of the Chief Officer - Finance and Performance**

**Recommendation**

The report be considered alongside the Council's Medium-Term Financial Plan and the budget monitoring for 2023/24.

**1. Purpose**

This is the first 2023/24 General Fund budget setting report from the Council's Chief Financial Officer.

The primary purpose of this report is to provide;

- An initial overview of the economic climate, taking into consideration the risks.
- An update on the latest information on the reform of the local government funding system and future budget planning considerations.
- An update on the current Medium Term Financial Plan (MTFP) risks faced and estimated impact on level of reserves.
- An initial overview of the Capital Budgets for 2023/24.
- The strategic timeline for delivering a balanced budget for 2023/24.

The Draft Budget will be considered by Cabinet on 9 January 2023 in preparation for the Final Budget and Medium Term Financial Plan (MTFP) which will be presented to Cabinet and Council during February 2023.

The process for setting the Housing Revenue Account (HRA) budgets, Council House Rents and the Housing Capital Programme is subject to a different timetable. A draft HRA Medium Term Financial Plan will be considered by Cabinet on 5 December 2022.

Throughout the report savings on expenditure and income are shown in brackets.

**2. Background**

The 2022-26 Medium Term Financial Plan was approved by Council at its meeting on 22 February 2022. The detailed papers can be found using the link below.

[Rugby Borough Council Meeting 22 February 2022](#)

### 3. Economic outlook – National picture

The Council receives economic and treasury advice through Link Asset Management and the latest update from in August outlined

The UK economy contracted 0.1% quarter to quarter in the three months to June, marking the first contraction in more than a year and compared to market forecasts of a 0.2% fall. The largest contributors to the negative growth were from health and social work activities, reflecting a reduction in coronavirus activities. The UK trade deficit widened to £11,387 billion in June from £9,119 billion in the previous month. Exports decreased by 4.2% month to month as good sales slumped 8% amid declines to both non-EU countries and EU countries. Imports fell 0.4% as goods purchases declined 1%, dragged down by a slump in purchases from EU countries while those from non-EU countries showed a slight increase.

UK employment increased by 160,000 in quarter 2 less than market expectations of a 256,000 gain. Redundancies remained at very low levels, but the number of job vacancies fell for the first time since August 2020. The unemployment rate in the UK was at 3.8% in Q2 as expected, compared with 3.7% in quarter 1. Average weekly earnings including bonuses in the UK increased by 5.1% in the three months to June, below an upwardly revised 6.4% in the three months to May but above market forecasts of 4.5%. Regular pay which excludes bonus payment rose 4.7% after an upwardly revised 4.4% rise in the previous quarter and beating expectations of 4.5%. Adjusted for inflation, total pay fell 2.5% while regular pay dropped 3.0% the biggest drop on record, amid a further squeeze in UK living standards.

UK inflation, as measured by the Consumer Price Index increased to 9.9% year on year (y/y) in August, down from 10.1% in July, which was the highest reading since February 1982 driving even further pressure on households amid the cost-of-living crisis. Against this backdrop, the Bank of England's Monetary Policy Committee (MPC) increased Bank Rate for a seventh consecutive meeting in September, hiking Bank Rate by 50bps to 2.25% – the highest since the Great Financial Crisis, pushing borrowing costs to their highest in 13 years as the MPC tries to temper soaring inflation. The decision to hike interest rates was supported by all nine members of the MPC.

It is expected that interest rates will continue to rise, peaking at 5% by the end of March of 2023.

The GfK Consumer Confidence indicator fell to (44) in August from (41) in July, as affordability continues to play a greater weight on the mind of consumers amid a cost-of-living crisis. Despite this, retail sales unexpectedly rose 0.3% over the previous month in July, beating market forecasts of a 0.2% fall.

The reference to stronger demand was picked up by analysts as a nod to the fiscal loosening expected at the subsequent mini-Budget, meaning that rates will need to be raised more than previously anticipated to offset the boost to inflation from a rise in public borrowing. Further, while the Committee said that the government's energy support package "will lower and bring forward the expected

peak in CPI inflation" and may, therefore, reduce the risk of "more persistent domestic price and wage pressures", it also said that it means "household spending is likely to be less weak than projected" and that "this would add to inflationary pressures in the medium term".

The Nationwide House Price Index climbed 11.0% y/y in July, more than 10.7% in June but below market forecasts of 11.5%. Compared to June, house prices edged up 0.1%, the 12th consecutive monthly increase. Similarly, the Halifax house price index increased 11.8% y/y in July – but fell 0.1% m/m, posting its first monthly decline since June 2021.

#### 4. Council Tax and Business rates

Council tax and business rates has been a significant source of funding for the general fund with 84% of the external financing coming from these sources, therefore the success of the collection of the income plays a significant part in balancing the budgets each year.

The table below summarises the reported forecast net gain in business rates and council tax as of the latest reported position which is as July 2022. The £0.447m represents the total gain from a billing perspective, of which Rugby Borough Council's share will be in the region of £0.225m.

	Full Year (£000)
Business Rate Gains	(1,444)
Council Tax losses	153
<b>Collection fund reported gain</b>	<b>(1,292)</b>
Less Section 31 grant	845
<b>Net Gain</b>	<b>(447)</b>

#### 5. Council Tax

The annual general fund budget is set using an estimate of the number of properties that will pay Council tax after taking into account factors such as discounts and residents in receipt of Council Tax Relief. For 2022/23 purposes the estimated Council tax base is 39,485.02.

At the latest reported period (July), the Council tax-base was 39,411.70 (0.19% lower than budgeted) and this results in the estimated loss of council tax income of £0.152m, with Rugby Borough Council's share of £0.015m. However early indications suggest that when this is reviewed as part of quarter 2 monitoring, the tax-base will have risen to that of the budgeted value.

The number of Council Tax Support (CTS) cases is currently stable and below the budgeted level. At the end of quarter 1 2022 there were 3,453 working age council tax support claimants.

Local council tax support payments were 1.87% lower than 12 months ago however there is still significant downside risk from CTS as the cost-of-living crisis may increase the number of applications higher over future months. The

potential implication of rising council tax support cases is that it reduces the tax-base and the amount of council tax income collectable, which will increase the pressure on the delivery of a balanced budget.

New properties are being added to the valuation list and 73% of budgeted 2022/23 growth has been achieved already. The tax-base will continue to be monitored as there is still uncertainty around the impact of current economic climate on council tax collectability, number of support cases and future growth.

Officers will be using PIXEL Financial Management, the Council's funding advisors, to support future modelling different scenarios to council tax over the MTFP period.

## **6. Business Rates**

Business rates income is based on the NNDR1 form that is submitted to Government on 31 January each year. The estimated income is shared between Central Government (50%), Rugby Borough Council (40%) and Warwickshire County Council (10%).

The Council's 40% share of estimated business rates income for 2022/23 is £7.412m which is an increase of £1.297m from 2021/22

At the latest reported period (July) the total rates payable by ratepayers in absence of any reliefs was £65.823m - 0.65% lower than estimated on NNDR1 (£66.251m). The amount for current year reliefs (£8.605m) was 18.54% below the forecasted NNDR1 figure (£10.563). This resulted in current year net rates payable (£57.133m) being 2.59% higher than anticipated (£55.688m).

The Extended Retail relief (funded through a Section 31 grant from the Government) was set at 100% in 2020/21 for retail, leisure and hospitality business, as well as the nurseries. In 2021/22 this relief was modified to 100% for the first 3 months, reducing to 66% for the remaining 9 months. For 2022/23 this has reduced again to 50% with certain conditions that mean large chain business do not qualify for the relief. The £1.871m has been paid against business rate accounts so far this year.

In addition to this, the Covid Additional Relief Fund has been distributed to most of those businesses that did not receive grants or relief during the pandemic. The deadline for paying the grant was 30 September and of the £2.908m received, £2.879m has been paid to 483 businesses.

## **7. Inflation/cost of living**

The Consumer price inflation (CPI) calculates the average price increase as a percentage for a basket of 700 different goods and services has increased by 9.9% in the 12 months to August, which is slightly down from the 10.1% in July. The impact of this will be felt in both the capital and revenue expenditure for 2022/23 and beyond but the speed of the change has meant forecasting has been challenging.

Anticipating that inflation was going to impact on the revenue budget, as part of the outturn report in June Council approved the creation of a corporate inflation budget through a carry forward of budget savings. This budget of £0.500m will be allocated to services as the true extent of the pressure is established. This was intended as a one-year solution and it is not expected that there will be a remaining balance at year end.

Due to the period of national mourning and the deferral of the September Cabinet meeting, the quarter 1 Finance and Performance report was circulated informally as a briefing paper to Cabinet and Group leaders (but can be provided by officers if any stakeholder requires it). This includes an expected inflation pressure within the revenue accounts as at 30 June with fuel and utilities with variances of £0.252m compared to the budget.

Ongoing reviews have been requested by the Chief Officer – Finance and Performance on inflation in the key areas of electricity, gas, fuel and all capital schemes. The medium term outcome of these reviews will be included in the more detailed draft budget setting report in January 2023, with the 2022/23 impact next being reported as part of the Quarter 2 Finance and Performance report which will be presented to Cabinet on 5 December.

## **8. Government Announcements and Budget Planning**

### **8.1 Future of Local Government Finance**

At the time of publication there has been no announcement from Government on any expected funding reform in 2022/23, including the implementation of the Review of Relative Needs and Resources, 75% business rates retention, and a reset of accumulated growth under the business rates retention system. Any further delay means that the reforms are 4 years later than originally proposed which has had an impact on the long-term planning for the MTFP.

Following the pattern of previous years, the Medium-Term Financial Plan assumes a worst-case scenario in that reform takes place and that all accumulated business rates growth is lost and the relative needs and resources review does not generate any benefit for the Council.

### **8.2 Replacement Comprehensive Spending Review 2022 (CSR)**

It was announced on the 23 September that a Medium-Term Fiscal Plan will be outlined by the Chancellor of the Exchequer during the Autumn,

- The Fiscal Plan “will set out further details on the government’s fiscal rules, including ensuring that debt falls as a share of GDP in the medium term”.
- The Office for Budget Responsibility (OBR) will publish “a full forecast alongside the Fiscal Plan”
- The Government “is sticking to spending settlements for this spending review period”.
- A Budget will be published “in the Spring, with a further OBR forecast”

This will replace the Comprehensive spending review which has traditionally been released in October of each year. There have been no updates on the Provisional Settlement which is the annual determination of Local Government Funding so it is assumed that this will form a similar timeline to previous years with the announcement being released during September. In the summer it was announced that a 2-year settlement would be announced which would be a real benefit for medium term planning following several years with single year settlements.

## 9. Latest General Fund Revenue Position

Officers have been working closely with Services and the Leadership Team to understand the risks and actions to be taken to ensure a balanced budget across the medium-term financial plan. The table below summarises the approved medium term financial plan presented to Council in February 2022.

	2022/23 £000	2023/24 £000	2024/25 £000	2025/26 £000
Base budget bought forward	11,057	18,320	13,434	14,205
Growth, Salaries and Inflation	1,166	698	556	566
Other Corporate Adjustments	(211)	362	225	125
Savings and Income	(421)	(156)	(76)	(210)
Key Decisions	533	(412)	(324)	(123)
Key Decisions – Movement in Reserves	6,201	(2,178)	380	(304)
<b>Savings to be Found</b>	<b>0</b>	<b>(3,200)</b>	<b>0</b>	<b>(64)</b>
Total Net Budget requirement	18,325	13,434	14,195	14,195
Financed by;				
Government Funding	(2,490)	(487)	(461)	(350)
Council Tax	(9,024)	(9,422)	(9,829)	(10,244)
Collection Fund (Surplus)/Deficit CT	(103)	14	0	0
Business Rates	(7,051)	(3,882)	(3,905)	(3,601)
Collection Fund (Surplus)/Deficit BRR	343	343	0	0
Total Funding	(18,325)	(13,434)	(14,195)	(14,195)
Net Variance	0	0	0	0

Since the adoption of the medium-term financial plan Council has taken several decisions which will impact on the future year's savings target. These are shown in the table below combined with some of the costs that the organisation is expecting to need to take account of.

Description	Approval Period	2023/24 £000	2024/25 £000	2025/26 £000
<b>Reported 2023/24 Saving/Transformation target</b>		<b>3,200</b>	<b>0</b>	<b>64</b>
Items approved through private reports	Various	258	0	0
Legal Services staffing	April	71		
Legal Services staffing - funded from recharges	April	(71)		
Electoral Services- staffing	July	4		
Electoral Services- staffing funded from reserves	July	(4)		
Data Analyst - staffing	April	37		
Data Analyst – staffing – funded from reserves	April	(37)		
Major Projects and Economic Development - staffing	July	45	45	31
Major Projects and Economic Development – staffing grant funding	July	(45)	(45)	
<b>Sub Total - approved changes</b>		<b>3,458</b>	<b>0</b>	<b>95</b>
Impact of expected pay award pressure (2022/23) (approximate value as value has not been confirmed)	to be officially confirmed	750		
Impact of rolling forward inflation budget	based on q1 forecast	500		
<b>Sub Total - expected changes</b>		<b>1,250</b>	<b>0</b>	<b>0</b>
<b>Potential impact</b>		<b>4,708</b>	<b>0</b>	<b>95</b>

### Notes

The information in the table above is based on those items that have been approved, which are included in comprises of the £3.458m total known pressure, and items which are a potential risk at this stage and could total £1.250m.

The table does not include any of the transformation programme schemes, general cost reduction or income generation schemes which are in progress, but no confirmed value can be attributed at this stage.

The table assumes that any permanent costs are built into the base for the year of approval and will not impact on future years.

The table does not include the impact of any 2022/23 pressures spanning longer than a single financial year.

There is no allowance for 2023/24 pay award above the 2% increase already built into the MTFP. If the 2022/23 pay award is replicated this will increase the target in the region of £0.750m, rising the gap to find accordingly.

## 10. Current financial position 2022/23

At 30 June 2022 (quarter 1) the Council reported a balanced position, this consists of service pressures of £1.095m and corporate mitigation of items such as the COVID recovery fund (£0.772m) and the corporate inflation budget (£0.500m) both of which are short term solutions. Full details can be found within the Quarter 1 – Finance and Performance briefing paper which was shared with Cabinet and group leaders in September.

The pressures which are over £0.100m in value are detailed in the table below:

Portfolio	Description	£000
Regulation and Safety	Underachievement of car parking income	284
Leisure and Wellbeing	Underachievement of income from sales, fees and charges	132
Communities and Homes	Under achievement of income in the Lifeline service, an increase in utility costs and increased expenditure on housing benefits	279
Operations and Traded	Largely due to an underachievement of income from Green Waste of £0.232m and Trade Waste of £0.167m	343
	Other smaller variances	57
<b>Total</b>		<b>1,095</b>

## 11. Risk Assessment

A risk assessment is maintained for the corporate reserves established to respond and manage financial risks in the medium term. The assessment will be reviewed and updated throughout the financial year with updates to Members as necessary.

The Corporate and General Fund reserves considered in this analysis are the General Fund balance, the Budget Stability reserve and the Business Rates Equalisation reserve.

The risk assessment shows that if all the risks crystallised, the level of corporate reserves would fall from approximately (£16.370m) on 31 March 2023 to (£7.000m) on 31 March 2026 or in the region of 60%. This excludes any reserves that may need to be used to fund any in year budget pressures or any use to smooth the transition to balance the MTFP.

The forecast balance of reserves at 31 March 2023 includes a contribution to the Business Rates Equalisation reserve of (£4.133m) which incorporates an unwinding of a volatility reserve held with the Warwickshire business rates pool. Any further delay to the planned business rates reset will mean that this contribution would be delayed.

If the funding outcomes are better than currently forecast or the business rates reset is further delayed, the reserves could be used for other purposes.

## 12. Capital Programme

The capital programme for Rugby Borough Council consists of schemes and projects that already have members' approval and these include a range of continuation programmes that occur on an annual basis. The continuation programme budgets were included in the approved Capital Strategy included in the of the Council Meeting on 22 February 2022 and have a value of £2.276m for 2023/24.

### [Rugby Borough Council Meeting 22 February 2022](#)

The Council Tax setting report will no longer be an approval process for capital schemes. Chief Officers and their budget managers have been asked to identify capital proposals for the next ten years. The proposals returned will be included as a financial planning tool only and budget managers will need to submit their own separate reports with full appraisals to seek budget approval. When budget approval is granted, schemes will be added to the Capital Programme, funding and revenue budgets as appropriate.

The Programme Board appraise the various schemes, with particular emphasis on ongoing revenue implications, including financing costs, in the light of the Medium-Term Financial Plan. All schemes will need to demonstrate how they align to the Corporate Strategy Delivery Plan.

Capital schemes may run across several financial years and the initial scheme approval will include anticipated profiling of the budget across years. The Chief Officer – Finance and Performance has delegated authority to approve reprofiling of the expenditure providing the total budget is not exceeded and there is no impact on the availability of external funding (e.g. time restricted grant funding).

Through analysis of the 2022/23 programme, £6.452m of the £10.051m budget consists of projects approved in previous years that have not been completed. Although not an issue, it is recognised that officers have limited capacity to deliver this on top of any new schemes. As a policy decision, no new capital projects will be approved for the 2023/24 financial year unless urgent to enable the backlog of work to be completed. As part of the budget setting process a review of the rolling programme will also take place. There is a financial benefit to this because any schemes that are funded from external resources will incur a cost of borrowing (interest payment) and the minimum revenue provision which is a statutory adjustment for the repayment of the debt, both of which is a revenue cost. It will also minimise the addition of any new revenue costs which may impact negatively on the MTFP. All financing costs of the £10.051m current year budget are included in the Net Cost of Borrowing and MRP budgets which has an approved budget of £1.664m for 2022/23, the pausing of the programme for new schemes will prevent this budget increasing.

The capital strategy also gives the Chief Financial Officer the delegated authority to review the funding of the capital programme and make changes where appropriate. For example in carrying out a funding swap of external resources to capital receipts and reserves will generate a revenue saving as MRP and net cost of borrowing will not be required. On the completion of each scheme during 2022/23 the officers will review the financing of the scheme to determine whether

there is any ability to carry out a funding swap. The results of this exercise will be included in future budget monitoring reports.

### 13. Budget Planning and Setting

The 2023/24 budget setting process is now underway. The main dates for Cabinet to note in relation to the General Fund are as follows:

Meetings	Report
March – November	Monthly meetings of the budget working group
Cabinet 26 September 2022	Initial Review of 2023/24 Budget (this report)
Cabinet 9 January 2023	Draft Budget Report, Council Tax Base and Medium-Term Financial Plan
Council 22 February 2023	Final Budget Report and Council Tax Setting

As part of budget working group, Leadership Team has organised a number of dedicated away days to talk specifically about the general fund budget. This will include reviewing all ways to increase income and reduce costs, the results of this will be shared as part of the draft budget report.

The organisation continues to transition to a 3 year rolling budget setting process, the benefits of this include:

- Having up to 3 years to finalise plans to deliver the target – meaning less pressure for the next financial year.
- Providing some certainty over the whole plan.
- Using/establishing an evidence-based approach for future savings.
- Providing an effective method of budgeting given the uncertainty around funding changes.
- Accountability at an early stage and will use monthly reporting to track progress.
- The greater the uncertainty about future central government policy then the greater the need to demonstrate the long-term financial resilience of the authority given the risks attached to its core funding.
- Demonstrates long term financial resilience.
- Aligns with best practice as identified in the CIPFA Financial Management code

Another change for the 2023/24 budget setting process is a move to try and simplify the process of reporting the information. In previous years, changes to the budget have been categorised as

- Income (changed in income budgets)
- Savings (reductions in expenditure budgets)

- Key decisions (significant areas for members to review)
- Growth (increases in expenditure)

For the 2023/24 MTFP these three categories will be combined into two categories titled growth and savings which will be summarised by portfolio.

As the savings required to balance the budget for 2023/24 at this stage is could be as high as £4.708m, before taking into account all the transformation schemes and the reviews that are taking place with officers and it will be challenging to establish options of this value which will be in place to be delivered from 1 April 2023. This will ultimately mean that reserves will be required to smooth the transition between approval and full delivery, this is in effect the setting of a rolling 3 year MTFP but does add financial risk to the Council in the short term if the reserves are not replenished.

#### **14. Transformation Programme**

The transformation programme has been operational since the start of the financial year and a number of the projects being undertaken are likely to have a financial benefit to the medium-term financial plan. A half year review report will be presented to Cabinet on the 5 December providing a detailed analysis. The projects will look to innovatively look at opportunities as well as deal with existing pressures in the organisation. It is important to highlight that resolving current pressures will have no impact on the savings target for 2023/24 but it will prevent the situation getting any worse and could free up resources elsewhere in the general fund which are currently being used to mitigate against the pressure.

#### **15. Medium Term Financial Strategy**

The current Medium Term Financial Strategy covers the period 2018-2023 and aligning with the Corporate Strategy Delivery Plan, the strategy will be refreshed during the autumn. This will enable officers to include the impact of any government announcements on funding and any updates on the proposed reform of Business Rates. The new strategy will be presented to the Cabinet and Council with the intention of being implemented from 1 April 2023.

#### **16. Conclusion**

The setting of the 2023/24 budget will possibly be the most challenging in a number of years but it is important to note that factors such as the uncertainty around the business rates reset, the ending of new homes bonus grant have been a factor for a number of years and there has yet to be any resolution. The impact of the cost of living crisis has added another layer of challenge which is being felt by every local authority in the country. Leadership team have been working on proposals since March 2022 and this will mean that the maximum time available has been used to understand the possibilities.

**Name of Meeting:** Cabinet  
**Date of Meeting:** 17 October 2022  
**Subject Matter:** Initial Review of General Fund Budget 2023/24  
**Originating Department:** Finance and Performance

**DO ANY BACKGROUND PAPERS APPLY**       **YES**       **NO**

The background papers relating to reports on planning applications and which are open to public inspection under Section 100D of the Local Government Act 1972, consist of the planning applications, referred to in the reports, and all written responses to consultations made by the Local Planning Authority, in connection with those applications.

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Exempt information is contained in the following documents:

**Doc No    Relevant Paragraph of Schedule 12A**

**AGENDA MANAGEMENT SHEET**

<b>Report Title:</b>	Urgent Decisions under Delegated Powers - September 2022
<b>Name of Committee:</b>	Cabinet
<b>Date of Meeting:</b>	17 October 2022
<b>Report Director:</b>	Chief Officer - Growth and Investment
<b>Portfolio:</b>	Growth and Investment
<b>Ward Relevance:</b>	N/A
<b>Prior Consultation:</b>	The Executive Director in consultation with the Leader of the Council, relevant Portfolio Holder, opposition Group Leaders and the Chair of Scrutiny Committee.
<b>Contact Officer:</b>	Nicola Smith - Chief Officer Growth and Investment
<b>Public or Private:</b>	Public
<b>Report Subject to Call-In:</b>	No
<b>Report En-Bloc:</b>	Yes
<b>Forward Plan:</b>	No
<b>Corporate Priorities:</b>	This report relates to the following priority(ies): <input checked="" type="checkbox"/> Rugby is an environmentally sustainable place, where we work together to reduce and mitigate the effects of climate change. (C) <input type="checkbox"/> Rugby has a diverse and resilient economy that benefits and enables opportunities for all residents. (E) <input type="checkbox"/> Residents live healthy, independent lives, with the most vulnerable protected. (HC) <input checked="" type="checkbox"/> Rugby Borough Council is a responsible, effective and efficient organisation. (O) <a href="#">Corporate Strategy 2021-2024</a> <input type="checkbox"/> This report does not specifically relate to any Council priorities but
<b>Summary:</b>	Four urgent decisions were taken under delegated powers as detailed in the report.
<b>Financial Implications:</b>	All financial implications are detailed within the relevant urgent decisions attached.

<b>Risk Management/Health and Safety Implications:</b>	All risk management/health and safety implications are detailed within the urgent decisions attached.
<b>Environmental Implications:</b>	All environmental implications are detailed within the urgent decisions attached.
<b>Legal Implications:</b>	All legal implications are detailed within the urgent decisions attached.
<b>Equality and Diversity:</b>	There are no equality and diversity considerations arising from this report.
<b>Options:</b>	N/A
<b>Recommendation:</b>	The report be noted.
<b>Reasons for Recommendation:</b>	To comply with the Council's Constitution.

**Cabinet - 17 October 2022**

**Urgent Decisions under Delegated Powers - September 2022**

**Public Report of the Chief Officer - Growth and Investment**

**Recommendation**

The report be noted.

**1. INTRODUCTION**

In accordance with the Council's urgent decision procedure under delegated powers, the following items were determined.

**2. ITEMS DETERMINED UNDER EMERGENCY POWERS**

2.1 The following urgent decisions were taken on 28 September 2022. Copies of the decisions are attached at Appendices 1-4:

- 1) Climate Change Supplementary Planning Document Consultation (attached at Appendix 1)
- 2) Brinklow Neighbourhood Plan (attached at Appendix 2)
- 3) CIL and Planning Obligations (attached at Appendix 3)
- 4) Gypsy and Travellers Site Allocations Development Plan Document – Issues and Options Consultation (attached at Appendix 4)

**3. CONSULTATION**

The Executive Director consulted with Councillor Lowe (Leader of the Council), Councillor Picker (Portfolio Holder – Growth and Investment), Councillor Mrs O'Rourke (main Opposition Group Leader), Councillor Roodhouse (opposition Group Leader) and Councillor Eccleson (Chair of Scrutiny Committee).

All consultees agreed that the recommendations, as detailed in the reports as attached at Appendices 1 – 4, be approved.

**Name of Meeting:** Cabinet

**Date of Meeting:** 17 October 2022

**Subject Matter:** Urgent Decisions under Delegated Powers

**Originating Department:** Growth and Investment

**DO ANY BACKGROUND PAPERS APPLY**  YES  NO

**LIST OF BACKGROUND PAPERS**

Doc No	Title of Document and Hyperlink

The background papers relating to reports on planning applications and which are open to public inspection under Section 100D of the Local Government Act 1972, consist of the planning applications, referred to in the reports, and all written responses to consultations made by the Local Planning Authority, in connection with those applications.

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Exempt information is contained in the following documents:

Doc No	Relevant Paragraph of Schedule 12A

**Agenda No****AGENDA MANAGEMENT SHEET**

<b>Report Title:</b>	Climate Change Supplementary Planning Document (SPD) - Public Consultation
<b>Name of Committee:</b>	Emergency Decision - Cabinet
<b>Date of Meeting:</b>	27 September 2022
<b>Report Director:</b>	Chief Officer - Growth and Investment
<b>Portfolio:</b>	Growth and Investment
<b>Ward Relevance:</b>	All
<b>Prior Consultation:</b>	The matter was discussed at Planning Services Working Party on 15 <sup>th</sup> June 2022.
<b>Contact Officer:</b>	Martin Needham. Senior Planning Officer. Development Strategy 01788 533741
<b>Public or Private:</b>	Public
<b>Report Subject to Call-In:</b>	No
<b>Report En-Bloc:</b>	No
<b>Forward Plan:</b>	Yes
<b>Corporate Priorities:</b>	This report relates to the following priority(ies): <input checked="" type="checkbox"/> Rugby is an environmentally sustainable place, where we work together to reduce and mitigate the effects of climate change. (C) <input type="checkbox"/> Rugby has a diverse and resilient economy that benefits and enables opportunities for all residents. (E) <input checked="" type="checkbox"/> Residents live healthy, independent lives, with the most vulnerable protected. (HC) <input checked="" type="checkbox"/> Rugby Borough Council is a responsible, effective and efficient organisation. (O) <a href="#">Corporate Strategy 2021-2024</a> <input type="checkbox"/> This report does not specifically relate to any Council priorities but
<b>Summary:</b>	The Climate Change SPD supports local plan policies and provides guidance on how developments can combat the effects of climate change and be more adaptable to its impacts. The current draft is ready for public consultation, following which the document will be amended

where appropriate before being brought to Council for adoption. It will be used as material consideration for determining planning applications. This report seeks Cabinet approval to begin the consultation process.

**Financial Implications:**

No direct Financial Implications as a result of this report.

**Risk Management/Health and Safety Implications:**

The Council may not be fulfilling its obligations set out in the local plan to produce the SPD if the document is not eventually adopted.

**Environmental Implications:**

No direct implications as a result of this report however the SPD once adopted will help improve the quality of developments which will help reduce carbon emissions, improve biodiversity, provide better sustainable drainage and provide general benefits to amenities.

**Legal Implications:**

The SPD can only be adopted if a public consultation has taken place. Following the consultation, responses will be considered and any required changes will be made to the document before it is taken to full Council for adoption.

Failure to carry out the necessary public consultation could lead to the adoption of the SPD being challenged.

**Equality and Diversity:**

An Equality Impact Assessment is included in Appendix 2 to this report.

**Options:**

1. The current draft of the Climate Change SPD be approved for a six-week public consultation (attached as Appendices 1, 1A and 1B) and delegated authority be given to the Chief Officer for Growth and Investment to make minor grammatical and presentational amendments as necessary to the consultation document before it is published for the six weeks public consultation.

Risks: None

Benefits: The consultation is required by the regulations and is the next step toward adoption of the document.

2. The current draft of the Climate Change SPD is not approved for consultation.

Risks: The document is delayed or not produced at all and cannot be used to inform development. The Council may not be fulfilling its obligations to produce the SPD.

Benefits: None

**Recommendation:**

The current draft of the Climate Change SPD (attached as appendices 1, 1A and 1B) be approved for a six-week public consultation and delegated authority be given to the Chief Officer for Growth and Investment to make minor grammatical and presentational amendments as necessary to the consultation document before it is published for the six weeks public consultation.

**Reasons for Recommendation:**

This will allow the document to progress toward adoption stage. Once adopted the document will help meet Council climate and local plan objectives by combatting climate change and providing high quality sustainable development.

## **Agenda No**

### **Emergency Decision - Cabinet 27 September 2022**

#### **Climate Change SPD - Public Consultation**

#### **Public Report of the Chief Officer - Growth and Investment**

##### **Recommendation**

- 1) The current draft of the Climate Change SPD (attached as appendices 1, 1A and 1B) be approved for a six-week public consultation, and;
- 2) delegated authority be given to the Chief Officer for Growth and Investment to make minor grammatical and presentational amendments as necessary to the consultation document before it is published for the six weeks public consultation.

#### **1. Introduction**

- 1.1 Supplementary Planning Documents (SPD) are produced by Local Planning Authorities (LPAs) to provide additional guidance to support the implementation of local plan policies. SPDs are material considerations in planning decisions but are not part of the development plan. In accordance with national Planning Practice Guidance, SPDs cannot introduce new policy or set out formulaic approaches to planning obligations.
- 1.2 The Council declared a climate emergency in July 2019, committing the Borough Council to help achieve the UK's Carbon reduction targets. This involves influencing change for businesses, transport, natural environment, energy for homes and waste to help meet these objectives. The Rugby Borough Council Local Plan 2011-2031 (adopted June 2019) commits the Council to producing a SPD to support the policies in the Sustainable Design and Construction chapter. The policies include matters relating to high quality design, energy efficiency, flooding, sustainable drainage, renewable technology, and broadband provision amongst others.
- 1.3 Development has key role to play in combatting climate change. By influencing proposals through local plan policies and guidance, higher quality development can take place that is more energy efficient and adaptable to the effects of climate change. This SPD will provide up to date guidance to help achieve these aims.

#### **2. Consultation**

- 2.1 Before the Council can adopt an SPD, the SPD must be subject to a period of public consultation. The requirements for consultation are set out in Regulations 11 to 16 of the Town and Country Planning Regulations 2012.

Regulation 12b of the Town and Country Planning Regulations 2012 requires a minimum period of four weeks for representations to be made.

- 2.2 Subject to Cabinet approval, the consultation is currently anticipated to run for a six-week period between 27<sup>th</sup> September to 8<sup>th</sup> November 2022. A six-week period has been chosen (instead of four week) to allow full opportunity for comments to be made about the SPD.
- 2.3 In line with the Council's adopted Statement of Community Involvement a Consultation Strategy has been prepared. This forms Appendix 2 to this report. This Consultation Strategy includes details of who will be consulted, how they will be consulted and where copies of the SPD will be available.
- 2.4 The public consultation will involve members, statutory consultees and stakeholders who have 'opted in' to the Development Strategy consultation database. All responses will be recorded and a summary document produced. The responses will be carefully considered and changes made to the SPD where appropriate.
- 2.5 A Consultation Statement will be published. This will detail the persons who were consulted, a summary of the main issues and how issues raised have been taken into account.
- 2.6 Delegated authority be given to the Chief Officer for Growth and Investment to make minor grammatical and presentational amendments as necessary to the consultation document before it is published for the six weeks public consultation.

### **3. Next steps**

- 3.1 Approval of the SPD for public consultation will begin the process and enable the document to progress. The responses to the consultation will carefully considered prior to amending the document and the SPD being brought back to Council for adoption, which is anticipated to be in February 2023.

**Name of Meeting:** Emergency Decision of Cabinet  
**Date of Meeting:** 27 September 2022  
**Subject Matter:** Climate Change SPD - Public Consultation  
**Originating Department:** Growth and Investment

**DO ANY BACKGROUND PAPERS APPLY**  YES  NO

**LIST OF BACKGROUND PAPERS**

Doc No	Title of Document and Hyperlink

The background papers relating to reports on planning applications and which are open to public inspection under Section 100D of the Local Government Act 1972, consist of the planning applications, referred to in the reports, and all written responses to consultations made by the Local Planning Authority, in connection with those applications.

Exempt information is contained in the following documents:

Doc No	Relevant Paragraph of Schedule 12A



**Rugby Borough Council**  
**Climate Change**  
**Supplementary Planning Document**  
**-Draft version-**

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# 1 Introduction

## Purpose of this Supplementary Planning Document

- 1.1 Rugby Borough Council is committed to tackling climate change. In July 2019 the Council declared a 'Climate Emergency' as a pledge to take local action to contribute to national carbon neutral targets. Climate change is a major, global issue and Rugby Borough must take steps to reduce the causes and make plans to respond to the effects at the local level.
- 1.2 Following the declaration of a climate emergency, the Council, through a cross party member working group, began the development of a climate change strategy with a view to achieving its ambitious goal of achieving Net Zero Council by 2030 and a net zero Borough by 2050. The strategy sets out 7 themes that will be addressed to reach this objective.
  - Workplaces and Economy – Day to day operation of businesses and industry make a significant contribution to greenhouse gases. Opportunities exist to adopt sustainable principles and reduce emissions in workplaces to reduce this impact.
  - Transport – Recent figures confirm that transport accounts for 25% of all carbon emissions in Rugby Borough. Additionally, transport related air pollution is associated with a number of adverse health impacts. Public transport, active travel and zero emissions vehicles will contribute to reducing these emissions.
  - Waste, Resources and the Circular Economy – Decomposition from biodegradable waste at landfill sites contributes to greenhouse gas emissions. Reducing the amount of waste going to landfills and moving to a circular economy which re-uses resources and adopts low carbon efficient systems will help combat this. Products and materials should be kept in use as long as possible.
  - Homes and Energy - There is an increasing need to ensure that all homes in the Borough can become more energy efficient and transition to more sustainable sources of energy. Existing homes and associated energy uses will need to be significantly changed to reduce their impact

on the environment and to ensure that they are resilient to the impacts of future climate change. Equally, new housing in the Borough will need to be delivered from developments which are energy efficient and climate resilient.

- Natural Environment - Land use and land management has an important impact on carbon balances, for example in soils and forests. Measures can be taken to protect and improve our natural environment as well as mitigate some of the future impacts of climate change. In addition, planting trees, restoring habitats and working towards sustainable land management practices will help to capture carbon.
- Climate and Nature Positive Communities – Meaningful engagement and involvement of residents and the local community will help identify issues and deliver sustainable solutions. Parish Councils have a strong history of delivering meaningful change at a local level. On an individual basis residents have access to good quality information that will help make informed choices about energy use, transport and waste management.
- Adaption - The impacts of climate change are already being seen, with changes in average temperature, shifts in the seasons and an increasing frequency of extreme weather events. Adaptation refers to adjustments in ecological, social, or economic systems in response to actual or expected climate change. This can increase resilience to climate change, in particular extreme weather events.

1.3 The Council have launched a dedicated website to document our work to become carbon neutral by 2030. The site includes further information on climate issues, news updates and the latest version of the Climate Change Strategy and Action Plan. The website is available at <https://www.rugbynetzero.co.uk>.

1.4 All of these themes are applicable to development in the Borough. Furthermore, the Local Plan 2019 contains planning policies to determine applications for planning permission. It includes a Sustainable Design and Construction chapter, which recognises that climate change is a major, global issue and Rugby Borough must take steps to reduce the causes and make plans to respond to the effects at the local level. It is essential for development to take into account

the consequences of climate change, to ensure it is adaptable to changing conditions over its lifetime.

- 1.5 Through the application of these policies, development can contribute to achieving climate objectives. This Supplementary Planning Document (SPD) provides additional guidance to support their implementation. SPDs are material considerations in planning decisions but are not part of the development plan itself.
- 1.6 This SPD has been developed in consultation with communities, site promoters, landowners and developers, service providers and statutory bodies, such as Warwickshire County Council's, Ecology, Archaeology, Flooding, and Highways services, the Environment Agency, Historic England, Natural England, as well as Council services including Parks and Development Management.
- 1.7 Public consultation was undertaken on a Draft Climate Change and Sustainable Design and Construction SPD between XXXX and XXXX. Following changes made in response to that consultation, a revised final version was adopted by Council on XXXX.
- 1.8 This SPD is to be used in conjunction with other policies in the local plan and other adopted SPDs. The Council has adopted an Air Quality SPD that should also be referred to for developments affecting air quality.

#### Format of this SPD

- 1.9 This SPD covers broad areas in relation to climate change and sustainability that applicants should consider as part of their development proposals. Some may only apply to large scale or certain types of development, however
- 1.10 In addition to topics covered, information requirements including a sustainability checklist are provided in Appendix A which should be completed by applicants prior to submitting applications. Some categories will only be applicable to certain types of development, however

checking this will help ensure that development proposals address the issues that are likely to come up in an application and will avoid delay due to additional information being required.

- 1.11 Appended to the SPD is also a Residential Design Guide (Appendix B). This includes detailed guidance for residential developments that will help inform decisions.

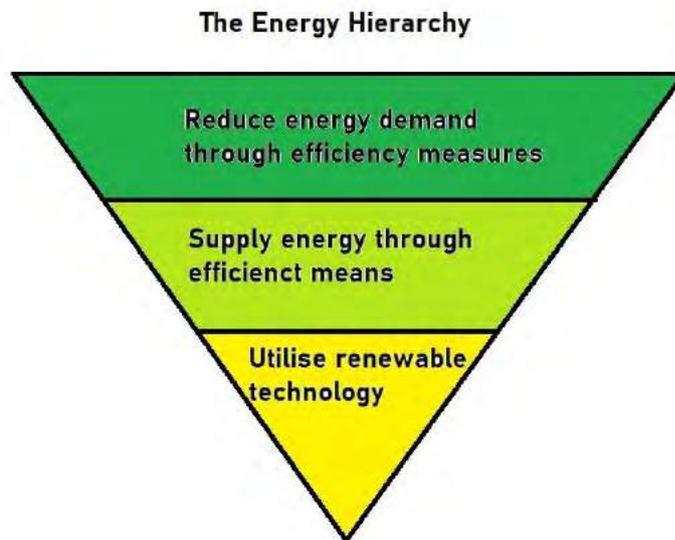
## 2 Energy Efficiency

*Relevant SDC Policies: SDC1, SDC4*

### The Energy Hierarchy

- 2.1 Policy SDC4 of the local plan sets out the Energy Hierarchy (also included in the National Design Guide 2019) which developments are expected to follow to achieve carbon reduction targets. The building of more sustainable buildings will require the Energy Hierarchy to be taken into account from the outset of the design process. In order to achieve low carbon development, the Energy Hierarchy provides the most practical and cost effective methodology. Priority should be given to ways to reduce the energy required from a development through energy efficient measures. Following this, supplying energy through efficient means should be explored, and then options for utilising renewable technology.
- 2.2 The hierarchy is illustrated below, followed by an explanation of each of the tiers alongside examples of measures that can be incorporated. Adhering to its principles will improve the sustainability of buildings.

Figure 1: The Energy Hierarchy



#### Tier 1: Reducing energy demand

2.3 Reducing the demand for energy is at the top of the hierarchy and should be utilised the most.

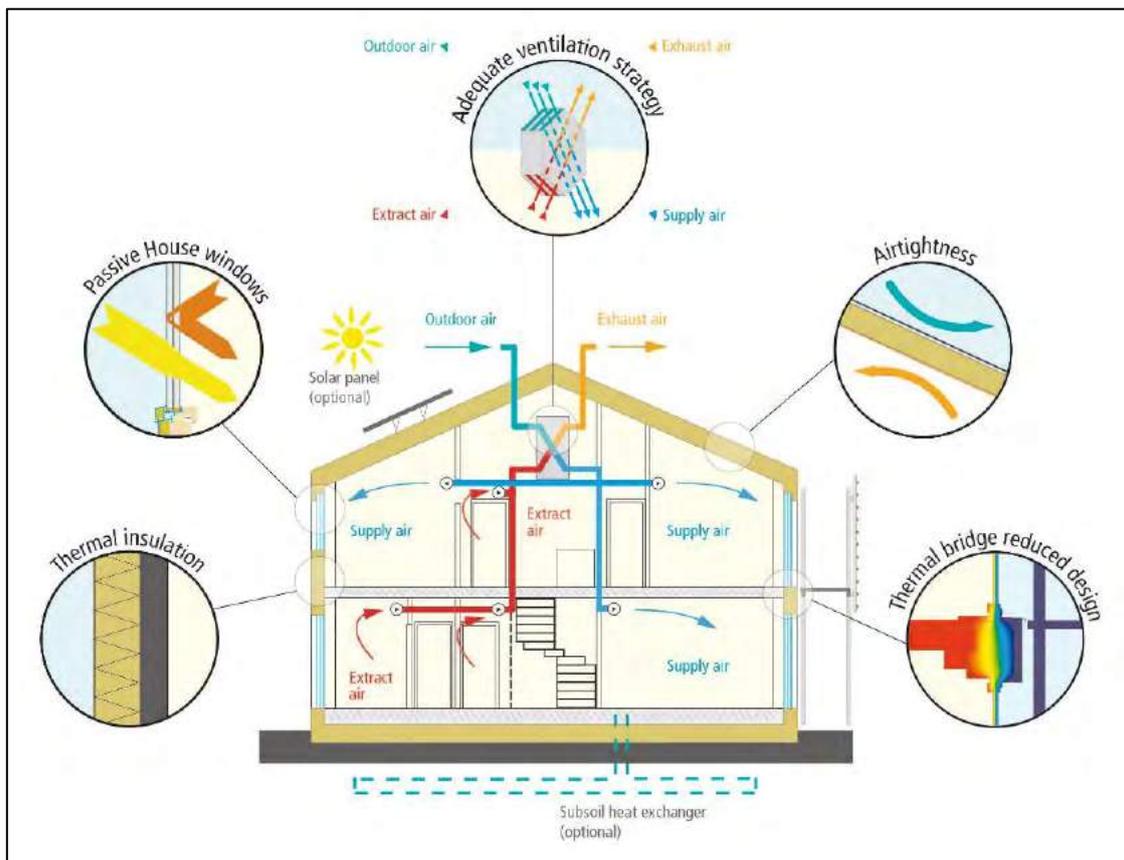
To achieve this, developments should consider the following:

- Design, layout and aspect of internal spaces that reduces the risk of overheating and fuel poverty
- Insulation, air tightness and thermal mass to retain heat
- Management of solar gain to minimise in summer and maximise in winter
- Natural ventilation for cooling which can be easily closed to maximise air tightness
- Positioning, size and orientation of windows
- Outdoor space for food growing.

#### Energy efficient design

2.4 One way of reducing the demand for energy is by utilising the passive design concept. Passive design uses the natural movement of heat, air and light to keep internal conditions in a building comfortable. By using natural movements, there is a reduced need for energy consuming Active Design measures such as comfort cooling, heat exchangers, boilers etc.

Figure 2: Passive design

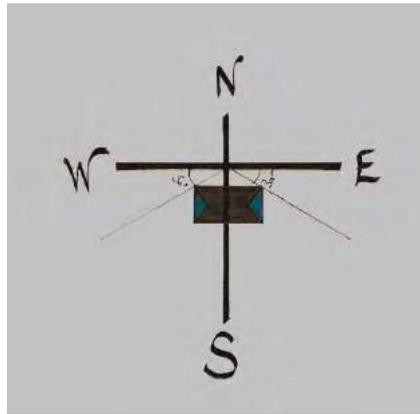


Source: Passive House Institute

### Passive Solar Design – Solar Gain:

- 2.5 Solar gain refers to the natural heating of a building from the sun. The orientation of a building affects the amount of solar gain experienced. Houses do not all need to face direct to south to gain the benefits of solar gain, but should be orientated within 30 degree south direction where possible. A south easterly orientation is better as it will make effective use of the early morning gains and reducing the likelihood of overheating in the afternoon.

*Figure 3: Building orientation should face 30 degrees south*



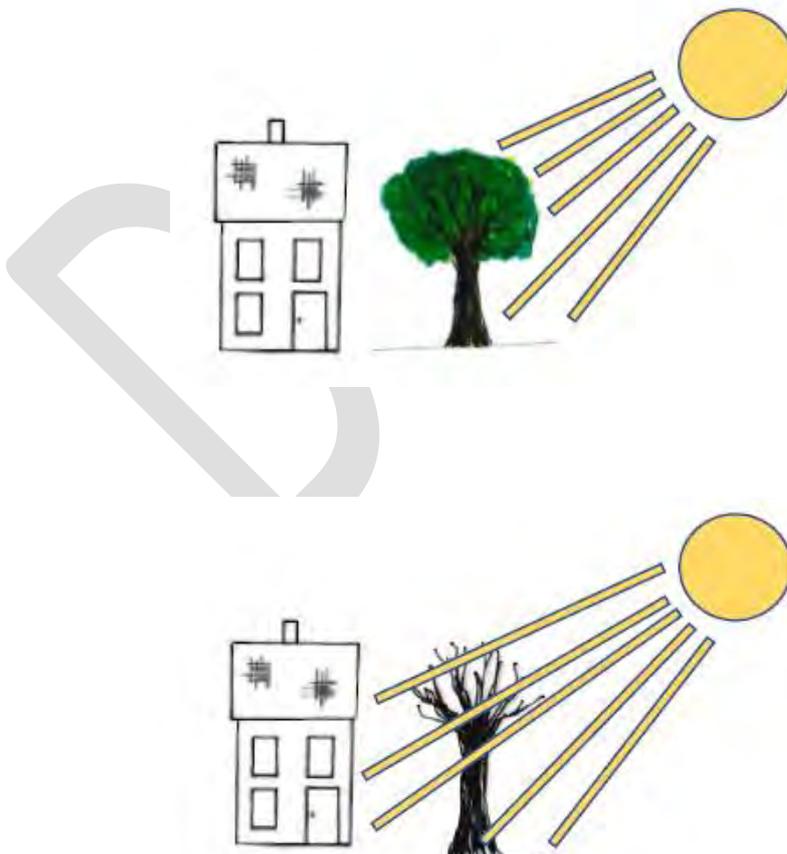
- 2.6 Road layout is an important factor in passive solar gain as it determines building orientation. Roads which run on an east-west axis will provide more opportunity to position homes to take advantage of solar gain. There are design solutions for roads which by necessity run north-south; diagonal roads, plots can be skewed to face the road, or skewing the houses within the plots. The needs of building orientation should however be balanced by the needs to create an acceptable pattern of development and maintaining active frontages.
- 2.7 The most frequently used rooms, such as living room and main bedrooms, should be positioned on the south side of the dwelling. Rooms that benefit little from sunlight, such as hallways, utility rooms, bathrooms and storage areas, should be placed on the north side of the dwelling. To minimise overheating in the kitchen, south facing glazing should be avoided.
- 2.8 Consideration should be given to the proximity of other buildings and to limit the possibility of overshadowing. Lower buildings such as bungalows should be located to the south, taller buildings to the north. Non-habitable areas such as garages should be positioned to the north.

*Figure 5: Building size location in relation to sun*



- 2.9 Trees can be planted to help protect settlements from prevailing winds. The tallest trees should be deciduous to allow the winter sun. In some circumstances evergreen trees can be used to protect settlements from prevailing winds coming in from exposed directions.

*Figure 6 Tree function in Passive Solar Design*



2.10 Warwickshire County Council are responsible for the roads and highways in the borough that are maintained at public expense and must be consulted with regards to any proposals that may affect existing trees within the adopted highway, or any proposed tree planting within streets intended to be offered for adoption.

#### Passive Solar Design – Glazing

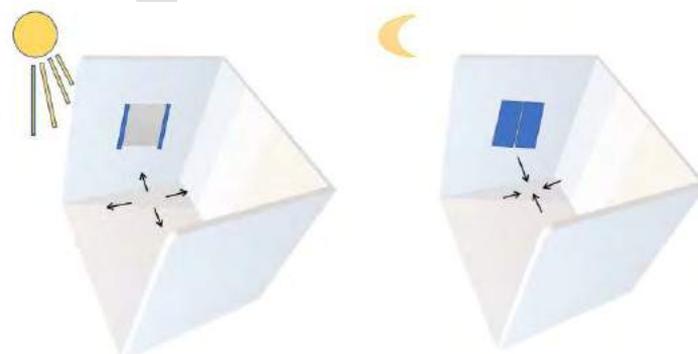
2.11 A passive solar house normally has more glazing on the south elevation to capture the heat and smaller windows on the north to prevent heat escaping. The southern elevation should incorporate a greater percentage of glazing than other elevations. Smaller glazing on Northern elevations will help minimise heat loss.

2.12 Passive solar design considerations must not negatively impact on the natural surveillance and daylight within the dwelling.

#### Passive Solar Design - Thermal Mass

2.13 Thermal mass refers to the capacity to absorb, store and release heat. Heat radiated onto a surface is absorbed, then conducted from the warm surface to the cooler interior of the mass. When the surface becomes warmer than the surrounding air, the heat is radiated back into space, warming the air and the surface becomes cooler.

*Figure 4: Thermal mass, absorbing and releasing heat*



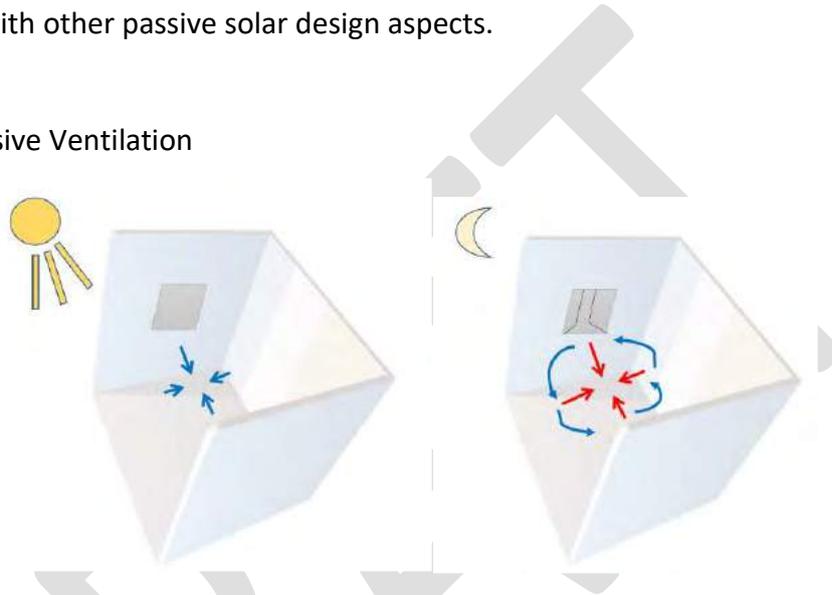
2.14 An effective thermal mass material must have high heat capacity, moderate conductance and density, and high emissivity and absorptivity. Building materials which may appear to be similar

can have different levels of absorption, for example, a building material with a reflective surface will absorb less heat than a similar material with a dull surface. Effective thermal mass is reliant on three factors; specific heat capacity, density and thermal conductivity.

### Passive Solar Design - Passive Ventilation

2.15 The fabric of a building has limited capacity to hold heat, in periods of high temperatures cooling techniques may be necessary to reset capacity. Passive ventilation should be considered with other passive solar design aspects.

Figure 5: Passive Ventilation



### Tier 2: Supplying energy through efficient means

2.16 Every effort should be made to ensure that whatever the source, energy is utilised in the most efficient manner possible. Supplying energy through efficient means includes using efficient mechanical and electrical systems, including heat pumps, heat recovery systems and LED lights.

2.17 Building Regulations set out minimum standards for energy efficiency in new buildings and are periodically updated. Further information on the latest regulations can be obtained from Building Control [https://www.rugby.gov.uk/info/20005/building\\_control](https://www.rugby.gov.uk/info/20005/building_control) or tel: 01926 456551, and it is expected new regulations will become mandatory in 2023. In addition to meeting Building Regulations requirements, developments are encouraged to maximise opportunities to incorporate energy efficiency measures where possible.

2.18 Dwellings and other buildings should ensure that the highest level of insulation as possible is provided, including thermal bridge free design and ensuring buildings are air tight, and that

lighting is the most energy efficient– for example, by using LED lightbulbs. Air tightness is equally important and natural ventilation should be able to be easily closed to not compromise air tightness.

2.19 Where dwellings include integrated appliances these should be the most energy efficient with a minimum of A+ rating. Also, Information Technology advances and app-based solutions allow users to manage appliances and heating systems. These can allow close monitoring of energy consumption as well as direct control to use them more efficiently.

### Tier 3: Utilise Renewable Energy

2.20 As detailed above the priority in the energy hierarchy is to reduce energy demand first followed by finding ways to supply the energy more efficiently. For energy generation itself, renewable energy should be utilised where possible to reduce carbon and help combat climate change.

2.21 There are a range of options available to incorporate renewable energy into new developments, and the best solution will depend upon the individual circumstances of a particular proposal. The main options for renewable energy are set out below. There are likely to be other technologies emerging in the future and therefore the SPD does not restrict the use of only applying the technologies within this section; other new and emerging technologies will be considered on their merits.

#### Photovoltaics (PV)

2.22 Solar Panel systems, also known as PV, capture the sun's energy using photovoltaic cells. The cells do not need direct sunlight to work as they can still generate some electricity on cloudy days but it is important to avoid shading. Cells convert sunlight into electricity which can be used to run household appliances and lighting. The installation of PV panels will need to be sensitive to all developments, particularly those in Conservation Areas and relating to Listed Buildings. Examples of these on residential buildings are shown in Appendix B. Guidance on how Photovoltaics may be installed on historic buildings or within historic sites is available in the Historic England report: Energy Efficiency and Historic Buildings: Solar Electric (2017) available at <https://historicengland.org.uk/images-books/publications/eehb-solar-electric/>.

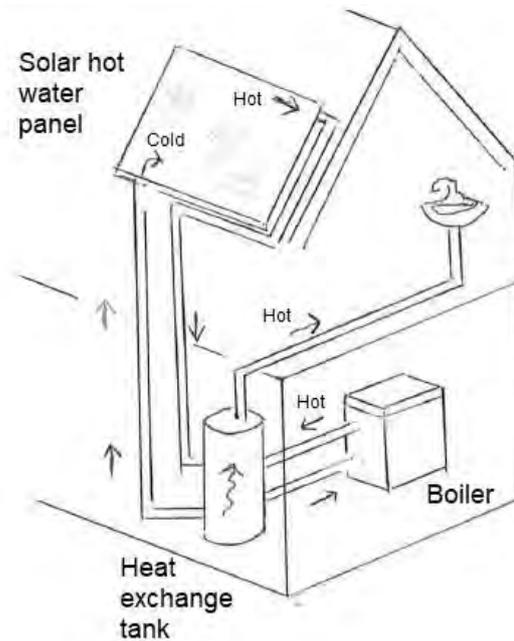
2.23 Where solar arrays are proposed on agricultural land, measures should be taken to ensure the land can be restored to its agricultural use once the solar array is no longer needed. Also careful consideration to the siting and design of arrays is required due to likely impacts on the landscape character. Some areas of Rugby Borough have more sensitive landscape settings than others. Developers are encouraged to refer to the Rugby Borough Landscape Sensitivity Study 2016, available at ([https://www.rugby.gov.uk/downloads/download/272/landscape\\_sensitivity\\_study](https://www.rugby.gov.uk/downloads/download/272/landscape_sensitivity_study)). Spacing between panels will allow light to reach the ground underneath and to aid maintenance.

2.24 Rugby Borough Landscape Sensitivity Study 2016, available at ([https://www.rugby.gov.uk/downloads/download/272/landscape\\_sensitivity\\_study](https://www.rugby.gov.uk/downloads/download/272/landscape_sensitivity_study)). Spacing between panels will allow light to reach the ground underneath and to aid maintenance.

#### Solar Water Heating

2.25 Solar water heating is a green, renewable heating system which can reduce carbon dioxide emissions. Solar collectors are usually installed on roofs, but they can also be ground-mounted. These systems use free heat from the sun to warm up domestic hot water. If solar energy is unavailable or there is a desire to have hotter water, renewable heating should be provided (gas boilers are now not preferred and these will be inadmissible after 2025 in order to help reach Government carbon targets). Once the initial installation has taken place, the hot water costs will reduce.

Fig 6: Solar Water Heating System



### District Heating

2.26 District heating schemes deliver heating and hot water to multiple buildings from a local plant. District heating should use low carbon energy sources, including renewable energy technology such as water source or ground source heat pumps. In some cases, it can be combined with electricity production in combined heat and power (CHP) or in combined cooling, heat and power (CCHP). Systems should not rely on natural gas or diesel.

### Micro Wind Turbines

2.27 These generate electricity by harnessing the power of wind. Wind turbines catch the wind by using large blades and as the wind blows, the blades are forced round, driving a turbine which generates electricity. Electricity generation is generally around a few hundred watts which would be enough to power energy efficient light bulbs on a windy day throughout a typical home. Micro wind turbines are often only efficient if installed in undisturbed air flow, i.e. clear of roofs and trees. If attached to buildings, the design should limit mechanically transmitted noise within the building.

### Air Source Heat Pumps

2.28 These absorb heat from the outside air which can then be used to provide hot water and to heat the building, preferably by under floor systems which provide greater efficiency than radiators. Although heat pumps will have some impact on the environment as they require electricity, the heat which is extracted from the air is constantly being renewed naturally. Depending on the type of fuel that is being replaced the home could see lower carbon emissions. Careful consideration should be given to noise issues that may be associated with this technology which may potentially cause a statutory nuisance. To ensure that there are no negative impacts on the street scene or character of the area, design and siting must be given appropriate consideration.

*Figure 7: An Air Source Heat Pump*



Source: <https://www.energy.gov>

### Ground Source Heat Pumps

2.29 Ground source heat pumps are used to heat underfloor or warm air heating systems, hot water and radiators, maximum efficiency is normally obtained with underfloor heating. They use pipes that are buried underground to extract heat from the ground, although boreholes should also be considered as they take up less space which means that there is more land available for other infrastructure such as planting, ponds etc. The ground source heat pump circulates a mixture of water and antifreeze around a pipe, called a ground loop, which is buried in the

garden. Heat from the ground is absorbed into fluid which passes through a heat exchanger and into the heat pump. The benefits of using a heat pump is that as the ground remains at a fairly constant temperature under the surface, the pump can be used throughout the year. If these replace conventional electric heating, depending on which fuel is being replaced there could be lower home carbon emissions. As well as heating the home it will also heat water and minimal maintenance is required.

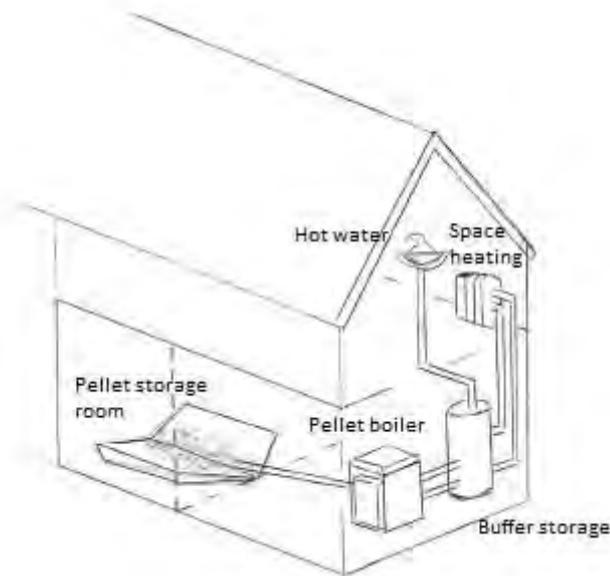
### Water Source Heat Pumps

2.30 These work on a similar principle to air source and ground source heat pumps. They take advantage of the consistent temperatures found in a body of water such as a river, stream or lake by using submerged pipes. A heat pump pushes working fluid through the network of piping, and the fluid absorbs the heat from the surrounding water as it goes. The fluid is then compressed by an electric compressor which raises the temperature. A heat exchanger can be used to remove the heat from the working fluid, providing hot water that can be used for space heating (radiators but preferably under floor heating for maximum efficiency). Once the heat is removed from the fluid via the exchanger, it is pumped back through the pipes, completing a continuous cycle.

### Biomass Heating

2.31 Biomass is a renewable energy source, generated from burning solid fuels such as chips and logs. It releases carbon dioxide when burned, but considerably less than fossil fuels. A stove burns logs or pellets to heat up a single room and a back boiler to provide water heating as well. The boiler burns logs, pellets and chips and is connected to a hot water system and central heating. Proposals for biomass will be considered on a case by case basis and will only be appropriate in certain locations, where there are no unacceptable environmental or amenity impacts. Biomass heating is likely to require a permit from the Environment Agency.

Figure 8: A typical biomass system



### Micro Hydro

2.32 In some instances it may be possible to utilise streams or rivers for small or micro hydroelectricity systems. Hydroelectricity systems use the flow of the water through a turbine and can produce enough electricity for lighting and electrical appliances in an average home. Excess power that is generated can be used to provide heat and hot water too. Hydroelectricity is green, renewable energy and doesn't release harmful carbon dioxide or other pollutants into the air.

### Thermal Stores

2.33 Thermal stores are vessels used to store excess heat generated from a domestic renewable heating system. It is a way of storing and managing the heat until it is needed. Heated water is usually stored in a large, well-insulated cylinder often called a buffer or accumulator tank.

2.34 These can be used with individual renewable heating technology or by combining different renewable heating technologies. They can also be used as a renewables technology with a conventional boiler or immersion heater. Thermal stores have been proven to work well with heat pumps, wind energy and solar water heating systems.

### 3 BREEAM and Non-Residential Building Design.

*Relevant SDC Policies: SDC1, SDC3, SDC4*

- 3.1 BREEAM stands for the Building Establishment Environmental Assessment Methodology. Policy SDC4 of the local plan requires that all non-residential development over 1000 sqm 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.
- 3.2 BREEAM is used for assessing best practice in sustainable building design, construction and operation of non-residential buildings. It is used to improve, measure and certify the social, environmental and economic sustainability of buildings. BREEAM is assessed using a system of credits in the following nine categories:
- Health and Wellbeing
  - Management
  - Energy
  - Transport
  - Water
  - Materials
  - Waste
  - Land Use and Ecology
  - Pollution
- 3.3 Some category credits are mandatory to achieve a certain rating, whilst other category credits can be interchanged. Therefore, where compliance is not achieved in a non-mandatory category it can be offset by another category.
- 3.4 The use of BREEAM helps designers and clients measure and reduce the environmental impacts of their buildings, creating high value, lower risk assets. The BREEAM methodology has the following aims:
- To mitigate the lifecycle impacts of buildings on the environment;

- To enable buildings to be recognised according to their environmental benefit;
- To provide a credible, environmental label for buildings; and
- To stimulate demand and create value for sustainable buildings, building products and supply chains.

3.5 The Building Research Establishment (BRE) produced a BREEAM New Construction technical manual 2014, which was updated in 2018. This should be used at project inception to ensure that BREEAM certification is followed. It is also crucial for developments to integrate the BREEAM process at this stage, as it will greatly reduce the costs associated with meeting the required BREEAM standards.

3.6 BREEAM certification can also apply to standards for refurbishment. Extensions to existing units which are classified as major developments are expected to adhere to BREEAM standards. A proposal which is part new construction and part refurbishment has two options:

**Option 1:** Separate BREEAM New Construction and BREEAM Refurbishment and Fit-out assessments,  
or

**Option 2:** Bespoke BREEAM combined New Construction and Refurbishment and Fit-out assessment. Both the New Construction and Refurbishment guidance are available on the BREEAM website at <https://www.breeam.com/discover/technical-standards/>.

3.7 For all full and reserved matters applications a BREEAM pre-assessment, carried out by a BRE Accredited BREEAM Assessor should be submitted with the planning application. BREEAM Ratings of 'Excellent' or 'Outstanding' are strongly encouraged, however as a minimum it will need to be demonstrated that 'Very Good' rating can be achieved. Formal BREEAM certification will then be secured via planning condition. For outline applications, submission of a BREEAM pre-assessment as part of future reserved matters applications will be secured via planning condition.

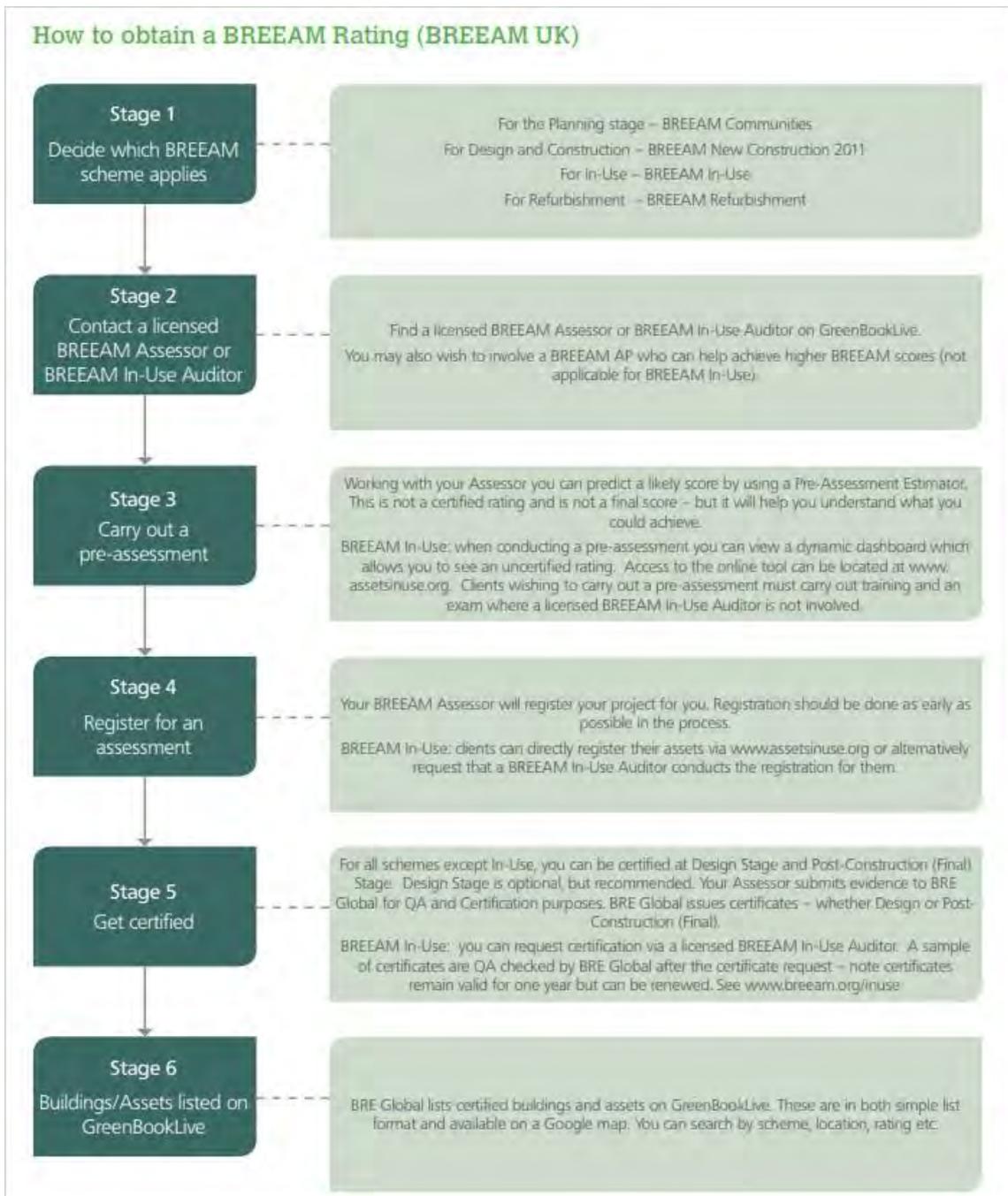
3.8 The Council may use planning conditions to ensure a BREEAM design stage assessment is submitted prior to commencement of the development. Also a condition may require

certificates are submitted to the council once the development has been completed at post construction to ensure the targeted BREEAM ratings are met.

- 3.9 A 'buffer' of 5% is recommended to be included in a pre-assessment estimator to help safeguard against credits being dropped during later stages of design and construction, which can happen in many cases.

DRAFT

Figure 9: The BREEAM Process:



*\*new construction manual 2014 with 2018 update*

Source:

[https://tools.breeam.com/filelibrary/How to get a BREEAM assessment \(with links\).pdf](https://tools.breeam.com/filelibrary/How%20to%20get%20a%20BREEAM%20assessment%20(with%20links).pdf)

- 3.10 In carrying out a financial appraisal, the costs of instructing professionals to carry out the BREEAM (or equivalent) assessments/work associated with part compliance may be factored into the professional fees and form part of the gross development costs. These costs may be deducted from the gross development value and assumptions made around developer/landowner return to determine viability.
- 3.11 Where a successful case has been made demonstrating non-viability in meeting the required BREEAM standards, it may be permissible for applicants to apply a lower standard or potentially utilise alternative strategies.
- 3.12 The onus will be on the developer to justify why the required rating (either Very Good or Excellent) is not achievable – such reasons will have to be robust in planning policy and sustainability terms. These will be assessed on their merits at the planning application stage.
- 3.13 Exceptions to these minimum standards may be allowed in cases of buildings in conservation areas, but only when a developer can show that it is not practical or commercially viable to achieve the minimum standards or would result in adverse effects which harm the character or appearance of the historic environment.
- 3.14 Where applicants do not use the BREEAM certification process, the Council will require a clear demonstration of how the building(s) will be constructed to an equivalent standard through the submission of independent supporting information.
- 3.15 Where full achievement of the policy requirements is not possible due to technical feasibility or viability considerations, information should be provided in an application to clearly justify this.
- 3.16 Where there are difficulties in achieving the required standard with proposals affecting heritage assets, appropriate sensitive measures should be taken to achieve improvements to

the performance of the building insofar as is possible. Information detailing any harm and alternative measures should be clearly explained in an application.

## 4 Flood Risk and Resilience Measures

*Relevant SDC Policies: SDC5 and SDC6*

### Flood Risk

- 4.1 Climate change is anticipated to increase the occurrence of extreme weather, including both flooding and drought events. As such, adapting development to efficiently manage the use and storage of water is considered to be a critical component of effectively mitigating the effects of climate change. The priority will always be to steer development away from areas at risk of flooding first.
- 4.2 As detailed in local plan policy SDC5 and in national policy and guidance, a sequential approach to flood risk is followed to ensure that development is located in the areas of lowest flood risk. This means favouring applications in Flood Zones 1 (low probability of flooding), rather than in Flood Zones 2 and 3 (medium and high probabilities of flooding respectively). This applies at a strategic, local and site-scale level. The Environment Agency flood map for planning, showing the flood zones, can be viewed at <https://flood-map-for-planning.service.gov.uk/>
- 4.3 In addition to the above, where a site specific Flood Risk Assessment is required (as set out in SDC5), it will be necessary to consider flooding from all sources, including rivers (fluvial), surface water (pluvial) and ground water, and a possible combination of these. Further information on forms of flood risk is also available at <https://check-long-term-flood-risk.service.gov.uk/map>.
- 4.4 For major developments or where a Flood Risk Assessment is required (where the site is in Flood Zone 2 or 3, Minor development and change of use more than 1ha and in Flood Zone 1 in an area with critical drainage requirements, within 20m of watercourse, or next to a flood bank or flood control structure), where relevant applicants must apply the climate change allowances for peak river flow, peak rainfall intensity and floodplain compensation. Applicants

must use the appropriate highest level of climate change allowances by considering the lifetime of the development, vulnerability classifications and River Basin district serving the development. Further information is available at: <https://www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances>.

- 4.5 For householder applications where a Flood Risk Assessment is required (see criteria for FRAs in the paragraph above) a more simplified summary of the information that needs to be submitted is provided in the Government's standing advice for flood risk assessment, available online at: <https://www.gov.uk/guidance/flood-risk-assessment-standing-advice#what-to-include-in-your-assessment>.

### Resilience Measures

- 4.6 As referred to above the priority will always be to steer development away from areas more at risk of flooding, however Property Flood Resilience (PFR) measures can be used to help make properties more resilient to flooding in future. Use of PFR measures will not be justification for selecting areas more at risk of flooding over those less at risk. Measures can include for example, raised finished floor levels, water-tight doors, self-closing airbricks non-return valves on waste pipes, and waterproof sealants and mortars. Appropriate measures will be specific to each property and are typically defined through a property specific survey. Further information on the variety of measures available can be found at [www.bluepages.org.uk](http://www.bluepages.org.uk).
- 4.7 A diagram illustrating typical examples of flood resilience measures that can be incorporated into buildings is shown below. Some of these features form Sustainable Drainage Systems (SuDS) and are explained in more detailed in Section 6: Sustainable Drainage.

Fig 10: Flood resilience measures on a typical dwelling.



- 4.8 Buildings with stilts should not be used as a flood management method. Areas under stilts are often used as storage spaces and have the potential to become blocked during flood events which will have a cumulative impact in terms of flood risk.
- 4.9 On a larger scale, natural flood measures could be utilised to reduce flood risk. This can include restoration of floodplains - which can slow water flow and provide attenuation and catchment woodland – to hold some rainwater and allow evaporation, as well as soil infiltration.

## 5 Sustainable Drainage

*Relevant SDC Policies: SDC5 SDC6*

- 5.1 The use of Sustainable Drainage Systems (SuDS) can be used to manage surface water runoff on-site and also alleviate flood pressure elsewhere. Policy SDC6 of the local plan sets out the requirements for providing SuDS as part of developments.
- 5.2 Without proper sustainable drainage systems in place, developments can contribute to localised and wider-spread flooding through uncontrolled surface run-off. Pollutants from hard surfaces such as roads can be washed into waterways before they have the chance to be treated.
- 5.3 Sustainable drainage systems (SuDS) re-create the benefits of natural drainage systems by integrating water management into the design of new developments. SuDS allow for the delivery of high quality surface water drainage and help with managing flood risk, reduce pollution from run off, and on larger developments can provide a health and wellbeing benefit as part of a recreation use, and can also add biodiversity benefits.
- 5.4 In order for Sustainable Drainage requirements to be met, it will be important to ensure they are considered from the outset of the design of new developments. The layout and scale of development should be informed by the surface water drainage requirements and not vice versa. It may be necessary to incorporate different types of SuDS as part of the overall proposal.
- 5.5 New development will be required to implement appropriate SuDS techniques in order to manage surface water runoff. For all sites, surface water discharge rates should be no greater than the QBar (the value of the average annual flood event recorded in a river) site-specific greenfield runoff rate , unless otherwise agreed by the Lead Local Flood Authority (LLFA).

- 5.6 SuDS should be shown on all relevant plans submitted, in order to demonstrate how they integrate with planned public open spaces, landscaping, roads, trees and buildings. Plans should identify multifunctional SuDS which meet the 4 pillars of good SuDS design – managing water quantity, water quality, providing amenity value and biodiversity. Further information on these principles is available in the CIRIA SuDS Manual 753 (available for free) at [https://www.ciria.org/Memberships/The SuDs Manual C753 Chapters.aspx](https://www.ciria.org/Memberships/The_SuDs_Manual_C753_Chapters.aspx).
- 5.7 A surface water drainage strategy will be required for all major developments to help demonstrate compliance with SDC6. Warwickshire County Council Lead Local Flood Authority state the following information should be provided depending on application type:

### Information Requirements

#### Outline planning

- 5.8 At Outline planning stage, the LLFA will require the applicant to submit an Outline Surface Water Drainage Strategy based on SuDS principles. The strategy should inform the Masterplan / indicative site layout by identifying suitable placement and design of the surface water drainage infrastructure. It should mitigate flood risk, provide opportunity to manage water quality and identify potential for amenity and biodiversity. The following information is required to support the strategy:
- Appraisal of existing site conditions (topography, hydrology, hydrogeology, land use) Appraisal of suitable SuDS methods that the development is likely to incorporate, with preference for above ground SuDS\*
  - Appraisal of the drainage hierarchy\*\* and identification of a viable outfall
  - Calculations of existing and proposed discharge rates and volumes
  - Calculations and plans of proposed attenuation requirements (inc. urban creep where relevant) Assess the likely water quality hazard arising from the development and identify appropriate mitigation Expected adoption and maintenance regimes for all drainage features
  - Correspondence from relevant risk management authorities, such as Severn Trent Water

\*examples and design parameters outlined in the CIRIA SuDS Manual C753

\*\*as detailed in Paragraph 080 of Planning Practice Guidance (PPG)

*Note: Where the development will be phased then information should be provided on how the requirements listed will be suitably met at each phase, such as the allowable discharge rate and/or impermeable area.*

### Reserved Matters

5.9 At the Reserved Matters stage, the LLFA are mostly looking to ensure that the principles agreed at Outline planning stage, with regards to the drainage strategy, have been taken forward as the proposals have firmed up. The LLFA will be looking to review:

- Any of the information provided at Outline planning stage that has since been updated
- Site layout plans and cross sections showing all surface water drainage infrastructure which should follow the sustainable drainage principles agreed at Outline planning stage
- Modelling report of the whole drainage network demonstrating its performance during the critical storm in a 1 in 1 year, 1 in 30 year, and 1 in 100 year (plus allowance for climate change) return periods
- Exceedance and overland flow routing information, where a Reserved Matters application includes layout

*Note: Where the development will be phased then information should be provided on how the requirements listed will be suitably met at each phase, such as the allowable discharge rate and/or impermeable area*

### Full planning / Discharge of Conditions

5.10 At this stage in the planning process, the LLFA expect proposals for surface water drainage to be well developed and this should be reflected in the level of detail provided. Where not explicitly listed below, all details required in Outline and Reserved Matters stages must be provided at Full planning stage. The LLFA require:

- Appraisal of existing site conditions (topography, hydrology, hydrogeology, land use, flow routes)

- Appraisal of suitable SuDS methods that the development will incorporate, with preference for above ground SuDS\*
- Appraisal of the drainage hierarchy\*\*, infiltration test results and identification of a viable outfall Site layout plans showing all surface water drainage infrastructure supported by a fully labelled network drawing showing all dimensions of all elements of the proposed drainage system.
- Calculations of existing and proposed discharge rates and volumes Calculations and plans of proposed attenuation requirements (inc. urban creep where relevant)
- Exceedance and overland flow routing information
- Modelling report of the whole drainage network demonstrating its performance during the critical storm in a 1 in 1 year, 1 in 30 year, and 1 in 100 year (plus allowance for climate change) return periods
- Submission of cross-sectional drawings of all SuDS features demonstrating design in accordance with the CIRIA SuDS Manual C753\*\*\*
- Assess the likely water quality hazard arising from the development and identify appropriate mitigation
- Written agreement from any third party asset or land owners required to enable the operation of the drainage infrastructure (such as evidence of an agreement with the adopting body)\*\*\*

\*examples and design parameters outlined in the CIRIA SuDS Manual C753

\*\*as detailed in Paragraph 080 of PPG

\*\*\*It is possible that this information can be provided later once detailed design is underway. In these cases, the LLFA is likely to secure the submission of this information by recommending a pre-commencement or pre-occupation condition to the LPA for inclusion on any Decision Notice.

*Note: Where the development will be phased then information should be provided on how the requirements listed will be suitably met at each phase, such as the allowable discharge rate and/or impermeable area.*

- 5.11 Developers are encouraged to refer to the LLFA 'Flood Risk and Sustainable Drainage: Local Guidance for Developers' document, available online at [www.warwickshire.gov.uk/flooding](http://www.warwickshire.gov.uk/flooding) ,  
Direct link: <https://api.warwickshire.gov.uk/documents/WCCC-1039-95>

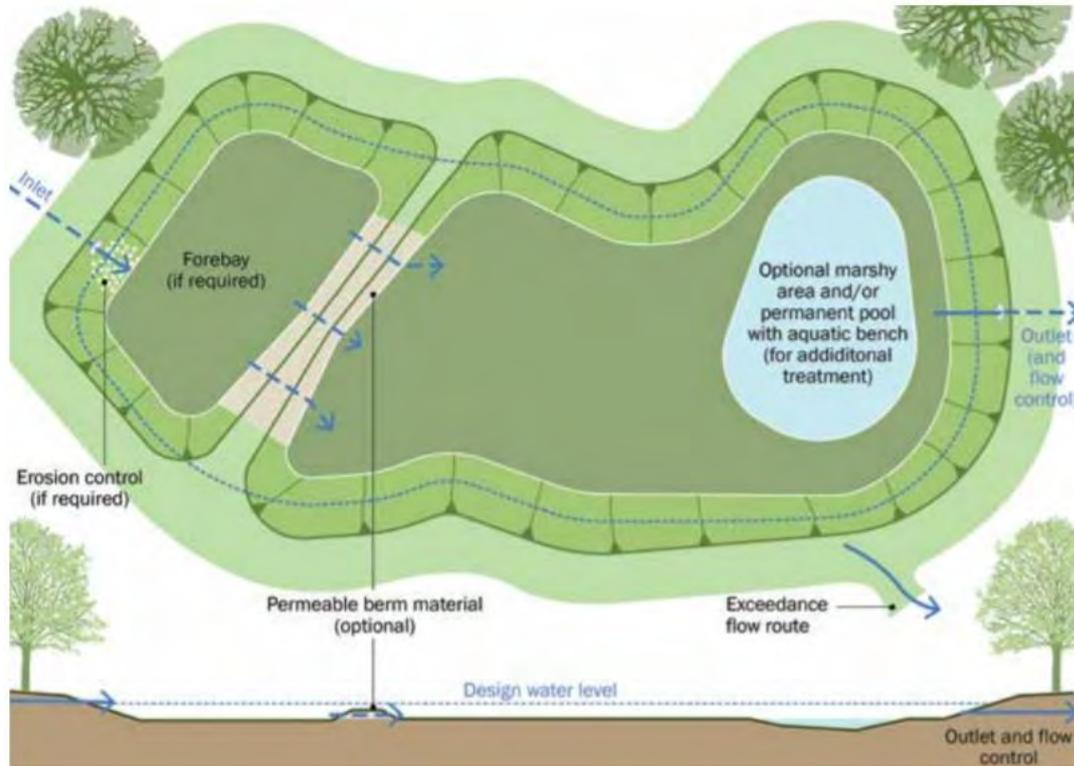
### Types of Sustainable Drainage Systems

- 5.12 The CIRIA SuDS manual contains a comprehensive set of information including examples of many different types of SuDS and how they can be implemented into a development. Selected examples from the CIRIA SuDS manual are set out below:

#### Detention/Attenuation basins

- 5.13 Detention or attenuation basins are landscaped depressions that are normally dry except during and immediately following storm events. They can store surface runoff from regular events as it's routed through the basin, and when flows rise, because outlet is restricted, the basin fills and provides storage of runoff and flow attenuation.
- 5.14 Basins can be vegetated to help absorb some runoff and also improve water quality by acting as a filter. Where designed appropriately, some or all of the basin can be used as an amenity or recreation facility.

Figure 11: Plan and elevation of a detention/attenuation basin.



Source: CIRIA SuDS Manual 2015

### Soakaways:

5.15 Soakaways are excavations that are filled with a material that allows temporary storage of water before it soaks into the ground. Many modern small soakaways are constructed with geocellular units available from builders' merchants pre-wrapped in geotextile. Infiltration tests should be carried to determine whether soakaways will work in the first instance, and then the rates used to determine its size. Full guidance is available in the CIRIA SuDS manual.

Figure 12: Cross section of a soakaway

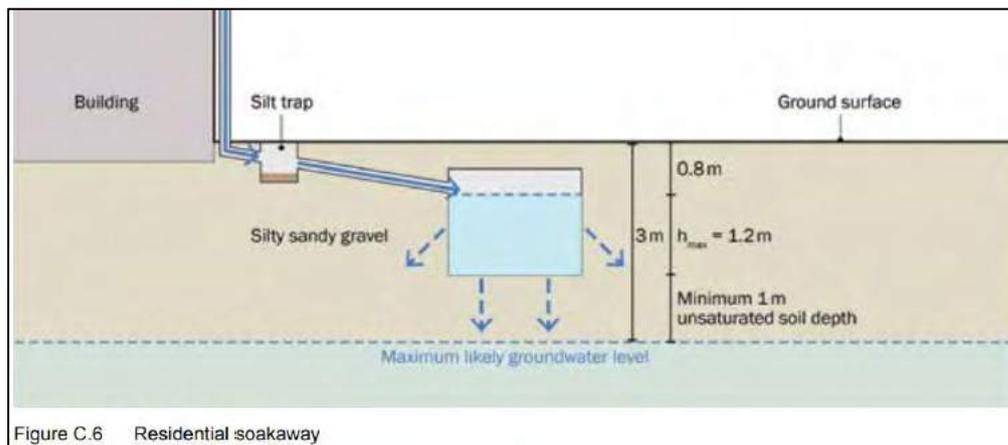


Figure C.6 Residential soakaway

Source: CIRIA SuDS Manual 2015

### Swales:

5.16 Swales are shallow, flat bottomed, vegetated open channels designed to convey, treat and often attenuate surface water runoff. When incorporated into site design they can enhance the natural landscape and provide aesthetic and biodiversity benefits. They are often used to drain roads, paths or car parks and can have a variety of profiles.

Figure 13: Swale cross section

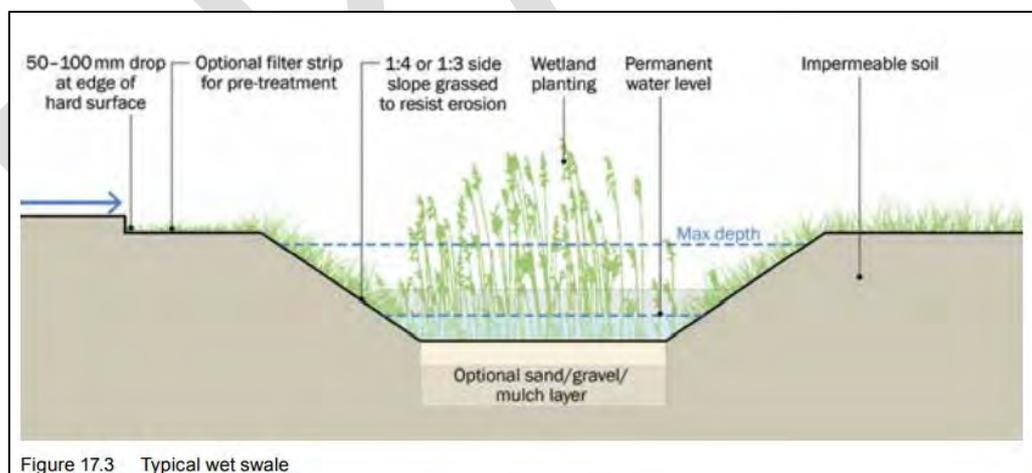


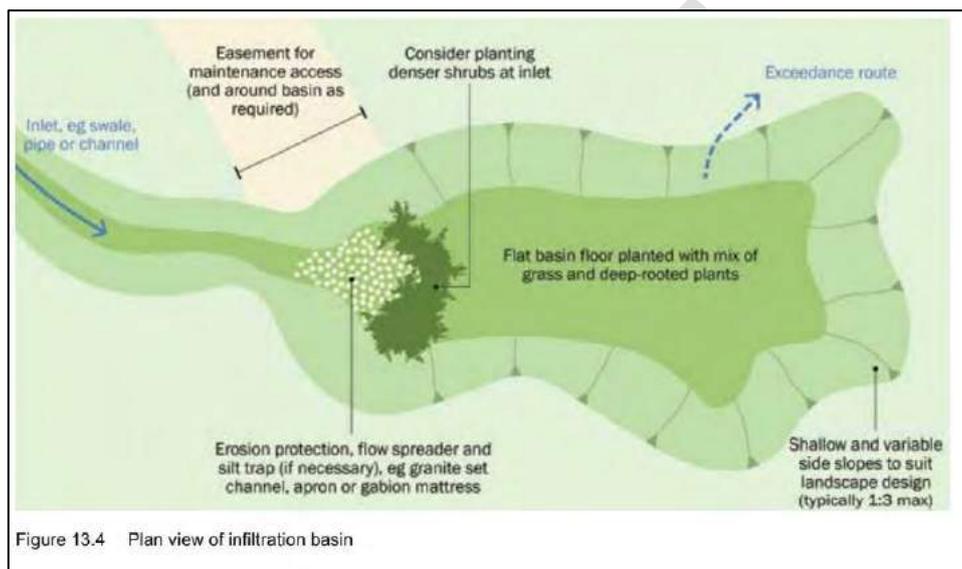
Figure 17.3 Typical wet swale

Source: CIRIA SuDS Manual 2015

## Infiltration Basin

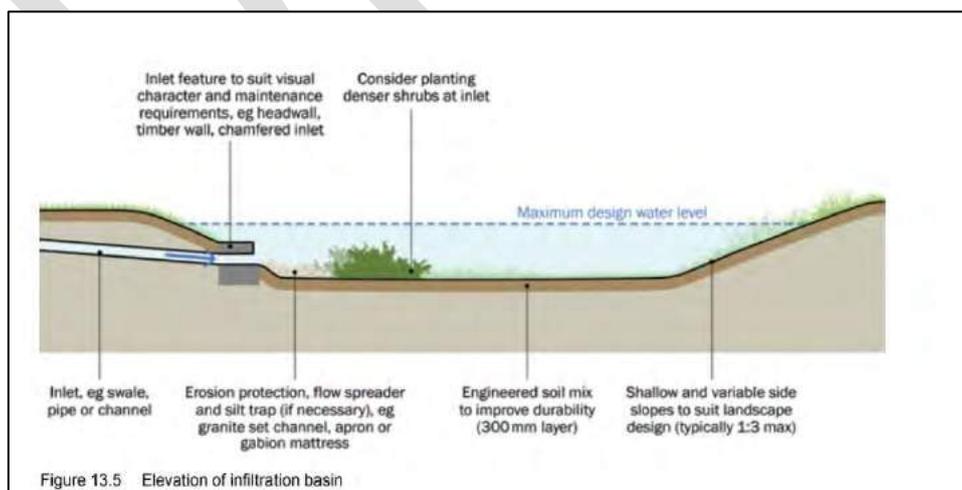
5.17 Infiltration basins are flat-bottomed, shallow landscape depressions that store runoff (allowing pollutants to settle and filter out) before infiltration into the subsurface soils. They can receive water from swales or other inlets.

Figure 14: Plan view of an infiltration basin



Source: CIRIA SuDS Manual 2015

Figure 15: Elevation view of an infiltration basin



Source: CIRIA SuDS Manual 2015

### Permeable Paving:

5.18 Permeable pavements provide a pavement suitable for pedestrians and or vehicular traffic, while allowing rainwater to infiltrate through the surface and into the underlying structural layers.

5.19 Permeable surfaces, together with their associated substructures, are an efficient means of managing surface water runoff close to its source – intercepting runoff, reducing the volume and frequency of runoff, and providing a treatment medium. Permeable surfaces should be used for all hardstanding, driveways and paved areas in development to allow for enhanced drainage of surface water.

*Figure 16: Permeable paving section*

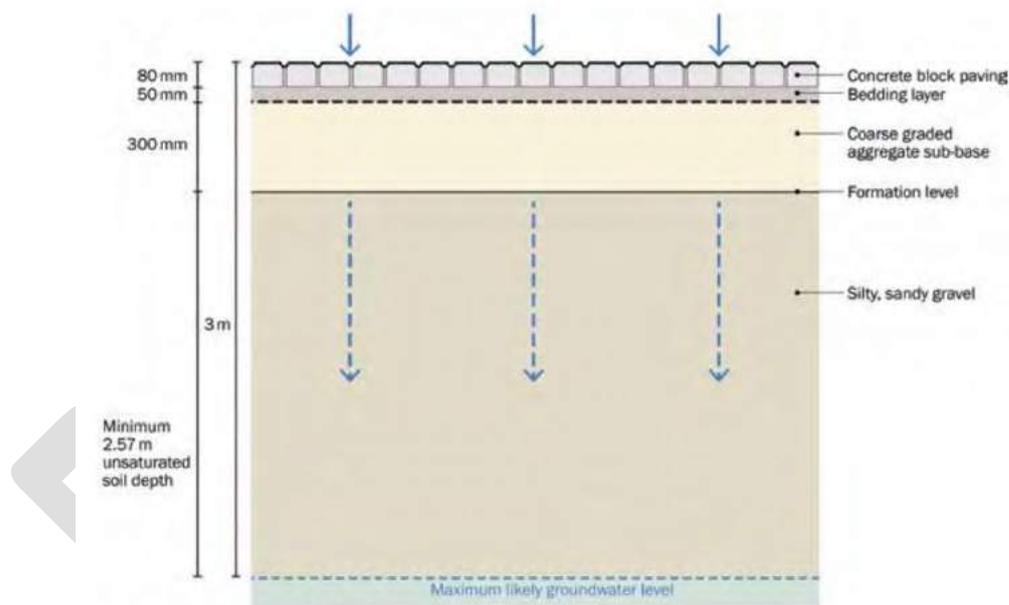


Figure C.7 Residential infiltration permeable block pavement

Source: CIRIA SuDS Manual 2015

### Rain Garden

5.19 Rain gardens are a form of SuDS that can be implemented in small areas where other SuDS methods are not appropriate or feasible. They consist of small depressions in the ground that act as infiltration points for roof water and other surface water that is low in contamination. Rain gardens are easy to maintain, provided that they are incorporated as part of an appropriately designed and managed landscaping scheme. Housing developments with

sufficient outdoor space are encouraged to integrate rain gardens into development where soil conditions allow for infiltration, unless another form of SuDs is being proposed. Rain gardens can also serve as an educational feature at schools or other community facilities.

5.20 A rain garden is not a water garden, pond or wetland. It is dry most of the time and typically holds water only during and following a rainfall event, which drains within 12-48 hours. In simple rain gardens, filter and drainage layers are generally replaced by a thin (200-500mm) layer of engineered or amended soil to help infiltration. They can have an above ground overflow where excess water exits, although in some instances a simple underdrain may be more effective.

Figure 17: Rain Garden section with outlet pipe

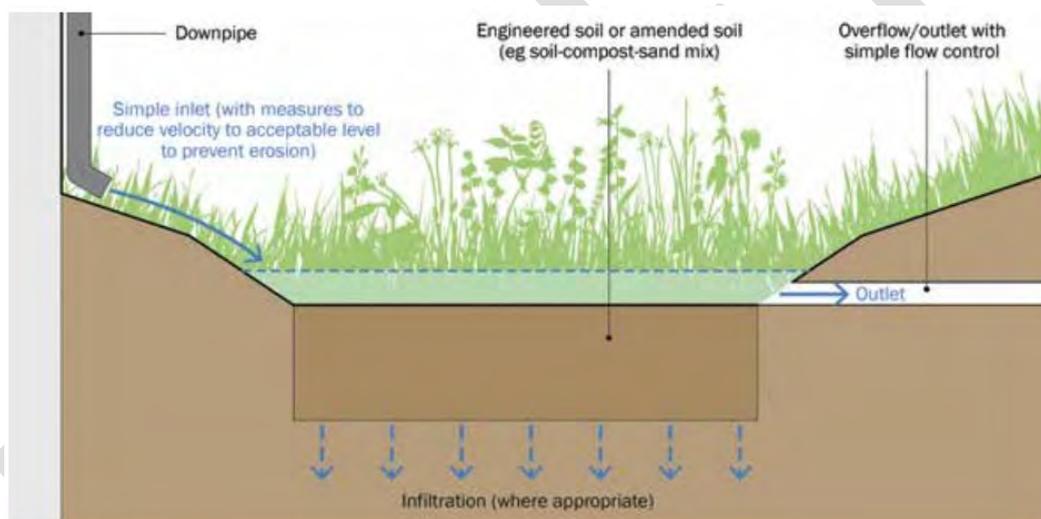


Figure 18.2 Section through a simple rain garden with outlet pipe

Source: CIRIA SuDS Manual 2015

### Green Roofs

6.21 Green roofs are areas of living vegetation installed on the top of buildings. They can assist with the reduction of surface water runoff and also provide visual, ecological and building performance benefits. Green roofs typically need flat or near-flat roofs and be designed to take the loading, so may be difficult to retrofit on existing properties. Figure X below shows a typical section of a green roof.

Figure 18: Green roof section

CIRIA SuDS Manual 2015

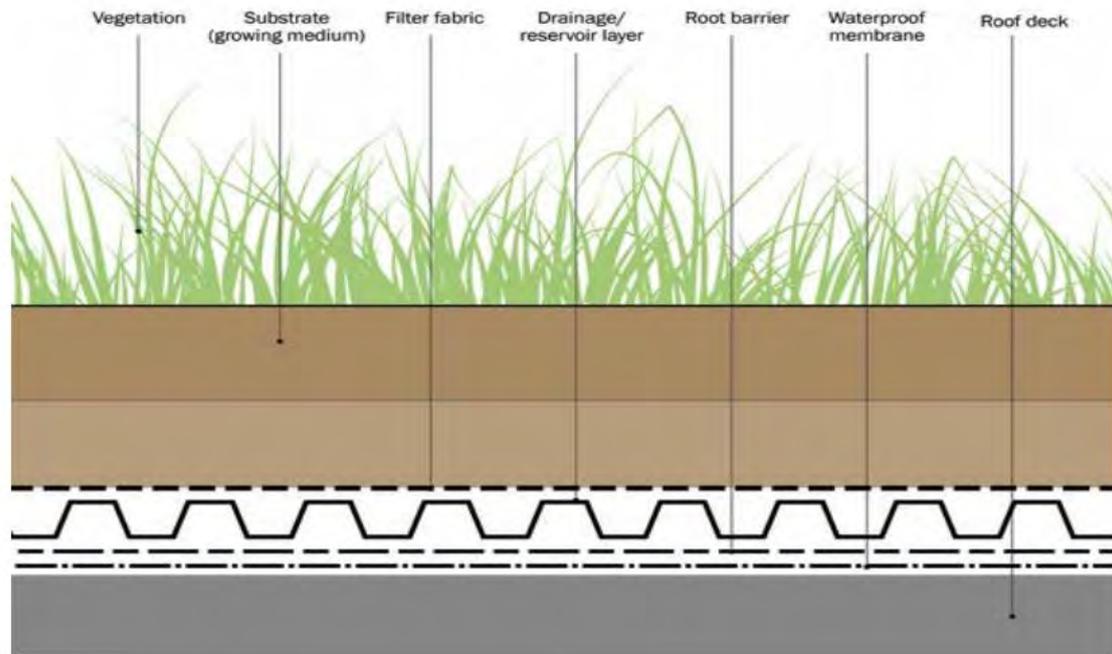


Figure 12.1 Section showing typical extensive green roof components

Source: CIRIA SuDS Manual 2015

## 6 Green Infrastructure, Landscaping and Biodiversity

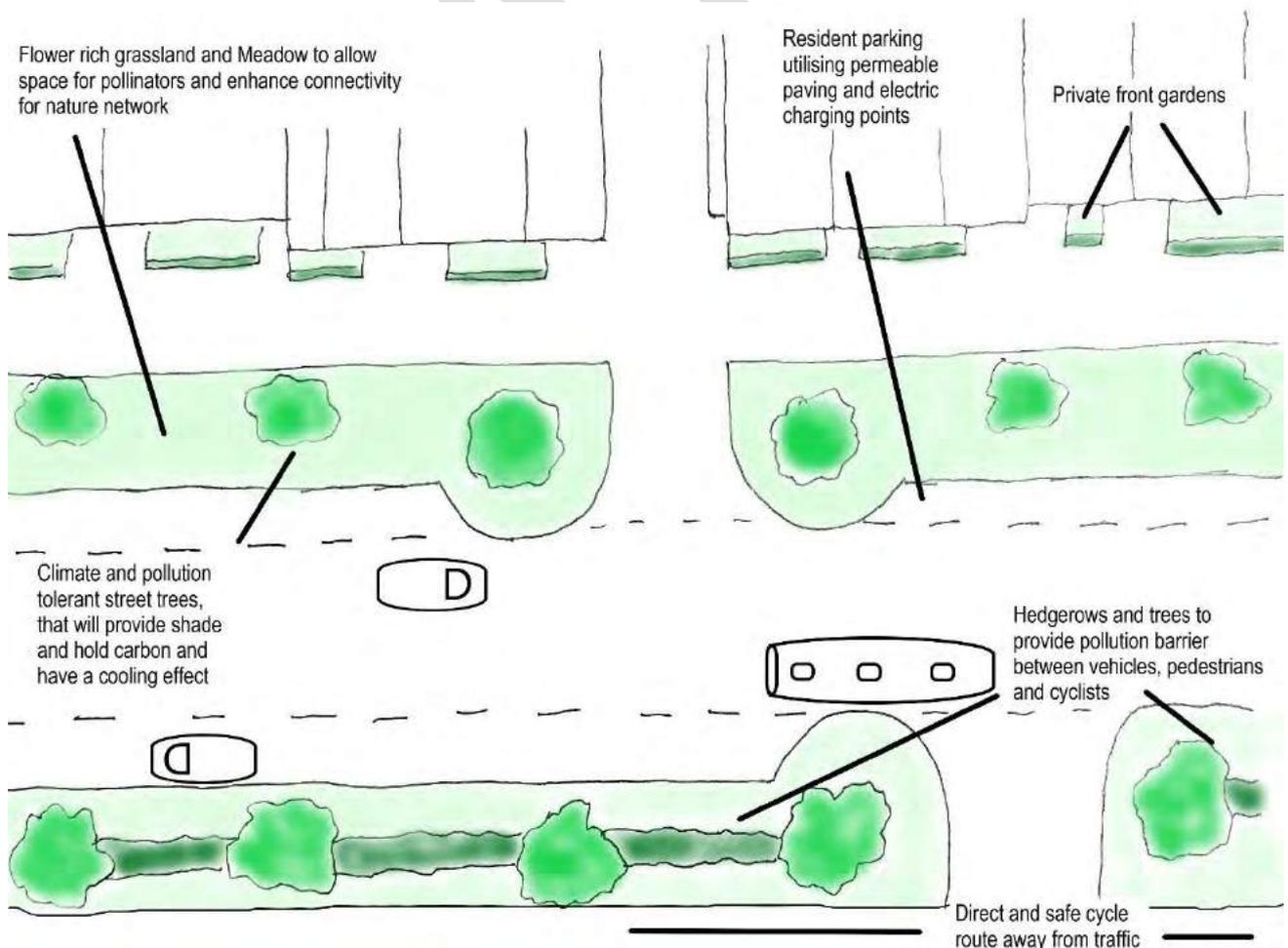
Relevant SDC Policies: SDC1, SDC2

- 6.1 Green infrastructure, such as planting, open spaces and green roofs, is key to climate change resilience. Green infrastructure can deliver a range of related benefits by improving opportunities to walk and cycle, which in turn reduces carbon emissions, and improving the health and well-being of local communities. It can also improve the resilience of habitats and vulnerable species and help to reduce flood risk. Green infrastructure should be considered at the earliest stages of design. Applicants should liaise and collaborate with representative stakeholders.
- 6.2 Policy SDC2 requires high quality landscaping to be incorporated into the design of development. Each development will present its own unique opportunities for landscaping and connecting the site with existing surrounding green infrastructure. Designs should consider the suitability of trees, plants and hedgerows for the location.
- 6.3 Landscaping, in particular the design of natural shading by trees and plants, also has a role in energy efficiency. If solar gain (the natural warming of a building by exposure to the sun) is needed, any trees that need to be retained should ideally be sited so that they are not overshadowing the new development, unless they have particular amenity value or are subject to a Tree Preservation Order. However, planting can also help avoid overheating in the afternoon, so if solar gain is not needed, trees can provide important cooling benefits and help a building to adapt to a warming climate. A careful balance must be struck between shading, the amenity value of trees and solar gain as a result. Rugby Borough Council has prepared a Tree Policy which is available at (<https://www.rugby.gov.uk>). The policy includes a variety of information about the benefits of trees, how they can be managed, and maintenance work that can be carried out by the Council.
- 6.4 In addition to providing opportunities for energy efficiency, trees can provide a significant contribution to helping adapt to and minimise the impacts of climate change. This can be through helping to reduce flood risk, improving air quality by absorbing vehicle emissions and

other pollution, and providing wildlife corridors. They can help to reduce the impact of heavy rainfall, slow and store surface water runoff, reduce urban temperatures, and provide shade and protection against the detrimental effects of sunlight.

