

Brinklow Neighbourhood Plan 24th January 2022

Basic Conditions Statement

2021–2041

1. Introduction

1.1 This Statement has been prepared by Brinklow Parish Council (BPC) to accompany its submission to the local planning authority, Rugby Borough Council (RBC) of the Brinklow Neighbourhood Plan (“the Neighbourhood Plan”) under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (as amended) (“the Regulations”).

1.2 The Neighbourhood Plan has been prepared by Brinklow Parish Council, a qualifying body, for the Neighbourhood Area covering the whole of the Parish of Brinklow. The policies described in sections 2, 3, 4, 5, 6, 7 and 8 of the Neighbourhood Plan all relate to the development and use of land in the designated Neighbourhood Area. It does not contain policies relating to “excluded development” as defined by, and in accordance with, the Regulations. The plan period of the Neighbourhood Plan is from 2021 to 2041.

1.3 The document also contains in section 9 details of implementation, monitoring and review of the neighbourhood plan.

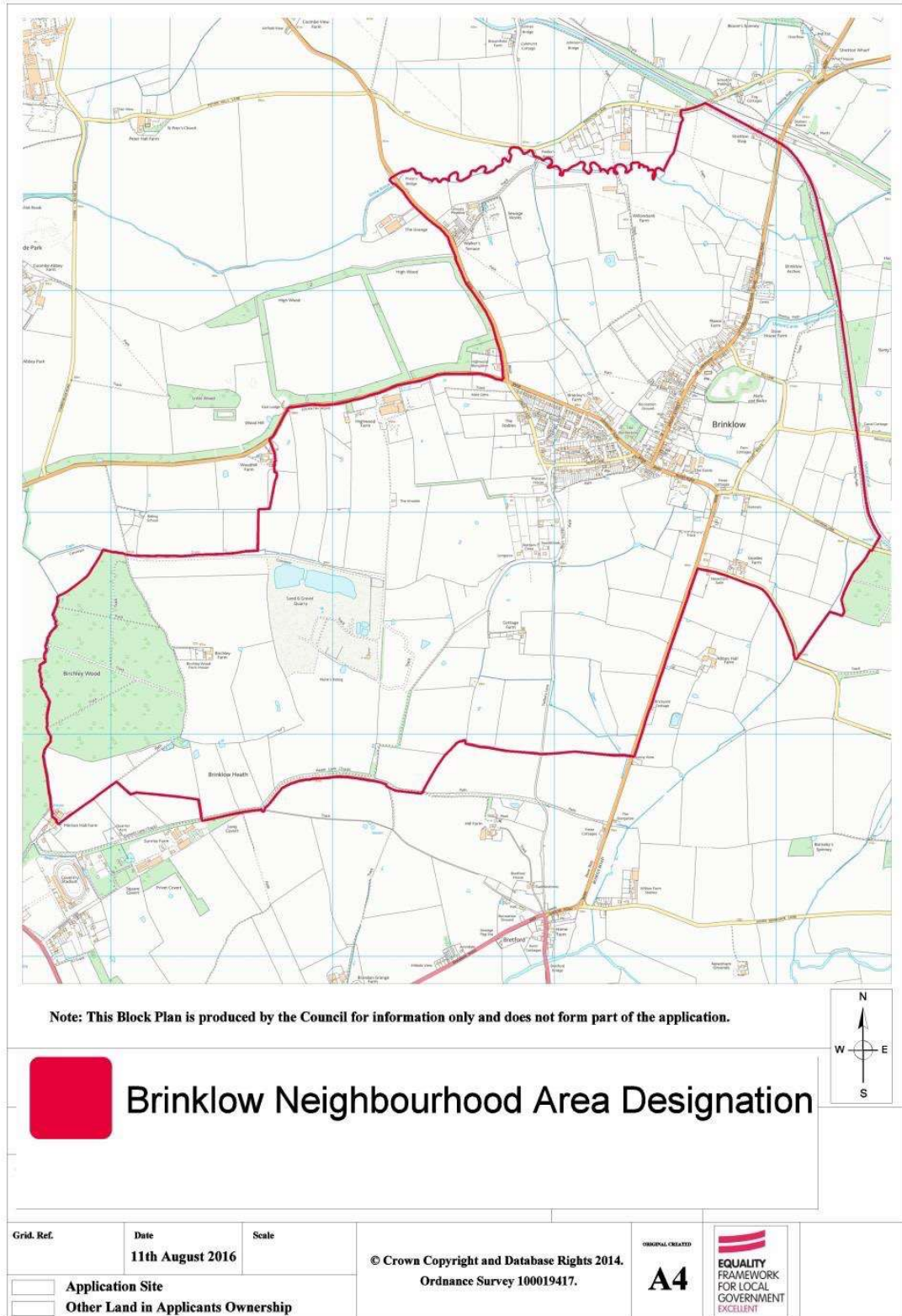
1.4 This Statement addresses each of the “basic conditions” required of the Regulations and explains how the submitted Neighbourhood Plan meets the requirements of paragraph 8 of Schedule 4B to the 1990 Town & Country Planning Act.