- 6.5 Large canopy species may provide more benefits for climate adaptation particularly if part of ecological networks by providing dark corridors for light sensitive species such as some species of bat. Tree species should be used that can themselves adapt to changing climate conditions, particularly as a result of higher temperatures and potential drought conditions in summer. As confirmed in NPPF paragraph 131, trees make an important contribution to the character and quality of urban areas. New streets should be tree-lined unless clear, justifiable and compelling reasons are provided to say why this would be inappropriate. Figure 19 below shows typical examples of landscaping that can be incorporated into the streetscene.

Figure 19: Plan view of streetscene planting and green infrastructure



- 6.6 Deciduous trees can be very beneficial by allowing sunlight to reach buildings during the cooler winter months and protect from sunlight (UV) and overheating during the warmer summer months. Species selection, siting and maintenance should be carefully considered to maximise the ecosystem benefits of trees on a development site, and to avoid shading solar panels or blocking drainage systems with leaves. Areas of tree planting can benefit biometric calculations as part of Biodiversity Impact Assessments, as can the retention of hedgerows.
- 6.7 When combined with other measures, or as part of integrated sustainable drainage systems (SuDS), trees have a major role to play in both the development of green infrastructure, the sustainability of ecological networks and the reduction of flood risk relating to new development, alongside other landscaping, such as green walls and roofs.
- 6.8 Applicants should show how their landscaping has taken into consideration the impacts of climate change. This should include regard to the species selection, location and types of planting and in terms of the management of the landscaping. Secondly, applicants should ensure that trees and landscaping help mitigate change impacts through integration within Sustainable Drainage System (SuDS) provision, as opposed to being separate features. This may include, for example, landscape areas as water attenuation features, and linking of runoff into tree pits. The section on SDC6 in this SPD provides further advice on sustainable drainage designs.
- 6.9 Proposals should seek to avoid development that would significantly undermine current levels of soft landscape provision, particularly tree cover, as this is likely to be damaging to climate change adaptation strategies. Conversely, the introduction of well-planned and well maintained urban tree, particularly native species, cover can greatly increase the adaptive capacity and resilience of urban areas, as well as being beneficial for air quality and biodiversity.
- 6.10 There is a preference for native species that can assist with nature recovery strategies and encourage ecological networks that provide biodiversity net gain relative to habitat size, particularly if this increases tolerance to soil conditions, root spread and ease of management.

Where developments include the importation of soil, soil materials should be of a standard to support vegetation, avoiding contamination.

- 6.11 Opportunities should be taken to improve connectivity between habitats. This can be done by linking Green Infrastructure, but also there by, for example, providing 13sqm access holes in fencing to allow hedgehogs to move through more built up areas.
- 6.12 There may be wider opportunities to link to nearby green infrastructure and utilise existing features. Landscape patterns and hedgerows can be utilised and enhanced, as well as existing grassland and woodland.

## 7 Other

Relevant SDC Policies: All

### Water Efficiency

- 8.1 Water efficiency has a significant role to play in addressing the challenges faced by the water sector and beyond. It is one of the few tools that can address both climate change mitigation and climate change adaptation. It can help the UK meet its climate change targets and make the country more resilient to droughts and floods. Water efficiency can reduce pressure on existing infrastructure and offset the need for new infrastructure.
- 8.2 Heating water in homes for cooking, personal washing and cleaning produces 5% of the UK's greenhouse gas emissions and a quarter of CO2 emissions from homes – it is the second biggest use of energy in homes, after space heating, and comes before that of energy consumption of gadgets and appliances (Waterwise – Water Efficiency Strategy for the UK 2017 <https://www.waterwise.org.uk/knowledge-base/water-efficiency-strategy-for-the-uk-2017/> ). Wasting less hot water in homes – through more efficient fixtures and fittings and more efficient use of hot water from taps and showers - can help meet carbon targets. Wasting less hot and cold water will reduce the carbon footprint of the water industry, which would as a

result need to pump and treat less water and wastewater (and will in turn make the sector more resilient to climate change as less water is needed).

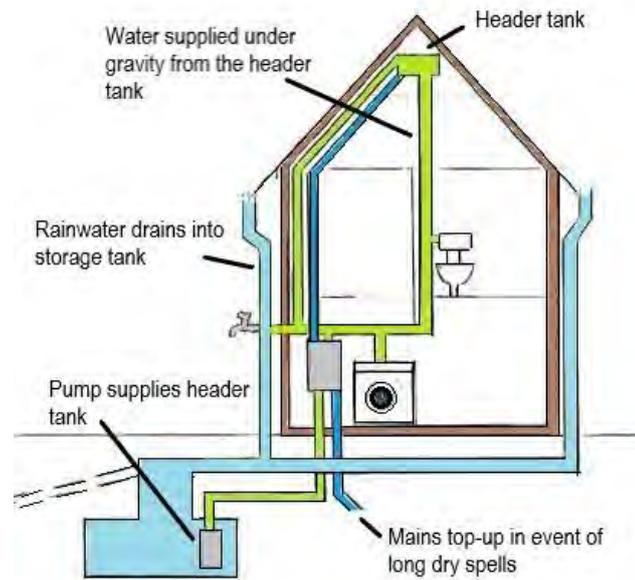
Water efficient appliances can include:

- *Dual flush toilets (2/4 litre or 4/6 litre)* - Dual flush toilets can save over 60% in toilet water usage.
- *Low flow showers* – Showers with flow restricting or aerating features can reduce shower water usage by up to 60% in some cases.
- *Smaller bath sizes* – Lower capacity baths will save on water.
- *Water efficient washing machines* - The water efficiency of washing machines can vary greatly. The most efficient washing machine will use 6 litres of water per kilogram in comparison to the least efficient washing machine that will use 14 litres of water per kilogram. Checking the water consumption box on the energy label will help identify if an appliance is efficient or not.
- *Low flow taps* – Taps can include restrictors that limit flow or aerators to add air to the water and can save 40% in tap water usage.

Usage of these appliances will help developments achieve the 110l per household standard set out in SDC4

- 8.3 Retrofitting water efficient measures into existing buildings can often be costly, time consuming and difficult to implement. As such, water efficient measures should be integrated at the design stage of new developments and incorporated when constructed.
- 8.4 Rainwater collection facilities such as communal rainwater tanks and water butts should be installed in all residential developments and householder developments. Low carbon rainwater harvesting and/or greywater recycling systems within new developments can be used to increase water efficiency. Referring to these features within Design and Access Statements will help to illustrate compliance with policy SDC4. A rainwater harvesting System is illustrated in Fig 20 below:

Fig 20: Diagram of a Rainwater Harvesting System



### Water Quality

- 8.5 Pollution from waste water or sewage can contain nutrients such as phosphorous and nitrates, harmful chemicals, viruses and bacteria and other harmful substances. These can affect oxygen levels within the receiving waters and can impact on ecology.
- 8.6 Reducing the impact of pollution from waste water will provide many benefits and help support a wide range of water uses. These uses include drinking water supply, agriculture, angling, conservation and wider benefits such as tourism and quality of life.
- 8.7 Pollution can come from a variety of sources, individually or combined. It can include metals, vehicle emissions, silt, grit, bacteria and oil as examples. It can come from run off from agricultural land, roads and some types of recreational land. Carefully managing run-off from a development will help manage pollution and can provide ecological and health benefits.
- 8.8 Where developments require an Environmental Impact Assessment (EIA), applicants should include the impact resulting from development on the water environment in the EIA assessment using information from the "Severn Trent River Basin Management Plan" or directly

from the Environment Agency. However, there will be many instances where an EIA is not required.

- 8.9 Where developments do not require an EIA but have the potential to impact on water bodies then applicants should consult the Environment Agency (EA) as a separate assessment might be required. WFD Assessments are sometimes required by the EA for developments where permissions are required for works near/on main rivers. Further information from the EA is available at <https://www.gov.uk/guidance/water-supply-wastewater-and-water-quality>.

### Waste

- 8.10 Designs should carefully consider arrangements for bin collections and there should be sufficient space for the different bin types used. Inadequate collection areas can result in wheelie bins strewn across public areas and can represent a safety risk to pedestrians and vehicles and be visually unappealing. Further detailed guidance on waste storage is included in Appendix B to this SPD.

### Heritage Assets

- 8.11 Heritage Assets provide unique opportunities for development proposals. Listed buildings for example often have particular characteristics not present in more modern buildings, and conservation areas help in preserving the historic character of an area. Development can be designed to respect these to provide a high quality design that also contributes to the safeguarding of a heritage asset and even enhance the surroundings.
- 8.12 It is a widely held view that older buildings are not energy efficient and must be radically upgraded in order to improve their performance. In reality, the situation is more complicated, and assumptions about poor performance are not always justified. Although their energy efficiency is often perceived as poor they are capable of being upgraded.
- 8.13 Measures can be installed, but it will require more thought into the approach to the energy efficiency in these buildings. Taking a whole building approach on how best to upgrade historic buildings is preferred rather than focusing on one aspect. Historic England have issued the following document setting out how to take the whole building approach to provide a

sustainable and successful solution: <https://historicengland.org.uk/images-books/publications/eehb-how-to-improve-energy-efficiency/>

8.14 The first priority for listed buildings should be for non-invasive measures. This will help preserve the integrity and special character of the listed building. Measures should incorporate the re-use of building materials where possible. This is already undertaken when works are carried out to historic buildings to ensure materials match and the character and appearance is conserved. This can also reduce the environmental impact of new development through a reduced demand for new materials and reduced levels of waste to be disposed of in landfill sites. Replacement windows with modern double or triple glazing units is unlikely to be acceptable.

#### Broadband

8.15 Broadband provision will help allow people to have access to high speed broadband as soon as they move in, which in turn will make working from home easier and will give homes fast and reliable connections for streaming TV and films on multiple devices at the same time. This is also more sustainable as it reduces commuting between settlements for work purposes, thereby reducing fossil fuel consumption from vehicles.

8.16 Provision of broadband infrastructure is likely to require street works in many cases so it is particularly important to incorporate this into the design at an early stage. Developers should work together with utilities providers and Warwickshire County Council Highways Authority to ensure minimum disruption to the road network. The Government have issued the following document in relation to broadband infrastructure and street works which highlights some of considerations involved <https://www.gov.uk/government/publications/framework-for-uk-fibre-delivery-street-works>

8.17 Proposals will be supported that contribute to the future of mobile connectivity and the rollout of small cells for 5G which is most likely to be needed in denser, urban areas. This could, for example include ensuring that all new developments have sufficient ducting space for full fibre connectivity; and/or support the effective use of rooftops and street furniture to accommodate

mobile digital infrastructure, including small cells for 5G. Informatives may be used to reinforce this on relevant planning permissions for both residential and commercial schemes.

8.18 Rugby Borough Council is a partner in the Coventry, Solihull and Warwickshire Broadband project which is bringing superfast broadband to communities that are unlikely to benefit from a commercial broadband service. Further information on this project and how it can help deliver broadband in areas is available at <https://www.cswbroadband.org.uk/>

8.19 The Government are proposing to amend Building Regulations to ensure that all new build homes come with Gigabit Broadband. At the time of writing this legislation is yet to formally enacted, however developers are encouraged to incorporate the latest available broadband technology to ensure homes are fit for the future and this will be controlled by condition on applications for new dwellings. For further information see <https://www.gov.uk/government/news/next-step-in-plans-for-gigabit-broadband-in-new-build-homes> and <https://www.gov.uk/government/news/new-build-homes-to-come-gigabit-speed-ready>

# APPENDIX A

## Information Requirements

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# 1 Introduction

1.1 This appendix sets out the information required to be submitted with an application.

Ensuring the correct information is provided with the application will avoid unnecessary delays with registration. A sustainability checklist is also included which should be referred to when applying. The checklist covers a variety of issues in relation to combatting climate change and sustainability, and by working through the issues raised, proposals are more likely to comply with the sustainability objectives of the local plan.

1.2 A certain amount of information is required as a minimum for planning applications as set out in national planning practice guidance. This appendix does not set out to duplicate that guidance but details additional information that should be considered and provided.

## 2 Information Requirements

### Energy statements

2.1 Energy statements should be provided for major developments. They must demonstrate how reductions in carbon emissions will be achieved and quantify the total reduction. They must also demonstrate that the approach to energy complies with the energy hierarchy, and that any energy measures proposed are appropriate and will be effective. This section sets out the information that needs to be included. Non-major developments do not need to submit an energy statement but instead should submit adequate information to demonstrate how energy efficiency and sustainability has been incorporated into the proposal in accordance with this SPD.

2.2 An Energy Statement is a validation requirement to demonstrate compliance with the sustainable policies in the local plan. In some instances these details may not be known e.g. outline applications. Where this is the case it may be possible to utilise a planning

condition on a grant of planning permission to ensure one is submitted with the reserved matters application.

2.3 In general terms, the energy statement will require details of the equipment and technology to be incorporated to achieve carbon emission reductions. The minimum standards comprise a 10% carbon emissions reduction above the Building Regulations that are relevant at the time.

2.4 The following list is not exhaustive, however it is recommended that the following information is included:

- Energy efficiency of the building fabric
- Predicted annual carbon emissions of the development
- The contribution of each proposed renewable energy technology
- Feasibility of district or community heating
- Summary of the benefits of various low energy technologies
- The total estimated reduction in the development's baseline carbon emissions and/or energy demand.

2.5 A non-technical summary should be included outlining the conclusions of the statement.

### 3 Sustainability Checklist

3.1 In addition to the requirements for major developments it is important that all new developments including house extensions undertake a sustainability checklist which will be required on the submission of a planning application.

3.2 This checklist has been designed to assist applicants to review their approaches to sustainability in the design of proposals for the re/development. Applicants are expected to work through this during the preparation of the planning application,

starting from the preapp consultation and engagement with planning officers where this has taken place.

3.3 Checking the proposal against each of the relevant priorities listed will help improve the sustainability of the proposal and avoid delays while additional information is requested to support the application.

Layout and Design	Yes	No	N/A
Does the location of the proposed development minimise distances to the main employment centres, shops, recreation and community facilities, and schools?			
Has the local context been addressed in the application and does the building arrangement consider the existing streetscape?			
Has the visual interest of the street layout been considered in the application?			
Have daylight, sunlight and privacy been considered in the application			
Has outdoor space been considered in the application?			
Is there sufficient space for bin storage which protects visual amenity and prevents risk of hazards?			
Does the design conform to the Technical Housing Standards - Nationally Described Space Standard?			
Does the design have regard for characteristics of the area?			
Is the overall design in accordance with the principles of Passive Solar Design e.g. natural heating and light through solar gain, passive ventilation?			
Are the materials chosen appropriate for thermal mass, and has appropriate insulation and airtightness been considered in the design of buildings, whilst balancing against the needs to avoid over-heating?			

For larger development schemes – does the layout utilise design to minimise shadowing, and gain heating efficiencies? Will the development make the best use of existing landform, to protect against hotter or wetter weather conditions, and utilise thermal buffering?			
Does the proposal deliver measurable improvements for biodiversity by preserving or enhancing habitats?			
<b>Sustainable Transport</b>			
Do the designs support sustainable transport options?			
Does the scheme facilitate active/healthy travel choices and reduce private car dependency?			
Do pedestrian and cycle routes link comfortably to surrounding areas/facilities, and to other transport networks.			
Does the proposal provide appropriate levels and standards of car parking (as set out in Appendix 5 of the local plan)?			
Will the development incorporate electric vehicle charging points?			
Does the proposal provide appropriate levels of, and secure facilities for, cycle parking/storage?			
Will a Travel Statement (for smaller-scale developments) or Travel Plan (for proposals that generate significant traffic) be submitted with the proposal, including measures such as carclubs/Smart travel?			
<b>Energy Efficiency</b>			
Has the development been designed in accordance with the Energy Hierarchy (Reduce energy demand>Supply energy efficiently>Utilise renewable technology)?			
Has an Energy Statement been prepared for the application?			
Does the development utilise energy efficient design techniques such as the passive design concept and high level insulation?			

Have efficient means of supplying energy been included in the proposal including efficient mechanical and electric systems, heat pumps, 'smart' appliances and heat recovery systems?			
For energy generation have renewable technologies been utilised such as solar panels, micro turbines and ground source heat pumps?			
Has the scope for connection of larger developments schemes to an existing District Heat and Cooling System, or CHP system been considered?			
In terms of water-use efficiency, does the proposal comply with Building Regulations limit of 110 litres per day?			
Have measures been included into the scheme to recycle water, for example water-butts for housing developments, or underground tanks?			
Will the development require water-intensive processes for construction and, if so, are there any water-saving measures that can be used to reduce this?			
<b>BREEAM Assessment (Non residential buildings over 1000sqm)</b>			
Has a BREEAM assessment, which achieves at least a "Very Good" rating been submitted?			
Has provision been made to submit post construction certificates to achieve a minimum "Very Good" rating?			
<b>Flood Risk and Drainage</b>			
Has the development been located away from areas more at risk from flooding (Floods Zone 2 and 3)?			
Has the Environment Agency Surface Water Flooding Map been checked to identify localised flooding issues?			
Have Sustainable Drainage Systems (SuDS) been incorporated into the development proposal? For example infiltration basins, soakaways, permeable paving?			

Have maintenance responsibilities been identified for any proposed SuDS?			
<b>Heritage Assets</b>			
Has the impact of proposals upon heritage assets, such as conservation areas and listed buildings been considered? (Works to listed buildings may also require Listed Building Consent in addition to planning permission. Please check with the planning office).			
Where possible, can materials be re-used in the proposal that are in keeping with the heritage asset?			
<b>Demolition and Construction</b>			
Has consideration been given to the amount of embodied carbon (the CO2 used in producing materials)?			
Has a Construction Management Plan been prepared for the proposal?			
Where site demolition will be necessary, have procedures for the salvage of building part and/or materials been put in place (including any natural materials on site)?			

## APPENDIX B

# Residential Design Guide

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## 1 Introduction

- 1.1 This appendix sets out the design considerations in relation to residential development. The majority of planning applications received by the Council relate to new dwellings or alterations to existing houses. As such it is considered for ease of reference to consolidate residential design issues into this appendix. The appendix should be read in conjunction with the main climate change document.
- 1.2 The appendix includes guidance on the layout and design of larger developments consisting of multiple dwellings, as well as more detailed guidance for single plots and buildings. Issues relating to space, refuse storage and amenities are explained. These matters are essential in helping a development achieve a high quality, inclusive and sustainable design as set out in SDC1.
- 1.3 In addition to this guidance, applicants are encouraged to refer to the National Design Guide available from the Department for Levelling Up, Housing and Communities (DLUHC). The guide includes '10 characteristics' to help achieve well designed places; Context, Identity, Built Form, Movement, Nature, Public Spaces, Uses, Homes and Buildings, Resources and Lifespan. The guide is available at <https://www.gov.uk/government/publications/national-design-guide>
- 1.4 The DLUHC has also issued the National Design Code. The code expands on the 10 characteristics in the Guide. Design codes can be prepared by developers in partnership with the Local Authority, particularly on larger sites requiring masterplanning. The code is available at <https://www.gov.uk/government/publications/national-model-design-code>.

## 2 Layout and Design

2.1 There are a number of aspects relating to a development's layout and design that should be considered at an early stage. These will allow them to be incorporated more easily into the proposal to help address climate issues and provide a more sustainable form of development.

### Accessibility, connectivity and permeability

2.2 The accessibility of a site to services and facilities can greatly reduce reliance on private car use. Private car use contributes a large proportion to the UK's total carbon emissions and is a major factor in air pollution. Greater opportunities for more sustainable access to services are likely to be present in the Rugby urban area and Main Rural Settlements. The Countryside and Green Belt are the least sustainable of development locations.

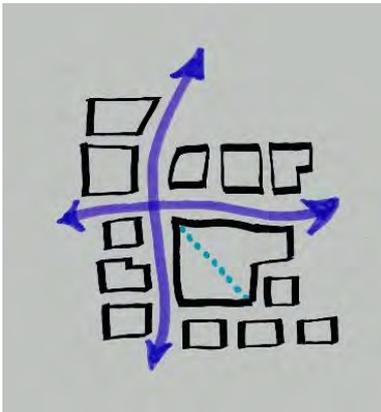
2.3 The layout and design of a site will affect access to existing nearby services. Large-scale developments should ensure that key facilities such as schools, shops, GP surgeries, recreation and play areas and bus stops are accessible and well connected.

2.4 To facilitate access between areas, opportunities for increasing connectivity through walking and cycling should be considered in all developments. Information on cycle routes is available from Warwickshire County Council at <https://www.warwickshire.gov.uk/cycleroutes>. Those in more sustainable locations such as the urban area will have greater opportunities to connect to existing infrastructure nearby to form a coherent network to link key destinations and trip origins.

2.5 Public transport provision will also help facilitate access between areas and reduce reliance on car journeys. There will be more opportunities for utilising these in the urban area. Details of bus routes are available from Warwickshire County Council at <https://www.warwickshire.gov.uk/busroutemaps>). Sustainable modes of transport including the introduction of car clubs, car sharing opportunities, park and ride facilities and rail will be supported.

- 2.6 Permeable networks encourage walking and cycling and make places easy to navigate through, especially for visitors. Consideration should be given to providing seating/resting places along well used routes to assist less mobile persons to reach key facilities and litter bins in order to prevent litter and ensure that these routes remain attractive.

*Figure 1: Diagram showing example of permeable layout and connectivity*



- 2.7 Built form defines a pattern of streets and development blocks. These should be appropriate to the location enabling people to easily move both within and into and out of the site. New developments should provide active frontages that are directly accessible by foot and overlooked from the street. This can help in reducing crime by providing natural surveillance and ensuring streets are community friendly which in turn encourages walking and social interaction.
- 2.8 The National Design Guide (2019) forms part of the government's national planning practice guidance and identifies 'movement' as one of ten characteristics of well-designed places. It highlights the need for an integrated network for all modes of transport giving people maximum choice in how to make their journeys, prioritising pedestrians and cyclists. Applicants are encouraged to refer to the guide which is available at <https://www.gov.uk/government/publications/national-design-guide>.
- 2.9 Cycling and walking provision should provide suitable crossing facilities where necessary as well as appropriate lighting levels and security measures to ensure the safety and

security of pedestrians and cyclists. Cycle infrastructure should provide connections that link origins and key destinations, provide direct routes and give priority to cyclists at junctions.

- 2.10 An appropriate amount of cycle storage should be provided, guided by the standards set out in Appendix 5 of the local plan. This includes providing for each new dwelling as well as on new employment, leisure, retail and commercial development sites. This should be secured, covered, have good surveillance and be sited conveniently. Therefore, consideration will need to be given to the overall design of cycle storage at an early stage of the planning process. The provision of shower facilities in non-residential developments will help facilitate commuting by cycle.
- 2.11 Electric charging points for e-bikes on new developments as well as grouped locations for cycle hire will help encourage this sustainable form of transport. This would need to be considered on a case by case basis as it will be dependent on the size of development.
- 2.12 Cycle and walking routes have to the potential to become green/blue corridors to encourage wildlife and habitats as well as making these routes more attractive. Doing so will help the development become more adaptable to climate change and provide ecological benefits. Tree lined streets should be utilised, which is a requirement set out in paragraph 130 of the NPPF. Examples of planting and landscaping that can be included in streetscene design are illustrated in the Green Infrastructure, Landscaping and Biodiversity section of this SPD.

#### Density and mixed use

- 2.13 Density plays an important part in reducing people's reliance on using a private car. Higher density developments can make efficient use of land in more sustainable locations, making destinations easily accessible by walking or cycling, and bringing people together to support local public transport, facilities and local services. Rugby Borough consists of a mix of urban and rural environments, so an appropriate density will need to be considered for each new development which will help form the context, form and character of the area.

2.14 Mixed use developments can provide a wide range of services and facilities including employment opportunities, schools, healthcare provision, recreational and leisure facilities, open green spaces and many more. This will allow residents and other people frequenting the site access these with minimum amount of travel. These developments will be expected, where appropriate, to include good cycle and pedestrian access to these facilities.

### 3 Installing renewable and low carbon energy

3.1 Section 3 of the main SPD details types of renewable and low carbon energy that can be incorporated into developments. When designing new dwellings it will be necessary to carefully consider how these will effect the appearance of the buildings and character of the area.

#### Solar PV panels

3.2 Solar panels are often located in prominent positions to make use of the roof slope. South facing roofslopes are usually preferred to make the most of the suns rays. When installing solar panels, the following points should be considered to ensure they are sited as suitably as possible:

#### *Visual prominence*

Consider where the panels would be visible from e.g. from nearby roads or footpaths. Panels on the fronts of properties are likely to be visually prominent. Are there any roofslopes less visible that could be utilised?

#### *Design*

Check what colour finishes are available to help it blend in with the roof. Panels are typically dark blue or black, however coloured finishes and tones are available to help them appear less obtrusive.

#### *Arrangement*

Think about the layout of the panels. The size and layout of panels can have a significant effect on the appearance of the building. Neatly arranged symmetrical panels for example are likely to be much more pleasing visually compared to panels that are scattered haphazardly across the roofspace

### *Matching Styles*

Check if neighbouring or nearby properties have a particular style of panels they use? In some cases it might be possible to use a similar style giving a more uniform appearance to an area.

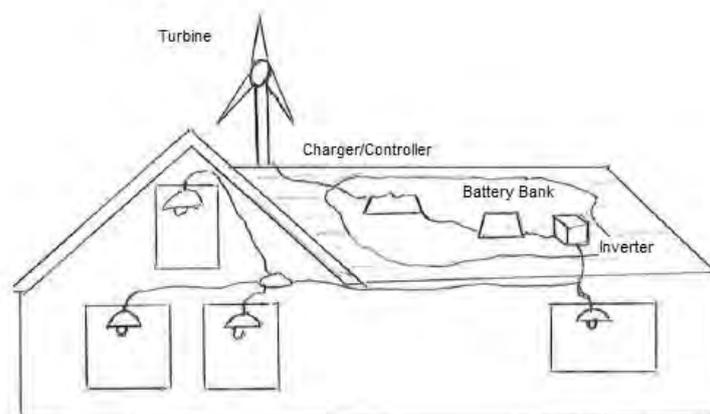
### *Conservation Areas*

Check if the property is within or near to a Conservation Area. Such locations are likely to be extra sensitive in terms of the character and appearance of the area. Additional care or alternative siting may be required in some circumstances.

### Micro Turbines

3.3 Micro turbines must be sited clear of roofs and nearby trees to ensure they receive sufficient air flow. Due to this however they are also likely to be visually prominent and so their effect on the appearance of the building and character of the area must be carefully considered. An example of a micro turbine set up on a dwellinghouse is illustrated below.

*Figure 2: Micro wind turbine on a residential dwelling*

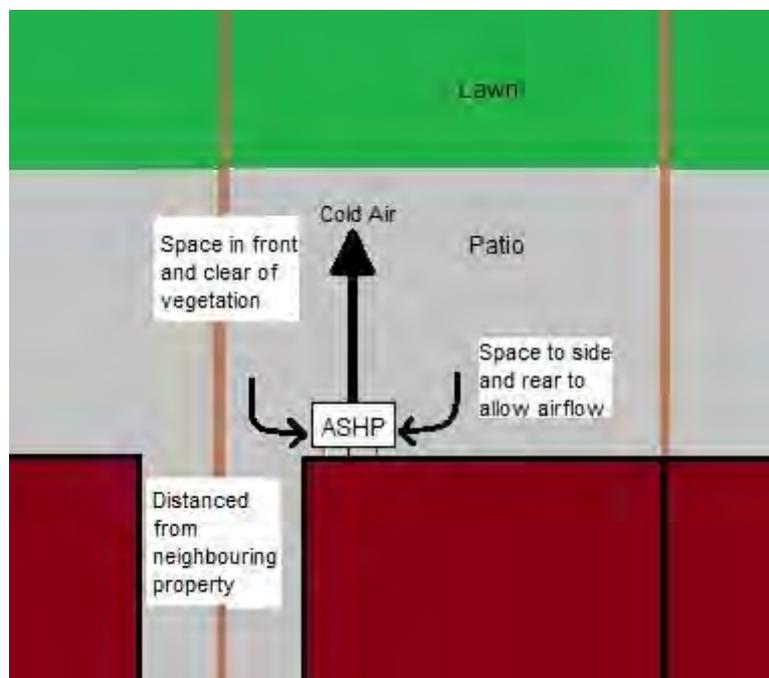


- 3.4 In addition to their visual impact, there may be potential for noise disturbance from a turbine. Distance from neighbouring properties will need to be considered and it should be ensured any fixings and components are securely fixed and do not vibrate.

#### Air source heat pumps

- 3.5 Air source heat pumps require a good flow of air to be most efficient. Air is taken in from the sides and back of the equipment, and cold air is expelled through its front once the heat has been taken from it. Typically they are located on or near the external walls of the building so the energy does not have to travel far. Noise is also potentially an issue, although modern technology has helped reduce this.
- 3.6 The above factors may limit the suitable locations to fit the equipment due to the required space. Also there is the potential for the cold air expelled to damage nearby garden lawns and plants. The figure below shows an example layout.

*Figure 3: Example layout for an Air Source Heat Pump*



## 4 Car parking provision and charging

4.1 Appendix 5 of the local plan sets out the planning requirements for parking provision, however car free developments may be considered in certain circumstances where the following apply:

- Extension, alteration or re-use of an existing building which has no access to parking;
- Reversion of a previously converted property to its original residential use, including flats above shops; or
- Where 100% cycling or walking provision is considered to be a viable option with access to a full range of services. This is only likely to be acceptable in town centre or edge of centre locations however.

4.2 Electric vehicle charging should be provided in new developments and incorporated into existing ones where possible. Appendix 5 of the Local Plan 2019 sets out the Borough's parking standards, however reference should also be had to the Building Regulations Approved Document S (2021) which sets out required electric vehicle charging provision. In general, charging provision should be made available for each new dwelling as far as possible, and in the case of non-residential development a proportion of the spaces should have charging provision (depending on the size of the development). Applicants are encouraged to refer to both Appendix 5 of the local plan to determine levels of parking expected, and Building Regulations to ensure satisfactory charging provision is provided in accordance with legislation.

4.3 Car clubs provide an opportunity for people to utilise hire vehicles for short periods at relatively little cost. Car clubs can reduce the need for private car ownership, therefore reducing the number of vehicles on the road and avoiding personal expense at having to maintain a vehicle. Proposals that incorporate car club schemes will be given positive consideration.

4.4 Developments should aim to create streets that control the speed of vehicles using appropriate traffic calming measures. For residential streets, one of the main objectives

should be to achieve a maximum design speed of 20mph. In conjunction with Warwickshire County Council Highways, 'Idle-free zones' (defined areas where vehicles are banned from running engines whilst stationary) outside of sensitive sites such as schools, shops, hospitals and GP surgeries will be strongly encouraged, so as to reduce air pollution and carbon emissions caused by idling vehicles.

## 5 Space Standards

- 5.1 One recognised way to assess if living conditions of a proposed development are acceptable is whether or not the National Space Standards (<https://www.gov.uk/government/publications/technical-housing-standards-nationally-described-space-standard>) are adhered to, which can help inform room and storage sizes. Whilst this is not a specific requirement of local plan policy, it is of assistance to the Council in assessing planning applications to understand the degree of compliance with the National Space Standards and to understand the reasons why National Space Standards have not been met (if applicable) for any part of the development. Providing a satisfactory amount of space in line with the standards will help secure sufficient amenity and quality design in accordance with SDC1.
- 5.2 New dwellings should provide an adequate amount of garden space that is in keeping with the character of the area. As a guide, a garden should be at least the size of the ground floor footprint of the dwelling. Flats should also ensure usable outdoor space is available, such as communal gardens and balconies.
- 5.3 Consideration should be given to the layout of garages and other outbuildings to ensure that some garden spaces are not enclosed by structures on all sides leading to an overbearing effect.

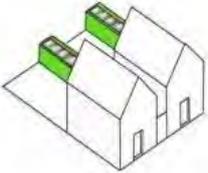
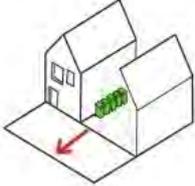
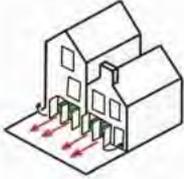
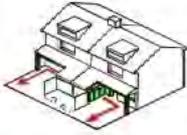
## 6 Waste Storage

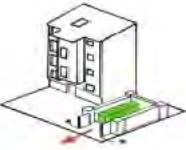
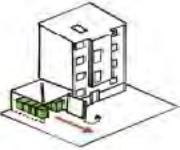
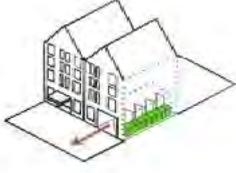
- 6.1 Designs should carefully consider arrangements for bin collections and provide sufficient space for the different bin types used. Areas without adequate collection

areas can result in wheelie bins strewn across public areas and can represent a safety risk to pedestrians and vehicles and can be visually unappealing.

- 6.2 The design and siting of the bin storage itself should carefully consider possible visual and amenity impacts to ensure it does not adversely affect the external elevation of the property, the character of the area or residents' living conditions. Where required at the front of the property, well designed screening may be necessary. Waste bin storage areas should be well ventilated and situated away from direct sunlight. Communal waste/recycle facilities must be easily accessible to all residents including those with disabilities.
- 6.3 The National House Building Council (NHBC) Foundation has produced guidance for waste bin storage for different types of housing entitled "Avoiding Rubbish Design" (2016) . The guidelines include examples and case studies of refuse storage for different housing types. The document is available at: <https://www.nhbcfoundation.org/publication/avoiding-rubbish-design-providing-for-bin-storage-on-new-housing-developments/>
- 6.4 Illustrated examples from the guide are summarised below. It is important to emphasise however that the most suitable method for waste storage of collection will depend on the individual characteristics of the site and proposal. This may for example involve taking into account the wider design context such as main approaches and viewpoints of the development, as well the overall character of the area.

Figure 4: Examples of waste storage methods.

Semi-Detached Properties	
	
<b>Purpose built stores in rear of property.</b> Bins kept where not visible from the house.	<b>Bin stored in space between detached houses.</b> Space provided to allow the passing of bicycles and garden equipment. Gate provided at front of store.
Linked Houses	
	
<b>Storage behind garage type doors.</b> Particularly suited to mews type buildings where there is little space at the front. This solution places bins behind doors to the front of houses. Care should be taken to ensure the design of the façade is not overly dominated by too many doors.	<b>Storage adjacent to front doors.</b> Bins are kept in purpose built stores adjacent to the front doors of houses which can be constructed as pairs as shown.
Linked Houses	
	
<b>Storage within storm porches.</b> Storage adjacent to front doors integrates into a wider porch.	<b>Communal storage sited separately within shared grounds.</b> This solution provides open storage for a number of bins but it is located away from the houses. Due to the scale of the storage consideration should be given to providing landscaping and/or screening to block residents views of bins. If possible the storage should be located close to the street boundary so that the bins do not have to be wheeled out by residents on collection days.

Apartment Buildings		
		
<p><b>Communal storage within shared grounds adjacent to apartment buildings.</b> This solution provides open storage for a number of bins. The preferred location is close to the street boundary so that bins do not have to be wheeled out by residents on collection days.</p>	<p><b>Communal storage to side of apartment buildings.</b> This solution provides a dedicated store to the side of the building in a logical position adjacent to the entrance. The store should ideally use the same facing material as the building.</p>	<p><b>Communal storage within apartment buildings.</b> Best suited to smaller apartment buildings, storage space for bins is provided within the envelope of the building. Ideally the storage space is discreetly but close to the building's access.</p>

Source: NHBC Foundation

- 6.5 In some instances it may also be possible to locate bin stores to the front of properties. These are likely to have a significant visual impact however so will require careful design and may only be acceptable in certain circumstances.

## 7 Residential Extensions and Alterations Guide

- 7.1 The following section focusses on extensions and alterations to household dwelling and gives details of design considerations that should be adhered to when submitting a planning application.

### Section A: General Principles for all Extensions

- 7.2 The Council, when assessing a planning application for an extension, will consider:
- The effect of an extension on the scale and character of the existing building and the surrounding area; and
  - The impact on residential amenities enjoyed by the occupiers of surrounding properties

The guidance contained in this part explains in more detail how these aims can be achieved.

- 7.3 There may be examples of extensions in the area that do not comply with these guidelines. Such examples should not be seen as a precedent and will not be accepted as a reason to allow a similar proposal since they are likely to have been approved when different design policies applied. Each case therefore, is considered on its own merits.

#### Section B: Protecting Amenity

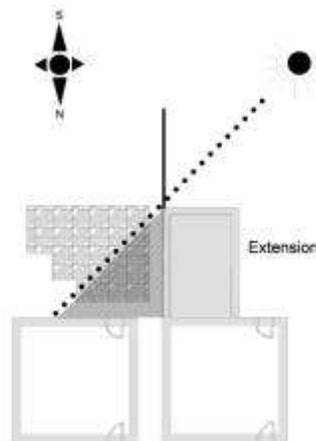
- 7.4 It is important to consider the effect an extension would have on the neighbouring properties and the surrounding area. In addition, the amenity of the future occupiers needs consideration in addition to existing neighbouring occupiers.
- 7.5 Prior to submitting an application it can be very helpful to discuss proposals first with any neighbours who could be affected. If planning permission is required, following receipt of the application, the Council will notify the neighbours and publicise or the proposals if applicable. The Council will take into account any representations received when assessing if proposals are acceptable.

#### **Daylight and Sunlight**

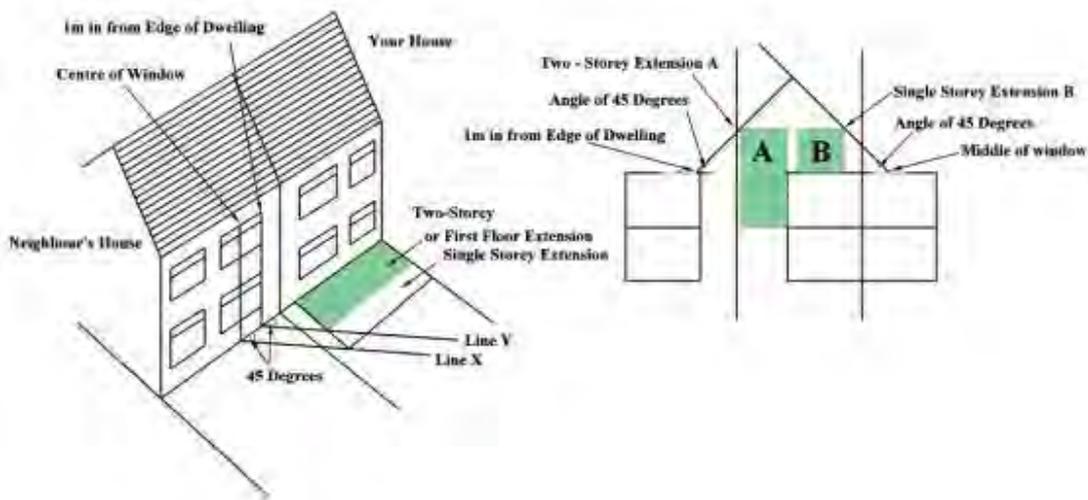
- 7.6 An extension should not cause any significant loss of light to habitable rooms in neighbouring properties, or restrict sunlight to that part of a neighbouring garden close to the rear of the property that is used for sitting in or recreation. A habitable room usually consists of a living room or lounge, bedroom, dining room or a kitchen. It does not relate to a hall, landing, toilet, bathroom or corridor.
- 7.7 In addition, overbearing extensions could affect amenity in the garden. The relationship between the properties, including any change in ground levels and orientation must be taken into account when determining the residential impact of the development.
- 7.8 To maintain a reasonable relationship between an extension and any neighbouring properties, the Council will assess all extensions against the “45° Guideline”.

#### **45° Guideline**

- 7.9 The 45° Guideline provides a useful tool to prevent loss of daylight to neighbouring properties.
- 7.10 To comply with this guideline, extensions should be designed so as not to cross the appropriate line drawn at an angle of 45° from an adjoining neighbour's dwelling (see diagrams below). This is different depending upon whether the proposal is a single storey or two storey extension. For single storey extensions, the 45° line is taken from the mid-point of the nearest window, which is also the main light source for a habitable room (Line X). For two-storey extensions, a line taken at 1 metre in from the edge of the neighbouring boundary line of the dwelling is used (Line Y). If within the 45 degree line, there is usually no loss of daylight to neighbouring properties and extensions are not overbearing.
- 7.11 The 45° guideline needs to be interpreted carefully and flexibly. For example, if the extension has a much larger building behind it then the daylight from that direction may already be blocked.



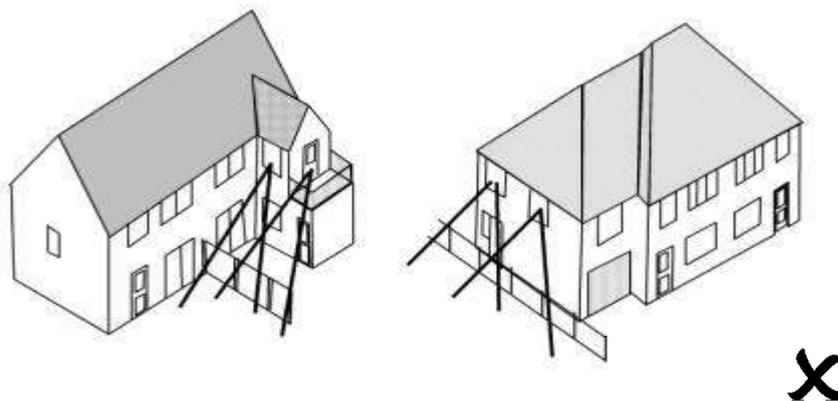
*Extension restricts sunlight to garden and window*



*Diagram of 45° Guideline (not to scale)*

## Overlooking

7.12 An extension should not result in any significant loss of privacy to adjoining dwellings or gardens. The main priority is privacy to habitable rooms and private gardens. Therefore, extensions should not be built with side facing windows near to boundaries that overlook a neighbour's property. In addition, changes in ground level may have an affect on privacy and should be taken into account e.g. raised patio areas. It may be possible to install windows that are more than 1.7m above the floor level of the room in which they are in, and obscure glazed, if light and ventilation is required.



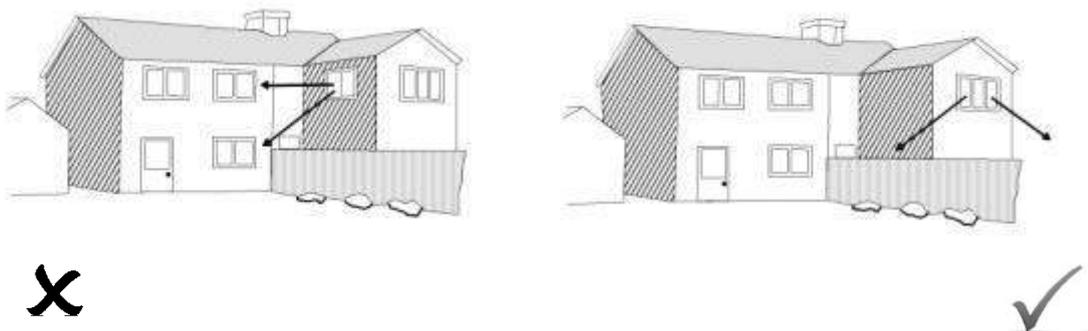
*Extensions where adjacent properties are overlooked*

## Single-storey extensions:

7.13 Fences or walls should effectively screen windows in single-storey extensions. If it is not possible to screen or use obscured glazing in flank windows, they should be omitted or the application may be refused if privacy to adjoining occupiers is affected.

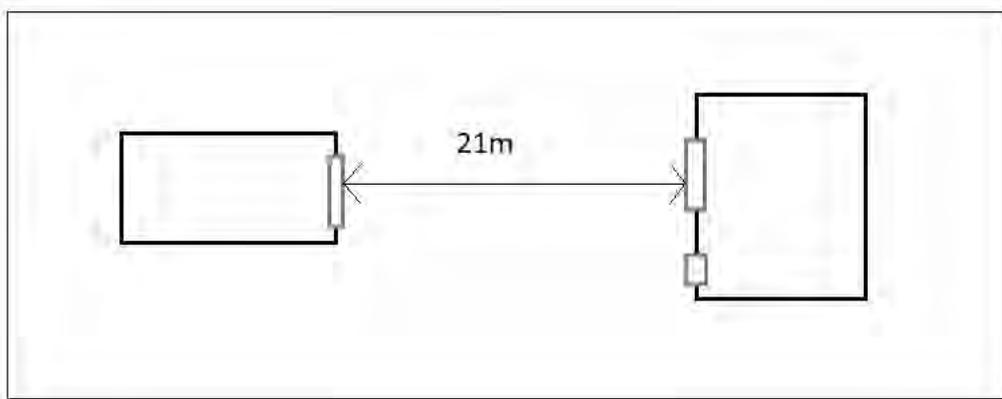
**Two or more storey extensions:**

7.14 Windows in extensions of two or more storeys generally have unrestricted views and may not be acceptable where excessive overlooking occurs. In certain circumstances, the use of opaque/frosted glazing may also be acceptable as a method of eliminating overlooking. Balconies and roof gardens can also adversely affect the privacy of neighbours and will generally be unacceptable. In some instances screening may be used to mitigate this, however care must also be taken not to affect light or adversely affect the visual appearance of the building.



*The position of clear-glazed windows affects the privacy of neighbouring properties*

7.15 The distance between windows opposite each other should also be taken into account. It is recommended that as a general guide, there should be a distance of no less than 21 metres window to window. Factors including the height of land, angle between affected windows, and any screening present should also be considered which may affect the acceptable distance. This distance is also recommended when new dwellings are being developed as well as extensions.



*Recommended distance between opposite facing windows at the same level. The distance required may be greater if, for example, upstairs windows of a two-storey dwelling afford views into windows at a single-storey level.*

### **Private Gardens**

- 7.16 Extensions should leave an appropriate private outdoor amenity space for the property; as a guide, buildings should cover no more than 50 percent of the existing garden area.

### Section C: Design and Appearance

#### **Scale**

- 7.17 The siting, size and design of an extension must not dominate the existing building, and should be sympathetic with and appear subservient to the original dwelling.
- 7.18 Extensions that are too large in relation to the existing dwelling, or are out of keeping with the streetscene can have a detrimental impact on the original character of the building and the surrounding area. Extensions should not have an overbearing appearance. Extensions that would dominate the existing building or be over-prominent in the streetscene will not be permitted.



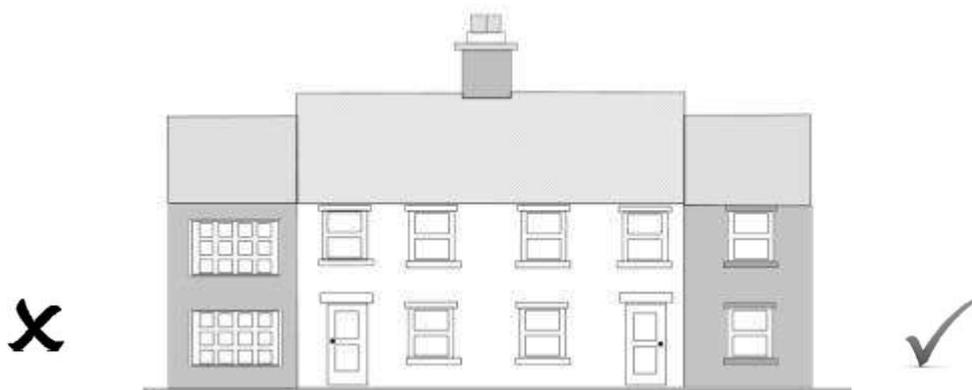
*An acceptable extension that does not dominate*

- 7.19 In the countryside, particularly in the Green Belt, the Council will seek to limit the size of residential extensions to an appropriate size and scale for that building and locality. Within the Green Belt it is important to ensure that extensions do not result in disproportionate additions over and above the volume of the “original” dwelling. This will typically be around a quarter of the original volume.
- 7.20 The design of an extension should be sympathetic to that of the existing building and be in character with the surrounding area.
- 7.21 When considering an extension, it is important that the extension should relate to the design of the original building. Every effort should be made to integrate the extension into the original design of the dwelling. This will usually require sensitive design and use of materials.

### **Windows and Doors**

- 7.22 The type, proportions, sub-divisions and materials of new windows and doors should be in keeping with those of the original dwelling.
- 7.23 In addition to respecting the general proportions of windows and doors, the detailed design is also an important consideration. The new windows should be arranged to line up vertically, horizontally and proportionally with the existing windows on the original dwelling, in order to provide a semblance of balance and continuity.

7.24 Furthermore, avoid mixing different types of windows and doors on the front elevation, and ensure that dormer windows relate in shape, position, design and size to the existing windows. When dealing with older properties of character (including listed buildings) and buildings in Conservation Areas it is extremely important to ensure windows and doors are set back in their reveals and not flush with the brickwork.



*An unacceptable extension where the new windows are not sympathetic with those of the original dwelling*

## Roof

7.25 An extension should have a roof that reflects the original dwelling in design, angle of pitch, shape and materials.

7.26 There are essentially two types of pitched roof shapes to dwellings, hipped and gabled. All extensions with two or more stories must have a roof pitch that is in keeping with the existing dwelling. Single-storey side extensions are encouraged to have matching roofs. No extension should interrupt the roof profile where there is a clear, consistent roof form and line in a group of dwellings.



*Extensions should have similar roof pitches*

### Materials

7.27 The materials used in extensions should match or be sympathetic with the existing dwelling in terms of type, colour and texture. In Conservation Areas or for Listed Buildings, material samples will need to be submitted and approved prior to the commencement of the development. Materials must be approved to the satisfaction of the Planning Officer dealing with the planning application, and not by the Building Control Officer.

### Detailing

7.28 It is important in designing the details of the extension to reflect those of the existing dwelling. Buildings often have distinctive architectural features that contribute to their character and these can be used to good effect to assist in reflecting the design of the extension with the original.



*Unnecessary detailing*

## Section D: Guidance for Typical Extension Types

7.29 Extensions should positively enhance the existing character of the area. The following sections provide advice on examples of typical extensions:

### Front Extensions

7.30 The design and appearance of the fronts of dwellings and the distance between the buildings and the street are important aspects in defining the character of residential areas. Front extensions, which project beyond the front of the original dwelling, can completely change the external elevation of the dwelling and affect the character of the immediate street scene and overall character. Therefore, generally only modest extensions which do not extend significantly forward of the building line that reflects the character of the existing property or area will be allowed.



*An unacceptable front extension*

### Porches and Canopies

7.31 Porches should reflect the character of the original dwelling in terms of scale, details and materials used in construction. Window and door details are important in ensuring that the character of the porch aligns with that of the front elevation, and blank

featureless porches are not encouraged. Canopies should be designed carefully so that they reflect existing features and use appropriate materials.



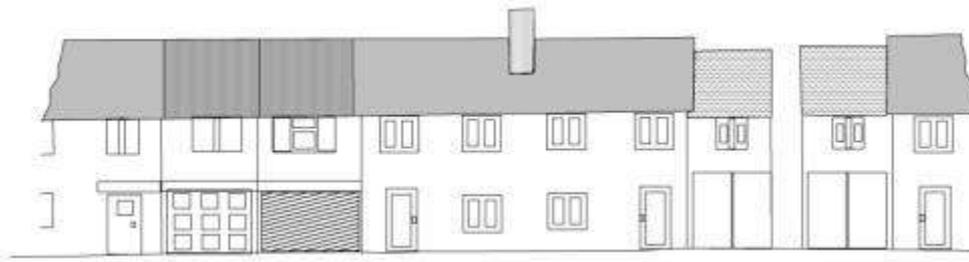
*A porch that reflects the character of the original dwelling*

### **Side and Rear Extensions**

7.32 In traditional detached and semi-detached dwellings, extending at the side almost invariably involves developing up to the side boundary. The spaces between buildings, particularly at first floor level, often make an important contribution to the character of an area. Two storey side extensions that reach a property boundary may contribute towards an inappropriate “terracing effect” that would adversely affect the character of the area. This is particularly noticeable where an extension continues the roofline of the original building and where a neighbouring property could also be extended in a similar manner, thereby closing the original gap between dwellings, blocks or terraces or pairs of semi-detached housing.

7.33 To reduce the effect of terracing, it is desirable to maintain a minimum of a 1 metre gap between the dividing side-boundary at first-floor level or above, in order to provide a visual break between properties. This is especially relevant for extensions above single-storey, such as two-storey and first-floor extensions.

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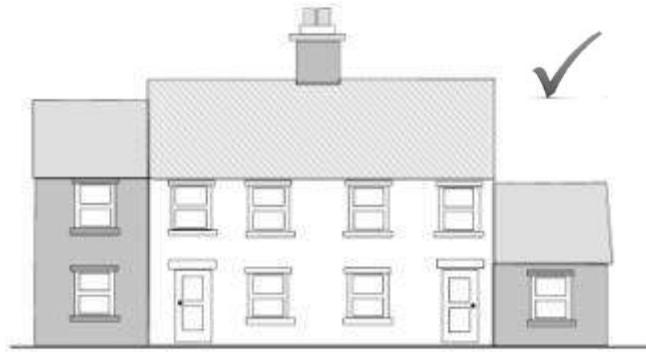
*“Terracing” effect**1 metre gap avoids “terracing”*

7.34 Setting back the extension from the front wall of the dwelling will help the original building maintain its dominance, particularly if it extends as far as the boundary. Such a set back will be required unless:

- There is a stagger in the building line;
- There is a marked change in levels between properties.

7.35 Side and rear extensions to properties on corner plots will be required to take into account the visual impact upon the side road and not be unduly prominent nor out of character with the streetscene. The design of the flank element of the extension will be particularly important in such locations to ensure that featureless blank expanses of brick are not visible and alter the character of the area; well designed windows or other decorative features such as brick detailing will be required as a result.

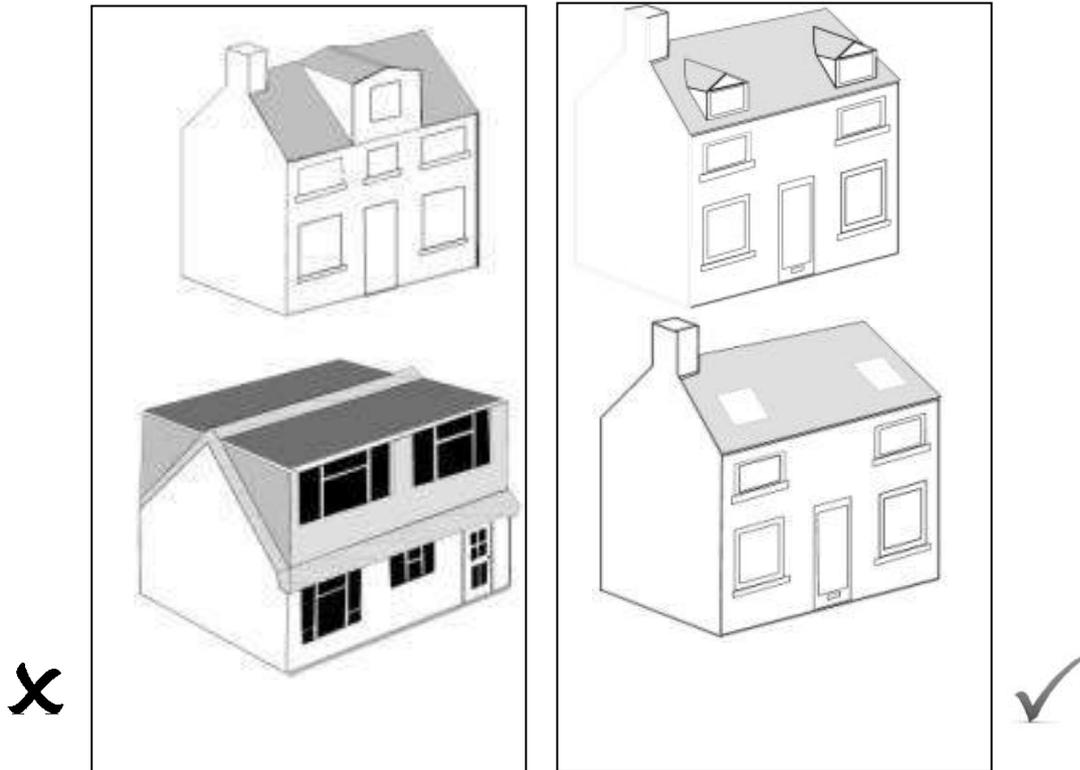
7.36 If building up to the boundary of a property is unavoidable, foundations, guttering and other construction should be kept within the boundary of the developing property. The use of a pitched roof is recommended on extensions. In order to reflect the character of the property a flat roof construction will not be acceptable if visible in the streetscene and the original dwelling has a pitched roof.



*Acceptable side extensions*

### **Roof and Dormer Extensions**

- 7.37 In certain circumstances roof and dormer extensions can be developed under “permitted development rights”, but they will always need Building Regulation Approval. Please refer to the Planning Portal website or seek the advice of a planning officer.
- 7.38 Roof extensions and dormers should not dominate the roof by being overly large, bulky or higher than the ridgeline of the original roof.
- 7.39 Care should be taken to retain characteristic features such as chimneys and ridge tiles. The roof and sides of dormers should be covered in materials to match or compliment the main roof. Dormer windows should also complement the existing dwelling in terms of its proportions, size and positioning. Dormers should be set in from the side and set down from the roof.
- 7.40 Rooflights and solar panels fitted to an existing roof should wherever possible face away from the street. Roof alterations that form a gable end where the original roof was hipped and large side facing dormers often appear out of character with the design of the existing building, streetscene and character of the area and will not be permitted.



*Dormer windows should complement the existing dwelling*

#### Section E: Other Household Alterations

##### **Parking – Garages and Hardstanding**

7.41 Parking spaces should ensure they are of a sufficient size to facilitate their use. Garages should allow larger vehicles to open doors once parked within. For some types of garage and where space is limited, a single garage door could be used as an alternative to two to help maintain space. A large singular garage door may however affect the aesthetics of the property so consideration should be given to the overall design. Warwickshire County Council recommend the size of a parking space as a minimum of 2.4m width by 4.8m length, and garages and parking spaces as .

7.42 Garages and outbuildings should be sympathetically related to the main dwelling, whether they are adjoined or freestanding. Detached garages may not be acceptable in prominent locations, such as corner properties or in front of the building line.

- 7.43 The development of a residential extension should not reduce existing parking, servicing and turning facilities that would result in on-street parking or affect highway safety. In order that vehicles can be parked in front of garages without overhanging the pavement, the following distance between the garage doors and the footpath should be observed:
- 7.44 The normal distance to garage doors from the footpath should be at least 5.5 metres. This is to prevent cars overhanging the highway whilst the garage doors are being opened. However, other dimensions may be appropriate depending upon the type of garage door.

### **Ancillary Outbuildings**

- 7.45 Ancillary outbuildings may not be acceptable in prominent locations such as corner properties or in front of the building line. Careful consideration should also be given to the height of the structure and its effect on neighbour amenity. Where near to a boundary, a hipped or sloping roof design, together with its overall height, may help reduce the overbearing impact on neighbours.

### **Walls and Fences**

- 7.46 Walls, fences or any other means of enclosure to the front or side of dwellings can significantly change the appearance of an area therefore before such structures are introduced, the character and appearance of the area should be considered when planning permission is required. The character of Conservation Areas, open plan estates and areas with natural vegetated boundaries should be retained as much as possible, thereby preventing loss of existing hedgerows, and preserving or enhancing heritage. Enclosing these areas with unsympathetic walls or fencing may not be appropriate and may lead to a decrease in biodiversity. It is important to note that planning permission is often required for the enclosure of landscape strips to the side of a dwelling whether it is included within the curtilage of the dwelling or not. If fencing is appropriate in overall design terms, hedgehog highways schemes help to maintain biodiversity by allowing a network of species to travel freely between and within estates assists with biodiversity. To achieve this, the insertion of 13 square cm holes in the gravel boards of

fencing or within walls should be incorporated so that hedgehogs can move freely through developments. The details of Hedgehog Highway schemes may be required by condition.

- 7.47 New fences and walls should not reduce the visibility of drivers when entering and exiting their driveway. In order that sufficient visibility is provided the height and design of fences or walls to the back of the pavement would be observed. Fences and walls maybe covered by permitted development rights, however, it is important to note that planning permission is often required for. For further explanation please contact a Planning Officer on 01788 533759 or visit the Planning Portal online.

### **Hardstanding**

- 7.48 The replacement in whole or in part of a surface (hardstanding) may require planning permission depending on its size, type of surfacing and drainage. Please contact a Planning Officer on 01788 533759 or visit the Planning Portal online for further information. Drainage should be carefully considered and utilise permeable paving and sustainable drainage systems where possible to help manage flood risk and run-off. Further information is detailed in Section 5 of the main SPD.

## EQUALITY IMPACT ASSESSMENT (EqIA)

### Context

1. The Public Sector Equality Duty as set out under section 149 of the Equality Act 2010 requires Rugby Borough Council when making decisions to have due regard to the following:
  - eliminating unlawful discrimination, harassment and victimisation, and other conduct prohibited by the Act,
  - advancing equality of opportunity between people who share a protected characteristic and those who do not,
  - fostering good relations between people who share a protected characteristic and those who do not, including tackling prejudice and promoting understanding.
2. The characteristics protected by the Equality Act are:
  - age
  - disability
  - gender reassignment
  - marriage/civil partnership
  - pregnancy/maternity
  - race
  - religion/belief
  - sex/gender
  - sexual orientation
3. In addition to the above-protected characteristics, you should consider the crosscutting elements of the proposed policy, such as impact on social inequalities and impact on carers who look after older people or people with disabilities as part of this assessment.
4. The Equality Impact Assessment (EqIA) document is a tool that enables RBC to test and analyse the nature and impact of what it is currently doing or is planning to do in the future. It can be used flexibly for reviewing existing arrangements but in particular should enable identification where further consultation, engagement and data is required.
5. The questions will enable you to record your findings.
6. Where the EqIA relates to a continuing project, it must be reviewed and updated at each stage of the decision.
7. Once completed and signed off the EqIA will be published online.
8. An EqIA must accompany all **Key Decisions** and **Cabinet Reports**.
9. For further information, refer to the EqIA guidance for staff. For advice and support, contact:  
Minakshee Patel  
Corporate Equality & Diversity Advisor  
[minakshee.patel@rugby.gov.uk](mailto:minakshee.patel@rugby.gov.uk)  
Tel: 01788 533509

## Equality Impact Assessment

<b>Service Area</b>	<b>Development Strategy</b>
<b>Policy/Service being assessed</b>	<b>Climate Change Supplementary Planning Document (SPD)</b>
<b>Is this is a new or existing policy/service? If existing policy/service please state date of last assessment</b>	<b>This is a subsidiary document of the Rugby Borough Local Plan 2011-2031 that had its own EqlA as part of its statutory adoption process.</b>
<b>EqlA Review team – List of members</b>	<b>Martin Needham – Senior Planning Officer Development Strategy</b>
<b>Date of this assessment</b>	<b>27<sup>th</sup> August 2022</b>
<b>Signature of responsible officer (to be signed after the EqlA has been completed)</b>	

**A copy of this Equality Impact Assessment report, including relevant data and information to be forwarded to the Corporate Equality & Diversity Advisor.**

**If you require help, advice and support to complete the forms, please contact Minakshee Patel, Corporate Equality & Diversity Advisor via email: [minakshee.patel@rugby.gov.uk](mailto:minakshee.patel@rugby.gov.uk) or 01788 533509**

**Details of Strategy/ Service/ Policy to be analysed**

<b><u>Stage 1 – Scoping and Defining</u></b>	
(1) Describe the main aims, objectives and purpose of the Strategy/Service/Policy (or decision)?	SPDs are planning documents which, once adopted, do not form part of the Development Plan but sit beneath the Local Plan. Their purpose is to provide additional detail and information to help guide comprehensive development. They are material considerations in the assessment of planning applications. This SPD will primarily support Local Plan policies SDC1-9
(2) How does it fit with Rugby Borough Council's Corporate priorities and your service area priorities?	<p>The SPD help meet the following objectives</p> <p>Rugby is an environmentally sustainable place where we work together to reduce and mitigate the effects of climate change</p> <p>Residents lead healthy independent lives with the most vulnerable protected</p> <p>Rugby Borough Council is a responsible, effective and efficient organisation</p> <p>Promotes high quality and sustainable development.</p>
(3) What are the expected outcomes you are hoping to achieve?	<p>a) Cabinet is being asked to approve the SPD for public consultation, which will be for six weeks and can make use of the extensive consultation database developed for the Local Plan.</p> <p>b) Consultation is likely to take place September-November 2022.</p>
(4) Does or will the policy or decision affect: <ul style="list-style-type: none"> <li>• Customers</li> <li>• Employees</li> <li>• Wider community or groups</li> </ul>	The SPD will help improve the quality of life for all people by contributing to tackling climate change and improving the quality of development.

<b><u>Stage 2 - Information Gathering</u></b>	As a minimum you must consider what is known about the population likely to be affected which will support your understanding of the impact of the policy, e.g. service uptake/usage, customer satisfaction surveys, staffing data, performance data, research information (national, regional and local data sources).		
(1) What does the information tell you about those groups identified?	The SPD is subsidiary to the Local Plan, so relies upon the extensive documentation already gathered for the Local Plan, which is available on the Council's web-site.		
(2) Have you consulted or involved those groups that are likely to be affected by the strategy/ service/policy you want to implement? If yes, what were their views and how have their views influenced your decision?	The SPD is going to Cabinet on 26 <sup>th</sup> September 2022 to approve a public consultation on the document. This will be in line with the Council's Statement of Community Involvement.		
(3) If you have not consulted or engaged with communities that are likely to be affected by the policy or decision, give details about when you intend to carry out consultation or provide reasons for why you feel this is not necessary.	Consultation likely to take place September-November 2022.		
<b><u>Stage 3 – Analysis of impact</u></b>			
(1) <u>Protected Characteristics</u> From your data and consultations is there any positive, adverse or negative impact identified for any particular group, which could amount to discrimination?  If yes, identify the groups and how they are	<b>RACE</b> No adverse or negative impacts identified	<b>DISABILITY</b> No adverse or negative impacts identified	<b>GENDER</b> No adverse or negative impacts identified
	<b>MARRIAGE/CIVIL PARTNERSHIP</b> No adverse or negative impacts identified	<b>AGE</b> No adverse or negative impacts identified	<b>GENDER REASSIGNMENT</b> No adverse or negative impacts identified

affected.	<b>RELIGION/BELIEF</b> No adverse or negative impacts identified	<b>PREGNANCY MATERNITY</b> No adverse or negative impacts identified	<b>SEXUAL ORIENTATION</b> No adverse or negative impacts identified
<p><u>(2) Cross cutting themes</u></p> <p>(a) Are your proposals likely to impact on social inequalities e.g. child poverty, geographically disadvantaged communities? If yes, please explain how?</p> <p>(b) Are your proposals likely to impact on a carer who looks after older people or people with disabilities? If yes, please explain how?</p>	<p>There may be some cross cutting benefits from enhanced design such as connectivity of areas and sustainable transport, to help integrate communities with wider areas and reduce reliance on private motor car.</p> <p>No.</p>		
(3) If there is an adverse impact, can this be justified?	Not applicable		
(4) What actions are going to be taken to reduce or eliminate negative or adverse impact? (this should form part of your action plan under Stage 4.)	Not applicable		
(5) How does the strategy/service/policy contribute to the promotion of equality? If not what can be done?	See 2(a) above.		
(6) How does the strategy/service/policy promote good relations between groups? If not what can be done?	Better quality design will help improve overall quality of areas including accessibility and interaction.		

(7) Are there any obvious barriers to accessing the service? If yes how can they be overcome?	None identified.																													
<b><u>Stage 4 – Action Planning, Review &amp; Monitoring</u></b>																														
<p>If No Further Action is required then go to – Review &amp; Monitoring</p> <p>(1) Action Planning – Specify any changes or improvements that can be made to the service or policy to mitigate or eradicate negative or adverse impact on specific groups, including resource implications.</p>	<p>EqlA Action Plan</p> <table border="1" data-bbox="875 687 2114 916"> <thead> <tr> <th data-bbox="875 687 1122 762">Action</th> <th data-bbox="1122 687 1368 762">Lead Officer</th> <th data-bbox="1368 687 1615 762">Date for completion</th> <th data-bbox="1615 687 1861 762">Resource requirements</th> <th data-bbox="1861 687 2114 762">Comments</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>					Action	Lead Officer	Date for completion	Resource requirements	Comments																				
Action	Lead Officer	Date for completion	Resource requirements	Comments																										
(2) Review and Monitoring State how and when you will monitor policy and Action Plan	The SPD will be reviewed at the next stage of the process following the consultation and any subsequent amendments. The EQIA will be reviewed prior to the Council meeting seeking adoption of the document.																													

Please annotate your policy with the following statement:

**‘An Equality Impact Assessment on this policy was undertaken on 27<sup>th</sup> August 2022 and will be reviewed at the next stage of the process prior to adoption’**

### Draft Climate Change SPD 2022 Consultation Strategy

This consultation statement has been produced in line with the requirements of the Rugby Borough Statement of Community Involvement (SCI). At this present time an additional SCI document has been produced which ensures that the SCI is compliant with the amended government guidance on consultation during the coronavirus pandemic. This document also meets the requirements of this additional document. Both the SCI and the additional SCI document can be found on the RBC website.

<b>Document Title:</b> Draft Climate Change SPD 2022	
<b>Nature of Plan being Prepared</b>	The document is a supplementary planning document (SPD). Once adopted it will not form part of the Development Plan but will sit beneath the Local Plan. The Borough Council has declared a climate emergency, and this issue is intrinsically related to ensuring developments are of a high quality sustainable design. The Rugby Borough Council Local Plan 2011-2031 (adopted June 2019) (the “Local Plan”) in its Sustainable Design and Construction chapter confirms that an SPD will be made to support the policies. This SPD replaces the Rugby Borough Council Sustainable Design and Construction SPD 2012.
<b>Purpose of Consultation</b>	Regulation 12b of the Town and Country Planning (Local Planning) (England) Regulations 2012 requires SPDs to be consulted on for a minimum of 4 weeks. This consultation will be for 6 weeks to ensure participation is optimised. The aim of this consultation is to ensure the wider public are aware of the content of the document and give the public and other stakeholders an opportunity to submit representations on the draft document.
<b>Nature of issues that need to be consulted upon</b>	The Draft Climate Change SPD 2022 will help with the application of policies SDC1 – SDC9 in the local plan. It provides guidance on a variety of topics that applicants should consider to improve the sustainability of their development and help combat and adapt to climate change. These include for example ways of designing properties to make use of natural heating/lighting to reduce energy demand, incorporating sustainable drainage systems, Green Infrastructure and biodiversity, as well as appendices including a ‘sustainability checklist’ and residential design guidance.
<b>Who should be consulted</b>	In line with the Councils Statement of Community Involvement the following groups will be notified directly of the consultation.

	<p>This will be done by email where possible with letters sent to those for whom an email address is not available:</p> <ul style="list-style-type: none"> <li>• All statutory bodies;</li> <li>• All Parish Councils; and</li> <li>• All groups and individuals who have opted to be on the Consultation Database.</li> </ul> <p>In addition to direct emails and letters, in order to raise wider public awareness of the consultation it will be promoted in the following ways, in line with the Council's Statement of Community Involvement:</p> <ul style="list-style-type: none"> <li>• Information and documents will be published on the Council's website;</li> <li>• The consultation will be publicised via the Council's social media platforms;</li> <li>• The consultation will be advertised in the local paper.</li> </ul> <p>In cases where people are unable to view the document online they can request a hard copy to be posted out to them directly.</p>
<b>Why we are consulting them</b>	We are carrying out this consultation to ensure all individuals and groups who may be affected by the Draft Climate Change SPD 2022 have the opportunity to voice their opinions on the content of the document.
<b>When consultation will take place</b>	September-November 2022
<b>Accessible and Inclusive Consultation</b>	<p>As outlined above the consultation will be promoted both online and in the local newspaper and the document will be available to read both online or can be requested in hard copy form. In addition to this, to ensure the consultation is accessible and inclusive, the following measures will be put in place:</p> <ul style="list-style-type: none"> <li>• Individuals can call or email to discuss the document with a planning officer;</li> <li>• Representations can be submitted by email or post;</li> <li>• Representations can be sent in via email on behalf of someone who does not have internet access; and</li> </ul>

	<ul style="list-style-type: none"> <li>• Representations can be made by an individual representing an organisation or group.</li> </ul>
<b>How comments will be taken into account</b>	<p>Each representation will be read and carefully considered. If it is felt that as a result of the representation changes should be made to the SPD then these will be incorporated into the final document. It is important to note that not all representations received will lead to changes in the SPD.</p> <p>A comment will be provided by the Council on each representation received and this will be published as part of the Consultation Statement.</p>
<b>How comments will be reported</b>	<p>A Consultation Statement will be published following the close of the consultation. This will include:</p> <ul style="list-style-type: none"> <li>· A list of the persons consulted;</li> <li>· A summary of each representation; and</li> <li>· A comment on how each representation has been considered.</li> </ul>

# Rugby Borough Council

## Climate Change and Environmental Impact Assessment

### TEMPLATE - SEPTEMBER 2021

#### CONTEXT

In 2019 the UK Parliament set a commitment in law to reach net zero carbon emissions by 2050. Achieving this target will require considerable effort with public bodies, private sector organisations, the third sector and individuals working together to take action. Rugby Borough Council declared a climate emergency in 2019, in doing so committed to:

- To move the Council's operations towards Carbon Neutrality by 2030.
- To establish action to tackle climate change as a key driver of all decision-making.
- To provide community leadership in reducing the impact of Climate Change.
- To take action to mitigate the impact of climate change on a Borough wide basis and beyond, through adaptation.

The Council's Corporate Strategy (2021-24) [link](#) sets ambitious outcomes in relation to Climate Change. These ambitions must now be progressed through the decisions which the Council makes.

It is therefore important that Rugby Borough Council gives due regard to climate change when making decisions. In the context of the Council's business, Climate Change includes carbon emissions, biodiversity, habitat loss and environmental destruction. When putting forward recommendations for decision, officers must assess how these recommendations are likely to influence our climate change commitments by completing the following Climate Change and Environmental Impact Assessment.

A copy of this Climate Change and Environmental Impact Assessment, including relevant data and information should be forwarded to the Deputy Executive Director.

**If you require help, advice and support to complete the forms, please contact Dan Green, Deputy Executive Director.**

**SECTION 1: OVERVIEW**

<b>Portfolio and Service Area</b>	Growth and Investment
<b>Policy/Service/Change being assessed</b>	Climate Change SPD - Public Consultation
<b>Is this a new or existing Policy/Service/Change?</b>	The SPD is a new document however it relates to the existing policies in the Rugby Local Plan 2019 and includes matters of climate change (declared as an emergency by RBC in July 2019)
<b>If existing policy/service please state date of last assessment</b>	
<b>Ward Specific Impacts</b>	None.
<b>Summary of assessment</b> Briefly summarise the policy/service/change and potential impacts.	This report relates to the public consultation of the current draft of the Climate Change SPD. This will allow the document to progress towards the next stage of its completion.
<b>Completed By</b>	Martin Needham
<b>Authorised By</b>	
<b>Date of Assessment</b>	27.08.2022

## **SECTION 2: IMPACT ASSESSMENT**

Climate Change and Environmental Impacts	No Impact	Positive	Negative	Description of impact	Any actions or mitigation to reduce negative impacts	Action owner	Timescales
<b>Energy usage</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SPD will help improve energy efficiency of buildings.		Developer/RBC in determining planning applications	Ongoing
<b>Fleet usage</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
<b>Sustainable Transport/Travel (customers and staff)</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SPD promotes connectivity between areas and sustainable forms of transport.		Developer/RBC in determining planning applications	Ongoing
<b>Sustainable procurement</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
<b>Community leadership</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	.			
<b>Biodiversity and habitats</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SPD provides guidance to enhance landscaping, Green Infrastructure and Biodiversity.		Developer/RBC in determining planning applications	Ongoing
<b>Adaptation/Mitigation</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SPD provides guidance to make developments more adaptable to the effects of climate change such as sustainable drainage. Will help mitigate effects of climate change through energy efficiency.		Developer/RBC in determining planning applications	Ongoing

<b>Impact on other providers/partners</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
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### SECTION 3: REVIEW

Where a negative impact is identified, the proposal and/or implementation can be adapted or changed; meaning there is a need for regular review. This review may also be needed to reflect additional data and evidence for a fuller assessment (proportionate to the decision in question). Please state the agreed review timescale for the identified impacts of the policy implementation or service change.

<b>Review date</b>	Following the public consultation the document is likely to be amended prior to adoption being sought. This statement will be reviewed at that time.
<b>Key points to be considered through review</b>	Extent of changes and if any negative impacts arise.
<b>Person responsible for review</b>	M Needham
<b>Authorised by</b>	M Needham

**Agenda No****AGENDA MANAGEMENT SHEET**

<b>Report Title:</b>	Brinklow Neighbourhood Development Plan Examination Report and Approval for Referendum
<b>Name of Committee:</b>	Emergency Decision - Cabinet
<b>Date of Meeting:</b>	27 September 2022
<b>Report Director:</b>	Chief Officer - Growth and Investment
<b>Portfolio:</b>	Growth and Investment
<b>Ward Relevance:</b>	Revel and Binley Woods
<b>Prior Consultation:</b>	Brinklow Parish Council (as the Neighbourhood Development Plan 'Qualifying Body'), carried out the pre-submission Regulation 14 consultation between 21 <sup>st</sup> November 2021 and 2 <sup>nd</sup> January 2022. A Regulation 16 public consultation on the submission version was carried out by Rugby Borough Council between 8 <sup>th</sup> February and 22 <sup>nd</sup> March 2022.
<b>Contact Officer:</b>	Ruari McKee - Senior Planning Officer - 01788 533828
<b>Public or Private:</b>	Public
<b>Report Subject to Call-In:</b>	Yes
<b>Report En-Bloc:</b>	No
<b>Forward Plan:</b>	Yes
<b>Corporate Priorities:</b>	This report relates to the following priority(ies):
<b>(C) Climate</b>	<input checked="" type="checkbox"/> Rugby is an environmentally sustainable place, where we work together to reduce and mitigate the effects of climate change. (C)
<b>(E) Economy</b>	<input checked="" type="checkbox"/> Rugby has a diverse and resilient economy that benefits and enables opportunities for all residents. (E)
<b>(HC) Health and Communities</b>	<input checked="" type="checkbox"/> Residents live healthy, independent lives, with the most vulnerable protected. (HC)
<b>(O) Organisation</b>	<input type="checkbox"/> Rugby Borough Council is a responsible, effective and efficient organisation. (O)
	<a href="#">Corporate Strategy 2021-2024</a>
	<input type="checkbox"/> This report does not specifically relate to any Council priorities but

**Summary:**

This report seeks approval from Cabinet to accept the contents of the Examiner's report for the Brinklow Neighbourhood Development Plan and to proceed to referendum at the earliest practicable opportunity.

The Neighbourhood Development Plan has been formally examined by an independent Examiner. The Examiner concluded that subject to a series of modifications, the Neighbourhood Development Plan meets the necessary legal requirements and should proceed to referendum.

The recommended modifications have been considered acceptable by RBC Planning Officers in liaison with Brinklow Parish Council, and have been incorporated into the Neighbourhood Development Plan. In accordance with the recommendation in the Examiner's report, with the inclusion of these the Plan should therefore proceed to referendum. The referendum will ask "Do you want Rugby Borough Council to use the Neighbourhood Development Plan for Brinklow Parish to help it decide planning applications in the neighbourhood area?".

If the Neighbourhood Development Plan is supported by a majority at referendum, it will be returned to Council with a recommendation that it is formally 'made' in accordance with regulations.

This report is seeking Cabinet approval to:

- a) accept the conclusions of the Examiner's report and recommended modifications to the Neighbourhood Development Plan; and
- b) proceed to referendum at the earliest practicable opportunity, to take place in the Brinklow Neighbourhood Area.

**Financial Implications:**

The Council will receive government funding of £20,000 in order to support the Neighbourhood Planning Grant in relation to Brinklow, this funding will offset any costs associated with producing the plan alongside the costs of holding a referendum.

**Risk Management/Health and Safety Implications:****Environmental Implications:**

The Climate Change and Environmental Impact Assessment has produced

**Legal Implications:**

**Equality and Diversity:**

An Equality Impact Assessment has been completed to support this document and is attached to this report.

**Options:**

Option One: Accept the Examiner's report with recommended modifications and approve the Brinklow Neighbourhood Development Plan for referendum.

Risks: There are no risks associated with this option.

Benefits: The Neighbourhood Development Plan as modified will be able to progress towards being adopted or 'made'.

Option Two: Reject the contents of the Examiner's report and do not approve the Brinklow Neighbourhood Development Plan to proceed to referendum.

Risks: There could be legal implications if Cabinet were not to follow the recommendation as this would mean the Local Planning Authority was not dealing with the Brinklow Neighbourhood Development Plan in line with The Neighbourhood Planning (General) Regulations 2012 (as amended).

Benefits: There are no benefits associated with this option.

**Recommendation:**

(1) The conclusions of the Examiner's report and recommended modifications to the Neighbourhood Development Plan be accepted; and

(2) a referendum be held at the earliest practicable opportunity, to take place in the Brinklow Neighbourhood Area.

**Reasons for Recommendation:**

To fulfil the legislative requirement and allow for the Brinklow Neighbourhood Development Plan to progress towards being 'made' in accordance with the Neighbourhood Planning (Referendum) Regulations 2012.

## **Agenda No**

### **Emergency Decision - Cabinet 27 September 2022**

#### **Brinklow Neighbourhood Development Plan Examination Report and Approval for Referendum**

#### **Public Report of the Chief Officer - Growth and Investment**

##### **Recommendation**

- (1) The conclusions of the Examiner's report and recommended modifications to the Neighbourhood Development Plan be accepted; and
- (2) a referendum be held at the earliest practicable opportunity, to take place in the Brinklow Neighbourhood Area.

### **1. Introduction**

- 1.1 Neighbourhood planning was introduced with the Localism Act 2011. Since then communities across the country have taken up the opportunity to prepare Neighbourhood Development Plans. These plans enable communities to put in place a vision and policies for future local development. Upon adoption, following majority support at a referendum and being 'made' by the Council, a Neighbourhood Development Plan forms part of the development plan for the local planning authority and is used in determining planning applications.

### **2. Brinklow Neighbourhood Development Plan**

- 2.1 Following an application by Brinklow Parish Council (as the qualifying neighbourhood planning body), Brinklow Parish was formally designated as the Neighbourhood Area on 29<sup>th</sup> July 2016, in accordance with the Neighbourhood Planning (General) Regulations 2012.
- 2.2 Brinklow Parish Council submitted their Neighbourhood Development Plan to Rugby Borough Council on 17<sup>th</sup> January 2022. Following approval at Cabinet on 11<sup>th</sup> October 2021 Rugby Borough Council ran the regulation 16 public consultation between 8<sup>th</sup> February and 22<sup>nd</sup> March 2022. The Neighbourhood Development Plan and the responses to the consultation were passed onto the appointed independent Examiner for the examination process to be undertaken. The examination was carried out by way of written representations.
- 2.3 The Examiner provided his final report to Rugby Borough Council on 22<sup>nd</sup> August 2022. The Examiners Report can be found at Appendix 1. The report

states that subject to a series of modifications, the Neighbourhood Development Plan meets all of the necessary legal requirements and should proceed to the next stage, which is the referendum, and this should be held within the Neighbourhood Area. A schedule of the modifications is listed in Appendix 2. A summary of the consultation responses received is included in Appendix 3.

- 2.4 Officers and Brinklow Parish Council have been in agreement with the findings of the Examiner's report and the recommended modifications. The modifications have been incorporated into the Neighbourhood Development Plan, and a referendum version Brinklow Neighbourhood Development Plan, which includes all of these Modifications, is attached at Appendix 4.
- 2.5 The Equality Impact Assessment for the Neighbourhood Development Plan has been reviewed and updated. No significant changes were identified as a result of the Examination. The Equality Impact Assessment is attached at Appendix 5.

### **3. Next Steps**

- 3.1 In order for the Brinklow Neighbourhood Development Plan to progress towards forming part of the Rugby Borough development plan, the Council will need to formally accept the recommendations of the Examiner's report and approve the document for referendum. Should more than half of those voting vote in favour of the Neighbourhood Development Plan, this would subsequently be reported back to Council for a decision as to whether the Neighbourhood Development Plan should be 'made'. The referendum will ask the question "Do you want Rugby Borough Council to use the Neighbourhood Development Plan for Brinklow Parish to help it decide planning applications in the neighbourhood area?".
- 3.2 Officers in Development Strategy are liaising with colleagues in Democratic Services and the Legal department in order to undertake this referendum, subject to the recommendation in this report being supported. A map showing the Neighbourhood Area is attached at Appendix 7.

### **4. Conclusions**

- 4.1 The Brinklow Neighbourhood Development Plan is at an advanced stage and has been through the necessary consultation and examination stages required by legislation. Cabinet is recommended to accept the conclusions and recommended modifications in the Examiner's report and to approve the Brinklow Neighbourhood Development Plan for referendum in order for the document to progress to the next stage of its completion.

**Name of Meeting:** Emergency Decision - Cabinet

**Date of Meeting:** 27 September 2022

**Subject Matter:** Brinklow Neighbourhood Development Plan Examination Report and Approval for Referendum

**Originating Department:** Growth and Investment

**DO ANY BACKGROUND PAPERS APPLY**  YES  NO

**LIST OF BACKGROUND PAPERS**

Doc No	Title of Document and Hyperlink

The background papers relating to reports on planning applications and which are open to public inspection under Section 100D of the Local Government Act 1972, consist of the planning applications, referred to in the reports, and all written responses to consultations made by the Local Planning Authority, in connection with those applications.

Exempt information is contained in the following documents:

Doc No	Relevant Paragraph of Schedule 12A

## APPENDIX 1

# **BRINKLOW NEIGHBOURHOOD PLAN**

Brinklow Neighbourhood Plan Examination  
A Report to Rugby Borough Council

by Independent Examiner, Nigel McGurk BSc (Hons) MCD MBA MRTPI

August 2022

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## **1. Summary**

- 1 Subject to the recommendations within this Report, made in respect of enabling the Brinklow Neighbourhood Plan to meet the basic conditions, I confirm that:
  - having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan;
  - the making of the neighbourhood plan contributes to the achievement of sustainable development;
  - the making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area);
  - the making of the neighbourhood plan does not breach, and is otherwise compatible with, European Union (EU) obligations; and
  - the making of the neighbourhood plan is not likely to have a significant effect on a European site or a European offshore marine site, either alone or in combination with other plans or projects.
  
- 2 Taking the above into account, I find that the Brinklow Neighbourhood Plan meets the basic conditions<sup>1</sup> and I recommend to Rugby Borough Council that, subject to modifications, it should proceed to Referendum.

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<sup>1</sup> It is confirmed in Chapter 3 of this Report that the Brinklow Neighbourhood Plan meets the requirements of Paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990.

## 2. Introduction

### The Neighbourhood Plan

- 3 This Report provides the findings of the examination into the Brinklow Neighbourhood Plan (referred to as the Neighbourhood Plan) prepared by Brinklow Parish Council.
- 4 As above, the Report recommends that the Neighbourhood Plan should go forward to a Referendum. At Referendum, should more than 50% of votes be in favour of the Neighbourhood Plan, then the Plan would be formally *made* by Rugby Borough Council.
- 5 The Neighbourhood Plan would then form part of the relevant development plan and as such, it would be used to determine planning applications and guide planning decisions in the Brinklow Neighbourhood Area.
- 6 Neighbourhood planning provides communities with the power to establish their own policies to shape future development in and around where they live and work.  
  
*“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.”*  
(Paragraph 29, National Planning Policy Framework)
- 7 As confirmed under *“Legal and Regulatory Compliance”* in paragraph 1.2 on page 1 of the Basic Conditions Statement, submitted alongside the Neighbourhood Plan, Brinklow Parish Council is the *Qualifying Body*, ultimately responsible for the Neighbourhood Plan.
- 8 Paragraph 1.2 of the Basic Conditions Statement also confirms that the Neighbourhood Plan relates to the development and use of land in the designated Brinklow Neighbourhood Area. There is no other neighbourhood plan in place in the Brinklow Neighbourhood Area.

- 9 In this regard, the Brinklow Neighbourhood Plan meets with the aims and purposes of neighbourhood planning, as set out in the Localism Act (2011), the National Planning Policy Framework (2021) and Planning Practice Guidance (2014).

### Role of the Independent Examiner

- 10 I was appointed by Rugby Borough Council to conduct the examination of the Brinklow Neighbourhood Plan and to provide this Report.
- 11 As an Independent Neighbourhood Plan Examiner, I am independent of the Qualifying Body and the relevant Local Authorities. I do not have any interest in any land that may be affected by the Neighbourhood Plan and I possess appropriate qualifications and experience.
- 12 I am a chartered town planner and have nine years' direct experience as an Independent Examiner of Neighbourhood Plans and Orders. I also have thirty years' land, planning and development experience, gained across the public, private, partnership and community sectors.
- 13 As the Independent Examiner, I must make one of the following recommendations:
- that the Neighbourhood Plan should proceed to Referendum, on the basis that it meets all legal requirements;
  - that the Neighbourhood Plan, as modified, should proceed to Referendum;
  - that the Neighbourhood Plan does not proceed to Referendum, on the basis that it does not meet the relevant legal requirements,
- 14 If recommending that the Neighbourhood Plan should go forward to Referendum, I must then consider whether the Referendum Area should extend beyond the Brinklow Neighbourhood Area to which the Plan relates.
- 15 Where modifications are recommended, they are presented as bullet points and highlighted in **bold print**, with any proposed new wording in *italics*.

### Neighbourhood Plan Period

- 16 A neighbourhood plan must specify the period during which it is to have effect.
- 17 The title page of the Neighbourhood Plan refers to the plan period as "2021 – 2041."
- 18 Taking this into account, the Neighbourhood Plan meets the requirement in respect of specifying the period during which it is to have effect.

### Public Hearing

- 19 According to the legislation, it is a general rule that neighbourhood plan examinations should be held without a public hearing – by written representations only.
- 20 However, it is also the case that *when the Examiner considers it necessary* to ensure adequate examination of an issue, or to ensure that a person has a fair chance to put a case, then a public hearing must be held.
- 21 Further to consideration of the information submitted, I determined not to hold a public hearing as part of the examination of the Brinklow Neighbourhood Plan.
- 22 However, further to consideration of the submission documents, I wrote to the Qualifying Body in respect of matters where further information was sought. At the same time, in line with good practice, the Qualifying Body was provided with an opportunity to respond to representations received during the Submission consultation process.

### **3. Basic Conditions and Development Plan Status**

#### **Basic Conditions**

- 23 It is the role of the Independent Examiner to consider whether a neighbourhood plan meets the “*basic conditions*.” These were *set out in law*<sup>2</sup> following the Localism Act 2011.
- 24 Effectively, the basic conditions provide the rock or foundation upon which neighbourhood plans are created. A neighbourhood plan meets the basic conditions if:
- having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan;
  - the making of the neighbourhood plan contributes to the achievement of sustainable development;
  - the making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area);
  - the making of the neighbourhood plan does not breach, and is otherwise compatible with, European Union (EU) obligations; and
  - prescribed conditions are met in relation to the neighbourhood plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan.
- 25 Regulations 32 and 33 of the Neighbourhood Planning (General) Regulations 2012 (as amended) set out two additional basic conditions to those set out in primary legislation and referred to above. Of these, the following basic condition, brought into effect on 28<sup>th</sup> December 2018, applies to neighbourhood plans:
- the making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations.<sup>3</sup>

<sup>2</sup> Paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990 (as amended).

<sup>3</sup> *ibid* (same as above).

- 26 In examining the Plan, I am also required, as set out in sections 38A and 38B of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act), to check whether the neighbourhood plan:
- has been prepared and submitted for examination by a qualifying body;
  - has been prepared for an area that has been properly designated for such plan preparation (under Section 61G of the Town and Country Planning Act 1990 (as amended));
  - meets the requirements to i) specify the period to which it has effect; ii) not include provision about excluded development; and iii) not relate to more than one Neighbourhood Area and that:
  - its policies relate to the development and use of land for a designated Neighbourhood Area in line with the requirements of Section 38A of the Planning and Compulsory Purchase Act (PCPA) 2004.
- 27 An independent examiner must also consider whether a neighbourhood plan is compatible with the Convention rights.<sup>4</sup>
- 28 I note that, in line with legislative requirements, a Basic Conditions Statement was submitted alongside the Neighbourhood Plan and this sets out how, in the qualifying body's opinion, the Neighbourhood Plan meets the basic conditions.

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<sup>4</sup> The Convention rights has the same meaning as in the Human Rights Act 1998.

European Convention on Human Rights (ECHR) Obligations

- 29 I am satisfied, in the absence of any substantive evidence to the contrary, that the Neighbourhood Plan has regard to fundamental rights and freedoms guaranteed under the ECHR and complies with the Human Rights Act 1998.
- 30 In the above regard, information has been submitted to demonstrate that people were provided with a range of opportunities to engage with plan-making in different places and at different times. A Consultation Statement was submitted alongside the Neighbourhood Plan and the role of public consultation in the plan-making process is considered later in this Report.

European Union (EU) Obligations

- 31 In some limited circumstances, where a neighbourhood plan is likely to have significant environmental effects, it may require a Strategic Environmental Assessment. In this regard, national advice states:

*“Draft neighbourhood plan proposals should be assessed to determine whether the plan is likely to have significant environmental effects.”*  
(Planning Practice Guidance<sup>5</sup>)

- 32 This process is often referred to as “screening”<sup>6</sup>. If likely environmental effects are identified, an environmental report must be prepared.

- 33 The Strategic Environmental Assessment Screening Report submitted alongside the Neighbourhood Plan concluded that:

*“...it is unlikely that there will be any significant environmental effects arising from the emerging proposals to be contained within the Brinklow Neighbourhood Plan.”*

- 34 The statutory bodies, Historic England, Natural England and the Environment Agency were all consulted and none demurred from the conclusion above.

<sup>5</sup> Planning Guidance, Paragraph 027, Ref: 11-027-20150209.

<sup>6</sup> The requirements for a screening assessment are set out in in Regulation 9 of the Environmental Assessment of Plans and Programmes Regulations 2004.

- 35 In addition to SEA, a Habitats Regulations Assessment identifies whether a plan is likely to have a significant effect on a European site, either alone or in combination with other plans and projects. This Assessment must determine whether significant effects on a European site can be ruled out on the basis of objective information<sup>7</sup>. If it is concluded that there is likely to be a significant effect on a European site, then an appropriate assessment of the implications of the plan for the site must be undertaken.
- 36 In the case *People Over Wind & Sweetman v Coillte Teoranta* (“*People over Wind*” April 2018), the Court of Justice of the European Union clarified that it is not appropriate to take account of mitigation measures when screening plans and projects for their effects on European protected habitats under the Habitats Directive. In practice this means that if a likely significant effect is identified at the screening stage of a habitats assessment, an Appropriate Assessment of those effects must be undertaken.
- 37 In response to this judgement, the government made consequential changes to relevant regulations through the Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018, allowing neighbourhood plans and development orders in areas where there could be likely significant effects on a European protected site to be subject to an Appropriate Assessment to demonstrate how impacts will be mitigated, in the same way as would happen for a draft Local Plan or a planning application.
- 38 A Habitat Regulations Screening Report was submitted alongside the Neighbourhood Plan. This Report assessed whether the policies of the Neighbourhood Plan would give rise to the potential for a likely significant effect on Natura 2000 European sites and in so doing, it noted that the nearest Natura 2000 sites, Ensors Pool Special Area of Conservation (SAC) and the River Mease SAC, are further than 15km from the Neighbourhood Area.
- 39 The Screening Report stated that:
- “The Brinklow Neighbourhood Plan is not allocating any sites...it is not considered that there would be any detrimental impacts on Ensors Pool or the River Mease. The Rugby Borough Local Plan 2011-2031 was subject to a Habitats Regulation Assessment Stage 1 Screening Report. A full HRA was not deemed necessary.”*

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<sup>7</sup> Planning Guidance Paragraph 047 Reference ID: 11-047-20150209.

- 40 Again, each of the statutory bodies were consulted as part of the process. None disagreed with the outcome of the HRA Screening Report.
- 41 Further to all of the above, I am mindful that national guidance establishes that the ultimate responsibility for determining whether a draft neighbourhood plan meets EU obligations lies with the local planning authority:
- “It is the responsibility of the local planning authority to ensure that all the regulations appropriate to the nature and scope of a neighbourhood plan proposal submitted to it have been met in order for the proposal to progress. The local planning authority must decide whether the draft neighbourhood plan is compatible with EU regulations (including obligations under the Strategic Environmental Assessment Directive)”* (Planning Practice Guidance<sup>8</sup>).
- 42 In undertaking the work that it has and in reaching the conclusions that it has, Rugby Borough Council has no outstanding concerns in respect of the Neighbourhood Plan's compatibility with EU obligations.
- 43 Taking this and the recommendations contained in this Report into account, I am satisfied that the Neighbourhood Plan is compatible with European obligations.

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<sup>8</sup> ibid, Paragraph 031 Reference ID: 11-031-20150209.

#### **4. Background Documents and the Brinklow Neighbourhood Area**

##### Background Documents

- 44 In completing this examination, I have considered various information in addition to the Brinklow Neighbourhood Plan. I also spent an unaccompanied day visiting the Brinklow Neighbourhood Area.
- 45 Information considered as part of this examination has included the following main documents and information:
- National Planning Policy Framework (referred to in this Report as "*the Framework*") (2021)
  - Planning Practice Guidance (2014, as updated)
  - Town and Country Planning Act 1990 (as amended)
  - The Localism Act (2011)
  - The Neighbourhood Plan Regulations (2012) (as amended)
  - Rugby Borough Local Plan 2011-2031 (2019) (referred to in this Report as the "*Local Plan*")
  - Basic Conditions Statement
  - Consultation Statement
  - Representations received
  - SEA/HRA Screening Statement

##### Brinklow Neighbourhood Area

- 46 The boundary of the Brinklow Neighbourhood Area is identified on Figure 2 on page 5 of the Neighbourhood Plan.
- 47 The Brinklow Neighbourhood Area was designated by Rugby Borough Council on 11<sup>th</sup> August 2016.
- 48 The designation of the Neighbourhood Area satisfies a requirement in line with the purposes of preparing a Neighbourhood Development Plan under section 61G (1) of the Town and Country Planning Act 1990 (as amended).

## **5. Public Consultation**

### **Introduction**

- 49 As land use plans, the policies of neighbourhood plans form part of the basis for planning and development control decisions. Legislation requires the production of neighbourhood plans to be supported by public consultation.
- 50 Successful public consultation enables a neighbourhood plan to reflect the needs, views and priorities of the local community. It can create a sense of public ownership, help achieve consensus and provide the foundations for a 'Yes' vote at Referendum.

### **Brinklow Neighbourhood Plan Consultation**

- 51 A Consultation Statement was submitted to Rugby Borough Council alongside the Neighbourhood Plan. The information within it sets out who was consulted and how, together with the outcome of the consultation, as required by the neighbourhood planning *Regulations*<sup>9</sup>.
- 52 A series of drop-in events, meetings and presentations during 2016 was followed by a public meeting and an appeal for volunteers in February 2017. Twelve volunteers were recruited to help produce the Neighbourhood Plan and meeting attendees were asked to consider issues and priorities for the plan.
- 53 A launch event in the Village Hall in April 2017, preceded by a historical workshop day, a wildlife research presentation and the presentation of survey results, was followed by a number of meetings, including with local businesses and the Youth Club.
- 54 Consultation events during 2019 included a housing needs survey and a call for local development sites. The draft plan was produced and underwent consultation between November 2021 and January 2022. Consultation was supported by an open day attended by 48 people.

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<sup>9</sup> Neighbourhood Planning (General) Regulations 2012.

- 55 In addition to the above, public consultation was supported throughout the plan-making process by, amongst other things, the use of the Brinklow Village website, by flyers and by posters.
- 56 Taking the Consultation Statement and the above into account, I find that there is evidence to demonstrate that public consultation was central to the plan-making process, that there were opportunities for people to have a say and that matters raised were duly considered.
- 57 Taking this and the submitted information into account, I am satisfied that the consultation process for the Brinklow Neighbourhood Plan complied with the neighbourhood planning regulations referred to above.

## **6. The Neighbourhood Plan – Introductory Section**

58 In the interests of clarity and accuracy, I recommend the following changes (in *italics*) to the introductory section of the Neighbourhood Plan:

- **Page 7, delete third para, headed “The Purpose of the Neighbourhood Plan” – this paragraph does not set out the purpose of the Neighbourhood Plan but comprises statements unsupported by substantive evidence**
- **Page 7, delete fifth para (“The extent...”) which has been overtaken by events**
- **Page 7, change the penultimate para to: “...and will form part of the statutory development *plan* for the Neighbourhood Area.”**
- **Page 9, change fourth para to: “Neighbourhood *planning allows* communities to shape sustainable development within their area *and to address their needs and priorities.*”**
- **Page 9, fifth para, change to: “*The NPPF states that* Neighbourhood Plans should set out a...”**
- **Page 10, first line, change to: “*The Neighbourhood Plan must be...*”**
- **Page 10, third line, delete: “...and the Parish”**
- **Page 10, third para, delete last sentence: “The Neighbourhood...these documents.”**
- **Page 10, fourth para, penultimate line, change to: “...how the Plan complies *with legislative* requirements...”**

## **7. The Neighbourhood Plan – Neighbourhood Plan Policies**

### Housing

#### **Policy HO1: Development within Brinklow limits**

- 59 In general terms, Policy HO1 seeks to provide a supportive policy framework for residential development within the Brinklow Village Boundary, which is defined in a plan on Page 15 of the Neighbourhood Plan.
- 60 The Policy seeks to reflect the community's aims, set out in the supporting text, of discouraging the delivery of large 5 or 6 bedroomed homes and of providing housing suitable for older people.
- 61 In this respect, the Policy has regard to the national policy aim of:
- “...boosting the supply of homes...that the needs of groups with specific housing needs are addressed...”*  
(Paragraph 60, the Framework)
- 62 However, as set out, the Policy requires all housing developments in Brinklow to include smaller dwellings suitable for young families or for older people looking to downsize demonstrate, without any corresponding definition in respect of what a smaller dwelling suitable for young families or for older people looking to downsize actually comprises.

- 63 This imprecision provides scope for wide interpretation and results in a vague Policy, contrary to national guidance, which requires planning policies to be unambiguous<sup>10</sup>:

*“A policy in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence. It should be distinct to reflect and respond to the unique characteristics and planning context of the specific neighbourhood area for which it has been prepared.”*

- 64 Also, the Policy requires development to be *“appropriate in size to the character, services and facilities of Brinklow.”* Again, without further clarity, this is an ambiguous approach, providing scope for wide interpretation. In any case, notwithstanding this point, it is apparent that the very nature of Brinklow's tightly drawn settlement boundary could serve to prevent the scope for anything other than relatively small-scale housing developments.
- 65 No indication is provided in the Policy or supporting text in respect of what comprises an *“important”* open space of public, environmental or ecological value – as opposed to simply public open spaces and sites of environmental or ecological value. Also, the Policy's requirement to *“preserve and enhance”* the setting of any heritage asset sets out an onerous approach to heritage conservation that goes well beyond national policy requirements, without justification for such a departure.
- 66 Further to this, national and local planning policy provides for the balanced consideration of a planning proposal, allowing for the benefits arising from a development to be considered against harm. In this way, plans and policies can contribute to the achievement of sustainable development – providing for necessary growth whilst limiting harmful impacts.
- 67 Rather than provide for this, the Policy requires new housing development to result in no harm, at all, to residential amenity. No evidence is provided to justify or even demonstrate that such an approach is possible and I find that this part of the Policy fails to have regard to the requirement for plans to be deliverable, as set out in Paragraph 16 of the Framework.

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<sup>10</sup> Planning Guidance, Paragraph: 041 Reference ID: 41-042-20140306.

- 68 Further to the above, page 14 of the Neighbourhood Plan includes confusing references to the AECOM Report produced as part of the plan-making process and includes references to specific sites which are not allocated in the Neighbourhood Plan.
- 69 This part of the supporting text does not provide a clear or directly relevant context to the Policy that follows, but rather, it appears out of place, unduly confusing and serves to detract from the clarity of the Neighbourhood Plan.
- 70 This confusing approach continues immediately after Policy HO1, where reference is provided to "*Section B: Second priority*" and other sites that are not allocated in the Neighbourhood Plan, or directly relevant to any Neighbourhood Plan Policy.
- 71 Taking everything into account, I recommend:
- **Policy HO1, delete the wording and replace with: "*Within Brinklow Village Boundary, as shown on the plan below, new dwellings with 1-4 bedrooms will be supported where development respects local character and residential amenity, and does not result in the loss of public open space, trees, hedgerows or sites recognised for their ecological value.*"**
  - **Page 14, delete: "Section A: First priority," the 5 bullet points that follow and the first paragraph on page 15**
  - **Page 16, delete all of the text from the top of the page up until the start of Policy HO2**

**Policy HO2: Development outside Settlement Boundaries**

- 72 The settlement of Brinklow is surrounded by Green Belt and the majority of the Neighbourhood Area comprises land in the Green Belt.
- 73 National Green Belt policy is set out in Chapter 13 of the Framework, "*Green Belt land.*"
- 74 Development in the Green Belt must be managed in accordance with national policy.
- 75 Policy HO2 provides references to some parts of national Green Belt policy but not others. The Policy is in the housing section of the Neighbourhood Plan, but the references are not limited to housing.
- 76 In practice, in the Green Belt, national policy applies in full. Policy HO2's selective references result in a confusing and potentially misleading Policy.
- 77 However, whilst there is no need to repeat existing policy, it is understandable that the Qualifying Body wishes to refer to Green Belt policy, given that the majority of the Neighbourhood Area comprises Green Belt.
- 78 As noted earlier, national advice requires Policies to be clear and taking this and all of the above into account, I recommend:
- **Policy HO2, delete wording and replace with: "*Residential development proposals in the Green Belt must be in accordance with national Green Belt policy, as set out in the National Planning Policy Framework.*"**
  - **Delete Figure 3 (Figure 3 is not referenced in the Policies or supporting text and Brinklow's settlement boundary is already shown on the previous plan on page 15)**

**Policy HO3: Design Principles**

79 National planning policy recognises that:

*“Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.”*

(Paragraph 126, the Framework)

80 Local Plan Policy SDC1 (*“Sustainable Design”*) promotes high quality, inclusive and sustainable design, encouraging development to add to the overall quality of the area in which it is located.

81 Policy HO3 supports good design. Its overall aims are in general conformity with the Local Plan and have regard to national policy.

82 As worded, the Policy includes the vague reference *“should be appropriate”* which is unsupported by information in respect of how it should be interpreted.

83 Also, no indication is provided in respect of how a car park might *“minimise visual impact on the street scene and area.”* By their very nature, car parks tend to comprise accessible, flat, open areas.

84 Whilst it is be possible for a car park to be sensitively designed, no information is provided in the Policy or supporting text to demonstrate how visual impact might minimise visual impact on the street scene, or whether, in all circumstances, this can be achieved.

85 This is relevant because a later Policy in the Neighbourhood Plan (Policy B4) supports the development of a new car park, but does not allocate any land for one – in the absence of any information, it is not possible to know whether, when taken together, Policies HO3 and B4 are deliverable, having regard to national policy. The recommendations below take this into account.

86 Policy HO3 goes on to require all development to enhance the natural setting. This is a particularly onerous requirement and no information has been provided to demonstrate that the requirement is deliverable, or that in all cases, it would be necessary, directly related to development and fairly and reasonably related in scale and kind to development, having regard to Paragraph 57 of the Framework.

- 87 In respect of presentation, the next Policy of the Neighbourhood Plan appears to follow on immediately from Policy HO3. This is visually confusing. Further, there is no relevant heading introducing the next Policy, just a confusing reference to a section of a document not comprising part of the Neighbourhood Plan.
- 88 I make a recommendation with regards the overall presentation of Policies in the Neighbourhood Plan in Section 8 of this Report.
- 89 Taking the above into account, I recommend:
- **Policy HO3, delete the wording and replace with: “*Development in the Neighbourhood Area must be of high quality design and respect local character: materials should complement the local vernacular; the scale and height of existing buildings should be respected; the density of development should be in keeping with its surroundings; and new car parking should be supported by sensitive landscaping.*”**
  - **Delete the blank bullet point at the end of the Policy**
  - **Bottom of Page 17, delete the reference beginning “Section C:” and replace with a new heading “*Lutterworth Road, Brinklow*”**

**Policy HO4: Lutterworth Road, Brinklow**

- 90 Policy HO4 supports residential development at a site on Lutterworth Road, Brinklow. In so doing, it has regard to the national policy aim of significantly boosting housing supply. In general, the allocation meets the basic conditions.
- 91 However, the wording of the Policy is unclear, imprecise and grammatically incorrect. The Policy also includes unnecessary references to other planning documents. It is not the purpose of neighbourhood plans to repeat policies that already exist and the development plan should be considered as a whole, avoiding the need for cumbersome cross-referencing.
- 92 The reference to a "*preferred*" rural exception site makes little sense in the absence of any other rural exception sites and it results in an unclear Policy.
- 93 I recommend:
- **Policy HO4, delete wording and replace with: "*The development of land at Lutterworth Road (see Figures 4 and 5) as a rural exception site for the development of up to 12 affordable houses and up to 7 elderly persons dwellings will be supported subject to it being demonstrated that the development meets identified housing needs. Proposals must demonstrate how development will retain and enhance the significant landscape features identified on Figure 5.*"**
  - **Page 21, delete second paragraph ("The details were discussed...") and delete the fifth paragraph ("The details were discussed..."), which appear unnecessary and confusing**

**Policy HO5: Affordable Housing**

- 94 Policy HO5 simply refers to and is entirely reliant upon, other existing policies. It is not the role of neighbourhood planning policies to repeat existing policies.
- 95 The Policy does not provide a deliverable land use planning policy that provides a decision maker with a clear indication of how to react to a development proposal. It does not have regard to national advice and policy and does not meet the basic conditions.
- 96 I recommend:
- **Delete Policy HO5**

**Policy HO6: Affordable Housing**

- 97 Like Policy HO5, Policy HO6 simply refers to and is entirely reliant upon, other existing policies. It is not the role of neighbourhood planning policies to repeat existing policies.
- 98 The Policy does not provide a deliverable land use planning policy that provides a decision maker with a clear indication of how to react to a development proposal. It does not have regard to national advice and policy and does not meet the basic conditions.
- 99 In respect of Policies HO5 and HO6, I note that the Neighbourhood Plan did not seek to allocate land for the types of development "*supported.*"
- 100 I recommend:
- **Delete Policy HO6**

## Green Spaces and Environment

### **Policy E1: Development**

- 101 Policy E1 states that development in the Green Belt should be refused unless it is supported by a proven need and follows a site selection assessment that enables treatment as a rural exception site.
- 102 The approach set out is completely different to and in direct conflict with national Green Belt policy. It does not meet the basic conditions.
- 103 I recommend:
- **Delete Policy E1**
  - **Delete “Objective 1”**
  - **Delete the sentence below the “Topic 2” heading, which is unnecessary and includes a confusing reference to preserving things**

**Policy E2: Public Rights of Way**

104 Paragraph 100 of the Framework states that:

*“Planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users...”*

105 In general terms, Policy E2 supports the protection and enhancement of Brinklow's public rights of way network and in this way, it has regard to the Framework.

106 As set out, the Policy appears to include a mixture of policy requirements and general statements and confusingly refers to an unidentified open space network, as well as to unidentified locations for footpath expansion.

107 Taking this and the above into account, I recommend:

- **Policy E2, delete all of the text and replace with: *“Improvements and extensions to Brinklow's footpath network will be supported.”***
- **Below Figure 6 provide new supporting text: *“Figure 6 shows that Brinklow is surrounded by an important public rights of way network. This comprises a valuable amenity for the village, providing health benefits and access to the countryside.***

***The Parish Council supports the expansion of Brinklow's public rights of way network, including the creation of an additional footpath from the top of Ell Lane to the canal.”***

**Policy E3: Areas of Local Green Space**

108 Local communities can identify areas of green space of particular importance to them for special protection. Paragraph 101 of the Framework states that:

*“The designation of land as a Local Green Space through local and neighbourhood plans allows communities to identify and protect green areas of particular importance to them.”*

109 Paragraph 103, of the Framework requires policies for the managing of development within a Local Green Space to be consistent with those for Green Belts. A Local Green Space designation therefore provides protection that is comparable to that for Green Belt land. Consequently, Local Green Space comprises a restrictive and significant policy designation.

110 Given the importance of the designation, Local Green Space boundaries should be clearly identifiable. However, there is no plan in the Neighbourhood Plan showing the location of Local Green Spaces and their precise boundaries.

111 For clarity, precision and in order to avoid any confusion, the Neighbourhood Plan should show the location and the precise boundaries of each area of Local Green Space. This is a matter addressed in the recommendations below.

112 The Local Green Space tests set out in the Framework are that the green space is in reasonably close proximity to the community it serves; that it is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and that it is local in character and is not an extensive tract of land.

113 The Neighbourhood Plan is supported by information providing clear and detailed evidence showing why the seven areas of Local Green Space identified are demonstrably special and meet the national policy tests set out in the Framework.

- 114 National policy is explicit in respect of requiring policies for managing development within a Local Green Space to be consistent with those for Green Belts.
- 115 The wording of Policy E3 includes a requirement for areas of Local Green space to be available for use by visitors and villagers. This is inconsistent with national Green Belt policy, as set out in Chapter 13 of the Framework, "*Protecting Green Belt land*," and further, it is unclear, in the absence of any information, how it might be deliverable for say, the allotments to be available for use by visitors.
- 116 Local Green Space designation affords Green Belt-like protection. It does not bestow any new public access rights upon land or require land to be improved or enhanced.
- 117 I recommend:
- **Policy E3, change to: "*The seven areas identified in the supporting text and on the plan(s) below are designated as Local Green Space. The management of development within areas of Local Green Space will be consistent with that for development within Green Belts as set out in national policy*"**
  - **Provide a plan or plans on an Ordnance Survey Map Base, or similar, showing the precise boundaries of each designated area of Local Green Space. The boundary of each Local Green Space must be clearly presented so as to be beyond any dispute.**
  - **Delete the sentence in bold text above Policy E3 ("These details and assessments...") which includes a confusing reference not relevant to Local Green Space designation**

**Policy E4: Protecting and enhancing non-historic Green Open Spaces**

- 118 Policy E4 seeks to protect a number of public open green spaces. When asked why a Local Green Space designation was not sought for these spaces, the Parish Council responded that “*they should be*” included as areas of Local Green Space.
- 119 However, there are no plans showing the location of the spaces referred to and there is no evidence that public consultation has taken place in respect of whether or not the spaces referred to should comprise areas of Local Green Space.
- 120 Policy E4 seeks to prevent any development at these sites, unless such development is “*consistent with the function or enhancement of the open space.*” Such an approach would be far more onerous than Local Green Space policy or Green Belt policy.
- 121 No justification is provided for such an approach and there is no information to demonstrate that such an approach has regard to national policy or would be in general conformity with the Local Plan.
- 122 Notwithstanding all of the above, many of the spaces referred to comprise open verges and areas of open space that make a positive contribution to local character. Taking this and all of the above into account, I recommend:
- **Delete the title and wording of Policy E4 and replace with a new title and wording: *Policy E4: Important Open Space. Development must respect the positive contribution made by the areas of important open space listed and shown in the plan below. (PROVIDE LIST OF SPACES HERE)***
  - **Provide a new plan, showing the location of each of the important open spaces**
  - **Delete “Objective 4” which didn’t correspond to the original Policy and does not correspond to the recommended wording**

**Policy E5: Agricultural Land**

123 National policy requires planning policies to contribute to and enhance the natural and local environment by contributing to:

*"...the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land..."*

(Paragraph 174, the Framework)

124 Policy E5 seeks to protect the best and most versatile agricultural land, whilst providing for sustainable development and has regard to national policy.

125 No changes are recommended.

**Policy E6: Landscapes, Vistas and Skylines**

- 126 Whilst Policy E6 seeks to protect the landscape, it does so in an ambiguous and somewhat sweeping manner, resulting in an imprecise Policy that fails to provide a decision maker with a clear indication of how to react to a development proposal, having regard to Paragraph 16 of the Framework.
- 127 There is no information setting out how the “*enjoyment*” of a view is to be measured, on what basis or who by. There is no information setting out what the “*key features*” of views comprise and there is nothing to demonstrate how views might change depending upon the time of day or year.
- 128 By its very nature, major infrastructure will impact on landscape. It is inappropriate, in the absence of substantive justification, for the Policy to seek to simply prevent any major infrastructure that has any adverse impact, whatsoever, on landscape character. In the absence of any information, it is unclear how such an approach might contribute to the achievement of sustainable development, let alone provide for infrastructure essential for day-to-day life.
- 129 The Policy is reliant on a plan not provided in the Neighbourhood Plan. In response to this, the Qualifying Body has stated that a mistake was made and has provided a plan referring to “*Key views and vistas.*”
- 130 As set out, Policy E6 attempts to ensure that development protects local character, but is worded in a way that it fails to meet the basic conditions.
- 131 I recommend:
- **Policy E6, delete wording and replace with: “*Development should respect landscape character, including the key views and vistas identified in the plan below.*”**
  - **Insert the Key views and vistas plan below the Policy**

**Policy E7: Minimising Pollution**

- 132 Policy E7 requires any development that could, potentially, give rise to any pollution, to provide evidence to demonstrate harmful impacts and to include details to demonstrate that measures taken to deal with anticipated impacts are satisfactory.
- 133 The Policy is ambiguous and there is no information, for example, in respect of how any potential for pollution should be identified, or how the harmful impacts of a potential might be demonstrated – or why they should; or how it might be possible to demonstrate measures to deal with anticipated impacts of potential pollution in relation to any form of development, or why this is necessary for all development proposals.
- 134 The Policy does not have regard to Paragraph 16 of the Framework.
- 135 National policy requires information requirements for planning applications:  
  
*“...to be kept to the minimum needed to make decisions.”*  
(Paragraph 44, the Framework)
- 136 The Policy does not meet the basic conditions and I recommend:
- **Delete Policy E7 and associated supporting text**

**Policy E8: Renewable Energy**

- 137 Local Plan Policy SDC8 (*“Supporting the Provision of Renewable Energy and Low Carbon Technology”*) recognises national policy support for renewable energy and planning’s role in providing for its delivery.
- 138 Policy E8 generally provides support for renewable energy and in this way, it is in general conformity with the Local Plan.
- 139 However, as set out, Policy E8 imposes vague requirements for *“benefits to be clear”* for development to be *“satisfactorily integrated”* into the *“environs of the Parish”* and for there to be *“no unacceptable impact on heritage.”*
- 140 No indication is provided in respect of how such things might be measured, on what basis or who by and this part of the Policy fails to provide a decision maker with a clear indication of how to react to a development proposal, having regard to Paragraph 16 of the Framework.
- 141 In the interests of clarity, I recommend:
- **Policy E8, delete the first and last sentences of the Policy**
  - **Policy E8, change remaining wording to: *“Renewable energy proposals will be supported where they are demonstrated to respect local character and residential amenity. Proposals must demonstrate how the proposal has been designed to address visual impact and landscape character, ecology and heritage.”***

**Policy E9: Biodiversity and Habitats**

142 The Framework requires planning policies to contribute to and enhance the natural environment by

*"...minimising impacts on and providing net gains for biodiversity..."*

(Paragraph 174, the Framework)

143 Policy E9 seeks to ensure that biodiversity is protected and enhanced. In this way, it has regard to national policy.

144 However, the Policy includes a vague reference to "*appropriate measures*" without indicating what these might be.

145 Further, designated wildlife sites are exactly that – their designations confer levels of protection commensurate with the designation. A Policy approach whereby designated wildlife sites should only be retained "*wherever possible*" is in direct conflict with the designation regime and runs the risk of supporting inappropriate development and even the loss of designated sites.

146 I recommend:

- **Policy E9, change to: "*...account. Wildlife and habitats should be protected and development should result in net gains for biodiversity. Woodlands...should be retained wherever possible. Biodiversity loss resulting from development must be minimised...habitats.*"**

**Policy E10: Hedgehog and other Wildlife Protection**

147 Policy E10 seeks to support wildlife protection, having regard to Paragraph 174's requirement for development to provide net gains for biodiversity.

148 However, as set out, the Policy is worded in a way that any form of development, anywhere, will be supported so long as it includes features to help biodiversity. This is a drafting matter and is addressed in recommendations below.

149 The last part of the Policy comprises a statement rather than a land use planning policy and is more appropriately located in the supporting text.

150 I recommend:

- **Policy E10, change to: *"The development of features to help the biodiversity and protection of species, such as hedgehogs, will be supported and should form part of major development schemes. Boundaries and barriers forming part of development proposals should be made permeable, for example through the use of fence panels with 13cmx13cm hedgehog holes at the base."***
- **Remove the last sentence from the Policy and re-locate it at the end of the paragraph of supporting text immediately before the Policy**

**Policy E11: Local Wildlife Sites**

- 151 Local Plan Policy NE1 (*“Protecting Designated Biodiversity and Geodiversity Assets”*) provides a clear and detailed land use planning policy approach to the protection of Rugby's sites of importance for biodiversity and geodiversity.
- 152 By way of contrast, Policy E11 presents a vague and confusingly-worded statement aimed at protecting local wildlife sites which themselves are not clearly identified on an accompanying plan.
- 153 As well as comprising an ambiguous Policy providing less detail than already set out at a District-wide level, this results in a Policy which conflicts with Local Plan Policy NE1 by, in effect, reducing protection against the loss and redevelopment of designated wildlife sites.
- 154 However, further to clarification, it is clear that this is not the intention of the Qualifying Body and the recommendations below are aimed at providing for the Policy to meet its aims in a deliverable manner that meets the basic conditions.
- 155 I recommend:
- **Policy E11, delete wording and replace with: *“The Local Wildlife Sites (and Potential Sites) identified on Figure 8 will be protected from development likely to result in loss, deterioration, degradation or harm.”***
  - **Change Figure 8 so that it only refers to the three Local Wildlife Sites and the two Potential Wildlife Sites referred to in the supporting text and Policy (remove the other references and annotations which do not relate to the Policy)**

## Business and Tourism

### Policy B1: Existing Business

- 156 Chapter 6 of the Framework, "*Building a strong, competitive economy,*" supports the expansion and growth of all types of business in rural areas, both through the conversion of existing buildings and well-designed new buildings; and supports the development and diversification of agricultural and other land-based rural businesses.
- 157 In part, Policy B1 supports business expansion, but it goes on to impose vague restrictions over the scale of development and then reiterates and relies upon an adopted Local Plan Policy.
- 158 In clarification, the Qualifying Body has pointed out that references to the scale of business development should be deleted and that the Policy should no longer refer to there being "*no adverse impacts*" resulting from development.
- 159 Taking all of the above into account, I recommend:
- **Policy B1 delete the text and replace with: "*The expansion of existing businesses and the re-use of buildings for alternative employment uses will be supported, subject to development respecting residential amenity and local character.*"**

**Policy B2: Additional and alternative businesses**

160 Policy B2 offers further support for business growth, having regard to national policy.

161 The Qualifying Body considers that the vague reference to "*a scale suitable for a village community*" should be removed and I note that the final sentence of the Policy reads as a statement, rather than a land use planning policy requirement.

162 I recommend:

- **Policy B2, change wording to: "...own homes, provided they do not give rise to...property." (NB, delete "Proposals for new...safeguarded.")**

**Policy B3: Business Traffic and Parking**

163 Further to clarification, the Qualifying Body wishes to delete Policy B3.

164 I recommend:

- **Delete Policy B3 and associated supporting text**

**Policy B4: Proposed new car park for the village**

165 Policy B4 provides a supportive policy framework for the provision of a new car park. This has regard to Paragraph 84 of the Framework, which requires planning policies to enable sustainable rural tourism and leisure developments and the development of accessible local services and community facilities.

166 I note that design matters relating to car-parking in Brinklow are considered in Policy HO3 of this Report.

167 As set out, the final sentence of the Policy repeats the substantive part of the previous sentence.

168 I recommend:

- **Policy B4, delete the final sentence (“Support will be given...”)**

**Policy B5: Tourism and Visitor attractions**

- 169 Having regard to national policy, Local Plan Policy ED4 (*"The Wider Urban and Rural Economy"*) supports the development of tourism, visitor accommodation and leisure-based uses in the rural area.
- 170 Policy B5 aims to support the provision of tourism and visitor attractions, in general conformity with Local Plan Policy ED4.
- 171 However, as set out, Policy B5 simply comprises a statement and instead of development matters relevant to land use planning, the Policy refers to promotion and marketing.
- 172 Taking this into account and for clarity, I recommend:
- **Policy B5, remove (but retain) all of the wording from the Policy and replace with: *"The development of tourism and visitor facilities that respect local character, residential amenity and highway safety, will be supported."***
  - **Move all of the wording removed (but retained) from the Policy to a new paragraph following on from the supporting text immediately above the Policy on Page 38.**

Transport**Policy TR1: Provision of Sustainable Transport Measures**

173 Rather than setting out land use planning policy requirements, Policy TR1 provides a list of information requirements for all new housing, employment, retail, community or leisure applications, regardless of type, location or scale.

174 The list refers to the provision of information effectively showing how proposals have demonstrated a wide variety of things, despite there being no substantive evidence to demonstrate that such things are deliverable, necessary, directly related to development or fairly and reasonably related in scale and kind to the development.

175 There is nothing to demonstrate that the requirements of Policy TR1 are deliverable.

176 I recommend:

- **Delete Policy TR1 and supporting text.**

**Policy TR2: Partnership working to achieve objectives**

177 Policy TR2 comprises a statement of intent. It sets out how the Parish Council intends to work with other parties in order to pursue aims related to achieving important transport and movement related objectives.

178 Whilst Policy TR2 is not a land use planning policy, the aims set out reflect the views of the community and the Neighbourhood Plan provides the appropriate vehicle to ensure that these aims are captured and can be progressed.

179 Consequently, I recommend:

- **Change heading in bold towards the top of Page 40 to: “*Community Action: Partnership Working*”**
- **Change the Paragraph below the heading to: “*...vibration. This Community Action seeks...*”**
- **Delete Policy heading and replace with: “*Community Action: Partnership working to achieve objectives*”**
- **Retain the text below this (previously the Policy). For clarity, Policy TR2 is deleted and replaced with a Community Action, which is not a land use planning policy, but which captures the community intent**

**Policy TR3: Transport infrastructure projects**

180 Policy TR3 comprises a statement of intent. It sets out how the Parish Council intends to work with other parties in order to progress transport infrastructure projects.

181 Whilst Policy TR3 is not a land use planning policy, the aims set out reflect the views of the community and the Neighbourhood Plan provides the appropriate vehicle to ensure that these aims are captured and can be progressed.

182 Consequently, I recommend:

- **Change heading in bold towards the bottom of Page 40 to: *"Community Action: Transport infrastructure projects"***
- **Change the Paragraph below the heading to: "...consultation, *this Community Action* recognises..."**
- **Delete Policy heading and replace with: *"Community Action: Transport infrastructure projects"***
- **Retain the text below this (previously the Policy). For clarity, Policy TR3 is deleted and replaced with a Community Action, which is not a land use planning policy, but which captures the community intent**

**Policy TR4: Transport and rural crime**

183 Policy TR4 comprises a statement of intent. It sets out how the Parish Council intends to work with other parties in order to pursue aims related to promoting safe transport and reducing rural crime.

184 Whilst Policy TR4 is not a land use planning policy, the aims set out reflect the views of the community and the Neighbourhood Plan provides the appropriate vehicle to ensure that these aims are captured and can be progressed.

185 Consequently, I recommend:

- **Change heading in bold towards the middle of page 41 to: *"Community Action: Transport and rural crime"***
- **Change the Paragraph below the heading to: "...environment, *this Community Action* seeks...carry out crime. The *Community Action* also..."**
- **Delete Policy heading and replace with: *"Community Action: Transport and rural crime"***
- **Retain the text below this (previously the Policy). For clarity, Policy TR4 is deleted and replaced with a Community Action, which is not a land use planning policy, but which captures the community intent**

**Policy TR5: Transport and the environment**

186 Policy TR5 comprises a statement of intent. It sets out how the Parish Council intends to work with other parties in order to pursue aims related to supporting transport initiatives that help the environment.

187 Whilst Policy TR5 is not a land use planning policy, the aims set out reflect the views of the community and the Neighbourhood Plan provides the appropriate vehicle to ensure that these aims are captured and can be progressed.

188 Consequently, I recommend:

- **Change heading in bold towards the bottom of Page 41 to: “*Community Action: Transport and the environment*”**
- **Change the Paragraph below the heading to: “...environment and this *Community Action* seeks...”**
- **Delete Policy heading and replace with: “*Community Action: Partnership working to achieve objectives*”**
- **Retain the text below this (previously the Policy). For clarity, Policy TR5 is deleted and replaced with a Community Action, which is not a land use planning policy, but which captures the community intent**

## Infrastructure and Connectivity

### **Policy IC1: Encourage study and deployment of village wide surveillance system**

- 189 Policy IC1 comprises a statement of intent. It sets out how the Parish Council would like to encourage improvements to the provision of broadband and security systems.
- 190 Whilst Policy IC1 is not a land use planning policy, the aims set out reflect the views of the community and the Neighbourhood Plan provides the appropriate vehicle to ensure that these aims are captured and can be progressed.
- 191 Consequently, I recommend:
- **Change heading in bold towards the top of Page 42 to:  
“Community Action: Improvements for the Prevention of Crime”**
  - **Retain the text below, between the heading and the Policy**
  - **Delete Policy heading and replace with: “Community Action: Encourage study and deployment of village wide surveillance system”**
  - **Change the text below this (previously the Policy) to: “The Parish Council will seek to encourage...”**
  - **For clarity, Policy IC1 is deleted and replaced with a Community Action, which is not a land use planning policy, but which captures the community intent**

**Policy IC2: Connectivity Hub**

192 Policy IC2 comprises a statement of intent. It sets out how the Parish Council seeks to support the provision of a connectivity hub.

193 Whilst Policy IC2 is not a land use planning policy, the aims set out reflect the views of the community and the Neighbourhood Plan provides the appropriate vehicle to ensure that these aims are captured and can be progressed.

194 Consequently, I recommend:

- **Change heading in bold towards the middle of page 42 to: *"Community Action: Connectivity Hub"***
- **Retain the Paragraph between the heading and the Policy**
- **Delete Policy heading and replace with: *"Community Action: Connectivity Hub"***
- **Change the text below this (previously the Policy) to: *"The Parish Council will seek to support the allocation of land or part of a building for a connectivity hub, if a need for such is confirmed."***
- **For clarity, Policy IC2 is deleted and replaced with a Community Action, which is not a land use planning policy, but which captures the community intent**

**Policy IC3: Broadband and mobile phone coverage**

195 Policy IC3 comprises a statement of intent. It sets out how the Parish Council will seek to monitor broadband and mobile phone coverage and encourage high standards of service.

196 Whilst Policy IC3 is not a land use planning policy, the aims set out reflect the views of the community and the Neighbourhood Plan provides the appropriate vehicle to ensure that these aims are captured and can be progressed.

197 Consequently, I recommend:

- **Change heading in bold at the bottom of page 42 to: “*Community Action: Broadband and mobile phone coverage*”**
- **Retain the Paragraph between the heading and the Policy**
- **Delete Policy heading and replace with: “*Community Action: Broadband and mobile phone coverage*”**
- **Change the text below this (previously the Policy) to: “*The Parish Council will monitor the efficiency...coverage at regular intervals and where necessary, seek improvements in order to ensure continuing high standards of service.*”**
- **For clarity, Policy IC3 is deleted and replaced with a Community Action, which is not a land use planning policy, but which captures the community intent**

Community Facilities**Policy CF1: To Protect existing Community Facilities**

198 Paragraph 84 of the Framework states that:

*“Planning policies and decisions should enable the... retention and development of accessible local services and community facilities, such as local shops, meeting places...cultural buildings, public houses and places of worship.”*

199 Further, Paragraph 93 of the Framework goes on to require planning policies and decisions to:

*“...plan positively for the provision and use of...community facilities (such as local shops, meeting places...(and)...guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs.”*

200 The first part of Policy CF1 seeks to prevent the loss of community facilities and has regard to national policy.

201 The Policy goes on to include a confusing and vague reference to new development and various other things, including footpaths, playing fields and open spaces; and then introduces a different approach to the protection of community facilities to that set out in the first part of the Policy.

202 Whilst the Qualifying Body has commented that this is a matter that could be resolved by moving the second part of the Policy to a new Policy, this would simply create a new Policy that conflicts with Policy CF1.

203 For clarity, precision and the avoidance of confusion, I recommend:

- **Policy CF1, delete text and replace with: “Development that will result in the loss of community facilities and/or services will not be supported unless it can be demonstrated, further to evidence of 12 months open marketing, that the facility/service is no longer viable; or that the facility/service will be replaced by an equal or better facility or service, located in an equally or more accessible location.”**

**Policy CF2: To support additional services and facilities for religious or other community activities**

204 Subject to minor changes to the detailed wording, has regard to national policy's support for the provision of new community facilities and services.

205 I recommend:

- **Policy CF2, change to: “...other community activities *that respect residential amenity and local character will be supported.*”**
- **Delete “Pre-application...would be recommended.”**

**Policy CF3: to help enhance provision of social and sport facilities for older children**

206 Whilst vaguely worded such that it appears as a statement rather than a land use planning policy, Policy CF3's clear intent in respect of supporting the development of facilities for older children is in general conformity with Local Plan Policy HS1 ("*Healthy, Safe and Inclusive Communities*") which seeks to encourage healthy lifestyles by providing opportunities for formal and informal physical activity, exercise, recreation and play.

207 Taking this into account, I recommend:

- **Change Policy CF3 to: "*The development of social and sporting facilities for older children will be supported, subject to such development respecting residential amenity.*"**

**Policy CF4: To offer additional commercial services such as a cash point**

208 Subject to minor wording changes, Policy CF4 supports the provision of additional commercial services and has regard to Paragraph 84 of the Framework, which supports the development of local services and community facilities to support a prosperous rural economy.

209 I recommend:

- **Policy CF4, change to: *“The development of commercial services, for example a cash point for banking, will be supported where such development respects the amenity of neighbours.”***

**Policy CF5: Access to Healthcare and Outdoor Recreation Areas**

210 Similarly to other Community Facilities Policies in the Neighbourhood Plan, Policy CF5 supports development that improves local community facilities – in this case, healthcare facilities and outdoor recreation areas and associated car parking and access.

211 Subject to the recommendation below, aimed at ensuring that the Policy contributes to the achievement of sustainable development, Policy CF5 has regard to national policy and is in general conformity with the Local Plan.

212 I recommend:

- **Policy CF5, change to: *“The provision and improvement of healthcare facilities and recreation areas and/or associated access and car parking, will be supported subject to such development respecting the amenity of neighbours.”***

Conservation and HeritagePolicy HC1: Conservation and Enhancement: Listed Buildings and Conservation Area

213 Chapter 16 of the Framework, "*Conserving and enhancing the historic environment*," recognises that the nation's heritage assets comprise an irreplaceable resource. Paragraph 189 of the Framework requires all heritage assets to:

*"...be conserved in a manner appropriate to their significance..."*

214 Chapter 16 goes on to set out a detailed and carefully worded approach to the conservation of heritage assets.

215 Local Plan Policy SDC3 ("*Protecting and Enhancing the Historic Environment*") seeks to manage the historic environment in a manner that reflects national policy.

216 The first part of Policy HC1 presents a clear approach to the conservation of heritage assets, having regard to national policy and in general conformity with the Local Plan.

217 The second part of Policy HC1 introduces wider requirements that go beyond national and local requirements without justification and in so doing introduce a different, unjustified approach to the assessment of the impact of development on heritage assets.

218 In this regard, the Qualifying Body supports the deletion of this latter part of the Policy and therefore, in the interests of clarity and precision I recommend:

- **Policy HC1, delete the final sentence at the bottom of page 45 and delete the three bullet points at the top of page 46**

**Policy HC2: Natural and historic landscape features**

219 In general terms, Policy HC2 is aimed at ensuring that development takes account of natural and historic landscape features. Such an approach has regard to Paragraph 174 of the Framework, which requires planning policies to:

*“...contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes...”*

220 However, as set out, the Policy appears as an instruction to the Local Planning Authority in respect of how a planning application should be assessed, followed by a general statement in respect of what landscape planning will do.

221 It is beyond the scope of the Neighbourhood Plan to place a requirement upon the Local Planning Authority in respect of how a planning application should be determined and taking this and the above into account, I recommend:

- ***Policy HC2, change to: “Development in the Neighbourhood Area must consider and respect the character and features of the natural and historic landscape, including woodland, trees, hedgerows, ridge and furrow fields and vistas. The enhancement of natural and historical landscape features, particularly through the planting and enhancement of native hedgerows and trees, will be supported.”***

**Policy HC3: Extension of Brinklow Conservation Area**

- 222 Policy HC3 comprises a statement of intent. It sets out the Parish Council's intention to explore the scope to extend Brinklow Conservation Area.
- 223 Whilst Policy HC3 is not a land use planning policy, the aims set out reflect the views of the community and the Neighbourhood Plan provides the appropriate vehicle to ensure that these aims are captured and can be progressed.
- 224 Consequently, I recommend:
- **Change heading in bold towards the middle of page 46 to *"Community Action: Extension of Brinklow Conservation Area"***
  - **Retain the Paragraph between the heading and the Policy**
  - **Delete Policy heading and replace with *"Community Action: Extension of Brinklow Conservation Area"***
  - **Change the text below this (previously the Policy) to *"The Parish Council will look for opportunities to support the assessment of the Conservation Area and scope for its extension with the aim of providing greater protection for heritage assets."***
  - **For clarity, Policy HC3 is deleted and replaced with a Community Action, which is not a land use planning policy, but which captures community intent**

**Policy HC4: Design guidance for redevelopment, alteration or extension of historic farmsteads and agricultural buildings**

225 Further to the consideration of a point of clarification, the Qualifying Body has suggested that Policy HC4 is updated to ensure that its provisions are clear and precise.

226 This would remove uncertainty as to what comprises/does not comprise “a historic farmstead” and result in a Policy which provides a supportive policy framework for the sensitive development of farmsteads of historic interest, having regard to Paragraph 130 of the Framework, which requires planning policies to ensure that developments:

*“...are sympathetic to local character and history...”*

227 Taking the above into account, I recommend:

- **Policy HC4, change to: “*The redevelopment, alteration or extension of farmsteads and agricultural buildings of historic interest should be sensitive to their distinctive character, material and form.*”**
- **Change title of Policy HC4 to “*Historic Farmsteads*”**

**Policy HC5: Archaeological Considerations**

228 In general terms, Policy HC5 requires the potential for archaeology to be taken into account, having regard to Paragraph 194 of the Framework which states that:

*“Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and where necessary, a field evaluation.”*

229 However, as set out, Policy HC5 requires any development affecting any heritage asset to demonstrate that the potential impact on above and below ground archaeological deposits has been taken into account. However, archaeology will simply not be relevant to many development proposals affecting heritage assets – for example, development in the setting of a Conservation Area, the replacement of fenestration in a Conservation Area and so on.

230 Paragraph 44 of the Framework states that information requirements should be kept to the minimum needed to make decisions and taking this and the above into account, I recommend:

- **Policy HC5, change to: *“Where a site on which development proposed includes, or has the potential to include, heritage assets with archaeological interest, proposals should demonstrate that they have taken account of potential impacts on above and below ground archaeological deposits. In all instances, the Warwickshire Historic Environment Record should be consulted at an early stage.”***

## **8. The Neighbourhood Plan: Other Matters**

- 231 The recommendations made in this Report will have a subsequent impact on Contents, including Policy, Figure, Objectives and page numbering; and the presentation of plans.
- 232 Further, the Neighbourhood Plan does not contain paragraph numbering. This is inappropriate for a document that will have a statutory function as part of the development plan.
- 233 I also note that the Policies do not stand out from the rest of the text in the Neighbourhood Plan. The Policies are the most important part of the Neighbourhood Plan and should be clearly identifiable.
- 234 I recommend:
- **Update the Contents, Policy, Figure, Objectives and page numbering; and the presentation of Plans, to take into account the recommendations contained in this Report**
  - **Apply paragraph numbering throughout the document**
  - **Ensure that the Policies stand out from the rest of the text – this can be achieved by boxing the policies, applying different colours, sizes, boldness to the text or via a combination of such things**
  - **For clarity, the supporting text should have paragraph numbers. The Policies should be presented clearly and should stand out from the supporting text. The Policies should not have paragraph numbers.**

## **9. Referendum**

235 I recommend to Rugby Borough Council that, subject to the recommended modifications, **the Brinklow Neighbourhood Plan should proceed to a Referendum.**

### **Referendum Area**

236 I am required to consider whether the Referendum Area should be extended beyond the Brinklow Neighbourhood Area.

237 I consider the Neighbourhood Area to be appropriate and there is no substantive evidence to demonstrate that this is not the case.

238 Consequently, I recommend that the Plan should proceed to a Referendum based on the Brinklow Neighbourhood Area approved on the 11<sup>th</sup> August 2016.

**Nigel McGurk, August 2022**  
**Erimax – Land, Planning and Communities**

## Appendix 2

## Brinklow Neighbourhood Plan List of proposed Modifications

Policy	Page Number (Submission Version)	Page Number (Referendum Version)	Modification
Introduction	7	5	Delete third para, headed “The Purpose of the Neighbourhood Plan” – this paragraph does not set out the purpose of the Neighbourhood Plan but comprises statements unsupported by substantive evidence
Introduction	7	5	Delete fifth para (“The extent...”) which has been overtaken by event
Introduction	7	5	Change the penultimate para to: “...and will form part of the statutory development plan for the Neighbourhood Area.”
Introduction	7	5	Change fourth para to: “Neighbourhood planning allows communities to shape sustainable development within their area and to address their needs and priorities.”
Introduction	7	5	Fifth para, change to: “The NPPF states that Neighbourhood Plans should set out a...”
Introduction	7	5	First line, change to: “The Neighbourhood Plan must be...”
Introduction	7	5	Third line, delete: “...and the Parish”
Introduction	7	5	Third para, delete last sentence: “The Neighbourhood...these documents.”
Introduction	7	5	Fourth para, penultimate line, change to: “...how the Plan complies with legislative requirements...”
HO1	15	14	Delete the wording and replace with: “Within Brinklow Village Boundary, as shown on the plan below, new dwellings with 1-4 bedrooms will be supported where development respects local character and residential amenity, and does not result in the loss of public open space, trees, hedgerows or sites recognised for their ecological value.”
HO1	15	14	Delete: “Section A: First priority,” the 5 bullet points that follow and the first paragraph on page 15
HO1	15	14	Delete all of the text from the top of the page up until the start of Policy HO2

HO2	16	14	Delete wording and replace with: "Residential development proposals in the Green Belt must be in accordance with national Green Belt policy, as set out in the National Planning Policy Framework."
HO2	16	14	Delete Figure 3 (Figure 3 is not referenced in the Policies or supporting text and Brinklow's settlement boundary is already shown on the previous plan on page 15)
HO3	17	14	Policy HO3, delete the wording and replace with: "Development in the Neighbourhood Area must be of high quality design and respect local character: materials should complement the local vernacular; the scale and height of existing buildings should be respected; the density of development should be in keeping with its surroundings; and new car parking should be supported by sensitive landscaping."
HO3	17	14	Delete the blank bullet point at the end of the Policy
HO3	17	14	Delete the reference beginning "Section C:" and replace with a new heading "Lutterworth Road, Brinklow"
HO4	21	18	Delete wording and replace with: "The development of land at Lutterworth Road (see Figures 4 and 5) as a rural exception site for the development of up to 12 affordable houses and up to 7 elderly persons dwellings will be supported subject to it being demonstrated that the development meets identified housing needs. Proposals must demonstrate how development will retain and enhance the significant landscape features identified on Figure 5."
HO4	21	18	Delete second paragraph ("The details were discussed...") and delete the fifth paragraph ("The details were discussed..."), which appear unnecessary and confusing
HO5	22	N/A	Delete Policy HO5
HO6	22	N/A	Delete Policy HO6
E1	22	N/A	Delete Policy E1
Objective 1	22	N/A	Delete "Objective 1"
Topic 2	22	19	Delete the sentence below the "Topic 2" heading, which is unnecessary
E2 (Now Policy E1)	22	22	Delete all of the text and replace with: "Improvements and extensions to Brinklow's footpath network will be supported."

	22	22	<p>Below Figure 6 provide new supporting text: “Figure 6 shows that Brinklow is surrounded by an important public rights of way network. This comprises a valuable amenity for the village, providing health benefits and access to the countryside.</p> <p>The Parish Council supports the expansion of Brinklow’s public rights of way network, including the creation of an additional footpath from the top of Ell Lane to the canal.”</p>
Policy E3 (now Policy E2)	25	22	“The seven areas identified in the supporting text and on the plan(s) below are designated as Local Green Space. The management of development within areas of Local Green Space will be consistent with that for development within Green Belts as set out in national policy”
	25	22	Provide a plan or plans on an Ordnance Survey Map Base, or similar, showing the precise boundaries of each designated area of Local Green Space. The boundary of each Local Green Space must be clearly presented so as to be beyond any dispute. *To be finalised prior to referendum
	25	22	Delete the sentence in bold text above Policy E3 (“These details and assessments...”) which includes a confusing reference not relevant to Local Green Space designation
E4 (now Policy E3)	30	27	Delete the title and wording of Policy E4 and replace with a new title and wording: Policy E4: Important Open Space. Development must respect the positive contribution made by the areas of important open space listed and shown in the plan below. (PROVIDE LIST OF SPACES HERE)”
		27	Provide a new plan, showing the location of each of the important open spaces. *To be provided prior to referendum
	30	27	Delete “Objective 4” which didn’t correspond to the original Policy and does not correspond to the recommended wording
Policy E6 (now Policy E5)	31	29	Delete wording and replace with: “Development should respect landscape character, including the key views and vistas identified in the plan below.”
		29	Insert the Key views and vistas plan below the Policy- valued landscapes plan an appendix

Policy E7 (now Policy E6)	31	30	Delete Policy E7 and associated supporting text
Policy E8 (now policy E7)	32	30	Delete the first and last sentences of the Policy
	32	30	Change remaining wording to: "Renewable energy proposals will be supported where they are demonstrated to respect local character and residential amenity. Proposals must demonstrate how the proposal has been designed to address visual impact and landscape character, ecology and heritage."
E9 (now Policy E8)	33	31	Change to: "...account. Wildlife and habitats should be protected and development should result in net gains for biodiversity. Woodlands...should be retained wherever possible. Biodiversity loss resulting from development must be minimised...habitats."
E10 (now Policy E10)	34	31	Change to: "The development of features to help the biodiversity and protection of species, such as hedgehogs, will be supported and should form part of major development schemes. Boundaries and barriers forming part of development proposals should be made permeable, for example through the use of fence panels with 13cmx13cm hedgehog holes at the base."
E10 (now Policy E9)	34	31	Remove the last sentence from the Policy and re-locate it at the end of the paragraph of supporting text immediately before the Policy
E11 (now Policy E10)	35	31	Delete wording and replace with: "The Local Wildlife Sites (and Potential Sites) identified on Figure 8 will be protected from development likely to result in loss, deterioration, degradation or harm."
E11 (now Policy E10)	35	31	Change Figure 8 so that it only refers to the three Local Wildlife Sites and the two Potential Wildlife Sites referred to in the supporting text and Policy (remove the other references and annotations which do not relate to the Policy)

B1	36	32	Delete the text and replace with: "The expansion of existing businesses and the re-use of buildings for alternative employment uses will be supported, subject to development respecting residential amenity and local character."
B2	37	33	Change wording to: "...own homes, provided they do not give rise to...property." (NB, delete "Proposals for new...safeguarded.")
B3	37	33	Delete Policy B3 and associated supporting text
B4 (now Policy B3)	38	34	Delete the final sentence ("Support will be given...")
B5 (now Policy B4)	38	34	Remove (but retain) all of the wording from the Policy and replace with: "The development of tourism and visitor facilities that respect local character, residential amenity and highway safety, will be supported."
	38	34	Move all of the wording removed (but retained) from the Policy to a new paragraph following on from the supporting text immediately above the Policy on Page 38.
TR1 (now Community Action)	39	35	Delete Policy TR1 and supporting text.
	40	35	Change heading in bold towards the top of Page 40 to: "Community Action: Partnership Working"
	40	35	Change the Paragraph below the heading to: "...vibration. This Community Action seeks..."
	40	35	Delete Policy heading and replace with: "Community Action: Partnership working to achieve objectives"
TR2 (now Community Action)	40	36	Retain the text below this (previously the Policy). For clarity, Policy TR2 is deleted and replaced with a Community Action, which is not a land use planning policy, but which captures the community intent
	40	36	Change heading in bold towards the bottom of Page 40 to: "Community Action: Transport infrastructure projects"

	40	36	Change the Paragraph below the heading to: "...consultation, this Community Action recognises..."
	40	36	Delete Policy heading and replace with: "Community Action: Transport infrastructure projects"
TR3 (now Community Action)	40	36	Retain the text below this (previously the Policy). For clarity, Policy TR3 is deleted and replaced with a Community Action, which is not a land use planning policy, but which captures the community intent
	40	36	Change heading in bold towards the middle of page 41 to: "Community Action: Transport and rural crime"
	40	36	Change the Paragraph below the heading to: "...environment, this Community Action seeks...carry out crime. The Community Action also..."
	40	36	Delete Policy heading and replace with: "Community Action: Transport and rural crime"
TR4 (now Community Action)	41	37	Retain the text below this (previously the Policy). For clarity, Policy TR4 is deleted and replaced with a Community Action, which is not a land use planning policy, but which captures the community intent
	41	37	Change heading in bold towards the bottom of Page 41 to: "Community Action: Transport and the environment"
	41	37	Change the Paragraph below the heading to: "...environment and this Community Action seeks..."
	41	37	Delete Policy heading and replace with: "Community Action: Partnership working to achieve objectives"
TR5	41	38	Retain the text below this (previously the Policy). For clarity, Policy TR5 is deleted and replaced with a Community Action, which is not a land use planning policy, but which captures the community intent
	42	38	Change heading in bold towards the top of Page 42 to: "Community Action: Improvements for the Prevention of Crime"
	42	38	Retain the text below, between the heading and the Policy
	42	38	Delete Policy heading and replace with: "Community Action: Encourage study and deployment of village wide surveillance system"
	42	38	Change the text below this (previously the Policy) to: "The Parish Council will seek to encourage..."

Policy IC1 (now a Community Action)	42	38	For clarity, Policy IC1 is deleted and replaced with a Community Action, which is not a land use planning policy, but which captures the community intent
Policy IC2	42	38	Change heading in bold towards the middle of page 42 to: “Community Action: Connectivity Hub”
Policy IC2	42	38	Retain the Paragraph between the heading and the Policy
	42	38	Delete Policy heading and replace with: “Community Action: Connectivity Hub”
	42	38	Change the text below this (previously the Policy) to: “The Parish Council will seek to support the allocation of land or part of a building for a connectivity hub, if a need for such is confirmed.”
	42	38	For clarity, Policy IC2 is deleted and replaced with a Community Action, which is not a land use planning policy, but which captures the community intent
	42	38	Change heading in bold at the bottom of page 42 to: “Community Action: Broadband and mobile phone coverage”
	42	38	Retain the Paragraph between the heading and the Policy
	42	38	Delete Policy heading and replace with: “Community Action: Broadband and mobile phone coverage”
	42	38	Change the text below this (previously the Policy) to: “The Parish Council will monitor the efficiency...coverage at regular intervals and where necessary, seek improvements in order to ensure continuing high standards of service.”
IC3 (now a Community Action)	42	38	For clarity, Policy IC3 is deleted and replaced with a Community Action, which is not a land use planning policy, but which captures the community intent
CF1	43	39	Delete text and replace with: “Development that will result in the loss of community facilities and/or services will not be supported unless it can be demonstrated, further to evidence of 12 months open marketing, that the facility/service is no longer viable; or that the facility/service will be

			replaced by an equal or better facility or service, located in an equally or more accessible location.”
CF2	43	39	Policy CF2, change to: “...other community activities that respect residential amenity and local character will be supported.”
	43	39	Delete “Pre-application...would be recommended.”
CF3	43	39	Change Policy CF3 to: “The development of social and sporting facilities for older children will be supported, subject to such development respecting residential amenity.”
CF4	43	39	Change to: “The development of commercial services, for example a cash point for banking, will be supported where such development respects the amenity of neighbours.
CF5	43	39	Change to: “The provision and improvement of healthcare facilities and recreation areas and/or associated access and car parking, will be supported subject to such development respecting the amenity of neighbours.
HC1	45	40	Policy HC1, delete the final sentence at the bottom of page 45 and delete the three bullet points at the top of page 46
HC2	46	41	Change to: “Development in the Neighbourhood Area must consider and respect the character and features of the natural and historic landscape, including woodland, trees, hedgerows, ridge and furrow fields and vistas. The enhancement of natural and historical landscape features, particularly through the planting and enhancement of native hedgerows and trees, will be supported.”
HC3 (now a Community Action)	46	41	Change heading in bold towards the middle of page 46 to “Community Action: Extension of Brinklow Conservation Area”
	46	41	Retain the Paragraph between the heading and the Policy
	46	41	Delete Policy heading and replace with “Community Action: Extension of Brinklow Conservation Area”
	46	41	Change the text below this (previously the Policy) to “The Parish Council will look for opportunities to support the assessment of the Conservation

			Area and scope for its extension with the aim of providing greater protection for heritage assets.”
	46	41	For clarity, Policy HC3 is deleted and replaced with a Community Action, which is not a land use planning policy, but which captures community intent
HC4 (now Policy HC3)	46	41	Change to: “The redevelopment, alteration or extension of farmsteads and agricultural buildings of historic interest should be sensitive to their distinctive character, material and form.”
HC4 (now Policy HC3)	46	41	Change title of Policy HC4 to “Historic Farmsteads”
HC5 (now Policy HC4)	47	41	“Where a site on which development proposed includes, or has the potential to include, heritage assets with archaeological interest, proposals should demonstrate that they have taken account of potential impacts on above and below ground archaeological deposits. In all instances, the Warwickshire Historic Environment Record should be consulted at an early stage.”

## APPENDIX 3

### Brinklow Neighbourhood Plan Regulation 16 Consultation Summary of Responses

Representation Number	Respondent	Comments
1	Barby Parish Council	No comment
2	National Highways	Note that nearest Motorway (M6) sits outside of the Neighbourhood Area. No development or transport policies likely to affect National Highways network, so no further comment to make
3	Sport England	<p>Neighbourhood Plans should comply with NPPF Paragraphs 98 and 99. Sport England's role as a Statutory Consultee is protecting playing fields. Information provided on Sports England's role in developing planning policy for sport. Neighbourhood Planning bodies should see if the local relevant authority has prepared a playing pitch strategy or other indoor/outdoor sports facility strategy, which could be useful for the Neighbourhood Planning body.</p> <p>Sport England provide guidance on design or new or improved sports facilities. Any new development will generate additional demand for sport. If existing facilities cannot absorb this demand, planning policies should look to secure new or improved facilities.</p> <p>In line with NPPF Section 8 and National Planning Practice Guidance (Health and Wellbeing) consideration should be given to how new development provide opportunities for people to live healthy lifestyles. Sports England's Active Design Guidance can assist.</p>
4	Avison Young OBO National Grid	An assessment has been carried out with respect to National Grid's electricity and gas transmission assets which include high voltage electricity assets and high-pressure gas pipelines. National Grid has identified that no assets are currently affected by proposed allocations within the Neighbourhood Plan area.
5	Coal Authority	No comment

6	Natural England	No comment
7	Warwickshire Flood Risk Management	<p>Topic 1: Proposals and Policies for Housing</p> <p>Supportive of the protection of open spaces and river corridors and actively steering new development away from floodplains. Support objections to formerly proposed 100 home development on site S14/065B</p>
7	Warwickshire Flood Risk Management	<p>Policy HO1: Development within Brinklow Limits</p> <p>Sites of more than 10 dwellings require a site specific Flood Risk Assessment be submitted to the Lead Local Flood Authority. Support the protection of open spaces and river corridors. Recommend the addition of a specific point about new developments needing to consider their flood risk and sustainable drainage systems when building on greenfield and brownfield sites. All developments will also be expected to include sustainable drainage systems.</p>
7	Warwickshire Flood Risk Management	<p>Policy HO3: Design Principles and Policy HO4 Lutterworth Road Brinklow</p> <p>If there are any culverts present on the site, advise additional point that encourages new developments 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 LLFA and should be kept to the minimum length.</p>
7	Warwickshire Flood Risk Management	<p>Topic 2: Green Spaces</p> <p>Support the protection of open spaces and river corridors – advise inclusion of the benefits of open space as flood risk management to retain water. Above ground SuDS could be utilised in open spaces.</p>

7	Warwickshire Flood Risk Management	<p style="text-align: center;">Topic 3: Business and Tourism</p> <p>Agricultural and small business sites over 1ha classed as a major planning application, therefore in line with the National Planning Policy Framework, a site specific Flood Risk Assessment must be submitted to the Lead Local Flood Authority for review.</p>
7	Warwickshire Flood Risk Management	<p style="text-align: center;">Policy B4: Proposed new car park area for the village</p> <p>Depending on the size and type of drainage, there is an opportunity to introduce SuDS and adequate treatment for flows for new car parks to ensure that discharge/run off flows leaving the car park site do not degrade the quality of accepting water bodies, providing greater amenity</p>
7	Warwickshire Flood Risk Management	<p>The Flood Risk Management team would welcome a section on how flood risk will be managed in the village from both and existing and new developments and how development will be controlled around watercourses</p>
8	Historic England	<p style="text-align: center;">Resubmission of previous comments from Regulation 14 consultation.</p>
9	Pailton Parish Council	<p>Well written well researched, comprehensive document. Supportive of the conservation of historic sites, preservation and enhancement of the natural features of the village, improving cycle ways and cycle parking, improving bus services, providing a cash point, providing sporting facilities for older children and a reliable Revel wide taxi service (which could be a Revel-wide initiative)</p> <p>Disappointment that Revel Villages not engaged earlier. Concern that developing affordable housing on Lutterworth Road will impact commuting traffic through Pailton, contradicts statement 'new developments should not generate significant additional traffic'</p> <p>Supportive of safer walking and cycling routes and optimising public transport links to reduce traffic. Respectfully suggest Revel Parish Councils engaged on public transport initiatives along with WCC, RBC, Network Rail and other organisations.</p>

## APPENDIX 4

# Brinklow Neighbourhood Plan September 2022



Figure 1: Brinklow from the Air (courtesy of Skystudio UK)

**2021-2041**

**“Your say in the future development of our village”**

**Referendum Version**

### Foreword

Under the Localism Act 2011 the Parish Council commissioned the Neighbourhood Plan Steering Group to produce a Neighbourhood Plan for the people of Brinklow to have a meaningful say in the growth and shape of their community.

The Neighbourhood Plan sets out a vision of the future of Brinklow with strategic aims and objectives for future development. The vision has been formulated from consultation with the community and consideration of national and local policy and is articulated as:

*Our vision is to build upon the history and existing high-quality environment of our village and its surroundings, and through carefully planned improvement provide a safe, pleasant, healthy and sustainable place for everyone to enjoy.*

The plan reflects significant public consultation with the local community, business and facility providers, and aims to represent their views. The plan also wishes to protect and enhance all elements of the Parish environment, seeking to establish where developments are most appropriate and setting standards for the type and quality of such developments.

It is acknowledged that the Parish will continue to develop organically in the coming years. The Parish will support small development opportunities using Brown Field and infill sites. The Neighbourhood Plan includes policies which are intended to help ensure that the right sort of housing is built in the right locations, reflecting local character and meeting local needs.

The Steering Group wishes to express its thanks to all members of the community who have helped to produce the Neighbourhood Plan.

**John Reid**  
**Chairman Brinklow Neighbourhood Plan Steering Group**

The Brinklow Neighbourhood Plan was commissioned by Brinklow Parish Council in June 2016 who created a Steering Group made up of local residents and Parish Councillors. Members are John Reid, Jennie Boonham, Vera McBay, Dick Gunstone, Mick Lavin, Tim Heenan. Former members Gordon Betts and David Lowe participated in the early years of the project.

Funding and support were obtained through Locality and the Parish Council.

Advice and feedback were provided by Planning Officers at Rugby Borough Council, we express particular thanks to Ruari McKee, Senior Planning Officer.

The Steering Group is grateful to the following for their support and guidance:

**Jennifer Lampert**, of Jennifer Lampert Associates Ltd, for planning consultancy, support and guidance in the development of the plan, policies and objectives.

**Mike King**, of People and Places Insight Ltd, for designing, managing and reporting findings for the Neighbourhood Plan residents' survey.

**Ben Wallace**, of Warwickshire County Council, for providing the Historic Environment Summary Report and running a local history workshop.

**Chris Talbot**, Biodiversity Manager of the Habitat Biodiversity Audit Partnership at Warwickshire Wildlife Trust, for putting together the Ecological Report for Brinklow and presenting it to the village.

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Brinklow Neighbourhood Plan Area



Figure 2: Brinklow Neighbourhood Plan Area (outlined in red)

## Introduction

1.1 The Localism Act 2011 empowers local communities to take the lead in planning how their own neighbourhoods will develop. Many communities have taken this opportunity to influence the future of their areas. “The Brinklow Neighbourhood Development Plan will enable the local community to shape the future development of the Neighbourhood Area (the Parish) for the benefit of the local community.”

## Brinklow Neighbourhood Area

1.2 The Parish of Brinklow was designated by Rugby Borough Council as the Brinklow Neighbourhood Area on the 11th of August 2016. See Figure 2 above.

## The Scope of the Neighbourhood Plan

1.3 It is a legal requirement for Neighbourhood Plans to have appropriate regard to the National Planning Policy Framework and to be in general conformity with strategic policies. A key consequence of these requirements is that, where the Local Plan has a growth allocation for an area, the Neighbourhood Plan must provide for at least the level of growth specified in the Local Plan. There is currently no specific growth allocation proposed for Brinklow in the Local Plan.

1.4 The Brinklow Neighbourhood Plan will cover the period 2021 to 2041 and will form part of the statutory development plan for the Neighbourhood Area.

1.5 The Steering Group has been careful to gather the necessary evidence to inform the Neighbourhood Plan and to underpin the policies in it. In addition, community engagement has been a priority throughout the process of preparing the Neighbourhood Plan. It has been a priority to ensure that as far as possible the Neighbourhood Plan is effective in delivering the needs, wants and aspirations of the local community and is consistent with national and local planning policies. Please refer to the Consultation Strategy and Consultation Statement<sup>1</sup>.

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<sup>1</sup> Consultation Strategy and Consultation Statement

### A Short History of Brinklow and its Character Today

1.6 The Parish of Brinklow lies approximately 5 miles north-west of Rugby, Warwickshire. It consists of a thriving rural village with churches, school annex, Post Office, shops, three public houses, food outlets, doctors' surgery and pharmacy, working farms and a range of active clubs many of which use the facilities of the Community Hall. The village of Brinklow is at the heart of The Revel group of villages and its facilities are used by residents of those other villages. The village has a strong sense of community, due mainly to the regular involvement and support of residents in village life and activities.

1.7 In August 2014 Warwickshire County Council completed an [Historic Character Assessment](#)<sup>2</sup> of Brinklow as part of the Warwickshire Historic Towns Project. The key findings are summarised below.

1.8 There are significant historical links. The "low" element of the place name suggests there may have been a round barrow, probably of Bronze Age date, which may have lain in the vicinity of the castle. The Roman Fosse Way passes through the village. There has been some evidence of Anglo-Saxon activity in the village. After the Norman Conquest a motte and bailey castle was built and the village established itself outside the castle with long plots and narrow frontages of the market area in what is now The Crescent. The layout that is still evident is highly significant in documenting the founding and evolution of medieval small towns and is a highly important part of Brinklow's character.

1.9 The 2011 Census records a population of 1101 persons with a fairly uniform distribution of up to age 39. Typically, 50% more in the brackets between 40-69 and adding 7 to the ages would suggest 183 residents may now be aged over 80. Please see [2011 Census Small Area Profiles](#)<sup>3</sup>

1.10 As part of the background information for the Neighbourhood Plan a questionnaire survey and a Housing Needs Survey provided by Midlands Rural Housing were undertaken and these revealed a need for affordable housing, both for rent and purchase and specifically designed elderly persons accommodation. For further information see the [Housing Needs Survey 2019](#)<sup>4</sup>

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<sup>2</sup> [Historic Character Assessment](#)

<sup>3</sup> [2011 Census Small Area Profiles](#)

<sup>4</sup> [Housing Needs Survey 2019](#)

## The Policy Context

1.11 This section sets out the key documents with which the Neighbourhood Plan needs to accord.

### National Planning Policy Framework

1.12 [The National Planning Policy Framework](#) (NPPF)<sup>5</sup> in its latest version of July 2021, sets out the Government's approach to sustainable development. At the heart of the NPPF is the 'presumption in favour of sustainable development'. Essentially it is about positive growth with economic, social and environmental gains being sought simultaneously through the planning system and forming three overarching objectives:

- An economic objective to contribute to economic development
- A social objective to support strong, vibrant and healthy communities by providing the right supply of housing and creating a high-quality built environment with accessible local services
- An environmental objective to contribute to protecting and enhancing the natural, built and historic environment.
- The NPPF is supported by the Planning Practice Guidance (PPG) as an accessible web-based resource which is actively managed and updated as necessary.

1.13 Neighbourhood planning allows communities to shape sustainable development within their area and to address their needs and priorities.

1.14 The NPPF strongly supports the principle of neighbourhood planning. The NPPF states that Neighbourhood Plans should set out a positive vision for the future of the local area, they should set planning policies to determine decisions on planning applications, including policies which set out the quality of development that should be expected for the area, based on stated objectives for the area's future and an understanding and evaluation of its defining characteristics.

### NPPF and Sustainable Development

1.15 Neighbourhood Plans should support the sustainable growth and expansion of all kinds of businesses and enterprise in rural areas, they should promote the development and diversification of agricultural businesses, they should support rural tourism and leisure developments that respect the character of the countryside, and they should promote the retention and development of local services and community facilities in villages.

1.16 The Neighbourhood Plan must contribute to the achievement of sustainable development. The NPPF states that pursuing sustainable development includes making it easier to create jobs in villages, to promote gains in biodiversity, to achieve better quality design, to improve people's quality of life, and to provide a wider choice of high-quality homes.

1.17 Therefore, the aims, objectives, policies and proposals of the Neighbourhood Plan should be assessed against their ability to achieve sustainable development. Wherever possible the Neighbourhood Plan should actively promote the achievement of sustainable development.

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<sup>5</sup> [The National Planning Policy Framework](#)

### **Rugby Borough Local Plan adopted 2011-2031 adopted June 2019**

1.18 The Neighbourhood Plan must be in general conformity with the strategic policies of the Rugby Borough Local Plan and positively support those policies. The Rugby Borough Local Plan provides a hierarchy of objectives and planning policies for the Borough.

Please see the [Rugby Local Plan](#)<sup>6</sup> document.

1.19 To assist in the understanding of the proposals and policies of the adopted Local plan a [Policy Review was carried out as a background paper](#)<sup>7</sup> for the Brinklow Neighbourhood Plan dated September 2017. This sets out the strategic planning framework for the district's future development needs up to 2031 and contains a number of policies and objectives which are relevant to Brinklow and with which the neighbourhood plan must be in general conformity. These policies and objectives cover issues such as the provision and location of new housing, promoting design and protecting and enhancing the built environment and green infrastructure.

1.20 Consideration has in particular being given to the following policies: H2 housing policy, H4 Rural exception sites for affordable housing, H6 specialist housing for the elderly, SDC1 Sustainable Design and landscaping, NE3 protect and enhance landscape features which are most relevant to the proposals of the Brinklow Neighbourhood Plan.

1.21 In addition, neighbourhood plans must be compatible with European Union legislation that relates to Strategic Environmental Assessment, protected European Habitats and Human Rights Legislation. This Neighbourhood Plan and the policies it contains are consistent with the NPPF, Rugby Borough Local Plan and relevant EU legislation. Full details of how the Plan complies with legislative requirements are set out in the Basic Conditions Statement which accompanies the Plan.

### **Community Engagement**

1.22 In order to provide up to date community opinions, a number of community engagement events were conducted in 2016, 2017 and 2018. A questionnaire was issued to all residents in late 2017. It built on comments received, and the issues identified during previous engagement events. The questionnaire addressed eight key issues: housing; business; tourism; community facilities; conservation and heritage; green spaces and the environment; and transport. Details of the responses from the 229 which were returned of the 473 sent out are in the [Brinklow Neighbourhood Plan Survey Results](#)<sup>8</sup>

1.23 There was also a specific effort to engage with businesses and community groups such as the football club, schools and doctors. In addition, the Neighbourhood Plan was placed on the regular agenda of the Parish Council monthly meetings, so progress updates were available to any parishioner attending. Full details of all these events are provided in the Consultation Statement<sup>9</sup>

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<sup>6</sup> [Rugby Local Plan](#)

<sup>7</sup> [Brinklow Local Plan Policy Review](#)

<sup>8</sup> [Brinklow Neighbourhood Plan Survey Results](#)

<sup>9</sup> Consultation Statement

### **The Vision, Strategic Aims and Objectives for Brinklow**

1.24 From community consultation and other evidence, a vision, strategic objectives, policies and priorities have been defined for the Neighbourhood Plan. These are set out in the following diagrams and paragraphs.

1.25 The vision statement that emerged from these consultations is:

“The Parish and settlement of Brinklow is small and rural with significant historical character and must remain so. Growth will be limited and controlled to maintain this size and character.

We will build upon the history and existing high-quality environment of our village and surroundings and through carefully planned improvement provide a safe, pleasant, healthy and sustainable place for everyone to enjoy.

Brinklow lies within the Borough of Rugby, but it is a village of independent identity not a suburb of that larger conurbation. As such it should be allowed to flourish into its third millennium.”

1.26 Following public consultation events and workshops the steering group identified the issues that emerged from the topics and identified objectives for each heading.

#### **Topic 1: Housing**

- Support limited infill development providing it is appropriate to its surroundings and does not adversely impact neighbours or the village character
- Support re-use of redundant buildings for commercial or residential use
- Ensure any development is proportionate to the size and rural character of the existing buildings in the village and mixes affordable with larger homes, harmonising with architectural style and building materials used in the village
- Ensure infrastructure is developed proportionately to the number of new houses and includes off street parking for two or three cars per house.

#### **Topic 2: Green Spaces and Environment**

- Protect the green belt beyond the boundaries unless supported by proven specific housing need or infill development
- Preserve existing features in the village that bestow rural character
- Increase protection of trees and wildlife
- Maintain and improve existing public green areas
- Provide green spaces as part of any new development.

#### **Topic 3: Business and Tourism**

- Develop where possible agricultural and small businesses, particularly those offering retail outlets
- Encourage home working and opportunities for start up businesses
- Develop tourism and encourage day visitors thus supporting existing shops, cafés and pubs
- Increase the number of providers of bed and breakfast accommodation.

#### **Topic 4: Transport**

- Improve public transport facilities
- Improve parking in the village
- Improve road traffic, pedestrian and cyclist safety

- Traffic calming and reduction (diversification) measures to be pursued with the relevant authorities as wider developments increase pressure.

#### Topic 5: Infrastructure

- Provision of superfast broadband for the whole village and elimination of mobile phone dead spots
- Improve footpaths and cycleways
- A dedicated footpath from the canal to the top of Ell Lane could be considered to provide access to the Tump and the church.

#### Topic 6: Community and Leisure

- Protect, sustain and enhance the health, well-being, leisure and cultural facilities available in the village.

#### Topic 7: Heritage and Conservation

- Preserve and enhance the conservation and historic assets of the village and to seek to protect and improve public accessibility to key historic sites
- Preserve and enhance the natural features of the village especially the protection and management of existing hedgerows, vegetation and ponds for the benefit of wildlife and human visitors.

1.28 Additional evidence was provided under the seven topic areas as a result of research undertaken and information collected by the steering group and other village members and members of the Parish Council which was further enhanced by the results of the questionnaire survey undertaken in March 2018 and the Housing Needs survey dated May 2019. This information helped to identify and strengthen the objectives proposed under each topic which was then translated into the policies and proposals under the headings as set out below.

## Topic 1 Proposals and Policies for Housing

2.1 Evidence of Brinklow's history is visible now, in the 21<sup>st</sup> Century, with its Norman Motte and Bailey, its church which originated in the 13<sup>th</sup> Century, and the village being situated astride the old Roman road, the Fosse Way, which passes through the heart of rural Warwickshire. Much of the housing was originally built to accommodate land workers. Consequently, there are numbers of workers' cottages which have been joined together to provide more modern accommodation. There are also a number of larger houses, dating from the 18<sup>th</sup> century, which provided accommodation for business owners, and which are now four- or five-bedroom family houses.



2.2 Much of the layout of the village, which was essentially one straight street, was influenced by the route which the Oxford Canal originally took. In 1834 it was straightened, but it defined the boundaries of many houses and gardens. Some workers' cottages were condemned due to a lack of facilities, and their footprint can still be seen in some places. At one time Brinklow had no less than seven ale houses but today only three remain, the other premises having been re-developed or converted into housing.

2.3 Brinklow has around 500 houses, 24<sup>10</sup> of which are listed. Please refer to the [Brinklow Village Design Statement 2005](#). Many others reflect different eras, some built with fine Victorian or Georgian features, some including decorative brickwork with rows of contrasting bricks, and some with shallow-pitched roofs with no overhang that were previously thatched. Many houses have square nine-pane windows and plain wooden front doors.

2.4 In the 1960/70s, land on the Southwest of the village was used to build social housing, much of which is now privately owned. Its design and construction methods are typical of the time and overall add little to the development of the village. Some small estates of detached houses and bungalows have been built and they continue to be in demand as popular family houses.

2.5 Rugby Borough Council produced a [Site Allocations Development pack for Brinklow](#)<sup>11</sup> in June 2016. This indicated a possible site for approximately 100 dwellings as Brinklow was regarded as a main rural settlement. This site, referenced as S14/065B or S16071 seemed unsuitable for many reasons, not least that it was in the Green Belt, included a Flood Plain, and it would be detrimental to the visual approach to the village. The Parish Council objected to the proposed allocation which was presented personally at the Planning Enquiry in Rugby on 14<sup>th</sup> April 2018. The Planning Inspector agreed these objections and advised Rugby Borough Council (RBC) to modify their Local Plan. He also suggested that their housing figures were around 18% too high and that not all the proposed housebuilding would be needed. Please refer to the [Rugby Local Plan Examination](#).<sup>12</sup>

2.6 Brinklow Parish Council (BPC) has identified in the vision statement that growth should be limited and controlled to maintain the optimum size and character. The objectives section for housing accepts that there is a need to build additional accommodation, but not all the identified housing needs could be delivered solely by in-fill and brown field development. Any development should have regard to the immediate spatial dimensions of any proposed site. To reinforce local distinctiveness, the size, scale and density must respect the traditional local rural vernacular and be fully integrated, whilst supporting a proven local need.

<sup>10</sup> [Brinklow Village Design statement 2005](#).

<sup>11</sup> [Site Allocations Development pack for Brinklow](#)

<sup>12</sup> [Rugby Borough Local Plan Examination...Mike Hayden](#)

2.7 This led to the translation of the evidence provided by the questionnaire survey and the housing needs survey undertaken by Midland Rural Housing into proposals to provide affordable housing and specialist housing for the elderly as part of this neighbourhood plan.

2.8 Any development proposals would also be influenced by the facts that:

- Village services are already stretched to full capacity, and a significant increase in the population would need further expansion of local services.
- Due to the increasing age of the population, appropriate housing should be developed as near to the centre of the village as possible, so that services could be reached by foot or cycle.
- Bungalows and retirement housing are needed to enable those people in larger houses to downsize.
- Building of additional 5- or 6-bedroom houses would not generally be supported as some similar-sized units have been difficult to sell because they were on very restricted plots. Their owners generally commute elsewhere to work.
- An 'Affordable Housing Plan' is needed for local people.

2.9 It is against this background that BPC has to consider in detail how to approach matching the needs of the community with positive policy and specific proposals that also meet the objectives for housing identified above. This housing section has been influenced by additional detailed research and survey work that is collated in a separate [Housing Background Document](#)<sup>13</sup> and a précis of the main points are provided below.

2.10 AECOM provided a site survey for all the sites brought forward in their document: [AECOM - Site Options and Assessment Survey – 2020](#)<sup>14</sup>. Furthermore they provided a Design Codes document showing their possible developments: [AECOM - Brinklow Design Codes - January 2020](#)<sup>15</sup>. As a result of the AECOM Site Survey, most of the sites put forward were rejected for a variety of reasons. The review featured both brownfield and greenfield locations.

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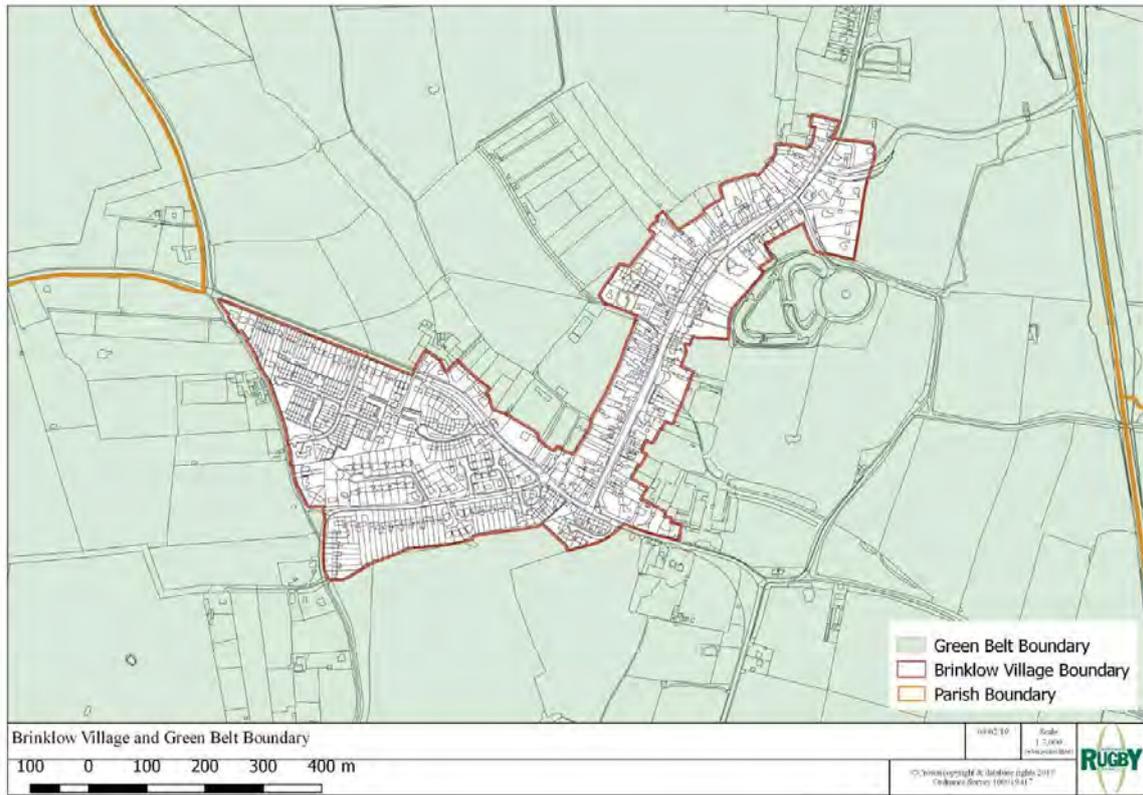
<sup>13</sup> [Housing Background Document](#)

<sup>14</sup> [AECOM Site Options and Assessment Survey 2020](#)

<sup>15</sup> [AECOM Brinklow Design Codes -January 2020](#)

**Policy HO1: Development within Brinklow limits**

Within Brinklow Village Boundary, as shown on the plan below, new dwellings with 1-4 bedrooms will be supported where development respects local character and residential amenity, and does not result in the loss of public open space, trees, hedgerows or sites recognised for their ecological value.

**Policy HO2: Development outside Settlement Boundaries**

Residential development proposals in the Green Belt must be in accordance with national Green Belt policy, as set out in the National Planning Policy Framework.

**Design Principles**

2.11 The design of any new development within the Neighbourhood Plan area must be of high quality and reflect the intrinsic character of the neighbourhood.

**Policy HO3: Design Principles**

Development in the Neighbourhood Area must be of high quality design and respect local character: materials should complement the local vernacular; the scale and height of existing buildings should be respected; the density of development should be in keeping with its surroundings; and new car parking should be supported by sensitive landscaping.

**2.12 Lutterworth Road, Brinklow:** Lutterworth Road, reference 16075, a “Preferred rural exception site” for development for affordable housing and elderly persons accommodation.

2.13 The background to this preferred site is detailed below and a general outline of the site can be found at Figure 3 below:



Figure 3: Lutterworth Road site general outline

2.14 Examination of the responses received to the questionnaire survey in connection with the neighbourhood plan revealed the following details:

- That there was support for development that related to small plots for one or two houses as infill (77%)
- Support was found for small scale schemes of between 10 to 15 dwellings (60%)
- Strong opposition to large scale development of 50 dwellings or more (86%)
- Favoured housing choices related to affordable starter homes and single storey accommodation for the elderly
- Within new building proposals 94% wished to see the provision of off-road parking and housing that was integrated into a well landscaped and open spaced development

2.15 Following these responses, the neighbourhood plan steering group commissioned Midland Rural Housing to undertake a specific Housing needs survey. That survey revealed the need for up to 12 affordable housing units, based on 8 two-bedroom units, 3 three-bedroom units and 1 one-bedroom unit. It also revealed the need for up to 7 elderly persons accommodation comprising 5 two-bedroomed units and 2 four-bedroomed units. Following these results the steering group with contributions from the landowner and other professionals prepared a sketch plan to illustrate the approach that could be taken and commissioned a Landscape and Visual appraisal of the site and its setting from Glenkemp landscape architects. From these reports we determined that the site should be promoted as a rural exception site and follow the guidance provided in the NPPF for such sites.

## 2.16 Extract from NPPF - 2021:

*A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are Paragraph 149:*

- (a) buildings for agriculture and forestry;*
- (b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;*
- (c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;*
- (d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;*
- (e) limited infilling in villages;*
- (f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and*
- (g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:  
not have a greater impact on the openness of the Green Belt than the existing development; or  
not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.*

## 2.17 Extract from the [Housing Strategy 2018-2020](#) entitled “The Rugby of the Future” states: -

*The majority of new sustainable housing and employment development will be focused on Rugby urban areas. Sustainable growth of main rural settlements will also take place to meet the housing needs of the rural population and provide support for rural infrastructure and services. Infrastructure to support growth will be phased into developments in such a way to ensure impacts are properly mitigated.*

2.18 Following from the survey results provided by MRH and an assessment of the Landscape and Visual Outline appraisal by Glenkemp<sup>16</sup> we developed a brief that took those findings and applied them to the Lutterworth Road site. We decided that from that report we should consider predominantly a range of affordable and elderly persons accommodation both of which can be regarded as exception sites under the NPPF. The mix of accommodation that we identified comprises up to 12 affordable housing units, based on 8 two-bedroom units, 3 three-bedroom units and 1 one-bedroom unit, up to 7 elderly persons bungalows, 5 two-bedroom, and 2 four-bedroom units. A further 1 four-bedroom dwelling is proposed as an open market provision to help support the overall cost of the development.

2.19 Following the [Landscape and Visual Appraisal Report](#) prepared by Glenkemp Landscape Architects in December 2020 this layout was amended into that shown below in Figure 4: Indicative Site Layout Plan that then took account of the extent of development footprint that was now defined by landscape related constraints. These details were the subject of discussions with the Parish Council, MRH and Rugby Borough Council in January 2021 and as a result it was suggested that the overall plan was an approved way forward,

<sup>16</sup> [Landscape and Visual Outline Appraisal Report](#)



2.24 We have also considered the findings against the advice provided within Rugby Borough Council [Housing Needs SPD 2021](#)<sup>17</sup> and their [Housing Strategy 2018 -2020](#)<sup>18</sup> and concluded that it is an important aspect of the neighbourhood plan to respond to meeting identified needs for rural housing in this case based on the need for affordable housing and the needs of the elderly.

2.25 The decision to promote this site in Lutterworth Road was influenced by the results of the [Landscape and Visual Outline appraisal](#)<sup>19</sup> including [LVA Figures 1-6](#)<sup>20</sup> by Glenkemp Landscape Consultants which identified the need to retain and enhance the existing hedgerows and trees that surround the site in accordance with policy NE3 of the Rugby Local Plan which seeks to ensure that significant landscape features are protected and enhanced, and that landscape design is a key component in the design of new development.

2.26 A sketch plan has been prepared to illustrate these aspects and is included as Figure 4 within the policy wording for Policy HO4 Lutterworth Road preferred rural exception site.

**Policy HO4: Lutterworth Road Brinklow**

**The development of land at Lutterworth Road (see Figures 3 and 4) as a rural exception site for the development of up to 12 affordable houses and up to 7 elderly persons dwellings will be supported subject to it being demonstrated that the development meets identified housing needs. Proposals must demonstrate how development will retain and enhance the significant landscape features identified on Figure 4.**

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<sup>17</sup> [Housing Needs SPD 2021](#)

<sup>18</sup> [Housing Strategy 2018-2020](#)

<sup>19</sup> [Landscape and Visual Outline appraisal](#)

<sup>20</sup> [LVA Figures 1-6](#)

## Topic 2 Green Spaces and Environment:

### Objective 2

3.1 This relates to preserving existing features inside the village that bestow 'rural character': the overall 'ribbon' shape of the village, woodlands, footpaths, roadside farms and paddocks at the village boundaries and the former canal arms. In support of this objective reference is made to the extensive network of rights of way in the Parish which are a valuable amenity for the village, and which should be protected and enhanced. The health benefits of walking are clear, and the countryside should be opened up more to visitors throughout the Parish and Neighbourhood Plan area. A map of the existing rights of way and public footpaths such as the canal towpath is provided as figure 5.

### Policy E1: Public Rights of Way

**Improvements and extensions to Brinklow's footpath network will be supported.**

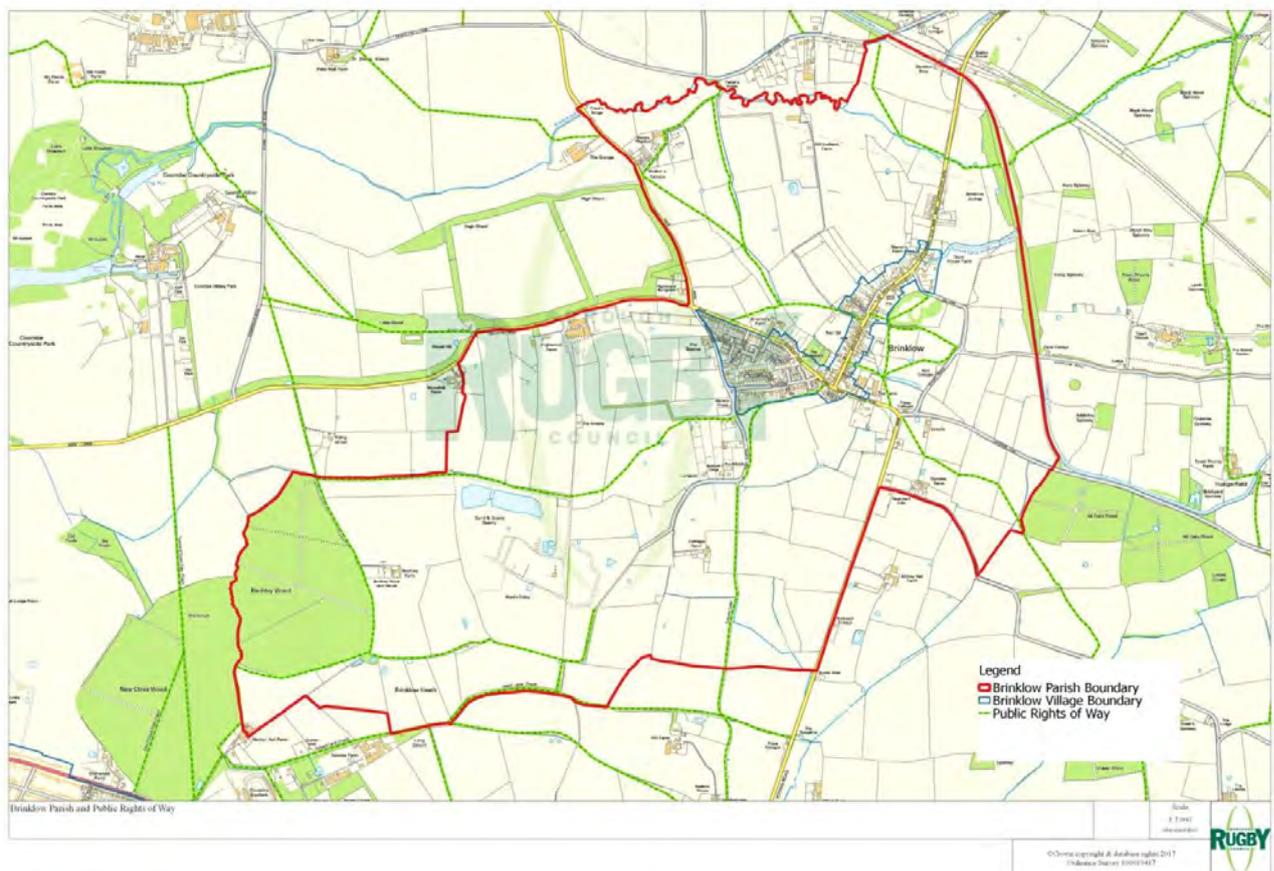


Figure 5: Rights of way around Brinklow

3.2 Figure 5 shows that Brinklow is surrounded by an important public rights of way network. This comprises a valuable amenity for the village, providing health benefits and access to the countryside.

3.3 The Parish Council supports the expansion of Brinklow's public rights of way network, including the creation of an additional footpath from the top of Ell Lane to the canal.

**Explanation:**

3.4 As the map above shows Brinklow is surrounded by a network of rights of way which are a valuable amenity for the village and as such should be protected. The health benefits of additional walking are clear, as are the benefits to the Parish of opening up more countryside to visitors.

### **Objective 3: To maintain and improve the existing public green areas in the village**

#### **Explanation in support of objective 3**

4.1 Brinklow Parish is surrounded by green belt land as shown in the Land Parcel BR1 of the [Rugby Green Belt Assessment](#)<sup>21</sup> However there are also green spaces in the village which are of major importance to parishioners. The minimum ratio of green space to population, as defined in Natural England's Greenspace Standard Recommendations, should be applied to all new developments in the Neighbourhood Plan Area. Paragraph 101 of the NPPF also requires that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless specific conditions are met.

4.2 In accordance with paragraph 103 of the National Planning Policy Framework local communities through their neighbourhood plans can identify for special protection green areas of particular importance, ruling out new development except in exceptional circumstances.

4.3 Paragraph 102 of the NPPF sets out the criteria that green space must meet to be designated as Local Green Space:

The Local Green Space designation should only be used where the green space is:

- a) in reasonably close proximity to the community it serves;
- b) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and
- c) local in character and is not an extensive tract of land.

4.4 These criteria have been applied to seven green open spaces within the Parish identified as:

1. The Crescent
2. Playing field Barr Lane
3. The Peace and Reconciliation Memorial
4. The Allotments
5. Field adjacent the Tump
6. Church Field
7. Brinklow Cemetery

Their location and a detailed report with photographs and assessment of the applicability of the 3 criteria and details of their individual characteristics are provided in the [Green Spaces and Environment Evidence Document](#).<sup>22</sup>

4.5 The conclusions from that study are that:

1. The Crescent was the site of a medieval market, and its openness contributes to the setting of the village opposite The Tump, opposite the Church and in Broad Street and the overall historic context should be maintained.
2. The playing field not only includes sports and play areas but also an open space that is flexible and important for use for festivals and other events that sustain and enhance social and community activities
3. The Peace and Reconciliation Memorial is a small area but most important to be retained undisturbed for reflection and commemoration

<sup>21</sup> [Rugby Green Belt Assessment](#)

<sup>22</sup> [Green Spaces and Environment Evidence Document](#)

4. The Allotments play an important role in the community and encourages biodiversity and healthy lifestyles.
5. The field adjacent the Tump: This a historic site with links to Anglo Saxon times.
6. Church Field An open space that effects a setting for the 12<sup>th</sup> Century Church and whose historic relationship should be preserved.
7. Brinklow Cemetery: Has historic connections from 1884 to the present day and is of personal importance to many residents.

#### **Policy E2: Areas of Local Green Space**

**The seven areas identified in the supporting text and on the plan(s) below are designated as Local Green Space. The management of development within areas of Local Green Space will be consistent with that for development within Green Belts as set out in national policy**

1. The Crescent, which is the site of Brinklow's medieval market, and as such historically important.



*Photo 1a: The Crescent, opposite the Tump 52.412858, -1.360028*



*Photo 1b: The Crescent, opposite the Church 52.413071, -1.359807*



*Photo 1c: The Crescent, off Broad Street 52.412562, -1.360359*

2. The Playing Field, including the tennis court, children's play area and skateboard ramp, which is an important recreational space for village children and the junior football team. Many adults and dog walkers enjoy it on a daily basis. Major village events like the Brinklow Scarecrow festival also use it.



*Photo 2: Playing Field Barr Lane 52.412240, -1.362199*

3. The Peace and Reconciliation Memorial, because of its association to the members of the village who gave their lives in several conflicts.



*Photo 3: Green space by the Peace and Reconciliation Memorial 52.409263, -1.362651*

4. The Allotments, which are an important community facility. Rugby Borough Council's [Green Infrastructure Study](#) recommended in the biodiversity section that land for allotments should be retained and their use promoted. They make a valuable contribution to biodiversity and healthy lifestyles, represent years of public and individual investment, and are worthy of protection. The members of the Brinklow Allotment Society voted unanimously at their AGM, on the 28<sup>th</sup> of February 2018, for the allotments to be included as a Protected Local Green Space. See the [Minutes of Brinklow Allotments AGM](#).



*Photo 4: Brinklow Allotments Green Lane 52.412086, -1.371955*

5. Field adjacent to the Tump which is a valued approach to our most famous monument linking the village to Anglo-Saxon times 52.412918, -1.359619



*Photo 5: Field adjacent to the Tump 52.412918, -1.359619*

6. Church Field which grants a fine view of our 12<sup>th</sup> Century Church 52.412459, -1.359168



*Photo 6: Church Field 52.412459, -1.359168*

7. Brinklow Cemetery: This was opened in 1884 as there was no space left in the churchyard for burials. It is of personal and historic importance to the inhabitants of Brinklow.



*Photo 7: Brinklow Cemetery 52.416324, -1.355420*

**Policy E3: Important Open Space.**

**Development must respect the positive contribution made by the areas of important open space listed and shown in the plan below.**

- Side of Green Lane 52.411083, -1.370718
- Behind Great Balance 52.410556, -1.370170
- Off George Birch Close 52.410323, -1.368814
- Off Coventry Road towards Yew Tree Hill 52.411222, -1.366808
- Corner of Yew Tree Hill 52.410607, -1.365583
- Coventry Road and other side of Yew Tree Hill 52.410496, -1.365463
- Potters Close 52.409851, -1.365727
- Green space corner of Fosse Way 52.407999, -1.358749
- Green space on B4455 52.409068, -1.362066
- Large green verges off Heath Lane 52.409432, -1.366583
- The triangle on Green Lane 52.409127, -1.369728
- Large green off Great Balance 52.410471, -1.370304
- Green Space Ell Lane 52.412785, -1.355473
- Triangle of land next to Cemetery on Lutterworth Road 52.416476, -1.355795

Full details are given in the [Green Spaces and Environment Evidence Document](#).

**Objective 5: Increased protection of trees and wildlife and preserving existing features that bestow rural character.**

The following details and policies support that objective.

**Explanation: Agricultural Land**

5.1 Agricultural land is an essential part of the landscape of Brinklow as well as providing local employment and food security for the nation. In addition, the beauty of the landscape around Brinklow consists of the combination of hills and agricultural land. In many fields adjoining the settlement, the ancient pattern of ridge and furrow is well preserved. This historic landscape feature is greatly valued and should be protected.

**Policy E4: Agricultural Land**

**Development of the best and most versatile agricultural land (defined as land in grades 1, 2 and 3a of the Agricultural Land Classification) will normally be resisted unless it can be demonstrated that significant development of agricultural land is necessary to meet a proven need, and no other land of a poorer agricultural quality is available.**

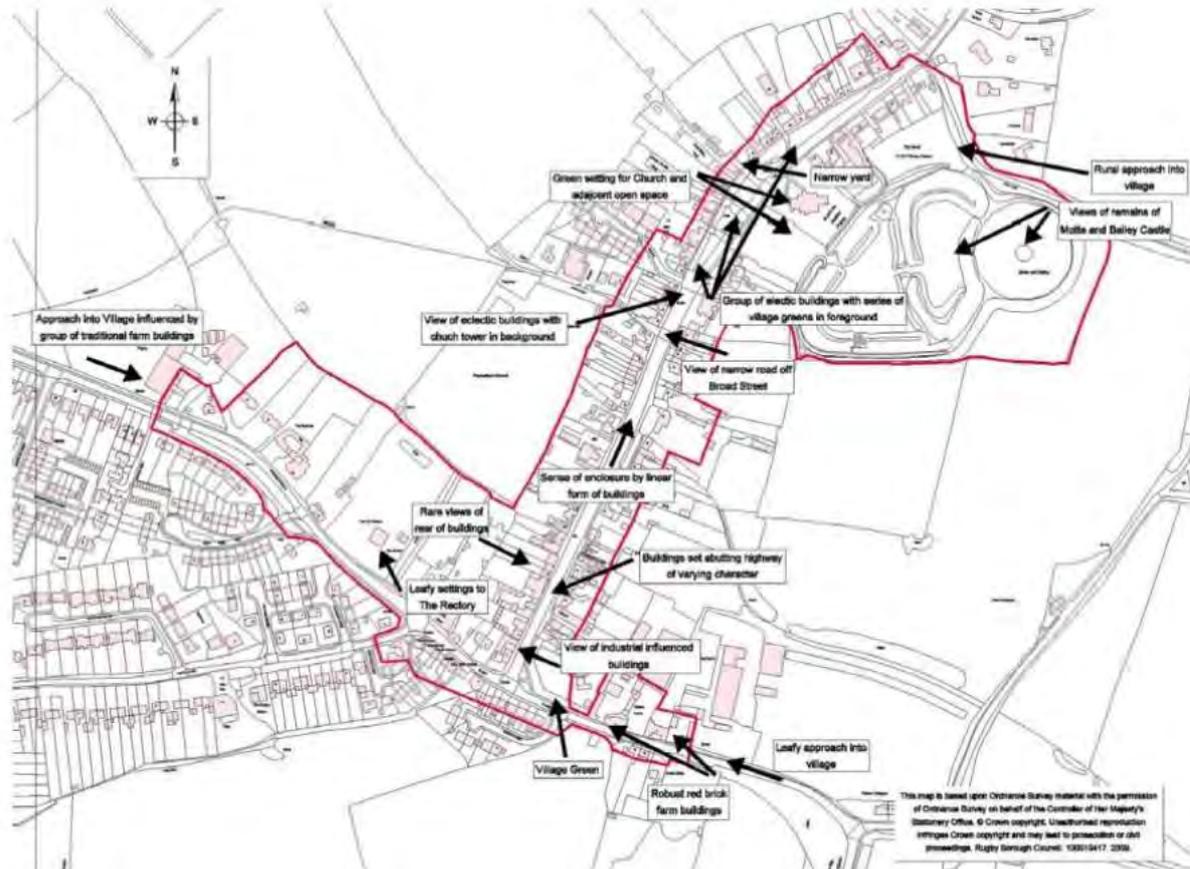
**Explanation: Landscapes, Vistas and Skylines**

5.2 The green areas of land within and on the edge of the settlement boundary are important features of Brinklow and characterise the village. These pieces of open land bring the countryside close and afford views across fields. They should enable an excellent system of paths to give residents and visitors easy access to the countryside and act as wildlife habitats and corridors. Important aspects of the Brinklow landscape can be seen from the Motte and Bailey historic monument and all approaches to the village and are valued local assets.