1.5 The Regulations state that a Neighbourhood Plan will be considered to have met 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 development plan;*
- *the making of the neighbourhood development plan contributes to the achievement of sustainable development;*
- *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);*
- *the making of the neighbourhood development plan does not breach, and is otherwise compatible with, EU obligations;*
- *meet prescribed conditions and comply with prescribed matters.*

1.6 Regulation 32 of the 2012 Regulations prescribes a further Basic Condition for a neighbourhood plan. This requires that 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 2017. This came into force on 28 December 2018 through the Conservation of Habitats and Species and Planning (various amendments) England and Wales Regulations 2018.

Figure 1: Designated Neighbourhood Plan Area for Brinklow



2. Background

2.1 The decision to proceed with a Neighbourhood Plan was made by the Brinklow Parish Council in June 2016 and the Brinklow Neighbourhood Plan was designated by Rugby Borough Council on 11th August 2016.

2.2 A Neighbourhood Plan Steering Group was formed by the Parish Council, comprising parish councillors and members of the local community, and it was delegated authority to make day-to-day decisions on the Neighbourhood Plan. However, as a qualifying body, the Parish Council itself approved the publication of the Pre-Submission (regulation 14) Neighbourhood Plan for consultation from 2 November 2021. The Regulation 16 submission Neighbourhood Plan is being undertaken from January/February 2022 for a 6 weeks Consultation period.

2.3 There has been very considerable community engagement activity on the Plan. This is laid out in detail in the separate Consultation Statement, which is published by the Parish Council as part of the submission documentation.

2.4 The Brinklow Neighbourhood Plan contains 40 land use policies and relevant policies maps and photographs, which identify where some of the policies will apply in the Parish. The Parish Council has deliberately sought to focus policies on the key issues that matter to the local community and to reinforce the national planning guidance and/or development plan policies that are already material considerations in determining future planning applications.

3. Conformity with National Planning Policy

3.1 The Neighbourhood Plan has been prepared with full regard to national policies as set out in the 2012 National Planning Policy Framework (NPPF 2012) and the revised framework, the latest one dated July 2021, and is mindful of the Planning Practice Guidance (PPG) in respect of formulating neighbourhood plans.

3.2 Presumption in favour of sustainable development:

Paragraph 12: the development plan is the starting point for decision making and this includes any neighbourhood plan.

Paragraph 13: neighbourhood plans should support the delivery of strategic policies contained in local plans or spatial development strategies and should shape and direct development that is outside of these strategic policies.

Paragraph 14: reminds us that the adverse impact of allowing housing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, provided four criteria apply referring to timing and identified housing need.

3.3 The Parish Council believe that the neighbourhood plan is planning positively for future development in the parish and supports the delivery of the strategic policies of the adopted Local Plan as advised in the above paragraphs of the NPPF.

3.4 Paragraph 18 and 21 indicate that policies to address non-strategic matters and detailed matters should be included within neighbourhood plans, and the Brinklow Neighbourhood Plan contains such policies.

3.5 Advice on non-strategic policies and the role of neighbourhood plans is identified in paragraphs 29 and 30. The Brinklow Neighbourhood Plan establishes a shared vision for the area and its policies shape, direct and help deliver sustainable development. It has sought to translate objectives into a number of meaningful planning policies to complement other development plan policies for managing development.

3.6 Under paragraph 69, neighbourhood planning groups are encouraged to consider the opportunities for allocating small and medium-sized sites suitable for housing in their area, consistent with the advice in paragraph 68a relating to sites no larger than one hectare. The neighbourhood plan identifies policies that support this provision.

3.7 The neighbourhood plan strikes a positive balance between the policy constraints of the Parish and the need to support the general requirements of the development plan as set out in Section 5 below.

3.8 Set out in Table A below is a brief summary of how each policy has had proper regard to the NPPF July 2021. The particular paragraphs referred to in the table are those considered the most relevant to each policy but are not intended to be an exhaustive list of all possible relevant paragraphs.

Table A: Neighbourhood Plan and NPPF Conformity Summary

No.	Policy Title	Commentary
HO1	Brinklow development limits	This policy designates the limits of the village for development as shown on the submitted plan area. Policy HO1 directs the physical growth of the settlement over the plan period subject to 6 criteria. This is in line with the advice at para 11 of NPPF. It directs development to within the identified Development Boundary and this would be in accordance with paras 68, 69 and 78 of NPPF. Development proposals outside the identified Development Boundary should accord with para 79 of NPPF.
HO2	Development outside the settlement Boundaries	Housing development proposals on land outside the settlement boundaries will only be supported if they meet one or more specific exception criteria that are listed in that policy. These details accord with the advice provided in para 79 of the NPPF.
HO3	Design Principles	Development proposals for new buildings and extensions should meet local design principles which include five criteria relating to complement the local vernacular, respect the scale and height of adjacent buildings, use appropriate density, minimise visual impact on the street scene and respect and enhance the natural setting. This accords with advice at paras 8, 127,131 and 151 of NPPF.
HO4	Policy for Lutterworth Road site	Development of this land is supported as a rural exception site for a mixture of up to 12 affordable houses and up to 7 elderly persons dwellings that meet the identified housing needs. This accords with advice at paras 8,62,64,69, 78, 79 and 149 of the NPPF.
HO5	Affordable Housing	Development of affordable housing will be supported provided it complies with par 78 of the NPPF.
HO6	Specialist housing for the elderly	Development of specialist housing that meets the identified needs of older people will be supported. This complies with the advice in paras 60, 62 and 65 of the NPPF.
E1	Development within Green Belt	Any development within green belt must be supported by identified proven need that enables the site to be treated as a rural exception site. This accords with paras 147, 149 and 150 of the NPPF
E2	Public rights of Way	Support is given for the improvement and development of footpaths to provide better access to