### Policy E5: Landscapes, Vistas and Skylines

Development should respect landscape character, including the key views and vistas identified in the plan below.

Figure 6: Key views



### Explanation: Renewable Energy

5.3 This Neighbourhood Plan seeks to encourage rather than stifle opportunities to establish the generation of renewable energy in appropriate locations where the benefits of such projects clearly outweigh any harm. The results of the questionnaire survey showed some support for solar energy schemes, less so for wind energy.

5.4 The potential benefits of renewable energy generation through processes such as biomass, ground source and air source heat pumps, hydroelectric, solar, wind and thermal capture and Energy Storage are all well-documented. The low carbon scene has been changing rapidly and has been controversial in that despite large subsidies CO2 has not always been reduced, due to the effects on the rest of the power system. In particular, solar and wind power do not arrive in time with peak power demand.

### Policy E6: Renewable Energy

**Renewable energy proposals will be supported where they are demonstrated to respect local character and residential amenity. Proposals must demonstrate how the proposal has been designed to address visual impact and landscape character, ecology and heritage.**

### Explanation: Biodiversity and Habitats

5.5 Proposals that will have an impact on woodlands, hedges and trees should incorporate measures to protect their contribution to landscape character, public amenity and biodiversity. The loss of those trees which are of high public amenity value will be resisted and such trees will be protected by the use of Tree Preservation Orders. Where possible, removal of hedgerows will be resisted.

Details of the character of the landscape and its hedgerows are provided in the map below.

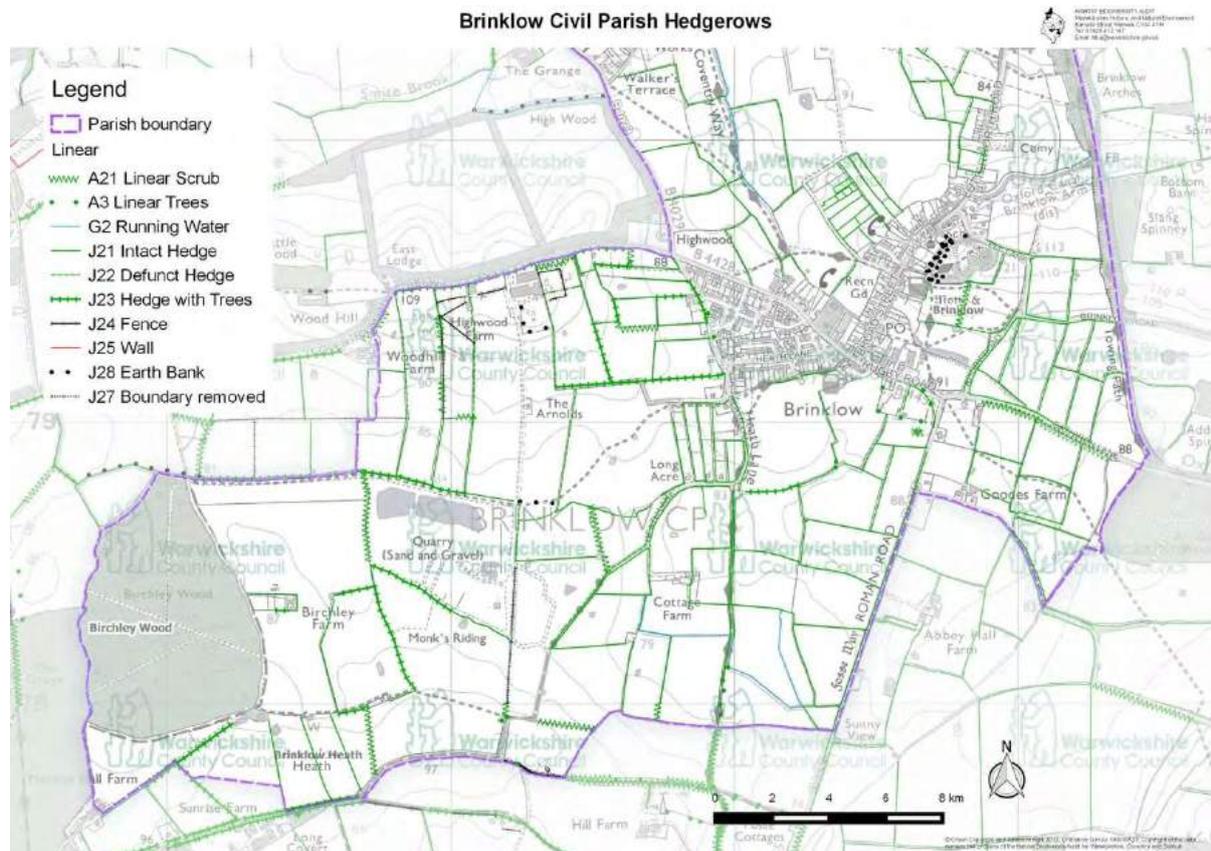


Figure 7: Brinklow Civil Parish Hedgerows

5.6 Biodiversity is an important feature of Brinklow and provides a valued recreational activity for parishioners, besides Brinklow being an important reservoir for local wildlife. There are many species in the Parish, including bats, otters, water voles, frogs, toads, great crested newts and hedgehogs. They can all be seen in the [Brinklow Civil Parish Species Map](#).

5.7 Please also see the [Brinklow Ecology Report](#), the [Brinklow Castle Plant List](#), [Brinklow Habitats](#) and [Brinklow Woodland Connectivity](#)

#### **Policy E7: Biodiversity and Habitats**

**Development proposals impacting on biodiversity will be required to demonstrate how any potential impact on local wildlife sites, habitats and species networks has been taken into account. Wildlife and habitats should be protected and development should result in net gains for biodiversity.**

**This will require appropriate measures being put into place to protect wildlife and habitats and enhance biodiversity.**

**Woodlands, trees, hedges, ponds and watercourses, unimproved/semi-improved grassland, heathland and other habitats should be retained wherever possible. Biodiversity loss resulting from development must be minimised this includes national and local designated sites. If development is permitted, any consequent loss of biodiversity must be minimised and mitigated by the creation of new habitats or the enhancement of existing habitats.**

#### **Hedgehogs**

5.8 Hedgehogs have much declined in recent years, notably in more rural areas such as this, and are now a priority concern for nature conservation as defined in the Warwickshire, Coventry and Solihull Local Biodiversity Action Plan. The Wildlife Trust and British Hedgehog Preservation Society have designated 'Hedgehog Improvement Areas' to help conserve this iconic species. The local community values the presence of hedgehogs and other wildlife within the neighbourhood and is keen to ensure that they are protected.

5.9 The Neighbourhood Plan Area is situated within a Hedgehog Improvement Area and sightings of hedgehogs have been reported, particularly in Brinklow village. Connectivity and shelter for ground-dwelling wildlife should be encouraged in the Neighbourhood Plan Area, through features such as native species hedgerows and grassy margins.

#### **Policy E8: Hedgehog and other Wildlife Protection**

**The development of features to help the biodiversity and protection of species, such as hedgehogs, will be supported and should form part of major development schemes. Boundaries and barriers forming part of development proposals should be made permeable, for example through the use of fence panels with 13cmx13cm hedgehog holes at the base.**

## Local Wildlife Sites

5.10 Within Brinklow we have three Local Wildlife Sites and two potential wildlife sites. Refer to the [Brinklow Wildlife Report](#)<sup>23</sup> for details of all these sites. A plan showing their location is provided as Figure 8 below.



Figure 8: Brinklow Wildlife Sites

### Policy E9: Local Wildlife Sites

The Local Wildlife Sites (and Potential Sites) identified on Figure 8 will be protected from development likely to result in loss, deterioration, degradation or harm.

<sup>23</sup> [Brinklow Wildlife Report](#)

### Topic 3 Business and Tourism

#### Objectives:

6.1 The Neighbourhood Plan identified the following objectives:

- To develop where possible agricultural and small businesses, particularly those offering retail outlets.
- To encourage homeworking and opportunities for start-up businesses.
- To encourage visitors to the village, thus supporting existing shops, cafés and pubs.
- To support providers of short stay accommodation.

#### Policies:

6.2 Policies for Business and for Visitors to the Parish are proposed as set out below and with due regard to the objectives above. The policies are those drafted as B1, B2, B3, B4 and B5.

#### Explanation of the character of existing businesses:

6.3 There are a number of existing businesses which operate within the Parish, noticeably farming and associated businesses, along with several shops, a Post Office, public houses, cafés and fast-food outlets. In addition, a number of service trades are based in the village, such as builders and carpenters, plumbers and electricians. There are also several businesses which provide support to residents, from children's nurseries and a kennels and cattery business to accountants and computer specialists.

#### Policy B1: Existing Businesses

**The expansion of existing businesses and the re-use of buildings for alternative employment uses will be supported, subject to development respecting residential amenity and local character.**

The criteria in Local Plan Policy ED3 should be applied:

6.4 With the exception of those sites allocated for employment purposes in the 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:

- 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;
- 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;
- Small-scale 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
- 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.

6.5 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.

6.6 All proposals will be subject to a thorough assessment to make sure their scale, nature and location are appropriate, including the need to:

- Limit the impact on local communities, the character of the local landscape, and the natural environment;
- Minimise impact on the occupiers and users of existing properties in the area;
- Avoid an increase in traffic generation that would have an adverse impact on the local road network, unless suitable mitigation to address the impact can be provided;
- Make provision for sustainable forms of transport wherever appropriate and justified; and
- Prioritise the re-use of brownfield land and existing buildings.

**Explanation for the policy for new businesses:**

6.7 Interest in new businesses was expressed in the responses to the questionnaire survey and at open meetings. Additional retail outlets were identified as a benefit for the village, providing new employment opportunities and helping to sustain current businesses. Suggestions included encouragement for one-man or woman businesses and craftspeople.

6.8 The reduction of traffic flow at peak times was seen as an obvious benefit, along with more efficient use of workers' time. In addition, village-based workers may well increase their use of existing facilities.

**Policy B2: Additional and alternative businesses**

**Within the Brinklow Neighbourhood Plan Area, support will be given to residents who wish to set up new small businesses, either in converted or new premises or from their own homes, provided they do not give rise to loss of amenity for neighbouring property.**

**Background for traffic and parking issues**

6.9 Traffic and parking relating to businesses are major issues for the community. New development can have a negative impact on some aspects of village life, in particular with additional traffic and the need for more parking spaces either on site or in the village streets. Any new proposals will be expected to provide off road parking that meets the Council's adopted standards for businesses.

**Policy B3: Proposed new car park area for the village**

**To promote the aim of supporting existing businesses and attracting new commercial enterprises, especially those relating to tourism, the Brinklow Neighbourhood Plan will support the provision of an additional car parking area for the village located ideally within easy reach of the centre of the village.**

**Explanation for promotion of tourism and increased visitors:**

6.10 There are a number of places of interest within the Parish, or within easy reach. Visitors often base themselves in the centre of the village, to experience the history and heritage. The village is an ideal location for access to areas of interest outside the Parish. Walkers often base themselves in the village, to enjoy recognised routes, such as the Coventry Way or along the Canal. More visitors will give support to some of the businesses already in place, such as the village shop, local pubs, restaurants, and bed and breakfast services and will help to revitalise the economy of the village by attracting new businesses to the area that are tourism/visitor led.

6.11 Promotion of the local countryside and better marketing of the Parish to visitors and to attract new businesses will be encouraged, whilst recognising the impact of increased traffic and parking

issues, and the effect on the environment. A balance is required between maintaining and improving local facilities in a viable way, and not turning the Parish into a small town.

6.12 Occasional events such as the Scarecrow Festival and the Christmas Market will be encouraged, which add interest and a sense of community for residents. Such events also increase the use of local facilities by the influx of visitors for specific occasions.

6.13 Support for a reliable local taxi service would be welcomed by businesses and residents.

**Policy B4: Tourism and Visitor attractions**

**The development of tourism and visitor facilities that respect local character, residential amenity and highway safety, will be supported.**

## Topic 4 Transport

### Objectives

7.1 To support access to commerce, employment, family and friends we will support the improvement of public transport facilities. We are aware of the pressures of living in a rural community and reliance upon personal transport, and we will seek to support improved parking in the village and road safety. While recognising the impact of travel on the environment we will work with other agencies to improve highway, pedestrian and cyclist safety.

### Background to Policies:

7.2 The consultation process and evidence gathering process has highlighted a number of issues connected with transport, these being congestion, noise, vibration, parking, speed and access to reliable public transport. A full survey of village traffic was undertaken by surveys conducted by Leicestershire County Council on behalf of Warwickshire County Council between 6<sup>th</sup> and 13<sup>th</sup> March 2018. The analysis of these surveys is available at [Brinklow Traffic Survey](#)<sup>24</sup>.

7.3 The Transport Policies under this section aim to:

- Support safe, integrated and efficient transport that promote public transport with the aim of encouraging greater use.
- Promote new development that supports sustainable travel and reduces reliance on car use and schemes that make it easier and safe to walk around the Parish.
- Promote improved, linked walking routes within the Parish and to the countryside.
- Promote the re-instatement of Brinklow station or provision of new rail connections within the Parish.
- Promote better traffic management and safe cycle routes on the highway and on paths that access the countryside.
- Promote provision of more parking spaces, especially near local amenities to support local businesses.

### Community Action: Partnership Working

7.4 Reducing the volume of traffic on roads within the Parish will help deal with issues concerning congestion, road safety, noise and vibration. This Community Action seeks to encourage greater cooperation between the Parish Council and those that can influence the development of public transport options and alternative options to methods of transport such as walking and cycling.

### Community Action: Partnership Working to achieve objectives

**Brinklow Parish Council will work in partnership with Warwickshire County Council and Rugby Borough Council, Network Rail and public transport operators, as appropriate, in pursuit of the following aims:**

- **To develop a high-quality integrated transport system for the movement of residents, workers and visitors by public transport, walking, cycling and private vehicles, so facilitating access to jobs and services, and for the local movement of goods.**
- **To initiate and promote schemes and projects to improve highway safety.**
- **To positively consider the needs of those with disabilities and provide appropriate facilities in the transport infrastructure to assist them.**
- **To positively encourage walking, cycling and the use of public transport, including initiating and developing infrastructure improvements which assist and safely promote these sustainable means of travel.**

<sup>24</sup> [Brinklow Traffic Survey](#)

- To minimise the length and number of motorised journeys, so reducing travel demand, congestion, road accidents and greenhouse gas emissions.
- To promote efficient and timely repairs and resurfacing of roads, footways and other public areas including highway drainage.

#### **Explanation for Community Action Transport infrastructure projects**

7.6 In response to transportation issues identified in the consultation, this Policy recognises that the Parish Council will have to support, develop and where necessary initiate projects to reduce the impact of transport within the Parish.

#### **Community Action: Transport infrastructure projects**

**Brinklow Parish Council will work in partnership with Warwickshire County Council, Rugby Borough Council, Network Rail, Canal and River Trust, public transport operators and the voluntary sector, as appropriate, to develop and promote the following projects:**

- Protecting, enhancing and developing the rural footpath and walking routes network, particularly the Coventry Way.
- Promotion of the bus service within the Parish and the provision of digital information to help users access services.
- Long-term promotion of re-instating Brinklow railway station or support for a more accessible local railway station to connect the community with larger conurbations and employment helping to reduce the reliance on car journeys and congestion.
- Signage and electronic information boards that promote cycle use, and safe use of the highway by vehicles.
- Environmental changes that promote the safe use of the highway and reductions in speeding vehicles.
- Support change of land use to provide improved village car parking and sustainable transport arrangements; and
- Highway design that includes disabled access.

#### **Community Action: Transport and Rural Crime**

7.7 To promote safety and reduce crime in the rural environment, this Community Action seeks to identify and use technologies that deter crime, such a car theft or the use of vehicles to carry out crime. The Community Action also seeks to promote the safe use of the highway by other drivers and pedestrians.

#### **Community Action: Transport and Rural Crime**

**Brinklow Parish Council will work with Warwickshire County Council, Rugby Borough Council, and Warwickshire Police to ensure the transport infrastructure is safe and supports initiatives to reduce rural crime through the following:**

- Signage and digital information and control systems that promotes the safe use of the highway.
- Dedicated facilities that help the Police or Rugby Borough Wardens to park and interact with the community.

**Community Transport: Transport and the Environment**

7.8 Transport has impacts on the environment and this Community Action seeks to mitigate these impacts.

**Community Action: Transport and the Environment**

To help sustain the environment as transport initiatives are being developed, Brinklow Parish Council will:

- Support the development of public electric charging points for cars.
- Will support and encourage new development whether commercial or residential to incorporate electric charging points for vehicles.
- Promote the change in land use when the project encourages public transport or low carbon transport.
- Encourage the provision of public parking spaces for cycles.
- Encourage Highway design that reduces congestion and speed.

## **Topic 5 Infrastructure and Connectivity:**

### **8.1 Objectives:**

- Support the provision of faster broadband for the whole village and elimination of mobile phone dead spots.
- Support improvement of footpath provision and cycle access, subject to the protection of the environment.

### **Community Action: Improvements for the Prevention of Crime**

8.2 The Questionnaire and Traffic Survey highlighted concerns with speeding vehicles and crime, and some support for Speed Cameras and CCTV systems.

Many capabilities are available now, and technology is developing rapidly, especially in China. There could be opportunities to provide:

- Number plate recognition
- Issuing speeding warnings, 'naming and shaming', and then fines
- Recording all vehicle movements through the Parish
- Facial recognition
- Outputs in a readily usable form

### **Community Action: Encourage study and deployment of village wide surveillance system**

**The Parish Council will seek to encourage improvements to the delivery of broadband and other technical hardware such as CCTV and security systems assisting in the prevention of crime.**

### **Community Action: Connectivity Hub**

8.3 A dedicated local facility might be useful to:

- House a control room for the technical hardware including a Surveillance System as described above
- Provide facilities to host selected preferred suppliers' support for all I&C services by Utilities, broadband, burglar alarms, domestic CCTV, home PC etc.

### **Community Action: Connectivity Hub**

**The Parish Council will seek to support the allocation of land or part of a building for a connectivity hub, if a need for such is confirmed.**

### **Community Action: Broadband and mobile phone coverage**

8.4 Fast broadband speeds are available in the Parish, as the kerbside cabinets now have fibreoptic connections to the local exchange. The questionnaire response confirmed that this is no longer a major concern for most. However, technology and providers change rapidly, and being a small Parish there could be a risk of being 'left behind'. The situation should be periodically reviewed and opportunities highlighted.

### **Community Action: Broadband and mobile phone coverage:**

**The Parish Council will monitor the efficiency of the broadband and mobile phone coverage at regular intervals and, where necessary, seek improvements in order to ensure continuing high standards of service.**

## Topic 6 Community Facilities

### Objectives:

9.1 To protect, sustain and enhance the health, wellbeing, leisure and cultural facilities available in the village.

### Explanation of the policies for community facilities

9.2 A description of the community facilities within the Parish and the village of Brinklow has been provided within the background paper on Community facilities that is part of the evidence gathering to inform this neighbourhood plan.

9.3 The various consultation events and responses to the questionnaire survey indicated the wish to:

- Support the religious and other community facilities within the village to continue to maintain recreation, sport, and community activities.
- To provide additional services and facilities that will enhance those activities
- To introduce provision of social and sports facilities for older children
- To offer additional commercial services such as cash point for banking
- To improve access to healthcare and outdoor recreation areas

The following policies seek to guide the introduction of these improved services.

#### **Policy CF1: To Protect existing Community Facilities**

**Development that will result in the loss of community facilities and/or services will not be supported unless it can be demonstrated, further to evidence of 12 months open marketing, that the facility/service is no longer viable; or that the facility/service will be replaced by an equal or better facility or service, located in an equally or more accessible location. The change of use of existing facilities to other uses or redevelopment will not be permitted unless the following can be demonstrated:**

- The proposal includes alternative provision, in a suitable location, of equivalent or enhanced facilities, and the change is supported by the majority in the village.
- Such sites must also be accessible by public transport, walking, cycling or by car and have adequate car parking.

**Policy CF2: To support additional services and facilities for religious and other community activities**  
**Additional services and facilities for religious and other community activities that respect residential amenity and local character will be supported.**

**Policy CF3: To help enhance provision of social and sport facilities for older children:**  
**The development of social and sporting facilities for older children will be supported, subject to such development respecting residential amenity.**

**Policy CF4: To offer additional commercial services such as a cash point**  
**The development of commercial services, for example a cash point for banking, will be supported where such development respects the amenity of neighbours.**

**Policy CF5: Access to Healthcare and Outdoor Recreation Areas**  
**The provision and improvement of healthcare facilities and recreation areas and/or associated access and car parking, will be supported subject to such development respecting the amenity of neighbours.**

## Topic 7 Conservation and Heritage:

### 10.1 Objectives:

- To preserve and enhance the conservation and historic assets of the village and to seek to protect and improve public accessibility to key historic sites.
- To preserve and enhance the natural features of the village especially the protection and management of existing hedgerows, vegetation and ponds for the benefit of wildlife and human visitors.

### Explanation of Heritage Assets:

10.2 Brinklow Parish includes a designated Conservation Area and 26 listed buildings as well as a telephone box and canal bridge that have Listed Status. In addition, “The Tump” (motte and bailey castle) is a Scheduled Ancient Monument. Each of these significant features needs preserving or enhancing.

10.3 There are further buildings and features within the Parish which, although not designated as Heritage Assets, are of sufficient architectural or historic merit to be considered an important part of the character of the Parish. As such they also need preserving or enhancing.

10.4 Further details of the character of the Conservation Area, the Listed buildings and other important features of architectural and historic merit in Brinklow and the surrounding Parish area are provided in the background paper [Brinklow Historic Environment Summary Report 2018](#)<sup>25</sup> lodged as part of the evidence gathering that informs this neighbourhood plan. More details of Brinklow’s Historic Character are in the [Historic Character Assessment](#)<sup>26</sup>

10.5 The details include a report and plan of the Conservation Area, details of the character and location of the listed buildings and an assessment of the additional buildings and features that are considered worthy of architectural or historic merit to be considered as important parts of the character of the village and Parish.

10.6 Brinklow is one of the UK’s best examples of medieval town planning with the evidence still visible in the village layout. Of particular importance is the area of the Crescent, which is the only example of a medieval cattle market left in Warwickshire.

10.7 Rugby Borough Council’s current and proposed planning policies provide protection to conservation areas and heritage assets but allow for development that sustains and enhances those assets. These Neighbourhood Plan Policies reinforce these requirements.

### **Policy HC1: Conservation and Enhancement: Listed Buildings and Conservation area.**

**Development in Brinklow Parish should conserve or enhance heritage assets, including the settings of Listed Buildings and the Conservation Area, in a manner appropriate to their significance.**

### **Background and Explanation of Policy HC2 Relating to the Natural and Historic Landscape Features**

11.1 Brinklow Parish is a rural settlement in a Green Belt area. It has extensive evidence of ridge and furrow landscape, ancient woodlands, hedgerows and includes a number of protected trees. There are actual and potential Local Wildlife Sites. Views when approaching the village highlight the natural and architectural features of the Parish. Rugby Borough Council’s current and proposed

<sup>25</sup> [Brinklow Historic Environment Summary Report 2018](#)

<sup>26</sup> [Historic Character Assessment](#)

planning policies protect and seek enhancements to the natural and historic landscape. These Neighbourhood Plan Policies reinforce these requirements.

**Policy HC2: Natural and historic landscape features**

**Proposals for development within Brinklow Parish will be assessed having due regard to the character and features of the natural and historic landscape (woodlands, trees, hedgerows, views, vistas and local wildlife sites) which should be preserved and protected from unsympathetic development. Landscape planning for new developments to have a positive impact in terms of supporting existing landscape features and adding to them through, for example, planting trees and hedges.**

**Community Action: Extension of Brinklow Conservation Area**

11.2 The Brinklow Conservation Area encloses the majority of the Parish's heritage assets (Listed Buildings and Scheduled Ancient Monument), but not all. There are significant features that are outside of the Conservation Area and which would benefit from the protection afforded by being brought within the Conservation Area.

**Community Action: Extension of Brinklow Conservation Area**

**The Parish Council will look for opportunities to support the assessment of the Conservation Area and scope for its extension with the aim of providing greater protection for heritage assets.**

**Explanation of Historic Farmsteads Policy HC3**

11.3 Brinklow is a rural village in which farmsteads and traditional farm buildings (whether still in use for their original purpose or not) make a fundamental contribution to local distinctiveness and sense of place, through varied forms, materials and the way they relate to surrounding landscapes and settlements. This is an important aspect of the heritage of the Parish.

**Policy HC3: Historic Farmsteads**

**The redevelopment, alteration or extension of farmsteads and agricultural buildings of historic interest should be sensitive to their distinctive character, material and form.**

**Explanation of Archaeological Policy HC4**

11.4 Brinklow is a village steeped in history from the Bronze Age onwards through Roman, Anglo Saxon, and Norman Times. It has evidence of past enterprise such as candle making, brick making and has links with the evolution of transport through the canal and train eras. The historic environment is a Core Planning Principle and archaeology is an important aspect of the historic environment. This policy will ensure that development in Brinklow takes account of archaeological considerations.

**Policy HC4: Archaeological Considerations**

**Where a site on which development proposed includes, or has the potential to include, heritage assets with archaeological interest, proposals should demonstrate that they have taken account of potential impacts on above and below ground archaeological deposits. In all instances, the Warwickshire Historic Environment Record should be consulted at an early stage.**

### **Implementation Monitoring and Review**

12.1 This section outlines the approach to the implementation of the Neighbourhood Plan, including working in partnership, funding mechanisms, priority projects and monitoring/review. The approach will be that new development should be supported by the timely delivery of infrastructure, services and facilities to provide a balanced, self-sufficient community.

12.2 Brinklow Parish Council is committed to Localism and locally informed influence over planning decisions and it will be the key organisation in the monitoring and review of the Neighbourhood Plan. The Council will build upon its track record in engaging planning decisions and by delivering related projects for the community. However, it is recognised that partnership working is needed for the potential of the Plan to be realised. It is our intention to apply for Section 106 money from any housing projects and use it towards the new facilities proposed below.

### **Working in Partnership**

13.1 Partnership and joint working will be key elements in the successful implementation of the plan. The main organisations and the roles that they can play are summarised below:

Rugby Borough Council. Planning and Building Control, Parks and Open Spaces and Housing.  
Warwickshire County Council. Highways and Transport. Drainage and Flooding. Rights of Way. Education. Landscape. Social Services.

Adjoining Parish Councils. Assessing impact of large-scale planning applications.

Natural England and Warwickshire Wildlife Trust. For proposals affecting their stated interests.

Sport England. On assessments and strategies for indoor and outdoor sports delivery.

Environment Agency. Consultation on flood risk management, water quality, waste management, contamination, permits and other regulation.

Larger businesses and landowners. Consultation on proposals affecting the parish, in particular concerning any new housing schemes.

The Canals and Rivers Trust. In respect of projects affecting the Oxford Canal.

### **Funding and Implementation Mechanisms**

14.1 Contributions will be sought from developers, through S106 Agreements and the Community Infrastructure Levy (CIL) to a level that mitigates impact on existing infrastructure and contributes towards new facilities, where additional needs arise.

14.2 The Parish Council will seek to influence budget decisions by the Borough and County Councils on housing, open space, recreation, economic development, community facilities and transport.

14.3 The Parish Council will work with other agencies and organisations to develop funding bids to achieve Neighbourhood Plan objectives.

### **Monitoring and Review**

15.1 The Parish Council on an annual basis will report on the impact of the Neighbourhood Plan at the Annual General Meeting.

15.2 The report will include a list of all planning applications in Brinklow and the decisions made on them and a schedule of approved development for new housing from conversions and single plots to larger sites. A narrative section will describe the extent to which the Neighbourhood Plan has been successful in influencing planning and development decisions.

15.3 A comprehensive review, including an assessment of how the Neighbourhood Plan objectives are being achieved, an update of evidence and the policy context, will be undertaken at least every 4 years or when a new Parish Council is formed. In conjunction with the cumulative annual reports, this will inform any decision on whether a formal review of the Plan is necessary.

**List of Reference Documents**

[Brinklow Neighbourhood Plan Basic Conditions Statement](#)  
[Historic Character Assessment of Brinklow](#)  
[Housing Needs Survey 2019](#)  
[The National Planning Policy Framework](#)  
[Rugby Local Plan](#)  
[Local plan Policy Review](#)  
[Brinklow Neighbourhood Plan Survey Results](#)  
[Site Allocations Development pack for Brinklow](#)  
[Housing Background Document](#)  
[AECOM - Site Options and Assessment Survey – 2020](#)  
[Housing Needs SPD 2021](#)  
[Air Quality SPD July 2021](#)  
[AECOM - Brinklow Design Codes - January 2020](#)  
[Housing Strategy 2018 -2020](#)  
[Landscape and Visual Appraisal Report](#)  
[Rugby Green Belt Assessment](#)  
['Green Book'](#)  
[Brinklow Civil Parish Species Map](#)  
[Brinklow Ecology Report](#)  
[Brinklow Castle Plant List](#)  
[Brinklow Habitats](#)  
[Brinklow Wildlife Report](#)  
[Brinklow Woodland Connectivity](#)  
[Brinklow Traffic Survey](#)  
[RBC Email](#)  
[Brinklow Civil Parish Species Map](#)  
[Brinklow Ecology Report](#)  
[Brinklow Castle Plant List](#)  
[Brinklow Habitats](#)  
[Brinklow Woodland Connectivity](#)  
[Green Spaces and Environment Evidence Document](#)  
[Brinklow Historic Environment Summary Report 2018](#)

**Glossary of Terms and Abbreviations**

BPC – Brinklow Parish Council

NPPF – National Planning Policy Framework

PPG – Planning Practice Guidance

RBC- Rugby Borough Council

# APPENDIX 5

## EQUALITY IMPACT ASSESSMENT (EqIA)

### Context

1. The Public Sector Equality Duty as set out under section 149 of the Equality Act 2010 requires Rugby Borough Council when making decisions to have due regard to the following:
  - eliminating unlawful discrimination, harassment and victimisation, and other conduct prohibited by the Act,
  - advancing equality of opportunity between people who share a protected characteristic and those who do not,
  - fostering good relations between people who share a protected characteristic and those who do not, including tackling prejudice and promoting understanding.
2. The characteristics protected by the Equality Act are:
  - age
  - disability
  - gender reassignment
  - marriage/civil partnership
  - pregnancy/maternity
  - race
  - religion/belief
  - sex/gender
  - sexual orientation
3. In addition to the above-protected characteristics, you should consider the crosscutting elements of the proposed policy, such as impact on social inequalities and impact on carers who look after older people or people with disabilities as part of this assessment.
4. The Equality Impact Assessment (EqIA) document is a tool that enables RBC to test and analyse the nature and impact of what it is currently doing or is planning to do in the future. It can be used flexibly for reviewing existing arrangements but in particular should enable identification where further consultation, engagement and data is required.
5. The questions will enable you to record your findings.
6. Where the EqIA relates to a continuing project, it must be reviewed and updated at each stage of the decision.
7. Once completed and signed off the EqIA will be published online.
8. An EqIA must accompany all **Key Decisions** and **Cabinet Reports**.
9. For further information, refer to the EqIA guidance for staff.
10. For advice and support, contact:  
Minakshee Patel Corporate Equality & Diversity Advisor

## Equality Impact Assessment

<b>Service Area</b>	Development Strategy
<b>Policy/Service being assessed</b>	Brinklow Neighbourhood Plan
<b>Is this is a new or existing policy/service? If existing policy/service please state date of last assessment</b>	This is a new policy document
<b>EqlA Review team – List of members</b>	Ruari McKee
<b>Date of this assessment</b>	23.08.2022
<b>Signature of responsible officer (to be signed after the EqlA has been completed)</b>	Ruari McKee

**A copy of this Equality Impact Assessment report, including relevant data and information to be forwarded to the Corporate Equality & Diversity Advisor.**

**If you require help, advice and support to complete the forms, please contact Minakshee Patel, Corporate Equality & Diversity Advisor via email: [minakshee.patel@rugby.gov.uk](mailto:minakshee.patel@rugby.gov.uk) or 01788 533509**

**Details of Strategy/ Service/ Policy to be analysed**

<b><u>Stage 1 – Scoping and Defining</u></b>	
(1) Describe the main aims, objectives and purpose of the Strategy/Service/Policy (or decision)?	<p>The Brinklow Neighbourhood Plan contains policies which, once the document is adopted or ‘made’ will form part of the Development Plan for the Borough and will be used alongside local and national policies to determine planning applications in the Parish.</p> <p>This item concerns taking the Brinklow Neighbourhood Plan to referendum.</p>
(2) How does it fit with Rugby Borough Council’s Corporate priorities and your service area priorities?	<p>This Plan has the potential to contribute towards several corporate priorities:</p> <ul style="list-style-type: none"> <li>• Rugby is an environmentally sustainable place, where we work together to reduce and mitigate the effects of climate change</li> <li>• Rugby has a diverse and resilient economy that benefits and enables opportunities for all residents</li> <li>• Residents live healthy, independent lives, with the most vulnerable protected</li> </ul> <p>All Parish Councils have the right to produce a Neighbourhood Plan if they choose to. The Local Planning Authority has a statutory duty to assist in their production and follow the Regulations in dealing with these. Once adopted or ‘made’ the Local Planning Authority has a statutory duty to use the policies in the determination of planning applications.</p>
(3) What are the expected outcomes you are hoping to achieve?	That the document can be used in the determination of planning applications.
(4) Does or will the policy or decision affect: <ul style="list-style-type: none"> <li>• Customers</li> <li>• Employees</li> <li>• Wider community or groups</li> </ul>	The policy may affect customers or the wider community. Specifically it will affect those living or working in the Parish of Brinklow.

<b><u>Stage 2 - Information Gathering</u></b>	As a minimum you must consider what is known about the population likely to be affected which will support your understanding of the impact of the policy, eg service uptake/usage, customer satisfaction surveys, staffing data, performance data, research information (national, regional and local data sources).
(1) What does the information tell you about those groups identified?	The plan preparation process included a demographic assessment. The plan contains links to the 2011 Census Small Area Profiles. The 2011 Census records a population of 1,101 with a fairly uniform distribution of up to age 39 and 50% more in the age brackets between 40-69.
(2) Have you consulted or involved those groups that are likely to be affected by the strategy/ service/policy you want to implement? If yes, what were their views and how have their views influenced your decision?	<p>Brinklow Parish Council have carried out their own statutory consultation on their draft Plan. They received comments back which have been identified in their consultation statement.</p> <p>If approved by Cabinet the Brinklow Neighbourhood Plan will be subject to a referendum. This will enable all voters in the Neighbourhood Area to vote in favour or against the making of the Neighbourhood Plan.</p> <p>The Brinklow Neighbourhood Plan has been through several rounds of consultation (informal consultation, Regulation 14 and Regulation 16 consultations). The views of the community and technical consultees have been taken into account when shaping the final document. The final document then went to a Neighbourhood Plan Examiner, who recommended the Brinklow Neighbourhood Plan proceed to referendum.</p>
(3) If you have not consulted or engaged with communities that are likely to be affected by the policy or decision, give details about when you intend to carry out consultation or provide reasons for why you feel this is not necessary.	N/A
<b><u>Stage 3 – Analysis of impact</u></b>	

<p><b>(1) Protected Characteristics</b> From your data and consultations is there any positive, adverse or negative impact identified for any particular group, which could amount to discrimination?</p> <p>If yes, identify the groups and how they are affected.</p>	<b>RACE</b> No	<b>DISABILITY</b> No	<b>GENDER</b> No
	<b>MARRIAGE/CIVIL PARTNERSHIP</b> No	<b>AGE</b> No	<b>GENDER REASSIGNMENT</b> No
	<b>RELIGION/BELIEF</b> No	<b>PREGNANCY MATERNITY</b> No	<b>SEXUAL ORIENTATION</b> No
<p><b>(2) Cross cutting themes</b> (a) Are your proposals likely to impact on social inequalities e.g. child poverty, geographically disadvantaged communities? If yes, please explain how?</p> <p>(b) Are your proposals likely to impact on a carer who looks after older people or people with disabilities? If yes, please explain how?</p>	<p>A Neighbourhood Plan is unlikely to impact social inequalities. The potential Rural Exception Site identified in the Neighbourhood Plan would be expected to provide social housing, which is likely to benefit all groups in society.</p> <p>No.</p>		
<p><b>(3) If there is an adverse impact, can this be justified?</b></p>	N/A		
<p><b>(4) What actions are going to be taken to reduce or eliminate negative or adverse impact? (this should form part of your action plan under Stage 4.)</b></p>	N/A		

<p>(5) How does the strategy/service/policy contribute to the promotion of equality? If not what can be done?</p>	<p>The policies have been developed taking into account the thoughts and ideas from a wide cross section of those living and working within the Parish. The policies were designed to be of broad benefit for the whole community. The Brinklow Neighbourhood Development Plan contains policies on housing, the economy, built and natural heritage, the built and natural environment, infrastructure and local facilities.</p> <p>The Brinklow Neighbourhood Plan Consultation Statement states the ways in which the community were consulted on with consultation being widely publicised and accessible.</p>
<p>(6) How does the strategy/service/policy promote good relations between groups? If not what can be done?</p>	<p>Good relations were promoted throughout the process of creating the Neighbourhood Plan with everyone given the chance to be involved and have their say. Once adopted or 'made', the policies within the Neighbourhood Plan will be applied across the whole of the Neighbourhood Area</p>
<p>(7) Are there any obvious barriers to accessing the service? If yes how can they be overcome?</p>	<p>No</p>

**Stage 4 – Action Planning, Review & Monitoring**

If No Further Action is required then go to – Review & Monitoring

(1) Action Planning – Specify any changes or improvements that can be made to the service or policy to mitigate or eradicate negative or adverse impact on specific groups, including resource implications.

EqlA Action Plan

Action	Lead Officer	Date for completion	Resource requirements	Comments



(2) Review and Monitoring  
State how and when you will monitor policy  
and Action Plan

After the draft Neighbourhood Plan has been to examination the examiner may recommend some further changes. At this stage the EqlA will be reviewed and an amended version will be taken back to Cabinet before the Neighbourhood Plan is adopted or 'made'.

Please annotate your policy with the following statement:

**'An Equality Impact Assessment on this policy was undertaken on 23.08.2022 and will be reviewed on 28.08.23.'**

## APPENDIX 6

### Rugby Borough Council

## Climate Change and Environmental Impact Assessment

### Brinklow Neighbourhood Plan - February 2022

#### CONTEXT

In 2019 the UK Parliament set a commitment in law to reach net zero carbon emissions by 2050. Achieving this target will require considerable effort with public bodies, private sector organisations, the third sector and individuals working together to take action. Rugby Borough Council declared a climate emergency in 2019, in doing so committed to:

- To move the Council's operations towards Carbon Neutrality by 2030.
- To establish action to tackle climate change as a key driver of all decision-making.
- To provide community leadership in reducing the impact of Climate Change.
- To take action to mitigate the impact of climate change on a Borough wide basis and beyond, through adaptation.

The Council's Corporate Strategy (2021-24) [link](#) sets ambitious outcomes in relation to Climate Change. These ambitions must now be progressed through the decisions which the Council makes.

It is therefore important that Rugby Borough Council gives due regard to climate change when making decisions. In the context of the Council's business, Climate Change includes carbon emissions, biodiversity, habitat loss and environmental destruction. When putting forward recommendations for decision, officers must assess how these recommendations are likely to influence our climate change commitments by completing the following Climate Change and Environmental Impact Assessment.

A copy of this Climate Change and Environmental Impact Assessment, including relevant data and information should be forwarded to the Deputy Executive Director.

**If you require help, advice and support to complete the forms, please contact Dan Green, Deputy Executive Director.**

**SECTION 1: OVERVIEW**

<b>Portfolio and Service Area</b>	Growth and Investment
<b>Policy/Service/Change being assessed</b>	Brinklow Neighbourhood Development Plan Referendum
<b>Is this a new or existing Policy/Service/Change?</b>	New proposed Neighbourhood Plan
<b>If existing policy/service please state date of last assessment</b>	N/A
<b>Ward Specific Impacts</b>	Revel and Binley Woods- The Neighbourhood Plan will influence development in Brinklow Parish.
<b>Summary of assessment</b> Briefly summarise the policy/service/change and potential impacts.	No significant impacts identified. A potential Rural Exception Site is identified. Rural Exception Sites are subject to a separate planning application process which would be expected to identify any potential impacts. Any impacts beyond this are also likely to be managed through the planning application and other regulatory processes.
<b>Completed By</b>	Ruari McKee (Senior Planning Officer) – Development Strategy
<b>Authorised By</b>	
<b>Date of Assessment</b>	23.08.2022

## SECTION 2: IMPACT ASSESSMENT

Climate Change and Environmental Impacts	No Impact	Positive	Negative	Description of impact	Any actions or mitigation to reduce negative impacts	Action owner	Timescales
Energy usage	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Fleet usage	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Sustainable Transport/Travel (customers and staff)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Sustainable procurement	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Community leadership	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Biodiversity and habitats	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Biodiversity and habitat policies included in the Neighbourhood Plan to positively manage the natural environment.			
Adaptation/Mitigation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Impact on other providers/partners	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				

**SECTION 3: REVIEW**

Where a negative impact is identified, the proposal and/or implementation can be adapted or changed; meaning there is a need for regular review. This review may also be needed to reflect additional data and evidence for a fuller assessment (proportionate to the decision in question). Please state the agreed review timescale for the identified impacts of the policy implementation or service change.

<b>Review date</b>	23.08.23
<b>Key points to be considered through review</b>	Any key changes are to be assessed
<b>Person responsible for review</b>	Ruari McKee
<b>Authorised by</b>	

## APPENDIX 7

### Decision under Regulation 7 of the Neighbourhood Planning (General) Regulations 2012

Brinklow Parish Council application for the designation of the area defined by the Civil Parish of Brinklow, as shown on the map below, as a Neighbourhood Area for the purpose of neighbourhood planning is **APPROVED**.



**Date of Decision: 22<sup>nd</sup> August 2016**

This decision notice and the map of the area is viewable on <https://www.rugby.gov.uk/brinklownp>

For further information on Neighbourhood Planning please email [LocalPlan@rugby.gov.uk](mailto:LocalPlan@rugby.gov.uk) or call 01788 533735



**Agenda No****AGENDA MANAGEMENT SHEET**

**Report Title:** Community Infrastructure Levy Draft Charging Schedule and Planning Obligations Supplementary Planning Document (SPD) – Agreement to undertake Public Consultation

**Name of Committee:** Emergency Decision - Cabinet

**Date of Meeting:** 27 September 2022

**Report Director:** Chief Officer – Growth and Investment

**Portfolio:** Growth and Investment

**Ward Relevance:** All wards

**Prior Consultation:** The matter was discussed at Planning Services Working Party on 15<sup>th</sup> June 2022.

**Contact Officer:** Peter Heath, Principal Planner, Development Strategy 01788 533735 or [peter.heath@rugby.gov.uk](mailto:peter.heath@rugby.gov.uk)

**Public or Private:** Public

**Report Subject to Call-In:** No

**Report En-Bloc:** No

**Forward Plan:** Yes

**Corporate Priorities:** This report relates to the following priority(ies):  
**(C) Climate**  Rugby is an environmentally sustainable place, where we work together to reduce and mitigate the effects of climate change. (C)  
**(E) Economy**  Rugby has a diverse and resilient economy that benefits and enables opportunities for all residents. (E)  
**(HC) Health and Communities**  Residents live healthy, independent lives, with the most vulnerable protected. (HC)  
**(O) Organisation**  Rugby Borough Council is a responsible, effective and efficient organisation. (O)  
[Corporate Strategy 2021-2024](#)  
 This report does not specifically relate to any Council priorities.

<b>Summary:</b>	The report recommends to Cabinet that they approve the Community Infrastructure Levy (CIL) Draft Charging Schedule and the Planning Obligations Supplementary Planning Document (SPD) for six weeks public consultation.
<b>Financial Implications:</b>	Document production to be met through existing budgets.
<b>Risk Management/Health and Safety Implications:</b>	Undertaking six weeks public consultation is a statutory requirement. If this stage is not undertaken, neither document can be progressed towards adoption.
<b>Environmental Implications:</b>	If a CIL is adopted it could raise revenue that may be used to implement environmental initiatives. Updating the Planning Obligations SPD could lead to Section 106 obligations being generated to help address environmental initiatives that are not covered by the CIL.
<b>Legal Implications:</b>	<p>Under the requirements of the CIL Regulations 2010 (as amended) a draft charging schedule of a Community Infrastructure Levy must be published for six weeks consultation, without undertaking this consultation the schedule cannot be progressed towards adoption.</p> <p>To be valid a SPD must be prepared in accordance with the procedures set out in the Town and Country Planning (Local Planning) (England) Regulations 2012, as amended, and the Council's Statement of Community Involvement.</p> <p>The adoption of a CIL or SPD may be open to judicial review if the preparation, consultation and adoption are not carried out properly.</p>
<b>Equality and Diversity:</b>	An Equality Impact Assessment of both the CIL draft charging schedule and the Planning Obligations SPD was undertaken and is provided as Appendix 6 to this report.
<b>Options:</b>	<p>Option 1 – Cabinet approves the CIL draft charging schedule and the draft Planning Obligations SPD for public consultation.</p> <p>Option 2 – Cabinet does not approve the current draft documents for public consultation.</p>

**Recommendation:**

- (1) The Rugby Community Infrastructure Levy Draft Charging Schedule document (Appendix 1 to this report) be approved for six weeks public consultation in accordance with Regulation 16 of the Community Infrastructure Levy Regulations 2010 (as amended);
- (2) the Planning Obligations Supplementary Planning Document (Appendix 2 to this report) be approved for six weeks public consultation in accordance with Regulation 12 of the Town and Country Planning (Local Planning) (England) Regulations 2012;
- (3) the supporting documents that underpin the CIL draft charging schedule, an infrastructure funding gap (Appendix 3), an interim CIL spending strategy (Appendix 4) and a CIL Viability undertaken by BNP Paribas (Appendix 5) be published to aid understanding of the CIL draft charging schedule; and
- (4) delegated authority be given to the Chief Officer for Growth and Investment to make minor grammatical and presentational amendments as necessary to the consultation document before it is published for the six weeks public consultation.

**Reasons for Recommendation:**

This will allow the documents to progress towards their ultimate adoption.

## **Agenda No**

### **Emergency Decision - Cabinet 27 September 2022**

#### **Rugby Community Infrastructure Levy Draft Charging Schedule and Planning Obligations Supplementary Planning Document – Drafts for Public Consultation**

#### **Public Report of the Chief Officer – Growth and Infrastructure**

##### **Recommendation:**

- (1) The Rugby Community Infrastructure Levy Draft Charging Schedule document (Appendix 1 to this report) be approved for six weeks public consultation in accordance with Regulation 16 of the Community Infrastructure Levy Regulations 2010 (as amended);
- (2) the Planning Obligations Supplementary Planning Document (Appendix 2 to this report) be approved for six weeks public consultation in accordance with Regulation 12 of the Town and Country Planning (Local Planning) (England) Regulations 2012;
- (3) the supporting documents that underpin the CIL draft charging schedule, the infrastructure funding gap (Appendix 3), an interim CIL spending strategy (Appendix 4) and the CIL Viability Study undertaken by BNP Paribas (Appendix 5) be published to aid understanding of the CIL schedule; and
- (4) delegated authority be given to the Chief Officer for Growth and Investment to make minor grammatical and presentational amendments as necessary to the documentation before it is published for six weeks public consultation.

## **1. INTRODUCTION**

- 1.1. Part 11 of the Planning Act 2008 enables local authorities to levy a charge on most forms of new development to fund infrastructure within their area. This known as the Community Infrastructure Levy (CIL).
- 1.2. There is a process set out in the Community Infrastructure Levy Regulations 2010 (as amended) for adopting a CIL. An initial step is to undertake six weeks of public consultation on the draft CIL charging schedule. This schedule sets out the rates the authority intends to charge for relevant land uses across the borough.
- 1.3. A number of background documents have been produced that underpin the draft charging schedule and these should also be published alongside the charging schedule so consultees can understand how and why the proposed rates have been developed. One such document is called the 'Infrastructure Funding Gap', which demonstrates the requirement of showing a funding gap, that the authority needs in order to levy a CIL to help address need. A further

document is a 'CIL Spending Strategy' which sets out how (if a charge is introduced) the local authority would be spent. A 'Viability Appraisal' provides the evidence to substantiate the proposed level of charges.

- 1.4. In addition to the above it is necessary to undertake a six week public consultation exercise for a draft 'Planning Obligations Supplementary Planning Document' that sits alongside the CiL documents. This sets out a range of possible contributions that could be sought from developments and clarifies those which could be addressed via the CIL and those that would continue to be addressed by Section 106 obligations.

## **2. PURPOSE OF REPORT**

- 2.1. To seek Cabinet approval to publish the Community Infrastructure Levy Draft Charging Schedule for six weeks public consultation in accordance with Regulation 16 of the Community Infrastructure Levy Regulations 2010 (as amended).
- 2.2. Cabinet approval is also sought to publish a draft Planning Obligations Supplementary Planning Document for six weeks in accordance with Regulation 12 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

## **3. BACKGROUND**

- 3.1. Part 11 of the Planning Act 2008 enables local authorities to levy a charge on most forms of development to fund infrastructure. Most new development which creates net additional floor space of 100 square metres or more or creates a new dwelling (of any size), is potentially liable for the levy. There are a number of exemptions, one of which is any form of affordable housing.
- 3.2. The charging authority (Rugby BC) must set out its proposed charging rates in a charging schedule. The charging authority should specify in their charging schedule what types of development are liable for the levy and the relevant rates for these development types. Levy rates are expressed as pounds (£) per square metre. When deciding the levy rates, an authority must strike an appropriate balance between additional investment to support development and the potential effect on the viability of development.
- 3.3. To ensure that the rates proposed will not affect the viability of development across the borough as a *whole*, the authority commissioned a viability study from BNP Paribas (published January 2022) to advise on the rates that can be charged for different land uses in different parts of the borough. These rates are shown in Table 1. BNP advise that the need for infrastructure to mitigate the impact of development at SW Rugby and Coton Park East means that imposing a CIL on top of necessary S106 and S278 requirements at those locations would make a CIL unviable. Sites that already have permission such as the Radio Station Site and Rugby Gateway cannot have a CIL levied on them retrospectively.

Table 1 – CIL rates proposed per square metre by BNP Paribas (January 2022)

<b>Development Type</b>	<b>Urban Area</b>	<b>Rural Area</b>
<b>Residential 11 units or more</b>	<b>£60</b>	<b>£160</b>
<b>Residential up to 10 units</b>	<b>£100</b>	<b>£200</b>
<b>Convenience Retail</b>	<b>£100</b>	<b>£100</b>
<b>All other uses</b>	<b>£0</b>	<b>£0</b>
<b>Strategic Sites</b>	<b>£0</b>	<b>£0</b>

- 3.4. The levy can be used to fund a wide range of infrastructure, including transport, flood defences, schools, hospitals, and other health and social care facilities. This definition allows the levy to be used to fund a very broad range of facilities such as play areas, open spaces, parks and green spaces, cultural and sports facilities, healthcare facilities, academies and free schools, district heating schemes and police stations and other community safety facilities. This flexibility gives the charging authority the opportunity to choose what infrastructure is needed to deliver the Local Plan (2011-2031). Charging authorities may not use the levy to fund affordable housing. Charging authorities must spend the levy on infrastructure needed to support the development of their area and will decide what infrastructure is needed. The levy can be used to increase the capacity of existing infrastructure or to repair failing existing infrastructure if that is necessary to support development. As a result of the fact that the County Council and the NHS provide infrastructure within Rugby, a portion of CIL monies would be given to them to deliver infrastructure associated with the Local Plan. Table 2 sets out how CIL revenues must be distributed to parished/non-parished areas in line with CIL Regulation 59A (as amended).

Table 2 – Distribution of CIL Revenue to Parishes

<b>Parish</b>	<b>Adopted Neighbourhood Plan</b>	<b>Funding</b>
Y	Y	25% uncapped, paid to parish each year
Y	N	15% capped at £100/dwelling (indexed for inflation), paid to parish each year
N	Y	25% uncapped, local authority consults with community about how funds can be used, including to support priorities set out in neighbourhood plans
N	N	15% capped at £100/dwelling (indexed for inflation), local authority consults with community to agree how best to spend the neighbourhood funding

- 3.5. Applying the rates shown in Table 1 to the level of development proposed in the Local Plan and then taking away revenue to be given to parishes, county and the NHS, means that the CIL could generate in the region of £200,000 per annum for the authority to spend on infrastructure.
- 3.6. The charging schedule should be underpinned by different pieces of up-to-date evidence. Besides the 'Viability Study' the authority has produced an 'Infrastructure Funding Gap Study'. This study shows that Rugby does not have all the funding it needs to deliver the infrastructure required to support the level of development set out in the Local Plan, and that the proposed CIL rates would not completely bridge this gap. A requirement of the regulations is to demonstrate that CIL will *not* completely cover the infrastructure funding gap, and Rugby does conform with this requirement.
- 3.7. Introducing a CIL will incur costs which include: holding the Examination in Public; paying for the Examiner; a Programme Officer that provides administrative support for the Examination, together with amending the database that keeps a record of planning applications (Agile software package) to incorporate the CIL charges and link them to specific developments. Officers have estimated these costs at between £18k-£20k. The regulations allow a charging authority to reclaim its set up costs within the first three years that a CIL is in operation. Therefore, in the medium term the introduction would be cost neutral in this respect.
- 3.8. Not every authority charges a CIL. Amongst nearby authorities Coventry, North Warwickshire and Nuneaton & Bedworth do not charge a CIL. Daventry, Stratford upon Avon and Warwick do charge a CIL. The principle of introducing a CIL and the rates proposed would mean that Rugby is not an outlier in comparison to neighbouring authorities. The BNP Viability Study shows that CIL represents between 1.3% - 2.8% of development costs. It is possible that this extra cost may deter *some* developers from locating in Rugby, but officers do not believe that this level of costs would be a significant deterrent.
- 3.9. By the end of December each year Rugby is expected to produce an Annual Infrastructure Funding Statement (AIFS). This statement sets out how the authority will spend any CIL (when an authority has a CIL in place) and S106 revenue, together with how it has spent CIL or S106 revenue over the preceding calendar year. The report published last December did not contain any information on priorities for CIL expenditure as there was no evidence to justify charging a CIL. Therefore, an 'Interim Funding Strategy' paper has been prepared to guide how a CIL would be implemented. When the Annual Infrastructure Funding Statement is published in December 2022, it will replace this Interim Funding Strategy paper.
- 3.10. Although the Government envisages the CIL replacing Section 106 as the main mechanism for generating developer contributions, there will still be circumstances in which Section 106 obligations and Section 278 obligations (highways matters) are required. Therefore, a Supplementary Planning Document (SPD) on 'Planning Obligations' has been prepared to be issued for public consultation at the same time as the CIL Draft Charging Schedule. The SPD sets out what types of obligations will be sought from different types of

development and what will be sought via the CIL, S106 obligations or S278 agreements respectively.

- 3.11. In May 2022 the Government's Levelling Up and Regeneration Bill was published which sets out proposed changes to reform the planning system including possible changes to the system for collecting developer contributions. Officers will keep this issue under review and report significant changes to Cabinet as they affect the introduction of Rugby's CIL. One consistent message coming from Government is that under the new system developers will be able to pay CIL charges on *completion* rather than at *commencement* under the current system. This would be advantageous to developers as it would aid their cashflow, but not necessarily infrastructure providers due to the time taken to complete developments, thereby delaying payments. It is unclear at the present time whether or not the regime will develop in the manner currently suggested and there are other technical aspects (such as if a National Levy is to be applied) which need to be clarified as the proposals progress through regulation and consultation.

#### **4. RUGBY COMMUNITY INFRASTRUCTURE LEVY DRAFT CHARGING SCHEDULE AND PLANNING OBLIGATIONS SUPPLEMENTARY PLANNING DOCUMENT – PUBLIC CONSULTATION**

- 4.1. This consultation phase is the first formal stage in the adoption process. The purpose of the consultation is to inform statutory consultees, the public and relevant organisations of the Council's intention to introduce a CIL and adopt the SPD and to seek feedback on what they should contain. Views will be sought on the CIL rates proposed, the particular uses to be charged, and the geographical extent of the charges in the draft charging schedule. Views will be sought on the range of possible contributions sought from different types of development and whether the correct mechanism (CIL, S106, S278) has been identified.
- 4.2. The CIL Regulations 2010 (as amended) sets out a process for adopting a CIL. After six weeks consultation, if the authority chooses to proceed there is an examination in public in front of an independent examiner. If the examiner produces a favourable report the charging schedule can then be taken to a meeting of Full Council to be adopted and set a date from which the charges will be implemented.
- 4.3. The process for adopting a Supplementary Planning Document is more straightforward. Regulation 12 of the Town and Country Planning (Local Planning) (England) Regulations 2012, as amended, requires a minimum period of 4 weeks for representations to be made. However, for the sake of consistency with the CIL consultation would also run for six weeks. Consultation responses will be reported to Cabinet along with any proposed changes to the SPD. Cabinet approval would then be sought to forward the SPD to Full Council for adoption.
- 4.4. As such, subject to Cabinet approval, the consultation on the CIL draft charging schedule and the Planning Obligations Supplementary Planning Document is proposed to run for 6 weeks from Monday 3<sup>rd</sup> October to 5pm on Friday 11<sup>th</sup> November 2022.

- 4.5. In line with the Council's adopted Statement of Community Involvement a Consultation Strategy has been prepared. The Consultation Strategy includes details of who will be consulted, how they will be consulted and where paper copies of the documents will be available.
- 4.6. The next stage in the process will be for the Council to consider all the responses received to the documents. A Consultation Statement will be published. This will detail the persons who were consulted, a summary of the main issues and how issues raised have been taken into account.

## **5. EQUALITY IMPACT ASSESSMENT**

- 5.1. An Equality Impact Assessment (EqIA) has been undertaken of the draft charging schedule and the Planning Obligations SPD. The EqIA is attached as Appendix 6 to this report. At the moment as they are both being released for public consultation there are no equality impacts arising directly from either of these proposed consultations.

## **6. SUSTAINABILITY APPRAISAL**

- 6.1. Neither a CIL draft charging schedule nor a supplementary planning document that does not allocate land require a Sustainability Appraisal (SA).

## **7. CONCLUSION**

- 7.1. That the Community Infrastructure Levy draft charging schedule and the Planning Obligations SPD both be approved for public consultation.

**Name of Meeting:** Emergency Decision – Cabinet 27 September 2022

**Date of Meeting:** 27 September 2022

**Subject Matter:** Rugby Community Infrastructure Levy Draft Charging Schedule and Planning Obligations Supplementary Planning Document (SPD) – Public Consultation

**Originating Department:** Growth and Investment

**DO ANY BACKGROUND PAPERS APPLY**  **YES**  **NO**

**LIST OF BACKGROUND PAPERS**

<b>Doc No</b>	<b>Title of Document and Hyperlink</b>
1	Rugby Borough Local Plan 2011-2031, adopted June 2019 <a href="https://www.rugby.gov.uk/downloads/file/2319/local_plan_2011-31">https://www.rugby.gov.uk/downloads/file/2319/local_plan_2011-31</a>
2	CIL Guidance <a href="https://www.gov.uk/guidance/community-infrastructure-levy">https://www.gov.uk/guidance/community-infrastructure-levy</a>
3	CIL Regulations 2010 (as amended) <a href="https://www.legislation.gov.uk/ukdsi/2010/9780111492390/contents">https://www.legislation.gov.uk/ukdsi/2010/9780111492390/contents</a>
4	Town and Country Planning (Local Planning) (England) Regulations 2012 <a href="https://www.legislation.gov.uk/uksi/2012/767/contents/made">https://www.legislation.gov.uk/uksi/2012/767/contents/made</a>
5	
6	
7	
8	

The background papers relating to reports on planning applications and which are open to public inspection under Section 100D of the Local Government Act 1972, consist of the planning applications, referred to in the reports, and all written responses to consultations made by the Local Planning Authority, in connection with those applications.

Exempt information is contained in the following documents:

<b>Doc No</b>	<b>Relevant Paragraph of Schedule 12A</b>

Appendix 1



# **Rugby Borough Council**

## **Community Infrastructure Levy**

### **Charging Schedule**

**Public Consultation version**

**Summer 2022**

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**Note**

The information contained within this guide is intended to assist applicants, developers and landowners to understand Rugby's Community Infrastructure Levy (CIL). It is not intended to replace the need to read and understand the CIL Regulations and Government guidance, and affected parties are advised to seek their own professional advice.

## Introduction

1. In 2010, Government introduced the Community Infrastructure Levy (CIL) as the preferred mechanism for securing developer contributions towards infrastructure to support growth in an area.
2. Preparation of the Charging Schedule is supported by the following evidence documents, which can be found on the Council's website:
  - The Local Plan, adopted June 2019, which set out infrastructure requirements to support the delivery of planned development within the Local Plan 2011-2031 at the time it was compiled;
  - A CIL Viability Assessment, undertaken by consultants BNP Paribas on behalf of the Council (January 2022); and
  - An Infrastructure Funding Gap Statement, which compared the likely CIL income from anticipated new developments with the cost of infrastructure.
3. Alongside the consultation for this CIL Charging Schedule, the Council has also issued a revised Developer Contributions Supplementary Planning Document (SPD) to assist readers in understanding the relationship between CIL and S106/S.278 obligations.
4. The Community Infrastructure Levy (CIL) came into force in April 2010 and is a levy that local authorities can choose to charge on new development in their area. The money raised can be used to fund a wide range of infrastructure such as transport schemes, schools, community facilities, health and social care facilities, parks, green spaces and leisure facilities.
5. Amendments to the Community Infrastructure Levy Regulations 2010 were introduced in September 2019. Significant changes included: removal of pooling restrictions for S106 obligations (i.e. the requirement that no more than five S106 obligations can fund a single infrastructure project); removal of the requirement for a Regulation 123 list (i.e. a list of infrastructure projects that CIL might be spent on); and the introduction of a new requirement to produce an annual Infrastructure Funding Statement.

6. Rugby Borough Council, as the local planning authority, is classed as a charging authority and may therefore charge CIL in respect of development that takes place in the Borough, under the terms of Part 11 of the Planning Act 2008.
7. CIL is not charged on a number of land uses; some examples are set out in the exemptions section below. CIL applies to all 'chargeable development' which is defined as:
  - All new buildings, but excluding those into which people do not usually, or only occasionally, go (e.g. only to inspect machinery or structures such as electricity pylons or substations)
  - Developments of 100m<sup>2</sup> or more of additional gross internal floorspace
  - The creation of one additional dwelling, even if the gross internal floorspace is less than 100m<sup>2</sup>
  - Some developments not requiring planning permission (permitted development) will also be liable for CIL if they do not meet the exemption criteria.
8. The CIL regulations require that, in order to justify charging CIL, the Council must demonstrate that there is a 'gap' between the infrastructure needs of the Borough and the funding that is available, including anticipated CIL income. An Infrastructure Funding Gap Report has been prepared to demonstrate this need.
9. Section 106 agreements and Section 278 Highways Agreements will continue to be used to secure mitigation, including those impacts that are not classified as infrastructure as well as affordable housing. The amended CIL regulations no longer contain a restriction on the pooling of monies from more than five S106 obligations to fund a single infrastructure project and both CIL and S106 funding can be secured towards the same piece of infrastructure without the limitation of pooling.
10. The Council is consulting upon a revised Developer Contributions Supplementary Planning Document (SPD), which identifies how the Council will ensure new development contributes towards the provision of infrastructure such as roads, schools, community facilities, leisure facilities, green and open spaces.
11. In order to establish levy rates for development, a charging authority should carry out a broad test of viability across its district, together with specific viability testing for strategic sites.

12. The Council commissioned consultants BNP Paribas to carry out a review of viability across the Borough. This review was undertaken to assess the effect that any CIL rates would have on development viability.

## Viability Assessment

13. The viability assessment has shown that residential development across the Borough is viable and that maximum CIL rates in the region of £2,000 per sq.m have been found to be achievable without compromising development viability.
14. The viability assessment provides evidence to support different residential CIL rates based on differing land values across the Borough. The rural areas have higher land values and can therefore sustain a higher CIL rate, which is reflected in the charging schedule. As the majority of brownfield development is likely to come forward in the built-up area of Rugby, new development here would not be able to sustain a higher CIL rate without prejudicing viability. Consequently, the Charging Schedule includes a separate charging zone covering these areas, which allows a higher CIL rate to be set for the rest of the Borough.
15. Two of the strategic allocations within Local Plan 2031 have also been tested against CIL. The sites which have been included within the Viability Assessment are Coton Park East and South West Rugby.
16. The infrastructure requirements to bring forward these sites are considerable and as such our viability consultants have recommended that the delivery of these sites would be significantly impacted and therefore their infrastructure requirements should be met through existing S106/S278 agreements. The Rugby Radio Station site benefits from an existing permission and sites that already have permission cannot be charged CIL.
17. The viability assessment found that minor development (fewer than 10 dwellings) could support a higher CIL rate in comparison with major residential development, as these schemes do not have to provide affordable housing.
18. The viability of non-residential development in the Borough has also been assessed. Business uses (including offices, industrial and distribution and convenience retail) have been found unable to support a CIL charge. Comparison retail supermarkets can support a CIL rate.

19. In arriving at these CIL rates, Rugby BC must strike an appropriate balance between the need to fund the infrastructure required to support development and the potential effects that imposing CIL rates may have on the economic viability of development and the provision of affordable housing across the authority. It is therefore important not to set rates at the margin of viability and the authority has made a reasoned judgment, providing a significant buffer to protect against unforeseen circumstances, such as an increase in build costs. Overall, the authority has taken account of the viability evidence in setting the charging rates and zones set out below.

## CIL Rates

20. The CIL regulations allow the authority to set differential rates (including zero rates) for different geographical areas or for different land uses across the charging area. The CIL regulations also provide the authority with the ability to set differential rates in relation to scales of development.

21. The CIL rates, shown below in Table 1, are based on the recommendations from the CIL Viability Assessment. The strategic sites are zero rated and not subject to CIL charges, as they will contribute towards infrastructure solely through S106 agreements. Figures 1 and 2 are maps of the CIL charging zones for the borough.

**Table 1 – CIL Rates per sq.m.**

Development Type	Urban Area	Rural Area
Residential 11 units or more	£60	£160
Residential up to 10 units	£100	£200
Convenience Retail	£100	£100
All other uses	£0	£0
Strategic Sites	£0	£0

Notes:

1 Residential unit numbers refer to net figures.

2 Residential excludes student accommodation, HMO's, sheltered housing.

3 Other chargeable residential development (e.g. residential extensions over 100 sq m and annexes) will be charged at the relevant zone rate.

4 Strategic Sites are Coton Park East and South West Rugby.

## Calculating the charge

22. The amount of CIL charge a development is liable to pay is calculated according to Schedule 1 of the CIL (Amendment) (England) (No. 2) Regulations 2019. The method involves multiplying the relevant CIL rate for the type/location of the development by the net additional floorspace – and factoring in an inflation measure to allow for changes in building costs over time. A summary of the method is set out below:

**CIL rate x Net additional new build floorspace x Inflation measure**

23. The inflation measure used will be the national ‘All-in Tender Price Index’ published by the Building Cost Information Service (BCIS) or the Royal Institution of Chartered Surveyors (RICS). The inflation measure involves dividing the Index costs from the year planning permission is granted, by the Index costs from the year the Charging Schedule is adopted. Full details of the method are set out in the Regulations.

24. The CIL Regulations specify that where the overall chargeable amount on a scheme is less than £50, it is deemed to be zero.

25. In certain circumstances, where a development includes the demolition of an existing building, the existing Gross Internal Area (GIA) can be deducted from the proposed floorspace. These deductions in respect of demolition or change of use will only apply where the existing building has been in continuous lawful use for at least six months in the 3 years prior to the development being permitted and is still in situ on the day planning permission is granted.

## Exemptions

26. Most development that involves the creation of buildings that people normally use will be liable to pay CIL<sup>1</sup>. However, the Regulations provide for several exemptions to CIL<sup>2</sup> against which the levy will not be charged, including:

- New buildings or extensions under 100 sqm of gross internal floor space, which do not involve the creation of a new dwelling;

<sup>1</sup> This includes development permitted by a general consent (including permitted development)

<sup>2</sup> Under Part 6 of the CIL Regulations 2010 (as amended)

- Dwellings built by ‘self-builders’
- The change of use, conversion or subdivision of a building that does not involve an increase in floorspace;
- The creation of a mezzanine floor within a building;
- Temporary development permitted for a limited period;
- Buildings into which people go only intermittently for the purpose of inspecting or maintaining fixed plant or machinery;
- Vacant buildings brought back into the same use;
- Structures which are not buildings, such as pylons or wind turbines;
- Affordable housing (defined as social rented and intermediate housing) provided through a local housing authority, registered provider or charitable body; and
- Development by charities for charitable purposes.

27. CIL is charged on the gross internal floorspace<sup>3</sup> of new development. Where planning permission is granted for a development that involves the extension or demolition and then rebuild of a building in lawful use<sup>4</sup>, the level of CIL payable will be calculated based on the net increase in floorspace. This means that the existing floorspace contained in the building to be extended or demolished will be deducted from the total floorspace of the new development when calculating the CIL liability.

28. The Council can claw back any CIL relief where a development no longer qualifies for that relief within a period of seven years from the commencement of the development. For example, should a charity develop a building for charitable purposes and subsequently sell the building to the open market within seven years, then the Council will be able to claw back the CIL that would have been charged on the building had it been originally used for private use. Should a self-builder find that they must sell or rent the new dwelling within 3 years of the commencement of the development then the Council will then seek to clawback any CIL relief provided.

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<sup>3</sup> The gross internal floorspace is the internal area of the building, and should include rooms, circulation and service space such as lifts and floorspace devoted to corridors, toilets, storage, ancillary floorspace (e.g. underground parking) etc.

<sup>4</sup> The definition of lawful use is contained in Schedule 1 Part 1 of the CIL (Amendment) (England) (No. 2) 2019 states that “...contains a part that has been in lawful use for a continuous period of at least six months within the period of three years ending on the day planning permission first permits the chargeable development.”

29. Under CIL Regulation 55, a Council can choose to offer exceptional circumstances relief if charging CIL would have an unacceptable impact on the economic viability of a particular development. Exemptions can also be made for charitable institutions, where this would not constitute State Aid (under CIL Regulation 45). However, the Council does not propose to make these exemptions available.

## Supporting Evidence

30. Councils are required to show evidence on how much revenue they have been generating from S106 obligations in ‘recent years’ (shown in Table 2) and the level of affordable housing delivered (Table 3). Further information on monitoring of local plan targets is set out on the Council’s website in the Annual Authority Monitoring Report. BNP Paribas examined the impact of their proposed rates on affordable housing and concluded in paragraph 7.16 that *“This study demonstrates that the proposed CIL charges are set at a level which will ensure an appropriate balance between delivering affordable housing, sustainability objectives, necessary infrastructure and the need for landlords and developers to achieve a return in line with the NPPF.”*

Table 2 - Section 106 obligations

Financial Year	Revenue Generated (£)
2015/16	446,840.84
2016/17	454,356.65
2017/18	2,404,072.55
2018/19	2,316,434.36
2019/20	622,620.08
2020/21	1,853,685.69

(Source: RBC Planning Dept)

Table 3 – Affordable Housing Performance

Financial Year	Units delivered
2016/17	6
2017/18	47
2018/19	208
2019/20	260
2020/21	233
2021/22	79

(Source: RBC Housing Department)

## Neighbourhood Funds

31. The Regulations require the Council to pass on a proportion of the revenues from CIL receipts to the parishes within which the chargeable development took place. Parishes with a Neighbourhood Plan will receive 25 per cent of the CIL revenue from new development within their Neighbourhood Plan Area. Parishes without a Neighbourhood Plan will receive 15 per cent of the levy revenue, subject to a cap of £100 per existing council tax dwelling per year. CIL must be spent on infrastructure. To ensure transparency, both the Council and the parish council must report annually on how CIL receipts have been spent. By 31 December each year, the Council must produce an Infrastructure Funding Statement and the parish council must submit a financial report to the Council. Both are then published on the Council's website.

## CIL Reporting and administration

32. CIL revenue will be spent on the infrastructure needed to support development in the authority, the Council will produce an Infrastructure Funding Statement which will be published annually by 31 December. The Infrastructure Funding Statement reports on all funds secured, received and spent in the previous financial year for CIL and S106. The authority will use 5% of the CIL revenue to fund the administration costs of the Levy.

33. CIL is payable on the day development is commenced. Payment can be made in instalments (if eligible) as set out in the instalments policy in Appendix 2.

34. Below is some further guidance you may find helpful:

- When an application for planning permission is submitted when CIL is payable, it must include an 'Additional CIL Information' form together with any relief or exemption claim forms completed with details of the development. This enables Rugby BC to calculate the amount of CIL payable. These documents must be submitted with your planning application.
- The person who intends to pay CIL must assume liability prior to commencement by submitting an assumption of liability form.
- If CIL chargeable permitted development is to be carried out, there is a requirement to submit a notice of chargeable development before development begins.
- A commencement notice must be submitted for any other CIL chargeable development that requires planning permission.
- If the circumstances of an exemption or relief have changed (a 'disqualifying event') Rugby BC must be notified.
- On commencement the liable person must pay CIL in accordance with the instalments policies. A demand notice will be sent with details of how much to pay and the details of the instalments required.
- If you receive any notice from Rugby BC, such as a demand notice, information notice or stop notice you must make the payment, provide the information or stop work on your development as requested in the notice.
- If you don't assume liability, submit a commencement notice, submit a notice of chargeable development, notify the council of changes to circumstances affecting an exemption or relief or reply to an information notice this may incur a financial penalty (surcharge) that will be added to the amount of CIL you have to pay.
- Late payment of CIL incurs a financial penalty (statutory late payment interest) that will be added to your CIL and failure to pay may lead to enforcement action and legal proceedings.
- The liability to pay CIL is registered as a land charge and is not removed until the full amount of CIL has been paid and any period for disqualifying events has expired.

35. You can appeal if you think we've mis-calculated the amount of CIL you need to pay and/or any relief or exemption you've claimed. You can also appeal our decision on

apportioned liability, a surcharge, deemed commencement and a CIL stop notice (see appeals guidance). You can't appeal against the principle of paying CIL or negotiate the amount payable.

36. The CIL forms, guidance notes and further information is available on the Planning Portal website: Planning Portal – CIL at <https://www.planningportal.co.uk/planning/policy-and-legislation/CIL/about-CIL>.
37. Detailed guidance on CIL appeals is available on the Valuation Office and Planning Portal websites: Valuation Office CIL appeals guidance at <https://www.gov.uk/guidance/community-infrastructure-levy-how-to-make-an-appeal#:~:text=DH1%203UW-,Contact,refer%20to%20the%20Planning%20Portal>.
38. Planning Portal - CIL appeals at <https://www.gov.uk/guidance/appeal-a-community-infrastructure-levy-enforcement-notice>
39. The Community Infrastructure Levy ((Amendment) (England) (No.2) Regulations 2019) came into force on 1 September 2019. Under these regulations, Infrastructure Funding Statements (IFS) have replaced CIL Regulation 123 Lists as the mechanism through which projects are identified for CIL funding. The IFS will be published annually and provide a summary of all financial and non-financial developer contributions relating to S106s and CIL within the Borough. It will include a statement of infrastructure projects that Rugby Borough Council intends to, or may be, wholly or partly funded by CIL. It will also set out the CIL spending protocol setting out the process that the Council will undertake for allocating CIL receipts.

# Appendix 1 – Proposed Community Infrastructure Levy Charging Schedule

## Purpose

This schedule sets out the Community Infrastructure Levy charging rates proposed by Rugby Borough Council.

## Date of Approval

This charging schedule will be approved by Rugby Borough Council at a meeting of its Full Council at a date to be determined subject to the receipt of a favourable Examiners report.

## Effective Date

This Charging Schedule shall take effect on a date to be determined by Full Council.

## Charging Rates per sq.m.

Development Type	Urban Area	Rural Area
Residential 11 units or more	£60	£160
Residential up to 10 units	£100	£200
Convenience Retail	£100	£100
All other uses	£0	£0
Strategic Sites	£0	£0

Notes:

- 1 Residential unit numbers refer to net figures.
- 2 Residential excludes student accommodation, HMO's, sheltered housing.
- 3 Other chargeable residential development (e.g. residential extensions over 100 sq m and annexes) will be charged at the relevant zone rate.
- 4 Strategic Sites are Coton Park East, South West Rugby.

### **Calculating the Chargeable amount of CIL**

CIL is charged on all new developments which create more than 100m<sup>2</sup> of floor space and on those developments, which create 1 or more new dwellings, even where the floor space is less than 100m<sup>2</sup>. The chargeable amount of CIL is calculated on the gross internal area of the net increase in floor area. The amount to be charged for individual developments will be calculated in accordance with Regulation 40 of the Community Infrastructure Levy Regulations 2010, as amended.

### **Indexation**

The CIL Regulations specify that the index to be used is the —National All-in Tender Price Index published from time to time by the Building Cost Information Service (BCIS) of the Royal Institution of Chartered Surveyors; and the figure for a given year is the figure for 1st November of the preceding year. In the event that the All-in Tender Price Index ceases to be published, the index to use will be The Retail Prices Index.

## Appendix 2 – CIL Instalments Policy

This policy has been prepared in accordance with Regulation 69B of the CIL Regulations 2010 (as amended) The Council will allow payment of CIL by instalments according to the total amount of liability as follows:

Amount of Liability	Number of Instalments	Payment Periods
£50 - £50,000	1	<ul style="list-style-type: none"> <li>Total amount payable within 60 days of commencement.</li> </ul>
£50,001 - £150,000	2	<ul style="list-style-type: none"> <li>£50,000 payable within 60 days of commencement.</li> <li>Balance payable within 120 days of commencement.</li> </ul>
£150,001- £300,000	3	<ul style="list-style-type: none"> <li>£50,000 payable within 60 days of commencement.</li> <li>Balance payable in a further two instalments of equal amounts within 120 and 240 days.</li> </ul>
More than £300,000	4	<ul style="list-style-type: none"> <li>£50,000 payable within 60 days of commencement.</li> <li>Balance payable in a further three instalments of equal amounts within 120, 240 and 360 days.</li> </ul>

The instalments policy only applies in cases where the persons liable for paying CIL have complied with all the relevant regulations. Regulation 70 of the CIL Regulations 2010 (as amended) sets out that a CIL instalments policy will only apply in the following circumstances:

1 Where the Council has received CIL Assumption of Liability Form prior to commencement of the chargeable development, and;

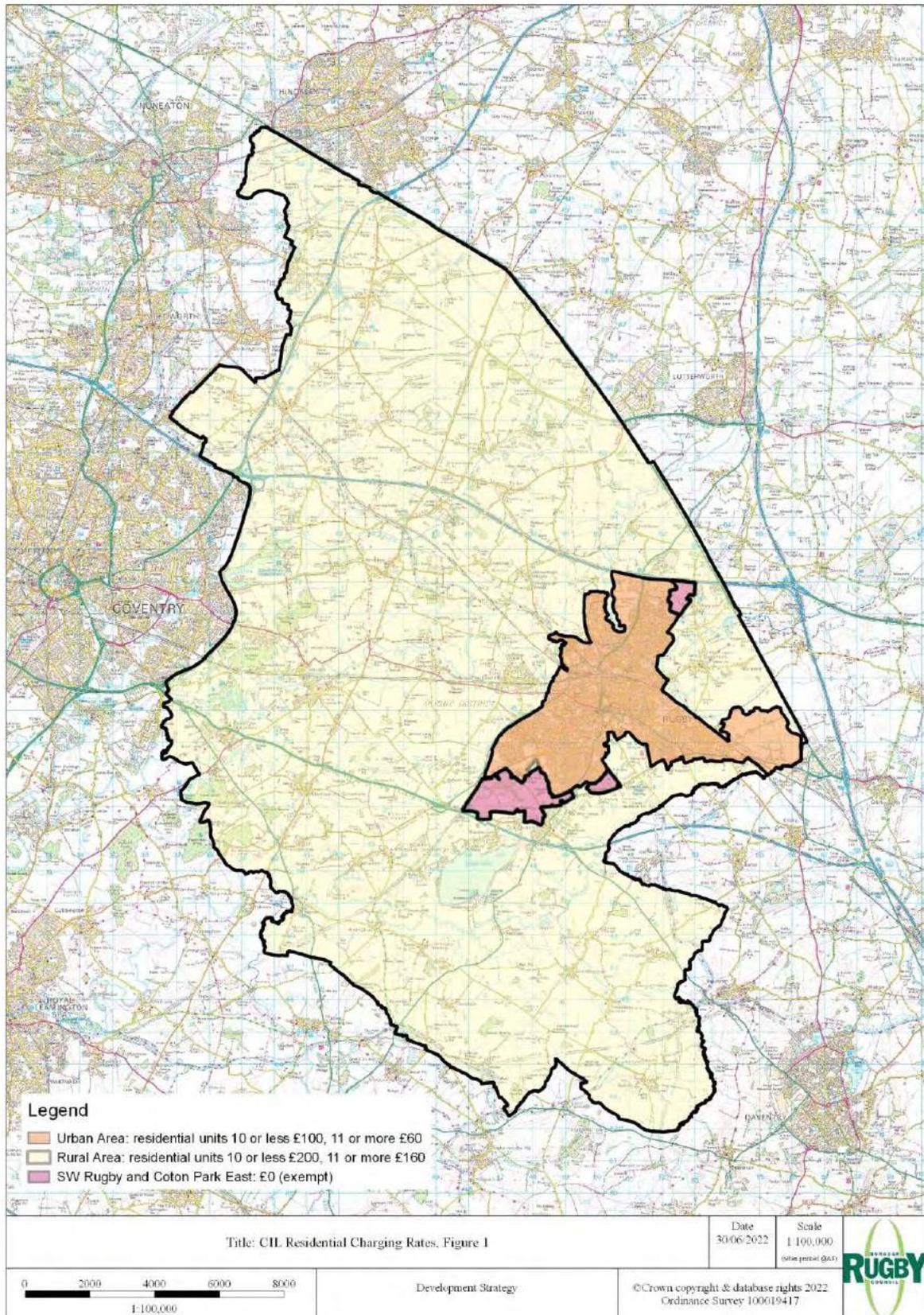
2 Where the Council has received a CIL Commencement Notice prior to the commencement of the chargeable development If either of these requirements are not complied with, the instalments set out above will not apply and the total liability will become payable within 60 days of the commencement of the chargeable development.

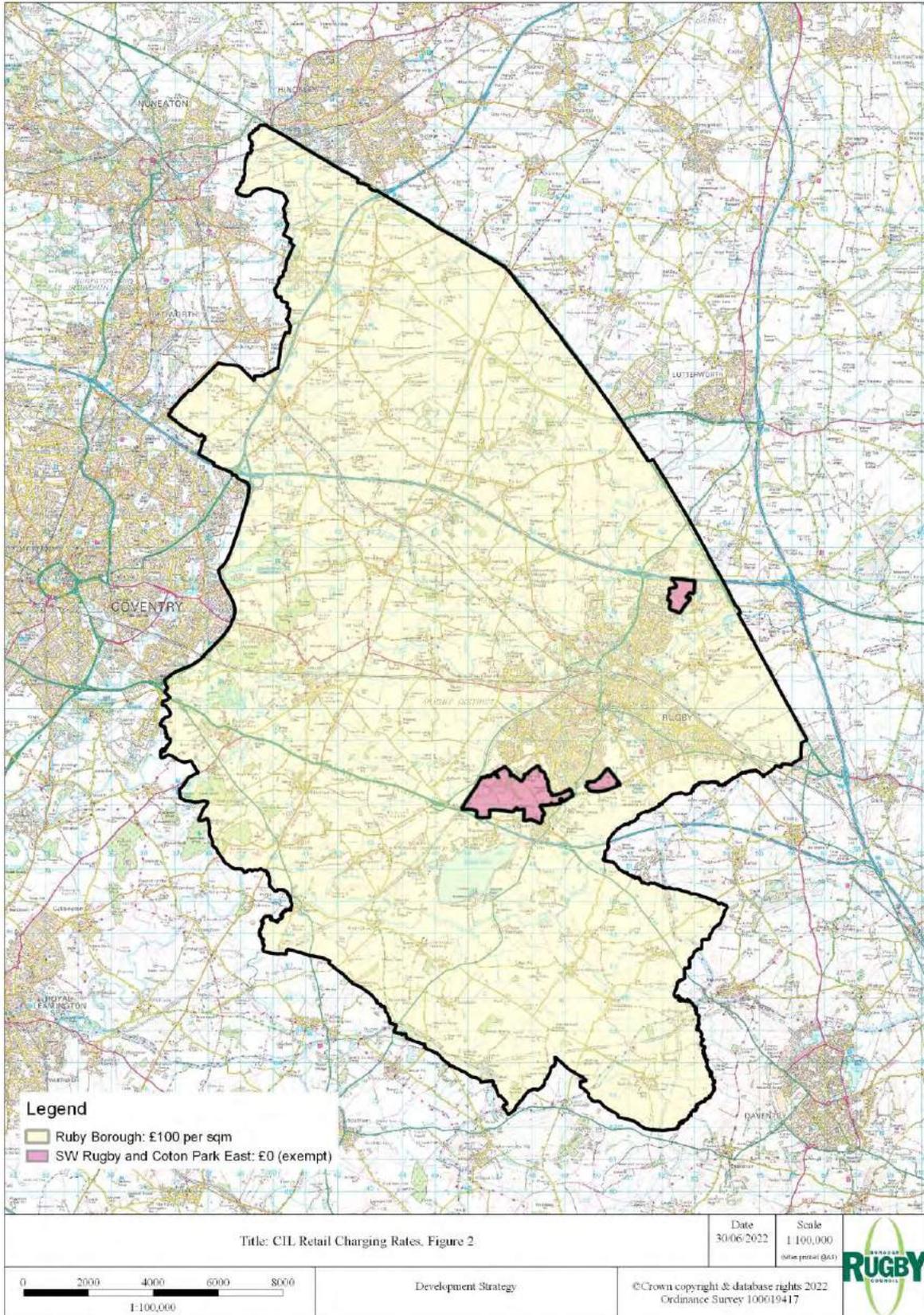
In the event that development is completed prior to the date payments are required of the instalments, full CIL payment should be made on completion.

N.B. For outline applications which permit development to be implemented in phases, each phase of the development is a separate chargeable development. In such cases the instalments policy will apply to each separate chargeable development.

Date of effect: This policy will come into effect on the date of adoption of the CIL Charging Schedule by Full Council.

## Figures 1 and 2 – Maps of Charging Zones





The Community Infrastructure Levy Draft Charging Schedule is out for public consultation from Monday 8<sup>th</sup> August 2022 until **5pm Friday 23<sup>rd</sup> September 2022**.

Consultation responses can either be sent via

- 1) email to [localplan@rugby.gov.uk](mailto:localplan@rugby.gov.uk) with 'Draft CIL Charging Schedule' in the subject line or
- 2) by post to;

CIL Consultation,  
Development Strategy Team,  
Town Hall,  
Evreux Way  
Rugby  
CV21 2RR

Please note, if you submit a response by email you do not need to submit a paper copy as well. Consultation responses will be made available for public inspection.

If you wish to be kept informed about when

- i) the draft is submitted for examination,
- ii) when the examiner's recommendations are published and (subject to a favourable examiner's report),
- iii) approval of the charging schedule.

Please state this in your consultation response.

You can request to attend the Examination but the decision on attendance is at the discretion of the Examiner, not the charging authority.



**Rugby Borough Council**  
**Developer Contributions**  
**Supplementary Planning Document**  
**Public Consultation version**  
**Summer 2022**

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## Executive Summary

- i) New development plays an important role in creating new homes and jobs in our communities. However, new development can have a significant impact on the capacity of local infrastructure such as schools and health facilities and can put additional pressure on local green space and other important community facilities. There are a number of ways in which councils can seek developer contributions towards the provision of necessary infrastructure to support new development and mitigate impact on the local community.
- ii) This Supplementary Planning Document (SPD) provides guidance on planning obligations under Section 106 of the Town and Country Planning Act 1990 (as amended), which are more commonly known as S106 Agreements and are a mechanism used by councils to mitigate the direct impacts of a particular development. There are separate SPDs covering Air Quality (Policy HS5), Housing Needs (Policies H1-H6) and Sustainable Design & Construction (Policies SDC1-SDC9).
- iii) The Community Infrastructure Levy (CIL) is another important mechanism which Councils can use to raise funds from certain new developments towards the provision of infrastructure throughout their area. However, for some sites (such as strategic sites allocated in the Local Plan), which do not make a contribution through CIL, S106 will be the primary mechanism for securing developer contributions towards infrastructure provision.
- iv) In addition to CIL and S106 developer contributions, Warwickshire County Council can use S278 of the Highways Act to seek contributions from developers for improvements or changes to the public highway.
- v) There are different purposes and legislative rules for each of the developer contribution mechanisms (CIL, S106 and S278). This document gives guidance as to when CIL/S106/S278 contributions will be sought, ensuring the provision of sustainable development in line with the policies of the Local Plan and other relevant considerations.

## Introduction

1. Supplementary Planning Documents (or SPDs) are documents which add further detail to the policies in a Local Plan. They can be used to provide further guidance for development on specific sites or on particular issues, such as design or developer contributions. SPDs are capable of being a material consideration in planning decisions but are not part of the development plan. The requirements for producing Supplementary Planning Documents are set out in Regulations 11 to 16 of the Town and Country Planning (Local Planning) (England) Regulations 2012. Whilst SPDs relate specifically to adopted Local Plan policies, in instances where more recent national planning policy or targets have been published, it is those national policies or targets that will take precedence.
2. This Supplementary Planning Document (SPD) is relevant to all development proposals which require developer contributions and its purpose is to:
  - outline the differences between each of the mechanisms for securing developer contributions and to explain the relevant legislative and planning policy context within which contributions are sought;
  - identify which contribution mechanisms will be used in which circumstances; and
  - explain what is expected of applicants and what the applicant can expect from the Council in relation to securing infrastructure through S106 planning agreements.
3. The last page of this document sets out the dates that this SPD is out for public consultation. If adopted by Full Council it will replace the existing Planning Obligations SPD (adopted March 2012).
4. The Council will secure developer contributions, both financial and non-financial, from development to mitigate the negative impacts of development, address infrastructure needs, contribute towards placemaking and meet Local Plan policy requirements.
5. There are three main mechanisms used to secure infrastructure funding and provision from developers:
  - The Community Infrastructure Levy (CIL)
  - Planning obligations under Section 106 of the Town and Country Planning Act 1990 (as amended); and

- Agreements made with the County Council under Section 278 of the Highways Act 1980.
6. In some circumstances, planning conditions attached to planning permissions may also be used to secure non-financial mitigation, to define timing or apply standards.
  7. Subject to a successful examination and adoption by Full Council the CIL will be charged on certain new development in the borough, in accordance with the Council's Draft CIL Charging Schedule and the CIL Regulations 2010 (as amended). If adopted, the monies received from CIL will be pooled together to help fund infrastructure to support development in the borough. CIL has been set at a level that does not threaten the viability and delivery of development identified in the Local Plan 2011-2031. Going forward, the Government is clear that once adopted the CIL should be the primary mechanism via which Councils should seek contributions from development.
  8. The Council will publish a CIL Spending Strategy, setting out how the spending of CIL funds will be prioritised and administered. In accordance with the CIL Regulations, a proportion of the CIL monies is passed to the parish council where development is located. The Council is required to spend CIL on infrastructure and the Council's CIL Spending Strategy will allocate funds to stakeholders such as Warwickshire County Council and the Coventry & Warwickshire Clinical Commissioning Group. The Spending Strategy will be regularly reviewed. There are several exemptions and reliefs to CIL that applicants can apply for to reduce or remove the amount of CIL payable. The Draft CIL Charging Schedule and supporting documents can be found on the Council's website.
  9. S106 agreements are used to secure the infrastructure required to mitigate the direct impact of a particular development and/or to meet specific planning policy requirements. Developer contributions via S106 can be: financial contributions; affordable housing provision; the provision of land or restriction on the use of land; or the direct delivery of facilities. This can apply to retrospective applications. When it comes to affordable housing contributions there may be viability reviews.
  10. As set out in CIL Regulation 122, S106 obligations should only be used to secure infrastructure where they are:
    - necessary to make a development acceptable in planning terms
    - directly related to a development

- fairly and reasonably related in scale and kind to the development
11. Government's Planning Practice Guidance states that tariff-style S106 contributions cannot be sought from small-scale, self-build or starter homes developments. The Government is clear that local authorities cannot seek a level of obligations from development that means the development becomes unviable. In developing the Local Plan the viability exercise for the Local Plan tested the impact of the policies in the Local Plan on viability for different site 'typologies'. This indicated differing levels of viability in different circumstances/locations. If a planning proposal is at risk of being unviable, viability information relating to site-specific proposals should be provided as early on in the planning application process as possible so that the details can be assessed as part of the planning application. RBC will have this independently assessed. The cost of this assessment will be met by the developer in full.
  12. A planning obligation is usually an agreement between interested parties, (e.g. a developer, landowner, the Borough Council and/or the County Council). However, it can also take the form of a unilateral undertaking (where the developer creates their own legal agreement) that is offered to the Council to make an application acceptable in planning terms.
  13. There are also legally binding agreements made under S278 of the Highway Act 1980 between the developer and the County Council (as Highway Authority) to fund, or undertake, alterations or improvements to the public highway, where the County Council considers the agreement is of benefit to the public in highway terms.
  14. In addition to developer contributions, planning conditions attached to a planning permission may set out details or required standards/timeframes for works which must be carried out at set stages. Failure to comply with planning conditions can make a development unlawful and un-implementable in its original form. Planning conditions cannot require the payment of money or the transfer of land ownership and these matters should be covered in a S106 or S278 agreement.
  15. The table below summarises the relationship between the three key developer contribution mechanisms (CIL, S106 and S278) and planning conditions.

Table 1: Interaction between CiL, Section 106, Section 278 Agreements and Planning Conditions

Mechanism	Purpose	Use
<b>Community Infrastructure Levy</b>	A financial payment which can be used for any infrastructure needed to support the development of the borough.	Borough-wide and local infrastructure.
<b>Section 106 planning obligation</b>	Can secure on-site infrastructure and contributions towards offsite infrastructure required to make development acceptable in planning terms.	To secure planning policy Requirements (e.g. affordable housing). To address/mitigate direct impacts of development, including the provision of infrastructure.
<b>Section 278 Agreements</b>	Allows developers to fund Alterations and improvements to the public highway in the public interest.	Highway improvements and alterations to address the impact of new development on the network.
<b>Planning condition</b>	To mitigate the potential adverse effects of the proposed development and ensure compliance with development plan policy. To enable development proposals to proceed where it would otherwise be necessary to refuse planning permission.	To make the development acceptable (where the requirement does not involve the payment of money or the transfer of land ownership).

## Policy Framework

16. Nationally, policies relating to developer contributions are set out in the National Planning Policy Framework 2021 (NPPF), with additional guidance provided in the Government's Planning Practice Guidance. All development proposals should be determined in accordance with the development plan unless material considerations indicate otherwise <sup>1</sup>. The development plan comprises the Local Plan, made neighbourhood plans and the Minerals and Waste Local Plan.
17. In summary, at a local level, development proposals must be considered in line with the following:
- Rugby Borough Council Local Plan 2011-2031;
  - Any made (adopted) Neighbourhood Plan covering the area in which the development is proposed;
  - Warwickshire Minerals (adopted 1995) and Waste (adopted 2013) Local Plans;
  - Any relevant Supplementary Planning Documents (SPDs).
18. This SPD supports the delivery of the Local Plan 2011-2031 and is an important material planning consideration in the decision-making process of planning applications. A number of local plan policies make reference to developer contributions but those explicitly focussing on contributions are policies D3 and D4, which are set out below.

### **Policy D3: Infrastructure and Implementation**

The delivery of new development will be dependent on sufficient capacity being available in existing infrastructure and/or measures being proposed to mitigate its impact. Where this cannot be demonstrated permission for new development will only be granted where additional capacity can be released through new infrastructure, or better management of existing infrastructure.

<sup>1</sup> Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990.

Developer contributions may be sought to fund new infrastructure when required to mitigate development impacts and a programme of delivery will be agreed before development can take place.

Proposals should be considered in the light of the mitigation measures identified in the Infrastructure Delivery Plan.

#### **Policy D4: Planning Obligations**

Where it is not possible to address the unacceptable impacts of development through planning conditions, a legal agreement or planning obligation may be required in line with the Community Infrastructure Levy (CIL) Regulations 2010 (as amended).

In the first instance infrastructure contributions will be sought on-site. However, where this is not possible an off-site (commuted) contribution will be negotiated.

The type, amount and phasing of contributions sought from developers will be necessary to make the development acceptable, directly related, and fairly and reasonably related in scale and kind to the development proposed. The capacity of existing infrastructure and community facilities and the effects of obligations on the financial viability of development may also be relevant considerations.

19. There are a number of policies in the Local Plan that make reference to developer contributions, these will be referred to below in the order in which they appear in the local plan. The fact that this SPD mentions education before transport does not mean that education takes priority over transport. Contributions will vary, depending upon the impacts of the specific proposal and a contribution may be required even if the relevant local plan policy does not refer to seeking a contribution. In order to deliver larger pieces of infrastructure, that may be required to mitigate the cumulative impacts of development; contributions may therefore be pooled.
20. Rugby has ambitious plans for the renewal of the town centre. It has recently undertaken a consultation on a strategy for the town centre <https://www.rugby.gov.uk/tcstrategy> and is looking to move forward with development sites within/around the town centre. Contributions may be required for a range of issues connected with the strategy, such as improvements to the public

realm, urban greening, public transport, biodiversity and air quality improvements depending upon the nature of the proposal in line with policy HS1 below.

21. The Corona Virus pandemic has highlighted the fragility of employment in many sectors of the economy and has had a disproportionate effect on young people. There may be a need for developments that create jobs to offer apprenticeships, skills and development training and other innovations to bring young people back into employment in line with Policy D3. These matters could be addressed by a contribution.
22. Policies DS5 and DS6 deal with sites for a 100 dwellings or more and rural sites, setting out a range of possible issues that may require a Section 106 obligation.

#### **Policy DS5: Comprehensive Development of Strategic Sites**

Proposals for the development of strategic sites of over 100 dwellings should be supported with information outlining how the specific characteristics of each site have been considered in the master planning, design and viability assessments of proposals. More specifically, proposals for strategic sites must include:

- Provision of and/or connection to a direct, high quality public transport link between the site and key transport hubs such as railway stations and the town centre;
- Provision of and/or connection to a comprehensive cycle network to link residential areas with the key on-site facilities, such as schools and community buildings, and comprehensive connections to existing adjacent developed areas;
- Further on-site and off-site measures to mitigate transport impact as detailed in the Infrastructure Delivery Plan, including access to the local road network as deemed necessary through the Transport Assessment and agreed by Warwickshire County Council and the Highways Agency;
- Provision of and/or contribution to community facilities such as schools, community buildings and sports facilities;
- Comprehensive onsite Green Infrastructure Network, utilising existing habitats where possible, which links to adjacent networks;

The specific characteristics of each site will determine how these requirements will be met. This will be influenced by constraints, and the master planning, design and viability, where relevant policies in this Local Plan apply.

Further onsite requirements are determined through the application of other relevant policies in this Local Plan

### **Policy DS6: Rural Allocations**

This Policy will be applied to all detailed proposals relating to sites DS3.5 to DS3.12 allocated by Policy DS3.

Proposals for the development of rural allocations should be supported with information outlining how the specific characteristics of each site have been considered in the master planning, design and viability assessments of proposals. More specifically, proposals for rural housing sites allocated through this Local Plan must make specific provision for the following:

- The appropriate treatment of Green Belt boundaries, limiting the impact of the development on the Green Belt;
- Density of development sympathetic to the settlement to which it will extend;
- The provisions of any relevant Neighbourhood Plans in place, or extensive community engagement during the development of proposals where no Neighbourhood Plan is in place;
- Provision of links to existing pedestrian and cycle paths with the adjacent settlement;
- Provision for a comprehensive onsite Green Infrastructure Network, utilising existing habitats, where possible linking to adjacent networks;
- Provision of and/or contribution to community facilities such as schools, community buildings and sports facilities, public transport improvements and open space by means of planning obligations;
- Provision and/or improvement to telecommunications infrastructure, including broadband and mobile telephone services; and

- Provision of appropriate design of the site to reflect any relevant historic environment offsite considerations.

Further onsite and offsite requirements are determined through the application of other relevant policies in this Local Plan and reference to Policy D4 and the Planning Obligations SPD.

## Education & Community Facilities

23. Both policies DS5 and DS6 make reference to education provision. The Department for Education (DfE) has produced guidance for local authorities to secure developer contributions for school places required as a result of housing growth. The DfE expects local authorities to seek contributions in these circumstances. Warwickshire County Council (WCC) is the Local Education Authority and will provide the strategic lead on matters related to school place planning and provision.
24. Rugby Borough Council will only seek obligations in circumstances where Warwickshire County Council in its role as Local Education Authority identifies there is a demonstrable need arising from the development. The basic process for determining this is to compare:
- The estimated pupil numbers generated by the proposed development; and
  - The capacity of the schools and nurseries and existing and forecast school rolls within the appropriate education planning area.
25. Pupil yield is the number of pupils the Council expects to be living on a development in the future. Pupil yield can be estimated more accurately by Warwickshire County Council where the mix and type of housing is known. The latest version of WCCs survey of pupil yield from different types of development is available from their website. Contributions will not be sought for one-bedroom properties, older persons' housing and student housing or holiday accommodation because this type of housing is very unlikely to impact local education facilities.
26. For all new development, the impact on primary education is carried through to secondary education as it expected that these pupils will require a secondary school place in time. Based on this, Rugby, working with Warwickshire County Council, plans for the impact from new development using pupil yields per year group. Pupil demand is then assessed against school capacity and the current and predicted number of

pupils on the roll. It is generally accepted that schools should not operate at 100% of their capacity, and a very small surplus in places does not necessarily equate to there being sufficient capacity within schools. The Audit Commission recommends that local authorities should plan for a 95% occupancy rate in schools to allow for volatility in preferences from one year to the next. Therefore, contributions will be sought where the priority area schools are at or are forecast to reach capacity which in turn will mean that without additional mitigation being taken there is unlikely to be capacity for the pupils generated by the proposed development.

27. The April 2019 DfE guidance on developer contributions advises that the cost of new school places should be based on national average costs published within the DfE school place scorecards, adjusted to reflect Building Cost Information Service (BCIS) location factors.
28. Where the scale of development is such to necessitate a new school, the developers will normally be expected to provide to the County Council a serviced site free of charge, the building costs, including site infrastructure, and playing fields. A typical two-form entry primary school has capacity for 420 pupils plus nursery provision. Typical secondary schools in Rugby range from six to eight form entry with capacity for between 900 and 1200 pupils, plus further education (sixth form) provision.
29. The Council will expect sites to be delivered in locations that are accessible to new housing centres in large developments. Sites should be of a regular shape, level and largely free from building constraints such as underground sewers, trees with Tree Preservation Orders, landfill sites and/or sites with high noise level areas etc.
30. The site area required for a new school will depend on a number of factors including the expected number of pupils, whether it is primary or secondary and whether nursery/sixth form/special needs provision is required. The DfE produces guidelines on the size of new schools which will be discussed with the Warwickshire County Council Education Service where the need for a new school is identified.

31. Consistent with National Planning Practice Guidance Rugby will seek contributions retrospectively from development where new schools or school places have been provided in advance of development.
32. Education contributions could include:
  - Financial contribution towards the provision of additional school places (adapting, enhancing and/or extending education facilities);
  - Financial contribution and/or provision of serviced land to allow the building of new education facilities;
  - Financial contribution and/or provision of facilities for early years' provision (including nurseries);
  - In the case of new schools there may also be a requirement to provide a revenue contribution to support the establishment of the school such as early appointment of staff etc.
33. In the examples above the financial contributions would be expected to come via the CiL (if adopted) and the serviced land via S106.
34. Contributions may also be required that support voluntary sector infrastructure and Community Development, which will allow new and expanding communities to be supported to settle and integrate in the early phases of development and enable them to grow and be more self-supporting in the longer term. In Rugby, voluntary and community sector activity has been an integral part of creating social cohesion and making people feel part of a community.
35. Rugby relies upon the voluntary sector to supplement and support a range of services that they provide. An active and thriving voluntary sector is a vital component of a sustainable community and therefore planning obligations will assist with the development of non-built social infrastructure, resources and services to strengthen the skills and confidence of residents and community groups.
36. Contributions might include:
  - Financial contribution and/or provision of serviced land to allow the building of new community facilities;

- Provision to expand 'outreach' voluntary and community development services or to grant fund community groups to accommodate an expanding population;
  - The provision of discounted or peppercorn rent floorspace to be let to voluntary organisations.
37. The Local Plan in policy HS3 includes a wide definition of community facilities. Rugby will generally provide the overall lead for evidencing Borough-wide needs and strategies for the development and management of assets. Community centres offer multi-purpose space that can accommodate a range of sport, leisure, recreation, cultural and entertainment facilities. Rugby considers that community centres play an important role in enriching daily life. If no new 'stand-alone' facility is required then planning obligations may be sought by relevant stakeholders to improve, adapt or extend existing facilities. Rugby owns and manages the contracts for some larger leisure centres; community sports facilities, pavilions, and sports grounds, which enable physical and social activity through a number of strategically located facilities. The need for contributions to help expand or improve the accessibility of these facilities will be evidenced by Rugby Borough Council.
38. Libraries provide a vital function in local communities. The running cost of library services is significant, yet essential. Libraries are required to comply with the Public Libraries and Museums Act 1964, under which all local authorities have a statutory duty to deliver a "comprehensive and efficient library service" to all people who reside, work or are in full time education in the Borough. The role and function of libraries, and how the public interact with them, is changing. For example, book lending is in decline whilst digital technologies and services offered by libraries are growing. Any contributions sought will reflect these changing trends and will build on the aim to develop Libraries further as knowledge, information, cultural and community hubs develop. This may include safe spaces, welcoming to all and with access to information technology and essential digital service information. It may involve buildings that co-locate and co-create services with cultural, community, adult learning, family and children's centres, youth provision and education to reflect the specific local or district needs of the communities using those libraries.

39. Emergency services comprise ambulance services, fire and rescue services and the police. Warwickshire Fire and Rescue is a County Council delivered service, whilst ambulance services are largely funded by the NHS. New development presents opportunities for designing out crime and anti-social behaviour; however, new development also puts pressure on existing police, fire and rescue and ambulance services. In particular, the additional population generated by development will place an increased demand on the level of policing for an area. In order to maintain the current level of service, contributions from developers may be sought towards the provision of the delivery of capital infrastructure items as required by emergency services providers, and which aren't captured by other funding sources. This could include items of kit, equipment and infrastructure as well as serviced land for the extension of and improvements to existing emergency services facilities when necessary. The Borough Council and the County Council will continue to work with all Emergency Services to explore opportunities for shared facilities.
40. Contributions might include:
- Financial contributions towards enhancing and/or extending existing community centres, leisure centres, community sports facilities, pavilions and sports grounds;
  - Creating new community centres, sports facilities, pavilions and sports grounds in partnership with local communities;
  - Contributions towards managing and maintaining existing leisure and community centres community sports facilities, pavilions and sports grounds;
  - Extending or improving access to specialist residential or non-residential facilities for children and adults;
  - Set up costs for new emergency services staff;
  - Provision of infrastructure for emergency services, including fleet and ICT;
  - Extending or improving existing emergency services facilities, including potential shared space within new community facilities;
  - Provision to expand an ongoing outreach service with associated seed-corn funding, to enable groups and activity to continue to meet the ongoing needs of the residents;
  - Community facilities to be development for the area, to be transferred to a local body for lease to the voluntary and community sector.

41. It is envisaged that CIL contributions would cover most of the examples above with S106 being used for the provision of land.

## Health

42. Policies HS1 and HS2 highlight the need to ensure that the health impacts of new development are adequately mitigated for. Health contributions can be required from the following organisations:
- The Coventry & Warwickshire Clinical Commissioning Group (Doctor's Surgeries);
  - The NHS (Hospital Services)

### **Policy HS1: Healthy, Safe and Inclusive Communities**

The potential for creating healthy, safe and inclusive communities will be taken into account when considering all development proposals. Support will be given to proposals which:

- Provide homes and developments which are designed to meet the needs of older people and those with disabilities;
- Provide energy efficient housing to help reduce fuel poverty;
- Design layouts that minimise the potential for crime and anti-social behaviour and improve community safety;
- Contribute to the development of a high quality, safe and convenient walking and cycling network;
- Contribute to a high quality, attractive and safe public realm to encourage social interaction and facilitate movement on foot and by bicycle;
- Seek to encourage healthy lifestyles by providing opportunities for formal and informal physical activity, exercise, recreation and play and, where possible, healthy diets;
- Improve the quality and quantity of green infrastructure networks and protect and enhance physical access, including public rights of way to open space;
- Deliver, or contribute to, new and improved health services and facilities in locations where they can be accessed by sustainable transport modes;
- Provide good access to local shops, employment opportunities, services, schools and community facilities; and

- Do not involve the loss of essential community buildings and social infrastructure.

### **Policy HS2: Health Impact Assessments**

Development above the thresholds set out below will need to demonstrate that it would not generate adverse impacts on health and wellbeing:

- All residential development of 150 units and above and where the site area is 5 hectares or above;
- Non-residential development where the area of development exceeds 1ha; and
- Development located on an industrial estate exceeding 5ha.

Where development proposals meet the above criteria, an assessment of potential impacts on health and wellbeing should be demonstrated through:

- A Health Impact Assessment screening report; and
- A full Health Impact Assessment where the screening report identifies that significant impacts on health and wellbeing would arise from the development.

Where required, Health Impact Assessments should be prepared in accordance with the advice and best practice for such assessments as published by the Department of Health and other agencies, such as the Coventry and Rugby Clinical Commissioning Group, Public Health Warwickshire, University Hospitals Coventry and Warwickshire NHS Trust.

Where it is demonstrated that a development proposal would have a significant adverse impact on wellbeing, the Borough Council may require appropriate mitigation measures through planning conditions, financial or other contributions secured through planning obligations and/or the Council's CIL charging schedule.

43. From April 2013, groups of General Practitioners known as NHS Clinical Commissioning Groups (CCGs) have been commissioning health services for their local populations. Commissioning health services involves identifying the health needs of the population and 'buying' the appropriate high quality services necessary to meet these needs within the budget allocated. The function of Coventry and Warwickshire CCG is to

commission health services needed by the population of Coventry and Warwickshire, which covers Rugby, by assessing needs.

44. University Hospitals Coventry and Warwickshire NHS Trust is one of the UK's largest teaching Trusts responsible for managing two major hospitals in Coventry and Rugby, which between them serve a population of over a million people. The hospitals are:
- Hospital of St. Cross, Rugby
  - University Hospital, Coventry
45. Applicants are encouraged to refer to the Warwickshire County Council 'Promoting Health & Wellbeing Through Spatial Planning' document for further details of how good planning and well-designed spaces can impact positively on people's health and wellbeing
- <https://democracy.warwickshire.gov.uk/documents/s2123/04%20Appendix%20A.pdf>. This will also be useful for other sections within the document, e.g. Transport, Open Space.
46. Recommended tools to use for a HIA include resources available from the Wales Health Impact Assessment Support Unit <https://whiasu.publichealthnetwork.cymru/en/resources/> and the NHS Healthy Urban Development Unit Planning for Health Rapid Health Impact Assessment Tool <https://www.healthyurbandevelopment.nhs.uk/>.
47. Contributions received for health could provide:
- Financial contributions and/or provision of serviced land/facilities for primary care (GP Services);
  - Financial contributions towards medical equipment and digital infrastructure to deliver GP services and reduce pressure for GP appointments;
  - Financial contributions towards the set-up costs of providing new GPs and support staff;
  - Financial contributions and/or provision of serviced land/facilities for Intermediate care (day places and beds);

- Financial contributions towards acute facilities, medical equipment and digital (such as Hospital of the Cross, University Hospital Coventry & Warwickshire).
48. It is envisaged that CIL contributions would cover most of the examples above with S106 being used for the provision of land.

## Open Space

49. The Corona Virus pandemic has highlighted the important contribution that quality local green spaces make on people's health and wellbeing. It is therefore vital that new developments provide high quality, usable, accessible green spaces to ensure future resilient communities. Rugby has a varied and extensive network of public parks, formal and informal open spaces (including local and district parks) and other forms of green infrastructure. This open space network needs to be extended as new development takes place.

### **Policy HS4: Open Space, Sports Facilities and Recreation**

A. Residential development of 10 dwellings and above, shall provide or contribute towards the attainment of the Council's open space standards set out below:

	Urban Area	Rural Area
Children's Play	0.2 ha per 1,000 pop'n	0.2 ha per 1,000 pop'n
Natural & Semi Natural Green Space	2.5 ha per 1,000 pop'n	2.5 ha per 1,000 pop'n
Parks and Gardens	1.5 ha per 1,000 pop'n	1 ha per 1,000 pop'n
Amenity Green Spaces	1.1 ha per 1,000 pop'n	0.5 ha per 1,000 pop'n
Allotments	0.65 ha per 1,000 pop'n	0.8 ha per 1,000 pop'n

#### Outdoor Sports Playing pitches

Football Pitches	0.38 ha per 1000 pop'n
Cricket Pitches	0.23 ha per 1000 pop'n
Rugby Pitches	0.32 ha per 1000 pop'n

As a default, Rugby's average household size of 2.4 people per dwellings (Census 2011 or any subsequent update) should be used to identify the population of new developments and its subsequent open space requirement. Account will be taken of the existing open space provision within the ward or parish the development proposal is located within (contained

within Appendix 4). Contributions through CIL/S106 will be sought from developments where the proposal would further increase an existing deficit in provision or where the proposal will result in the provision standards not being met within the ward or parish it is located within. For the outdoor sports playing pitches account should be taken of the latest Playing Pitch Strategy standard to ascertain whether the demand arising from a proposed development can be met within the existing network of accessible playing pitches that are of sufficient quality, or whether new or improved quality provision will be required.

Dependent upon the size and layout of the development, the provision of open space, may be required on-site or may form part of a contribution towards off-site provision of either new or improved facilities. In such circumstances off-site provision towards local facilities should be made in a location which adequately services the new development and a planning obligation may be used to secure this.

Developer contributions will also be spent on built recreation facilities where justified by an increase in population.

B. New open space should be accessible and of high quality, meeting the following criteria:

- Be appropriately maintained, if necessary, through the use of developer contributions;
- Be secure and safe;
- Attractive in appearance;
- Enhance the natural and cultural environment;
- Conveniently accessed and facilitates access to other areas of open space, including the countryside;
- Facilitates access by a choice of transport; and
- Avoid any significant loss of amenity to residents, neighbouring uses or biodiversity.

C. Public open space, sports and recreational buildings and land, including playing fields within 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:

- An assessment has been undertaken which has clearly shown the open space, building or land to be surplus to requirements; or
- 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
- The development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.

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.

50. This policy in the Local Plan details the expectations of development in terms of mitigating any loss of facilities and providing new facilities as the population grows as a result of development. It applies to major development only. Open space provision must be designed to be resilient and sustainable and should form an integral part of new development, often forming the ‘structure’ of a scheme distinguishing between areas of development and non-developed areas of open space. These can range in size from new large strategic parks to pocket parks. Open space should be considered at an early stage of the design process. Open space is considered in terms of a number of ‘typologies’ which means there are different types of open space. These typologies are set out in table 1 below. As much open space as possible should be incorporated within each development, and if all typologies cannot be incorporated, a commuted sum to provide omitted typologies within the locality to mitigate the impacts of development is normally required. An open space calculator, which summarises the required amount according to typology and its monetary cost, is used for major housing developments to predict what the open space requirements are for each planning application. This is regularly updated but the latest version is included as Appendix A to this document.

Table 1 – Open Space Typology

<b>Children and young people’s facilities</b>	These included equipped children’s play areas, youth facilities and ball courts
<b>Natural and semi natural green space</b>	These are areas whose primary purpose is for nature conservation. An example would be Swift Valley Park.
<b>Parks and Gardens</b>	These particular sites would normally contain a whole range of quality facilities and experiences for all members of the public. These can be classed as the Borough’s main parks and would allow the visitor to spend several hours enjoying the open space environment. An example would be Caldecott Park or Hillmorton Recreation Ground.
<b>Amenity Green Spaces</b>	These sites are typically smaller than the parks and gardens sites and are very much a local facility, although may form part of a wider network of green spaces. An example would be East Union Street.
<b>Allotments</b>	These areas allow for community gardening and growing of fruit and vegetables.

51. The open space calculator is not a new formulaic approach to planning obligations, as it simply collects the proportions of open space requirements from the urban and rural areas within policy HS4 and puts them in an Excel spreadsheet. The proportions within policy HS4 it was tested at Examination. The results of the open space calculator are a starting point for discussions and the results will need to be assessed to ensure the planning obligation meets the statutory tests set out in Regulation 122.
52. Open space requirements, particularly if commuted sums are required to be spent in the locality (unless specified use for a strategic green space improvement) for new and/or improved facilities may need to be discussed with the Council and relevant stakeholders (such as Parish Councils, Warwickshire County Council, the Warwickshire Wildlife Trust) and take into account any evidence of need, and information about existing facilities from those bodies. In some cases, the Parish Council, in Main Rural Settlements or Villages, are the body that would ultimately decide where any commuted sums are spent within their administrative areas.
53. New, improved or enhanced open space, play areas and green infrastructure must be managed and maintained into the long term if it is to meet the requirements of the Local Plan. Developers are required to include a management and maintenance strategy for all new or extended open space and green infrastructure as part of the S106 agreement. This shall include details of the proposed protection, ownership of the open space/green infrastructure; the identity of the responsible body for maintenance/stewardship (e.g. the Wildlife Trust; Rugby Borough Council, the Parish Council, etc.), financial and public accountability, and a suitable and sustainable financial arrangement to enable the stewardship body to maintain the open space and green infrastructure to the required standard in perpetuity.
54. It is the Council's clear preference that the financial arrangement for private communal space should take the form of an endowment or commuted sum paid to the management body, rather than a service charge to be levied on specific properties each year in perpetuity. In the case of public open space, play areas and green infrastructure, the Council prefers an endowment or a commuted sum. Here the freehold ownership of the land should pass first to RBC on condition it is simultaneously let on a long-term lease to a locally accountable and experienced

charitable body. RBC would be concerned if charging nearby properties for the management and maintenance of un-endowed public amenities places an unfair burden on those homeowners. The scope of the management strategy and maintenance plan for open space play areas and green infrastructure should cover, but not be limited to, relevant elements listed in Table 2 below:

**Table 2 – Maintenance of open spaces**

<b>Type of Space</b>	<b>Requirements</b>
<b>Soft Landscape</b>	Annual maintenance of soft landscape features (e.g. grass, planting beds, hedges, etc.). Maintenance works not necessarily carried out every year (e.g. thinning and coppicing of tree plantations, pond clearance, etc.). Tree management and inspections for public safety
<b>Hard landscape, furniture and fittings</b>	Annual maintenance (e.g. sweeping and cleaning) The process that will be followed for inspections and arranging repairs. The anticipated design life of built features and how future replacements will be arranged when they become necessary.
<b>Play Areas</b>	Details of the proposed inspection and safety management regime, to include frequency of routine operational inspections and a requirement for at least annual inspections by an independent accredited play area inspector. Details of how repairs to equipment, surfaces and other fixtures will be arranged. The anticipated design life of equipment and fixtures and how future replacements will be arranged when they become necessary. All manuals and certification would need to be passed to the body maintaining the equipment.
<b>Biodiversity and heritage</b>	Details of how any biodiversity habitats or heritage features within the site will be managed. Other specific features Details of how any features requiring specific forms of management (e.g. art works) will be maintained.
<b>Litter and cleansing</b>	Details of the litter removal and site cleansing regime.
<b>Site monitoring, administration and community</b>	Details of how site monitoring and inspections will be carried out to ensure the site serves as an amenity for its intended users and the wider area; to address any negative issues affecting the site (e.g. anti-social behaviour) and to keep it in a safe and good condition for users in accordance with the design function. Details of how the stewardship body responsible for the site will be contactable by and responsive to site users and nearby residents in relation to the use and condition of the site.
<b>Finance and governance</b>	Details of how site management and maintenance will be funded and how finances will be secured and managed to cover annual maintenance and non-annual works such as the replacement of play

	equipment and other fixtures, including where necessary the establishment and use of sinking funds to cover non-annual works. Details of the proposed responsible stewardship body and how it is governed.
<b>Ownership and responsible maintenance body to secure management and maintenance in the long term</b>	<p>Details of the legal mechanisms to be applied to the land to ensure it remains as open space/green infrastructure and is managed and maintained in accordance with the approved management strategy and maintenance plan. Acceptable mechanisms include the following preferred options:</p> <ul style="list-style-type: none"> <li>• Transfer to Warwickshire Wildlife Trust either by grant of long lease or freehold transfer with commuted sum. If leasehold, the freehold to be transferred to Rugby Borough Council (or other body approved by the Council).</li> <li>• Transfer to the local Parish Council with commuted sum.</li> <li>• Transfer to Rugby Borough Council with commuted sum.</li> </ul> <p>For any alternative to the above options, effective covenants must be applied to the land:</p> <ul style="list-style-type: none"> <li>• Covenant to restrict use of the land only as open space (or other form of green infrastructure as relevant in accordance with the approved scheme).</li> <li>• Covenant upon the owner to use reasonable endeavours to ensure the land is usable by the public for the purposes of play, recreation and social interaction (as appropriate and relevant according to the approved scheme).</li> <li>• Covenant upon the owner that they shall ensure the necessary arrangements are put in place to ensure the site is maintained in accordance with the approved management strategy and maintenance plan.</li> </ul>
<b>Note:</b>	For guidance purposes, the minimum recommended international standard for parks and green space is The Green Flag Award and information on the basic requirements are available on-line.

55. The national recommended benchmark for allotments is provided by the National Society for Allotments and Leisure Gardeners (NSALG). NSALG recommends that the minimum provision should be 20 plots per 1000 households. A plot is 250 sq. m and the minimum amount of land required for allotments per 1,000 households is 5,000 sq. m, which is the equivalent of 5 sq. m per household.
56. Contributions might include:
- Contributions towards the creation of new or the improvement/enhancement of existing areas of open space, play areas and other forms of green infrastructure (including allotments);

- Contributions towards the future management and maintenance in the long term of open space, parks and other forms of green infrastructure;
- Improving existing leisure and sports facilities;
- Contribution towards managing and maintaining existing allotments;
- Enhancing and/or extending existing sports halls.

57. It is envisaged that CIL contributions would cover most of the examples above with S106 being used for the provision of land.

## Biodiversity

### **Policy NE1: Protecting Designated Biodiversity and Geodiversity Assets**

The Council will protect designated areas and species of international, national and local importance for biodiversity and geodiversity as set out below.

Development will be expected to deliver a net gain in biodiversity and be in accordance with the mitigation hierarchy below. Planning permission will be refused if significant harm resulting from development affecting biodiversity cannot be:

- Avoided, and where this is not possible;
- Mitigated, and if it cannot be fully mitigated, as a last resort;
- Compensated for.

#### Sites of International and European Importance

Development that is likely to result in an adverse effect on the integrity of any European site (either alone or in combination), will not be permitted unless:

- There are no alternative solutions; and
- There are imperative reasons for overriding public interest; and
- Adequate compensatory measures can be taken to ensure the overall coherence of Natura 2000 is protected.

As per the requirements of the Habitat Regulations.

Sites of International or European Importance Include: Special Protection Areas (SPAs), Special Areas of Conservation (SACs) and Ramsar Sites.

### Sites of National Importance

Development affecting nationally important Sites of Special Scientific Interest (SSSIs) either directly or indirectly will only be permitted in exceptional circumstances where the benefits of development clearly outweigh the impacts on the site or species.

### Sites of Local Importance

Development likely to result in the loss, deterioration, degradation or harm to habitats or species of local importance to biodiversity, geological or geomorphological conservation interests, either directly or indirectly, will not be permitted for Local Nature Reserves (LNRs); Local Wildlife Sites (LWS), Local Geological Sites (LGS), European and UK protected species, or Biodiversity Action Plan habitats unless:

- The need for, and benefits of, the development in the proposed location outweighs the adverse effect on the relevant biodiversity interest. All Development proposals impacting on local wildlife sites will be expected to assess the site against the 'Green Book'<sup>1</sup> criteria to determine the status of the site and to ascertain whether the development clearly outweighs the impacts on the site;
- It can be demonstrated that it could not reasonably be located on an alternative site that would result in less or no harm to the biodiversity interest; and
- Measures can be provided (and secured through planning conditions or legal agreements), according to the mitigation hierarchy as set out above. The level of protection and mitigation should be proportionate to the status of the habitat or species and its importance individually and as part of a wider network.

### Ancient Woodland

Planning permission will be refused for development resulting in the loss or deterioration of ancient woodland, and/or the loss of aged or veteran trees found outside of ancient woodland unless the need for, and benefits of, the development in that location clearly outweighs the loss.

All development proposals in the proximity of ancient woodland shall incorporate buffers having regard to Natural England's standing advice.

### Ecological Assessment

All proposals likely to impact on the sites noted above will require an Ecological Assessment. The Ecological Assessment shall include due consideration of the importance of the natural asset, the nature of the measures proposed (including plans for long term management) and the extent to which they avoid and reduce the impact of the development.

<sup>1</sup> The Green Book: Guidance for the Selection of Local Wildlife Sites in Warwickshire, Coventry and Solihull (2015)  
Local Wildlife Sites Project: Habitat Biodiversity Audit for Warwickshire.

### **Policy NE2: Strategic Green and Blue Infrastructure**

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:

- The protection, restoration and enhancement of existing and potential Green and Blue Infrastructure assets within the network as shown on the Policies Map; and
- The introduction of appropriate multi-functional corridors between existing and potential Green and Blue infrastructure assets.

Where appropriate new developments must provide suitable Green and Blue Infrastructure corridors throughout the development and link into adjacent strategic and local Green and Blue Infrastructure networks or assets where present.

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 and 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.

58. The National Planning Policy Framework (2019), Environment Act (2021) and the Local Plan (2019) stress the importance of delivering net gains for biodiversity. The Environment Act, once enacted, will require a minimum of 10% Biodiversity Net Gain.

On enactment, all developments will be expected to delivery this percentage gain. When determining planning applications, paragraph 174 of the Framework stresses the importance of the mitigation hierarchy in terms of significant harm to biodiversity. Development should avoid, mitigate or compensate for significant harm to biodiversity as a result of development. A Biodiversity Impact Assessment (BIA) is one way to transparently and consistently calculate biodiversity impact to contribute to the overall assessment of harm, and net biodiversity gains and losses. All local planning authorities in the Coventry, Solihull and Warwickshire sub-region require all major and minor scale developments to have undertaken a BIA<sup>2</sup> to determine the likely biodiversity impact of the development, unless otherwise agreed.

59. The BIA metric is used to calculate the biodiversity value of habitat, rivers and hedgerows for an application site before and after development. It helps to determine if development will result in an on-site habitat biodiversity net loss or gain. The BIA is a decision making tool that should be used from the very start of a project. It seeks to show, using the mitigation hierarchy:
- Which habitat has been avoided;
  - Which habitat has been mitigated;
  - Which habitat is to be compensated for.
60. The BIA Tool is for habitats only. Protected and important species will be considered separately within the planning process. However, if a habitat is required to support a protected or important species then the appropriate value of this habitat will need to reflect the species requirements.
61. The information required to complete the Biodiversity Impact Assessment (BIA) is:
- Habitat type;
  - Habitat condition;
  - Area or length of each habitat, hedgerow or linear feature;
  - Impact from development, both direct (onsite) and indirect (offsite);

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<sup>2</sup> The Council promotes the use of the [Defra Metric](#) or the [Warwickshire BIA](#), but accepts the Defra Metric noting that the Defra Metric has become mandated with the passing of the Environment Act.

- Onsite biodiversity mitigation/enhancement measures.
62. Ecological surveys to gather this information are to be consistent with CIEEM survey guidance and at an appropriate time of year. The survey and calculation should include the whole of the development boundary (red line) as a minimum. It is encouraged that it includes habitats within the entire ownership boundary (blue line), as ecological compensation can be incorporated within this boundary. Any indirect impacts will also need to be taken into account. All habitat compensation measures within the ownership boundary should be included within the calculation as both existing and proposed habitats.
63. A development master plan or indicative plan is necessary to inform the BIA as this will determine the habitats that will be in place post development, including habitat to be retained and enhanced. This is likely to be controlled via condition. It is essential, therefore, that the ecologist and landscape architect work together. Any habitat to be cleared or not protected during the works is still entered on the calculator as a habitat loss. If a habitat is to be undisturbed it is entered as an existing habitat on site, in its current condition; then re-entered in the enhancement section as its target habitat and condition. Further guidance on biodiversity offsetting is available from Warwickshire County Council's website <https://www.warwickshire.gov.uk/biodiversityoffsetting>.
64. The Council welcomes applications that adhere to the 'BS8683 – Process for designing and implementing Biodiversity Net Gain'<sup>3</sup>. This British Standard specifies requirements for a process to design and implement biodiversity net gain (BNG) for development projects. It doesn't cover the actual delivery of BNG, but provides a framework to demonstrate that a project has followed a process based on UK-wide good practice. The standard provides good practice requirements from design to legacy, providing consistency at every level. It will help users meet Government requirements to demonstrate a 10 percent increase in biodiversity on or near development sites in

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<sup>3</sup> BS 8683 - Process for designing and implementing Biodiversity Net Gain

England, and as a linear progressive standard, it allows ease of entry for all organizations, irrespective of the scale of a project.

- 65 The Environment Act (2021) also requires Local Authorities to prepare Local Nature Recovery Strategies (LNRS). The Warwickshire Green Infrastructure Strategy currently performs this function until a LNRS for Warwickshire, Coventry and Solihull is adopted. Amongst other topics, the LNRS will identify opportunities for biodiversity enhancements that will benefit wildlife and people. These opportunities area will influence the Defra and Warwickshire BIA Tools.
- 66 Should a development result in a biodiversity loss then compensation will be required. This will need to be relative to the habitat lost as part of the development. For example, grassland losses need to be compensated with grassland enhancements, woodland losses need to be compensated with woodland enhancements, hedgerow losses need to be compensated with hedgerow enhancements and river losses need to be compensated with river enhancements.
67. It is envisaged that biodiversity net gain compensation packages will be subject to negotiations between the developer and one or more offset providers to the satisfaction of the Council within the provisions of an obligation (e.g. S106). It may include a financial contribution to Warwickshire County Council to undertake biodiversity net gain improvements.

## Transport

### **Policy D1: Transport**

Development will be permitted where sustainable modes of transport are prioritised and measures designed to mitigate transport impacts arising from either individual development proposals or cumulative impacts caused by a number of proposals are provided. Proposals should have regard to the Sustainable Transport Strategy.

All large scale developments which result in the generation of significant traffic movements, should be supported by a Transport Assessment and where necessary a Travel Plan, to demonstrate practical and effective measures to be taken to mitigate the adverse impacts of traffic. It must consider:

- The impact of the proposal upon existing infrastructure;
  - How the site will connect safely to public transport;
  - Safe and convenient access to pedestrians and cyclists;
  - Potential impact of heavy goods vehicles accessing the site, including during construction:
- and
- The entering into of bus and/or freight partnerships with the County Council and/or third parties.

Smaller scale development must also be accompanied by a Transport Statement which should address:

- Opportunities for sustainable transport to serve the proposed development;
- Whether safe and suitable access to the site can be achieved; and
- Whether improvements can be undertaken that cost effectively mitigate the impacts of the development.

Proposals should be considered in the light of the transport mitigation measures identified in the Infrastructure Delivery Plan, and other localised impacts as identified in the transport assessments and statements.

65. Policy D1 sets the policy context for the connectivity of places through different forms of transport infrastructure and sets out an approach to help support a step change in terms of a sustainable transport network. Warwickshire County Council (WCC) is the Local Highway Authority and will provide the strategic lead on matters related to highways, cycle paths/footpaths (including Public Rights of Way) and public transport. The context for this is the County's Local Transport Plan. WCC has and maintains a strategic transport model, which can be accessed by developers to model the impacts of new development.
66. Developers may be required to enter into an agreement to undertake works to the County maintained highway network (under Section 278 Agreements), or for the Council to 'adopt' new roads, cycle paths and footpaths (under a Section 38 Agreement). It is expected that references to the requirements of proposed off-site highway works of s278 agreements will be included within s106 agreements so that

the two agreements can cross refer to the required highway improvements, if known at the time of the signing of the s106 agreement. If relevant, such details may include a description of the works to be provided along with a general arrangement plan.

67. Through this policy the Council will seek obligations that help to incentivise the required step change in movement and transport patterns, focussing particularly on low carbon, and shared transport schemes. Such measures may be secured via planning obligations under a Section 106 agreement. The submission and subsequent approval of either, or a combination of, a Transport Assessment (TA), Transport Statement (TS) and Travel Plan (TP) may set the basis for determining the transport and highway related measures that are required to mitigate the impacts of development.
68. A Transport Assessment submitted with a planning application will not only explain how the development will connect with the existing network but will also identify any mitigation measures to accord with relevant policies. It is noted that an outline application may not give sufficient details on the internal layout of a scheme. It is generally expected that the developer will carry out all off-site highway works that have been identified within the Transport Assessment under a Section 278 Agreement. In some cases, however, a financial contribution towards highway works may be accepted and secured within a Section 106 agreement, depending upon the nature of the highway works.
69. Travel Plans may be required as a planning obligation or via a condition to a planning permission. The role of WCC will be to agree the measures set out in the Travel Plan while the developer will be responsible for monitoring the implementation of it (usually for a period of 5 years post occupation). The costs for covering the Council's monitoring will also be secured as an obligation. A Travel Plan submitted for approval should be accompanied by information on how much it will cost to implement. The implementation costs of the Travel Plan may be secured as an obligation (effectively a bond). Once satisfied that the Travel Plan has been delivered in full at the end of the monitoring period this implementation cost will be returned. If the developer/owner does not meet agreed targets or comply with the agreement the obligation will be used to implement remedial measures.

70. In exceptional circumstances, the Council may be able to take responsibility for monitoring and implementation of the Travel Plan on behalf of the developer, and the planning obligation would pay for this service.
71. Aside from impacting the existing transport network, development may also negatively impact upon the highways and footways surrounding new development, as a result of the construction process, for example, where existing infrastructure can become damaged. As part of the Section 38 Highway adoption/Section 278 legal agreement, the developer is expected to fully reinstate the highway to the satisfaction of the Local Highway Authority.
72. The impact of individual developments on public transport provision might not be significant where these developments are small, but when considered together can warrant intervention. A proportionate contribution to provide public transport infrastructure and/or a local bus or demand responsive service may be sought, where the scale of development is sufficient to sustain a public transport service in the longer term through Section 106. This is usually for a 5 year period acting as revenue support for a public transport service until it becomes established. This contribution could also include the provision of relevant public transport infrastructure, such as bus priority measures benefitting buses that serve the development site.
73. In addition to physical infrastructure (footpaths, etc.) information to support walking, initiatives such as walk to school initiatives, incentive schemes and other activities are also crucial in increasing walking. These measures should be included in Travel Plans. Improving and enhancing the cycle network is a further key objective. The creation of new routes, the improvement and enhancement of the existing network are crucial elements in delivering that. In order to achieve the high-quality routes sought, further enhancement is needed to the network including detailed wayfinding, improvements to lighting (subject to impacts on biodiversity and climate change) and perceived safety. Provision of new or upgraded cycleways, improving cycling priority and/or links to existing cycleways will be sought. To ensure that cycling becomes and remains a viable transport option for a larger number of journeys, additional cycling infrastructure such as secure cycle parking and changing facilities may be required. This could be secured via planning condition.

74. Contributions might include:
- Contributions towards pump priming the provision of a new public transport (local bus or demand responsive transport) service or enhancements to an existing public transport service (such as increasing frequency) for a period of 5 years;
  - Provision of public transport infrastructure relevant to the site including fixed bus stops with raised boarding areas and specification shelters, bus priority measures, real time information displays, charging points for electric buses, and smart ticketing hardware;
  - Financial contribution to a wider highway scheme (e.g. traffic calming);
  - Financial contribution towards maintaining bus stop infrastructure, real time information displays. Electric bus charging points, and smart ticketing hardware;
  - Financial contribution towards the provision of a Community Transport service;
  - Creation of new cycleways, Footways or other routes;
  - Extending and/or upgrading existing cycleways, footways and other routes, public rights of way, including enhancement of signage, lighting, wayfinding and safety measures for cyclists and pedestrians;
  - Travel Plan Monitoring;
  - Travel Plan bond or implementation costs;
  - Car clubs (both on and off site);
  - Electric vehicle charging schemes.
75. It is envisaged that in the majority of cases, CIL would be used for financial contributions, whereas S106 will still be used for site specific highway works or infrastructure that is required to mitigate the local impacts of the particular development. This may involve associated section 278 works on the highway.

## Appendix 1 – Approach to Section 106 Obligations

A.1 When submitting a planning application, a Section 106 Agreement may be required to mitigate the impacts of the development. Some of this information may have been obtained via utilising the Council's paid pre-ap service. Information submitted at the time of submission such as the proposed Heads of Terms, will mean the application can be dealt with more efficiently. The following information should be provided to ensure agreements can be dealt with promptly:

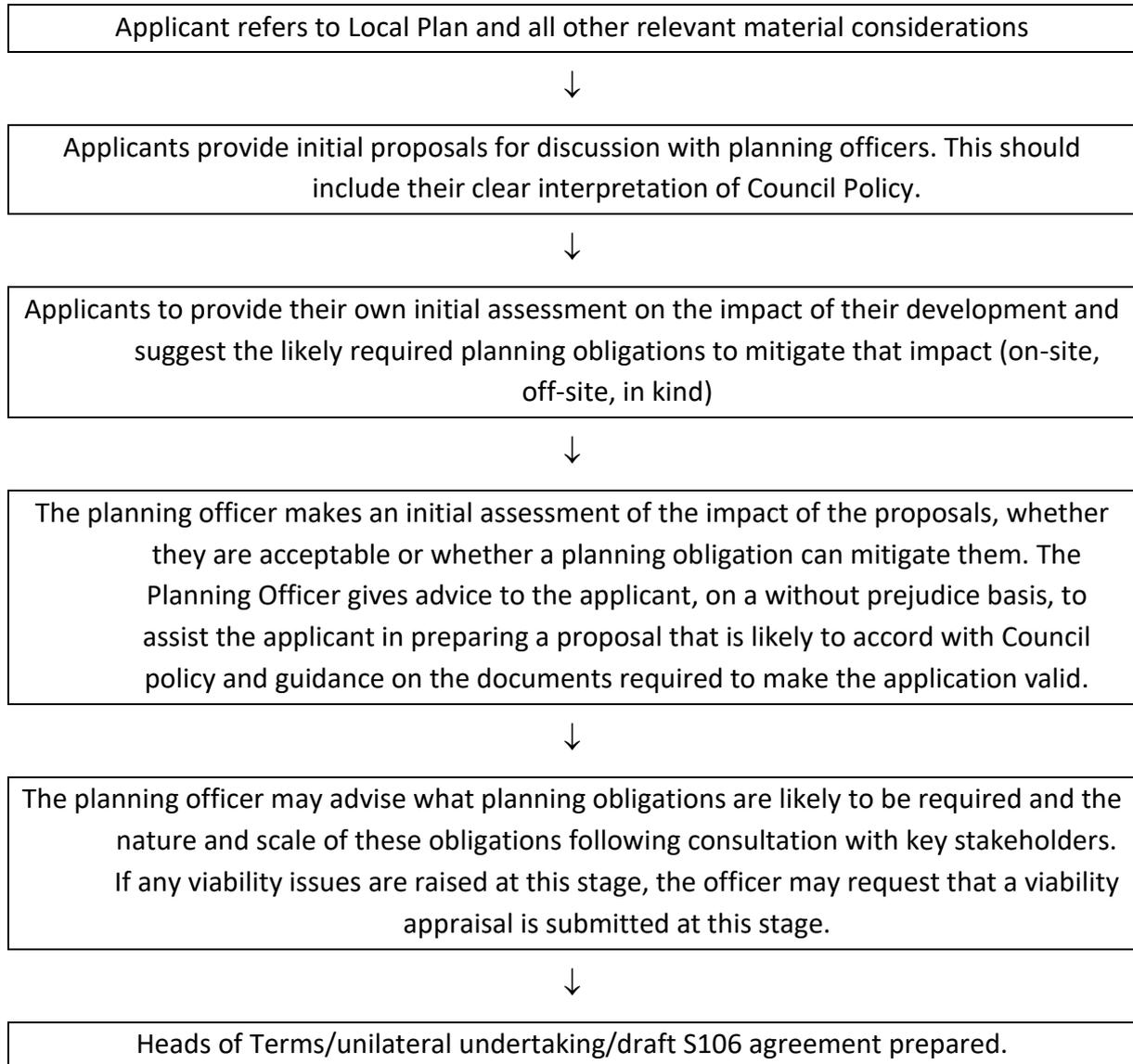
- Name and address of applicant
- Name and address of owner of land, if not above
- Name and address of any other party to the Agreement
- Precise details of what is included in the Agreement
- Dates and/or timescales of when the requirements are to be met
- Details of any financial payment i.e. from whom to whom; when; and how much
- Details of any bond or arrangement for payment of supervision fees
- Details of any mortgagees (who must be made parties to the agreement)
- site plan – application site edged red, additional land owned by the applicant edged in blue
- Proof of title to land provided prior to the signing of the agreement

A.2 An application which fails to be accompanied by the proposed head of terms or an agreement will still be validated. If it is determined that an obligation is required, but not secured, the proposal may not be acceptable.

A.3 Details of any legal representatives acting on behalf of the applicant in preparing any Agreements should be provided. Providing the information and a draft

agreement in as final a form as possible means it can be dealt with quickly, minimising any delays due to insufficient information being submitted with the application.

- A.4 Applicants can prepare their own agreements and a standard document to assist in the drafting of the agreement can be obtained from the Legal Services team. Where the applicant chooses to ask the Council's legal team to prepare an agreement the applicant will be expected to meet the costs. Early contact with the Local Planning Authority to ascertain the type of contributions is recommended. The following diagram shows the stages normally carried out during pre- application discussions regarding planning applications.
- A.5 The monetary obligations sought from developers will be index linked in line with inflation and adjusted accordingly, either using the Retail Price Index (RPI), the Building Costs Information Service (BCIS), the Baxter Index or a contribution of the indices depending on the type of contribution. Contributions will attract relevant triggers for payment depending on the development and the contribution type.
- A.6 Monitoring fees will be reviewed and amended at the start of every financial year. Unilateral Undertakings will also include monitoring fees. Suitable review mechanisms may be negotiated and included by the Council to ensure Affordable Housing provision is delivered in line with Local Plan policies, especially within larger multi-phased schemes delivered over long timeframes. Review mechanisms will allow any changes in market values over the life of a scheme to be evaluated, to see if the original Affordable Housing and/or Planning Obligations offer should be amended. The timing of the review will be determined on a case by case basis between the Council and the applicant. Any revised Affordable Housing/Planning Obligations offer will be determined in line with Planning Practice Guidance.

Illustrative Approach to Section 106 Obligations

## Consultation

The Developer Contributions Supplementary Planning Document is out for public consultation from Monday 8<sup>th</sup> August 2022 until **5pm Friday 23<sup>rd</sup> September 2022**.

Consultation responses can be sent via

- 1) email to [localplan@rugby.gov.uk](mailto:localplan@rugby.gov.uk) with 'Developer Contributions SPD' in the subject line or
- 2) by post to;

Developer Contributions SPD Consultation,

Development Strategy Team,

Town Hall,

Evreux Way

Rugby

CV21 2RR

Please note, if you submit a response by email you do not need to submit a paper copy as well. Consultation responses will be made available for public inspection.

Appendix 3



# **Rugby Borough Council**

## **Community Infrastructure Levy**

### **Infrastructure Funding Gap**

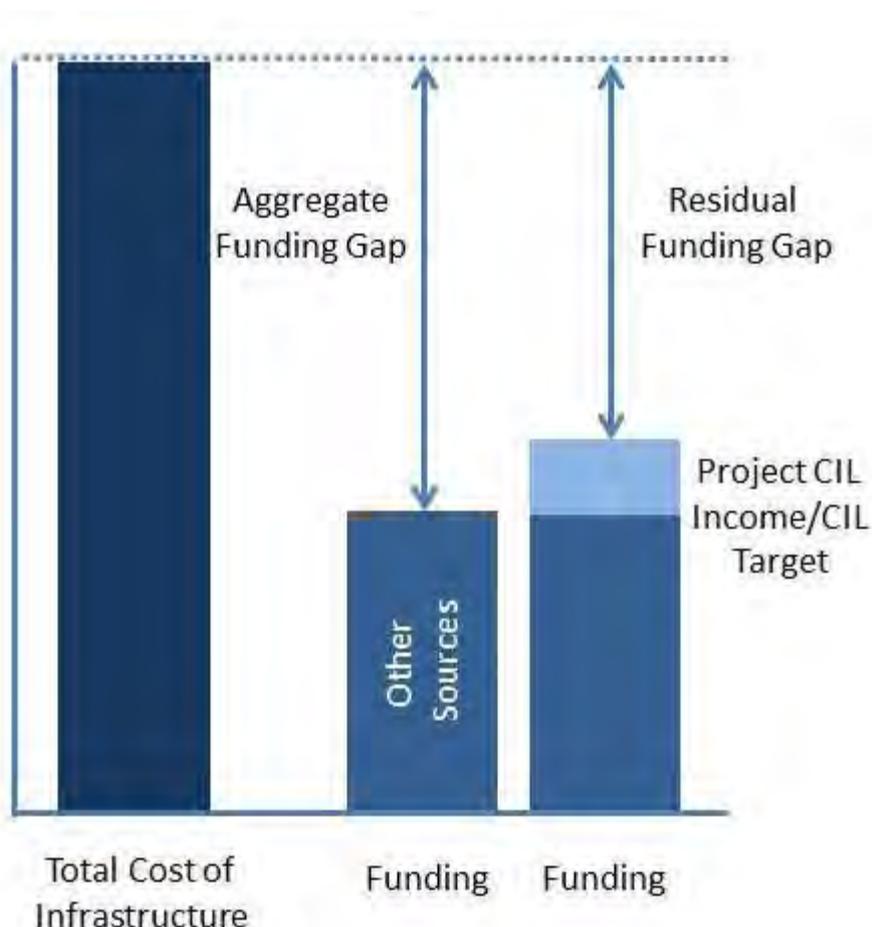
**Summer 2022**

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## Introduction

1. This Statement has been produced to provide evidence in support of the Council's review of its Community Infrastructure Levy (CIL) Charging Schedule. CIL is a tariff that may be levied by local authorities to help to fund the provision of infrastructure to support development, alongside the use of S106 planning obligations. CIL will contribute towards funding the infrastructure identified in the Adopted Local Plan and in the Infrastructure Delivery Plan.
2. To be able to put in place CIL, the Regulations require charging authorities (local authorities) to demonstrate that there is an aggregate funding gap in the provision of infrastructure required to support new development in their administrative area. To do this, they must consider what infrastructure is needed in the area to support development and what other funding sources are available.



3. In determining the size of the aggregate infrastructure funding gap, charging authorities should consider known and expected infrastructure costs and the other sources of possible funding available to meet those costs. Government recognises that there will be uncertainty in pinpointing other funding sources, particularly beyond the short term. However, a charging authority must provide evidence of an aggregate funding gap in order to charge CIL, or in order to adopt its CIL charging rates.
4. This Statement demonstrates that the Council has an aggregate and residual funding gap and thus there is justification for CIL to be levied across the authority. The following issues have been considered in identifying its aggregate and residual infrastructure funding gap:
  - What infrastructure is needed to support development in the authority;
  - The likely cost of this infrastructure;
  - Existing and known funding sources (including from S106 contributions);
  - The income projected from CIL.

## Background

5. The Rugby Local Plan 2011 - 2031 sets out the spatial strategy and strategic policies for the authority to deliver sustainable development. It identifies the number of new homes and jobs to be provided in the area for the Plan period up to 2031. It makes provision for retail, residential and commercial development and for the infrastructure needed to support them. The Local Plan was adopted in June 2019.
6. The adopted Local Plan 2031 sets out the authority's housing requirement of 12,400 new homes to be delivered during the Plan period 2011 to 2031. The Council's position on housing supply (as of October 2021) is set out in Table 1 below.

Table 1: Housing Requirement and Supply

Local Plan Requirement 2011-2031	12,400
Completions 2011-2021	5,790
Supply - Permissions	1,045
Supply – Allocations	5,935
Supply - Windfalls	550
<b>Total Supply</b>	<b>13,320</b>

## Infrastructure Funding Gap

7. The starting point for identifying whether a funding gap exists is to establish the total cost of infrastructure required across the authority to support planned growth up to 2031. The next step is to eliminate from the funding gap analysis any infrastructure item that the Council is not expected to contribute towards. This includes, for example, utilities infrastructure which is funded via revenue from consumer bills. The final stage is to deduct known funding from other sources which is earmarked for or likely to contribute towards the costs of some of the required infrastructure items.
8. We have gathered the information on likely infrastructure costs and funding sources for infrastructure that has not yet been delivered in the authority. Inevitably, there are a number of gaps where costs are either unknown or uncertain. The CIL guidance recognises that there will be uncertainty in confirming funding sources for the provision of infrastructure, particularly beyond the short-term. The focus should be on utilising appropriate available evidence.
9. The IDP provides details for a number of potential infrastructure projects (where known), alongside sources of existing and potential funding (where known) and this information has been used to enable the funding gap to be calculated. Within the IDP, infrastructure needs are split on a site-by-site basis to demonstrate the infrastructure that is needed to support the development of that particular site. In addition, strategic infrastructure is identified separately, all of which has been included within the identification of a funding gap.
10. Funding for some items has already been secured from other sources and, in other items, a reasonable alternative to CIL has been identified. S106 has been considered appropriate in certain cases where a link can clearly be drawn between a new development and the need for an infrastructure item that mitigates impacts.
11. Table 2 below sets out the estimated funding gap taking into account infrastructure requirements identified for housing allocations and strategic projects. The difference between the total identified cost of the assessed infrastructure and the identified other sources of funding provides the estimated funding gap. Only infrastructure requirements which meet the following criteria have been taken into account:
  - The total cost of the project is known or can be reasonably estimated

- The project is specific to Rugby (or the cost of the Rugby element of the scheme is known or can be reasonably estimated)
- The project is required to support future development of the district rather than addressing existing capacity issues
- The project is something tangible (i.e. not a review or feasibility study)

Table 2: Identified Funding Gap

Infrastructure	Estimated Cost (b)	Known Funding (c)	Gap (b-c)
<b>Education</b>	£50,261,086	0	£50,261,086
<b>Transport</b>	£57,819,766	0	£57,819,766
<b>Health</b>	£5,203,390	0	£5,203,390
<b>Others (Fire, Police)</b>	£4,668,100	0	£4,688,100
<b>Total</b>	<b>£117,952,342</b>	<b>0</b>	<b>£117,952,342</b>

12. The total cost of infrastructure identified in the IDP equated to circa £118 million. It should be noted, there are some infrastructure projects identified in the IDP (and also infrastructure associated with windfall development) where the cost is unknown or uncertain and, therefore, it is likely that this funding gap could be higher.
13. It is important for charging authorities to understand the likely income projections arising from proposed CIL rates as the charging authority cannot collect CIL receipts in excess of what is needed to fund the aggregate funding gap.
14. Accurately assessing what revenue will be generated from CIL is difficult as each development scheme differs. For example, when considering housing development, it is often unclear what size new homes will be built to and where a development site is located will dictate the proposed CIL rates to be applied. It is also often difficult to determine the proportion of affordable and market homes that will be provided on each site. An estimate of CIL income will, therefore, need to be based on a series of assumptions and should only be taken as a guide. The assumptions are as follows:
- Expected housing growth has been determined by looking at expecting sources of housing, with allocated sites that are not exempt from CIL and windfall development projections being used to determine the number of CIL liable units coming forward;
  - Discount for affordable housing for sites over 10 dwellings as affordable housing does not pay CIL;

15. An assessment of expected CIL income from supermarket retail developments. This is based on the amount of convenience retail floorspace estimated to be required in the authority up to 2031, as set out in the Local Plan 2031. Using these assumptions, it is estimated that CIL will deliver approximately £9m over the remaining Plan period to 2031. Table 3 sets out the detail of this calculation.

Table 3: CIL income projection

Development Type	Revenue
Convenience Retail	£ 124,700
Residential - Allocations	£2,096,000
Residential – Windfalls	£6,840,000
<b>Total</b>	<b>£9,060,700</b>

16. By estimating the likely CIL receipts, it is possible to calculate a residual funding gap by subtracting the projected CIL income from the aggregate funding gap, as set out in Table 4 below.

Table 4: CIL income in the context of total infrastructure

Category	Revenue
a) Total Assessed Infrastructure	£117,952,342
b) Other funding sources	£0
c) Aggregate funding gap (a-b)	£117,952,342
d) Estimated total CIL revenue	£ 9,060,700
<b>Residual Funding Gap (c-d)</b>	<b>£108,891,642</b>

17. The residual funding gap demonstrates that the proposed CIL charge makes a modest contribution to the aggregate funding gap (c.8%). The scale of the residual funding gap clearly demonstrates the justification for the CIL charge.

## Conclusion

18. CIL will play a role in the delivery of infrastructure within the authority and towards mitigating the cumulative impacts of new development. This Statement clearly demonstrates that the authority has a funding gap in terms of necessary infrastructure provision, which justifies the implementation of CIL across its administrative area.

19. There will still remain a shortfall in funding that will need to be found from other sources e.g. the Council's capital programme or government grants, whose funding has yet to be determined. The

Council will proactively seek additional funding opportunities where they become available with the aim of reducing the funding gap. This Statement has been published alongside the Draft CIL Charging Schedule, as part of the supporting evidence.



# **Rugby Borough Council**

## **Approach to spending the Community Infrastructure Levy**

**Summer 2022**

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## Introduction

1. The Annual Infrastructure Funding Statement published in December 2021 does not set out any information on how CIL revenue would be spent in the future. At the time of publication the authority had no plans to introduce a CIL so it was unable to set out its priorities.
2. Changes to the regulations in 2019 mean that CIL revenue is no longer restricted to strategic infrastructure projects identified on a Regulation 123 list. Rugby BC intend to update the Annual Infrastructure Funding Statement (to be published in December 2022) so that it will comply with the regulatory requirements.
3. This document is to act as an interim guide on the borough's approach to future CIL expenditure.
4. Parishes that have a 'made' Neighbourhood Development Plan will receive 25% of receipts accruing from development within their parish. Parishes without a 'made' plan, including those where a plan is in preparation, will receive 15%, capped at £100 per dwelling in accordance with the CIL regulations. It will be for individual parish councils to determine how their portion of CIL receipts is spent, but they must meet the following criteria as set out by CIL regulations:
  - The provision, improvement, replacement, operation or maintenance of infrastructure; or
  - Anything else that is concerned with addressing the demands that development places on an area.

## Strategic CIL

5. The following are the key types of infrastructure which are considered to be those which Rugby Council will seek to fund (wholly or in part) through CIL in future reporting years. This is not in order of priority:

- Transport infrastructure - improvements to the Strategic Highway Network as identified by National Highways and the transport schemes outlined by Warwickshire County Council;
  - Education - Primary education contributions will be sought for specific projects to expand the capacity of existing schools and the provision of future freestanding facilities. Secondary education contributions will be sought to deliver additional secondary education facilities through the provision of new schools and the expansion of existing facilities; both of these could include facilities for Special Educational Needs.
  - Open Space, Sporting and Recreation Facilities - Improvements to open space provision, including play provision for key sites. Other relevant facilities will be funded for projects that support the deficiencies outlined within the current Local Plan and the emerging playing pitch strategy;
  - Environment and Biodiversity – CIL funds may be spent on improving the public realm especially the town centre, landscapes and habitats; and improving access to green space;
  - Health facilities – expansion of/improvements to existing primary/secondary care provision, new primary/secondary care provision;
  - Other Infrastructure – Such as flood mitigation and social and community facilities.
6. CIL funds may be used where evidence is provided that there is no local capacity and expansion of services is required to support growth across the borough. Social and community facilities may benefit from the local share of parish CIL funds (15-25%) raised within their area.
7. Table A below sets out some general criteria for assessing whether or not a project will be included in the Annual Infrastructure Funding Statement (AIFS). Inclusion of a project on the Infrastructure List does not guarantee that the project will receive any CIL funding as projects will be subject to allocation criteria as set out below in paragraphs 21-23 below.

Table A: Criteria for assessing infrastructure projects for inclusion in the AIFS

Criteria	Assessment
1. Is the infrastructure essential or important to support new development within the Borough?	The project must be essential or important to be considered for inclusion.
2. Is the infrastructure of borough-wide importance and/or deliver on borough-wide objectives?	The project must be of borough-wide importance or deliver on borough-wide objectives to be considered for inclusion.
3. Is the infrastructure project consistent with the delivery of the Development Plan?	The project must be consistent with the Development Plan to be considered for inclusion.
4. Does the infrastructure align with other Council strategies and partner investment plans?	The project must have significant or moderate alignment with Council and other partner strategies to be considered for inclusion.
5. Are there any constraints to delivery of the infrastructure?	Projects that have no, minor or moderate constraints will be considered for inclusion.

## Neighbourhood CIL

8. The Borough Council is required to pass on a proportion of CIL receipts to Parish Councils (this is known as the ‘meaningful’ or ‘neighbourhood’ portion). The neighbourhood portion is capped at 15% (but rises to 25% in areas where a Neighbourhood Plan has been adopted). It will be for individual Parish Councils to determine how their portion of CIL receipts is spent. The neighbourhood portion of the levy must be spent on the provision, improvement, replacement, operation or maintenance of infrastructure; or anything else that is concerned with addressing the demands that development places on an area. Neighbourhood Plans are formal planning documents that local communities can prepare to guide the future development of their areas.

9. The Borough's Neighbourhood CIL Fund will be used to help deliver a wide range of projects at the local level. This could include for example:
- Improvements to streets and local green spaces;
  - Improvements to local community facilities;
  - Local education infrastructure;
  - Community safety measures;
  - New health and social care facilities; and
  - Green and blue infrastructure.
10. Parish Councils are able to spend their portion of CIL on a wider range of things (other than infrastructure) than the rest of the levy, provided that they meet the requirement to 'support the development of the area' within the regulations.

## Determining how CIL will be spent

11. The Council is responsible for making the final decision on the allocation of funding raised through CIL. The aim of this document is to ensure that the decision-making process is transparent. Through it the Council will identify and agree priorities for the use of CIL and the allocation of funds on an annual basis. CIL collected will be used to provide infrastructure to support growth within the Borough. Of this:
- 5% will be used to provide a dedicated resource for the annual monitoring and management required by the CIL regulations;
  - Either 15% or 25% of receipts accruing from development within their Parish will be allocated to the relevant parish Council;
  - Remaining CIL monies will be allocated by the Council for investment in infrastructure for the Borough.
12. Parishes that have a 'made' (adopted) Neighbourhood Development Plan will receive 25% of receipts accruing from development within their parish. Parishes without a 'made' plan, including those where a plan is in preparation, will receive 15%, capped at £100 per dwelling in accordance with CIL Regulations. It will be for individual parish councils to determine how their portion of CIL receipts is spent.

13. In accordance with the CIL regulations, the Council as the charging authority will make payments to the relevant parish Council on an annual basis as follows:
  - Payment by 28 October in respect of CIL receipts between 1 April and 30 September; and
  - Payment by 28 April in respect of CIL receipts 1 October and 31 March.
  
14. Parish councils are able to spend their portion of CIL on a wider range of things (other than infrastructure) than the rest of the levy, provided that they meet the requirement to 'support the development of the area'.
  
15. Each year when they have received CIL funds, each parish Council must publish the required information on its website and send a copy to the Council no later than 31 December following the reported year. A copy of the form to send to the Council is available at Appendix 1. Where a parish council has not received any money, they do not have to publish a report but may want to publish some information to this effect in the interests of transparency. Once information on spend is received from the parish Councils, the Borough Council will publish an addendum to the IFS setting out all the parish spend for the preceding financial year.
  
16. Not all of Rugby Borough is parished. In non-parished areas, the Borough Council will act as spending authority on behalf of the community. It will engage with the local community through ward Councillors and at Planning Services Working Party and agree how the funds should be best spent. Where a development straddles a parish boundary, payment to each council receives a share of the levy which is proportionate to the gross internal area of the development within their administrative boundary.
  
17. In accordance with the CIL regulations, if a parish council does not spend its CIL receipts within 5 years or does not spend it on initiatives that support the development of the area, the Council may require it to repay some or all of those funds to the Council.

18. The Council must spend its CIL funds on the provision, improvement, replacement, operation or maintenance of infrastructure needed to support the development of the area. It is intended to focus on the provision of new infrastructure and should not be used to remedy pre-existing deficiencies unless they will be made more severe by new development.
19. CIL receipts should only be spent on capital projects, although associated revenue spending to maintain those capital projects is also permissible. It can be used to increase the capacity of existing infrastructure or to repair failing infrastructure if that is necessary to support development. Funds may be released for project development work in advance of funds for specific projects, if necessary.
20. The amount of CIL funds will be reviewed on 1 April each year and the process for allocation of CIL receipts will be applied between April and December each year following the 5-step process set out below:

**1. Invite Infrastructure Project Submissions**

The Council will invite infrastructure providers across the Borough to submit an Infrastructure Project Submission, using the form set out in Appendix 2.



**2. Assessment of submitted projects for inclusion within the Infrastructure Funding Statement**

Submitted projects will be assessed against the criteria set out in Table A for inclusion within the Infrastructure List of the IFS.



**3. Updated IFS presented to *committee* for approval**

The updated IFS will presented to *committee* for adoption.



#### 4. Assessment of projects within the IFS for CIL funding

Assessment of projects within the newly adopted IFS is then undertaken in accordance with the criteria set out below in paragraphs 21-23.



#### 5. Proposed CIL allocations presented to A Committee for approval

Recommendations on CIL spend allocations are presented to a committee for approval.

21. The progress of spend will be monitored and reported to *a committee*. The Council will ensure the release of funds when invoices are received for satisfactorily completed works. To inform which infrastructure projects on the Infrastructure List that the Council decides to allocate CIL monies to, a two-step prioritisation approach will be undertaken. Step 1 is an assessment against the mandatory criteria set out below, for a project to be rated as 'high 'priority' it must satisfy all of these three criteria 1a-1c.

Criteria	
1a	Has the project been subject to any engagement/consultation and/or community endorsement?
1b	Has it been demonstrated that without CIL funding the infrastructure would not be delivered i.e. that other possible funding sources are currently insufficient/not available?
1c	Is there likely to be an additional funding requirement from the Borough Council for maintenance? If yes, have monies been budgeted for this project accordingly?

22. For those projects on the Infrastructure List that satisfy the mandatory criteria in Step 1, for a project to be rated as 'high priority' it must score a minimum of six points in the Step 2 discretionary criteria 2a-2f set out below.

Category		Scoring
2a	Have CIL funds already been allocated to this project?	Yes = 0 No = 1
2b	What are the timescales for delivery of the infrastructure?	Long-term (5+ years) = 1 Medium term (2-5 years) = 2 Short term (less than 2 years) = 3
2c	Does the proposal have a positive impact on equality?	No = 0 Indirect = 1 Direct e.g. specific groups = 2
2d	Does the proposal have a positive impact on health and wellbeing?	No = 0 Indirect = 1 Direct e.g. specific groups = 2
2e	Does the proposal have a positive impact on biodiversity and the environment?	No = 0 Indirect = 1 Direct e.g. specific groups = 2
2f	Does the proposal have a positive impact on enterprise and economic activity?	No = 0 Indirect = 1 Direct e.g. specific groups = 2
<b>Score (Maximum)</b>		<b>12</b>

23. Where a significant number of projects are considered to meet all of the criteria in a particular year, to make allocation decisions it may be necessary to only include those

projects that include the most significant and positive effects and which can be delivered in the short-term. A copy of the submission form is attached as appendix 2.

## Appendix 1 – Community Infrastructure Levy Monitoring Report for Parish Councils

**Community Infrastructure Levy (CIL) Monitoring Report**  
**Income and Expenditure 1/4/202x and 31/3/202x**  
**for XX Parish Council area**

In accordance with Regulation 121B of the CIL Regulations 2010 (as amended), a parish must report on any financial year in which it receives CIL receipts. This report must be published on the local parish's website (or on the Borough Council's website if it does not have a website) and a copy must be provided to the Borough Council by email to XXXXX@rugby.gov.uk no later than 31st December following the reported year.

Summary of Income and Expenditure		
Relevant CIL Regulation	Category	Amount of CIL
121B(2)(a)	Total CIL receipts for the reported year	£0
121B(2)(b)	Total CIL expenditure for the reported year	£0
121B(2)(e)(i)	Total CIL receipts for the reported year retained at the end of the reported year	£0
121B (2)(e)(ii)	Total CIL receipts from previous years retained at the end of the reported year	£0
Details of Expenditure		
Relevant CIL Regulation	Item(s) of Expenditure	Amount of CIL Expenditure on each item and year(s) that monies were received
121B(2)(c)	Add items of expenditure as required	Add amount of expenditure on each item as required and state the year(s) in which the

		monies for this project was received
121B(2)(c)	Add items of expenditure as required	Add amount of expenditure on each item as required and state the year(s) in which the monies for this project was received
<b>Detail of Repayment requirements to the District Council</b>		
<b>Relevant CIL Regulation</b>	<b>Category</b>	<b>Amount of CIL</b>
59E 121B(2)(d)	The total value of CIL receipts subject to notices served in accordance with regulation 59E during the reported year	£0
59E 121B(2)(d)	The total value of CIL receipts subject to a notice served in accordance with regulation 59E in any year that has not been paid to the relevant charging authority by the end of the reported year	£0

## Appendix 2 - Infrastructure Funding Statement Infrastructure Project Submission Form

Please use this form for requests for projects or types of projects to be considered for inclusion on the infrastructure list within the Rugby Infrastructure Funding Statement. If you wish to put forward more than one project please use separate forms. Consideration should be given and referenced within the submission as to how the project aligns with Rugby Borough Council strategies and partner investment plans. All requests will be considered and will be added to the List if the Council intends that the project will be, or may be, wholly or partly funded by Community Infrastructure Levy (CIL) funds. Your submission should include information that is correct to the best of your knowledge at the current time. Please note that information submitted on this form may be made publicly available so please do not include information that is confidential in nature.

<b>Section 1 – Your organisation</b>	
<b>Name of organisation</b>	
<b>Name of Principal Contact</b>	
<b>Address</b>	

Email	
Phone Number	
<b>Section 2 – Infrastructure Project - Title, Description, Location</b>	
What is the project title?	
Please provide a description of the infrastructure project including scale	
Please provide details of the location of the infrastructure project and enclose a location plan with your submission.	
<b>Section 3 – Benefits of the Infrastructure Project</b>	
Is the infrastructure project consistent with the Rugby Local Plan, <i>the Town Centre Regeneration Strategy?</i> , <i>the Corporate Strategy?</i> or an adopted Neighbourhood Development Plans? If yes please provide details	

**Why is this project essential to support new development within Rugby Borough?**

**Has the project been subject to any consultation/engagement and /or community endorsement?** If yes please provide details

**How does this project contribute to climate change adaptation and mitigation?**

**To what extent does the proposal have a positive impact on equality?**

**To what extent does the proposal have a positive impact on health and wellbeing?**

**Does the proposal have a positive impact on biodiversity and the environment within the Borough?**

**Does the proposal have a positive impact on enterprise and economic activity within the Borough?**

**Section 4 - Costs**

**What is the total capital cost of the project?** Please include details of costing plans and associated phasing if appropriate

**What other funding sources have been identified/explored? Without CIL funding would it be possible to deliver the infrastructure, i.e. that other possible funding sources are currently insufficient/not available?**

**Is the project likely to be directly linked to and necessary as a result of a foreseeable development and therefore a separate S106 or S278 obligation may be justified? If yes please provide details**

**What is the capital funding gap?**

### Section 5 – Delivery

**Which organisation(s) will be responsible for the delivery of the infrastructure**

**How will the infrastructure be maintained following completion? Is there likely to be an additional funding requirement from Rugby Borough Council for maintenance? If yes, have monies been budgeted for this project accordingly?**

**What are the timescales of the delivery of the infrastructure?**

**Does your project depend on permission (e.g. granting of planning permission, complying with a planning condition) being given by any other person or organisation?**

If yes please provide details

**If your project involves improvements or enhancements to land or buildings do you have permission to do this? If yes please provide details**

## Appendix 5 – BNP Paribas Viability Study (January 2022)

## Appendix 6 - EQUALITY IMPACT ASSESSMENT (EqIA)

### Context

1. The Public Sector Equality Duty as set out under section 149 of the Equality Act 2010 requires Rugby Borough Council when making decisions to have due regard to the following:
  - eliminating unlawful discrimination, harassment and victimisation, and other conduct prohibited by the Act,
  - advancing equality of opportunity between people who share a protected characteristic and those who do not,
  - fostering good relations between people who share a protected characteristic and those who do not, including tackling prejudice and promoting understanding.
2. The characteristics protected by the Equality Act are:
  - age
  - disability
  - gender reassignment
  - marriage/civil partnership
  - pregnancy/maternity
  - race
  - religion/belief
  - sex/gender
  - sexual orientation
3. In addition to the above-protected characteristics, you should consider the crosscutting elements of the proposed policy, such as impact on social inequalities and impact on carers who look after older people or people with disabilities as part of this assessment.
4. The Equality Impact Assessment (EqIA) document is a tool that enables RBC to test and analyse the nature and impact of what it is currently doing or is planning to do in the future. It can be used flexibly for reviewing existing arrangements but in particular should enable identification where further consultation, engagement and data is required.
5. The questions will enable you to record your findings.
6. Where the EqIA relates to a continuing project, it must be reviewed and updated at each stage of the decision.
7. Once completed and signed off the EqIA will be published online.
8. An EqIA must accompany all **Key Decisions** and **Cabinet Reports**.
9. For further information, refer to the EqIA guidance for staff.
10. For advice and support, contact:  
Minakshee Patel  
Corporate Equality & Diversity Advisor  
[minakshee.patel@rugby.gov.uk](mailto:minakshee.patel@rugby.gov.uk)  
Tel: 01788 533509

## Equality Impact Assessment

<b>Service Area</b>	Development Strategy
<b>Policy/Service being assessed</b>	Community Infrastructure Levy – Draft Charging Schedule and Draft Planning Obligations SPD.
<b>Is this is a new or existing policy/service? If existing policy/service please state date of last assessment</b>	These are new planning documents which will sit alongside the adopted Local Plan
<b>EqlA Review team – List of members</b>	Maxine Simmons - Development Strategy Manager  Peter Heath - Principal Planning Officer
<b>Date of this assessment</b>	16 <sup>th</sup> June 2022
<b>Signature of responsible officer (to be signed after the EqlA has been completed)</b>	

**A copy of this Equality Impact Assessment report, including relevant data and information to be forwarded to the Corporate Equality & Diversity Advisor.**

**If you require help, advice and support to complete the forms, please contact Minakshee Patel, Corporate Equality & Diversity Advisor via email: [minakshee.patel@rugby.gov.uk](mailto:minakshee.patel@rugby.gov.uk) or 01788 533509**

**Details of Strategy/ Service/ Policy to be analysed**

<b><u>Stage 1 – Scoping and Defining</u></b>	
(1) Describe the main aims, objectives and purpose of the Strategy/Service/Policy (or decision)?	Both of these documents are planning documents which will sit alongside the Local Plan. If they are successfully adopted they will result in a small funding stream being available to the authority.
(2) How does it fit with Rugby Borough Council's Corporate priorities and your service area priorities?	It primarily fits in with priorities on: <ul style="list-style-type: none"> <li>• Rugby Borough Council is a responsible, effective and efficient organisation.</li> <li>• Rugby has a diverse and resilient economy that benefits and enables opportunities for all residents.</li> </ul>
(3) What are the expected outcomes you are hoping to achieve?	This first stage for both is a necessary legal requirement, in itself it achieves nothing but enables the authority to move on to more important stages that could ultimately provide a funding stream.
(4) Does or will the policy or decision affect: <ul style="list-style-type: none"> <li>• Customers</li> <li>• Employees</li> <li>• Wider community or groups</li> </ul>	Not at this early stage.
<b><u>Stage 2 - Information Gathering</u></b>	
(1) What does the information tell you about those groups identified?	Nothing at this early stage.

<p>(2) Have you consulted or involved those groups that are likely to be affected by the strategy/ service/policy you want to implement? If yes, what were their views and how have their views influenced your decision?</p>	<p>This is the part of the process we are about to undertake, comments will be considered as part of the consultation response.</p>		
<p>(3) If you have not consulted or engaged with communities that are likely to be affected by the policy or decision, give details about when you intend to carry out consultation or provide reasons for why you feel this is not necessary.</p>	<p>If granted approval at Cabinet a six week public consultation will take place which will be widely advertised in line with our Statement of Community Involvement.</p>		
<p><b><u>Stage 3 – Analysis of impact</u></b></p>			
<p><b><u>(1)Protected Characteristics</u></b>          From your data and consultations is there any positive, adverse or negative impact identified for any particular group, which could amount to discrimination?           If yes, identify the groups and how they are affected.</p>	<p><b>RACE</b></p>	<p><b>DISABILITY</b></p>	<p><b>GENDER</b></p>
	<p><b>MARRIAGE/CIVIL PARTNERSHIP</b></p>	<p><b>AGE</b></p>	<p><b>GENDER REASSIGNMENT</b></p>
	<p><b>RELIGION/BELIEF</b></p>	<p><b>PREGNANCY MATERNITY</b></p>	<p><b>SEXUAL ORIENTATION</b></p>

<p><u>(2) Cross cutting themes</u></p> <p>(a) Are your proposals likely to impact on social inequalities e.g. child poverty, geographically disadvantaged communities? If yes, please explain how?</p> <p>(b) Are your proposals likely to impact on a carer who looks after older people or people with disabilities? If yes, please explain how?</p>	<p>This first stage is a necessary legal requirement, in itself it achieves nothing but enables the authority to move on to more important stages that could ultimately provide a funding stream that the authority could use to help impact social inequalities.</p> <p>Not at this initial stage.</p>
<p>(3) If there is an adverse impact, can this be justified?</p>	<p>N/A</p>
<p>(4) What actions are going to be taken to reduce or eliminate negative or adverse impact? (this should form part of your action plan under Stage 4.)</p>	<p>N/A</p>
<p>(5) How does the strategy/service/policy contribute to the promotion of equality? If not what can be done?</p>	<p>Not at this initial stage, see 2a above.</p>
<p>(6) How does the strategy/service/policy promote good relations between groups? If not what can be done?</p>	<p>If funding is eventually forthcoming the authority can use revenue to promote good relations.</p>
<p>(7) Are there any obvious barriers to accessing the service? If yes how can they be overcome?</p>	<p>N/A</p>

<b><u>Stage 4 – Action Planning, Review &amp; Monitoring</u></b>																														
<p>If No Further Action is required then go to – Review &amp; Monitoring</p> <p>(1) Action Planning – Specify any changes or improvements that can be made to the service or policy to mitigate or eradicate negative or adverse impact on specific groups, including resource implications.</p>	<p>No further action is required.</p> <p>EqlA Action Plan</p> <table border="1" data-bbox="875 464 2114 692"> <thead> <tr> <th data-bbox="875 464 1122 539">Action</th> <th data-bbox="1122 464 1368 539">Lead Officer</th> <th data-bbox="1368 464 1615 539">Date for completion</th> <th data-bbox="1615 464 1861 539">Resource requirements</th> <th data-bbox="1861 464 2114 539">Comments</th> </tr> </thead> <tbody> <tr> <td data-bbox="875 539 1122 576"></td> <td data-bbox="1122 539 1368 576"></td> <td data-bbox="1368 539 1615 576"></td> <td data-bbox="1615 539 1861 576"></td> <td data-bbox="1861 539 2114 576"></td> </tr> <tr> <td data-bbox="875 576 1122 612"></td> <td data-bbox="1122 576 1368 612"></td> <td data-bbox="1368 576 1615 612"></td> <td data-bbox="1615 576 1861 612"></td> <td data-bbox="1861 576 2114 612"></td> </tr> <tr> <td data-bbox="875 612 1122 649"></td> <td data-bbox="1122 612 1368 649"></td> <td data-bbox="1368 612 1615 649"></td> <td data-bbox="1615 612 1861 649"></td> <td data-bbox="1861 612 2114 649"></td> </tr> <tr> <td data-bbox="875 649 1122 692"></td> <td data-bbox="1122 649 1368 692"></td> <td data-bbox="1368 649 1615 692"></td> <td data-bbox="1615 649 1861 692"></td> <td data-bbox="1861 649 2114 692"></td> </tr> </tbody> </table>					Action	Lead Officer	Date for completion	Resource requirements	Comments																				
Action	Lead Officer	Date for completion	Resource requirements	Comments																										
<p>(2) Review and Monitoring State how and when you will monitor policy and Action Plan</p>	<p>This EqlA will be reviewed again prior to adoption of the Charging Schedule, probably in mid-2023.</p>																													

Please annotate your policy with the following statement:

**‘An Equality Impact Assessment on this policy was undertaken on (date of assessment) and will be reviewed on (insert review date).’**

## Agenda No

### **AGENDA MANAGEMENT SHEET**

<b>Report Title:</b>	Rugby Gypsy and Travellers Site Allocations Development Plan Document (DPD) – Issues and Options Consultation
<b>Name of Committee:</b>	Emergency Decision - Cabinet
<b>Date of Meeting:</b>	27 September 2022
<b>Report Director:</b>	Chief Officer – Growth and Investment
<b>Portfolio:</b>	Growth and Investment
<b>Ward Relevance:</b>	All wards
<b>Prior Consultation:</b>	This matter was discussed at Planning Services Working Party on 13 <sup>th</sup> Jan 2022 and 15 <sup>th</sup> Jun 2022
<b>Contact Officer:</b>	Peter Heath, Principal Planner, Development Strategy 01788 533735 or peter.heath@rugby.gov.uk
<b>Public or Private:</b>	Public
<b>Report Subject to Call-In:</b>	No
<b>Report En-Bloc:</b>	No
<b>Forward Plan:</b>	Yes
<b>Corporate Priorities:</b>	This report relates to the following priority(ies):
<b>(C) Climate</b>	<input type="checkbox"/> Rugby is an environmentally sustainable place, where we work together to reduce and mitigate the effects of climate change. (C)
<b>(E) Economy</b>	<input type="checkbox"/> Rugby has a diverse and resilient economy that benefits and enables opportunities for all residents. (E)
<b>(HC) Health and Communities</b>	<input checked="" type="checkbox"/> Residents live healthy, independent lives, with the most vulnerable protected. (HC)
<b>(O) Organisation</b>	<input type="checkbox"/> Rugby Borough Council is a responsible, effective and efficient organisation. (O)
	<a href="#">Corporate Strategy 2021-2024</a>
	<input type="checkbox"/> This report does not specifically relate to any Council priorities but
<b>Summary:</b>	The report recommends to Cabinet that they approve the Issues and Options consultation document and accompanying Issues and Options Sustainability Appraisal for six weeks public

consultation. Representations received will be considered and will inform the preparation of the Preferred Options consultation document which will also be subject to six weeks public consultation.

The report also recommends to Cabinet that they approve a 'Call for Sites' exercise to be held for six weeks to formally invite the submission to the Council of potential sites to meet the needs of the Gypsy and Traveller community.

**Financial Implications:**

Plan production and updating of evidence documents to be met through existing budgets.

**Risk Management/Health and Safety Implications:**

Exploring Issues and Options is part of the statutory Regulation 18 plan-making stage. If this stage is not undertaken, it is unlikely that a DPD can be found 'sound' and/ or legally compliant by the Planning Inspector undertaking the DPD public examination.

If the DPD is delayed or not produced at all, then it cannot be used to inform development. Furthermore, following adoption there is a risk of officers approving decisions which are inconsistent with the DPD. These risks will be actively managed through the Council's established processes.

**Environmental Implications:**

It is a legal requirement for the DPD to be subject to a Sustainability Appraisal (SA) and a Strategic Environmental Assessment (SEA). These two requirements will be addressed through a joint SA/ SEA process for this DPD with the SA incorporating the SEA requirements.

The SA/ SEA is an assessment process designed to consider and report upon the significant sustainability issues and effects of emerging plans and policies, including the environmental implications.

An SA of the Issues and Options document has been undertaken and the Council is seeking views on the SA alongside the Issues and Options consultation.

**Legal Implications:**

The Gypsy and Traveller Site Allocations DPD was required by the Local Plan Inspector and is specifically referred to in Policy DS2 of the Rugby Borough Council Local Plan 2011-2031 (Adopted June 2019). The DPD will form part of the Development Plan. The DPD's purpose is to set

out specific policies and to identify sites to meet the Gypsy and Traveller accommodation needs in Rugby Borough.

To be valid a DPD must be prepared in accordance with the procedures set out in the Town and Country Planning (Local Planning) (England) Regulations 2012, as amended, and the Council's Statement of Community Involvement. The DPD will be subject to an independent examination.

The adoption of a DPD may be open to judicial review if the preparation, consultation and adoption are not carried out properly.

**Equality and Diversity:**

An Equality Impact Assessment of the Issues and Options document was undertaken on 14<sup>th</sup> June 2022 and is provided as Appendix 4 to this report.

**Options:**

Option 1 – Cabinet approves the Gypsy and Traveller DPD Issues and Options document (Appendix 1), the Sustainability Appraisal (Appendix 2) and the Call for Sites form (Appendix 3) for public consultation.

Option 2 – Cabinet does not approve the current drafts of these documents for public consultation.

**Recommendation:**

- (1) The Rugby Gypsy and Travellers Site Allocations DPD - Issues and Options document (Appendix 1 to this report) together with the accompanying Issues and Options Sustainability Appraisal (Appendix 2 to this report) be approved for six weeks public consultation in accordance with Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012, as amended;
- (2) a 'Call for Sites' exercise (Appendix 3 to this report) be approved for six weeks to formally invite the submission to the Council of potential sites to meet the needs of the Gypsy and Traveller community; and
- (3) delegated authority be given to the Chief Officer for Growth and Investment to make minor grammatical and presentational amendments as necessary to the consultation documents before they are published for the six weeks public consultation.

**Reasons for  
Recommendation:**

This will allow the document to progress towards its ultimate adoption. Once adopted the DPD will support the Council's role in ensuring the provision of accommodation for the Gypsy and Traveller community.

## Agenda No

### Emergency Decision - Cabinet 27 September 2022

#### Rugby Gypsy and Travellers Site Allocations Development Plan Document – Issues and Options Consultation

#### Public Report of the Chief Officer – Growth and Infrastructure

##### Recommendations:

- (1) The Rugby Gypsy and Traveller Site Allocations DPD - Issues and Options document (Appendix 1 to this report) together with the accompanying Issues and Options Sustainability Appraisal (Appendix 2 to this report) be approved for six weeks public consultation in accordance with Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012, as amended;
- (2) a 'Call for Sites' exercise (Appendix 3 to this report) be approved for six weeks to formally invite the submission to the Council of potential sites to meet the needs of the Gypsy and Traveller community; and
- (3) delegated authority be given to the Chief Officer for Growth and Investment to make minor grammatical and presentational amendments as necessary to the consultation documents before they are published for six weeks public consultation.

## 1. INTRODUCTION

- 1.1. The Government is committed to ensuring fair and equal treatment for Travellers in a way that facilitates their traditional and nomadic way of life while respecting the interests of the settled community.
- 1.2. There is a shortage of authorised sites at a national, regional and local level and as a consequence many Travellers live on unauthorised and/ or unsuitable sites. If suitable sites can be identified through the planning process it will prevent the need for illegal encampments, which often cause conflict with the settled community.
- 1.3. Rugby Borough Council has committed to prepare a new plan, known as a Development Plan Document or DPD. The DPD will set out specific policies and identify sites to meet the Gypsy and Traveller accommodation needs contained in Policy DS2 of the Rugby Borough Local Plan 2011-2031 (adopted June 2019), as updated by the latest Gypsy and Traveller Accommodation Assessment for Rugby Borough.

## 2. PURPOSE OF REPORT

- 2.1. To seek Cabinet approval to publish the Gypsy and Traveller Site Allocations Development Plan Document (DPD) - Issues and Options document and the accompanying Issues and Options Sustainability Appraisal for six weeks public consultation in accordance with Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012, as amended.
- 2.2. Cabinet approval is also sought to hold a 'Call for Sites' exercise for six weeks to formally invite the submission to the Council of potential sites to meet the needs of the Gypsy and Traveller community.

## 3. BACKGROUND

- 3.1. The Rugby Borough Local Plan 2011-2031 (the 'Local Plan') was adopted on 4<sup>th</sup> June 2019. Local Plan Policy DS2: Sites for Gypsies, Travellers and Showpeople sets out the required pitch provision for Gypsies and Travellers in the Borough up to 2032. The pitch provision was identified by the Rugby Borough Council Gypsy and Traveller Accommodation Assessment 2017.
- 3.2. Policy DS2 states that the Council will allocate land in a separate Gypsy and Traveller Site Allocations Development Plan Document (DPD) to meet the requirements as identified by the Gypsy and Traveller Accommodation Assessment (GTAA) 2017. Policy DS2 states that the GTAA will be updated on a regular basis and pitch allocation requirements updated through the GTAA process. The requirements identified in the 2017 GTAA and subsequently set out in Policy DS2 are as follows:

**Figure 1 – Local Plan DS2 – Additional Gypsy and Traveller residential pitches required 2017-2032 (Source: Rugby Borough Local Plan 2011-2031, adopted June 2019)**

Timeframe	Total required pitch provision
2017 to 2022	35
2022 to 2027	12
2027 to 2032	14
<b>Total</b>	<b>61</b>

- 3.3. Policy DS2 also sets out the criteria to be used when assessing the suitability of sites for allocation for residential and mixed use occupation by Gypsies, Travellers and Travelling Showpeople, and for the purposes of considering planning applications for such sites.
- 3.4. The supporting text to Policy DS2 in Paragraphs 4.20 to 4.28 of the Local Plan sets out the expected approach to the Gypsy and Traveller Site Allocations DPD.
- 3.5. The Council commissioned RRR Consultancy to prepare a new, up to date Rugby Borough GTAA to inform the DPD. The 2022 GTAA has been completed and will be published at the same time as the Issues and Options consultation. The 2022 GTAA is Background Paper 7 to this report.

- 3.6. Like the Rugby Borough Plan, the Gypsy and Traveller Site Allocations document is a Development Plan Document (DPD). This means that it is subject to the same requirements for preparation and, therefore, requires statutory public consultation and independent examination by the Planning Inspectorate. Once adopted, the DPD forms part of the Development Plan for the Borough alongside the adopted Rugby Borough Local Plan 2011-2031, any made Neighbourhood Plans and the adopted Warwickshire Minerals and Waste Local Plans. The DPD will be used to determine whether development proposals for new Gypsy and Traveller pitches are acceptable in planning terms.
- 3.7. The DPD will be examined by an independent Planning Inspector appointed by the Secretary of State to assess whether it has been prepared in accordance with legal and procedural requirements, and whether it is sound. Plans are 'sound' if they are:
- Positively prepared;
  - Justified;
  - Effective; and
  - Consistent with national policy.<sup>1</sup>
- 3.8. To meet the tests of soundness and the legal and procedural requirements the preparation and content of the DPD is required to comply with the following legislation and national policy:
- Equality Act 2010;
  - Housing Act 1985 as amended;
  - Planning and Compulsory Purchase Act 2004 as amended and the Town and Country Planning (Local Planning) (England) Regulations 2012 as amended;
  - National Planning Policy Framework 2021; and
  - Planning Policy for Travellers 2015.
- 3.9. The timetable for the preparation of the DPD is outlined in the Council's Local Development Scheme June 2022. It is summarised in Figure 1 below:

**Figure 1: Rugby Borough Gypsy and Travellers Site Allocations Development Plan Document Timetable**

Issues and Options public consultation	October - November 2022
Preferred Options preparation and assessment/ Sustainability Appraisal	November 2022 – May 2023
Preferred Options public consultation	June – July 2023
Pre-Submission DPD preparation/ Sustainability Appraisal	August – September 2023

<sup>1</sup> The tests of soundness are set out in Paragraph 35 of the National Planning Policy Framework, 2021 – <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

Pre-Submission DPD public consultation	October – November 2023
Submission of the DPD to the Secretary of State for public examination by an independent Planning Inspector	February 2024
Public Examination	June 2024
Inspector's Report	August 2024
Adoption of the DPD by the Council	September 2024

3.10. In May 2022 the Government's Levelling Up and Regeneration Bill was published which sets out proposed changes to reform the planning system including changes to the preparation process and content of development plan documents. Given these proposed changes, the timetable for the preparation of the DPD may be subject to change. In addition, the timing of the Public Examination and subsequent stages, i.e. the Inspector's Report and date of the adoption of the DPD, may be subject to change as they are dependent on the Planning Inspectorate.

#### **4. RUGBY GYPSY AND TRAVELLERS SITE ALLOCATIONS DEVELOPMENT PLAN DOCUMENT – ISSUES AND OPTIONS CONSULTATION**

4.1. The Issues and Options consultation is the first formal stage in the plan-making process. The purpose of the consultation is to inform statutory consultees, the public and relevant organisations of the Council's intention to produce a DPD and to seek feedback on what it should contain. Views will be sought on the issues and options identified in the Issues and Options document to meet existing and any future need for Gypsy and Traveller accommodation. Responses to the consultation will inform the approach to developing the DPD and its content.

4.2. The Issues and Options consultation document seeks views on the following topics:

- The Gypsy, Traveller and Travelling Showpeople accommodation need for permanent and transit accommodation;
- The location of permanent and transit Gypsy and Traveller pitches;
- The location of Travelling Showpeople plots;
- The size of sites;
- Design standards;
- Site assessment criteria; and
- The Sustainability Appraisal of the Issues and Options.

- 4.3. The Issues and Options consultation document does not identify sites. It will be at the next stage of the process that potential sites are assessed for their suitability, availability and achievability. Alongside the Issues and Options consultation it is proposed that the Council formally invites the submission of potential sites and supporting information as part of a 'Call for sites' exercise to meet the needs of the Gypsy and Traveller community.
- 4.4. Regulation 17 of the Town and Country Planning (Local Planning) (England) Regulations 2012, as amended, requires a minimum period of 6 weeks for representations to be made on the Issues and Options document. As such, subject to Cabinet approval, the consultation on the Issues and Options document and the accompanying Issues and Options Sustainability Appraisal is proposed to run for 6 weeks from Monday 3<sup>rd</sup> October to 5pm on Friday 11<sup>th</sup> November 2022. The Call for Sites exercise is proposed to be held at the same time.
- 4.5. In line with the Council's adopted Statement of Community Involvement a Consultation Strategy has been prepared. The Consultation Strategy includes details of who will be consulted, how they will be consulted and where paper copies of the DPD will be available.
- 4.6. The next stage in the process will be for the Council to consider all the responses received to the Issues and options consultation document and the Issues and Options Sustainability Appraisal. A Consultation Statement will be published. This will detail the persons who were consulted, a summary of the main issues and how issues raised have been taken into account.
- 4.7. Sites that are identified as potential site allocations will be assessed and will be subject to sustainability appraisal along with emerging policies. The conclusion of this stage will be presented in the Preferred Options document and accompanying Sustainability Appraisal which will be subject to six weeks public consultation. The Preferred Options consultation will inform the preparation of the Pre-Submission DPD which will identify the final proposed allocations and policies. The Pre-Submission DPD will be subject to public consultation before Submission to the Secretary of State for independent Public Examination by a Planning Inspector.

## **5. EQUALITY IMPACT ASSESSMENT**

- 5.1. Romany Gypsies and Irish Travellers constitute separate ethnic groups protected as minorities under the Equality Act 2010 engaging the Public Sector Equality Duty under section 149. There is therefore a statutory duty on public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations in the course of developing policies and delivering services.
- 5.2. The lack of suitable accommodation underpins many of the inequalities that Gypsies and Travellers experience.
- 5.3. The Gypsy and Traveller Site Allocations DPD will seek to address the unmet need and future accommodation requirements of Gypsies and Travellers, tackle

the problem of unauthorised development and reduce tensions between the travelling and settled communities.

- 5.4. An Equality Impact Assessment (EqIA) has been undertaken of the Issues and Options consultation document. The EqIA is attached as Appendix 4 to this report.

## **6. SUSTAINABILITY APPRAISAL**

- 6.1. It is a legal requirement for the DPD to be subject to a Sustainability Appraisal (SA) and a Strategic Environmental Assessment (SEA). These two requirements will be addressed through a joint SA/SEA process for this DPD with the SA incorporating the SEA requirements.
- 6.2. The Council has appointed 'Land Use Consultants' to carry out a Sustainability Appraisal (SA) incorporating a Strategic Environment Assessment (SEA) of the Rugby Borough Gypsy and Traveller Site Allocations Development Plan Document.
- 6.3. The SA/SEA is an assessment process designed to consider and report upon the significant sustainability issues and effects of emerging plans and policies, including their reasonable alternatives. SA iteratively informs the plan-making process by helping to refine the contents of such documents, so that they maximise the benefits of sustainable development and avoid, or at least minimise, the potential for adverse effects.
- 6.4. The first stage of the SA/SEA process is to prepare the SA Scoping Report to provide the context for, and to determine the scope of the SA/SEA of the DPD. The Scoping Report also sets out the framework for undertaking the subsequent stages of the SA/SEA process. The Scoping Report for this DPD was prepared in May 2022 and consultation held between 4 May and 10 June 2022 with the three statutory bodies of Environment Agency, Historic England and Natural England.
- 6.5. A Sustainability Appraisal of the issues and options in the Issues and Options document has been undertaken and views will be sought on the SA alongside the Issues and Options consultation. The Sustainability Appraisal of the Issues and Options document is attached as Appendix 2 to this report.

## **7. CONCLUSION**

- 7.1. That the Gypsy and Traveller Site Allocations DPD – Issues and Options document and accompanying documentation be approved for public consultation.

**Name of Meeting:** Emergency Decision - Cabinet

**Date of Meeting:** 27 September 2022

**Subject Matter:** Rugby Gypsy and Traveller Site Allocations Development Plan Document (DPD) – Issues and Options Consultation

**Originating Department:** Growth and Investment

**DO ANY BACKGROUND PAPERS APPLY**  **YES**  **NO**

**LIST OF BACKGROUND PAPERS**

<b>Doc No</b>	<b>Title of Document and Hyperlink</b>
1	National Planning Policy Framework, July 2021
2	Planning Policy for Traveller Sites, August 2015
3	Rugby Borough Local Plan 2011-2031, adopted June 2019
4	Rugby Local Development Scheme, June 2022
5	Rugby Statement of Community Involvement, September 2019
6	Rugby Gypsy and Traveller Site Allocations DPD – Sustainability Appraisal Scoping Report, May 2022
7	Rugby Gypsies and Travellers Accommodation Assessment, September 2022
8	Rugby Gypsy and Traveller Site Allocations DPD Call for Sites – Submission Form, September 2022

The background papers relating to reports on planning applications and which are open to public inspection under Section 100D of the Local Government Act 1972, consist of the planning applications, referred to in the reports, and all written responses to consultations made by the Local Planning Authority, in connection with those applications.

Exempt information is contained in the following documents:

<b>Doc No</b>	<b>Relevant Paragraph of Schedule 12A</b>

**Appendix 1**

**Rugby Borough Gypsy and Travellers  
Site Allocations Development Plan Document**

**Issues & Options Consultation**

**and**

**Call for Sites**

September 2022



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# 1. Introduction

- 1.1. The Government is committed to ensuring fair and equal treatment for Travellers in a way that facilitates their traditional and nomadic way of life while respecting the interests of the settled community.
- 1.2. There is a shortage of authorised sites at a national, regional and local level and as a consequence many Travellers live on unauthorised and/or unsuitable sites. If suitable sites can be identified through the planning process it will prevent the need for illegal encampments, which often causes conflict with the settled community.
- 1.3. Rugby Borough Council is preparing a new plan, known as a Development Plan Document or DPD. The DPD will set out site specific policies to meet the Gypsy and Traveller accommodation needs contained in Policy DS2 of the Rugby Borough Local Plan 2011-2031 (adopted June 2019), as updated by the latest Gypsy and Traveller Accommodation Assessment for Rugby Borough.
- 1.4. At its meeting on 26<sup>th</sup> September 2022, Rugby Borough Council's Cabinet approved the publication of this Issues and Options consultation document and the publication of the accompanying Issues and Options Sustainability Appraisal for six weeks public consultation. The Cabinet also approved a Call for Sites exercise to be held at the same time.
- 1.5. This is the first formal stage in the plan-making process. The purpose of this consultation is to inform statutory consultees, the public and relevant organisations of the Council's intention to produce a DPD and to seek feedback on what it should contain. The Council is seeking your views on the issues and options identified in this Issues and Options document to meet existing and any future need for Gypsy and Traveller accommodation. Your response will inform the approach to developing the DPD and its content.
- 1.6. It is a legal requirement for the DPD to be subject to a Sustainability Appraisal (SA) and a Strategic Environmental Assessment (SEA). These two requirements will be addressed through a joint SA/SEA process for this DPD with the SA incorporating the SEA requirements. A Sustainability Appraisal of the issues and options in this Issue and Options consultation document has been undertaken and the Council is seeking your views on the appraisal. See Chapter 7 in this document for more information about the SA process.
- 1.7. In addition, the Council is formally inviting the submission of potential sites and supporting information as part of a 'Call for sites' exercise to meet the needs of the Gypsy and Traveller community. If you wish to promote a site to be developed for Gypsies and Travellers or Travelling Showpeople accommodation the Council would like to hear from you. At this stage the Council are interested in all site options, please use the 'Call for sites' form to

submit the site to the Council for consideration and attach a map to the form showing the location and boundaries of the land in question. Further information is set out on the Site Submission Form.

### **DPD preparation timetable**

- 1.8. In May 2022 the Government's Levelling Up and Regeneration Bill was published which sets out proposed changes to reform the planning system including changes to the preparation process and content of development plan documents. Given these proposed changes, the timetable for the preparation of this DPD may be subject to change. In addition, the timing of the Public Examination and subsequent stages, i.e. the Inspector's Report and date of the adoption of the DPD, may be subject to change as they are dependent on the Planning Inspectorate.
- 1.9. The timetable for the preparation of the DPD is outlined in the Council's Local Development Scheme June 2022. It is summarised in Figure 1 below as follows:

**Figure 1: Rugby Borough Gypsy and Travellers Site Allocations Development Plan Document Timetable**

Issues and Options public consultation	October - November 2022
Preferred Options preparation and assessment/ Sustainability Appraisal	November 2022 – May 2023
Preferred Options public consultation	June – July 2023
Pre-Submission DPD preparation/ Sustainability Appraisal	August – September 2023
Pre-Submission DPD public consultation	October – November 2023
Submission of the DPD to the Secretary of State for public examination by an independent Planning Inspector	February 2024
Public Examination	June 2024
Inspector's Report	August 2024
Adoption of the DPD by the Council	September 2024

- 1.10. The next stage in the process will be for the Council to consider all the responses received to the Issues and Options consultation document and the Issues and Options Sustainability Appraisal.
- 1.11. Sites that are identified as potential site allocations will be assessed and will be subject to sustainability appraisal along with emerging policies. The conclusions of this stage will be presented in the Preferred Options document and accompanying Sustainability Appraisal which will be subject to six weeks public consultation. The Preferred Options consultation will inform the preparation of the Pre-Submission DPD which will identify the final proposed allocations and policies. The Pre-Submission DPD will be subject to public consultation before Submission to the Secretary of State for independent Public Examination.
- 1.12. If it is not possible to identify enough sites that are acceptable in planning terms to meet the Gypsy and Traveller accommodation need then there is a risk that the DPD preparation timetable will be delayed to consider alternative approaches and ultimately the Council might be unable to proceed with the preparation of the DPD.

### **Responding to the consultation**

- 1.13. Responses to this consultation must be received by no later than **5pm on Friday 11<sup>th</sup> November 2022**. This is also the deadline for the submission of sites to the Call for Sites exercise.
- 1.14. Responses can either be submitted by email to: [localplan@rugby.gov.uk](mailto:localplan@rugby.gov.uk) with 'G&T Issues & Options Consultation' or 'G&T Call for sites' in the subject, or by post to:
- 'G&T Issues & Options Consultation' or 'G&T Call for sites'  
Development Strategy  
Rugby Borough Council  
Town Hall  
Evreux Way  
Rugby CV21 2RR
- 1.15. If you submit a response by email it is not necessary for you to submit an extra copy by post.

## 2. The National and Local Policy Context

### Legal and National Policy

2.1. The Rugby Borough Gypsy and Traveller Site Allocations DPD will be examined by an independent Planning Inspector appointed by the Secretary of State to assess whether it has been prepared in accordance with legal and procedural requirements, and whether it is sound. Plans are 'sound' if they are:

- Positively prepared;
- Justified;
- Effective; and
- Consistent with national policy.<sup>1</sup>

2.2. To meet the tests of soundness and the legal and procedural requirements the preparation and content of the DPD is required to comply with the following legislation and national policy:

- Equality Act 2010;
- Housing Act 1985 as amended;
- Planning and Compulsory Purchase Act 2004 as amended and the Town and Country Planning (Local Planning) (England) Regulations 2012 as amended;
- National Planning Policy Framework 2021; and
- Planning Policy for Travellers 2015.

### The Equality Act 2010

2.3. Romany Gypsies and Irish Travellers constitute separate ethnic groups protected as minorities under the Equality Act 2010 engaging the Public Sector Equality Duty under section 149. There is therefore a statutory duty on public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations in the course of developing policies and delivering services.

### The Housing Act 1985 as amended

2.4. The Housing Act 1985 was amended by the Housing and Planning Act 2016 to require local housing authorities to consider the needs of people residing in or resorting to their district with respect to the provision of sites on which caravans can be stationed.

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<sup>1</sup> The tests of soundness are set out in Paragraph 35 of the National Planning Policy Framework, 2021 – <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

## **Planning and Compulsory Purchase Act 2004 as amended and the Town and Country Planning (Local Planning) (England) Regulations 2012 as amended**

- 2.5. The DPD will be prepared in accordance with the requirements of the Planning and Compulsory Purchase Act 2004 as amended and the Town and Country Planning (Local Development) (England) Regulations 2012 as amended which sets out the form, content and preparation process for local plans (including DPDs).
- 2.6. Once adopted the DPD will form part of the Development Plan for Rugby Borough, alongside the adopted Rugby Borough Local Plan 2011-2031, any made Neighbourhood Plans and the adopted Warwickshire Minerals and Waste Local Plans.

### **National Planning Policy Framework (July 2021)**

- 2.7. The National Planning Policy Framework (NPPF, 2021)<sup>2</sup> sets out the Government's planning policy on a range of matters. The NPPF emphasis that local planning authorities should assess the need for housing (including the needs of Gypsies, Travellers and Travelling Showpeople) and this should be reflected in planning policies.