		the countryside. This complies with the advice in paras 100, 104, 106 and 174 of the NPPF.
E3	Areas of Local Green Space	The neighbourhood plan identifies seven areas of green open spaces that should be retained protected and improved to ensure that they remain as areas of Local Green Space. This is in accordance with the criteria and advice provided in paras 101, 102 and 103 of the NPPF.
E4	Protecting and enhancing non historic green open spaces	This policy is aimed at protecting other important community spaces as open areas and to be kept free from built development. This is supported by paras 93 and 99 of the NPPF
E5	Agricultural Land	The intention is to protect this land for historic landscape and rural employment and food production reasons. Paras 8, 20, 84 and 174 of the NPPF support these aims.
E6	Landscapes, vistas and skylines	Key features of the views identified in the plan entitled valued landscapes should be protected. This accords with the advice in paras 8 and 174 of NPPF
E7	Pollution	This policy seeks to restrict the detrimental impacts that pollution might have on the environment and health and this aim is supported by paras 174 and 188 of NPPF
E8	Renewable energy	The NP seeks to encourage opportunities for renewable energy. Paras 156 and 174 of the NPPF support this approach.
E9	Biodiversity and Habitats	This policy is in accordance with guidance in paras 174, 179,180,181 and 182 in the NPPF regarding habitats and biodiversity
E10	Hedgehog and other wild life protection	This policy is in accordance with paras 174, 179 and 180 of NPPF
E11	Local Wildlife sites	This policy is in accordance with paras 174, 179 and 180 of NPPF
B1	Encouragement and growth of small existing businesses	This policy supports the expansion and/or alteration of existing retail or employment use provided they respect heritage, local character and amenities of neighbouring businesses or residential property. This accords with paras 8a) and 8c), 81,82, 83 and 84 of NPPF.
B2	New business opportunities	This policy promotes the development and growth of small business and accords with the advice in paras 8a),81, 82, 83 and 84 of NPPF.
B3	Business traffic and parking	The policy requires provision of car and cycle parking for any new development for business purposes. This is in line with paras 8a), 82, 84,85 and 110 of the NPPF.

B4	Proposed new car park area for the village.	This policy supports the creation of new businesses and tourism by the provision of a new car park. It is in accord with paras 8a), 82 and 84 of NPPF.
B5	Tourism and visitor attractions	This policy aims to promote local tourism and attractions that will encourage new businesses. This reflects the guidance of paras 8, 82 and 84 of the NPPF.
TR1	Development proposals shall be supported by details of the measures taken to provide sustainable transport	This policy reflects the guidance in section 9 of the NPPF to promote sustainable transport including references to paras 104, 105, 106, 107 and 110.
TR2	Proposes partnerships with other transport providers to achieve a high quality integrated transport system.	Proposals that would enable and encourage access and usage to a variety of transport modes would be supported. This reflects guidance from section 9 of the NPPF and includes paras 104, 106, 107, 110 and 112.
TR3	Promotion of transport infrastructure projects	The Brinklow PC will work in partnership with other providers of transport initiatives to develop and promote projects that secure improvements to all modes of transport and safe walking and cycling routes. This reflects the advice in section 9 of the NPPF and includes the advice in paras 104, 106 and 110.
TR4	Transport and rural crime	This aims to promote safety and reduce crime in the rural environment and follows the guidance of section 9 and paragraph 112 of the NPPF
TR5	Transport and the environment	This policy is intended to sustain the environment as transport initiatives are being developed. This follows the guidance of section 9 and paragraph 112 of the NPPF
IC1	Support for security systems that assist in the prevention of crime	This policy supports the improvement to the delivery of broadband and other technical hardware. This reflects the advice at paras 114 and 115 of the NPPF.
IC2	Connectivity Hub	This policy supports the provision of a dedicated connectivity hub via a future land allocation or use of a property. This reflects the guidance provided in paras 114 and 115 of NPPF.
IC3	Broadband and mobile phone coverage	This policy encourages and supports improvements to these services. It is supported by paras 114 and 115 of NPPF.
CF1	Protecting existing community facilities	This policy aims to protect existing facilities and promote healthy and safe new provision. It is in