### **Planning Policy for Traveller Sites (August 2015)**

- 2.8. The Government's 'Planning Policy for Traveller Sites' (PPTS, 2015)<sup>3</sup> sets out the Government's planning policy for Traveller sites. It states that the overarching aim of government is to '*ensure fair and equal treatment for travellers, in a way that facilitates the traditional and nomadic way of life of travellers while respecting the interests of the settled community.*' (Paragraph 3).
- 2.9. In producing local plans, local planning authorities should:
- Use a robust evidence base to establish accommodation needs;
  - Set pitch targets for Gypsies and Travellers and plot targets for Travelling Showpeople to address the likely permanent and transit site accommodation needs of Travellers in their area;
  - Identify and update annually a supply of specific deliverable sites to provide 5 years' worth of sites against their locally set targets;
  - Identify a supply of specific developable sites or broad locations for growth for years 6 to 10 and, where possible, for years 11-15;

<sup>2</sup> National Planning Policy Framework 2021 – <https://www.gov.uk/government/publications/national-planning-policy-framework-2>

<sup>3</sup> Planning Policy for Traveller Sites 2015 – <https://www.gov.uk/government/publications/planning-policy-for-traveller-sites>

- Relate the number of pitches or plots to the circumstances of the specific size and location of the site and the surrounding population's size and density;
- Protect local amenity and environment; and
- Set criteria based policies to meet identified need and/or provide a basis for decisions in case applications nevertheless come forward. (Paragraphs 7, 9, 10 and 11).

2.10. The PPTS also states that '*local planning authorities should ensure that traveller sites are sustainable economically, socially and environmentally*' (Paragraph 13) by ensuring that policies:

- Promote peaceful and integrated co-existence between the site and the local community.
- Promote access to appropriate health services.
- Ensure that children can attend school on a regular basis.
- Provide a settled base that reduces both the need for long-distance travelling and possible environmental damage caused by unauthorised encampment.
- Provide for proper consideration of the effect of local environmental quality (such as noise and air quality) on the health and well-being of any Travellers that may locate there or on others as a result of new development.
- Avoid placing undue pressure on local infrastructure and services.
- Do not locate sites in areas at high risk of flooding, including functional floodplains, given the particular vulnerability of caravans.
- Reflect the extent to which traditional lifestyles (whereby some Travellers live and work from the same location thereby omitting many travel to work journeys) can contribute to sustainability.

2.11. Paragraph 14 of the PPTS states that when assessing the suitability of sites in rural or semi-rural settings, local planning authorities should ensure that the scale of such sites does not dominate the nearest settled community.

2.12. Temporary or permanent Traveller sites in the Green Belt are classed as inappropriate development which is harmful to the Green Belt and should not be approved, except in very special circumstances. The PPTS does however allow the local planning authority to make an exceptional, limited alteration to the defined Green Belt boundary (which might be to accommodate a site inset within the Green Belt) to meet a specific, identified need for a Traveller site. This should only be done through the plan-making process and not in response to a planning application. If land is removed from the Green Belt in this way, it should be specifically allocated in the development plan as a Traveller site only. (Paragraphs 16 and 17).

2.13. Paragraph 18 of the PPTS states that local planning authorities should consider, wherever possible, including Traveller sites suitable for mixed

residential and business uses, having regard to the safety and amenity of the occupants and neighbouring residents. Local planning authorities should consider the scope for identifying separate sites for residential and for business purposes in close proximity to one another if mixed sites are not practical.

- 2.14. Paragraph 19 of the PPTS states that local planning authorities should have regard to the need that Travelling Showpeople have for mixed-use yards to allow residential accommodation and space for storage of equipment.
- 2.15. Annex 1 of the PPTS<sup>4</sup> sets out for the definitions of Gypsies and Travellers and Travelling Showpeople for the purposes of the planning system. Annex 1 is included as Appendix 1 of this Issues and Options document.

### **Local Policy - Rugby Borough Local Plan 2011-2031 (June 2019)**

- 2.16. The Rugby Borough Local Plan 2011-2031<sup>5</sup> was adopted in June 2019.
- 2.17. Policy DS2: Sites for Gypsies, Travellers and Travelling Showpeople sets out the required pitch provision for Gypsies and Travellers in the Borough up to 2032. The pitch provision was identified by the Rugby Borough Council Gypsy and Traveller Accommodation Assessment Study 2017<sup>6</sup>.
- 2.18. Policy DS2 states that the Council will allocate land in a separate Gypsy and Traveller Site Allocations Development Plan Document (DPD) to meet the requirements as identified by the Gypsy and Traveller Accommodation Assessment (GTAA) 2017. The GTAA will be updated on a regular basis and pitch allocations requirements updated through the GTAA process. The requirements identified in the GTAA 2017 and subsequently set out in Policy DS2 are as follows:

**Figure 2 - Local Plan Policy DS2 - Additional Gypsy and Traveller residential pitches required 2017-2032 (Source: Rugby Borough Local Plan 2011-2031, adopted June 2019)**

<b>Timeframe</b>	<b>Total required pitch provision</b>
2017 to 2022	35
2022 to 2027	12
2027 to 2032	14
<b>Total</b>	<b>61</b>

<sup>4</sup> National Planning Policy Framework 2021 – <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

<sup>5</sup> Rugby Local Plan 2011-2031, adopted June 2019 – [https://www.rugby.gov.uk/info/20004/planning\\_strategy/348/local\\_plan\\_2011-2031](https://www.rugby.gov.uk/info/20004/planning_strategy/348/local_plan_2011-2031)

<sup>6</sup> Rugby Borough Council Gypsy and Traveller Accommodation Assessment Study, August 2017 - [https://www.rugby.gov.uk/downloads/file/1450/lp\\_57\\_-\\_gypsy\\_and\\_traveller\\_accommodation\\_assessment\\_study](https://www.rugby.gov.uk/downloads/file/1450/lp_57_-_gypsy_and_traveller_accommodation_assessment_study)

2.19. Policy DS2 also sets out the criteria to be used when assessing the suitability of sites for allocation for residential and mixed use occupation by Gypsies, Travellers and Travelling Showpeople, and for the purposes of considering planning applications for such sites.

2.20. The supporting text to Policy DS2 in Paragraphs 4.20 to 4.28 of the Local Plan sets out the expected approach to the Gypsy and Traveller Site Allocations DPD.

DRAFT

### **3. Gypsy and Traveller Accommodation Need in Rugby Borough**

#### **Introduction**

- 3.1. In September 2022 the latest version of the Rugby Borough Gypsy and Traveller Accommodation Assessment Study (GTAA) was completed, and it is published alongside this consultation document.
- 3.2. The 2022 GTAA replaces the 2017 GTAA which was used to set the required pitch provision for Gypsies and Travellers in Policy DS2: Sites for Gypsies, Travellers and Showpeople in the adopted Rugby Borough Local Plan 2011-2031.
- 3.3. The GTAA took into account current pitch need and demand, as well as future need, and was based on interviews with Traveller households that were undertaken on sites in Rugby Borough. The GTAA assessed the need for the period 2022-2037. The base date for the need figures is 1 April 2022.
- 3.4. The GTAA was produced in line with the definitions of Gypsies and Travellers as set out in the 2015 Planning Policy for Traveller Sites. It identified accommodation needs for:
  - households that meet the definition of Gypsies and Travellers and Travelling Showpeople in Annex 1 of Planning Policy for Traveller Sites;
  - households who do not meet the definition; and
  - households that could not be determined.
- 3.5. The GTAA considered the requirement for two different types of pitches:
  - Residential pitches that can be a longer-term base for a household; and
  - Temporary or transit pitches.

#### **Permanent accommodation requirements in Rugby Borough**

- 3.6. Figure 3 below shows the permanent pitch requirements of Gypsy and Traveller households meeting the planning definition.

**Figure 3: Permanent pitch requirements of Gypsy and Traveller households meeting the planning definition (PPTS 2015 definition)  
(Source: Rugby Borough GTAA, 2022)**

Years	Pitches
2022-2027	29
2027-2032	13
2032-2037	14
<b>Total</b>	<b>56</b>

- 3.7. 29 pitches are required in the first 5 years for households meeting the planning definition.
- 3.8. Figure 4 below shows the permanent pitch requirements of Gypsy and Traveller households that did not meet the planning definition but may be protected under equality legislation as ethnic Gypsies or Travellers. It is proposed that their need is addressed in this Plan as it would otherwise persist.

**Figure 4: Permanent pitch requirements of Gypsy and Traveller households that did not meet the planning definition (Ethnic definition)  
(Source: Rugby Borough GTAA, 2022)**

Years	Pitches
2022-2027	48
2027-2032	15
2032-2037	16
<b>Total</b>	<b>79</b>

***Issue 1 – Gypsy and Traveller Accommodation Need***

**Option 1 – Should the Council be planning for the level of permanent residential pitches according to:**

- (a) the PPTS 2015 definition identified in the 2022 GTAA; or**
- (b) the Ethnic definition identified in the 2022 GTAA?**

**Option 2 – Should the Council be planning for a higher level of permanent residential pitches than that identified in the 2022 GTAA (either the Ethnic definition or the PPTS 2015 definition), if so, what evidence do you have to justify this need?**

**Option 3 – Should the Council be planning for a lower level of permanent residential pitches than that identified in the 2022 GTAA (either the Ethnic definition or the PPTS 2015 definition), if so, what evidence do you have to justify this need?**

**Option 4 – Should the Council plan for a longer time period than up to 2037 (For example up to 2042)? Give reasons**

**Option 4 – Is there another approach to identify the Gypsy and Traveller accommodation need that the Council should consider? Please provide details of this approach in your response.**

- 3.9 The 2022 GTAA shows that there are no plots for Travelling Showpeople and no known Travelling Showpeople within Rugby Borough. Given the data, the Council would wish to question whether or not to plan for potential future Travelling Showpeople accommodation or not.

***Issue 2 – Travelling Showpeople Accommodation Need***

**Option 1 – Should the Council be planning for any yards for Travelling Showpeople given that the latest GTAA identified no resident Travelling Showpeople in the Borough?**

**Option 2 – Is there another approach to identify the Travelling Showpeople need that the Council should consider? Please provide details of this approach in your response.**

**Transit accommodation requirements in Rugby Borough**

- 3.10 Short term (less than 28 day) stopping sites to meet temporary accommodation need are known as Transit sites. Transit accommodation can offer a safe place to stay for transient Travellers. Where groups or individuals travel through the Borough this can result in unauthorised encampments. Transit sites should offer temporary stay for transient Travellers and their existence should assist in managing and lessening unauthorised encampments.
- 3.11 The 2022 GTAA documented that between the period Q2 2017-Q3 2021, there was a total of 94 unauthorised encampments over the period equating to an average of 5 per quarter. The lowest number of unauthorised encampments in a full quarter was 0 which occurred in October to December 2018 and October to December 2020. The highest number of unauthorised encampments was 18 which occurred in January to March 2019. In terms of their size, on average 44% of unauthorised encampments consisted of either 0-5 or 6-10 caravans. Only 11% consisted of more than 11 caravans. The 2022 GTAA recommends the implementation of a negotiated stopping place policy and new transit pitches of between 6-10 pitches, which would be sufficient to accommodate almost all (89%) of unauthorised encampments that have previously occurred in Rugby. Given that 76% of all recorded unauthorised encampments set up in Rugby town, the GTAA recommends that any new transit provision is situated in or close to the town, near to main arterial routes e.g. M45 or the M6, but not close to any existing accommodation provision.

***Issue 3 – Transit Accommodation Need***

**Option 1 – a) Should the Council be planning for transit/emergency stopping sites in Rugby Borough as identified in the 2022 GTAA?**

**Option 1 – b) Should the size of the transit/emergency stopping sites be 6-10 pitches as per the GTAA? If not, should the size be higher or lower?**

**Option 2 – Should the Council develop a negotiated stopping policy for Gypsy and Travellers as per the GTAA?**

**Option 3 – Is there another approach to the provision of transit/emergency stopping sites that the Council should consider? Please provide details of this approach in your response.**

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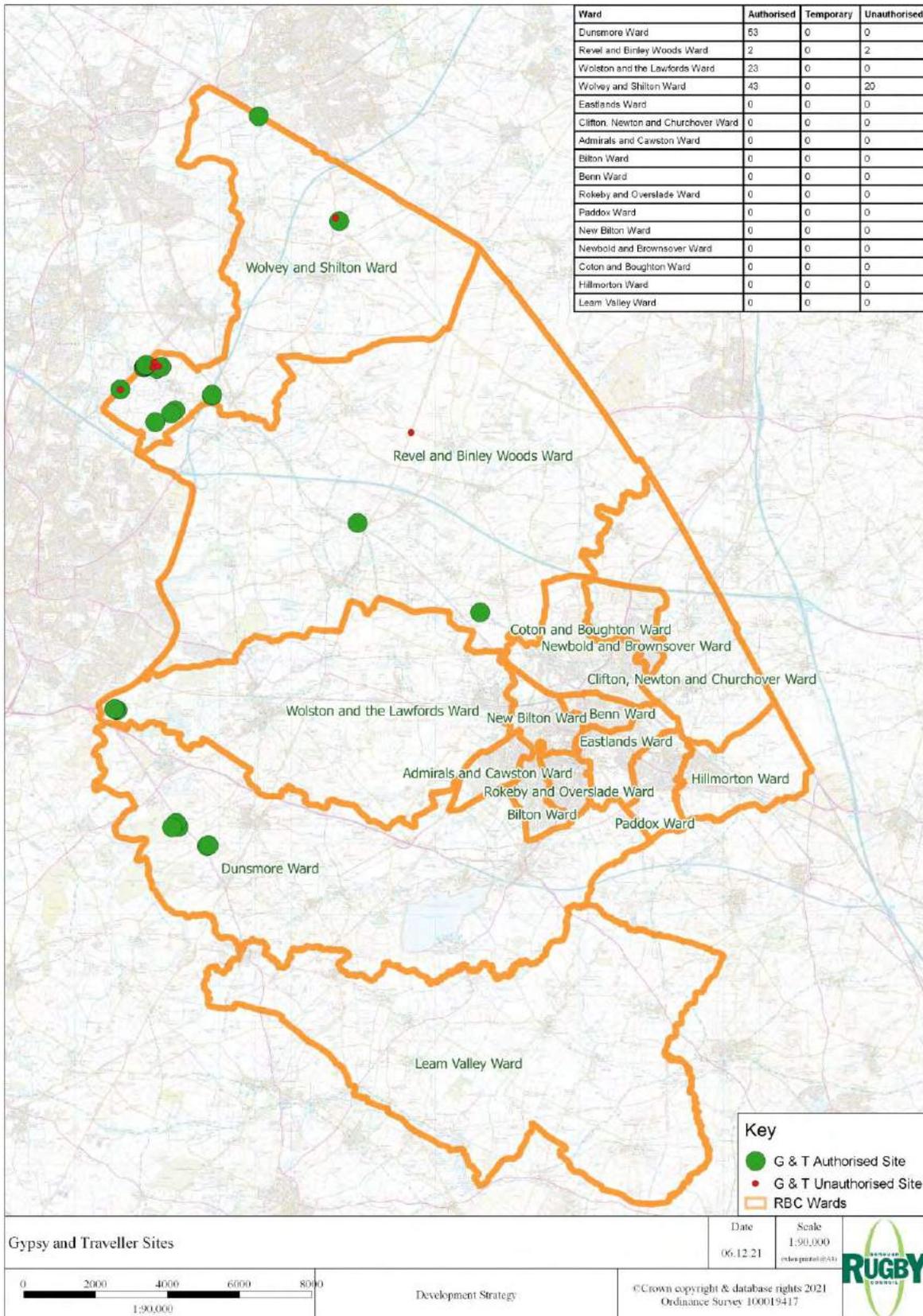
## 4. The Location of Gypsy and Traveller Pitches

- 4.1. This section of the Issues and Options document sets out a range of possible options for locating sites to be allocated in the Gypsy and Travellers Site Allocations DPD given the need highlighted in Section 3 above.
- 4.2. The Council will approach the need for permanent residential pitches, transit pitches and plots for Travelling Showpeople separately.
- 4.3. Policy GP2 of the adopted Rugby Local Plan 2011-2031 sets out the settlement hierarchy which identifies where new development should be located. Broadly, the policy encourages development to locate in existing settlements, the larger the better and discourages development in small settlements or remote locations. Development is resisted in the open countryside and Green Belt and will only be allowed in these locations in accordance with national policy.

<b>Policy GP2: Settlement Hierarchy</b>	
Development will be allocated and supported in accordance with the following Settlement Hierarchy, as defined on the Policies Map:	
<b>Rugby town</b>	Main focus for all development in the Borough. Development permitted within existing boundaries and a s part of allocated Sustainable Urban Extensions.
<b>Main Rural Settlements</b>  <i>Binley Woods, Brinklow, Clifton upon Dunsmore, Dunchurch, Long Lawford, Ryton on Dunsmore, Stretton on Dunsmore, Wolston, Wolvey.</i>	Development will be permitted within the existing boundaries of all Main Rural Settlements and on allocated sites
<b>Rural Villages</b>	Development will be permitted within existing boundaries only, including the conversion of existing buildings where national policy permits.
<b>Countryside</b>	New development will be resisted; only where national policy on countryside locations allows will development be permitted.
<b>Green Belt</b>	New development will be resisted; only where national policy on Green Belt allows will development be permitted.

- 4.4. One approach to the location of permanent residential pitches for Gypsies and Travellers could be to increase capacity on existing authorised sites, regardless of their location or the conditions on those existing sites [*Option 1*]. Another option is to expand the area of existing authorised sites by making the site larger [*Option 2*].
- 4.5. On the one hand, these existing sites are likely to have been chosen by Gypsies and Travellers as having locational advantages for their needs and as such may be good locations for these groups. On the other hand, these sites might be overcrowded or offer a poor living environment and intensification of these sites may make conditions worse. All the existing authorised sites in Rugby Borough are located in the Green Belt and in the countryside, locations in which you would not seek to locate development.
- 4.6. As Map 1 below shows there is an uneven distribution of Gypsy and Travellers sites across Rugby Borough with a substantial concentration of existing sites in the north west of the Borough in Wolvey and Shilton ward and in the west of the Borough in Dunsmore ward. Dunsmore ward includes the Council owned Gypsy and Traveller site.
- 4.7. Concentrating new pitches in these areas may have an ongoing impact on the amenities of residents in the settled community as well as potentially having implications for the provision of/ access to local infrastructure and services, such as education and health facilities. One option could be to increase capacity/expand existing sites but outside of Wolvey and Shilton ward, and Dunsmore ward [*Option 3*].
- 4.8. The Council could take the view that one way of contributing to meeting need would be to authorise pitches that are currently unauthorised or have a temporary permission. However, taking such an approach would continue to concentrate provision in Wolvey and Shilton ward which already has made a significant contribution to meeting the needs of Gypsies and Travellers in the Borough.
- 4.9. An alternative option to increasing capacity/expanding existing sites could be to identify new sites in locations identified as suitable for new development in Policy GP2 (above) of the adopted Rugby Local Plan 2011-2031, i.e. Rugby town and the Main Rural Settlements [*Option 4*].
- 4.10. New sites could also be identified in the more rural areas identified in Policy GP2 (above), such as Rural Villages and the Countryside. However, this option would be contrary to Policy GP2 [*Option 5*].

**Map 1 – Existing Gypsy and Traveller Sites in Rugby Borough at November 2021**



## Permanent Residential Pitches

4.11. The options for meeting the need for permanent residential pitches are set out below:

### ***Issue 4 – The Location of Permanent Residential Pitches***

#### **Questions:**

- 1. Of the permanent residential pitch options outlined below which one would be the best approach?**
- 2. Could a combination of options be used until the need is met, and if so, which options?**
- 3. Are there any other realistic and reasonable ways in which future permanent residential pitch requirements may be met? If so, please explain in your response.**

**Option 1 – Increase capacity on existing authorised sites, where possible.**

**Option 2 – Expansion of the site area of existing authorised sites, where possible.**

**Option 3 – Increase capacity/ expand existing authorised sites outside of Wolvey and Shilton ward, and Dunsmore ward?**

**Option 4 – Allocation of new sites around the outskirts of Rugby town and the Main Rural Settlements as identified in Policy GP2 of the Rugby Borough Local Plan with good access to services and facilities.**

**Option 5 – Allocation of new sites in more rural areas (Rural Villages and Countryside), but still with reasonable access to essential services.  
[Contrary to Policy GP2]**

## Transit Pitches

4.12. There is a lack of transit provision across all of the Warwickshire local authorities including within Rugby. The 2022 GTAA recommends the adoption of a negotiated stopping policy and new transit provision consisting of between 6-10 pitches situated in or close to Rugby Town, near to main arterial routes e.g. M45 or the M6. The requirements for emergency stopping places reflect the fact that the site will only be used for a proportion of the year and that individual households will normally only stay on the agreed location for a few days. The inclusion of transit pitches is likely to lead to fewer unauthorised encampments which can adversely impact on the local community.

***Issue 5 – Location of Transit Pitches******Location of Transit Pitches***

**Q2 – Which option do you consider is the best approach for locating transit pitches within the Borough?**

**Option 1 – Transit sites close to Rugby (each consisting of 6-10 pitches) per site.**

**Option 2 – Transit sites near to main arterial routes e.g. M45 or the M6 (each consisting of 6-10 pitches). The exact location would need to be informed by detailed discussions with the Local Highway Authority.**

**Option 3 – a combination of sites close to Rugby and on main arterial routes**

**Option 4 – Combined residential/ transit pitches where provision for one or two pitches are provided for in conjunction with new permanent residential pitch provision.**

**Travelling Showpeople Plots**

- 4.13 As detailed earlier, the 2022 GTAA identified no Travelling Showpeople or yards in Rugby Borough. If the Council is to plan for their provision, the Council wish to know if there are any suitable sites to accommodate their need.

***Issue 6 – Travelling Showpeople Plots***

**Option 1 – Are there any sites suitable as yards for Travelling Showpeople?**

**Option 2 – Is there another approach to identify the Travelling Showpeople potential yards that the Council should consider? Please provide details of this approach in your response.**

## 5. The Size and Design of Gypsy and Traveller Sites

### Size of Sites

- 5.1. Evidence in the 2022 GTAA suggests that there is a preference by Travellers for relatively small, permanent residential sites often in a family group. Small sites are more likely to be assimilated into a local community and can reduce the potential tensions between Traveller families. Smaller sites can also be easier to manage and maintain. Policy DS2 of the adopted Rugby Borough Local Plan 2011-2031 sets out criteria to be used when assessing the suitability of sites for residential and mixed use occupation by Gypsies, Travellers and Travelling Showpeople. One of the criteria is that *'the development is appropriate in scale compared with the size of the existing settlement or nearby settlements'*.
- 5.2. Sites can vary in size, although they should be at least large enough to accommodate one pitch. A pitch is an area of land where a Traveller household can reside. Typically, a pitch contains space for one or more caravans, usually one static caravan and one touring caravan, an amenity block or day room, parking spaces, and outdoor space.
- 5.3. To meet the current and future need for Traveller accommodation, the Council has identified two options for the size of sites: provide fewer larger sites or provide a greater number of smaller sites.

#### **Issue 6 – Size of sites**

**Option 1 – Provide fewer larger permanent sites to accommodate, for example, no more than 10 pitches each.**

**Option 2 – Provide a greater number of smaller sites to accommodate, for example, no more than 2 pitches each.**

**Option 3 – Is there another approach to the size of sites? Please provide details of this approach in your response.**

### Site Design Standards

- 5.4. Policy DS2 of the adopted Rugby Borough Local Plan 2011-2031 sets out criteria to be used when assessing the suitability of sites for residential and mixed use occupation by Gypsies, Travellers and Travelling Showpeople. One of the criteria is that *'the development will comply with Policy SDC1 in respect of design and impact on the surrounding area and amenity of existing residents.'* Policy SDC1 is set out below.

**Policy SDC1: Sustainable Design**

(Source: Rugby Borough Local Plan 2011-2031, Adopted June 2019)

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.

Factors including the massing, height, landscape, layout and materials and access should also be a key consideration in the determination of planning applications.

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, identified local need and, where relevant, a Neighbourhood Development Plan.

Proposals for new development will ensure that the living conditions of existing and future neighbouring occupiers are safeguarded.

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.

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 enhanced. Provision can be in the form of storage space integral to the design of the property, dedicated space externally, in a communal storage area, or in underground waste storage systems.

Proposals relating to the enhanced energy efficiency of existing buildings will be supported in accordance with the most up to date national regulations.

5.5. The Council considers that in addition to Policy SDC1 it would be helpful to provide specific design standards in the DPD for Gypsies, Travellers and Travelling Showpeople sites. This could include:

- A minimum pitch size;
- Minimum on-pitch facilities;
- Site layout;
- Caravan/mobile home minimum separation distances for fire safety;
- On site facilities; and
- External lighting.

- 5.6. Table 1 below sets out an example of the design standards for Gypsies, Travellers and Travelling Showpeople sites that could be included in the DPD.

**Table 1 – Example of Design Standards for Gypsy & Traveller Pitches and Travelling Showpeople Plots**

Each pitch should measure at least 500 square metres (0.05ha) and provide as a minimum the following on-pitch facilities:

- Hard standing for 1 touring/ mobile caravan;
- Hard standing for 1 static caravan;
- 2 car parking spaces;
- 1 amenity block;
- Hard standing for storage shed and drying; and
- Garden/ amenity area.

The above facilities will be laid out to ensure the security and safety of residents and to allow ease of movement, whether walking, cycling or driving.

To ensure fire safety, every caravan or mobile home is required to be separated from any other caravan or mobile home by a distance of at least 6 metres.

As a minimum the following utilities must be provided on site:

- Mains water;
- Electricity supply;
- Drainage including sustainable urban drainage system (SUDs) where appropriate;
- Sanitation; and
- Screened storage and efficient collection of waste, including recyclable materials.

Proportionate levels of external lighting will be provided based on the size of the site, its location and any potential biodiversity impact. Any lighting scheme is required to avoid a detrimental impact on the surrounding locality by avoiding light spill outside of the site.

If granting permission on a shared site on an open plan basis rather than individual private pitches (usually on sites with extended families), permission should be given on a pitch-by-pitch equivalent basis to the above. For example, an existing pitch which has enough space to accommodate 2 touring caravans and 2 static caravans along with 4 parking spaces, 2 amenity blocks etc could be counted as 2 pitches.

Plots for Travelling Showpeople should be provided in accordance with the above standards and also provide adequate space to store and maintain large pieces of equipment (including heavy good vehicles, fairground rides and other fairground equipment).

***Issue 7 – Design Standards***

**Option 1 A – Design standards should be set for all Gypsies, Travellers and Travelling Showpeople sites. The design standards set out in Table 1 are appropriate.**

**Option 1 B - Design standards should be set for all Gypsies, Travellers and Travelling Showpeople sites. However, the design standards set out in Table 1 are not appropriate. Please explain what you consider to be appropriate design standards.**

**Option 2 – Given the diversity of sites and locations it is not possible to set design standards. Please explain your response.**

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## 6. Site Assessment Criteria for Gypsy and Traveller Sites

6.1. Policy DS2 in the adopted Rugby Borough Local Plan 2011-2031 sets out the following criteria to be used to assess the suitability of sites for allocation for residential and mixed use occupation by Gypsies, Travellers and Travelling Showpeople, and for the purposes of considering planning applications for such sites:

- The site affords good access to local services such as schools and health facilities;
- The site satisfies the sequential and exception tests for flood risk and is not adjacent to uses likely to endanger the health of occupants such as a refuse tip, sewage treatment works or contaminated land;
- The development is appropriate in scale compared with the size of the existing settlement or nearby settlements;
- The development will be able to achieve a reasonable level of visual and acoustic privacy both for people living on the site and for those living nearby;
- The development has appropriate vehicular access;
- The development will comply with Policy SDC1 in respect of design and impact on the surrounding area and amenity of existing residents;
- The development will be well-laid out to provide adequate space and privacy for residents;
- The development will include appropriate landscape measures to mitigate visual impacts and to ensure adequate levels of privacy and residential amenity for occupiers and adjacent occupiers but which avoids enclosing a site with an inappropriate amount of hard landscaping, high walls or fences;
- The development should not accommodate non-residential uses that may cause, by virtue or smell, noise or vibration, significant adverse impact on neighbouring business or residents; and
- Adequate provision for on-site services for water supply, power, drainage, sewage and waste disposal facilities.

6.2. In addition to assessing the suitability of sites, availability and achievability will also be assessed. Availability will include existing land use, land ownership and any legal constraint. Achievability will include whether the site has any constraints to delivery such as alternative land uses, remediation work required and viability.

***Issue 8 – Site assessment criteria***

**Option 1 – Do you agree with the existing suitability criteria listed in Policy DS2 of the adopted Rugby Borough Local Plan 2011-2031?**

**Option 2 – Should some, or all, of the existing suitability criteria listed in Policy DS2 be deleted or amended, and if so, which criteria? Please explain your response.**

**Option 3 – Should new criteria be added to the existing suitability criteria in Policy DS2? Please explain your response.**

**Option 4 – Do you agree with the availability and achievability criteria in Paragraph 6.2 above? Please explain your response.**

**Option 5 – Should the suitability criteria in Policy DS2 and the availability and achievability criteria in Paragraph 6.2 above be used for transit sites? If not, please explain in your response why not and if you think another approach should be used instead.**

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## 7. Sustainability Appraisal of the Issues and Options

- 7.1. Rugby Borough Council has appointed Land Use Consultants to carry out a Sustainability Appraisal (SA) incorporating a Strategic Environment Assessment (SEA) of the Rugby Borough Gypsy and Traveller Site Allocations Development Plan Document.
- 7.2. SA/SEA is an assessment process designed to consider and report upon the significant sustainability issues and effects of emerging plans and policies, including their reasonable alternatives. SA iteratively informs the plan-making process by helping to refine the contents of such documents, so that they maximise the benefits of sustainable development and avoid, or at least minimise, the potential for adverse effects.
- 7.3. The first stage of the SA/SEA process is to prepare the SA Scoping Report to provide the context for, and to determine the scope of the SA/SEA of the DPD. The Scoping Report also sets out the framework for undertaking the subsequent stages of the SA/SEA process. The Scoping Report for this DPD was prepared in May 2022 and consultation held between 4 May and 10 June 2022 with the three statutory bodies of Environment Agency, Historic England and Natural England.
- 7.4. A Sustainability Appraisal of the issues and options in this Issue and Options consultation document has been undertaken and the Council is seeking your views on the SA. The Issues and Options Sustainability Appraisal is available as a separate document on the Council's website.

### ***Issue 9 – Sustainability Appraisal of the Issues and Options***

**Option 1 – The Sustainability Appraisal of the Issues and Options is appropriate.**

**Option 2 – The Sustainability Appraisal of the Issues and Options is inappropriate. Please explain in your response why you consider the SA is inappropriate and provide details of how you think it should be amended.**

## 8. Any other issues?

- 8.1. This Issues and Options consultation document has set out the issues that the Council has identified should be addressed in the Rugby Borough Gypsy and Traveller Site Allocations DPD. The Council would like to know if there are any issues that have been missed.

### ***Issue 10 – Any other issues***

**Are there any other issues that this Issues and Options consultation document has not identified that need to be considered as part of the preparation of the Rugby Borough Gypsy and Traveller Site Allocations DPD?**

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Appendix 2 – Sustainability Appraisal of Issues & Options Paper



# **Rugby Borough Gypsy and Traveller Site Allocations DPD Sustainability Appraisal**

## **Rugby Borough Council**

**Final report**

Prepared by LUC

June 2022

Version	Status	Prepared	Checked	Approved	Date
1	Draft report	H Ennis	K Nicholls	K Nicholls	22.06.2022
2	Final report	H Ennis	K Nicholls	K Nicholls	23.06.2022



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Rugby Borough Gypsy and Traveller Site Allocations DPD

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# Chapter 1

## Introduction

**1.1** Rugby Borough Council commissioned LUC in March 2022 to carry out Sustainability Appraisal (SA) of the Rugby Borough Gypsy and Traveller Site Allocations Development Plan Document (DPD). The DPD will allocate land to meet the requirements for Gypsy, Traveller and Travelling Showpeople's accommodation, as identified by the latest Gypsy and Traveller Accommodation Assessment (GTAA). This report relates to the Issues and Options version of the DPD (to be published for consultation in September 2022) and it should be read in conjunction with that document.

**1.2** It should be noted that this report was prepared on the basis of a draft version of the Issues and Options consultation document in June 2022 and that the authors did not have sight of the final consultation document.

## The Plan Area

**1.3** Rugby Borough lies within the county of Warwickshire on the eastern edge of the West Midlands. The Borough of Rugby covers an area of 351.2 km<sup>2</sup> with a population of 110,650 [See reference 1]. The Borough has 41 parishes and the largest centre of population is the attractive market town of Rugby, with two thirds of the Borough's population living in the town and the remainder residing in the rural area. The villages in the Borough range in size from 20 to 3,000 people.

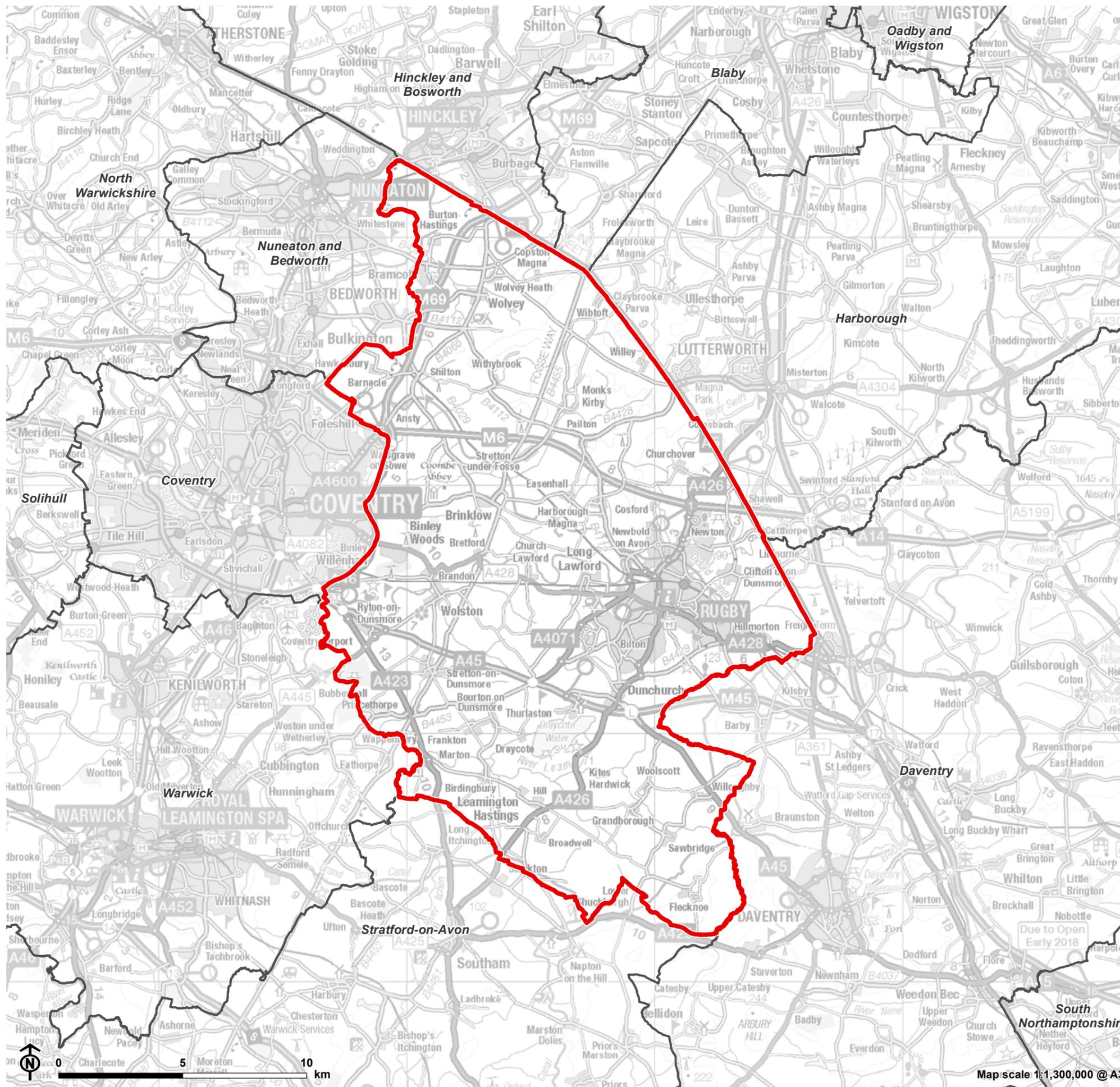
**1.4** Rugby town is the key hub for the provision of further and higher education, healthcare facilities, employment and shopping facilities. The Borough lies within close proximity of Coventry and Birmingham and is well-connected via railway links as well as the A45 to Coventry and the M6 to Birmingham.

## Chapter 1

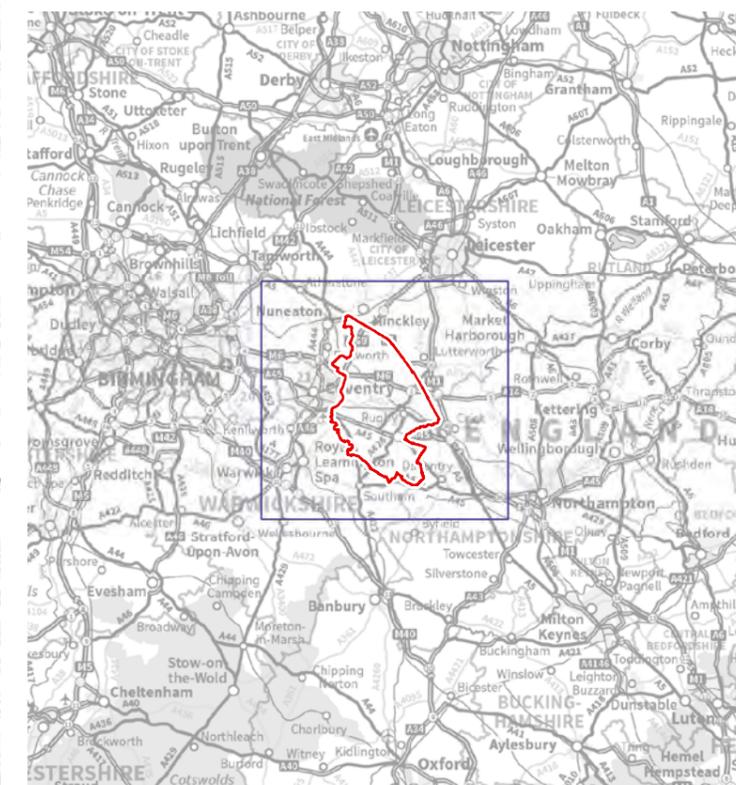
**1.5** The location of the plan area is shown in Figure 1.1.



Figure 1.1: Location of Rugby Borough



- Rugby Borough boundary
- Neighbouring authority boundary



## Rugby Borough Gypsy and Traveller Site Allocations DPD

**1.6** Rugby Borough Council adopted the Rugby Borough Local Plan 2011-2031 in June 2019. The adopted Local Plan outlines how the Borough will develop and grow over the plan period. The adopted Local Plan includes Policy DS2: Sites for Gypsy, Travellers and Travelling Showpeople, which sets out the requirement to allocate land through a separate Gypsy and Traveller Site Allocations DPD. Policy DS2 also sets out the criteria against which planning applications for Gypsy, Traveller and Travelling Showpeople sites will be assessed.

**1.7** The Gypsy and Traveller Site Allocations DPD will be an integral document in the statutory Local Plan for Rugby Borough. It will provide more detailed policy advice on allocating sites/yards for Gypsies, Travellers and Travelling Showpeople. All policies in the Rugby Borough Gypsy and Traveller Site Allocations DPD and the other documents that comprise the Development Plan are interdependent and should be read alongside each other. As well as Policy DS2, Local Plan policies relating to sustainable development (Policy GP1), economic development (policies ED1 – ED4), and the natural and built environment (policies NE1-NE3) will be of particular relevance to the Gypsy and Traveller Site Allocations DPD.

## Outline of the Issues and Options Rugby Borough Gypsy and Traveller Site Allocations DPD

**1.8** The Issues and Options version of the Rugby Borough Gypsy and Traveller DPD (September 2022) has been prepared to inform statutory consultees, the

public and relevant organisations of the Council's intention to produce a DPD and to seek feedback on what it should contain.

**1.9** There are ten issues identified within the Issues and Options version of this DPD, with various options identified in relation to each (see Chapter 4):

- Issue 1: Gypsy and Traveller Accommodation Need
- Issue 2: Travelling Showpeople Accommodation Need
- Issue 3: Transit Accommodation Need
- Issue 4: The Location of Permanent Residential Pitches
- Issue 5: Transit Pitches
- Issue 6: Size of Sites
- Issue 7: Design Standards
- Issue 8: Site Assessment Criteria
- Issue 9: Sustainability Appraisal of the Issues and Options
- Issue 10: Any other Issues

**1.10** In addition, a Call for Sites is being run alongside consultation on the Issues and Options version of the Rugby Borough Gypsy and Traveller DPD, seeking to identify sites to meet the accommodation needs of Gypsies, Travellers and Travelling Showpeople. Any reasonable alternative site options that are identified through that process will be subject to SA.

## **Sustainability Appraisal and Strategic Environmental Assessment**

**1.11** Under the Planning and Compulsory Purchase Act 2004, SA is mandatory for Development Plan Documents. For these documents it is also necessary to conduct an environmental assessment in accordance with the Strategic

Environmental Assessment (SEA) Regulations (as amended) [See reference 7]. The SEA Regulations remain in force post-Brexit and it is a legal requirement for the DPD to be subject to SA and SEA throughout its preparation.

**1.12** On 11<sup>th</sup> May 2022 the Government published the Levelling up and Regeneration Bill, which sets out in detail the Government's proposals for reforming the planning system. Amongst other things, the Bill proposes the replacement of the current SEA regime with a new requirement for an Environmental Outcomes Report. The specific requirements will be set out in forthcoming regulations, along with information about transition arrangements; however at present the requirement for SEA remains as set out in existing legislation. Any changes to the legal framework for carrying out SA/SEA will be addressed as appropriate as the DPD is prepared.

**1.13** SA and SEA are tools used at the plan-making stage to assess the likely effects of the plan when judged against reasonable alternatives. In simple terms, SEA considers only the environmental effects of a plan, while SA considers the plan's wider economic and social effects in addition to its potential environmental impacts. SA should meet all of the requirements of the Environmental Assessment of Plans and Programmes Regulations 2004, so a separate SEA should not be required. An approach which satisfies the requirements for both SA and SEA is advocated in the Government's Planning Practice Guidance (PPG) [See reference 8]. Practitioners can comply with the requirements of the SEA Regulations through a single integrated SA process – this is the process that is being undertaken for the Rugby Borough Gypsy and Traveller Site Allocations DPD. From here on, the term 'SA' should therefore be taken to mean 'SA incorporating the requirements of the SEA Regulations'.

**1.14** The SA process comprises a number of stages, as shown below.

Stage A: Setting the context and objectives, establishing the baseline and deciding on the scope.

Stage B: Developing and refining options and assessing effects.

Stage C: Preparing the Sustainability Appraisal Report.

Stage D: Consulting on the plan and the SA Report.

Stage E: Monitoring the significant effects of implementing the plan.

## Meeting the Requirements of the SEA Regulations

**1.15** The section below signposts the relevant parts of this SA Report that are considered to meet the SEA Regulations requirements. This information will be included in the SA Report at each stage of plan preparation to show how the requirements of the SEA Regulations have been met through the SA process.

**1.16** SEA guidance recognises that data gaps will exist but suggests that where baseline information is unavailable or unsatisfactory, authorities should consider how it will affect their assessments and determine how to improve it for use in the assessment of future plans. Where there are data gaps in the baseline, or reports not yet published, these are highlighted in this report. The collection and analysis of baseline data is regarded as a continual and evolving process, given that information can change or be updated on a regular basis. Relevant baseline information will be updated during the SA process as and when data are published.

## Environmental Report

- Where an environmental assessment is required by any provision of Part 2 of these Regulations, the responsible Authority shall prepare, or secure the preparation of, an environmental report in accordance with paragraphs

(2) and (3) of this regulation. The report shall identify, describe and evaluate the likely significant effects on the environment of:

(e) Implementing the plan or programme; and

(f) Reasonable alternatives taking into account the objectives and geographical scope of the plan or programme. (Regulation 12(1) and (2) and Schedule 2).

- **Covered in this Report?** This SA Report which has been produced to accompany consultation on the Issues and Option Rugby Borough Gypsy and Traveller Site Allocations DPD constitutes the 'environmental report'.
- An outline of the contents and main objectives of the plan or programme, and of its relationship with other relevant plans and programmes.
- The relevant aspects of the current state of the environment and the likely evolution thereof without implementation of the plan or programme.
- The environmental characteristics of areas likely to be significantly affected.
- Any existing environmental problems which are relevant to the plan or programme including, in particular, those relating to any areas of a particular environmental importance, such as areas designated pursuant to Directives 79/409/EEC on the conservation of wild birds and the Habitats Directive.
- The environmental protection objectives, established at international, Community or national level, which are relevant to the plan or programme and the way those objectives and any environmental considerations have been taken into account during its preparation.
  - **Covered in this report?** Chapter 1, Chapter 3, Appendix B and Appendix C.
- The likely significant effects on the environment, including short, medium and long-term effects, permanent and temporary effects, positive effects, and secondary, cumulative and synergistic effects, on issues such as:
  - biodiversity;

**Chapter 1** Introduction

- population;
- human health;
- fauna;
- flora;
- soil;
- water;
- air;
- climatic factors;
- material assets;
- cultural heritage, including architectural and archaeological heritage;
- landscape; and
- the interrelationship between the issues referred to in sub-paragraphs (a) to (l).
- **Covered in this report?** Chapter 4.
- The measures envisaged to prevent, reduce and as fully as possible offset any significant adverse effects on the environment of implementing the plan or programme.
  - **Covered in this report?** Chapter 4.
- An outline of the reasons for selecting the alternatives dealt with, and a description of how the assessment was undertaken including any difficulties (such as technical deficiencies or lack of know-how) encountered in compiling the required information.
  - **Covered in this report?** Chapter 2 and Chapter 4.
- A description of the measures envisaged concerning monitoring in accordance with regulation 17.
  - **Covered in this report?** Chapter 5.

- The report shall include such of the information referred to in Schedule 2 to these Regulations as may reasonably be required, taking account of:
  - Current knowledge and methods of assessment;
  - The contents and level of detail in the plan or programme;
  - The stage of the plan or programme in the decision-making process; and
  - The extent to which certain matters are more appropriately assessed at different levels in that process in order to avoid duplication of the assessment.
- (Regulation 12 (3))
  - **Covered in this report?** The Environmental Report at each stage of the SA will adhere to this requirement.

## Consultation

- When deciding on the scope and level of detail of the information that must be included in the environmental report, the responsible Authority shall consult the consultation bodies. (Regulation 12(5))
  - **Covered in this report?** The SA Scoping Report was produced by LUC and consulted on from May to June 2022. The responses received are summarised in Appendix A.
- Authorities with environmental responsibility and the public, shall be given an early and effective opportunity within appropriate time frames to express their opinion on the draft plan or programme and the accompanying environmental report before the adoption of the plan or programme (Reg. 13).
  - **Covered in this report?** Consultation on the Issues and Options Rugby Borough Gypsy and Traveller Site Allocations DPD is taking place during Summer 2022. The consultation document is accompanied by this SA Report.

- Other EU Member States, where the implementation of the plan or programme is likely to have significant effects on the environment of that country (Reg. 14).
  - **Covered in this report?** The DPD is not expected to have significant effects on other EU Member States.

## Taking the environmental report and the results of the consultations into account in decision-making (relevant extracts of Regulation 16)

- Provision of information on the decision:
  - When the plan or programme is adopted, the public and any countries consulted under Reg. 14 must be informed and the following made available to those so informed:
    - The plan or programme as adopted;
    - A statement summarising how environmental considerations have been integrated into the plan or programme and how the environmental report, the opinions expressed, and the results of consultations entered into have been taken into account, and the reasons for choosing the plan or programme as adopted, in the light of the other reasonable alternatives dealt with; and
    - The measures decided concerning monitoring.
  - **Covered in this report?** To be addressed after the DPD is adopted.

## Monitoring

- The responsible Authority shall monitor the significant effects of the implementation of each plan or programme with the purpose of identifying unforeseen adverse effects at an early stage and being able to undertake appropriate remedial action. (Regulation 17(1))

- **Covered in this report?** Chapter 5 suggests a framework for monitoring the likely significant effects of the DPD.

## Structure of the SA Report

1.17 This chapter has described the background to the production of the Rugby Borough Gypsy and Traveller Site Allocations DPD and the requirement to undertake SA. The remainder of this SA Report is structured into the following sections:

- Chapter 2 describes the approach that is being taken to the SA of the Rugby Borough Gypsy and Traveller Site Allocations DPD.
- Chapter 3 describes the relationship between the DPD and other relevant plans, policies and programmes; summarises the social, economic and environmental characteristics of Rugby Borough and identifies the key sustainability issues facing the Borough.
- Chapter 4 presents the SA findings for the options that have been considered for the DPD to date.
- Chapter 5 describes suggested indicators for monitoring the potential sustainability effects of the DPD.
- Chapter 6 presents the conclusions of the SA of the Issues and Options version of the DPD and describes the next steps to be undertaken.
- Appendix A presents a summary of the consultation comments received in relation to the SA Scoping Report and explains how they have been addressed.
- Appendix B presents a review of international, national and local plans, policies and programmes of relevance to the DPD and the SA.
- Appendix C presents baseline information for Rugby Borough.
- Appendix D sets out the assumptions that will be used to inform the consistent appraisal of Gypsy and Traveller site options.

## Chapter 2

# Methodology

**2.1** In addition to complying with legal requirements, the approach being taken to the SA of the Rugby Borough Gypsy and Traveller Site Allocations DPD is based on current good practice and the guidance on SA/SEA set out in the Government's Planning Practice Guidance (PPG). This calls for SA to be carried out as an integral part of the plan-making process. Figure 2.1 overleaf sets out the main stages of the plan-making process and shows how these correspond to the SA process.

Figure 2.1: Corresponding stages in plan-making and SA



**2.2** The sections below describe the approach that has been taken to the SA of the DPD to date and provide information on the subsequent stages of the process.

## SA Stage A: Scoping

**2.3** The Scoping stage of SA involves understanding the social, economic and environmental baseline for the plan area as well as the sustainability policy context and key sustainability issues, and using these to inform the appraisal framework as follows.

### Review other relevant policies, plans and programmes to establish policy context

**2.4** A DPD is not prepared in isolation; rather it is prepared within the context of other policies, plans and programmes. The SEA Regulations require the Environmental Report to describe the relationship of the plan with other relevant plans and programmes. It should also be consistent with environmental protection legislation and support the attainment of sustainability objectives that have been established at the international, national, and regional/sub-regional levels.

**2.5** A review was therefore undertaken of other policies, plans, and programmes at the international, national, regional and sub-regional levels that were considered to be relevant to the scope of the Rugby Borough Gypsy and Traveller Site Allocations DPD. This review was presented in the SA Scoping Report [See reference 2]. The review of plans, policies and programmes has been updated during the preparation of this report to reflect the most recent policy context and Scoping consultation comments received, particularly in relation to the historic environment. The updated review is summarised in Chapter 3 and presented in full in Appendix B.

## Collect baseline information to establish sustainability context

**2.6** Information on existing environmental, social and economic conditions in the plan area provides the baseline against which the DPD's effects can be assessed in the SA and monitored during the plan's implementation.

**2.7** Baseline information can also be combined with an understanding of drivers of change that are likely to persist regardless of the DPD to understand the likely future sustainability conditions in the absence of the DPD.

**2.8** The SEA Regulations require the Environmental Report to describe relevant aspects of the current state of the environment and how they are likely to evolve without the plan. An understanding of this likely future, together with the assessed effects of the DPD itself, allows the SA to report on the likely cumulative effects of the DPD, which is another requirement of the SEA Regulations.

**2.9** The SEA Regulations require an assessment of effects in relation to the following 'SEA topics': biodiversity, population, fauna, flora, soil, water, air, climatic factors, material assets, cultural heritage (including architectural and archaeological heritage), landscape, and the inter-relationship between these. Baseline information was therefore collected in relation to the SEA topics as well as additional sustainability topics covering broader socio-economic issues such as housing, access to services, crime and safety, education and employment. This reflects the integrated approach that is being taken to the SA and SEA processes. As part of the preparation of this SA Report, the baseline information for Rugby Borough which was originally presented in the SA Scoping Report has been updated to reflect the most recent sources of data and to address the Scoping consultation comments received, in particular additional information has been collated in relation to the historic environment. The baseline information for the Borough is presented in Appendix C.

## Identify key sustainability issues

**2.10** The baseline information also allows the identification of existing sustainability issues, including problems as required by the SEA Regulations.

**2.11** Key sustainability issues facing Rugby Borough and an analysis of their likely evolution without the DPD are detailed in Chapter 3. Key sustainability issues for Rugby Borough were originally identified in the SA Scoping Report (May 2022).

## Develop the SA framework

**2.12** The relevant sustainability objectives identified by the review of other policies, plans, and programmes, together with the key sustainability issues facing the Borough identified by the collection and review of baseline information, helped to inform the development of a set of sustainability objectives (the 'SA framework') against which the effects of the DPD would be assessed.

**2.13** Development of the SA framework is not a requirement of the SEA Regulations but is a recognised way in which the likely sustainability effects of a plan can be transparently and consistently described, analysed and compared. The SA framework comprises a series of sustainability objectives and supporting criteria that are used to guide the appraisal of the policies and proposals within a plan.

**2.14** The SA framework for the Rugby Borough Gypsy and Traveller Site Allocations DPD was informed initially by a review of the SA framework that was previously used in the SA of the adopted Local Plan. That SA framework was updated in light of the review of relevant policies, plans and programmes as well as the baseline information for the plan area. The SA objectives have also been refined taking into account the types of issues that are capable of being affected

by a Gypsy and Traveller Site Allocations DPD. No changes have been made to the SA objectives as a result of the Scoping consultation.

**2.15** The SA framework for the Rugby Borough Gypsy and Traveller Site Allocations DPD is presented in Figure 2.2 at the end of this chapter.

## Consult on the scope and level of detail of the SA

**2.16** Public and stakeholder participation is an important element of the SA and wider plan-making processes. It helps to ensure that the SA Report is robust and has due regard for all appropriate information that will support the plan in making a contribution to sustainable development.

**2.17** The SEA Regulations require the statutory consultation bodies (the Environment Agency, Historic England, and Natural England) to be consulted “when deciding on the scope and level of detail of the information that must be included” in the SA Report. This consultation on the SA Scoping Report was undertaken between May and June 2022.

**2.18** Appendix A lists the comments that were received on the scope of the SA during this period of consultation and describes how each one has been addressed in the SA report for the Rugby Borough Gypsy and Traveller Site Allocations DPD. In light of the comments received, a number of amendments were made to the review of policies, plans, and programmes; historic environment baseline information; and the SA objective 13 site assessment criteria.

## SA Stage B: Developing and refining options and assessing effects

**2.19** Developing options for a plan is an iterative process, usually involving a number of consultations with the public and stakeholders. Consultation responses and the SA can help to identify where there may be other 'reasonable alternatives' to the options being considered for a plan.

**2.20** In relation to the SA report, Part 3 of the SEA Regulations 12 (2) requires that:

The report must identify, describe and evaluate the likely significant effects on the environment of—

(a) implementing the plan or programme; and

(b) reasonable alternatives, taking into account the objectives and the geographical scope of the plan or programme.”

**2.21** Schedule 2 (h) of the SEA Regulations requires that the Environmental Report includes a description of:

“(h) an outline of the reasons for selecting the alternatives dealt with”

**2.22** The SEA Regulations require that the alternative policies considered for inclusion in a plan that must be subject to SA are 'reasonable', therefore alternatives that are not reasonable do not need to be subject to appraisal. Examples of unreasonable alternatives could include policy options that do not

meet the objectives of the plan or national policy (e.g. the National Planning Policy Framework (NPPF)).

**2.23** The SA findings are not the only factors taken into account when determining a preferred option to take forward in a plan. Indeed, there will often be an equal number of positive or negative effects identified by the SA for each option, such that it is not possible to rank them based on sustainability performance in order to select a preferred option. Factors such as public opinion, deliverability and conformity with national policy will also be taken into account by plan-makers when selecting preferred options for their plan.

**2.24** The options associated with the 10 issues in the Issues and Options version of the DPD are appraised in Chapter 4 of this report, where they are of a format appropriate for appraisal. As noted in Chapter 1, the timescales for preparing the DPD and the SA Report were such that the authors of this report did not have sight of the final consultation document, the figures within which were to be informed by the emerging update to the Gypsy and Traveller Accommodation Assessment (GTAA). However, the fundamental principles of each option have been able to be appraised against the SA objectives.

## SA Stage C: Preparing the Sustainability Appraisal Report

**2.25** This SA Report describes the process that has been undertaken to date in carrying out the SA of the Rugby Borough Gypsy and Traveller Site Allocations DPD and sets out the SA findings for the reasonable alternative options considered to date for the DPD. Likely significant effects, both positive and negative, have been presented, taking into account the likely secondary, cumulative, synergistic, short, medium and long-term and permanent and temporary effects where possible at this early stage of the SA (cumulative effects, for example, are more able to be assessed once decisions have been made about which combinations of options to take forward in the next iteration of the DPD).

**2.26** The SA findings for the options are set out in Chapter 4 of this SA Report.

## **SA Stage D: Consultation on the DPD and the SA Report**

**2.27** Information about consultation on the SA that has already taken place at earlier stages of plan-making has been provided above. Rugby Borough Council is now inviting comments on the Issues and Options version of the Rugby Borough Gypsy and Traveller Site Allocations DPD. This SA Report is being published on the Council's website alongside the DPD, so that the two documents can be read in parallel. Consultation comments received on this SA Report will be taken into account at the next stage of the SA.

## **SA Stage E: Monitoring implementation of the DPD**

**2.28** Draft recommendations for monitoring the likely significant social, environmental and economic effects of implementing the DPD are included in Chapter 5 of this SA Report and these will be updated as appropriate during later stages of the SA.

## **Appraisal methodology**

**2.29** Reasonable alternative options for the DPD have been appraised against the SA objectives in the SA framework with symbols being attributed to each option to indicate its likely effects on each SA objective as shown in Table 2.1. Where a potential positive or negative effect is uncertain, a question mark was added to the relevant symbol (e.g. +? or -?) and the symbol was colour coded in line with the potential positive, negligible or negative effect (e.g. green, yellow, orange, etc.).

**2.30** The likely effects of options need to be determined and their significance assessed, which inevitably requires a series of judgments to be made. The appraisal has attempted to differentiate between the most significant effects and other more minor effects through the use of the symbols shown in Table 2.1. The dividing line in making a decision about the significance of an effect is often quite small. Where either (++) or (--) has been used to distinguish significant effects from more minor effects (+ or -) this is because the effect of an option on the SA objective in question is considered to be of such magnitude that it will have a noticeable and measurable effect taking into account other factors that may influence the achievement of that objective.

**Figure 2.2: SA Framework symbol and colour coding**

++	Significant positive effect likely
++/-	Mixed significant positive and minor negative effects likely
+	Minor positive effect likely
++/--	Mixed significant positive and significant negative effects likely
+/-	Mixed minor positive and minor negative effects likely
-	Minor negative effect likely
--/+	Mixed significant negative and minor positive effects likely
--	Significant negative effect likely
0	Negligible effect likely
?	Uncertain effect

## The use of site assessment criteria and uncertainty

**2.31** A Call for Sites exercise is being conducted by the Council alongside the Issues and Options consultation, in order to identify reasonable alternative options for site allocations to be included in the DPD. Once any reasonable options are identified, they will be subject to SA at the next stage of the process.

**2.32** SA inevitably relies on an element of subjective judgement. However, in order to ensure consistency in the appraisal of the site options, a detailed set of site assessment criteria has been developed and will be applied. These site assessment criteria are included within Appendix D. The criteria relate specifically to the type of site options being considered (sites for Gypsies, Travellers and Travelling Showpeople) and set out clear parameters within which certain SA effects would be identified, based on factors such as the distance of site options from features such as biodiversity designations, public transport links and areas of high landscape sensitivity. The assumptions will be applied through the use of Geographical Information Systems (GIS) data.

## Difficulties and Data Limitations

**2.33** The SEA Regulations, Schedule 2(8) require the Environmental Report to include:

“...a description of how the assessment was undertaken including any difficulties (such as technical deficiencies or lack of know-how) encountered in compiling the required information.”

**2.34** A number of difficulties and limitations arose in the course of the SA as follows:

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- Some of the data which are available at the national and district levels are based on the reporting of the 2011 Census. This data allows for comparisons to be made between Rugby Borough and national performance in relation to number of indicators; however it recognised that data is now relatively old considering the timings of the national census. If data from the 2022 Census becomes available later in the SA process it will be used to inform the SA as appropriate.
- The available Landscape Sensitivity Study and Heritage Asset Review were outdated as an evidence base to assess site allocations in relation to landscape and historic environment. In the absence of more recent data these sources are being used, although their limitations are recognised.
- This SA Report has been prepared on the basis of a draft incomplete version of the Issues and Options consultation document, some aspects of which were still to be finalised at the time of writing. In particular, updated figures from the 2022 GTAA were still to be included. This report appraises the principles of each of the options being considered which are not expected to change as the consultation document is finalised.

# Chapter 3

## Sustainability Context

**3.1** Schedule 2 of the SEA Regulations requires information on the following (numbering relates to the specific numbered list in Schedule 2):

1. “an outline of the contents and main objectives of the Plan and its relationship with other relevant plans or programmes” and

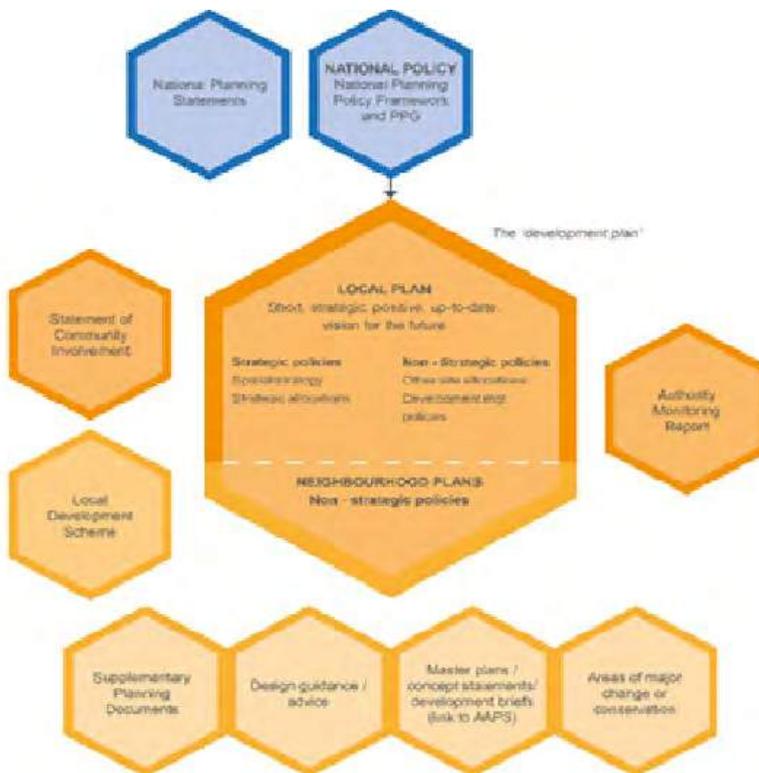
5. “the environmental protection objectives established at International, Community or Member State level, which are relevant to the plan and the way those objectives and any environmental considerations have been taken into account during its preparation”.

**3.2** An outline of the Rugby Borough Issues and Options Gypsy and Traveller Site Allocations DPD was provided in Chapter 1. The other reporting requirements are met in this chapter.

## Relationship with other Relevant Plans or Programmes

**3.3** The Rugby Borough Gypsy and Traveller DPD is not prepared in isolation and must be in conformity with a range of international and national plans and programmes as shown below in Figure 3.1. The Rugby Borough Gypsy and Traveller Site Allocations DPD will form part of the Development Plan for Rugby Borough.

**Figure 3.1: Relationship between the Rugby Borough Gypsy and Traveller DPD and other relevant plans or programmes**



## Policy Context

1.1 The policy context in which the Rugby Borough Gypsy and Traveller DPD is being prepared informs consideration of what constitute reasonable alternative policy options for that document as well as the framework of sustainability objectives against which it will be appraised. It should be noted that the policy context is inherently uncertain as the current framework outlined here is likely to change in response to a number of key factors:

- Brexit - Following the United Kingdom's (UK) departure from the European Union (EU) on 31 January 2020, it entered a transition period which ended on 31 December 2020. Directly applicable EU law now no longer applies to the UK and the UK is free to repeal EU law that has been transposed into UK law.
- On 11<sup>th</sup> May 2022 the Government published the Levelling up and Regeneration Bill, which sets out in detail the Government's proposals for reforming the planning system. Amongst other things, the Bill proposes the replacement of the current SEA regime with a new requirement for an Environmental Outcomes Report. The specific requirements will be set out in forthcoming regulations, along with information about transition arrangements; however at present the requirement for SEA remains as set out in existing legislation. Any changes to the legal framework for carrying out SA/SEA will be addressed as appropriate as the Local Plan is prepared.
- COVID-19 – The COVID-19 pandemic has led to far-reaching changes to society in the UK and around the world. Which of these changes will continue in the long term is unknown and will depend on a variety of factors. Potential implications for planning and development include Government measures to re-start the economy via support for housebuilding and infrastructure development, changes to permitted development rights, increased remote working and reduced commuting and related congestion and air pollution, increased prioritisation of walking and cycling over public transport; and increasing pressure to ensure satisfactory living standards are set and enforced.

**3.4** It is also possible that UK and sub-national climate change policy may change as public awareness and prioritisation of the threat of climate change grows, as illustrated by the increasing number of local authorities, including Rugby Borough Council, that have declared a climate emergency.

## International

**3.5** Former EU Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment (the 'SEA Directive') and Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (the 'Habitats Directive') were transposed into the Strategic Environmental Assessment (SEA) Regulations [See reference 3] and Habitats Regulations [See reference 4]. Following the UK's departure from the EU, these Regulations still apply and require environmental assessment processes to be undertaken in relation to the Rugby Borough Gypsy and Traveller DPD. These processes should be undertaken iteratively and integrated into the production of the plan in order to ensure that any potential negative environmental effects (including on European-level nature conservation designations) are identified and can be mitigated.

**3.6** There were also a wide range of other EU Directives relating to issues such as water quality, waste and air quality, most of which are transposed into UK law through Acts, Regulations and national-level policy. The UK has now fully left the EU and therefore EU Directives no longer apply to the UK. The relevant Regulations are summarised in Appendix B.

## National

**3.7** There is an extensive range of national policies, plans and programmes that are of relevance to the Rugby Borough Gypsy and Traveller DPD and the SA process. A pragmatic and proportionate approach has been taken with regards to the identification of key national policies, plans and programmes, focusing on those that are of most relevance. A summary of the main objectives of the National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG) of relevance to the Rugby Borough Gypsy and Traveller DPD and the SA is provided below. In addition, the main sustainability objectives of other national plans and programmes which are of most relevance to the DPD and the SA are summarised in Appendix B.

## The National Planning Policy Framework and Planning Practice Guidance

**3.8** The NPPF [See reference 5] is the overarching planning framework which provides national planning policy and principles for the planning system in England. The NPPF was originally published in March 2012, revised in July 2018, updated in February 2019 and again in July 2021. The most recent update to the NPPF places an increased focus on design quality. This includes for sites as well as for places as a whole. The terminology included in the Framework on protecting and enhancing the environment and promoting a sustainable pattern of development has been revised. Furthermore, revisions are included in relation to policies which address opting out of permitted development, the use of masterplans and design codes and the important contribution of trees in new developments.

**3.9** The DPD must be consistent with the requirements of the NPPF, which states:

“Succinct and up-to-date plans should provide a positive vision for the future of each area; a framework for addressing housing needs and other economic, social and environmental priorities; and a platform for local people to shape their surroundings.”

**3.10** The PPG [See reference 6] provides guidance for how the Government’s planning policies for England are expected to be applied. Sitting alongside the NPPF, it provides an online resource that is updated on a regular basis for the benefit of planning practitioners.

**3.11** Specific planning policy for Gypsy and Traveller sites is contained in the Planning Policy for Traveller Sites [See reference 7]. It sets out the Government’s aims in respect of Travellers’ sites:

- “that local planning authorities should make their own assessment of need for the purposes of planning;
- to ensure that local planning authorities, working collaboratively, develop fair and effective strategies to meet need through the identification of land for sites;
- to encourage local planning authorities to plan for sites over a reasonable timescale;
- that plan-making and decision-taking should protect Green Belt from inappropriate development;
- to promote more private Traveller site provision while recognising that there will always be those Travellers who cannot provide their own sites;
- that plan-making and decision-taking should aim to reduce the number of unauthorised developments and encampments and make enforcement more effective;
- for local planning authorities to ensure that their Local Plan includes fair, realistic and inclusive policies;
- to increase the number of Traveller sites in appropriate locations with planning permission, to address under provision and maintain an appropriate level of supply;
- to reduce tensions between settled and Traveller communities in plan making and planning decisions;
- to enable provision of suitable accommodation from which Travellers can access education, health, welfare and employment infrastructure; and,
- for local planning authorities to have due regard to the protection of local amenity and local environment”.

**3.12** In relation to planning for Traveller sites, national policy states that local planning authorities should, in producing their Local Plans:

- “identify and update annually, a supply of specific deliverable sites sufficient to provide five years’ worth of sites against their locally set targets;
- identify a supply of specific, developable sites or broad locations for growth, for years 6 to 10 and, where possible, for years 11-15;
- consider production of joint development plans that set targets on a cross-authority basis, to provide more flexibility in identifying sites, particularly if a local planning authority has special or strict planning constraints across its area (local planning authorities have a duty to cooperate on planning issues that cross administrative boundaries);
- relate the number of pitches or plots to the circumstances of the specific size and location of the site and the surrounding population’s size and density; and,
- protect local amenity and environment”.

**3.13** The Government guidance also states that local planning authorities should ensure that Traveller sites are sustainable economically, socially and environmentally. They should, therefore, ensure that their policies:

- “promote peaceful and integrated co-existence between the site and the local community;
- promote, in collaboration with commissioners of health services, access to appropriate health services;
- ensure that children can attend school on a regular basis;
- provide a settled base that reduces the need for long-distance travelling and possible environmental damage caused by unauthorised encampment;
- provide for proper consideration of the effect of local environmental quality (such as noise and air quality) on the health and well-being of any Travellers that may locate there or on others as a result of new development;

- avoid placing undue pressure on local infrastructure and services;
- do not locate sites in areas at high risk of flooding, including functional floodplains, given the particular vulnerability of caravans; and,
- reflect the extent to which traditional lifestyles (whereby some Travellers live and work from the same location thereby omitting many travel to work journeys) can contribute to sustainability”.

## Other National Policies, Plans and Programmes

**3.14** Numerous other policies, plans and programmes at a national level are of relevance to preparation of the DPD and the SA. Unlike the NPPF, most of the documents are focussed on a specific topic area which the SA will consider. There will be some overlap between SA topics covered by these plans and programmes where those documents contain more overarching objectives. However, the plans and programmes considered of most relevance for the SA have been grouped by the topics they most directly seek to address, and green boxes below each topic heading summarise the implications of the national PPPs (including the NPPF) for the DPD and the SA.

### Climate change adaptation and mitigation, energy efficiency and waste minimisation

**3.15** The relevant national PPPs under this topic are:

- Glasgow Climate Pact 2021
- UK Climate Change Strategy 2021-2024
- British Energy Security Strategy (2022)
- Net Zero Strategy: Build Back Greener (2021).

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- Department for Transport, Decarbonising Transport: Setting the Challenge (2020).
- The Industrial Decarbonisation Strategy (2021)
- 25 Year Environment Plan (2018)
- Defra, The National Adaptation Programme and the Third Strategy for Climate Adaptation Reporting: Making the country resilient to a changing climate (2018).
- The National Adaptation Programme and the Third Strategy for Climate Adaptation Reporting (2018)
- UK Climate Change Risk Assessment (2017)
- HM Government, The Clean Growth Strategy (2017).
- National Planning Policy for Waste (NPPW) (2014).
- Defra, Waste Management Plan for England (2013).
- The Energy Efficiency Strategy (2012)
- Understanding the risks, empowering communities, building resilience: The national flood and coastal erosion risk management strategy for England (2011)
- Defra and the Environment Agency, Understanding the risks, empowering communities, building resilience: The National Flood and Coastal Erosion Risk Management Strategy for England (2011).
- The UK Low Carbon Transition Plan: National Strategy for Climate and Energy (2009)
- The UK Renewable Energy Strategy (2009)
- The Heat and Buildings Strategy (2021)
- The UK Hydrogen Strategy (2021)
- British Energy Security Strategy 2022
- The Energy Performance of Buildings Regulations (2021)
- The Energy white paper: Powering our net zero future (2020)

## Chapter 3 Sustainability Context

- Flood and Water Management Act 2010
- The Flood and Water Regulations 2019
- Historic England's Climate Change Strategy (2022)

Implications for the DPD and SA: The DPD should consider setting out policies to achieve climate change and adaptation while also encouraging development which would help to minimise carbon emissions. This can be done through siting development allocations in areas where sustainable transport patterns can be best achieved and encouraging development to make use of more sustainable sources of energy. The DPD should also contain policies to encourage appropriate use of SuDS and handling of waste in line with the waste hierarchy.

The SA can test policy options in relation to the contributions they make towards these aims. It should also appraise the contribution individual site options can make to limiting carbon emissions (including through the uptake of more sustainable sources of energy). Sites should also be considered in terms of the impact they will have in promoting climate change adaptation as well as reducing flood risk and the amount of waste that goes to landfill.

## Health and well-being

**3.16** The relevant national PPPs under this topic are:

- National Design Guide (2021)
- National Model Design Code (2021)
- Build Back Better: Our Plan for Health and Social Care (2021)
- COVID-19 mental health and wellbeing recovery action plan (2021)

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- The Charter for Social Housing Residents: Social Housing White Paper (2020)
- Using the planning system to promote healthy weight environments (2020), Addendum (2021)
- Planning for the Future White Paper (2020)
- Homes England Strategic Plan 2018 to 2023 (2018)
- Planning Policy for Traveller Sites (2015)
- The health of Gypsies and Travellers in the UK (2008)
- Fair Society, Healthy Lives (2011)
- Public Health England, PHE Strategy 2020-25
- Healthy Lives, Healthy People: Our strategy for public health in England
- HM Government, Laying the foundations: housing strategy for England (2011)
- Homes England Strategic Plan 2018 to 2023

Implications for the DPD and SA: The DPD needs to consider the need for infrastructure as this has a significant impact on the environment and it should be prepared to ensure that the population has access to sustainable low carbon infrastructure and services and facilities and that there is sufficient capacity within them to serve the Gypsy and Traveller community. This should include healthcare, education and open space. Site allocations should be located in areas where facilities are most accessible, issues of overcapacity would be less likely to result, and active modes of travel might be promoted. The provision of an appropriate level of Gypsy and Traveller accommodation over the plan period will help address issues of disparity in terms of access to decent accommodation in the plan area. The provision of new Gypsy and Traveller accommodation should be considerate of local needs with regards to sites and pitches.

Policy options considered for the DPD can be tested through the SA in relation to the contributions they make towards these aims. The SA should also appraise the contribution individual site options can make to health and wellbeing. This should be considered through the access that the site provides to facilities which might benefit public health. It may be necessary to consider the capacity of existing facilities when considering individual site options.

## Environment (biodiversity/geodiversity, landscape and soils)

**3.17** The relevant national PPPs under this topic are:

- The Environment Act 2021
- Defra, A Green Future: Our 25 Year Plan to Improve the Environment (2018)
- Defra, Biodiversity offsetting in England Green Paper (2013).
- Biodiversity 2020: A Strategy for England's wildlife and ecosystem services (2011)
- Defra, Safeguarding our Soils – A Strategy for England (2009)
- England Biodiversity Strategy Climate Change Adaptation Principles (2008)

Implications for the DPD and SA: The DPD should be prepared to limit the potential for adverse impacts on biodiversity and geodiversity as well as important landscapes and higher value soils. The plan area contains a number of internationally and nationally important biodiversity sites which will need to be protected through planning policy. The plan should also take into account non-designated landscapes identified to be particularly sensitive to development and non-designated habitats which form part of the wider ecological network. The plan also presents opportunities to

promote the achievement of net gain in biodiversity. It can also be used to encourage the re-use of brownfield land and protect more valuable agricultural soils from development. Benefits may be achieved by directing development to less sensitive locations. The allocation of new Gypsy and Traveller sites and updated planning policy can also be used to achieve habitat connectivity through the provision of new green infrastructure.

It will be the role of the SA to test the policy options in terms of the effect they will have on biodiversity sites and habitats as well as high value landscapes. The effects of these options in relation to promoting the development of brownfield land and limiting the loss of valuable agricultural soils should also be appraised. Site options should be considered in these terms also.

## Historic environment

**3.18** The relevant national PPPs under this topic are:

- The Heritage Alliance, Heritage 2020.
- Historic England, Corporate Plan 2018-2021.
- Historic England, Sustainability Appraisal and Strategy Environmental Assessment: Historic England Advice Note 8 (2016).
- Historic England Advice Note 1: Conservation Area Appraisal Designation and Management (second edition) 2019
- Historic England Advice Note 12: Statements of Heritage Significance: Analysing Significance in Heritage Assets 2019
- Historic England Good Practice Advice Note 3: The Setting of Heritage Assets (second edition) 2017
- Historic England Advice Note 3: The Historic Environment and Site Allocations in Local Plans 2015

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- Historic England Good Practice Advice in Planning 1: The Historic Environment in Local Plans 2015
- Historic England; Conservation Principles, Policies and Guidance 2008

Implications for the DPD and SA: The potential impact of new Gypsy and Traveller sites on the historic environment, including local character as well as designated and non-designated heritage assets and their respective settings, should also inform the preparation of the DPD. Particular regard may be given to protecting heritage assets which have been identified as being 'at risk'. Policies should be included to address these issues and site options should be considered with regard to the potential for related issues.

The SA should appraise both policy and site options in terms of the potential for effects on the historic environment. It should identify those locations at which new Gypsy and Traveller sites would have the greatest potential to adversely impact the historic environment.

## Water and air

**3.19** The relevant national PPPs under this topic are:

- The Waste (Circular Economy) (Amendment) Regulations (2020)
- The Water Supply (Water Quality) Regulations
- Defra, Clean Air Strategy (2019).
- The Road to Zero (2018)
- Our Waste, Our Resources: A strategy for England (2018)
- The UK Plan for Tackling Roadside Nitrogen Dioxide Concentrations (2017)
- Environment Agency, Managing Water Abstraction (2016).

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- Defra, Water White Paper (2012).
- The Air Quality Strategy for England, Scotland, Wales and Northern Ireland (2007)
- Air Quality Standards Regulations

Implications for the DPD and SA: The DPD should consider setting out policies to promote the efficient use of water and limit all types of pollution including water and air pollution. It should also seek to limit pressure on the wastewater treatment (WwT) infrastructure and water supply. The allocation of new Gypsy and Traveller sites should take account of areas which have highest sensitivity in relation to these issues, including Source Protection Zones (SPZ) and Air Quality Management Areas (AQMA). To limit the potential for air quality issues to be intensified as development is delivered over the plan period the DPD should also factor in the contribution specific site options can make to achieving modal shift and limiting the need for residents to travel.

The contribution that policy options can make to achieving these aims can be tested through the SA.

## Economic growth

**3.20** The relevant national PPPs under this topic are:

- Build Back Better: Our Plan for Growth (2021).
- UK Industrial Strategy: Building a Britain fit for the future (2018).
- HM Government, Industrial Strategy: building a Britain fit for the future (2017).
- LEP Network, LEP Network response to the Industrial Strategy Green Paper Consultation (2017).

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- National Infrastructure Delivery Plan 2016-2021 (2016).
- Infrastructure and Projects Authority, National Infrastructure Delivery Plan 2016-2021.
- The White Paper Levelling Up the United Kingdom (2022)
- Agricultural Transition Plan 2021 to 2024

Implications for the DPD and SA: The DPD should allocate new Gypsy and Traveller sites in locations where people will be more easily able to access employment opportunities. DPD policies may also seek to promote the viability of Town Centres.

The SA can test individual site and policy options in relation to the contribution they can make to achieving these aims.

## Transport

**3.21** The relevant national PPPs under this topic are:

- Decarbonising Transport: A Better, Greener Britain (2021)
- Transport Investment Strategy (2017).
- Highways England Sustainable Development Strategy and Action Plan (2017).
- The Environmental Noise Regulations.

Implications for the DPD and SA: The potential for reducing the need to travel, limiting congestion and associated benefits for air quality and climate change as well as public health should inform the preparation of the policies for the DPD and its site allocations. The DPD can also be supportive of more sustainable modes of transport. This may include support for the

infrastructure necessary for electric vehicles. Furthermore, the selection of site options for Gypsy and Traveller accommodation should be informed by issues such as the potential for access to new and existing public transport nodes and active transport routes, and specific highways capacity issues. The selection of individual site options should also be informed by their proximity to essential services and facilities which is likely to reduce the need for residents to regularly travel long distances.

The SA should be used to test policy and site options in terms of the contribution they can make to making transport choices more sustainable in the Borough. As well as testing site options in terms of limiting the need to travel in Rugby Borough, policy options should be tested with regard the contribution they make to the uptake of more sustainable transport options, such as walking and cycling and public transport.

## Key Local Plans, Policies and Programmes

### Rugby Borough Local Plan 2011-2031

**3.22** The Rugby Borough Local Plan 2011-2031 was adopted on 4<sup>th</sup> June 2019. The Local Plan sets out the overall vision, objectives and policies to guide future development in Rugby Borough [See reference 8]. At the centre of the Local Plan is the principle of sustainable development.

**3.23** The housing requirement included within the Local Plan will be provided in two distinct phases with different annual rates of delivery. Phase 1 of the plan period is between 2011-2017. The annual housing target in Phase 1 is 540 dwellings per annum. Phase 2 of the plan period is between 2017-2031. The annual housing target in phase 2 is 654 dwellings per annum. The total

anticipated provision within the plan period is 13,664. A new neighbourhood of up to 5,000 dwellings and 35ha of B8 employment land is allocated at land to the South West of Rugby. The South West Allocation will be an important extension to Rugby Town.

**3.24** Rugby town is the most sustainable location for growth in the Borough and the Local Plan seeks to maximise the potential of the urban area and land immediately adjacent to accommodate growth. 58.5 ha of employment land will be provided as part of the strategic urban extensions allocated in the plan at Coton Park East, Rugby Radio Station and South West Rugby.

**3.25** Through examination, amendments to Policy DS2 (Sites for Gypsy, Travellers and Travelling Showpeople) were proposed to ensure the Plan is positively prepared in seeking to meet the needs of the travelling community.

**3.26** There are currently five 'made' Neighbourhood Plans within Rugby Borough (Coton Forward; Willoughby; Ryton-on-Dunsmore; Wolvey and Brandon and Bretford). A public consultation was held between 8<sup>th</sup> February to 22<sup>nd</sup> March 2022 in relation to the Draft Brinklow Neighbourhood Plan. Four areas have been recently designated as Neighbourhood Areas (Clifton-upon-Dunsmore, Monks Kirby, Grandborough, Dunchurch) with the intention to prepare a Neighbourhood Plan. None of the Neighbourhood Plans (adopted or draft) refer to Gypsies and Travellers.

## **GTAAs and Gypsies, Travellers and Travelling Showpeople Local Plan policies in adjoining local authorities**

**3.27** Development in Rugby Borough will not be delivered in isolation from those areas around it. The following GTAAs for local authority areas which surround Rugby Borough have been prepared:

- Gypsy, Traveller and Travelling Showpeople Accommodation Needs Assessment: Warwick (2012)

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- Stratford-on-Avon District Gypsy and Traveller Accommodation Assessment Update Study (2019)
- West Northamptonshire Traveller's Accommodation Needs Study (2017)
- Leicester City and Leicestershire Gypsy, Traveller and Travelling Showpeople Accommodation Assessment (2017)
- Hinckley and Bosworth Gypsy and Traveller Accommodation Assessment (2016)
- Nuneaton and Bedworth Borough Gypsy and Traveller and Travelling Showperson Accommodation Assessment 2021 Update
- Coventry Gypsy and Traveller Accommodation Assessment (2015)
- Lichfield District Council, North Warwickshire Borough Council and Tamworth Borough Council Gypsy and Traveller Accommodation Assessment (2019)

**3.28** A summary of the following Gypsy and Traveller plans for local authority areas which surround Rugby Borough is also provided in Appendix B:

- Warwick District Council Local Plan Sites for Gypsies and Travellers (2013)
- Stratford-on-Avon Gypsy and Traveller and Travelling Showpeople Supplementary Planning Document (2021)
- Harborough Gypsy, Traveller and Travelling Showpeople Site Identification Study Report (2017)
- Nuneaton and Bedworth Borough Gypsy and Traveller Site Allocations DPD 2022)
- North Warwickshire Update on Gypsies and Travellers needs and 5 year site/pitch supply

## Chapter 4

# Sustainability Appraisal Findings for the DPD Options

**4.1** This chapter presents the SA findings for the options that have been considered to date. The Issues and Options version of the DPD (September 2022) sets out 10 issues with a total of 32 associated options for the Gypsy and Travellers Site Allocations DPD.

**4.2** A number of the options identified under each issue were not suitable to be appraised through the SA, for example because they comprise of open-ended questions.

### Issue 1 – Gypsy and Traveller Accommodation Need

- Option 1: Should the Council be planning for the level of permanent residential pitches identified in the latest 2022 GTAA?
  - **Was the option appraised?** Yes
- Option 2: Should the Council be planning for a higher level of permanent residential pitches, if so, what evidence do you have to justify this need?
  - **Was the option appraised?** Yes
- Option 3: Should the Council be planning for a lower level of permanent residential pitches, if so, what evidence do you have to justify this need?
  - **Was the option appraised?** Yes
- Option 4: There is another approach to identify the Gypsy and Traveller accommodation need that the Council should consider. Please provide details of this approach in your response.
  - **Was the option appraised?** No, open ended question not suitable for appraisal.

## Issue 2 – Travelling Showpeople Accommodation Need

- Option 1: Should the Council be planning for the level of plots for Travelling Showpeople identified in the latest 2022 GTAA?
  - **Was the option appraised?** Yes
- Option 2: Should the Council be planning for a higher level of plots for Travelling Showpeople, if so, what evidence do you have to justify this need?
  - **Was the option appraised?** Yes
- Option 3: Should the Council be planning for a lower level plots for Travelling Showpeople, if so, what evidence do you have to justify this need?
  - **Was the option appraised?** Yes
- Option 4: There is another approach to identify the Travelling Showpeople need that the Council should consider. Please provide details of this approach in your response.
  - **Was the option appraised?** No, open ended question not suitable for appraisal.

## Issue 3 – Transit Accommodation Need

- Option 1: a) Should the Council be planning for ? transit/ emergency stopping sites in Rugby Borough as identified in the 2022 GTAA?
  - **Was the option appraised?** Yes in principle, although the specific number of sites could not be considered as the DPD had not been finalised at the time of appraisal.
- Option 1: b) What size should the temporary or transit/ emergency stopping sites be?
  - **Was the option appraised?** Yes (a high-level narrative appraisal of the likely effects of smaller/larger sites)

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- Option 2: There is another approach to the provision of transit/ emergency stopping sites that the Council should consider. Please provide details of this approach in your response.
  - **Was the option appraised?** No, open ended question not suitable for appraisal.

### Issue 4 – The Location of Permanent Residential Pitches

- Option 1: Increase capacity on existing authorised sites, where possible.
  - **Was the option appraised?** Yes
- Option 2: Expansion of the site area of existing authorised sites, where possible.
  - **Was the option appraised?** Yes
- Option 3: Increase capacity/ expand existing authorised sites outside of Wolvey and Shilton ward, and Dunsmore ward?
  - **Was the option appraised?** Yes
- Option 4: Allocation of new sites around the outskirts of Rugby town and the Main Rural Settlements as identified in Policy GP2 of the Rugby Borough Local Plan with good access to services and facilities.
  - **Was the option appraised?** Yes
- Option 5: Allocation of new sites in more rural areas (Rural Villages and Countryside), but still with reasonable access to essential services. [Contrary to Policy GP2]
  - **Was the option appraised?** Yes

### Issue 5 – Location of Transit Pitches

- Option 1: One or two single sites close to Rugby.
  - **Was the option appraised?** Yes

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- Option 2: Along highway corridors. This would need to be informed through local evidence of traditional Traveller movement patterns across Rugby Borough along with detailed highways discussions.
  - **Was the option appraised?** Yes
- Option 3: Combined residential/ transit pitches where provision for one or two pitches are provided for in conjunction with new permanent residential pitch provision.
  - **Was the option appraised?** Yes

### Issue 6 – Size of sites

- Option 1: Provide fewer larger permanent sites to accommodate, for example, no more than 10 pitches each.
  - **Was the option appraised?** Yes
- Option 2: Provide a greater number of smaller sites to accommodate, for example, no more than 2 pitches each.
  - **Was the option appraised?** Yes
- Option 3: There is another approach to the size of sites. Please provide details of this approach in your response.
  - **Was the option appraised?** No, open ended question not suitable for appraisal.

### Issue 7 – Design Standards

- Option 1 A: Design standards should be set for all Gypsies, Travellers and Travelling Showpeople sites. The design standards set out in Table 1 are appropriate.
  - **Was the option appraised?** Yes (a high-level narrative appraisal of the likely effects of more/less stringent design standards)
- Option 1 B: Design standards should be set for all Gypsies, Travellers and Travelling Showpeople sites. However, the design standards set out in

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Table 1 are not appropriate. Please explain what you consider to be appropriate design standards.

- **Was the option appraised?** (a high-level narrative appraisal of the likely effects of more/less stringent design standards)
- Option 2: Given the diversity of sites and locations it is not possible to set design standards. Please explain your response.
  - **Was the option appraised?** No, option is of a format not suitable for appraisal.

### Issue 8 – Site assessment criteria

- Option 1: Do you agree with the existing suitability criteria listed in Policy DS2 of the adopted Rugby Borough Local Plan 2011-2031?
  - **Was the option appraised?** No, not of a format suitable for appraisal.
- Option 2: Should some, or all, of the existing suitability criteria listed in Policy DS2 be deleted or amended, and if so, which criteria? Please explain your response.
  - **Was the option appraised?** No, not of a format suitable for appraisal.
- Option 3: Should new criteria be added to the existing suitability criteria in Policy DS2? Please explain your response.
  - **Was the option appraised?** No, not of a format suitable for appraisal.
- Option 4: Do you agree with the availability and achievability criteria in Paragraph 6.2 above? Please explain your response.
  - **Was the option appraised?** No, not of a format suitable for appraisal.
- Option 5: Should the suitability criteria in Policy DS2 and the availability and achievability criteria in Paragraph 6.2 above be used for transit sites? If not, please explain in your response why not and if you think another approach should be used instead.
  - **Was the option appraised?** No, not of a format suitable for appraisal.

## Issue 9 – Sustainability Appraisal of the Issues and Options

- Option 1: The Sustainability Appraisal of the Issues and Options is appropriate.
  - **Was the option appraised?** No, option not suitable for appraisal. The option is effectively a duplication of the separate consultation on the SA Report.
- Option 2: The Sustainability Appraisal of the Issues and Options is inappropriate. Please explain in your response why you consider the SA is inappropriate and provide details of how you think it should be amended.
  - **Was the option appraised?** No, option not suitable for appraisal. The option is effectively a duplication of the separate consultation on the SA Report.

## Issue 10 – Any other issues

- No Options identified for appraisal.

# SA findings for the Issues and Options DPD

**4.3** The options that have been identified as appropriate for appraisal have been appraised against the SA objectives in the SA framework below. The options associated with each issue have been appraised together, with the likely effects set out in a table and summarised below.

## Issues 1 and 2: Gypsy, Traveller and Travelling Showpeople Accommodation Need

**4.4** The options associated with Issues 1 and 2 are identical apart from Issue 1 refers to the amount of Gypsy and Traveller accommodation to be provided and Issue 2 refers to the amount of Travelling Showpeople accommodation to be provided. Both groups of options consider the principle of whether provision should be made in line with the identified need, or at a higher or lower level. The appraisals of the two groups of options would therefore be effectively identical and in order to avoid duplication, the options have been appraised only once below in relation to both Gypsies and Travellers and Travelling Showpeople. Table 4.1 summarises the SA findings for the options considered in relation to Issues 1 and 2.

**4.5** As recorded earlier in this chapter, the fourth option set out in the Issues and Options document was not of a format appropriate for appraisal.

**Table 4.1: SA findings for Issues 1 and 2 options**

SA objectives	Option 1: Plan for level of need identified in 2022 GTAAA	Option 2: Plan for a high level of need	Option 3: Plan for a lower level of need
SA Objective 1: Poverty and social exclusion	+	+	--
SA Objective 2: Services and facilities	0	0	-
SA Objective 3: Health	+	+	--
SA Objective 4: Accommodation	++	++	--
SA Objective 5: Crime	0	0	0

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SA objectives	Option 1: Plan for level of need identified in 2022 GTAAA	Option 2: Plan for a high level of need	Option 3: Plan for a lower level of need
SA Objective 6: Economy	+	+	-
SA Objective 7: Town centre	?	?	-
SA Objective 8: Regeneration	0	0	0
SA Objective 9: Natural Resources and Renewable Energy	+/-	-?	+/-
SA Objective 10: Waste	+/-	+/-	+/-
SA Objective 11: Climate Change	+/-	+/-	-
SA Objective 12: Flood Risk	+/-	-	0
SA Objective 13: Cultural Heritage	+/-	-	0
SA Objective 14: Sustainable Transport	+	+	-
SA Objective 15: Pollution	+/-	+/-	-
SA Objective 16: Biodiversity	+/-	- ?	0
SA Objective 17: Landscape	+/-	- ?	0
SA Objective 18: Townscape	+/-	-	0

## Summary of SA Findings for Issues 1 and 2 options

Option 1: Should the Council be planning for the level of permanent residential pitches and plots for Gypsies,

## Travellers and Travelling Showpeople identified in the latest 2022 GTAA

**4.6** Meeting the need identified within the 2022 GTAA for the level of permanent residential pitches and plots will provide suitable numbers of plots and pitches to meet the accommodation needs of Gypsy, Travellers and Travelling Showpeople. Therefore, minor positive effects are likely on **SA Objective 1: Poverty and social exclusion** and **SA Objective 3: Health** as providing locations for suitable accommodation will support improvements in health and reductions in social exclusion. A significant positive effect is expected in relation to **SA Objective 4: Accommodation** as this option will plan for the level of pitches and plots required to meet the evidence-based need.

**4.7** An adequate provision of pitches and plots could support access to employment opportunities by enabling people to live relatively close to their workplace and not being forced to live further afield due to a lack of accommodation. A minor positive effect is therefore expected in relation to **SA Objective 6: Economy**. The location of pitch and/or plot provision will have the most influence on accessibility to Rugby town and so an uncertain effect is identified in relation to **SA Objective 7: Town centre**.

**4.8** The use of natural resources will likely be required in delivering the pitch and plot provision as set out with the 2022 GTAA. However, there is the potential to incorporate renewable energy initiatives and to encourage the sustainable use of materials. Therefore, a mixed minor positive and minor negative effect is expected in relation to **SA Objective 9: Natural Resources and Renewable Energy**. A mixed minor positive and minor negative effect is also expected in relation to **SA Objective 10: Waste** as any new pitch and plot provision will likely result in increased in waste. However, there may be opportunities to incorporate better recycling and re-use of waste onsite.

**4.9** Mixed minor positive and minor negative effects are expected in relation to **SA Objective 11: Climate Change** and **SA Objective 15: Pollution** as any level of pitch and plot provision is likely to result in increased energy

## Chapter 4 Sustainability Appraisal Findings for the DPD Options

consumption and may also involve increases in air, noise and light pollution. However, providing the required number of pitches and plots within Rugby Borough could reduce the need to travel longer distances and therefore reduce associated vehicle emissions. For the same reason, a minor positive effect is expected in relation to **SA Objective 14: Sustainable Transport**.

**4.10** The likely effects of this option on the environmental SA objectives (**SA objectives 12: Flood Risk, 13: Cultural Heritage, 16: Biodiversity, 17: Landscape and 18: Townscape**) are uncertain as they will depend largely on the location of individual plots/pitches and their proximity to sensitive receptors and constraints. While the provision of new pitches/plots may mean that negative effects on these objectives occur as a result of new development, they may be sited in appropriate locations to avoid negative effects and the provision of pitches/plots at a level that meets the evidence based need may reduce the number of unauthorised sites being used, which may be in less suitable locations where negative environmental effects are more likely. Overall, mixed minor positive and minor negative but currently uncertain effects are identified against those objectives.

**Option 2 – Should the Council be planning for a higher level of permanent residential pitches and plots for Gypsies, Travellers and Travelling Showpeople, if so, what evidence do you have to justify this need?**

**4.11** Providing a higher level of pitches and plots is expected to have a minor positive effect on **SA Objective 1: Poverty and social exclusion** and **SA Objective 3: Health** and a significant positive effect in relation to **SA Objective 4: Accommodation** as an adequate level of pitch and plot provision will be still be provided but will be over the need as set out with the 2022 GTAA. Providing a higher number of pitches and plots will offer more choice for Gypsies, Travellers and Travelling Showpeople when choosing where to locate and will also offer flexibility in the future if the need for Gypsy, Traveller and Travelling Showpeople accommodation increases.

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**4.12** A higher level of provision of pitches and plots could support access to employment opportunities by increasing the likelihood of there being available sites that provide appropriate access. However, the location of pitch and/or plot provision will most likely influence accessibility to Rugby town centre. Therefore, a minor positive effect is expected in relation to **SA Objective 6: Economy** and an uncertain effect in relation to **SA Objective 7: Town centre**.

**4.13** Mixed minor positive and minor negative effects are expected in relation to **SA Objective 11: Climate Change** and **SA Objective 15: Pollution** as any level of pitch and plot provision is likely to result in increased energy consumption and may result in increases in air, noise and light pollution. However, providing more than the required number of pitches and plots could reduce the need to travel longer distances, reducing associated vehicle emissions. For the same reason, a minor positive effect is expected in relation to **SA Objective 14: Sustainable Transport**.

**4.14** Provision of pitches and plots over and above what is required could result in higher levels of waste that may not be as easily managed if pitches and plots all become occupied. However, there may also be good opportunities to incorporate better recycling and waste management systems. Therefore, a mixed minor positive and minor negative effect is expected in relation to **SA Objective 10: Waste**.

**4.15** Planning for a higher level of pitches and plots than required could result in an oversupply of pitches and plots and additional land being lost to development. This would be more likely to have a negative effect on the natural environment and local landscape, although effects will depend to a large extent on the location of sites in relation to constraints and sensitive receptors, which is not yet known. Additionally, there could be increased disruption to the environment through the provision of utilities that are not well utilised unless the pitches and plots are occupied. Therefore, potential but uncertain minor negative effects are expected in relation to **SA Objectives 9: Natural resources and Renewable Energy, 12: Flood Risk, 13: Cultural Heritage, 16: Biodiversity, 17: Landscape and 18: Townscape**.

Option 3 – Should the Council be planning for a lower level of permanent residential pitches and plots for Gypsies, Travellers and Travelling Showpeople, if so, what evidence do you have to justify this need

**4.16** A significant negative effect is expected in relation to **SA Objective 4: Accommodation** as this option will not plan for the level of pitches and plots which the evidence shows is required for Gypsy, Travellers and Travelling Showpeople. This could result in an under supply of pitches and plots resulting in a negative impact on health and an increase in poverty and social exclusion. Therefore, significant negative effects are expected in relation to **SA Objective 1: Poverty and Social exclusion** and **SA Objective 3: Health**.

**4.17** Minor negative effects expected in relation to **SA Objective 2: Services and facilities**; **SA Objective 6: Economy** and **SA Objective 7: Town Centre** due to the lower level of pitch and plot provision providing less opportunities to access services; engage with the community; and access employment opportunities. Failing to meet the evidence-based need for plots and pitches could mean that people are less able to make use of accommodation near to their workplaces. However, the location of pitch and/or plot provision will most likely influence accessibility to employment, Rugby town and the availability of sustainable transport links.

**4.18** The use of natural resources will still be required in delivering a lower level of pitch and plot provision, although at a lower level compared to Options 1 and 2. However, there is the potential to incorporate renewable initiatives and encourage the sustainable use of materials. Therefore, mixed minor positive and minor negative effects are expected in relation to **SA Objective 9: Natural Resources and Renewable Energy**. With any level of pitch and plot provision there is likely to be an increase in waste. However, there could be opportunities for the incorporation of the use of recycling. Therefore, a mixed minor positive and minor negative effect is also expected in relation to **SA Objective 10: Waste**.

## Chapter 4 Sustainability Appraisal Findings for the DPD Options

**4.19** A minor negative effect is expected in relation to **SA Objective 11: Climate Change**. Any level of pitch and plot provision is likely to result in increased energy consumption but this is expected to be minimal. However, under delivery of pitches and plots to meet the evidence-based need could result in longer distances being travelled by Gypsies, Travellers and Travelling Showpeople due to not being able to live where they need or want to be. This could result in an increased in vehicle emissions. Therefore, a minor negative effect is also expected in relation to **SA Objective 14: Sustainable Transport** as well as in relation to **SA Objective 15: Pollution** as a lower level of pitch and plot provision is still likely to result in an increase in air, noise and light pollution and there may be increased air pollution from more vehicle journeys.

### Issue 3: Transit Accommodation Need

**4.20** Table 4.2 summarises the SA findings for only option under Issue 3 which is appropriate for appraisal against the SA objectives, as recorded earlier in this chapter. A narrative summary of the broad likely effects of smaller or larger transit sites has been provided at the end of this section in relation to option 1 b).

**Table 4.2: SA findings for Issue 3 option**

SA Objectives	Option 1: a) Plan for level of need identified in 2022 GTAAA
SA Objective 1: Poverty and social exclusion	+
SA Objective 2: Services and facilities	0
SA Objective 3: Health	+

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SA Objectives	Option 1: a) Plan for level of need identified in 2022 GTAAA
SA Objective 4: Accommodation	++
SA Objective 5: Crime	0
SA Objective 6: Economy	0
SA Objective 7: Town centre	0
SA Objective 8: Regeneration	0
SA Objective 9: Natural Resources and Renewable Energy	+/-
SA Objective 10: Waste	+/-
SA Objective 11: Climate Change	+/-
SA Objective 12: Flood Risk	+
SA Objective 13: Cultural Heritage	+
SA Objective 14: Sustainable Transport	+
SA Objective 15: Pollution	+/-
SA Objective 16: Biodiversity	+
SA Objective 17: Landscape	+
SA Objective 18: Townscape	+

## Summary of SA findings for Issue 3 options

Option 1: a) Should the Council be planning for ? transit/emergency stopping sites in Rugby Borough as identified in the 2022 GTAA?

**4.21** Meeting the level of need identified within the 2022 GTAA for transit/emergency stopping sites will provide suitable transit accommodation to meet needs. Providing transit/emergency stopping sites at the level identified as required in the 2022 GTAA is expected to have minor positive effects on **SA Objective 1: Poverty and social exclusion** and **SA Objective 3: Health** as it will provide locations for suitable transit accommodation supporting improvements in health and wellbeing and reducing social exclusion. A significant positive effect is expected in relation to **SA Objective 4: Accommodation** as this option will plan for the level of transit accommodation required to meet the evidence-based need.

**4.22** The use of natural resources will likely be required in delivering transit accommodation as set out with the 2022 GTAA. However, there is the potential to incorporate renewable initiatives and encourage the sustainable use of materials. Therefore, a mixed minor positive and minor negative effect is expected in relation to **SA Objective 9: Natural Resources and Renewable Energy**. A mixed minor positive and minor negative effect is also expected in relation to **SA Objective 10: Waste** as any new transit accommodation will likely result in increased in waste. However, there may be opportunities to incorporate better recycling and re-use of waste on a site, but this will depend on design and location.

**4.23** Mixed minor positive and negative effects are expected in relation to **SA Objective 11: Climate Change** and **SA Objective 15: Pollution** as any level of transit accommodation is likely to result in increased energy consumption and increases in air, noise and light pollution but this is expected to be minimal. However, providing the required amount of transit accommodation within the Borough could reduce the need to travel longer distances reducing associated

vehicle emissions. Therefore, a minor positive effect is expected in relation to **SA Objective 14: Sustainable Transport**.

**4.24** Providing the required level of transit pitches will also help to reduce unauthorised encampments, which can otherwise be at more risk of negative environmental effects as they may arise in sensitive locations that would not have been used for a planned and authorised transit pitch. Therefore, providing an appropriate number of transit pitches is expected to have minor positive effects on **SA Objectives 9: Natural resources and Renewable Energy, 12: Flood Risk, 13: Cultural Heritage, 16: Biodiversity, 17: Landscape and 18: Townscape**.

Option 1: b) What size should the temporary or transit/emergency stopping sites be?

**4.25** As recorded earlier in this chapter, this option is not suitable for appraisal against each of the SA objectives, being an open-ended question. However, it is possible to identify broad in-principle effects of smaller versus larger transit sites and these are described below.

**4.26** Smaller and larger sites for temporary/emergency stopping both offer sites for temporary or transit stays. Smaller sites to accommodate temporary or transit/emergency stopping could allow for more variety and flexibility as it is assumed that a larger number of smaller sites would be required to meet the same overall level of provision. This approach could also reduce travel times by reducing the distances between transit/emergency stopping sites, if more smaller sites are provided as opposed to fewer larger sites.

**4.27** The provision of either smaller or larger sites is likely to put a strain on natural resources in the immediate area and potentially cause disturbance to the natural environment. However, a larger site will likely put more strain on natural resources within that area and will result in larger areas of land being lost to development within one locality.

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**4.28** Smaller sites may be better placed to be located within more sustainable locations, allowing better access to sustainable modes of transport and reducing reliance on the private car. Larger sites due to their scale and availability of land are more likely to be located on the edge of town or village centres potentially reducing the proximity to services and employment opportunities. Larger sites are more likely to be located in more rural locations that are less connected to urban centres resulting in increased use of the private vehicle.

**4.29** Smaller sites are more likely to have more favourable effects in relation to **SA Objective 1: Poverty and social exclusion; SA Objective 3: Health; SA Objective 4: Accommodation; SA Objective 11: Climate Change; SA Objective 14: Sustainable Transport;** and, **SA Objective 15: Pollution.** Larger sites are likely to have more favourable effects in relation to **SA Objective 1: Poverty and social exclusion; SA Objective 3: Health; SA Objective 4: Accommodation;** and, **SA Objective 10: Waste.** However, effects of both smaller and larger sites will be largely determined by their specific locations.

## Issue 4: The Location of Permanent Residential Pitches

**4.30** There is an uneven distribution of existing authorised Gypsy and Travellers sites across Rugby Borough, with a concentration of the existing sites in the north west of the Borough in Wolvey and Shilton ward and in the west of the Borough in Dunsmore ward. Dunsmore ward includes the only Council owned Gypsy and Traveller site in Rugby Borough. This context is important in considering the likely effects of the options for locating new permanent residential pitches.

**4.31** Table 4.3 summarises the SA findings for the options considered in relation to Issue 4. The questions listed in the consultation document under Issue 4 are not appraised as they relate to which of the options (which have been appraised) should be selected.

Table 4.3: SA findings for Issue 4 options

SA Objectives	Option 1 – Increase capacity on existing authorised sites	Option 2 – Expansion of the site area of existing authorised sites	Option 3 – Increase capacity/ expand existing authorised sites outside of Wolvey and Shilton ward, and Dunsmore ward	Option 4: Allocation of new sites around the outskirts of Rugby town and the Main Rural Settlements	Option 5: Allocation of new sites in more rural areas
SA Objective 1: Poverty and social exclusion	+/-	+	+	+	+
SA Objective 2: Services and facilities	+?	+	+/-	+	-
SA Objective 3: Health	+/-	+	+	+	+
SA Objective 4: Accommodation	++	++	++	++	++
SA Objective 5: Crime	0	0	0	0	0
SA Objective 6: Economy	+	+	+/-	+	0
SA Objective 7: Town centre	0	0	0	+	0
SA Objective 8: Regeneration	0	0	0	0	0
SA Objective 9: Natural Resources and	-	-	-	+/-	-

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<b>SA Objectives</b>	<b>Option 1 – Increase capacity on existing authorised sites</b>	<b>Option 2 – Expansion of the site area of existing authorised sites</b>	<b>Option 3 – Increase capacity/expand existing authorised sites outside of Wolvey and Shilton ward, and Dunsmore ward</b>	<b>Option 4: Allocation of new sites around the outskirts of Rugby town and the Main Rural Settlements</b>	<b>Option 5: Allocation of new sites in more rural areas</b>
Renewable Energy					
SA Objective 10: Waste	-	+/-	+/-	+/-	+/-
SA Objective 11: Climate Change	+/-	+/-	+/-	+/-	-
SA Objective 12: Flood Risk	-	-	-	0	0
SA Objective 13: Cultural Heritage	0	0	0	0	0
SA Objective 14: Sustainable Transport	+	+	+/-	+	-
SA Objective 15: Pollution	+/-	+/-	+/-	+/-	-
SA Objective 16: Biodiversity	0	-	-	0	-
SA Objective 17: Landscape	0	-	-	0	-
SA Objective 18: Townscape	0	0	0	0	0

## Summary of SA findings for Issue 4 options

### Option 1: Increase capacity on existing authorised sites, where possible

**4.32** A significant positive effect is expected in relation to **SA Objective 4: Accommodation** as increasing the capacity on existing authorised sites will provide more residential pitches to meet the needs of the Gypsy and Travellers. It is likely to be more straightforward to increase capacity at existing sites compared to developing entirely new sites, and so the accommodation needs of Gypsies and Travellers may be more likely to be met under this approach. However, increasing capacity on existing authorised sites, without considering their location or the conditions on those existing sites, could result in negative impacts on the health of residents if there is overcrowding or a decline in the overall living environment. There is potential for a site in poor condition to have an increased capacity at a detriment to Gypsy, Travellers and Travelling Showpeople, potentially increasing poverty levels. However, these existing authorised sites are likely to have been chosen because they have locational advantages for meeting the needs of Gypsies and Travellers. Overall, mixed minor positive and minor negative effects are expected in relation to **SA Objective 1: Poverty and social exclusion** and **SA Objective 3: Health**.

**4.33** The majority of authorised sites in Rugby Borough are located next to major roads including the M69 and A45 and within close proximity to Coventry. Therefore, increasing the capacity of these sites would represent development in a generally sustainable location within close proximity to services/facilities and employment opportunities. However, increasing a site's capacity could have implications for local services, putting a strain on resources such as healthcare facilities and school places. Overall, a minor positive effect is expected in relation to **SA Objective 2: Services and facilities** and **SA Objective 6: Economy** although there is some uncertainty attached in relation to SA objective 2. The nearest authorised site (R09/0971) to Rugby town is approximately three miles away and therefore increasing the capacity of this site is not likely to have an effect on the viability and health of Rugby town and a

**Chapter 4** Sustainability Appraisal Findings for the DPD Options

negligible effect is expected in relation to **SA Objective 7: Town Centre**. A negligible effect is also expected in relation to **SA Objective 8: Regeneration** as increasing the capacity of the existing authorised sites will not support the regeneration of brownfield land.

**4.34** A minor negative effect is expected in relation to **SA Objective 10: Waste** as increasing the capacity of a site will likely result in increased in waste generation. Opportunities to incorporate better recycling and re-use of waste onsite could be limited in comparison to where new sites are developed along with the associated new facilities.

**4.35** Four existing authorised sites (R18/1555, R18/0177, R12/1690, R11/0715) lie next to Flood Zone 3 and may be at risk from fluvial flooding in association with the River Avon. Increasing capacity at these authorised sites could put an increased number of Gypsy and Travellers in areas that are susceptible to flood risk. Caravans, motorhomes and park homes are also considered more susceptible to flood risk compared to permanent housing and due to climate change, the risk of flooding will likely increase with heavier rainfalls. Therefore, a minor negative effect is expected in relation to **SA Objective 12: Flood Risk**.

**4.36** Mixed minor positive and negative effects are identified in relation to **SA Objective 11: Climate Change** and **SA Objective 15: Pollution** as increasing the capacity of a site is likely to result in increased energy consumption and increases in air, noise and light pollution. However, increasing the capacity of the sites in the most sustainable locations could reduce the need to travel longer distances, reducing associated vehicle emissions, particularly with the majority of the existing sites being located next to a major road or town. Therefore, a minor positive effect is expected in relation to **SA Objective 14: Sustainable Transport**.

**4.37** All the existing authorised sites in Rugby Borough are located in the Green Belt and in the countryside. Any further development could have an impact on the integrity of the Green Belt and a negative effect on the natural environment and local landscape. However, increasing the capacity of an authorised site would avoid the removal of further land from the Green Belt. Therefore, a minor

negative effect is expected in relation to **SA Objective 9: Natural Resources and Renewable Energy** and negligible effect in relation to **SA Objective 16: Biodiversity** and **SA Objective 17: Landscape**.

## Option 2: Expansion of the site area of existing authorised sites, where possible

**4.38** A significant positive effect is expected in relation to **SA Objective 4: Accommodation** as increasing the capacity on existing authorised sites will provide more residential pitches to meet the needs of the Gypsy and Travellers. Expanding existing authorised sites could be favourable as these existing authorised sites are likely to have been chosen due to having locational advantages for meeting the needs of Gypsies and Travellers. The expansion of a site area and allowing a community to grow could have a positive impact on health and support social inclusion. Overall, minor positive effects are expected in relation to **SA Objective 1: Poverty and social exclusion** and **SA Objective 3: Health**.

**4.39** The majority of the existing authorised sites are located next to major roads including the M69 and A45 and within close proximity to Coventry. Therefore, increasing the capacity of these sites would present a sustainable location within close proximity to services/facilities and employment opportunities. However, increasing a site capacity could have implications for local services putting a strain on resources such as health and school. Overall, a minor positive effect is expected in relation to **SA Objective 2: Services and facilities** and **SA Objective 6: Economy**. The nearest authorised site (R09/0971) to Rugby town is approximately three miles away and therefore increasing the capacity of this site is not likely to have an effect on the viability and health of Rugby town. Overall, a negligible effect is expected in relation to **SA Objective 7: Town Centre**. A negligible effect is also expected in relation to **SA Objective 8: Regeneration** as increasing the size of the existing authorised sites will not support the use of previously developed land.

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**4.40** A mixed minor positive and minor negative effect is expected in relation to **SA Objective 10: Waste** as increasing the capacity of a site will likely result in increased in waste. However, there may be opportunities to incorporate better recycling and re-use of waste as part of the expansion of an existing site area but this will depend on design and location.

**4.41** Four authorised sites (R18/1555, R18/0177, R12/1690, R11/0715) lie next to Flood Zone 3 meaning that they are at risk from fluvial flooding associated with the River Avon. Expansion of these authorised sites could result in parts of the sites falling within Flood Zone 3. Caravans, motorhomes and park homes are more susceptible to flood risk compared to permanent housing and due to climate change, the risk of flooding will likely increase with heavier rainfalls. Therefore, a minor negative effect is expected in relation to **SA Objective 12: Flood Risk**.

**4.42** Mixed minor positive and negative effects are expected in relation to **SA Objective 11: Climate Change** and **SA Objective 15: Pollution** as increasing the area of a site is likely to result in increased energy consumption and increases in air, noise and light pollution. However, increasing the area of the sites in the most sustainable locations could reduce the need to travel longer distances, reducing associated vehicle emissions particularly given that the majority of existing sites are located next to a major road or town. Therefore, a minor positive effect is expected in relation to **SA Objective 14: Sustainable Transport**.

**4.43** All the existing authorised sites in Rugby Borough are located in the Green Belt and in the countryside. Any further development beyond the existing site boundaries could have an impact on the integrity of the Green Belt and a negative effect on the natural environment and local landscape. However, the scale of Green Belt release is likely to be minimal. Therefore, minor negative effects are expected in relation to **SA Objective 9: Natural Resources and Renewable Energy**; **SA Objective 16: Biodiversity** and **SA Objective 17: Landscape**.

### Option 3: Increase capacity/expand existing authorised sites outside of Wolvey and Shilton ward, and Dunsmore ward

**4.44** Increasing the capacity/expanding existing authorised sites outside of Wolvey and Shilton Ward and Dunsmore Ward would create a more equal distribution of sites across Rugby Borough, providing more variety and flexibility in terms of site locations. A significant positive effect is expected in relation to **SA Objective 4: Accommodation** as increasing the capacity/expanding existing authorised sites (including in this location) will provide more residential pitches to meet the needs of the Gypsy and Travellers. Expanding existing authorised sites could be favourable as these existing authorised sites are likely to have been chosen due to having locational advantages for meeting the needs of Gypsies and Travellers. The expansion of a site area and allowing a community to grow could have a positive impact on health and support social inclusion. Overall, minor positive effects are expected in relation to **SA Objective 1: Poverty and social exclusion** and **SA Objective 3: Health**.

**4.45** Two of the authorised sites (R14/0546 and R09/0971) outside of Wolvey and Shilton ward and Dunsmore ward are located within more rural parts of the borough and therefore residents at those sites will likely have to travel longer distance using private car to access to services/facilities and employment opportunities. Residents at these sites may also be less likely to take up opportunities to use sustainable transport modes. The other four authorised sites (R11/0715, R18/1555, R18/0177, R12/1690) are located on the outskirts of Coventry within Rugby Borough and therefore are more accessible to a large variety of services/facilities and employment opportunities. The sites lie in close proximity to the A45 where there are bus stops. Overall mixed minor positive and minor negative effects are therefore expected in relation to **SA Objective 2: Services and facilities** and **SA Objective 6: Economy**.

**4.46** A mixed minor positive and minor negative effect is expected in relation to **SA Objective 10: Waste** as increasing the capacity/expanding a site (including in this location) will likely result in increased in waste. However, there may be

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opportunities to incorporate better recycling and re-use of waste on a site, but this will depend on design and location.

**4.47** Four authorised sites (R18/1555, R18/0177, R12/1690, R11/0715) outside of Wolvey and Shilton ward and Dunsmore ward fall next to Flood Zone 3 where there is a risk of fluvial flooding in association with the River Avon. Increasing the capacity of, or expanding, these authorised sites could put an increased number of Gypsy and Travellers in areas that are susceptible to flood risk. Caravans, motorhomes and park homes are also considered more susceptible to flood risk and due to climate change, the risk of flooding will likely increase with heavier rainfalls. Therefore, a minor negative effect is expected in relation to **SA Objective 12: Flood Risk**.

**4.48** The four authorised sites (R11/0715, R18/1555, R18/0177, R12/1690) outside of Wolvey and Shilton ward, and Dunsmore ward located on the outskirts of Coventry within Rugby Borough will have good access to bus links along the A45 reducing the need for a private car. This will reduce associated vehicle emissions and the impact on climate change and pollution levels. The other two authorised sites (R14/0546, R09/0971) outside of Wolvey and Shilton ward, and Dunsmore ward sit in more rural parts of the borough and so residents will be more reliant on the use of a private vehicle. However, any increase in capacity/expansion of a site will likely result in an increase in energy consumption. Therefore, mixed minor positive and minor negative effects are expected in relation to **SA Objective 11: Climate Change**, **SA Objective 14: Sustainable Transport** and **SA Objective 15: Pollution**.

**4.49** The existing authorised sites outside of Wolvey and Shilton ward and Dunsmore ward in Rugby Borough are located in the Green Belt and in the countryside. Any further development involving increasing the site area of those sites could have an impact on the integrity of the Green Belt and a negative effect on the natural environment and local landscape. However, the scale of Green belt release is likely to be minimal. Therefore, a minor negative effect is expected in relation to **SA Objective 9: Natural Resources and Renewable Energy**; **SA Objective 16: Biodiversity** and **SA Objective 17: Landscape**.

Option 4: Allocation of new sites around the outskirts of Rugby town and the Main Rural Settlements as identified in Policy GP2 of the Rugby Borough Local Plan with good access to services and facilities.

**4.50** The allocation of new sites around the outskirts of Rugby town and the main rural settlements will provide the accommodation needed for Gypsy and Travellers. Therefore, a significant positive effect is expected in relation to **SA Objective 4: Accommodation**. Minor positive effects on **SA Objective 1: Poverty and social exclusion** and **SA Objective 3: Health** are also likely as this approach will provide locations for suitable accommodation supporting improvements in health and reducing poverty.

**4.51** Minor positive effects are expected in relation to **SA Objective 2: Services and facilities**; **SA Objective 6: Economy** and **SA Objective 7: Town Centre**. The allocation of new sites around the outskirts of Rugby town and main rural settlements will allow for better access to a variety of services and facilities and employment opportunities. New development on the outskirts of Rugby town or a main rural settlement also has the potential support and enhance the viability of that town centre and/or main rural settlement.

**4.52** The use of natural resources will likely be required in delivering the new site allocations, regardless of location. However, there is the potential to incorporate renewable initiatives and encourage the sustainable use of materials. Therefore, a mixed minor positive and minor negative effect is expected in relation to **SA Objective 9: Natural Resources and Renewable Energy**. A mixed minor positive and minor negative effect is also expected in relation to **SA Objective 10: Waste** as allocating a new site will likely result in increased in waste. However, there may be opportunities to incorporate better recycling and re-use of waste on a site but this will depend on design and location.

**4.53** Minor positive effects are expected in relation to **SA Objective 14: Sustainable Transport** as locating new sites around the outskirts of Rugby

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town and the main rural settlements will likely provide better access to sustainable transport modes and reduce the need to travel longer distances and reduce the use of a private vehicle. Overall, this will reduce vehicle related emissions and limit increases in pollution levels. However, new development is expected to increase emissions levels slightly and energy consumptions. Therefore, mixed minor positive and minor effects are expected in relation **SA Objective 10: Climate Change** and **SA Objective 15: Pollution**.

Option 5 – Allocation of new sites in more rural areas (Rural Villages and Countryside), but still with reasonable access to essential services [Contrary to Policy GP2]

**4.54** A significant positive effect is expected in relation to **SA Objective 4: Accommodation** as the allocation of new sites will provide more residential pitches to meet the needs of the Gypsy and Travellers. Overall, minor positive effects are expected in relation to **SA Objective 1: Poverty and social exclusion** and **SA Objective 3: Health**. The allocation of new sites in more rural areas will support the health and wellbeing of Gypsy and Travellers reducing levels of poverty although it is noted that access to healthcare facilities may be less good in rural locations.

**4.55** Sites allocated in more rural areas are less likely to be accessible to services/facilities and employment opportunities. Therefore a minor negative effect is expected in relation to **SA Objective 2: Services and facilities** and a negligible effect in relation to **SA Objective 6: Economy**.

**4.56** A mixed minor positive and minor negative effect is expected in relation to **SA Objective 10: Waste** as the allocation of new sites will likely result in increased in waste. However, there may be opportunities to incorporate better recycling and re-use of waste on a site but this will depend on design and location.

**4.57** The allocation of sites in more rural areas is less likely to provide good access to sustainable transport links, increasing the reliance on the private car.

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This would therefore increase vehicle related emissions and contribute to climate change. Development of a new site in any location will also result in an increase in energy consumption. Overall, minor negative effects are expected in relation to **SA Objective 11: Climate Change**, **SA Objective 14: Sustainable Transport** and **SA Objective 15: Pollution**.

**4.58** Any further development in more rural areas could have a negative impact on the integrity of the Green Belt and on the natural environment and local landscape. Much of Rugby Borough outside of Rugby town is classed as Grade 3 Agricultural Land and the allocation of sites in rural areas could therefore result in the loss of this higher grade agricultural land. Therefore, a minor negative effect is expected in relation to **SA Objective 9: Natural Resources and Renewable Energy**; **SA Objective 16: Biodiversity** and **SA Objective 17: Landscape**. A negligible effect is expected in relation to **SA Objective 8: Regeneration** as allocating new sites in more rural areas will most likely not support the use of previously developed land.

## Issue 5: Location of Transit Pitches

**4.59** Table 4.4 overleaf summarises the SA findings for the options considered under Issue 5.

**Table 4.4: SA findings for Issue 5 options**

SA Objectives	Option 1: One or two single sites close to Rugby	Option 2: Along highway corridors	Option 3: Combined residential/transit pitches
SA Objective 1: Poverty and social exclusion	+	+	+
SA Objective 2: Services and facilities	+	0	0

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SA Objectives	Option 1: One or two single sites close to Rugby	Option 2: Along highway corridors	Option 3: Combined residential/transit pitches
SA Objective 3: Health	+	+	+
SA Objective 4: Accommodation	++	++	++
SA Objective 5: Crime	0	0	0
SA Objective 6: Economy	+	0	0
SA Objective 7: Town centre	0	0	0
SA Objective 8: Regeneration	0	0	0
SA Objective 9: Natural Resources and Renewable Energy	-	-	+/-
SA Objective 10: Waste	+/-	+/-	+/-
SA Objective 11: Climate Change	0	-	+/-
SA Objective 12: Flood Risk	0	0	0
SA Objective 13: Cultural Heritage	0	0	0
SA Objective 14: Sustainable Transport	+	0	+
SA Objective 15: Pollution	0	-	+/-
SA Objective 16: Biodiversity	0	0	0
SA Objective 17: Landscape	0	0	0
SA Objective 18: Townscape	0	0	0

## Summary of SA findings for Issue 5 options

### Option 1: One or two single sites close to Rugby

**4.60** Providing one or two single sites for transit use close to Rugby town provides little flexibility and variety in sites across Rugby Borough for transiting Travellers. However, the provision of transit sites will provide the accommodation needs for transit communities improving health and wellbeing and reducing poverty levels. Therefore, a minor positive effect is expected in relation to **SA Objective 1: Poverty and social exclusion** and **SA Objective 3: Health** and a significant positive effect is expected in relation to **SA Objective 4: Accommodation**. One or two sites could result in transit communities having to travel further to reach a site due their limited location. However, providing transit pitches in close proximity to Rugby town provides better opportunities to access services and facilities and sustainable transport modes. There would also be improved access to employment opportunities, although this may not be relevant to users of transit sites. Therefore, minor positive effects are expected in relation to **SA Objective 2: Services and facilities**; **SA Objective 6: Economy** and **SA Objective 14: Sustainable Transport**.

**4.61** Providing transit sites close to Rugby town may help to enhance the vitality and viability of the town centre by slightly increasing footfall, although any such effects are unlikely to be of a measurable scale due to the small numbers of people. Therefore, a negligible effect is likely in relation to **SA Objective 7: Town centre**.

**4.62** A minor negative effect is expected in relation to **SA Objective 9: Natural resources and Renewable Energy** as new development will put more strain on natural resources concentrated around Rugby town. A mixed minor positive and minor negative effect is expected in relation to **SA Objective 10: Waste** as any new site will likely result in increased in waste. However, one or two single sites may offer more opportunities to incorporate better recycling and re-use of waste onsite but this will depend on design and location.

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**4.63** Due to the transit sites' close proximity to Rugby town and public transport links, effects on pollution and climate change under this option are likely to be limited. However, transit sites are used for Gypsy, Travellers and Travelling Showpeople that are continually moving and use of public transport modes is likely limited. Therefore, a negligible effect is expected in relation to **SA Objective 11: Climate Change** and **SA Objective 15: Pollution**.

Option 2: Along highway corridors. This would need to be informed through local evidence of traditional Traveller movement patterns across Rugby Borough along with detailed highways discussions.

**4.64** The two main highway corridors that run through Rugby Borough are the A45 to Coventry and the M6 to Birmingham. Providing transit sites along highway corridors used by Travellers provides easy access to the sites and sites for accommodation along evidenced routes used by Travellers. The provision of transit sites will provide the accommodation needs for Travellers improving health and wellbeing and reducing poverty levels. Therefore, a minor positive effect is expected in relation to **SA Objective 1: Poverty and social exclusion** and **SA Objective 3: Health**. A significant positive effect is expected in relation to **SA Objective 4: Accommodation**.

**4.65** A minor negative effect is expected in relation to **SA Objective 9: Natural resources and Renewable Energy** as new development will put more strain on natural resources and result on loss of land to development. Providing transits sites along highway corridors allows for easy waste and recycling collection, potentially reducing the negative impact on the level of waste produced through a development. However, all development produces waste and therefore a mixed minor positive and minor negative effect is expected in relation to **SA Objective 10: Waste**.

**4.66** Providing transit sites along highway corridors could encourage the use of private vehicles increasing vehicles emissions and pollution levels adding to climate change. In particular, there could be an issue with noise pollution from

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highway corridors. Therefore, a minor negative effect is expected in relation to **SA Objective 11: Climate Change** and **SA Objective 15: Pollution**. There are limited bus routes running along the A45 with the main bus stop located within Ryton-on-Dunsmore on the outskirts of Coventry within Rugby Borough. Therefore, a negligible effect is likely in relation to **SA Objective 14: Sustainable Transport**.

Option 3: Combined residential/transit pitches where provision for one or two pitches are provided for in conjunction with new permanent residential pitch provision

**4.67** Option 3 will provide the required need for transit pitches supporting Gypsy, Travellers and Travelling Showpeople. Providing transit pitches alongside residential pitch provision offers opportunities for community cohesion with permanent communities. The delivery of transit pitches will support healthy living and improve levels of poverty. Therefore, minor positive effects are expected in relation to **SA Objective 1: Poverty and social exclusion; SA Objective 3: Health**; and a significant positive effect is likely in relation to **SA Objective 4: Accommodation**.

**4.68** Combined residential/transit pitches offer the opportunity to share utilities and waste provision. This could improve the efficiency of recycling and waste provision through larger facilities on site. There would also be better opportunities to incorporate renewable energy. However, any development will likely have some impact on natural resources and the natural environment, although this will likely be minimal. Therefore, mixed minor negative and minor positive effect are expected in relation to **SA Objective 9: Natural Resources and Renewable Energy** and **SA Objective 10: Waste**.

**4.69** The provision of transit pitches within sustainable locations (where permanent sites are most likely to be found) could reduce reliance on the private car and encourage the use of sustainable transport modes. Therefore, a minor positive effect is expected in relation to **SA Objective 14: Sustainable Transport**. This has the potential to reduce vehicle emissions associated with a

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site. However, emissions and other forms of pollution are expected from any development though minimal. Overall, mixed minor positive and minor negative effects are expected in relation to **SA Objective 12: Climate Change** and **SA Objective 15: Pollution**.

### Issue 6: Size of sites

**4.70** Table 4.5 summarises the SA findings for the options associated with Issue 6.

**Table 4.5: SA findings for Issue 6 options**

SA Objectives	Option 1: Provide fewer larger permanent sites	Option 2: Provide a greater number of smaller sites
SA Objective 1: Poverty and social exclusion	+	+
SA Objective 2: Services and facilities	?	?
SA Objective 3: Health	+	+
SA Objective 4: Accommodation	++	++
SA Objective 5: Crime	0	0
SA Objective 6: Economy	?	?
SA Objective 7: Town centre	?	?
SA Objective 8: Regeneration	0	0
SA Objective 9: Natural Resources and Renewable Energy	-	0
SA Objective 10: Waste	+/-	-

SA Objectives	Option 1: Provide fewer larger permanent sites	Option 2: Provide a greater number of smaller sites
SA Objective 11: Climate Change	-	+/-
SA Objective 12: Flood Risk	0	0
SA Objective 13: Cultural Heritage	0	0
SA Objective 14: Sustainable Transport	-	+
SA Objective 15: Pollution	-	+/-
SA Objective 16: Biodiversity	0	0
SA Objective 17: Landscape	0	0
SA Objective 18: Townscape	0	0

## Summary of SA findings for Issue 6 options

Option 1: Provide fewer larger permanent sites to accommodate, for example, no more than 10 pitches each

**4.71** Providing fewer larger permanent sites will not affect meeting the total accommodation need of Gypsy, Travellers and Travelling Showpeople and improving standards of living. Larger permanent sites will likely offer a greater community and provide more security. Therefore, minor positive effects are expected in relation to **SA Objective 1: Poverty and social exclusion**, **SA Objective 3: Health** and a significant positive effect is expected in relation to **SA Objective 4: Accommodation**.

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**4.72** Larger sites, due to their scale and requirements for land, are more likely to be located on the edge of town or village centres, potentially reducing the proximity to services and employment opportunities. However, this is variable depending on the actual location of the site. Therefore, an uncertain effect is identified in relation to **SA Objective 2: Services and Facilities**, **SA Objective 6: Economy** and **SA Objective 7: Town centre**.

**4.73** A minor negative effect is expected in relation to **SA Objective 9: Natural resources and Renewable Energy** as larger site will put more strain on natural resources within that area and will result in a few large areas of land being lost to development. A mixed minor positive and minor negative effect is expected in relation to **SA Objective 10: Waste** as any new site will likely result in increased in waste. However, larger sites may offer more opportunities to incorporate better recycling and re-use of waste onsite but this will depend on design and location.

**4.74** Larger sites are more likely to be located in more rural locations that are less connected to urban centres resulting in increased use of the private vehicle. This would likely result in an increase in vehicle emissions having a negative impact on climate change and increasing pollution levels. Therefore, minor negative effects are expected in relation to **SA Objective 11: Climate Change**, **SA Objective 14: Sustainable Transport** and **SA Objective 15: Pollution**.

Option 2: Provide a greater number of smaller sites to accommodate, for example, no more than 2 pitches each

**4.75** Providing a greater number of smaller sites will not affect meeting the total accommodation need of Gypsy, Travellers and Travelling Showpeople and improving standards of living. Provision of a great number of smaller sites to accommodate Gypsy, Traveller and Travelling Showpeople allows for more variety and flexibility in accommodation available to these communities. Therefore, a minor positive effect is expected in relation to **SA Objective 1:**

## Chapter 4 Sustainability Appraisal Findings for the DPD Options

**Poverty and social exclusion, SA Objective 3: Health** and a significant positive effect in relation to **SA Objective 4: Accommodation**.

**4.76** Smaller sites may be more likely to be located near a town or village centre which would offer better access to employment and services and facilities. However, this is uncertain and depends on the actual location of the site. Therefore, an uncertain effect is identified in relation to **SA Objective 2: Services and Facilities, SA Objective 6: Economy** and **SA Objective 7: Town centre**.

**4.77** The provision of a greater number of smaller is likely to put a strain on natural resources in the immediate area and cause as much disturbance to the natural environment as Option 1 as the same total land area would be required and there may be disturbance in more individual areas. Therefore, a negligible effect is expected in relation to **SA Objective 9: Natural Resources and Renewable Energy**. A minor negative effect is expected in relation to **SA Objective 10: Waste** as any new site will likely result in increased in waste. Smaller sites may not be able to process waste and manage recycling as efficiently but this will depend on design and location.

**4.78** Smaller sites are better placed to be located within more sustainable locations allowing better access to sustainable modes of transport and reducing reliance on the private car. Therefore, this could reduce the level of vehicle emissions. However, any development is likely to increase emissions levels though minimal. Overall, mixed minor positive and minor negative are expected in relation to **SA Objective 11: Climate Change** and **SA Objective 15: Pollution**. A minor positive effect is expected in relation to **SA Objective 14: Sustainable Transport**.

## Issue 7: Design Standards

**4.79** The options set out under this Issue are not of a format suitable for detailed appraisal against each SA objective, as recorded earlier in this chapter. The options centre around whether the design standard from the adopted Local

## Chapter 4 Sustainability Appraisal Findings for the DPD Options

Plan are appropriate, or whether other design standards should be set. It is not appropriate for this SA report to appraise policy from the adopted Local Plan. Therefore, the section below provides an overview of the key issues and likely effects associated with potentially increasing or decreasing the design standards to be set out in the DPD.

### Summary of SA findings of Issue 7 options

**4.80** Setting stringent design standards for all Gypsy, Travellers and Travelling Showpeople sites could ensure higher standards of living and restrictions on the density of sites reducing the risk of overcrowding and poor living conditions. High design standards can also allow for minimum standards to be set in relation to utilities, further supporting healthy living and higher standards of living for Gypsy, Travellers and Travelling Showpeople. Therefore, an approach involving setting high design standards would likely have positive effects in particular in relation to **SA Objective 1: Poverty and Social exclusion, SA Objective 3: Health** and **SA Objective 4: Accommodation**. Well-designed Gypsy, Traveller and Travelling Showpeople sites can support the use of sustainable transport options and offer a safe environment that encourages community cohesion.

**4.81** However, setting higher and more restrictive design standards could affect the deliverability of sites and so standards should be balanced with the need to ensure that sites are delivered to meet the identified local needs.

**4.82** Any draft DPD policy setting out specific design standards for Gypsy and Traveller sites will be subject to SA later in the plan-making process, once the details of the standards are known.

### Issue 8: Site assessment criteria

**4.83** The options set out in relation to this issue relate to the site assessment criteria listed in the adopted Local Plan and whether they are suitable. The role

**Chapter 4** Sustainability Appraisal Findings for the DPD Options

of this SA is not to appraise existing policy within Rugby Borough Local Plan 2011-2031, including Policy DS2. Therefore, the options set out in relation to this issue have not been appraised; however any policy that may be drafted for inclusion in the DPD in relation to site assessment criteria will be appraised when it has been worked up by plan-makers.

# Chapter 5

## Monitoring

**5.1** The SEA Regulations require that “the responsible authority shall monitor the significant environmental effects of the implementation of each plan or programme with the purpose of identifying unforeseen adverse effects at an early stage and being able to undertake appropriate remedial action” and that the environmental report should provide information on “a description of the measures envisaged concerning monitoring”. Monitoring proposals should be designed to provide information that can be used to highlight specific issues and significant effects, and which could help decision-making.

**5.2** Monitoring should be focused on the significant sustainability effects that may give rise to irreversible damage (with a view to identifying trends before such damage is caused) and the significant effects where there is uncertainty in the SA and where monitoring would enable preventative or mitigation measures to be taken. Given the relatively early stage of the DPD, indicators for all SA objectives have been included. The suggested indicators will be updated at the next stage of the SA to focus on the SA objectives against which significant (including uncertain) effects have been recorded.

**5.3** The proposed SA monitoring framework for the Rugby Borough Gypsy and Traveller Site Allocations DPD below sets out a number of suggested indicators for monitoring the potential sustainability effects of the DPD. The data used for monitoring in many cases will be provided by outside bodies. Information collected by other organisations (e.g. the Environment Agency) can also be used as a source of indicators. It is therefore recommended that the Council continues a dialogue with statutory environmental consultees and other stakeholders and works with them to agree the relevant sustainability effects to be monitored and to obtain information that is appropriate, up to date and reliable.

# Proposed SA Monitoring Framework for the Rugby Borough Gypsy and Traveller Site Allocations DPD

## SA Objective 1

- Reduce/eliminate poverty, disadvantage and social exclusion

### Indicator

- Access to community facilities for Gypsies and Travellers
- Access to employment opportunities for Gypsies and Travellers
- Fuel poverty
- Number of Gypsies and Travellers claiming Jobseekers' Allowance

## SA Objective 2

- Encourage increased engagement in leisure, cultural activity, recreation and improve access across all sections of the community

### Indicator

- Access to community facilities
- Number of sites allocated within proximity to Rugby town centre
- Access to open space and sport and recreation facilities

### SA Objective 3

- Protect and enhance the health and well-being of the Gypsy, Traveller and Travelling Showperson communities and reduce health inequalities

#### Indicator

- Life expectancy
- Accessibility to healthcare facilities
- Infant mortality rates
- Obesity rates
- Number of Gypsy and Travellers living with a disability
- Percentage of Gypsy and Travellers regularly participating in sport

### SA Objective 4

- Provide all Gypsies, Travellers and Travelling Showpeople with the opportunity to live in a decent home which meets their needs

#### Indicator

- Supply and delivery of allocated sites
- Number of Gypsies and Travellers in accommodation need (GTAA)
- Annual brick and mortar accommodation completions
- Total vacant pitches
- Total number of Gypsy and Traveller pitches
- Number of homeless Gypsy and Travellers
- Number or proportion of brick and mortar accommodation falling below Decent Homes Standards

## SA Objective 5

- Reduce crime, fear of crime and anti-social behaviour

### Indicator

- Number of crimes reported against Gypsies and Travellers

## SA Objective 6

- Promote/enable a strong, stable and sustainable local economy

### Indicator

- Amount of sites allocated near areas of employment
- Amount of employment land lost to alternative uses
- Number of Gypsies and Travellers claiming Jobseekers Allowance

## SA Objective 7

- Promote the vitality and viability of the town centre

### Indicator

- Number of sites allocated within proximity to Rugby town centre
- Number of sites allocated within Rugby Town centre

## SA Objective 8

- Promote the regeneration of urban areas

## Indicator

- Percentage of sites allocated on previously developed land

## SA Objective 9

- Use and manage land, energy, soil, mineral and water resources prudently and efficiently, and increase energy generated from renewables

## Indicator

- Percentage of sites allocated on previously developed land
- Number of planning applications approved within a Minerals Consultation Area
- Amount of sites allocated on best and most versatile agricultural land
- Number of bricks and mortar accommodation built each year above required building standards for energy efficiency
- Number of bricks and mortar accommodation that meet the required water efficiency target

## SA Objective 10

- Minimise waste and manage it sustainably

## Indicator

- Amount of waste sent to landfill
- Proportion of household waste recycled
- Proximity of site allocation to a recycling centre.

## SA Objective 11

- Reduce the Borough's contribution to climate change

### Indicator

- Number of new sites allocated incorporating low carbon technologies
- Installed renewable energy capacity

## SA Objective 12

- Avoid, reduce and manage flood risk

### Indicator

- Amount of site allocations within flood zones 2 and 3
- Number of planning permissions granted contrary to Environment Agency advice
- Number of new sites allocated incorporating SUDS

## SA Objective 13

- Conserve and enhance the historic environment, heritage assets and their settings

### Indicator

- Number of site allocations in close proximity to a heritage asset

## SA Objective 14

- Promote a sustainable and accessible transport network

## Indicator

- Proportion of people who can travel to work by public transport
- Proportion of people who have good access to railway station and bus stop
- Number of users of cycle paths

## SA Objective 15

- Reduce all forms of pollution

## Indicator

- Number of car borne journeys from site allocation
- Number of planning permissions granted contrary to sustained objection of the Environment Agency on water quality grounds

## SA Objective 16

- Conserve and where possible enhance the Borough's biodiversity, flora and fauna

## Indicator

- Amount of greenfield land lost to site allocation
- Impact of site allocation on SSSIs
- Number of Local Wildlife Sites close to site allocation Number of site allocations that takes place on Local Green spaces

## SA Objective 17

- Maintain and where possible enhance the quality of landscapes

### Indicator

- Percentage of sites allocated on brownfield land

## SA Objective 18

- Maintain and where possible enhance the quality of townscapes

### Indicator

- Percentage of sites allocated on previously developed land

## Chapter 6

# Conclusions and Next Steps

**6.1** The SA of the Issues and Options version of the Rugby Borough Gypsy and Traveller Site Allocations DPD has been undertaken to accord with current best practice and the guidance on SA/SEA as set out in the National Planning Practice Guidance. The SA objectives developed at the Scoping stage of the SA process have been used to undertake an appraisal of the options in the current consultation document, where they are of a format that enables this. Where options comprise open ended questions and so are not able to be appraised, any draft policies that relate to those issues will be appraised at the next stage of the SA process.

**6.2** Most of the options considered in the Issues and Options version of the Rugby Borough Gypsy and Traveller DPD focus on the extent of accommodation provision that should be made for Gypsies and Travellers, as well as the high level approach to where this provision should be made, particularly whether provision should be made as part of new sites or expanding/increasing the capacity of existing sites. The SA has shown a wide range of effects across the objectives; however it is clear that planning to meet the evidence-based need for accommodation will have more positive effects than failing to do so.

**6.3** Mainly positive effects are expected in relation to some of the SA objectives, particularly in relation to poverty and social exclusion, accommodation, and health, regardless of how and where accommodation provision is made – as long as it is made at the required level. However, more variety in effects is evident for the options that consider smaller versus larger sites, or sites closer to Rugby and the main settlements compared to more rural areas. In general, locating sites in better connected areas will have more positive effects on the SA objectives. Focussing the majority of new sites and/or increasing capacity/expansion of sites in close proximity to Rugby town or Coventry will maximise access to jobs, services and facilities, and should help to stimulate the use of non-car based modes of transport.

**Chapter 6** Conclusions and Next Steps

**6.4** If reasonable alternative site options are identified through the Call for Sites that will run in parallel to the Issues and Options consultation, these will be subject to SA at the next stage along with any draft policies worked up for inclusion in the DPD. At that stage, consideration will also be able to be given to the likely cumulative effects of the DPD.

## Next Steps

**6.5** This SA Report will be available for consultation alongside the Issues and Options document during Summer 2022.

**6.6** The consultation responses on the Issues and Options Version of this DPD and this SA Report will be taken into account in the next stages of the DPD preparation process.

LUC

June 2022

# Appendix A

## Scoping Consultation Comments

**A.1** The consultation on the SA Scoping Report for the Rugby Borough Gypsy and Traveller Site Allocations DPD took place between 4<sup>th</sup> May and 10<sup>th</sup> June 2022.

**A.2** Set out below are a summary of consultee comments received on the SA Scoping Report and the SA team's response to these comments.

### Consultee comments received on the SA Scoping Report

Comments received from statutory consultee:

Historic England

- Summary of comment:
  - Pleased to see consideration of non-designated heritage assets, and reference to the setting of historic assets, as well as particular regard to protecting heritage assets which have been identified as being 'at risk'.
  - Welcomes that HEAN8 is included within the relevant national plans, policies and programmes and also that other Historic England publications are noted in para.2.21 and at Appendix A.
  - A more comprehensive list of relevant plans, policies and programmes reference should be made
  - Reference should be made to the published Character Appraisals for the Borough's 19 conservation areas and to The Warwickshire Historic Landscape Characterisation (HLC) project.

## Appendix A Scoping Consultation Comments

- Pleased to see that this baseline presents a comprehensive background into the designated and non-designated heritage assets, and also encompasses heritage at risk.
- Query the necessity for the note alongside Figure 3.5. References to English Heritage should be amended to refer to Historic England. The Local Authority is responsible for Conservation Area designation and de-designation and therefore should have information relating to designations, and also the information on Conservation Area Appraisals and Management Plans.
- Welcomes that heritage at risk has been identified as a key sustainability issue and the recognition that the SA process provides an opportunity to guide development to new sites for Gypsies and Travellers to locations which are less sensitive in terms of their impact on heritage Assets.
- Welcomes SA Objective 13, 17 and 18 and associated appraisal questions.
- With reference to SA Objective 13 we would query as to how the 500m distance figure has been derived? Historic England do not recommend stipulating a specific figure, although we welcome the acknowledgment that there may still be some potential for impacts on non-designated heritage features and that the effects on designated heritage assets may extend beyond 500m in some cases.
- Historic England considers that the amendments are necessary to ensure that it meets the requirements of the Directive and Legislation.
- Action taken:
  - Relevant plans and programmes have been updated.
  - Reference has been made to the published Character Appraisals for the Borough's conservation areas and to The Warwickshire Historic Landscape Characterisation (HLC) project.
  - The note on Figure 3.5 has been removed.
  - Reference to the 500m distance has been removed from SA Objective 13.

## Appendix B

# Review of Relevant Plans, Policies and Programmes

## International plans and programmes of most relevance for the DPD

**B.1 The Glasgow Climate Pact 2021** was adopted at the COP26 UN climate conference in November 2021. The Pact sees signatory countries increase climate ambition and action from the Paris Agreement in 2015 and sets out new rules to reduce greenhouse gas emissions including phasing down coal and a global carbon market. The Glasgow Climate Pact is the first global agreement to explicitly include parties pledging to reduce the use of fossil fuels.

**B.2 The 2030 Agenda for Sustainable Development (2015):** This initiative, adopted by all United Nations Member States, provides a shared blueprint for peace and prosperity for people and the planet and includes 17 Sustainable Development Goals (SDGs), designed to achieve a better and more sustainable future for all. Relevant to this topic are:

- SDG 1: No Poverty
- SDG 2: Zero Hunger
- SDG 3: Good Health and Well-being
- SDG 4: Quality Education
- SDG 5: Gender Equality
- SDG 10: Reduced Inequalities
- SDG 11: Sustainable Cities and Communities

**Appendix B** Review of Relevant Plans, Policies and Programmes

**B.3 United Nations Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters (the 'Aarhus Convention') (1998)** - Establishes a number of rights of the public (individuals and their associations) with regard to the environment. The Parties to the Convention are required to make the necessary provisions so that public authorities (at national, regional or local level) will contribute to these rights to become effective.

**B.4 United Nations Declaration on Sustainable Development (Johannesburg Declaration) (2002)** - Sets broad framework for international sustainable development, including building a humane, equitable and caring global society aware of the need for human dignity for all, renewable energy and energy efficiency, sustainable consumption and production and resource efficiency.

**B.5 UNESCO Convention Concerning the Protection of the World Cultural and Natural Heritage 1972** seeks to protect both cultural and natural heritage. The Convention defines the kind of sites which can be considered for inscription of the World Heritage List (ancient monuments, museums, biodiversity and geological heritage all come within the scope of the Convention) and sets out the duties of States Parties in identifying potential sites and their role in protecting them.

**B.6 European Environmental Noise Directive (2002)** - Sets out a hierarchy for the avoidance, prevention and reduction in adverse effects associated with environmental noise, including noise generated by road and rail vehicles, infrastructure, aircraft and outdoor, industrial and mobile machinery.

**B.7 European Nitrates Directive (1991)** - Identifies nitrate vulnerability zones and puts in place measures to reduce water pollution caused by the introduction of nitrates.

**B.8 European Urban Waste Water Directive (1991)** - Protects the environment from the adverse effects of urban waste water collection, treatment and discharge, and discharge from certain industrial sectors.

**Appendix B** Review of Relevant Plans, Policies and Programmes

**B.9 European Air Quality Framework Directive (1996) and Air Quality Directive (2008)** - Put in place measures for the avoidance, prevention, and reduction in harmful effects to human health and the environment associated with ambient air pollution and establish legally binding limits for the most common and harmful sources of air pollution.

**B.10 European Drinking Water Directive (1998)** - Protects human health from the adverse effects of any contamination of water intended for human consumption by ensuring that it is wholesome and clean.

**B.11 European Landfill Directive (1999)** - Prevents and reduces the negative effects on the environment from the landfilling of waste by introducing stringent technical requirements for waste and landfills.

**B.12 European Water Framework Directive (2000)** - Protects inland surface waters, transitional waters, coastal waters and groundwater.

**B.13 European Waste Framework Directive (2008)** - Sets out the waste hierarchy requiring the reduction of waste production and its harmfulness, the recovery of waste by means of recycling, re-use or reclamation and final disposal that does not harm the environment, including human health.

**B.14 European Industrial Emission Directive (2010)** - Lays down rules on integrated prevention and control of pollution arising from industrial activities. It also lays down rules designed to prevent or, where that is not practicable, to reduce emissions into air, water and land and to prevent the generation of waste, in order to achieve a high level of protection of the environment taken as a whole.

**B.15 European Floods Directive (2007)** - A framework for the assessment and management of flood risk, aiming at the reduction of the adverse consequences for human health, the environment, cultural heritage and economic activity.

**Appendix B** Review of Relevant Plans, Policies and Programmes

**B.16 European Energy Performance of Buildings Directive (2010)** - Aims to promote the energy performance of buildings and building units. Requires the adoption of a standard methodology for calculating energy performance and minimum requirements for energy performance.

**B.17 United Nations Paris Climate Change Agreement (2015)** - International agreement to keep global temperature rise this century well below 2 degrees Celsius above pre-industrial levels.

**B.18 International Convention on Wetlands (Ramsar Convention) (1976)** - International agreement with the aim of conserving and managing the use of wetlands and their resources.

**B.19 European Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention) (1979)** - Aims to ensure conservation and protection of wild plant and animal species and their natural habitats, to increase cooperation between contracting parties, and to regulate the exploitation of those species (including migratory species).

**B.20 International Convention on Biological Diversity (1992)** - International commitment to biodiversity conservation through national strategies and action plans.

**B.21 European Habitats Directive (1992)** - Together with the Birds Directive, the Habitats Directive sets the standard for nature conservation across the EU and enables all 27 Member States to work together within the same strong legislative framework in order to protect the most vulnerable species and habitat types across their entire natural range within the EU. It also established the Natura 2000 network.

**B.22 European Birds Directive (2009)** - Requires the maintenance of all species of naturally occurring birds in the wild state in the European territory at a level which corresponds in particular to ecological, scientific and cultural requirements, while taking account of economic and recreational requirements.

## Appendix B Review of Relevant Plans, Policies and Programmes

### **B.23 United Nations Declaration on Forests (COP26 Declaration) (2021) -**

Sets out international commitment to cut natural forest loss by 2020 and end loss by 2030.

### **B.24 United Nations (UNESCO) World Heritage Convention (1972) -**

Promotes co-operation among nations to protect heritage around the world that is of such outstanding universal value that its conservation is important for current and future generations.

### **B.25 European Convention for the Protection of the Architectural Heritage of Europe (1985) -**

Defines 'architectural heritage' and requires that the signatories maintain an inventory of it and take statutory measures to ensure its protection. Conservation policies are also required to be integrated into planning systems and other spheres of government influence as per the text of the convention.

**B.26 European Landscape Convention (2002) -** Promotes landscape protection, management and planning. The Convention is aimed at the protection, management and planning of all landscapes and raising awareness of the value of a living landscape.

## **National plans and programmes (beyond the NPPF) of most relevance for the DPD**

### Climate change adaptation and mitigation

**B.27 UK Climate Change Strategy 2021-2024 -** In 2019 the UK became the first major economy to pass into law a domestic requirement for net zero greenhouse gas emissions by 2050. Now, we are also committing to net zero greenhouse gas emissions by 2050 across UKEF's portfolio and operations. The Strategy is split across five strategic pillars:

- By increasing our support to clean growth and climate adaptation

## Appendix B Review of Relevant Plans, Policies and Programmes

- By reducing our portfolio greenhouse gas emissions
- By understanding and mitigating our climate-related financial risk
- Through transparency and disclosure
- By providing international leadership on climate change amongst export credit agencies and relevant financial institutions

**B.28 The British Energy Security Strategy (2022)** sets out how the UK will enhance its energy security, setting out plans for future deployment of wind, new nuclear, solar and hydrogen, and for supporting the production of domestic oil and gas in the nearer term. The strategy builds on the Prime Minister's 'Ten point plan for a green industrial revolution', and the 'Net zero strategy'. Key aims and commitments include:

- New commitments to supercharge clean energy and accelerate deployment, which could see 95% of Great Britain's electricity set to be low carbon by 2030.
- Supporting over 40,000 more jobs in clean industries, totalling 480,000 jobs by 2030.
- Accelerated expansion of nuclear, wind, solar, hydrogen, oil and gas, including delivering the equivalent to one nuclear reactor a year instead of one a decade.
- Offshore wind – aim of providing up to 50GW by 2030, of which 5GW is planned to be from floating offshore wind in deeper seas. This is aimed to be underpinned by new planning reforms to cut the approval times for new offshore wind farms from 4 years to 1 year and an overall streamlining which will aim to reduce the time it takes for new projects to reach construction stages while improving the environment.
- Oil and gas - a licensing round for new North Sea oil and gas projects is planned to launch in Autumn, with a new taskforce providing bespoke support to new developments.
- Onshore wind – The Government plan to consult on developing partnerships with a limited number of supportive communities who wish to

## Appendix B Review of Relevant Plans, Policies and Programmes

host new onshore wind infrastructure in return for guaranteed lower energy bills.

- Heat pump manufacturing: The Government aim to run a Heat Pump Investment Accelerator Competition in 2022 worth up to £30 million to make British heat pumps, with hopes to reduce demand for gas.

**B.29** Defra, The National Adaptation Programme and the Third Strategy for Climate Adaptation Reporting: Making the country resilient to a changing climate (2018) sets out the strategy for adapting both to the climate change that is already evident, and that which we might see in the future.

**B.30 Department for Transport, Decarbonising Transport: Setting the Challenge (2021)** sets out the strategic priorities for a new Transport Decarbonisation Plan (TDP), published in July 2021, will set out in detail what government, business and society will need to do to deliver the significant emissions reduction needed across all modes of transport, putting us on a pathway to achieving carbon budgets and net zero emissions across every single mode of transport by 2050. This document acknowledges that while there have been recently published strategies to reduce greenhouse gas emissions in individual transport modes, transport as a whole sector needs to go further and more quickly, therefore the TDP will take a coordinated, cross-modal approach to deliver the transport sector's contribution to both carbon budgets and net zero.

**B.31** Defra and the Environment Agency, Understanding the risks, empowering communities, building resilience: The National Flood and Coastal Erosion Risk Management Strategy for England (2020) sets out the national framework for managing the risk of flooding and coastal erosion. It sets out the roles for risk management authorities and communities to help them understand their responsibilities. An update to the document was adopted on 25<sup>th</sup> September 2020.

**B.32 National Planning Policy for Waste (NPPW) (2014)** sets out a number of key planning objectives. It requires that local planning authorities help deliver sustainable development through measures including driving waste

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management up the waste hierarchy; ensuring that waste management is considered alongside other spatial planning concerns; and providing a framework in which communities can take more responsibility for their own waste.

**B.33 The Industrial Decarbonisation Strategy (2021)** aims to support existing industry to decarbonise and encourage the growth of new, low carbon industries to protect and create skilled jobs and businesses in the UK encouraging long-term investment in home-grown decarbonisation technology. The strategy builds in the Prime Minister's 10 Point Plan for a Green Industrial Revolution and sets out the government's vision for building a competitive, greener future for the manufacturing and construction sector and is part of the government's path to net zero by 2050.

**B.34 Defra, Waste Management Plan for England (2013)** sets out the measures for England to work towards a zero waste economy.

**B.35 HM Government, The Clean Growth Strategy (2017)** sets out the approach of the government to secure growth of the national income while cutting greenhouse gas emissions. The key policies and proposals of the Strategy sit below a number of overarching principles: acceleration of clean growth including through recommendations for private and public investment to meet carbon budgets; providing support to improve business and industry energy efficiency; improving energy efficiency in the housing stock including through low carbon heating; accelerating the shift to low carbon transport; delivering clean, smart, flexible power; enhancing the benefits and value of our natural resources; leading in the public sector to meet emissions targets; and ensure Government leadership to drive clean growth.

**B.36 The UK Hydrogen Strategy (2021)** sets out the approach to developing a substantial low carbon hydrogen sector in the UK and to meet the ambition for 5GW of low carbon hydrogen production capacity by 2030.

**B.37 British Energy Security Strategy (2022)** seeks to reduce the UK's reliance on international fossil fuel markets to strengthen energy security and

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cut bills over the next decade. To enable this is a new ambition to produce 95% of the country's electricity from low-carbon sources by 2030. The strategy includes a range of new targets to accelerate the deployment of key low carbon technologies, alongside renewed support for domestic oil and gas production.

**B.38 The Energy Performance of Buildings Regulations (2021)** seek to improve the energy efficiency of buildings, reducing their carbon emissions and lessening the impact of climate change. The Regulations require the adoption of a standard methodology for calculating energy performance and minimum requirements for energy performance, reported through Energy Performance Certificates and Display Energy Certificates.

**B.39 The Energy white paper: Powering our net zero future (2020)** builds on the Prime Minister's Ten point plan for a green industrial revolution. The white paper addresses the transformation of the UK's energy system, promoting high-skilled jobs and clean, resilient economic growth during its transition to net-zero emissions by 2050.

**B.40 The Heat and Buildings Strategy (2021)** sets out the government's plan to significantly cut carbon emissions from the UK's 30 million homes and workplaces. This strategy aims to provide a clear direction of travel for the 2020s, set out the strategic decisions that need to be taken this decade, and demonstrate how the UK plans to meet its carbon targets and remain on track for net zero by 2050. Key aims of the strategy include:

- Reduce direct emissions from public sector buildings by 75% against a 2017 baseline by the end of carbon budget 6.
- Significantly reduce energy consumption of commercial, and industrial buildings by 2030.
- Phase out the installation of new natural gas boilers beyond 2035.
- Significantly grow the supply chain for heat pumps to 2028: from installing around 35,000 hydronic heat pumps a year to a minimum market capacity of 600,000 per year by 2028.

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- Reduce the costs of installing a heat pump by at least 25-50% by 2025 and to ensure heat pumps are no more expensive to buy and run than gas boilers by 2030.
- Achieve 30-fold increase in heat pumps manufactured and sold within the UK by the end of the decade.
- Grow the market for heat pumps notably via a £450 million Boiler Upgrade Scheme to support households who want to switch with £5,000 grants.
- Improve heat pump appeal by continuing to invest in research and innovation, with the £60 million Net Zero Innovation Portfolio 'Heat Pump Ready' Programme supporting the development of innovation across the sector.
- Ensure all new buildings in England are ready for Net Zero from 2025. To enable this, new standards will be introduced through legislation to ensure new homes and buildings will be fitted with low-carbon heating and high levels of energy efficiency.
- Establish large-scale trials of hydrogen for heating, including a neighbourhood trial by 2023.
- Ensure as many fuel poor homes in England, as reasonably practicable, achieve a minimum energy efficiency rating of band C by the end of 2030.
- Support social housing, low income and fuel poor households via boosting funding for the Social Housing Decarbonisation Fund and Home Upgrade Grant, which aim to improve the energy performance of low income households' homes, support low carbon heat installations and build the green retrofitting sector to benefit all homeowners.
- Scale up low-carbon heat network deployment and to enable local areas to deploy heat network zoning- Heat Network Transformation Programme of £338 million (over 2022/23 to 2024/25).

**B.41 The Net Zero Strategy: Build Back Greener (2021)** - sets out policies and proposals for decarbonising all sectors of the UK economy to meet net zero targets by 2050. It sets out strategies to keep the UK on track with carbon

## Appendix B Review of Relevant Plans, Policies and Programmes

budgets, outlines the National Determined Contribution (NDC) and sets out the vision for a decarbonised economy in 2050. Its focus includes:

- Policies and proposals for reducing emissions across the economy in key sectors (power, fuel supply and hydrogen, industry, heat and buildings, transport, natural gas and waste); and,
- Policies and proposals for supporting transition across the economy through innovation, green investment, green jobs, embedding net-zero in government, local climate action, empowering people and businesses, and international leadership and collaboration.

**B.42 The 25 Year Environment Plan** - sets out policy priorities with respect to responding to climate change, are using and managing land sustainably; and protecting and improving our global environment. Actions that will be taken as part of these two key areas are as follows:

- Using and managing land sustainably:
  - Take action to reduce the risk of harm from flooding and coastal erosion including greater use of natural flood management solutions.
- Protecting and improving our global environment:
  - Provide international leadership and lead by example in tackling climate change and protecting and improving international biodiversity.

**B.43 The National Adaptation Programme and the Third Strategy for Climate Adaptation Reporting (2018)** sets out visions for the following sectors:

- People and the Built Environment – “to promote the development of a healthy, equitable and resilient population, well placed to reduce the harmful health impacts of climate change...buildings and places (including built heritage) and the people who live and work in them are resilient and organisations in the built environment sector have an increased capacity to address the risks and make the most of the opportunities of a changing climate.
- Infrastructure – “an infrastructure network that is resilient to today’s natural hazards and prepared for the future changing climate”.

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- Natural Environment – “the natural environment, with diverse and healthy ecosystems, is resilient to climate change, able to accommodate change and valued for the adaptation services it provides.”
- Business and Industry – “UK businesses are resilient to extreme weather and prepared for future risks and opportunities from climate change.”
- Local Government – “Local government plays a central in leading and supporting local places to become more resilient to a range of future risks and to be prepared for the opportunities from a changing climate.

**B.44 UK Climate Change Risk Assessment 2017 (2017):** sets out six priority areas needing urgent further action over the next five years. These include:

- flooding and coastal change risks to communities, businesses and infrastructure,
- health, well-being and productivity from high temperatures,
- shortages in public water supply, and for agriculture, energy generation and industry with impacts on freshwater ecology,
- natural capital, including terrestrial, coastal, marine and freshwater ecosystems, soils and biodiversity,
- domestic and international food production and trade and
- new and emerging pests and diseases and invasive non-native species affecting people, plants and animals

**B.45 The Energy Efficiency Strategy (2012)** aims to realise the wider energy efficiency potential that is available in the UK economy by maximising the potential of existing dwellings by implementing 21st century energy management initiatives on 19th century homes.

**B.46 The UK Low Carbon Transition Plan: National Strategy for Climate and Energy (2009):** sets out a five-point plan to tackle climate change. The points are as follows: protecting the public from immediate risk, preparing for the future, limiting the severity of future climate change through a new

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international climate agreement, building a low carbon UK and supporting individuals, communities and businesses to play their part.

**B.47 The UK Renewable Energy Strategy (2009)** describes out the ways in which we will tackle climate change by reducing our CO2 emissions through the generation of a renewable electricity, heat and transport technologies.

**B.48 The Flood and Water Management Act 2010 and The Flood and Water Regulations 2019** sets out measures to ensure that risk from all sources of flooding is managed more effectively. This includes incorporating greater resilience measures into the design of new buildings; utilising the environment in order to reduce flooding; identifying areas suitable for inundation and water storage to reduce the risk of flooding elsewhere; rolling back development in coastal areas to avoid damage from flooding or coastal erosion; and creating sustainable drainage systems (SuDS).

**B.49 Historic England's Climate Change Strategy, March 2022** describes Historic England's response to the climate crisis. There are three strands that guide the climate change programme:

- Mitigation - Historic England will proactively remove sources of emissions to achieve net zero by 2040.
- Managing risk - We will identify, understand, and respond to threats to heritage from a changing climate. We will share our insights: listening, learning, and collaborating with partners to effect, enable and catalyse change and risk management.
- Adaptation - engage and equip people to take action in support of the places they care about.

## Health and well-being

**B.50 National Design Guide (2021)** sets out the Government's priorities for well-designed places in the form of ten characteristics: context, identity, built

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form, movement, nature, public spaces, uses, homes and buildings, resources and lifespan.

**B.51 National Model Design Code 2021** provides detailed guidance on the production of design codes, guides and policies to promote successful design. The guidance note sets out possible contents for a design code, modelled on the ten characteristics of well-designed places set out in the National Design Guide.

**B.52 Build Back Better: Our Plan for Health and Social Care (2021)** sets out the government's new plan for health and social care. It provides an overview of how this plan will tackle the elective backlog in the NHS and put the NHS on a sustainable footing. It sets out details of the plan for adult social care in England, including a cap on social care costs and how financial assistance will work for those without substantial assets. It covers wider support that the government will provide for the social care system, and how the government will improve the integration of health and social care. It explains the government's plan to introduce a new Health and Social Care Levy.

**B.53 Covid-19 mental health and wellbeing recovery action plan (2021)** - sets out the government's plan to prevent, mitigate and respond to the mental health impacts of the pandemic during 2021 and 2022. Its main objectives are to support the general population to take action and look after their own mental wellbeing, to take action to address factors which play a crucial role in shaping mental health and wellbeing outcomes, and to support services to meet the need for specialist support.

**B.54 The Charter for Social Housing Residents: Social Housing White Paper (2020)** sets out the Government's actions to ensure residents in social housing are safe, listened to, live in good quality homes and have access to redress when things go wrong.

**B.55 Using the planning system to promote healthy weight environments (2020), Addendum (2021)** provides a framework and starting point for local authorities to clearly set out in local planning guidance how best to achieve

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healthy weight environments based on local evidence and needs, by focusing on environments that enable healthier eating and help promote more physical activity as the default. The Addendum provides updates on the implications for planning for a healthier food environment, specifically on the hot food takeaways retail uses, and sets out recommended actions in light of changes to the Use Class Order (UCO) in England from 1 September 2020.

**B.56 Healthy Lives, Healthy People: Our strategy for public health in England:** Sets out how the Government's approach to public health challenges will:

- Protect the population from health threats – led by central Government, with a strong system to the frontline.
- Empower local leadership and encourage wide responsibility across society to improve everyone's health and wellbeing and tackle the wider factors that influence it.
- Focus on key outcomes, doing what works to deliver them, with transparency of outcomes to enable accountability through a proposed new public health outcomes framework.
- Reflect the Government's core values of freedom, fairness and responsibility by strengthening self-esteem, confidence and personal responsibility; positively promoting healthy behaviours and lifestyles; and adapting the environment to make healthy choices easier.
- Balance the freedoms of individuals and organisations with the need to avoid harm to others, use a 'ladder' of interventions to determine the least intrusive approach necessary to achieve the desired effect and aim to make voluntary approaches work before resorting to regulation.

**B.57 Fair Society, Healthy Lives (2011)** - investigated health inequalities in England and the actions needed in order to tackle them. Subsequently, a supplementary report was prepared providing additional evidence relating to spatial planning and health on the basis that there is "overwhelming evidence that health and environmental inequalities are inexorably linked and that poor environments contribute significantly to poor health and health inequalities".

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**B.58 Homes England Strategic Plan 2018 to 2023:** Sets out a vision to ensure more homes are built in areas of greatest need, to improve affordability, and make a more resilient and diverse housing market.

**B.59 Select Committee on Public Service and Demographic Change report Ready for Ageing? (2013)** - warns that society is underprepared for the ageing population. The report states “longer lives can be a great benefit, but there has been a collective failure to address the implications and without urgent action this great boon could turn into a series of miserable crises”. The report highlights the under provision of specialist housing for older people and the need to plan for the housing needs of the older population as well as younger people.

**B.60 Public Health England, PHE Strategy 2020-25** - identifies PHE’s priorities upon which to focus over this five-year period to protect people and help people to live longer in good health.

**B.61 HM Government, Laying the foundations: a housing strategy for England (2011)** – aims to provide support to the delivery of new homes and to improve social mobility.

**B.62 Planning for the Future White Paper (2020)** - Sets out a series of potential reforms to the English planning system, to deliver growth faster. The White Paper focuses on the following:

- Simplifying the role of Local Plans and the process of producing them.
- Digitising plan-making and development management processes.
- Focus on design, sustainability and infrastructure delivery.
- Nationally determined, binding housing requirements for local planning authorities to deliver through Local Plans.

**B.63 Planning Policy for Traveller Sites (2015)** sets out the Government’s planning policy for traveller sites. The Government’s overarching aim is to ensure fair and equal treatment for travellers, in a way that facilitates the

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traditional and nomadic way of life of travellers while respecting the interests of the settled community.

**B.64 The health of Gypsies and Travellers in the UK (2008)** - Communities and Local Government and the Race Equality Foundation prepared a foundation briefing paper on the health of Gypsies and Travellers. It found that:

- The health status of Gypsies and Travellers is much poorer than that of the general population.
- Poor access to, and uptake of, health services is a major factor in Gypsy and Traveller health.
- Gypsy and Traveller health receives scant attention in policy documents on health inequalities.

## Environment (biodiversity/geodiversity, landscape and soils)

**B.65 Environment (biodiversity/geodiversity, landscape and soils)**The **Environment Act 2021** - sets out the UK's new framework for environmental protection. It includes the creation of Conservation Covenant agreements between a landowner and a responsible body for the purposes of conservation of the natural environment of the land or its natural resources, or to conserve the place or setting of the land for its 'archaeological, architectural, artistic, cultural or historic interest.'

**B.66 Defra, Biodiversity offsetting in England Green Paper (2013)** - sets out a framework for biodiversity offsetting. Offsets are conservation activities designed to compensate for residual losses.

**B.67 Defra, Safeguarding our Soils – A Strategy for England (2009)** - Sets out how England's soils will be managed sustainably. It highlights those areas which Defra will prioritise and focus attention in tackling degradation threats, including: better protection for agricultural soils; protecting and enhancing stores of soil carbon; building the resilience of soils to a changing climate; preventing

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soil pollution; effective soil protection during construction and; dealing with contaminated land.

**B.68 Biodiversity 2020: A strategy for England’s wildlife and ecosystem services (2011)** guides conservation efforts in England up to 2020 by requiring a national halt to biodiversity loss, supporting healthy ecosystems and establishing ecological networks. The Strategy includes 22 priorities which include actions for the following sectors: Agriculture, Forestry, Planning & Development, Water Management, Marine Management, Fisheries, Air Pollution and Invasive Non-Native Species.

**B.69 England Biodiversity Strategy Climate Change Adaptation Principles (2008)**: sets out principles to guide adaptation to climate change. The principles are: take practical action now, maintain and increase ecological resilience, accommodate change, integrate action across all sectors and develop knowledge and plan strategically. The precautionary principle underpin all of these.

### Historic environment

**B.70 The Heritage Alliance, Heritage 2020** – sets out the historic environment sector’s plan for its priorities between 2015 and 2020.

**B.71 Historic England, Corporate Plan 2018-2021** - contains the action plan which sets out how the aims of the corporate plan will be delivered. The plan includes priorities to demonstrate how Historic England will continue to work towards delivering the heritage sector’s priorities for the historic environment.

**B.72 Historic England, Sustainability Appraisal and Strategic Environmental Assessment: Historic England Advice Note 8 (2016)** - sets out Historic England’s guidance and expectations for the consideration and appraisal of effects on the historic environment as part of the Sustainability Appraisal/Strategic Environmental Assessment processes.

**Appendix B** Review of Relevant Plans, Policies and Programmes**B.73 Historic England Advice Note 1: Conservation Area Appraisal**

**Designation and Management (second edition) 2019** supports the management of change in a way that conserves and enhances the character and appearance of historic areas through conservation area appraisal, designation and management. This 2nd edition updates the advice in light of the publication of the 2018 National Planning Policy Framework and gives more information on the relationship with local and neighbourhood plans and policies.

**B.74 Historic England Advice Note 12: Statements of Heritage**

**Significance: Analysing Significance in Heritage Assets 2019** covers the National Planning Policy Framework requirement for applicants for heritage and other consents to describe heritage significance to help local planning authorities to make decisions on the impact of proposals for change to heritage assets. Understanding the significance of heritage assets, in advance of developing proposals for their buildings and sites, enables owners and applicants to receive effective, consistent and timely decisions.

**B.75 Historic England Good Practice Advice Note 3: The Setting of Heritage Assets (second edition) 2017**

sets out guidance, against the background of the National Planning Policy Framework (NPPF) and the related guidance given in the Planning Practice Guide (PPG), on managing change within the settings of heritage assets, including archaeological remains and historic buildings, sites, areas, and landscapes. It gives general advice on understanding setting, and how it may contribute to the significance of heritage assets and allow that significance to be appreciated, as well as advice on how views contribute to setting. T

**B.76 Historic England Advice Note 3: The Historic Environment and Site Allocations in Local Plans 2015**

- The identification of potential sites for development within a Local Plan is an important step in establishing where change and growth will happen across local authority areas, as well as the type of development and when it should occur. This document is intended to offer advice to all those involved in the process, to help ensure that the historic environment plays a positive role in allocating sites for development.

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**B.77 Historic England Good Practice Advice in Planning 1: The Historic Environment in Local Plans 2015** - The purpose of this Good Practice Advice note is to provide information on good practice to assist local authorities, planning and other consultants, owners, applicants and other interested parties in implementing historic environment policy in the National Planning Policy Framework (NPPF) and the related guidance given in the National Planning Practice Guide (PPG). This document sets out information to help local planning authorities make well informed and effective local plans.

**B.78 Historic England; Conservation Principles, Policies and Guidance 2008** is intended mainly to guide Historic England staff on best practice. We hope that, like all of our guidance, the principles will also be read and used by local authorities, property owners, developers and professional advisers. 'Conservation Principles, Policies and Guidance' sets out six high-level principles:

- The historic environment is a shared resource
- Everyone should be able to participate in sustaining the historic environment
- Understanding the significance of places is vital
- Significant places should be managed to sustain their values
- Decisions about change must be reasonable, transparent and consistent
- Documenting and learning from decisions is essential

**B.79 Planning (Listed Buildings and Conservation Areas) Act 1990** is a UK Act of Parliament introduced in 1990 that changed laws relating to the granting of planning permission for building works, with a particular focus on listed buildings and conservation areas. It created special controls for the demolition, alteration or extension of buildings, objects or structures of particular architectural or historic interest, as well as conservation areas.

**B.80 Ancient Monuments and Archaeological Areas Act 1979** - An Act to consolidate and amend the law relating to ancient monuments; to make provision for the investigation, preservation and recording of matters of

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archaeological or historical interest and (in connection therewith) for the regulation of operations or activities affecting such matters; to provide for the recovery of grants under section 10 of the Town and Country Planning (Amendment) Act 1972 or under section 4 of the Historic Buildings and Ancient Monuments Act 1953 in certain circumstances; and to provide for grants by the Secretary of State to the Architectural Heritage Fund.

## Water and air

**B.81 Environment Agency, Managing Water Abstraction (2016)** - is the overarching document for managing water resources in England and Wales and links together the abstraction licensing strategies.

**B.82 Defra, Water White Paper (2012)**: Sets out the Government's vision for the water sector including proposals on protecting water resources and reforming the water supply industry. It states outlines the measures that will be taken to tackle issues such as poorly performing ecosystem, and the combined impacts of climate change and population growth on stressed water resources.

**B.83 Defra, Clean Air Strategy (2019)** - sets out the comprehensive action that is required from across all parts of government and society to meet goals relating to ensuring cleaner air. This is to be underpinned by new England-wide powers to control major sources of air pollution, in line with the risk they pose to public health and the environment, plus new local powers to take action in areas with an air pollution problem. The UK has set stringent targets to cut emissions by 2020 and 2030.

**B.84 Our Waste, Our Resources: A strategy for England (2018)** - aims to increase resource productivity and eliminate avoidable waste by 2050. The Strategy sets out key targets which include: a 50% recycling rate for household waste by 2020, a 75% recycling rate for packaging by 2030, 65% recycling rate for municipal solid waste by 2035 and municipal waste to landfill 10% or less by 2035.

**Appendix B** Review of Relevant Plans, Policies and Programmes**B.85 The UK Plan for Tackling Roadside Nitrogen Dioxide Concentrations**

**(2017)** provides the Government's ambition and actions for delivering a better environment and cleaner air, including £1 billion investment in ultra-low emission vehicles (ULESvs), a £290 million National Productivity Investment Fund, a £11 million Air Quality Grant Fund and £255 million Implementation Fund to help local authorities to prepare Air Quality Action Plans and improve air quality, an £89 million Green Bus Fund, £1.2 billion Cycling and Walking Investment Strategy and £100 million to help improve air quality on the National road network.

**B.86 The Waste (Circular Economy) (Amendment) Regulations (2020) -**

amend a range of legislation to prevent waste generation and to monitor and assess the implementation of measures included in waste prevention programmes. They set out requirements to justify not separating waste streams close to source for re-use, recycling or other recovery operations, prohibit incineration and landfilling of waste unless such treatment process represent the best environmental outcome in accordance with the waste hierarchy. The Regulations set out when waste management plans and in waste prevention programmes are required. The Regulations focus on the circular economy as a means for businesses to maximise the value of waste and waste treatment.

**B.87 The Water Supply (Water Quality) Regulations** focus on the quality of water for drinking, washing, cooking and food preparation, and for food production. Their purpose is to protect human health from the adverse effects of any contamination of water intended for human consumption by ensuring it is wholesome and clean.

**B.88 The Road to Zero (2018)** sets out new measures towards cleaner road transport, aiming to put the UK at the forefront of the design and manufacturing of zero emission vehicles. It explains how cleaner air, a better environment, zero emission vehicles and a strong, clean economy will be achieved. One of the main aims of the document is for all new cars and vans to be effectively zero emission by 2040.

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**B.89 Defra, A Green Future: Our 25 Year Plan to Improve the Environment (2018)** - sets out goals for improving the environment over the next 25 years. It details how the Government will work with communities and businesses to leave the environment in a better state than it is presently. The gov.uk website notes that the 25 Year Plan sits alongside two other important government strategies: the Industrial Strategy and Clean Growth Strategy (the former summarised in the Economic growth section below, the latter under Climate Change above).

**B.90 The Air Quality Strategy for England, Scotland, Wales and Northern Ireland (2007)** sets out a way forward for work and planning on air quality issues by setting out the air quality standards and objectives to be achieved. It introduces a new policy framework for tackling fine particles and identifies potential new national policy measures which modelling indicates could give further health benefits and move closer towards meeting the Strategy's objectives. The objectives of the Strategy are to:

- Further improve air quality in the UK from today and long term.
- Provide benefits to health quality of life and the environment.

**B.91 The Air Quality Standards Regulations** set out limits on concentrations of outdoor air pollutants that impact public health, most notably particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>) and nitrogen dioxide (NO<sub>2</sub>). It also sets out the procedure and requirements for the designation of Air Quality Management Areas (AQMAs).

## Economic growth

**B.92 National Infrastructure Delivery Plan 2016-2021 (2016)** - sets out the government's plans for economic infrastructure over a five-year period with those to support delivery of housing and social infrastructure.

**B.93 UK Industrial Strategy: Building a Britain fit for the future (2018)** lays down a vision and foundations for a transformed economy. Areas including

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artificial intelligence and big data; clean growth; the future of mobility; and meeting the needs of an ageing society are identified as the four 'Grand Challenges' of the future.

**B.94 HM Government, Industrial Strategy: building a Britain fit for the future (2017)** – sets out a long-term policy framework for how Britain will be built to be fit for the future in terms of creating successful, competitive and open economy. It is shaped around five 'foundations of productivity' – the essential attributes of every successful economy: Ideas (the world's most innovative economy); People (good jobs and greater earning power for all); Infrastructure (a major upgrade to the UK's infrastructure); Business Environment (the best place to start and grow a business); Places (prosperous communities across the UK).

**B.95 LEP Network, LEP Network Response to the Industrial Strategy Green Paper Consultation (2017)** – seeks to ensure that all relevant local action and investment is used in a way that maximises the impact it has across the Government's strategy. Consultation responses set out how the 38 Local Enterprise Partnerships will work with Government using existing and additional resources to develop and implement a long-term Industrial Strategy.

**B.96 Build Back Better: Our Plan for Growth (2021)** - Sets out a plan to 'build back better' tackling long-term problems to deliver growth that delivers high-quality jobs across the UK while supporting the transition to net zero. This will build on three core pillars of growth: infrastructure, skills and innovation.

**B.97 The White Paper Levelling Up the United Kingdom (2022)** sets out how the UK Government will spread opportunity more equally across the UK. It comprises 12 UK-wide missions to achieve by 2030. Missions which relate to economy and employment state that by 2030:

- Pay, employment and productivity will have risen in every area of the UK, with each containing a globally competitive city, with the gap between the top performing and other areas closing.
- The number of people successfully completing high-quality skills training will have significantly increased in every area of the UK. In England, this

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will lead to 200,000 more people successfully completing high-quality skills training annually, driven by 80,000 more people completing courses in the lowest skilled areas.

- Domestic public investment in Research & Development outside the Greater South East will increase by at least 40% and at least one third over the Spending Review period, with that additional government funding seeking to leverage at least twice as much private sector investment over the long term to stimulate innovation and productivity growth.
- Every part of England that wants one will have a devolution deal with powers at or approaching the highest level of devolution and a simplified, long-term funding settlement.

**B.98 Agricultural Transition Plan 2021 to 2024** aims to drive competitiveness, increase productivity, reduce carbon emissions, and generate fairer returns across the agricultural industry. The Transition Plan introduces several new schemes to improve the environment, animal health and welfare, and farm resilience and productivity (e.g., grants will be available for sustainable farming practices, creating habitats for nature recovery and making landscape-scale changes such as establishing new woodland and other ecosystem services).

## Transport

**B.99 Decarbonising Transport: A Better, Greener Britain (2021)** commits to decarbonising all forms of transport to deliver net zero by 2050. Transport is the largest contributor to UK domestic greenhouse gas (GHG) emissions, responsible for 27% in 2019. The strategy has three strategic policies to achieve net zero transport:

- Accelerating modal shift to public and active transport
- Decarbonising road transport
- Decarbonising how we get our goods

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**B.100 Transport Investment Strategy (2017):** Sets out four objectives that the strategy aims to achieve:

- Create a more reliable, less congested, and better connected transport network that works for the users who rely on it;
- Build a stronger, more balanced economy by enhancing productivity and responding to local growth priorities;
- Enhance our global competitiveness by making Britain a more attractive place to trade and invest; and
- Support the creation of new housing.

**B.101 Highways England Sustainable Development Strategy and Action Plan (2017):** This strategy is designed to communicate the company's approach and priorities for sustainable development to its key stakeholders. Highways England aims to ensure its action in the future will further reduce the impact of its activities seeking a long-term and sustainable benefit to the environment and the communities it serves. The action plan describes how Highways England will progress the aspirations of their Sustainable Development and Environment Strategies. It describes actions that will enable the company to deliver sustainable development and to help protect and improve the environment.

**B.102 The Environmental Noise Regulations** apply to environmental noise, mainly from transport. The regulations require regular noise mapping and action planning for road, rail and aviation noise and noise in large urban areas. They also require Noise Action Plans based on the maps for road and rail noise and noise in large urban areas. The Action Plans identify Important Areas (areas exposed to the highest levels of noise) and suggest ways the relevant authorities can reduce these. Major airports and those which affect large urban areas are also required to produce and publish their own Noise Action Plans separately. The Regulations do not apply to noise from domestic activities such as noise created by neighbours; at workplaces; inside means of transport; or military activities in military areas.

## Sub-national plans and programmes of most relevance for the DPD

**B.103 Stratford-on-Avon District Gypsy and Traveller Accommodation Assessment Update Study (2019)** was undertaken to inform the emerging Gypsy and Traveller Plan. The assessment identified a need up to 2035 for between 59-70 additional permanent pitches for Gypsies and Travellers (depending on the definition used), plus six additional Travelling Showpeople plots. The council would firstly meet the need of 59 (28 within the first five years) as its obligation, but accept the need of a further 11 (8 within the first five years) as potential need in the area, if further applications are brought forward through windfall. The assessment recommends that this need is met within the District in two ways:

- The intensification and / or extension of existing sites; and
- The provision of new permanent sites

Policy CS.21 (Gypsy and Travellers and Travelling Showpeople) within Stratford-upon-Avon District Council Core Strategy 2011-2031 supports proposals for the provision of permanent, temporary and transit Gypsy and Traveller pitches and Travelling Showpeople plots and sets out the criteria that will be used to assess such proposals.

**B.104 West Northamptonshire Traveller's Accommodation Needs Study (2017)** - The West Northamptonshire Joint Planning Unit (JPU) was a partnership of Daventry District Council, South Northamptonshire Council, Northampton Borough Council and Northamptonshire County Council - now incorporated into the unitary West Northamptonshire Council. Of relevance to the DPD is the Traveller's Accommodation Needs identified in the West Northamptonshire Study for Daventry District, which adjoined Rugby Borough and is now part of the unitary West Northamptonshire Council. There were no Gypsy or Traveller households identified in Daventry District that meet the planning definition, 24 unknown households that may meet the planning definition and 2 households that do not meet the planning definition. Given that no households in Daventry meet the planning definition, there is no need for any

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additional pitches. Need of up to 7 additional pitches for unknown households is made up of new household formation of 6 from a maximum of 24 households. Need for 1 additional pitch for the household that does not meet the planning definition is made up of 1 unauthorised pitch. There is no other current or future accommodation need associated with this household. Policy HO9 (Gypsies, Travellers and Travelling Showpeople) within the Daventry Part 2 Local Plan 2011-2029 sets out criteria for which any provision to be made between 2016 to 2029 will be assessed against.

**B.105 Leicester City and Leicestershire Gypsy, Traveller and Travelling Showpeople Accommodation Assessment (2017)** covers Harborough District Council and Blaby District Council. Between 2016 to 2036, the GTAA identified a need for three additional pitches within Blaby District. Upto 23 additional pitches are needed for unknown households which is made up of new household formation of up to 29 from a maximum of 83 households. Within Harborough District, six additional pitches were identified as required between 2016 to 2036. There is a need for upto 18 additional pitches for unknown households which is made up of new household formation from a maximum of 52 households. Policy H6 (Gypsy, Traveller and Travelling Showpeople Accommodation) of the Harborough Local Plan 2011-2031 sets out the requirements for sites and allocates a number of sites to meet the need. Those requirements are set out within Policy CS9 (Accommodation for Gypsies and Travellers) of the Blaby District Local Plan Core Strategy 2013. Blaby District Local Plan 2013 sets out the minimum provision that will be made for Gypsies and Travellers between 2012 to 2029 and the criteria that any planning application will be assessed against within Policy CS9 (Accommodation for Gypsies and Travellers).

**B.106 Hinckley and Bosworth Gypsy and Traveller Accommodation Assessment (2016)** has indicated there is a need for an additional 42 residential pitches (26 up to 2011, 16 from 2011- 2016), capacity for up to 10 transit caravans that equates to 5 transit pitches (to 2011), and up to three show people family pitches (two up to 2011, one from 2011- 2016). It also suggested that 25% of new pitch provision should be socially rented. This is supported through Policy 18 (Provision of Sites for Gypsies, Travellers and Travelling Showpeople) of the Hinckley and Bosworth Core Strategy 2009. The Hinckley

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and Bosworth Core Strategy 2009 Policy 18 (Provision for Gypsies, Travellers and Travelling Showpeople) sets out the pitches allocation for the plan period and planning application assessment criteria. Hinckley and Bosworth have recently consulted on their Local Plan Regulation 19 covering 2020 to 2039.

**B.107 Nuneaton and Bedworth Borough Gypsy and Traveller and Travelling Showperson Accommodation Assessment 2021 Update** that with the current occupied and vacant pitches within the borough there is a need for 16 additional residential and no transit pitches to meet the needs of those who meet the definition of travellers between 2021/22 to 2036/37; this increases by four to a total of 20 additional residential pitches to meet a cultural need (that is, people who do not meet the definition of a traveller but nevertheless live on pitches). For travellers, this is change of 23 residential pitches and 5 transit pitches from those figures published in the Borough Plan (both decreasing). Policy H3 (Gypsies and Travellers) within the Nuneaton & Bedworth Borough Council Borough Plan 2011-2031 sets out criteria for identify suitable sites.

**B.108 Coventry Gypsy and Traveller Accommodation Assessment (2015)** identified two Gypsy and Traveller sites in Coventry. The first at Siskin Drive is owned by the Council, but requires regeneration. Only 4 pitches are currently occupied on the site, despite its existing capacity of 22. The second site is situated at Burbages Lane and is privately owned with all 14 pitches fully occupied. The study identified a need for 34 permanent pitches across Coventry over the next 5 years, however five of these pitches related to needs originating from existing families living in bricks and mortar accommodation. Based on the amendments to national guidance there is uncertainty as to whether it remains justified to plan for these specific provisions. As such, this would mean Coventry requires a total of 29 permanent pitches over the next 5 years. To meet this need the study identifies a total supply of 30 permanent pitches across the 2 existing sites. In addition to permanent pitches the updated needs assessment identifies a need for at least six temporary or transit pitches to avoid nuisance caused by uncontrolled encampments in unsuitable areas. This is supported through Policy H7 (Gypsy and Traveller Accommodation) within the Coventry City Council Local Plan (2017).

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**B.109** Lichfield District Council, North Warwickshire Borough Council and Tamworth Borough Council Gypsy and Traveller Accommodation Assessment (2019). There were 14 Gypsy or Traveller households identified in North Warwickshire that met the planning definition, 12 undetermined households that may meet the planning definition and 11 households that did not meet the planning definition. The GTAA identifies a net need for 28 pitches up to 2040 for households that met the planning definition. There are six pitches on private family sites with planning permission that have not been implemented, these pitches have not been included. However, they can be used to meet the identified needs of the households living on these sites. The effect of this would be to reduce overall need for households that met the planning definition from 28 pitches to 22 pitches. The GTAA identifies a potential need of up to five pitches up to 2040 for undetermined households. Whilst there is no longer a requirement to include them in a GTAA there is a need for 11 pitches up to 2040 for households that did not meet the planning definition. The GTAA is supported by Policy LP10 (Gypsy & Travellers Sites) within the North Warwickshire Local Plan 2021.

## Surrounding Plans

**B.110 Warwick District Council Local Plan Sites for Gypsies and Travellers (2013)** allocated sustainable and affordable sites to meet the permanent residential needs of this District's Gypsy and Traveller Community and Travelling Show People through the Local Plan process. A total of 20 site options and areas of search were identified. In September 2015 Warwick District Council sought advice from the Sustainable Housing & Urban Studies Unit (SHUSU) at the University of Salford on updating projected household formation rates from the GTAA produced in November 2012. Using a 2% household growth rate, a total of 31 pitches would be required between 2021-2031.

**B.111 Stratford-on-Avon Gypsy and Traveller and Travelling Showpeople Supplementary Planning Document (2021)** - On 18th October 2021, the Council adopted the Gypsy and Traveller and Travelling Showpeople SPD. The SPD accompanies the Core Strategy and provides detailed advice and

**Appendix B** Review of Relevant Plans, Policies and Programmes

guidance to applicants when submitting planning applications relating to Gypsy and Traveller and Travelling Showpeople accommodation. The Council ran a 'call for sites' which ended on the 1st March 2021. Any sites submitted will be assessed and used to inform the preparation of the review of the Council's Core Strategy.

**B.112 Harborough Gypsy, Traveller and Travelling Showpeople Site Identification Study Report (2017)** sought to identify sites required to meet the potential accommodation needs as identified in the GTAA. Within Harborough District there are currently nine Gypsy and Traveller sites of varying size. There are five occupied Travelling Showpeople's sites with a total of 63 plots. A total of 52 sites were assessed as part 1 of the study with four sites identified as potentially available and suitable.

**B.113 Nuneaton and Bedworth Borough Gypsy and Traveller Site Allocations DPD (2022)** sets out a plan to provide sufficient pitches for the needs of the travelling community; to provide provision in sustainable locations with good access to local services; and to provide provision in such a way that the local environment is protected and, where appropriate, enhanced. The Council ran a call for sites between 17th September 2021 and 22nd October 2021. No sites were put forward. Therefore, three sites assessed independently for the Council remain the only sites for consideration. The three sites assessed have been allocated to provide at least 14 residential pitches. Also, the existing travelling Showpeople site in Nuneaton has been safeguarded from alternative uses.

**B.114 North Warwickshire Update on Gypsies and Travellers needs and 5 year site/pitch supply 2021** sets out the identified needs, the five year supply of deliverable gypsy and traveller sites in North Warwickshire Borough for the period of 1st April 2018 – 31<sup>st</sup> March 2023 and also provides information on the current site and pitch availability and supply in the Borough as at 1st January 2019. The report concluded that the current supply of both residential and transit pitches over the period assessed for the 2013 GTAA, up to 2028, is more than adequate to address the needs identified in the GTAA. In addition, if current per annum pitch needs are projected forward up to 2033, it can be seen

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that the current supply of pitches, completed and with consent, is sufficient to address that extended need/requirement.

**B.115**

# Appendix C

## Baseline Information

### Climate Change

**C.1** Climate change presents a global risk, with a range of different impacts that are likely to be felt within Rugby Borough. A key challenge in protecting the environment will be to tackle the causes and consequences of climate change. The consequences include predictions of warmer, drier summers and wetter winters with more severe weather events all year as well resulting in higher sea levels and increased river flooding. A strong reaction is required from planning to ensure appropriate action can be taken to help species and habitats adapt and to enable the agricultural sector to continue to deliver diverse, affordable and good quality produce.

**C.2** The 2018 Intergovernmental Panel on Climate Change (IPCC) identified a reduced timeframe to act to keep world temperatures rises to 1.5 degrees Celsius before 2050 in line with the Paris Agreement [\[See reference 9\]](#).

**C.3** The Tyndall Centre has undertaken work to calculate the 'fair' contribution of local authorities towards the Paris Climate Change Agreement. Based on the analysis undertaken the following recommendations have been made for Rugby Borough [\[See reference 10\]](#):

- The Borough should stay within a maximum cumulative carbon dioxide emissions budget of 6.5 million tonnes (MtCO<sub>2</sub>) for the period of 2020 to 2100. It should be noted at 2017 CO<sub>2</sub> emission levels, Rugby Borough would use this entire budget within 7 years from 2020;
- The Borough should initiate an immediate programme of CO<sub>2</sub> mitigation to deliver cuts in emissions averaging a minimum of -12.1% per year to deliver a Paris aligned carbon budget; and,
- The Borough should reach zero or near zero carbon no later than 2044.

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**C.4** In light of the IPCC work, Rugby Borough declared a Climate Emergency in July 2019. The declaration commits Rugby Borough to be carbon neutral by 2030 [\[See reference 11\]](#).

### Carbon Dioxide Emissions

**C.5** The Government regularly publishes Local Authority and regional carbon dioxide emissions national statistics. Emissions for Rugby Borough have fallen between 2005-2019 from 23.7t per capita to 16.4t per capita. Per capita emissions in the plan area within the scope of influence of the local authorities fell most years between 2005 and 2019 as shown in Table 3.1. It should be noted the figures in Table C.1 do not account for Land Use, Land Use Change and Forestry (LULUCF) figures in Rugby Borough. In 2019, LULUCF accounted for the removal of 5.8Kt carbon dioxide from the atmosphere in Rugby Borough [\[See reference 12\]](#).

**Table C.1: Carbon dioxide emissions estimates in Rugby Borough 2005-2019**

Year	Total Emissions (kt CO <sub>2</sub> )	Per Capita Emissions (t)
2005	2,167.3	23.7
2006	2,225.5	23.9
2007	2,454.2	25.9
2008	2,219.1	23.0
2009	2,087.6	21.4
2010	2,100.5	21.2
2011	2,088.2	20.8
2012	1,931.1	19.1
2013	1,955.1	19.2

## Appendix C Baseline Information

Year	Total Emissions (kt CO <sub>2</sub> )	Per Capita Emissions (t)
2014	1,979.3	19.2
2015	1,839.5	17.6
2016	1,956.0	18.6
2017	1,814.9	17.1
2018	1,862.2	17.4
2019	1,791.0	16.4

**C.6** Domestic and commercial between 2005 and 2019 saw the greatest drop in carbon dioxide emissions. Within Rugby Borough, industry remained the main contributor of the highest level of emissions mainly related to large industrial installations.

**Table C.2: Changes in carbon dioxide emissions by sector for Rugby Borough between 2005 and 2019**

Source of Emissions	2005	2019
Industry (kt)	1,273.8	1,093.9
Commercial (kt)	130.3	83.6
Public Sector (kt)	39.0	19.1
Domestic (kt)	240.7	157.4
Transport (kt)	481.4	442.9
Grand Total (kt)	2,167.3	1,791.0

**C.7** In 2020 transport was still the largest source of carbon dioxide in the UK, accounting for 29% of total emissions. The majority of emissions from transport in the UK are from road transport. Transport emissions include freight and passenger transport, both for private and business purposes. In the UK,

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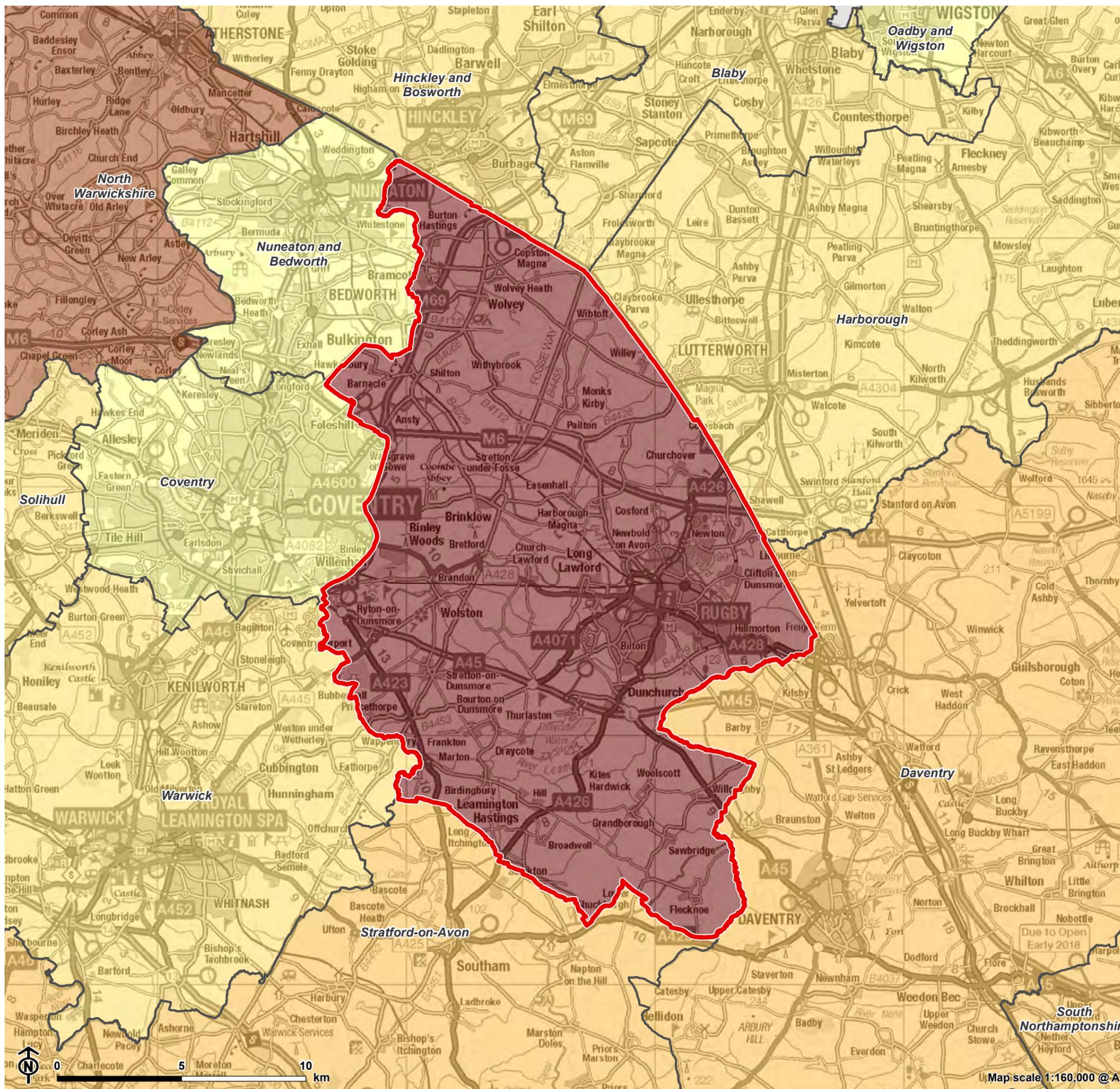
transport CO<sub>2</sub> emissions saw a decrease of 24.3% in 2020 compared to 2019. However, the drop is in part due to travel restrictions as a result of the Covid-19 pandemic [\[See reference 13\]](#).

**C.8** The national target is for 60% of all new cars and vans to be electric by 2030. Within Rugby Borough, there are a total of 58 public electric vehicle charging devices, of which 27 are rapid charging devices. There are approximately 52.4 public charging devices per 100,000 people in Rugby Borough. Rugby Borough performs better than the UK average of 42.3 public charging devices per 100,000 population [\[See reference 14\]](#).

**C.9** Rugby Borough Council will consult on a draft Climate Change Strategy. The strategy will address the Council's commitment of moving toward net zero by 2030, along with the broader measures which will be needed to take to move towards a more sustainable Borough, relying on collaborative working with partners, businesses, voluntary groups, parish councils and residents. The strategy is being developed following analysis of the Council's current carbon footprint, analysis of responses received to its current residents survey and through matters identified at the Rugby Climate Summit. Rugby Borough Council held its first ever summit on addressing climate change on the 18<sup>th</sup> September 2021.



Figure C.1: Capital CO2 emissions compared to neighbouring authorities



Rugby Borough boundary  
 Neighbouring authority boundary

**Per Capita Emissions (t)**

- 3.1 - 5
- 5.1 - 7.5
- 7.6 - 10
- 12.6 - 15
- 15.1 - 17.5

## Overall Energy Consumption

**C.10** The Department for Business, Energy and Industrial Strategy produced the following consumption figures for Rugby Borough in 2019 [\[See reference 15\]](#):

- All fuels – a total of 428.6Ktoe across domestic, transport and industrial and commercial use
- Coal - a total of 52.8Ktoe predominantly through industrial and commercial use.
- Manufactured fuels - a total of 0.4Ktoe through domestic and industrial and commercial use.
- Petroleum - a total of 151.1Ktoe predominantly from road transport.
- Gas - a total of 91.8Ktoe predominantly through domestic use.
- Electricity - a total of 55.0Ktoe through domestic and industrial and commercial use.
- Bioenergy and wastes - a total of 77.5Ktoe predominantly through industrial and commercial use.

**C.11** The changes in consumption by energy type for Rugby Borough are shown in Table C.3. With the exception of energy from biomass and wastes, the consumption of all energy types fell between 2005 and 2019. The use of bioenergy and wastes has seen a dramatic increase between 2005 and 2019.

**Table C.3: Energy Consumption in Rugby Borough by type**

Energy Type	Energy Consumption in Ktoe (2005)	Energy Consumption in Ktoe (2019)
Coal	117.6	52.8

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Energy Type	Energy Consumption in Ktoe (2005)	Energy Consumption in Ktoe (2019)
Manufactured Fuels	0.8	0.4
Petroleum	157.8	151.1
Gas	92.1	91.8
Electricity	60.2	55.0
Bioenergy and Wastes	4.1	77.5
Total	432.6	428.6

## Population, Health and Wellbeing

### Population

**C.12** Rugby Borough lies within Warwickshire and covers an area of 351.2 km<sup>2</sup>. The only town within the Borough is Rugby, with the remainder of the Borough comprising smaller villages and rural areas.

**C.13** The latest population estimate for Rugby, the 2020 population, was 110,650 people of which 55,073 were male and 55,577 were female. The population projections for Rugby predict that the population will increase to 126,536 by 2043 [See reference 16]. The 2011 Census estimated that 160 of the population of Rugby Borough identified as Gypsies or Irish Travellers (0.2%) [See reference 17]. For the first time, the 2011 Census recorded data on the Gypsy or Irish Traveller ethnic group. Data was not gathered for people who identified as 'Roma' or 'Travelling Showpeople', as they are a distinct group with different needs to Gypsies or Irish Travellers. There are some limitations to the 2011 Census data in that some Gypsies and Irish Travellers will not have disclosed their ethnicity and some may have been in transit on Census day. It is also noted that the survey undertaken to inform the 2017 GTAA recorded 384 Gypsies and Travellers living on authorised and unauthorised developments and encampments, which is significantly higher than the 2011 Census figures

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which suggest there are only 160 Gypsies and Travellers living in the study area.

**C.14** Notwithstanding these limitations, the SA will utilise the Census 2011 data and, with regards to other ethnic groups such as Travelling Showpeople and Romany, this report will refer to other available local data sources such as the GTAA. Population data from the 2021 Census will be taken into account if it becomes available later in the SA process.

**C.15** Table C.4 shows the population and gender of the Gypsy and Irish Traveller ethnic group compared to the entire population of Rugby, as recorded in the 2011 Census [\[See reference 18\]](#).

**Table D.4: Gypsy or Irish Traveller population by gender**

Ethnic Group	All Persons	Males	Females
All Categories: Ethnic Groups	100,075	49,884	50,191
Gypsy or Irish Travellers	160	72	88

**C.16** Table C.5 shows the age structure of the Gypsy and Irish Traveller ethnic group compared to the entire population of Rugby, as recorded in the 2011 Census.

**Table D.5: Age Structure of Gypsy or Irish Traveller in Rugby Borough**

Age	All Ethnic Groups	% of Population	Gypsy or Irish Traveller	% of Population
0-14	18,066	18.1%	62	38.8%

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Age	All Ethnic Groups	% of Population	Gypsy or Irish Traveller	% of Population
15-19	6,174	6.2%	17	10.6%
20-24	5,182	5.2%	17	10.6%
25-34	12,641	12.6%	13	8.1%
35-44	14,568	14.6%	29	18.3%
45-59	20,048	20.0%	12	7.5%
60-74	15,466	15.5%	7	4.4%
Age 75 and over	5,556	5.6%	3	1.9%
Total	100,075		160	

**C.17** It is evident from the table above that the highest percentage of Gypsies or Irish Travellers falls within the 0–14 years age-bracket at 38.8%. This has implications when planning for the Gypsy and Traveller population as younger populations are likely to continue to grow. It will also have implications for the provision of healthcare and school places. The Gypsy and Traveller population within Rugby also has a high percentage of people at working age. The total population of Rugby Borough is ageing, unlike the Gypsy and Traveller group specifically which has a lower percentage of people aged 60+ years.

**C.18** In 2011 there were 62 dependent children in Rugby Borough that identified as Gypsy or Irish Travellers with the predominant age group being between 0-4 years (16 children) [See reference 19]. In 2011, 45% of Gypsy and Irish Travellers in 2011 had dependent children. This is above the average for England and Wales as a whole (29%) [See reference 20].

## Accommodation

**C.19** No new Gypsy and Traveller pitches were approved during the 2020-2021 monitoring period [See reference 21].

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**C.20** Rugby Borough Council is required to provide the Department for Levelling up, Housing and Communities with a bi-annual statistical count of Traveller caravans on both authorised and unauthorised sites within the Borough. The count takes place every January and July. The most recent count in July 2021 identified that there are 183 caravans on authorised permanent sites, with two caravans on authorised temporary sites. Twenty four caravans were on unauthorised tolerated sites, adding to a total of 209 caravans [See reference 22]. The majority of unauthorised encampments between April 2017 and September 2021 have been in Rugby town (76%).

**C.21** The requirements identified in the 2017 GTAA are as follows:

**Table D.6: Number of pitches required**

Phase	Timeframe	Total Pitches (minimum)
1	2017 to 2022	35
2	2022 to 2027	12
3	2027 to 2032	14
4	2032 to 2037	15
	Total	76

**C.22** At the time when the 2017 GTAA was prepared, there were 20 sites in Rugby Borough with full planning permission, accommodating a total of 101 permanent residential pitches. Nineteen sites were private and one site was owned by Rugby Borough Council. Seventeen of these pitches were occupied by non-Gypsy and Traveller households. Table C.7 below provides information about the permanent residential pitches as of 2017 within Rugby Borough.

**Table C.7: Permanent Residential Pitches in Rugby Borough (2017)**

Type of Site	Number of Pitches
Authorised with permanent planning permission, occupied	73
Authorised with permanent planning permission, vacant	3
Authorised with permanent planning permission, potential	8
Authorised with planning permission, occupied by non Gypsy and Traveller households	17
Total permanent residential pitches with planning permission	101

**C.23** In addition, at the time when the 2017 GTAA was published, there were two private sites in Rugby Borough with temporary planning permission accommodating six residential pitches. There were a further three unauthorised sites without planning permission, accommodating a total of 16 pitches.

**C.24** Between 1st April 2017 and 31st October 2021, planning permission was granted for 24 permanent residential pitches and one temporary residential pitch. The 2017 GTAA includes a total of four pitches at two sites in the authorised permanent sites which were granted planning permission after 1st April 2017. However, these two sites should not be counted as permissions since 1 April 2017, as they had already been counted in the baseline in the 2017 GTAA.

**C.25** This means that 20 permanent residential pitches that have been granted planning permission since 1st April 2017 can be counted as contributing to the 61 permanent residential pitches required between 2017/18 and 2031/32.

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**C.26** Therefore, the remaining requirement for permanent residential pitches as at 1st November 2021 is 41 pitches. The GTAA is currently being updated via survey work to gather updated baseline numbers and this will inform future stages of the DPD and the SA.

**C.27** Table C.8 outlines the Census 2011 data on ethnic group by accommodation type which shows that 'Flat, maisonette or apartment, or mobile/temporary accommodation' was the most common type of accommodation (65.6%) for respondents within Rugby Borough who identified as Gypsy or Irish Traveller [See reference 23].

**Table C.8: Accommodation type by Ethnic Group**

Accommodation Type	All Ethnic Groups	% of Population	Gypsy or Irish Traveller	% of Population
Flat, maisonette or apartment, or mobile/temporary accommodation	8,227	8.4%	101	65.6%
Whole house or bungalow: Total	89,953	91.6%	53	34.4%
Whole house or bungalow: Detached	30,871	31.4%	35	22.7%
Whole house or bungalow: Semi-detached	34,260	34.9%	11	7.1%
Whole house or bungalow: Terraced (including end-terrace)	24,822	25.3%	7	4.5%
All Categories	98,180	100%	154	100%

## Appendix C Baseline Information

**C.28** Table C.9 outlines the Census 2011 data on tenure by ethnic group. In Rugby Borough, 22 (51.1%) respondents who identified as Gypsies or Irish Travellers lived in accommodation that was 'owned or share owned'. This is a lower proportion when compared to all ethnic groups in Rugby Borough (70.4%). The Gypsy or Irish Traveller ethnic group had one of the highest proportions of people living in 'social rented accommodation' (11 respondents) with nine of the respondents renting from Rugby Borough Council. This is a higher proportion when compared to all other ethnic groups in Rugby Borough, of which 14.3% are in socially rented accommodation, with 3,860 renting from Rugby Borough Council [\[See reference 24\]](#).

**Table C.9: Tenure by Ethnic Group**

Tenure	All Ethnic Groups	% of Population	Gypsy or Irish Traveller	% of Population
Owned or shared ownership: Total	29,489	70.4%	22	51.2%
Owned outright	13,772	32.9%	16	37.2%
Owned with a mortgage or loan or shared ownership	15,717	37.5%	6	14.0%
Social rented: Total	5,993	14.3%	11	25.6%
Rented from council (Local Authority)	3,860	9.2%	9	20.9%
Other social rented	2,133	5.1%	2	4.7%
Private rented or living rent free: Total	6,393	15.3%	10	2.3%
Private landlord or letting agency	5,281	12.6%	8	18.6%
Other private rented or living rent free	1,112	2.7%	2	4.7%

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Tenure	All Ethnic Groups	% of Population	Gypsy or Irish Traveller	% of Population
All categories: Tenure	41,875	100%	43	100%

**C.29** Reflecting longevity of tenure, over four fifths of respondents (85%) had lived on a site for more than five years. However, three respondents (3%) had lived on site for between 7-12 months, three (3%) for between 1-2 years, and nine (9%) for between 3-5 years.

**C.30** Household composition classifies households according to the relationship between the household members. Households may be one or more families or they may consist of one person living alone or unrelated adults sharing. The average size of families living on the survey sites is 4.1 people compared to a 2011 UK average of 2.4 people. Table 3.10 below shows the number of people per household based on figures within the GTAA 2017 (noting that the figures again indicate a higher population of Gypsies and Travellers locally than the 2011 Census figures indicate). There was a fairly even distribution of respondent household sizes although 33% contained only one or two people. However, 42% of households contained five or more people [\[See reference 25\]](#).

**Table D.10: Number of people in household**

	Number	Percentage
1 person	12	13%
2 people	19	20%
3 people	9	10%
4 people	15	15%
5 people	13	14%
6 people	9	10%

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	Number	Percentage
7 people	10	11%
8 people	7	8%
Total	94	100%

### Social inclusion and deprivation

**C.31** The English Indices of Deprivation 2019 [See reference 26] is a measure of multiple deprivation in small areas or neighbourhoods within England, called Lower-layer Super Output Areas (LSOAs). Deprivation is a multi-faceted and complex problem which influences and is influenced by a number of different factors. Seven domains of deprivation are measured: Income Deprivation; Employment Deprivation; Health Deprivation and Disability; Education, Skills and Training Deprivation; Crime; Barriers to Housing and Services; and Living Environment Deprivation. Each domain contains a number of indicators. The seven domains are combined to give a multiple deprivation score. There are 61 LSOAs in Rugby Borough and 32,844 LSOAs nationally.

**C.32** In 2019, Rugby Borough ranked out 222 of 317 local authorities (1 being the most deprived). Rugby performs particularly well in relation to measures relating to IDAOPI (Income Deprivation Affecting Older People Index), Employment and Educations, Skills & Training. The Borough performs less favourably in relation to Crime (ranked 142 out of 317). It also performed lower than other ranks in relation to Living Environment which considers the quality of housing as well as air quality and road traffic accidents. The majority of the most deprived areas fall around the centre of Rugby town and to the North and West of Rugby Borough [See reference 27]. However, there is evidence of disparity between the settled and the Travelling communities. The Traveller Movement report [See reference 28] outlines the results of its research into Gypsy and Travellers' experiences of prejudice, discrimination and social exclusion:

- 4 out of 5 (77%) of Gypsies and Travellers have experienced hate speech or hate crime.

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- Half of Gypsies and Travellers have experienced discrimination in the workplace.
- 70% of Gypsies and Travellers said they have experienced prejudice in education.
- 55% of Gypsies and Travellers have been refused services because of their ethnicity



## Economy

**C.33** The Rugby Borough Local Plan under Policy DS1 requires 208 hectares of employment land to be delivered, including 98 hectares to contribute to Coventry's unmet need. The Coventry unmet need is split between 41ha at Ansty (Ansty Park) and 57 at Ryton-upon Dunsmore (Former Peugeot works) [See reference 29]. There have been strong delivery rates across the Borough's strategic employment sites throughout the current Local Plan period. This past trend indicates the potential for strong delivery at Local Plan allocations to meet the Local Plan employment target. In 2020/21 a total floorspace of 61,198.6 sqm was permitted on 33 hectares. The new employment space consisted of a mix of B1, B2, B8.

**C.34** Table C.11 below shows employment development within Rugby Urban Area [See reference 30].

**Table D.11: Employment Land Overview (ha)**

	Ha	Total	Rugby	Coventry
A	Local Plan Requirement	208	110	98
B	Delivery 2011-2019	151.85	73.25	78.6
C	Delivery in 2020-2021	0.44	0.44	0
D	Delivery to date (B+C)	152.29	73.69	78.6
E	Remaining Requirement (A-D)	55.71	36.31	19.4

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**C.35** Between 2020 and 2021, 81% (55,000) of Rugby Borough's population was economically active which is higher than the figures for the West Midlands (77.7%) and England (78.5%). A total of 3.7% of Rugby Borough's population are unemployed. In the 2011 Census, 53 (55.8%) of the respondents who identified as Gypsies or Irish Travellers were economically active and 42 (44.2%) were economically inactive. The proportion of Gypsies and Irish Travellers that are economically active is slightly higher than the average across England and Wales which is 46.7%.

**C.36** Forty respondents who identified themselves as Gypsies or Irish Travellers were in employment, with a further 13 unemployed. The full breakdown of economic activity is outlined in Table C.12 below.

**Table D.12: Economic Activity by Ethnic group**

Economic Activity	All Ethnic Groups	% of Population	Gypsy or Irish Travellers in Rugby Borough	% of Population
Economically Active: Total	53,691	66.5%	53	55.8%
In Employment: Total	50,716	62.9%	40	42.1%
Employee: Total	42,650	52.9%	27	28.4%
Part-time	10,178	12.6%	7	7.4%
Full-time	32,472	40.2%	20	21.1%
Self-employed: Total	6,597	8.2%	10	10.5%
Part-time	1,097	1.4%	4	4.2%
Economically Active: Total	53,691	66.5%	53	55.8%
Full-time	4,690	5.8%	6	6.3%

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Economic Activity	All Ethnic Groups	% of Population	Gypsy or Irish Travellers in Rugby Borough	% of Population
Full-time Students	1,469	1.8%	3	3.2%
Unemployed: Total	2,975	3.7%	13	13.7%
Unemployed (exc. Full-time students)	2,616	3.2%	12	12.6%
Full-time Students	359	0.4%	1	1.1%
<b>Economically Inactive: Total</b>	26,998	33.5%	42	44.2%
Retired	18,200	22.6%	8	8.4%
Student (inc. full-time students)	2,844	3.5%	5	5.3%
Looking after home or family	2,582	3.2%	16	16.8%
Long-term sick or disabled	2,118	2.6%	8	8.4%
Other	1,254	1.6%	5	5.3%
<b>All Categories: Economic Activity</b>	80,689		95	

**C.37** With regards to gender, data from Nomis has identified that at the time of the 2011 Census, 29 male Gypsy and Traveller respondents were economically active and nine were economically inactive. The majority (33) of female Gypsy and Traveller respondents were economically inactive, with 24 being economically active [\[See reference 31\]](#).

**C.38** For Gypsies or Irish Travellers who were aged 16 and over and in employment, the largest group worked in 'skilled trade occupations' (11 respondents). The next most common occupations were 'Managers, directors and senior officials' (seven respondents) and 'Elementary occupations' (six

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respondents). Further information is set out within Table C.13 below [\[See reference 32\]](#).

**Table C.13: Occupation by Ethnic Group**

Ethnic Group	All Ethnic Groups	Gypsy or Irish Traveller
Occupation		
All categories: Occupation	50,176	40
1. Managers, directors and senior officials	5,765	7
2. Professional occupations	8,938	3
3. Associate professional and technical occupations	6,116	2
4. Administrative and secretarial occupations	5,646	3
5. Skilled trades occupations	5,361	11
6. Caring, leisure and other service occupations	4,031	3
7. Sales and customer service occupations	3,428	3
8. Process, plant and machine operatives	3,994	2
9. Elementary occupations	7,437	6

**C.39** Across all ethnic groups in England and Wales, Gypsies and Irish Travellers had the highest proportion of elementary and skilled workers. Gypsies and Irish Travellers aged 16 and over had the lowest proportion across the ethnic groups for professional occupations [\[See reference 33\]](#).

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**C.40** According to the 2011 Census, the proportion of Gypsies and Travellers who are unemployed is 13.7% of the population which is significantly higher than the national average (3.8%) [\[See reference 34\]](#).

**C.41** Travelling Showpeople are involved in the funfair industry and have traditionally provided entertainment at fairs across the UK for several centuries. Travelling Showpeople are self-employed and transport large amounts of mechanical fairground equipment by road from site to site, over the show season, which can last anything from four to 11 months of the year, only returning to a settled home site in the off-season. There is no data available for the consideration of economic activity of Travelling Showpeople.

## Transport

**C.42** Rugby Borough is positioned in a central part of England, within close proximity of key parts of the strategic road network. The principal roads that run through the Borough are the M6, A5, M45 and M69, and the A46 forms part of the border between Rugby Borough and Coventry. The M1 and A1 are within close proximity of the eastern boundary of the Borough.

**C.43** Rugby is on the national rail network, providing access to London, the Midlands, the North West and Scotland, with connections to Coventry and Nuneaton in the west and Milton Keynes and Northampton in the east. A regular train service runs from Rugby town to Birmingham. The number of trips at Rugby Train station has increased by 39% over the last five years. A new strategic parkway station at Houlton, close to M1 Junction 18, east of Rugby with 260+ car parking spaces has been proposed with an estimated delivery timescale between 2019-2028 [\[See reference 35\]](#).

**C.44** Approximately four miles from Rugby Town Centre is the Daventry International Rail Freight Terminal, one of the key rail freight interchanges in Europe. Birmingham Airport is approximately 27 miles east of the Borough.

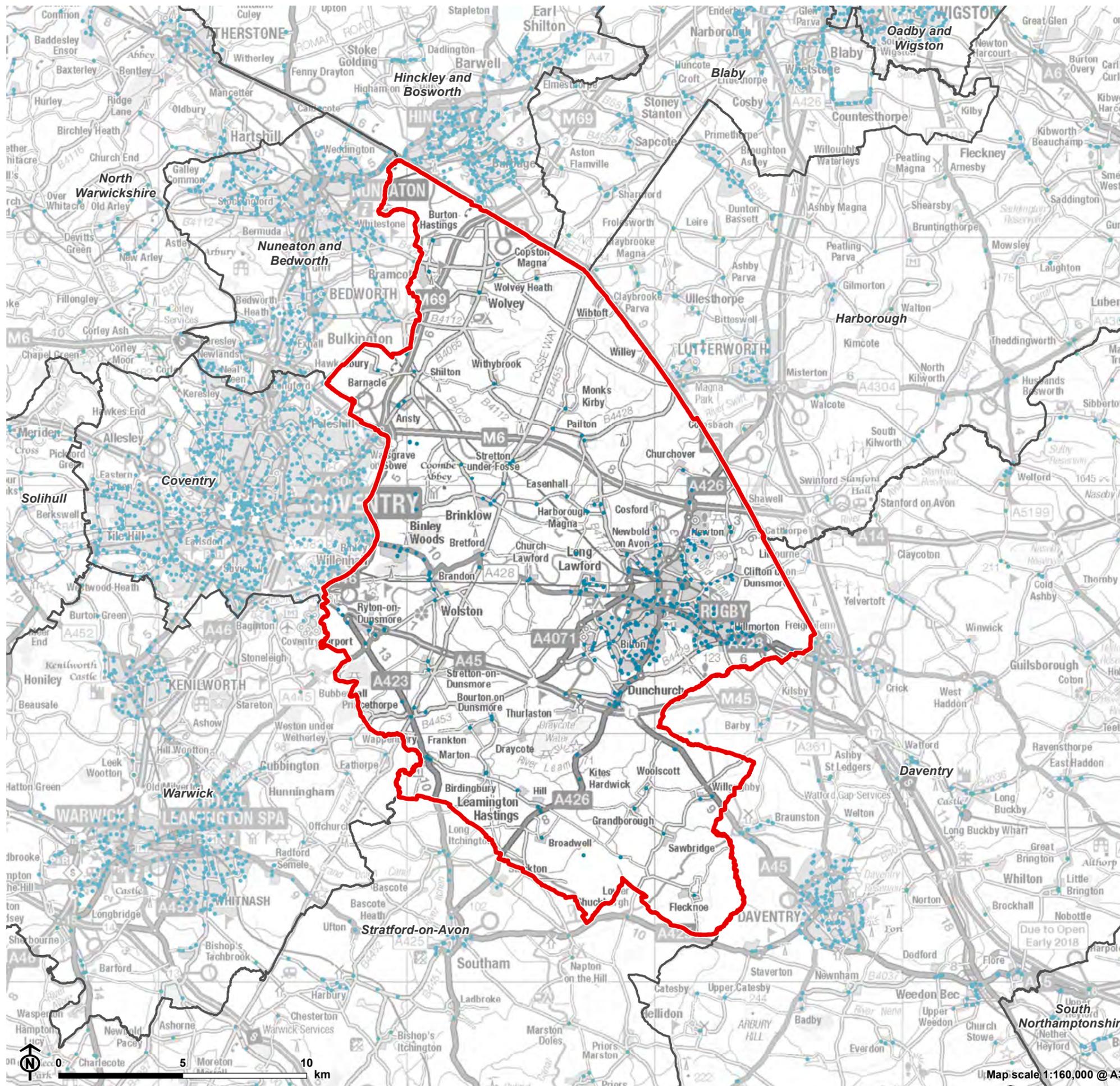
**Appendix C** Baseline Information

**C.45** Key pieces of highway infrastructure are to be delivered as part of the South West Rugby development including the Homestead Link and the Potsford Dam Link. These mitigation measures were identified in the transport modelling work prepared for the Local Plan. The Homestead Link will minimise impacts on the existing highway network and relive pressure on other areas, in particular the Dunchurch Crossroads. High quality public transport services to the town centre and a comprehensive walking and cycling network to link residential areas with key facilities on site will also be provided. Work is underway, with the County Council to identify the bus services required as well as the new cycling and walking routes and infrastructure.

**C.46** The majority of households in Rugby Borough have at least one car or van in their household (87.7%), with 37% of the population having one car in the household, and 50.6% having two or more. The total number of respondents to the 2011 Census that identified as Gypsies or Irish Travellers without a car (15.6%, 24 respondents) is slightly higher than the average for Rugby Borough (12.3%). 66.9% of respondents highlighted that they had one car or van in the household, and 17.5% had two or more cars or vans in the household [\[See reference 36\]](#).



Figure C.3: Sustainable Transport Links



- Rugby Borough boundary
- Neighbouring authority boundary
- Rail station
- Bus stop

## Biodiversity

**C.47** Rugby Borough contains several national and local designated biodiversity and geodiversity sites [See reference 37]. There are no sites of international importance within Rugby Borough. However, Rugby Borough contains many national and local designations as set out below:

- Seven Sites of Special Scientific Interest (SSSI)
- Four Local Nature Reserves
- 12 Sites of Importance for Nature Conservation (SINCs)
- Two Regionally Important Geological Sites

**C.48** All of the SSSIs are located to the West and South West of the Rugby Urban Area. Rugby Borough contains two geological SSSIs, Ryton and Brandon Gravel Pits and Wolston Grave Pit. Rugby Borough contains all or parts of five biological SSSIs: Brandon Marsh, Coombe Pool, Ryton Wood, Draycote Meadows and Stockton Railway Cutting and Quarry. The four Local Nature Reserves within Rugby Boundary are Ashlawn Cutting, Newbold Quarry Park, Swift Valley and Cock Robin Wood. Throughout Rugby Borough the 12 SINCs are Oxford Canal Meadows, Abbotts Farm, Lime Kilns, Osier Meadow, Cawston Spinney, Wolvey Rush Pasture, Manor Farm Meadows, Home Farm Grasslands, Sally's Hole, Brandon Little Wood and Burton Hill Meadows.

**C.49** There are no SACs in Rugby Borough. Ensor's Pool, located in Nuneaton and Bedworth Borough and within 10km of the Rugby Borough boundary, has three statutory designations as a Special Area of Conservation (SAC), a Site of Special Scientific Interest (SSSI) and a Local Nature Reserve (LNR). Ensor's Pool is designated as part of the Natura 2000 network because of the presence of the white clawed-crayfish [See reference 38].

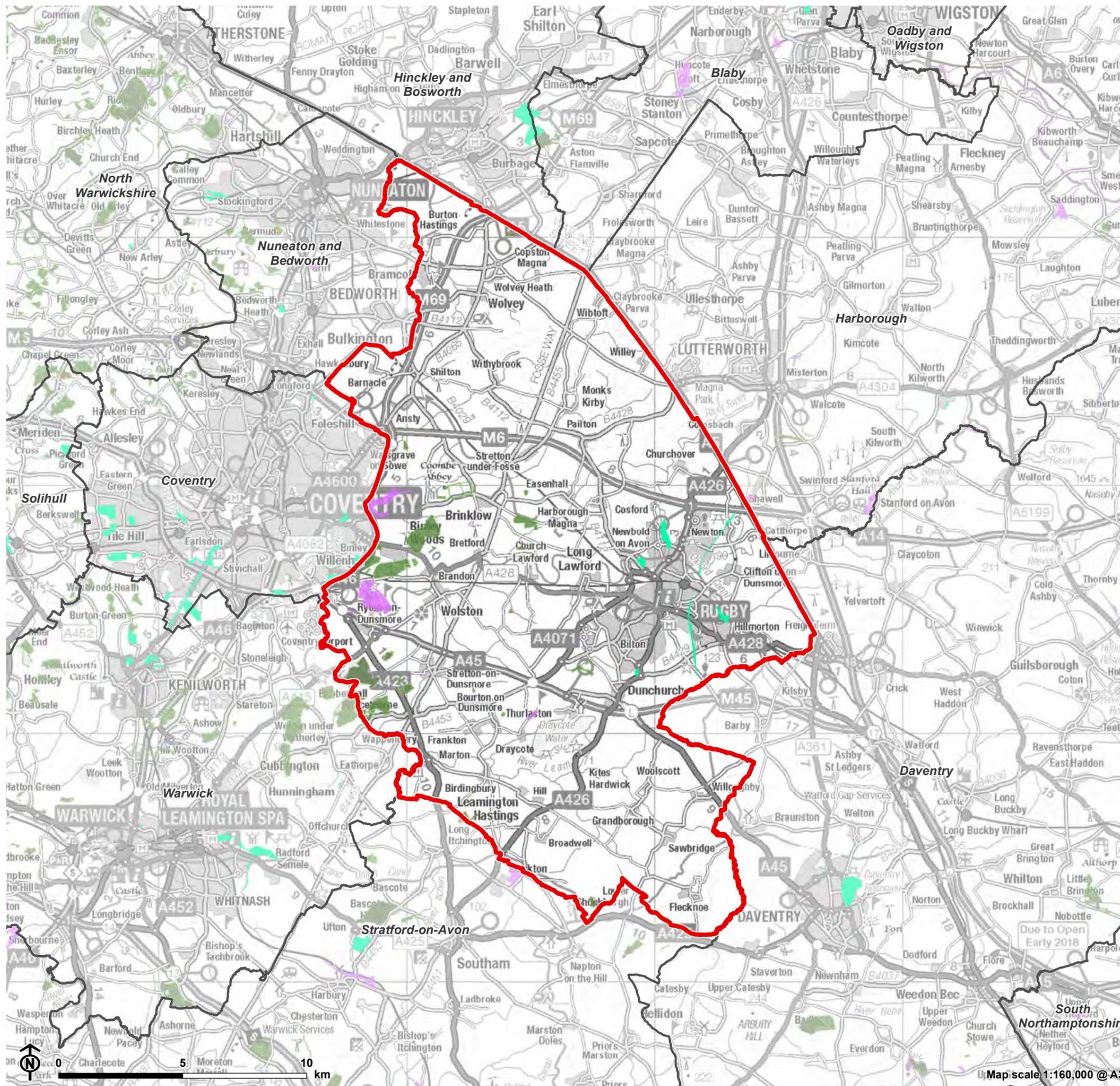
**C.50** Rugby Borough contains three broad habitats: woodland, grassland and marsh and open water. There is a large concentration of ancient woodland

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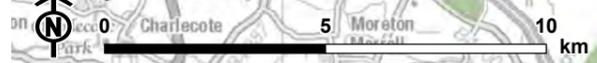
located to the west of Rugby Borough. The Oxford Canal in Rugby provides a valued semi-natural habitat for wildlife and its connectivity to the wider canal network and proximity to other areas of Green Infrastructure.



Figure C.4: Designated Biodiversity Assets



- Rugby Borough boundary
- Neighbouring authority boundary
- Site of Special Scientific Interest (SSSI)
- Special Area of Conservation (SAC)
- Ancient woodland
- Local Wildlife Site



Map scale 1:160,000 @ A3

## Historic Environment

**C.51** Within Rugby Borough there are 19 Conservation Areas which are located in a number of the villages throughout the Borough and within the urban area. A Conservation Area covers a larger part of Rugby Town Centre with an additional designation covering the Rugby School grounds and adjoining residential/commercial areas. Beyond the urban area there is a large Conservation Area covering Coombe Abbey Registered Park and Garden and Listed Buildings. The remaining conservation areas are found in the following villages throughout the Borough:

- Brandon
- Brinklow
- Churchover
- Clifton upon Dunsmore
- Dunchurch
- Easenhall
- Leamington Hastings
- Monks Kirby
- Stretton-on-Dunsmore
- Thurlaston
- Wolston

**C.52** Character Appraisals have been published for Rugby Borough's 19 conservation areas [\[See reference 39\]](#). Warwickshire County Council carried out the Warwickshire Historic Landscape Characterisation (HLC) project. The project forms part of a national programme of Historic Landscape Characterisation funded and administered by Historic Environment. HLC provides an overview of complex aspects of the historic environment in order to

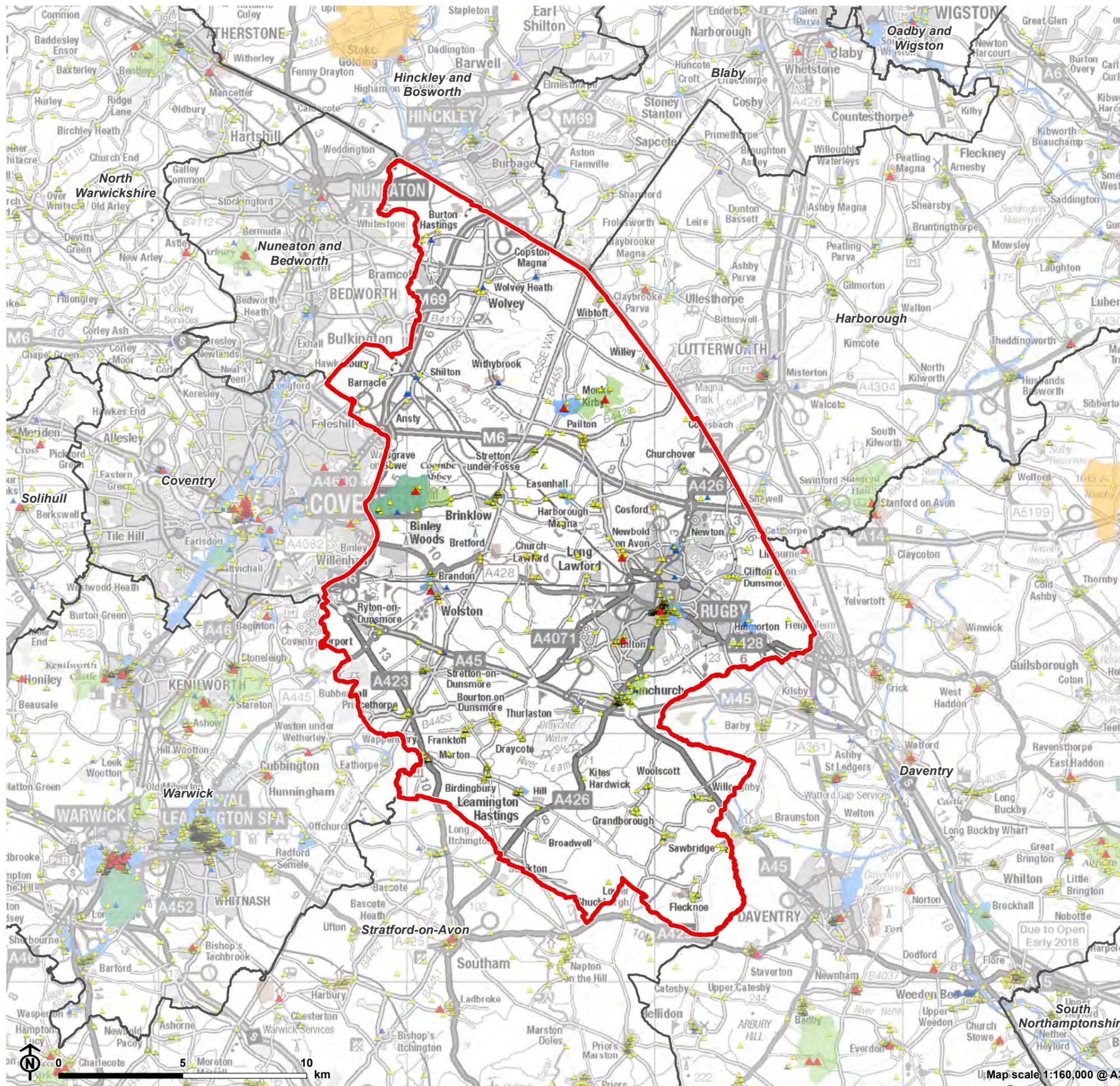
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provide new and wide-ranging information for conservation, management and development decisions. The objective of HLC is to promote better management and understanding of the historic landscape resource **[See reference 40]**.

**C.53** There are six Grade I Listed Buildings, 30 Grade II\* Listed Buildings and 460 Grade II Listed Buildings in the Borough. In addition, there are 26 Scheduled Monuments and five Registered Gardens at Bilton Grange (Grade II), Coombe Abbey (Grade II\*), Ryton House (Grade II), Newnham Paddox (Grade II) and Dunchurch Lodge (Grade II). There are currently nine assets on the Heritage at Risk Register within the Borough **[See reference 41]**. The majority of these assets consist of Scheduled Monuments with one building (Ryton House, Ryton-on-Dunsmore) which is in an unsatisfactory condition.



Figure C.5: Heritage Assets



- Rugby Borough boundary
  - Neighbouring authority boundary
  - Registered Battlefield
  - Scheduled Monument
  - Registered Parks and Gardens
  - Conservation Area
- Listed building (by grade)**
- ▲ I
  - ▲ II\*
  - ▲ II

## Landscape

**C.54** The landscape of Rugby Borough is a gently undulating lowland of hills and vales traversed by the rivers of the Avon and Leam. A plateau rises to the north and ironstone fringe hills lie to the south east. Outside the urban area of Rugby town the area is a generally well-settled rural landscape with major roads running through it, with associated large-scale commercial development. The area includes three national character areas- the Leicester Vales to the north, Dunsmore and Feldon to the south and the Northamptonshire Uplands covering the eastern fringes. There are no nationally or locally designated landscapes within the Borough [\[See reference 42\]](#).

**C.55** The most comprehensive recent landscape character assessment for Rugby Borough was carried out in 2006. It found that the landscape in the north of Rugby is in particularly weak condition. To the south of the town the southern escarpment is of particular importance being highly sensitive and in strong condition. There are a number of sites of local significance around the urban fringe whose condition is in decline. These areas would benefit from further protection and enhancement measures to ensure their long-term benefit to future generations. These include Hillmorton Locks, Newbold, Cosford, Newton and the River Avon corridor. There are large areas to the east of the town where the condition of the landscape is also in decline but which are in less sensitive locations. There is no landscape located within the urban fringe that is of low sensitivity [\[See reference 43\]](#).

**C.56** A further Landscape Sensitivity Study was carried out in August 2016; however it covers only parts of Rugby Borough – Binley Woods, Brinklow, Long Lawford, Ryton-on-Dunsmore, Stretton-on-Dunsmore, Wolston and Wolvey.

**C.57** National Character Area (NCA) profiles created by Natural England are used to define the specific combination of landscape, geodiversity, biodiversity, history, culture and economic activity in the area. NCAs follow natural lines in the landscape instead of administrative boundaries.

## Appendix C Baseline Information

**C.58** Rugby Borough lies within three National Character Areas. The parishes of Binley Woods; Brinklow; Long Lawford; Ryton-On-Dunsmore, Stretton-On-Dunsmore; and Wolston lie within National Character Area 96: Dunsmore and Feldon. Wolvey lies within National Character Area 94: Leicestershire Vales. Small areas to the east within Rugby Borough lie within National Character Area 95: Northamptonshire Uplands. Much of the west of the Borough, around Coventry, is Green Belt [See reference 44]. These National Character Areas are summarised below:

- 94 Leicestershire Vales - Leicestershire Vales National Character Area (NCA) shares many characteristics with the neighbouring Northamptonshire Vales NCA. The Leicestershire Vales extend between the town of Hinckley in the west to Leicester in the northeast and southwards towards Market Harborough and Lutterworth. This is a large, relatively open, uniform landscape composed of low-lying clay vales interrupted by a range of varied river valleys. Its sense of place comes less from its overall landform and more from its visually dominant settlements and views towards surrounding higher ground. The city of Leicester dominates the north-eastern corner of the NCA. Other large- to medium-sized settlements include the towns of Market Harborough, Lutterworth and Hinckley, with many attractive small towns, villages and buildings and features of historic interest in between. The north of the area has a predominance of settlements and a general lack of tranquillity; this contrasts strongly with the distinctly more rural feel in the southern part of the area, where a mixture of arable and pastoral farmland is found. [See reference 45].
- 95 Northamptonshire Uplands - The Northamptonshire Uplands National Character Area (NCA) is an area of gently rolling, limestone hills and valleys capped by ironstone-bearing sandstone and clay Lias, with many long, low ridgelines. Rivers flow out from the NCA in all directions, including several major rivers – the Cherwell, Avon, Welland, Tove, Ouse, Nene and Ise. While there are areas of differing character, there are strong unifying landscape features across the Northamptonshire Uplands, most importantly the extensive areas of open field systems with ridge and furrow and the earthworks of deserted and shrunken settlements which occur throughout. Other features include the strong, mostly Parliamentary enclosure pattern with high, wide, A-shaped hedgerows bounding the

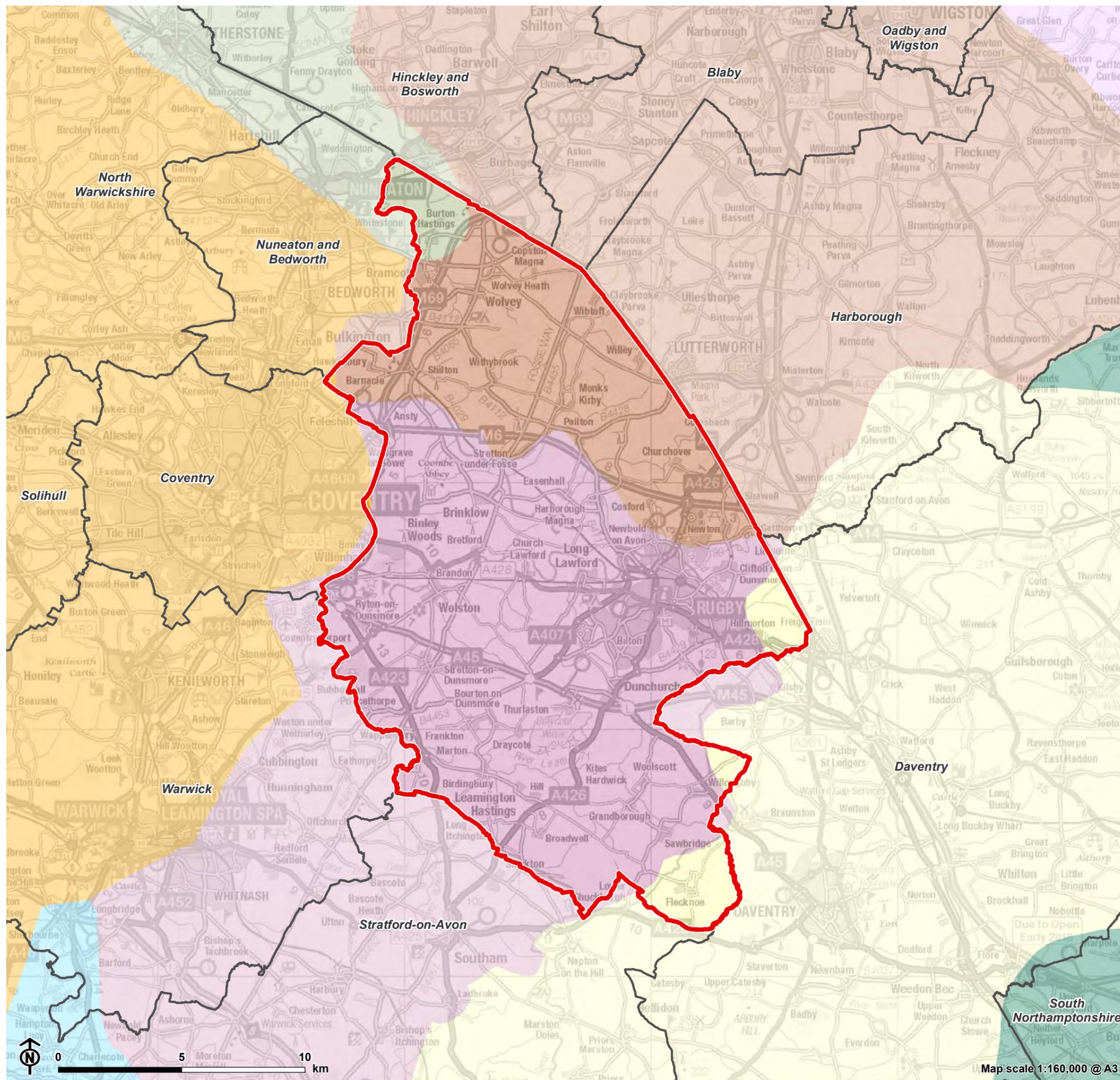
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largely rectilinear fields with their frequent mature ash and oak trees; the many country houses and their associated extensive areas of historic and nationally important designed parkland landscapes; the distinctive ironstone, cob and brick nucleated settlements with their large stone churches, often with prominent steeples; the narrow lanes with very wide grassy verges; and the small, scattered but prominent broadleaved woods and coverts. There are also wide, long-distance views from the edges and across the ridgetops throughout the area [See reference 46].

- 96 Dunsmore and Feldon - Dunsmore and Feldon is predominantly a rural, agricultural landscape, crossed by numerous small rivers and tributaries and varying between a more open character in the Feldon area and a wooded character in Dunsmore. The name Feldon refers to the old English term *feld* meaning ‘open cleared land’ and expresses the contrast, in medieval times, with the more wooded Arden area to the north-west. The area is mainly within Warwickshire, with the southern boundary delineated by the steep limestone escarpment of the Cotswolds, and the northern boundary by the Leicestershire Vales. To the west lie the well-wooded pastures of Arden, together with the Severn and Avon Vales, while the undulating pastures and low hills of the Northamptonshire Uplands form the eastern border. It is an important food producing area and the agricultural expanse of large arable fields, improved pasture and small villages forms a transitional landscape between the surrounding National Character Areas (NCAs). The land to the north comprises the wedge-shaped area of low ridges and valleys lying between Leamington Spa, Coventry and Rugby, and is known as Dunsmore. This still retains a character of historic heathland and woodlands such as the Princethorpe Woodlands which are the most important cluster of ancient woodlands in Warwickshire and an outstanding example of a large area of semi-natural habitat. The woods sometimes create a sense of confinement in the generally open landscape. The fringes of the plateaux are all similar in character but have open views framed by low hills and settlements [See reference 47].



Figure C.6: National Character Areas



- Rugby Borough boundary
- Neighbouring authority boundary
- National Character Area**
- Arden
- Dunsmore and Feldon
- High Leicestershire
- Leicestershire Vales
- Mease/Sence Lowlands
- Northamptonshire Uplands
- Northamptonshire Vales
- Severn and Avon Vales

## Renewable Energy

**C.59** Table C.14 provides a summary of the number of renewable energy installations in Rugby Borough as at end of 2020 [See reference 48].

**Table D.14: Renewable electricity installations in Rugby Borough**

Installation Type	Installed Capacity (MW)
Photovoltaics	7.803
Onshore Wind	0.018
Hydro	0
Anaerobic Digestion	0.998
Offshore Wind	0
Wave/Tidal	0
Sewage Gas	0.425
Landfill Gas	6.063
Municipal Solid Waste	0
Animal Biomass	0
Plant Biomass	0.460

**C.60** During the monitoring period of 1<sup>st</sup> April 2020 to 31<sup>st</sup> March 2021, no planning applications were approved concerning sustainable energy sources.

## Pollution

### Air Quality

**C.61** Air pollution is associated with a number of adverse health impacts. It is recognised as a contributing factor in the onset of heart disease and cancer. Additionally, air pollution particularly affects the most vulnerable in society: children, the elderly, and those with existing heart and lung conditions. There is also often a strong correlation with equalities issues because areas with poor air quality are also often less affluent areas.

**C.62** Rugby Borough Council produces an annual report outlining the air quality monitoring which has taken place and potential impacts to air quality not currently being monitored. The monitoring of air quality focuses on nitrogen dioxide, particulate matter (dust) and sulphur dioxide. The main pollutants within Rugby Borough are from road traffic in particular the M6, M69 and M45. Monitoring data for 2020 showed a continuation of an overall decreasing trend in annual mean NO<sub>2</sub> concentrations since 2016. Concentrations in 2020 decreased at all monitoring locations compared to 2019. There were no exceedances of the annual mean NO<sub>2</sub> Air Quality Standard (AQS) objective in 2020, with a highest annual mean concentration of 33.5 µg/m<sup>3</sup>. The reduced NO<sub>2</sub> concentrations in 2020 are likely to be in part due to the COVID-19 pandemic and associated government restrictions [\[See reference 49\]](#).

### Air Quality Management Areas

**C.63** There is an obligation on all local authorities under Part IV of the 1995 Environment Act to review regularly and assess air quality in their areas and to determine whether or not national air quality objectives are likely to be achieved. Where exceedances are considered likely, the local authority must declare an Air Quality Management Area (AQMA) and prepare an Air Quality Action Plan (AQAP) setting out the measures it intends to put in place in pursuit of required air quality improvements.

## Appendix C Baseline Information

**C.64** Rugby Borough Council declared an Air Quality Management Area (AQMA) in 2004 for exceedances of the annual mean NO<sub>2</sub> objective. This area covers the whole urban area of Rugby bounded by the southern boundary with Daventry District Council, the A5, M6, minor roads to the west of Long Lawford, A45 and M45. Between 2011 and 2015, Rugby has been below the national average for the Public Health Framework Indicator, 'Fraction of mortality attributable to particulate air pollution'. However, in 2016 the fraction value increased markedly from 4.6% to 5.5% and was higher than the national average (5.3%) for that time. In 2017, the fraction value decreased to 5.0% and was below the national average of 5.1% [\[See reference 50\]](#).

## Waste

**C.65** Warwickshire County Council has adopted the Warwickshire Waste Core Strategy Local Plan 2013-2028 which sets out the Spatial Strategy, Vision, Objectives and Policies for managing waste for a 15-year plan period up to 2028. It also provides the framework for waste development management including implementation and monitoring. There are currently five active landfills in the county receiving the complete range of waste including stabilised non-reactive hazardous waste cells at two landfills. New waste facilities will be developed on industrial estates, brownfield industrial land and existing waste management facilities [\[See reference 51\]](#).

**C.66** Between 2020-2021, a total of 47,109 tonnes of waste was collected within Rugby Borough, of which 43,297 tonnes was household waste. This compares with 47,146 tonnes and 43,680 tonnes respectively in 2014-2015. Within the same period, 19,476 tonnes of household waste were sent for recycling/composting/re-use, equating to 45% of waste collected. This figure is slightly higher than the overall recycling rate for England of 42.3% of all waste. Between 2014-2015 within Rugby Borough, 46% of household waste was recycled/composted/re-used [\[See reference 52\]](#).

**C.67** Unauthorised Traveller sites usually lack facilities and services, such as waste disposal, and can cause communities significant distress from extensive litter and waste [\[See reference 53\]](#). Research and experience tend to strongly

## Appendix C Baseline Information

suggest that over the last four years most local authority areas in Warwickshire have experienced an increase in unauthorised encampments by Gypsy and Traveller communities [See reference 54].

**C.68** The 2016 report by De Montfort University and the Joseph Rowntree Foundation, published by the Chartered Institute of Housing, identified that fly-tipping is also upsetting for residents of authorised sites as often residents do not know who is dumping rubbish or it is being brought by people from off the site [See reference 55].

## Natural Resources

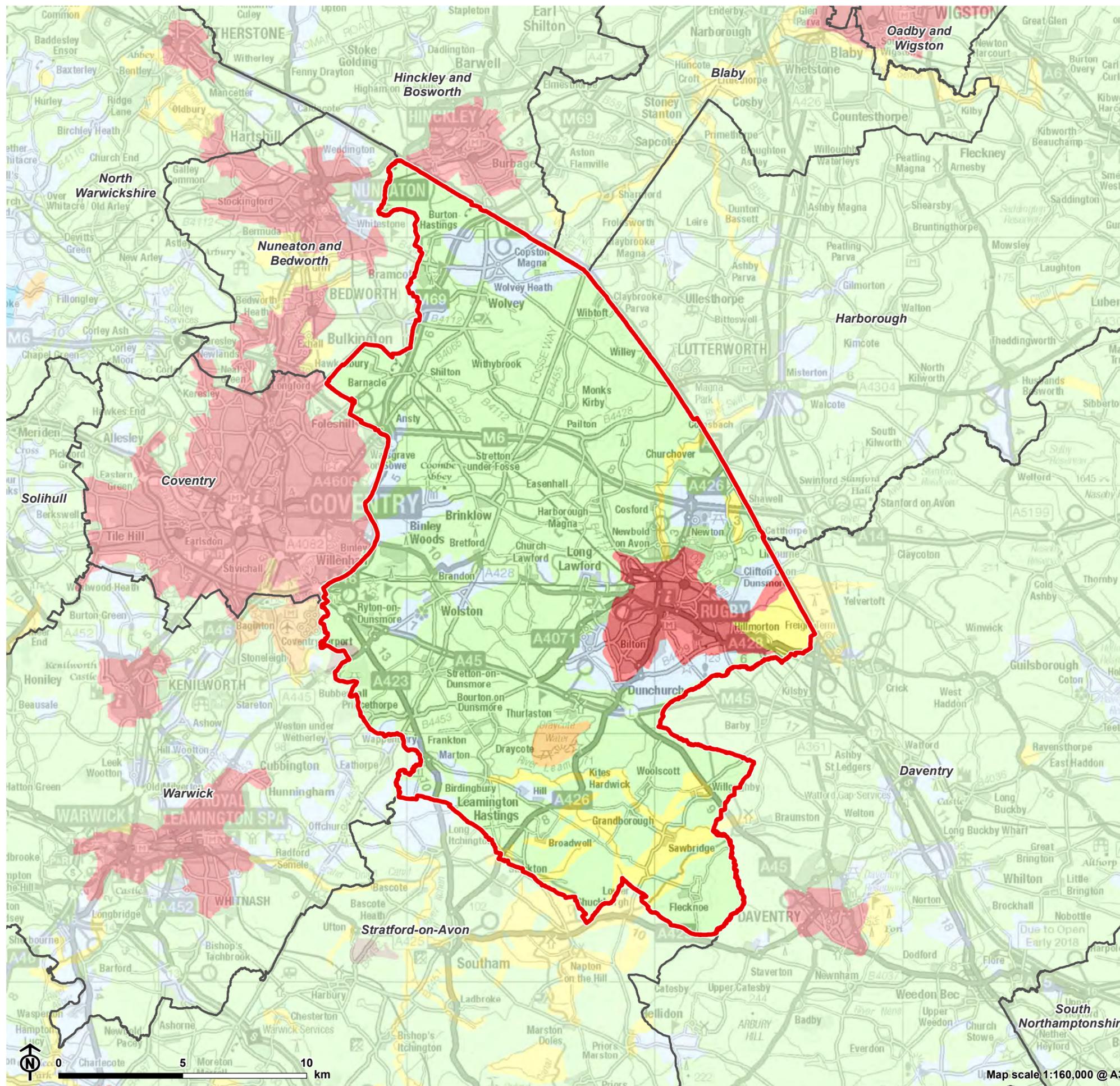
### Soil

**C.69** The Agricultural Land Classification (ALC) system [See reference 56] provides a framework for classifying land according to the extent to which its physical or chemical characteristics impose long-term limitations to agricultural use. The principal factors influencing agricultural production are soil wetness, drought and erosion. These factors, together with interactions between them, form the basis for classifying land use into one of five grades, where 1 describes land as excellent (land of high agricultural quality and potential) and 5 describes land as very poor (land of low agricultural quality and potential). Land falling outside these scores is deemed to be 'primarily in non-agricultural use', or 'predominantly in urban use'. Grade 3 can be further separated into grades 3a and 3b, although this requires further local surveys and therefore such data is only available for small areas. Grades 1, 2 and 3a are considered to be best and most versatile agricultural land.

**C.70** According to Natural England's Agricultural Land Classification, land within Rugby Borough mainly comprises Grade 3 agricultural land, although there are small areas of Grade 2 land in the north and west of the Borough as well as to the south of Rugby town.



Figure 3.7: Agricultural Land Classification



- Rugby Borough boundary
- Neighbouring authority boundary
- Agricultural Land Classification**
- Grade 1
- Grade 2
- Grade 3
- Grade 4
- Grade 5
- Non Agricultural
- Urban

## Geology and Minerals

**C.72** The geology of Rugby Borough consists predominantly of sedimentary rocks and is represented by three major geological periods from the older Permian rocks through the Triassic to the younger Jurassic period. The Permian rocks make up less than 0.5% of the geology consisting of some Sherwood Sandstones. The Borough is dominated by Triassic limestone rocks, which make up approximately 60% of the geology. Limestones are impervious and do not allow water to percolate so readily but tend to be indicative of well-drained land due to their common well-jointed characteristics. The remaining 40% of the geology in the Borough is represented by Jurassic argillaceous rocks; clay rich rocks where soils are not so well drained.

**C.73** There are two sites designated as Local Geological Sites (formerly Regionally Important Geological Sites, RIGS) in the Borough (Parkfield Road Quarry, and Royal Oak Gravel Pit & Cutting). Parkfield Road Quarry was designated as it is a good example of Rugby Limestone, while Royal Oak Gravel Pit and Cutting is a good example of the Hillmorton Member of the Middle Pleistocene Wolston Formation.

## Contaminated Land

**C.74** Land can be contaminated by a variety of sources, such as waste disposal, industry or naturally occurring substances. For land to be classed as contaminated, it must pose a significant risk to either humans, wildlife or water resources. Rugby Borough published its Contaminated Land Strategy in 2001. The Contaminated Land Strategy sets out the steps taken to identify, inspect and remediate contaminated land.

**C.75** By law, a local authority must keep a public register of contaminated land. There are currently no entries on the Rugby Borough register of contaminated land. A 2016 report by De Montfort University and the Joseph Rowntree

## Appendix C Baseline Information

Foundation, published by the Chartered Institute of Housing, outlined some of the challenges in turning evidenced need for accommodation into Gypsy and Traveller sites identified in Local Plans, and then from plans into accommodation on the ground [See reference 57]. One of the challenges to delivering sites is the cost of decontamination of sites from previous uses.

**C.76** According to the Authority Monitoring Report 2020/21, 55% of new homes built in that monitoring year were constructed on previously developed land [See reference 58].

## Water

**C.77** The major river running through Rugby Borough is the River Avon which flows through Rugby town and eventually meets the River Severn. The other main rivers in Rugby Borough are the River Swift, River Anker, Clifton Brook, Withy Brook, River Leam, Millholme Brook, Birdingbury Brook, River Itchin and Sow Brook.

**C.78** The EU Water Framework Directive (2000/60/EC) looks at the ecological and chemical health of both groundwater and surface water with the aim of achieving 'moderate or good ecological status' and 'good chemical status' by 2027, and to ensure that there is no deterioration from existing statuses. The House of Commons published a water quality in rivers report in 2022 [See reference 59]. Only 14% of rivers in England can currently claim to have good ecological status. The Government is not on track to meet the Water Framework Directive requirement for all rivers to reach good status by 2027 .

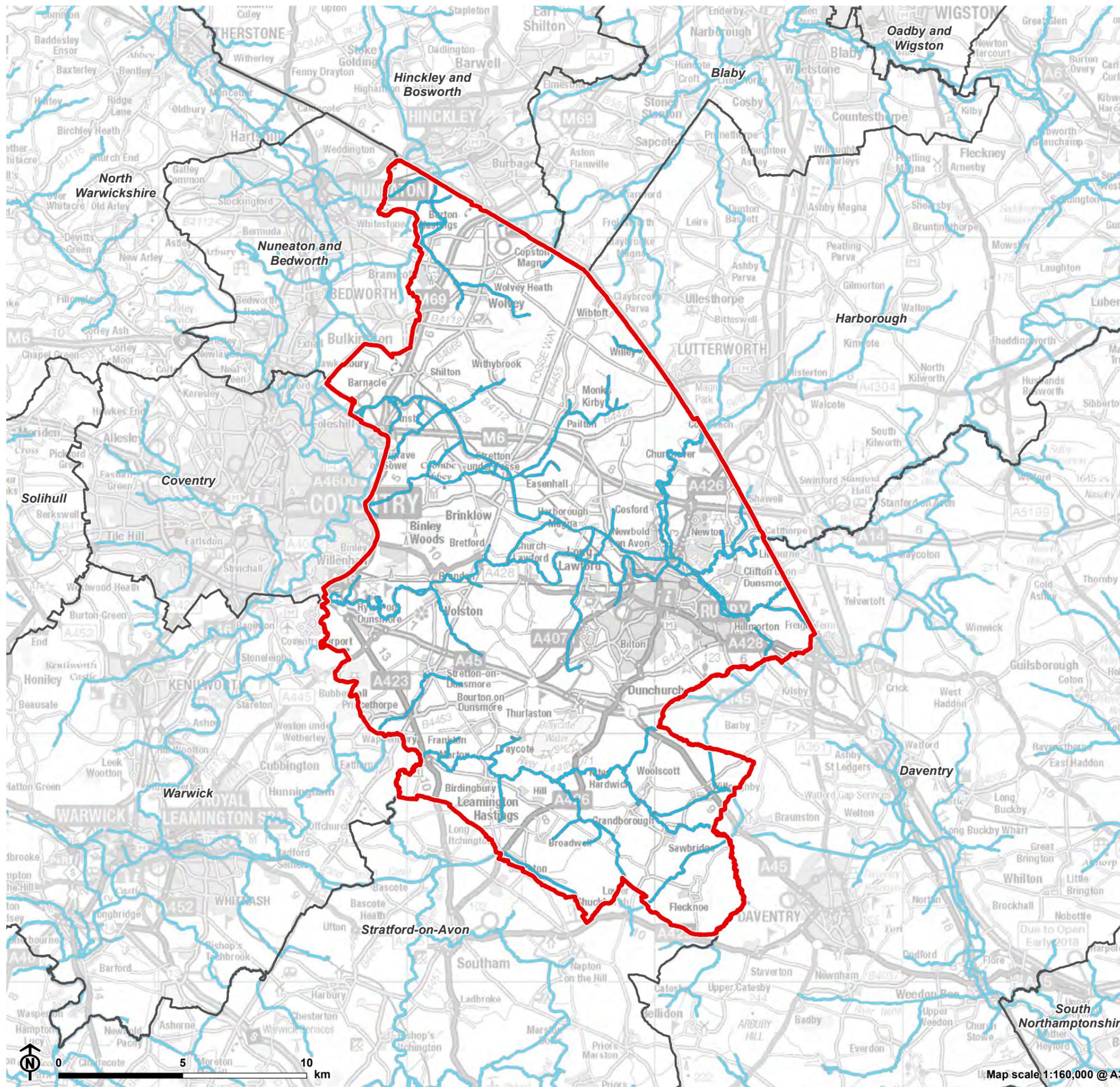
**C.79** The Environment Agency collects data in relation to the Avon Warwickshire Management Catchment. The latest published data was 2019. Within this catchment there are three operational catchments, all of which fall within Rugby Borough: Avon Rural Rivers and Lakes; Avon – Midlands West and Avon Urban Rivers and Lakes. Across the Avon Warwickshire Management Catchment there are 78 water bodies mainly consisting of river, canals and surface water transfers and lakes. All of the 78 waterbodies failed the chemical

**Appendix C** Baseline Information

status. In relation to ecological status, one waterbody was rated as good; 54 waterbodies were rated as moderate; 22 were rated as poor and one was rated as bad [\[See reference 60\]](#).



Figure C.8: Watercourses in Rugby Borough



-  Rugby Borough boundary
-  Neighbouring authority boundary
-  Watercourse

## Flood Risk

**C.80** Flood risk in the Borough is implicitly linked to climate change considering the changes predicted in weather patterns and the impact this will have on river levels and the ability for safe infiltration of surface water.

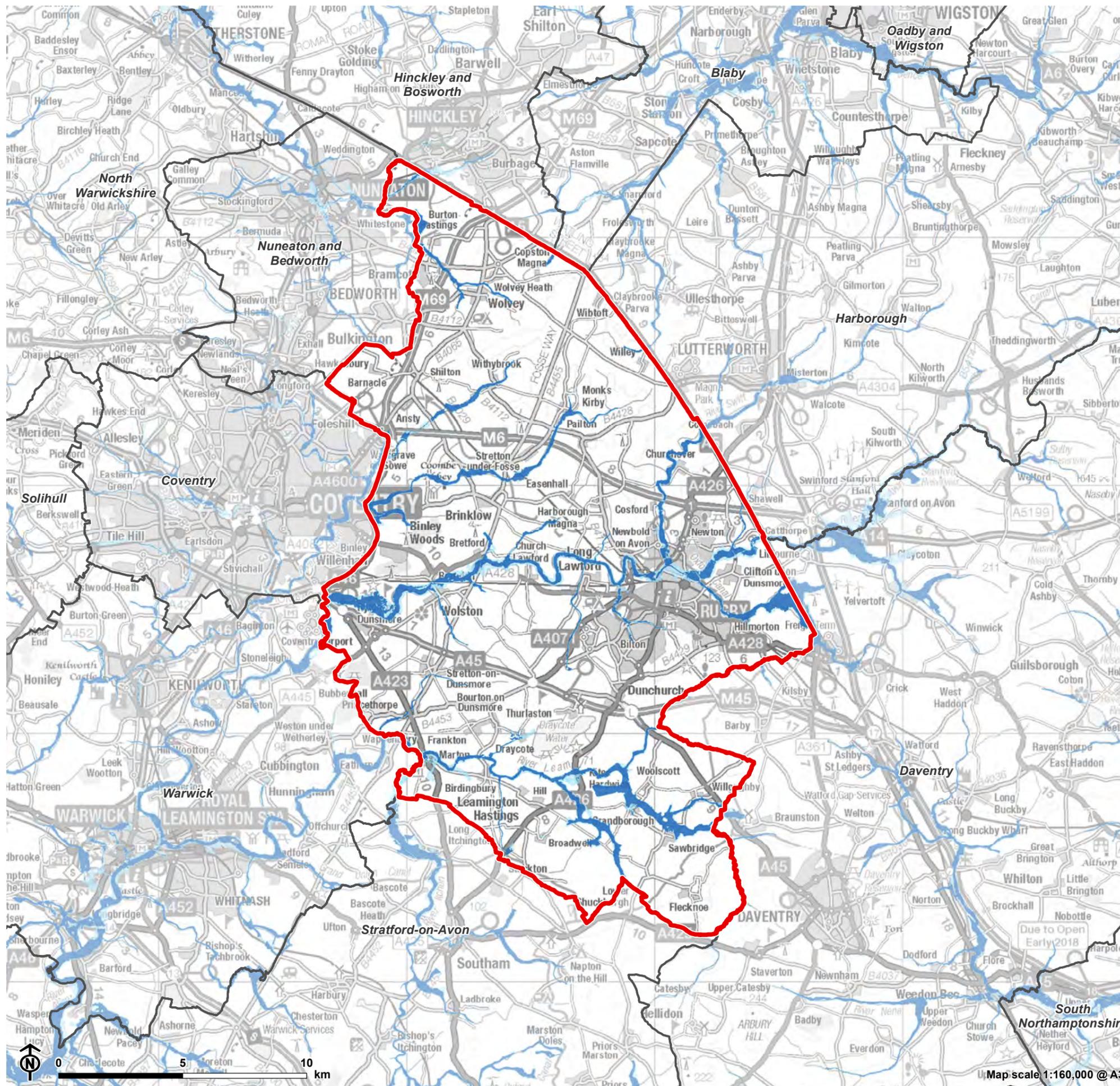
**C.81** The most substantial areas of flood risk lie along the main water bodies of Rugby Borough particularly the River Avon which flows through Rugby town. The floodplains along the River Avon and its tributaries largely fall within Flood Zone 3 with small areas within Flood Zone 2. There are multiple water storage areas along the River Avon within and on the edges of Rugby town. A large area on either side of the southern end of the A5 which cover mainly undeveloped land lies within Flood Zone 3 [\[See reference 61\]](#).

**C.82** The risk of flooding in the Borough has been determined through the production of a Strategic Flood Risk Assessment (SFRA) [\[See reference 62\]](#), which identifies the Main Rivers, ordinary watercourses and flood zones, including the functional floodplains and provides an assessment of the implications of climate change on flood risk.

**C.83** The Gypsy and Traveller community can be particularly vulnerable to the impacts of flooding. National Planning Practice Guidance identifies caravans, mobile homes and park homes intended for permanent residential use as a 'highly vulnerable use', which is suitable in areas of flood zone 1 but would require an exception test in flood zone 2 and is unsuitable in flood zones 3a or 3b [\[See reference 63\]](#).



Figure C.9: Flood Risk



- Rugby Borough boundary
- Neighbouring authority boundary
- Flood zone 2
- Flood zone 3



Map scale 1:160,000 @ A3

# Appendix D

## Site Assessment Criteria and Assumptions

### Assumptions regarding distances

**D.1** A number of the appraisal assumptions refer to accessibility from site options to services, facilities, employment etc. There are a number of pieces of research that give a variety of recommended guidance distances for walking. For example, the Institute of Highways and Transportation found that the average length of a walk journey is one kilometre. The Institute of Highways and Transportation categorises distances depending upon location and purpose of the trip, and 'desirable', 'acceptable', and 'preferred maximum':

**D.2** Town centres

**D.3** Desirable – 200m

**D.4** Acceptable – 400m

**D.5** Preferred maximum – 800m

**D.6** Commuting/School/Sight-seeing

**D.7** Desirable – 500m

**D.8** Acceptable – 1,000m

**D.9** Preferred maximum – 2,000

**Appendix D** Site Assessment Criteria and Assumptions**D.10** Elsewhere**D.11** Desirable – 400m**D.12** Acceptable – 800m**D.13** Preferred maximum – 1,200m

**D.14** For the purposes of the appraisal, distances in the appraisal will be measured as the straight line distance from the edge of the site option to existing services and facilities, and therefore actual walking distances are likely to be greater (depending on the availability of a direct route).

**D.15** It is recognised that many journeys to services and facilities will not be made in a straight line. When applying the Institute of Highways and Transportation distances for the appraisal of site options to each of the relevant distances a 10% buffer has therefore been applied to account for the potential difference between the straight line distance and the actual distance involved in a journey to services and facilities. For example, the relevant distance applied for walking distance for town and local centres has been decreased from 800m to 720m, and so on.

**D.16** It is considered that this is a reasonable approach, and professional judgement will be used when applying these distances to each site option and the range of services and facilities considered by the appraisal (e.g. where there are significant barriers to straight-line movement, such as railway lines). The distances used in the appraisal will vary depending upon the type of destination being accessed and the mode of transport:

- 450m walking distance for primary schools on the basis that parents with young children are unlikely to want long distances with young children.
- 900m walking distance for secondary schools.
- 720m walking distance for town and local centres.

## Appendix D Site Assessment Criteria and Assumptions

- 450m to a bus stop, as many people are unlikely to want to walk much further and then catch a bus to their destination.
- 1,800m walking distance to a train station.
- In terms of access to cycle route, a distance of 450m will be used in the appraisal on the assumption that links to cycle routes are likely to use road carriageways.

### SA Objective 1: Reduce/eliminate poverty, disadvantage and social exclusion

**D.17** Most of the issues covered by this SA objective will not be directly affected by the location of Gypsy and Traveller site options. While the location of sites could affect access to services, jobs and education opportunities, these factors are considered separately under SA objectives 2, 3 and 14. Therefore, all site options will have a negligible (0) effect on this SA objective.

### SA Objective 2: Encourage increased engagement in leisure, cultural activity, recreation and improve access across all sections of the community

**D.18** The effects of Gypsy and Traveller site options on this SA objective will depend on their proximity to Rugby town and the main rural settlements where leisure, sports and recreation facilities are likely to be concentrated. Impacts will also depend on access to open space. Some parts of Rugby Borough are in closer proximity to Coventry outside of the Rugby Borough boundary.

- Gypsy and Traveller site options that are within 200m (<200m) of Rugby, Binley Woods, Brinklow, Clifton upon Dunsmore, Dunchurch, Long Lawford, Ryton on Dunsmore, Stretton on Dunsmore, Wolston, Wolvey, Coventry, or are within 400m (<400m) of a PRow, cycle route, or an area of open space are likely to have a significant positive (++) effect.

## Appendix D Site Assessment Criteria and Assumptions

- Gypsy and Traveller site options that are within 200-400m of Rugby, Binley Woods, Brinklow, Clifton upon Dunsmore, Dunchurch, Long Lawford, Ryton on Dunsmore, Stretton on Dunsmore, Wolston, Wolvey, Coventry or are within 400-800m of a PRow, cycle route, or an area of open space are likely to have a minor positive (+) effect.
- Gypsy and Traveller site options that are within 400m-800m or more than 800m from Rugby, Binley Woods, Brinklow, Clifton upon Dunsmore, Dunchurch, Long Lawford, Ryton on Dunsmore, Stretton on Dunsmore, Wolston, Wolvey, Coventry, or that are within 800m-1,200m or more than 1,200m from a PRow, cycle route, or an area of open space are likely to have a minor negative (-) effect.

### SA Objective 3: Protect and enhance the health and well-being of the Gypsy, Traveller and Travelling Showperson communities and reduce health inequalities

- Where Gypsy and Traveller site options are within walking distance of existing healthcare facilities, residents should have good access to healthcare facilities. Access to open space for sport and recreation (which can benefit health and well-being) is considered separately under SA objective 2 below. Gypsy and Traveller site options that are within 400m of either a hospital or a GP surgery are likely to have a significant positive effect (++).
- Gypsy and Traveller site options that are within 400-800m of either a hospital or a GP surgery are likely to have a minor positive effect (+).
- Gypsy and Traveller site options that are more than 800m from a hospital or a GP are likely to have a minor (-) negative effect.

**D.19** The proximity of Gypsy and Traveller site options to motorways, motorway junctions, railway lines, railway stations, and Mineral and Waste safeguarded sites, are assumed to have a negative impact on residents' exposure to noise, light, odour, dust and/or air pollution. In line with the DMRB guidance, it is

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assumed that receptors would be most vulnerable to these impacts within 200m of a main road. Therefore (which may result in mixed effects with the above):

- Gypsy and Traveller site options that are within 200m of a motorway, motorway junction, A road, railway line, railway station or a Mineral and Waste safeguarded site are likely to have a significant negative effect (--).

### SA Objective 4: Provide all Gypsies, Travellers and Travelling Showpeople with the opportunity to live in a decent home which meets their needs

**D.20** All of the Gypsy and Traveller site options would have positive effects on this SA objective as all would go some way towards meeting the identified need for Gypsy and Traveller sites in Rugby Borough. There is no one ideal size of site or number of pitches. It should be noted that smaller sites can be successful, particularly where designed for one extended family. Therefore, all sites are expected to result in significant positive effects (++).

### SA Objective 5: Reduce crime, fear of crime and anti-social behaviour

**D.21** The effects of new Gypsy and Traveller sites on levels of crime and fear of crime will depend on factors such as the incorporation of green space within the sites which, depending on design and the use of appropriate lighting, could have an effect on perceptions of personal safety, particularly at night. However, such issues will not be influenced by the location of Gypsy and Traveller sites (rather they will be determined through the detailed proposals for each site) and so the effects of all of the potential Gypsy and Traveller sites on this SA objective will be negligible (0).

## SA Objective 6: Promote/enable a strong, stable and sustainable local economy

**D.22** The locations of Gypsy and Traveller sites will not influence the number or type of employment opportunities available; however they will influence how easily people are able to access employment opportunities.

**D.23** GIS data showing the location of existing employment sites is available; however it is assumed that employment opportunities will also be focussed in the main town of Rugby as well as neighbouring Coventry.

- Gypsy and Traveller site options that are within 200m of Rugby town and Coventry or are within 500m (<500m) of a known large employment site are likely to have a significant positive (++) effect.
- Gypsy and Traveller site options that are within 200-400m of Rugby town and Coventry or are within 500m-1000m of a known large employment site are likely to have a minor positive (+) effect.
- Gypsy and Traveller site options that are more than 400m from Rugby town and Coventry or are more than 1,000m from a known large employment site are likely to have a minor negative (-) effect.

## SA Objective 7: Promote the vitality and viability of the town centre

**D.24** The effects of Gypsy and Traveller sites on this SA objective will depend on their proximity and access to the main settlements and communities in Rugby Borough.

- Gypsy and Traveller site options that are within 200m of Rugby town, Binley Woods, Brinklow, Clifton upon Dunsmore, Dunchurch, Long Lawford, Ryton on Dunsmore, Stretton on Dunsmore, Wolston or Wolvey are likely to have a significant positive (++) effect.

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- Gypsy and Traveller site options that are within 200-400m of Rugby town, Binley Woods, Brinklow, Clifton upon Dunsmore, Dunchurch, Long Lawford, Ryton on Dunsmore, Stretton on Dunsmore, Wolston or Wolvey are likely to have a minor positive (+) effect.
- Gypsy and Traveller site options that are more than 400m from Rugby town, Binley Woods, Brinklow, Clifton upon Dunsmore, Dunchurch, Long Lawford, Ryton on Dunsmore, Stretton on Dunsmore, Wolston or Wolvey are likely to have a minor negative (-) effect.

## SA Objective 8: Promote the regeneration of urban areas

**D.25** Most of the issues covered by this SA objective will not be directly affected by the location of Gypsy and Traveller site options. While Gypsy and Traveller site options may be in built up areas, and would contribute more positively to this objective if they are on brownfield land, this issue is considered under SA objective 9 below. Therefore, all Gypsy and Traveller site options will have a negligible (0) effect on this SA objective.

## SA Objective 9: Use and manage land, energy, soil, mineral and water resources prudently and efficiently, and increase energy generated from renewables

**D.26** Gypsy and Traveller site options that are on previously developed (brownfield land) would represent more efficient use of land than development on greenfield sites. Where development takes place on previously undeveloped high quality agricultural land, this would result in the loss of those high quality soils. The energy efficiency of development will depend on its design and onsite practices rather than its location. Therefore:

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- Site options that are entirely or mainly (>50%) on brownfield land would have a significant positive (++) effect, regardless of the agricultural quality of the land.
- Site options that are entirely or mainly (>50%) on greenfield land that is classed as Grade 2 agricultural land is likely to have a significant negative (--) effect.
- Site options that are entirely or mainly (>50%) on greenfield land that is classed as Grade 3 agricultural land are likely to have a significant negative (--?) effect although this is uncertain depending on whether the land is Grade 3a or 3b which is not known.
- Site options that are entirely or mainly (>50%) on greenfield land that is classed as Grade 4, Grade 5 or urban land are likely to have a minor negative (-) effect.

### SA Objective 10: Minimise waste and manage it sustainably

**D.27** The effects of new Gypsy and Traveller sites on minimising waste and manage it sustainably will depend on factors such as the incorporation of waste management systems and recycling within Gypsy and Traveller sites. However, such issues will not be influenced by the location of sites (rather they will be determined through the detailed proposals for each site) and so the effects of all of the potential Gypsy and Traveller sites on this SA objective will be negligible (0).

### SA Objective 11: Reduce the Borough's contribution to climate change

**D.28** Levels of greenhouse gas emissions from built development will depend on its design and onsite practices rather than its location; therefore the main way in which Gypsy and Traveller site options would affect this SA objective is

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through the extent to which they allow for reduced car use. This is considered separately under SA objective 14; therefore negligible (0) effects are identified for all site options.

## SA Objective 12: Avoid, reduce and manage flood risk

**D.29** The development of Gypsy and Traveller sites on greenfield land would increase the area of impermeable surfaces and could therefore increase overall flood risk, particularly where the sites are within high risk flood zones. In terms of the impact on the Gypsy and Traveller community, National Planning Practice Guidance identifies caravans, mobile homes and park homes intended for permanent residential use as a 'highly vulnerable use', which is suitable in areas of flood zone 1 but would require an exception test in flood zone 2 and is unsuitable in flood zones 3a or 3b.

**D.30** While new development in any location may offer good opportunities to incorporate SuDS, and therefore have a positive effect on reducing flood risk, this would depend on the design of the proposed development and not on the location of the site. Therefore:

- Gypsy and Traveller sites that are entirely or mainly (more than 50%) on greenfield land that is within flood zone 2, or sites that are within flood zones 3a or 3b (regardless of whether they are on greenfield or brownfield land) are likely to have a significant negative (--) effect. In addition, Gypsy and Traveller sites in areas of risk of surface water flooding would also have a significant negative (--) effect.
- Gypsy and Traveller sites that are either entirely or mainly (i.e. more than 50%) on greenfield land outside of flood zone 2, or that are entirely or mainly (more than 50%) on brownfield land within flood zone 2, are likely to have a minor negative (-) effect.
- Gypsy and Traveller sites that are on brownfield land outside of flood zones 2, 3a and 3b are likely to have a negligible (0) effect.

## SA Objective 13: Conserve and enhance the historic environment, heritage assets and their settings

**D.31** The NPPF states that “When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be)”. However, development could also enhance the significance of the asset (provided that the development preserves those elements of the setting that make a positive contribution to or better reveal the significance of the asset).

**D.32** In all cases, effects will be uncertain at this stage as the potential for negative or positive effects on historic and heritage assets will depend on the exact scale, design and layout of the new Gypsy and Traveller sites and on opportunities which may exist to enhance the setting of heritage features.

**D.33** Where a site option is within proximity of a designated heritage asset, professional judgement and evidence (such as Conservation Area Appraisals, heritage assessment work undertaken to support the DPD and input from conservation specialists) will be used to inform judgements. Where there are potential impacts on multiple heritage assets this will also be taken into account.

- Sites which have potential for heritage assets to be enhanced and their significance to be better revealed will have a minor positive (+?) or significant positive (++) effect on this objective.
- Sites which are unlikely to cause adverse impacts on heritage assets will have a negligible (0?) effect on this objective.
- Sites which have the potential to cause harm to heritage assets, but can be mitigated, will have a minor negative (-?) effect on this objective.
- Sites which have the potential to cause harm to heritage assets where it is unlikely that these can be adequately mitigated will have a significant negative (--?) effect on this objective.

## SA Objective 14: Promote a sustainable and accessible transport network

**D.34** Where Gypsy and Traveller sites are located within or adjacent to Rugby town or Coventry (outside of the Borough boundary) there are likely to be good opportunities to reduce journey lengths and to walk and cycle day to day to access the jobs, services and facilities that tend to be focussed there.

**D.35** Outside of the main towns, opportunities to reduce car use will depend largely on the availability of public transport links. Therefore:

- Gypsy and Traveller site options that are within 200m of Rugby town or Coventry, or that are within 400m of a bus stop or railway station are likely to have a significant positive (++) effect.
- Gypsy and Traveller site options that are within 200-400m of Rugby town or Coventry, or that are within 400-800m of a bus stop or railway station are likely to have a minor positive (+) effect.
- Gypsy and Traveller site options that are more than 400m from Rugby town or Coventry, or that are more than 800m from a bus stop or railway station are likely to have a minor negative (-) effect.

## SA Objective 15: Reduce all forms of pollution

**D.36** Gypsy and Traveller sites that are within, or directly connected via road, to the Air Quality Management Area (AQMA) that has been declared in the Borough, or AQMAs in surrounding Districts, could increase levels of air pollution in those areas as a result of increased vehicle traffic. Therefore:

- Site options that are within or directly connected via road to an AQMA are likely to have a significant negative (--) effect.
- Site options that are not within or directly connected via road to an AQMA are likely to have a negligible (0) effect on air quality

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**D.37** Construction activities and operation of sites in or near water have the potential to cause pollution, impacting upon the bed and banks of watercourses and impacting upon the quality and quantity of the water.

- Gypsy and Traveller site options that are within 10m of a watercourse are likely to have a significant negative (--) effect.
- Gypsy and Traveller site options that are within 10-200m of a watercourse are likely to have a minor negative (-) effect.
- Gypsy and Traveller site options that are more than 200m from a watercourse are likely to have a negligible (0) effect.

**D.38** Exposure to noise and light pollution is covered under SA Objective 3.

## SA Objective 16: Conserve and where possible enhance the Borough's biodiversity, flora and fauna

**D.39** Gypsy and Traveller sites that are within close proximity of an internationally, nationally or locally designated biodiversity or geodiversity site have the potential to affect those sites, through habitat damage/loss, fragmentation, disturbance to species, air pollution, trampling etc. Conversely, there may be opportunities to promote habitat connectivity if Gypsy and Traveller sites include green infrastructure. Therefore, while proximity to designated sites provides an indication of the potential for an adverse effect, uncertainty exists as appropriate mitigation may avoid adverse effects and may even result in beneficial effects. In addition, the potential impacts on biodiversity present on each site, or undesignated habitats and species adjacent to the potential Gypsy and Traveller sites, cannot be determined at this strategic level of assessment. This would be determined once more specific proposals are developed and submitted as part of a planning application.

- Sites that are within 250m of one or more internationally or nationally designated biodiversity or geodiversity sites may have a significant negative (--?) effect.

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- Sites that are between 250m and 1km of one or more internationally or nationally designated biodiversity or geodiversity sites, or that are within 250m of a locally designated site may have a minor negative (-?) effect.
- Sites that are more than 1km from any internationally or nationally designated biodiversity or geodiversity sites, or that are over 250m from a locally designated site could have a negligible (0?) effect.

**D.40** Site options that contain an existing green infrastructure asset that could be lost as a result of new development may have a significant negative effect (--?) although this is currently uncertain as it may be possible to conserve or even enhance that asset through the design and layout of the new site.

### SA Objective 17: Maintain and where possible enhance the quality of landscapes

**D.41** As there are no National Parks or Areas of Outstanding Natural Beauty within or immediately adjacent to Rugby Borough, the location of Gypsy and Travellers sites is not expected to affect these landscape designations.

**D.42** The sensitivity of the Borough to development was assessed in the Landscape Assessment of the Borough of Rugby: Sensitivity and Condition Study (2006). In 2016, a Landscape Sensitivity Study was carried out for Binley Woods; Brinklow; Long Lawford; Ryton-on-Dunsmore; Streeton-on-Dunsmore; Woolston & Wolvey.

- Sites that are within an area classed as being of very high or high overall sensitivity could have a significant negative (--?) effect.
- Sites that are within an area classed as being of moderate overall sensitivity could have a minor negative (-?) effect.
- Sites that are within an area classed as being of low overall sensitivity, or sites in an area classed as „urban“ could have a negligible (0?) effect.

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**D.43** In all cases effects are uncertain as they will depend to some extent on the design of the development and the incorporation of mitigation measures such as screening.

## SA Objective 18: Maintain and where possible enhance the quality of townscapes

**D.44** It is assumed that all new Gypsy and Traveller sites will be of high quality design. Where new sites take place on brownfield land, there are likely to be positive effects on the townscape as a result of reducing the number of derelict sites and buildings and replacing them with high quality new development.

- Sites on brownfield land are likely to have a minor positive (+) effect on this objective.
- Sites on greenfield land would have a negligible (0) effect on this objective.

**D.45**

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Report produced by LUC

# Report produced by LUC

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## **landuse.co.uk**

Landscape Design / Strategic Planning & Assessment  
Development Planning / Urban Design & Masterplanning  
Environmental Impact Assessment / Landscape Planning & Assessment  
Landscape Management / Ecology / Historic Environment / GIS & Visualisation

**Appendix 3 - Rugby Borough Gypsy and Travellers Site Allocations**  
**Development Plan Document**  
**'Call for Sites' Form 2022**

Rugby Borough Council is inviting developers, landowners and the wider public to put forward potential development sites for Gypsy and Traveller sites and Travelling Showpeople plots.

This 'Call for Sites' will update information about all potential development sites. If you have previously submitted a site we request you resubmit your site to ensure that we have the most up-to-date information. The Council will assume that existing sites are no longer available if you do not re-submit your site with up-to-date information.

Note: This form looks at land availability but does not itself imply those sites will be allocated for development, or that planning applications will be considered favourably. Submitting details of a particular site does not guarantee that the Council will support or allocate the site for development.

Before completing this form, please read the following notes:

- ❖ All sections of this form **MUST** be completed. The Council will not follow up incomplete forms. Missing information is likely to result in your site being considered unavailable or unachievable and therefore lacking development potential.
- ❖ A separate form **MUST** be completed for each site (a photocopy is acceptable).
- ❖ You **MUST** include an Ordnance Survey based plan that includes the following:
  - A suitable scale to identify exact boundaries.
  - Location details for easy identification: grid references and field numbers are **NOT** sufficient. Two road names are usually appropriate.
  - The site clearly outlined in red.
  - Mark the type and location of any existing use(s) on the site.
- ❖ If you own more land/multiple sites then you must either:
  - Group sites to create one single large site, **OR**
  - Use a separate form and map for each site you wish to submit, **OR**
  - Highlight in **BLUE** any land that you **DO NOT** wish to promote for development, if it is situated adjacent to land that you **DO** wish to promote.

1. Contact Details					
<b>Title</b>		<b>First Name/ Initial</b>		<b>Surname</b>	
<b>Organisation</b> (if relevant)					
<b>Representing</b> (if relevant)					
<b>Address</b>					
<b>Postal Town</b>			<b>Postcode</b>		
<b>Telephone</b>					
<b>Email</b>					

2. Your Details		
<b>You are...</b> (Please tick all that apply)	<b>A Private Landowner</b> <input type="checkbox"/>	<b>A Planning Consultant</b> <input type="checkbox"/>
	<b>A Public Land-owning Body</b> <input type="checkbox"/>	<b>A Land Agent</b> <input type="checkbox"/>
	<b>A Registered Social Landlord</b> <input type="checkbox"/>	<b>A Developer</b> <input type="checkbox"/>
	<b>Other (Please Specify)</b> <input type="checkbox"/>	

3. Site Location		
<b>Site Name</b> (is the site known by a particular name?)		
<b>Site Address</b>		
<b>Site Postcode</b>		
<b>Site OS Grid Reference</b>	<b>Northing:</b>	<b>Easting:</b>

4. Ownership Details		
<b>Are you the current owner of the site?</b>	<b>Yes</b> <input type="checkbox"/>	<b>No</b> <input type="checkbox"/>
<b>If YES are you...</b>	<b>Sole Owner</b> <input type="checkbox"/>	<b>Part Owner</b> <input type="checkbox"/>

<b>If you are a part owner, please provide the name(s) and address(s) of other landowner(s)</b> (if you require more space please use section 12)	
<b>If you are NOT the landowner, please provide the name(s) and address(s) of the landowner(s)</b> (if you require more space please use section 12)	

5. Amount of Proposed Development (please give details)			
<b>In the details column, please indicate the proposed number of pitches/ plots.</b>	Land Use	✓	Details
	Gypsies & Travellers (Pitches)		
	Travelling Showpeople (Plots)		

6. Site Design (Please give details)		
Site area (hectares)	Whole site:	Area suitable for development:
Current or previous land use(s)	Primary land use	
	Secondary land use	
Existing structures (e.g. detached dwellings)		
Would development require relocation of the current use or demolition of existing structures?		
Adjacent land uses (e.g. two storey terraced housing, open farmland)	To the North	
	To the East	
	To the South	
	To the West	
Relevant planning history (if you require more space please use section 12)		

<b>7. Site Constraints (Please give details)</b>			
<b>Highways</b>	<b>Is there direct access from a public highway?</b>	<b>Yes</b> <input type="checkbox"/>	<b>No</b> <input type="checkbox"/>
	<b>If YES is this highway a classified road?</b>	<b>Yes</b> <input type="checkbox"/>	<b>No</b> <input type="checkbox"/>
<b>How do you propose to access the proposed development?</b> (e.g. highway works)			
<b>Are there any ransom strips?</b>			
<b>Are there any legal issues/covenants?</b>			
<b>Are there any other access issues?</b>			
<b>Utilities</b> (Please tick which of the following utilities the site has access to)	<b>Mains water supply</b> <input type="checkbox"/>	<b>Gas supply</b> <input type="checkbox"/>	
	<b>Mains water sewerage</b> <input type="checkbox"/>	<b>Electricity supply</b> <input type="checkbox"/>	
<b>Are there any trees and/or mature edges on site on or the boundary?</b>			
<b>Are there any watercourses on the site?</b> (e.g. ponds/lakes etc)			
<b>Are there any TPO designations?</b>			
<b>Are there any environmental/wildlife designations?</b> (e.g. Wildlife Sites/SSSI/protected species etc)			
<b>Are there any heritage designations?</b> (e.g. listed buildings/SMs/conservation areas etc)			
<b>Are there any physical constraints?</b> (e.g. polluted or contaminated land/risk of flooding etc)			
<b>Are there any pylons or similar equipment on site or on surrounding sites?</b>			
<b>If the site is in agricultural use what grade is the agricultural land classification?</b>			
<b>Is the site within the Green Belt?</b>			
<b>Is the site within a defined settlement or urban area boundary?</b>			
<b>Are there any other Development Plan designations?</b>			

Are there any other known constraints?	
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8. Infrastructure & Interventions (Please give details)	
Are there any interventions available to overcome any constraints? (if you require more space please use section 12)	
Are there any specific infrastructure requirements? (if you require more space please use section 12)	

9. Site Availability (Please give details)							
Is the site currently being marketed?							
Is the site owned by a developer?							
Is the site under option to a developer?							
Please tick the likely timescale for the site being developed.	<table border="1"> <tr> <td>2021 – 2026</td> <td><input type="checkbox"/></td> </tr> <tr> <td>2027 – 2032</td> <td><input type="checkbox"/></td> </tr> <tr> <td>2033 – 2038</td> <td><input type="checkbox"/></td> </tr> </table>	2021 – 2026	<input type="checkbox"/>	2027 – 2032	<input type="checkbox"/>	2033 – 2038	<input type="checkbox"/>
2021 – 2026	<input type="checkbox"/>						
2027 – 2032	<input type="checkbox"/>						
2033 – 2038	<input type="checkbox"/>						
Once work has commenced, how many years will it take to complete?							

**10. Access to Site – Site Assessment (Please give details)**

Are there any issues that would restrict access to the site by a representative of the Council undertaking further assessment?

**11. Site Map**

Please attach a 1:1250 scale Ordnance Survey map clearly showing the precise boundaries of the site and details of site ownership.

**12. Continuation Section (Please use this section if you require more space to respond to any other section)**

Section  
Number

Details

--	--

Please return this form to the Development Strategy team via email at [localplan@rugby.gov.uk](mailto:localplan@rugby.gov.uk) or by post to Development Strategy Team, Rugby Borough Council, Town Hall, Evreux Way, Rugby, CV21 2RR by **5pm on Fri 23<sup>rd</sup> September 2022.**

# EQUALITY IMPACT ASSESSMENT (EqIA)

## Context

1. The Public Sector Equality Duty as set out under section 149 of the Equality Act 2010 requires Rugby Borough Council when making decisions to have due regard to the following:
  - eliminating unlawful discrimination, harassment and victimisation, and other conduct prohibited by the Act,
  - advancing equality of opportunity between people who share a protected characteristic and those who do not,
  - fostering good relations between people who share a protected characteristic and those who do not, including tackling prejudice and promoting understanding.
2. The characteristics protected by the Equality Act are:
  - age
  - disability
  - gender reassignment
  - marriage/civil partnership
  - pregnancy/maternity
  - race
  - religion/belief
  - sex/gender
  - sexual orientation
3. In addition to the above-protected characteristics, you should consider the crosscutting elements of the proposed policy, such as impact on social inequalities and impact on carers who look after older people or people with disabilities as part of this assessment.
4. The Equality Impact Assessment (EqIA) document is a tool that enables RBC to test and analyse the nature and impact of what it is currently doing or is planning to do in the future. It can be used flexibly for reviewing existing arrangements but in particular should enable identification where further consultation, engagement and data is required.
5. The questions will enable you to record your findings.
6. Where the EqIA relates to a continuing project, it must be reviewed and updated at each stage of the decision.
7. Once completed and signed off the EqIA will be published online.
8. An EqIA must accompany all **Key Decisions** and **Cabinet Reports**.
9. For further information, refer to the EqIA guidance for staff.
10. For advice and support, contact:  
Minakshee Patel  
Corporate Equality & Diversity Advisor  
[minakshee.patel@rugby.gov.uk](mailto:minakshee.patel@rugby.gov.uk)  
Tel: 01788 533509

## Equality Impact Assessment

<b>Service Area</b>	Development Strategy
<b>Policy/Service being assessed</b>	Gypsy & Traveller Development Plan Document – Issues & Options.
<b>Is this is a new or existing policy/service? If existing policy/service please state date of last assessment</b>	This is a new planning document which will sit alongside the new Local Plan
<b>EqlA Review team – List of members</b>	Maxine Simmons - Development Strategy Manager  Peter Heath - Principal Planning Officer
<b>Date of this assessment</b>	30 <sup>th</sup> August 2022
<b>Signature of responsible officer (to be signed after the EqlA has been completed)</b>	

**A copy of this Equality Impact Assessment report, including relevant data and information to be forwarded to the Corporate Equality & Diversity Advisor.**

If you require help, advice and support to complete the forms, please contact Minakshee Patel, Corporate Equality & Diversity Advisor via email: [minakshee.patel@rugby.gov.uk](mailto:minakshee.patel@rugby.gov.uk) or 01788 533509

**Details of Strategy/ Service/ Policy to be analysed**

<b><u>Stage 1 – Scoping and Defining</u></b>	
(1) Describe the main aims, objectives and purpose of the Strategy/Service/Policy (or decision)?	The document is a planning document which will sit alongside the Local Plan. In its final form it will allocate sites for Gypsy & Travellers to live on. This document is the first stage in that process it sets out some general high level issues around the provision of sites for Gypsy & Travellers.
(2) How does it fit with Rugby Borough Council's Corporate priorities and your service area priorities?	<p>It primarily fits in with priorities on:</p> <ul style="list-style-type: none"> <li>• Encourage healthy and active lifestyles to improve wellbeing within the Borough</li> <li>• Ensure residents have a home that is fit to live in and is affordable</li> </ul> <p>It meets our service area priorities as this is a document required by the Local Plan Inspector and by Policy DS2 of the new Local Plan.</p>
(3) What are the expected outcomes you are hoping to achieve?	This first stage is a necessary legal requirement, in itself it achieves nothing but enables the authority to move on to more important stages that could ultimately provide sites.
(4) Does or will the policy or decision affect: <ul style="list-style-type: none"> <li>• Customers</li> <li>• Employees</li> <li>• Wider community or groups</li> </ul>	Whilst at an early stage, the process of allocating land for the Gypsy and Traveller Community could ultimately affect that community as the aim of the document is to increase pitches for their use. This will affect their way of life and their needs. This particular stage does not yet allocate land but asks questions about how to meet the needs of the Gypsy and Traveller community.
<b><u>Stage 2 - Information Gathering</u></b>	As a minimum you must consider what is known about the population likely to be affected which will support your understanding of the impact of the policy, e.g service uptake/usage, customer satisfaction surveys, staffing data, performance data, research information (national, regional and local data sources).

<p>(1) What does the information tell you about those groups identified?</p>	<p>Approximately every 5 years a detailed piece of evidence is produced which sets out what the G&amp;T community need in terms of the overall number of pitches. This is undertaken by specialist consultants and uses best practice techniques to determine overall need. The focus is on ensuring that the number of residential pitches for the G&amp;T community are adequate and meet projected changes in population.</p> <p>Historically, there is a national shortage of G&amp;T pitches compared with the overall community and Rugby borough is no different. The detailed evidence is contained within both the 2017 and 2022 Gypsy and Traveller Accommodation Assessment. The process of adopting the Development Plan Document aims to increase the number of pitches in the Borough to meet need, and these pitches will be available exclusively for the G&amp;T community rather than the general population. From the annual monitoring report, we know provision has failed to keep pace with demand, therefore we know there is a shortage of sites for Gypsy &amp; Travellers, going through the process of adopting this DPD could help provide sites for Gypsy &amp; Travellers.</p>		
<p>(2) Have you consulted or involved those groups that are likely to be affected by the strategy/ service/policy you want to implement? If yes, what were their views and how have their views influenced your decision?</p>	<p>This is the part of the process we are about to undertake, comments will be considered as part of the progress of the DPD.</p>		
<p>(3) If you have not consulted or engaged with communities that are likely to be affected by the policy or decision, give details about when you intend to carry out consultation or provide reasons for why you feel this is not necessary.</p>	<p>If granted approval at Cabinet a six week public consultation will take place which will be widely advertised in line with our Statement of Community Involvement.</p>		
<p><b><u>Stage 3 – Analysis of impact</u></b></p>			
<p><u>(1) Protected Characteristics</u> From your data and consultations is there any positive, adverse or negative impact identified for any particular group, which could</p>	<p><b>RACE</b> Yes. The DPD is specifically about the G&amp;T community and their needs</p>	<p><b>DISABILITY</b></p>	<p><b>GENDER</b></p>

amount to discrimination?  If yes, identify the groups and how they are affected.	MARRIAGE/CIVIL PARTNERSHIP	AGE	GENDER REASSIGNMENT
	RELIGION/BELIEF	PREGNANCY MATERNITY	SEXUAL ORIENTATION
<p><u>(2) Cross cutting themes</u></p> <p>(a) Are your proposals likely to impact on social inequalities e.g. child poverty, geographically disadvantaged communities? If yes, please explain how?</p> <p>(b) Are your proposals likely to impact on a carer who looks after older people or people with disabilities? If yes, please explain how?</p>	<p>Whilst at an early stage, the process of allocating land for the Gypsy and Traveller Community could ultimately affect that community as the aim of the document is to increase pitches for their use. This will affect their way of life and their needs. This particular stage does not yet allocate land but asks questions about how to meet the needs of the Gypsy and Traveller community.</p> <p>See 2a above.</p>		
(3) If there is an adverse impact, can this be justified?	N/A		
(4) What actions are going to be taken to reduce or eliminate negative or adverse impact? (this should form part of your action plan under Stage 4.)	N/A		
(5) How does the strategy/service/policy contribute to the promotion of equality? If not what can be done?	Providing enough pitches for the G&T to live on contributes to the promotion of equality. The questions in the Issues and Options paper seek views on how the detail of the document can be shaped so that the G&T community's needs can be met.		
(6) How does the strategy/service/policy promote good relations between groups? If not what can be done?	If sites are eventually provided this may reduce the incidences of illegal site occupation that often upset the settled community. If sites do not come forward then the current cycle of lack of provision – illegal occupation – eviction will continue.		

(7) Are there any obvious barriers to accessing the service? If yes how can they be overcome?	There are no obvious barriers to people responding to the consultation.																													
<b><u>Stage 4 – Action Planning, Review &amp; Monitoring</u></b>																														
<p>If No Further Action is required then go to – Review &amp; Monitoring</p> <p>(1) Action Planning – Specify any changes or improvements that can be made to the service or policy to mitigate or eradicate negative or adverse impact on specific groups, including resource implications.</p>	<p>Future actions will be determined by the responses to the Issues &amp; Options document and the call for sites.</p> <p><b>EqIA Action Plan</b></p> <table border="1" data-bbox="875 724 2116 954"> <thead> <tr> <th>Action</th> <th>Lead Officer</th> <th>Date for completion</th> <th>Resource requirements</th> <th>Comments</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>					Action	Lead Officer	Date for completion	Resource requirements	Comments																				
Action	Lead Officer	Date for completion	Resource requirements	Comments																										
(2) Review and Monitoring State how and when you will monitor policy and Action Plan	This EqIA will be reviewed again after the Issues & options consultation closes in mid-November 22.																													

Please annotate your policy with the following statement:

**‘An Equality Impact Assessment on this policy was undertaken on 30<sup>th</sup> August 2022 and will be reviewed on 25<sup>th</sup> November 2022.’**