		accordance with the aims of paras 8b) social objective, 92, 93,96 and 97 of the NPPF
CF2	To support additional services and facilities	This policy is in accordance with the aims of paras 8b) social objective, and 92, 93, 96 and 97 of the NPPF
CF3	Enhance provision of social and sport facilities for older children	This policy is in accordance with the aims of paras 8b). 93, 95 and 96 of the NPPF
CF4	Provision of additional commercial services to the village	This is supported by guidance from paras 8a) and b) and 84 supporting a prosperous rural economy from the NPPF
CF5	Access to healthcare and outdoor recreation areas	This is supported by paras 8b) and c) and 92, 93,98 and 99 of the NPPF
HC1	Conservation and enhancement: listed buildings and conservation area	This accords with the advice in paras 8c), 190, 197, 198, 206, and 208 of the NPPF
HC2	Natural and historic landscape features	This accords with the advice in paras 8c) and 174 of the NPPF
HC3	Extension of Brinklow conservation area	This policy supports the further consideration of an extension to the conservation area. This assessment is supported by paras 8c) and 190,191 and 192 of the NPPF
HC4	Explanation of historic farmsteads policy	To protect the local distinctiveness of historic farmsteads and agricultural buildings. This accords with the guidance in paras 8c), 174 and 190 of the NPPF
HC5	Archaeological policy	To protect archaeological interests in accordance with advice in paras 8c) and 190, 192, 194, 195 and 197 of the NPPF

4. Contribution to Achieving Sustainable Development

4.1 Rugby Borough Council has determined that a Strategic Environmental Assessment (SEA) and a Habitats Regulations Assessment (HRA) was not required for the Neighbourhood Plan as it considered the policies were unlikely to have a significant environmental effect, as defined by the Environmental Assessment of Plans and Programmes Regulations 2004. The determination statement is dated 14th January 2022.

4.2 Specifically the environmental assessment of plans and programmes regulations 2004 and regulation 9 screening determination statement concludes:

“In accordance with Regulation 9 of the SEA Regulations 2004 Rugby Borough Council has determined that an environmental assessment of the emerging Brinklow Neighbourhood Plan is not required as it is unlikely to have significant environmental affects.

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 the Regulations forms Appendix 1 to this determination and comments made by the Consultation bodies form Appendix 2.

The determination was made on Friday 14th January 2022.”

A copy of the determination by Rugby Borough Council and full details of Appendix 1 and Appendix 2 are provided as a supportive document to this Basic Conditions Statement and available on line on the [Brinklow Parish Website](#).

4.3 However, the basic condition of “contributing to the achievement of sustainable development” requires a broader scope of assessment to embrace social and economic, as well as environmental, objectives. For completeness, therefore, Table B summarises the economic, social and environmental attributes of each policy.

4.4 The vision and objectives of the Brinklow Neighbourhood Plan comprise a mixture of social, economic and environmental goals.

The social goals are to protect, sustain and enhance the health, well-being, leisure and cultural facilities available in the village with the provision of appropriate new facilities, including healthcare and homes to meet the desires and needs of the community.

The economic goals are to maintain and support the growth of existing local business, while attracting new opportunities for working in the Neighbourhood Plan Area that will also attract tourism and encourage day visitors thus supporting existing businesses. It is also important to ensure that the area has the latest and fastest communication network.

The environmental goals reflect the desire to ensure that whilst the village sits within an essentially rural environment and within green belt it is responsive to the needs of the community for specialist housing and investment in improvements. The scale of any new development is to be balanced to preserve the rural identity and natural features and to protect and conserve the historic environment.

4.5 The chosen policies translate the objectives into viable and effective development management policies that provide sustainable solutions.

**Table B: Neighbourhood Plan and Sustainable Development Summary
(+ positive, 0 neutral, - adverse effects)**

No.	Policy Title	Soc.	Eco.	Env.	Commentary
HO1	Brinklow development limits	+	0	+	The policy directs development to within the identified development boundaries.
HO2	Development outside the settlement boundaries	+	0	0	Development outside the settlement boundaries will be allowed if it accords with par 79 of the NPPF. Such development will provide a positive social benefit and designed in such a way as to have a neutral environmental impact.
HO3	Design Principles	+	+	+	This will encourage high quality developments that do not adversely affect neighbouring properties and will have positive social, economic and environmental effects.
HO4	Policy for Lutterworth Road site	+	+	+	This proposal is promoted as a rural exception site for up to 12 affordable houses and up to 7 elderly persons dwellings that meet the identified housing needs. This development will have positive social, economic and environmental effects.
HO5	Affordable housing	+	+	+	This policy is related to a proven local housing need and will have positive effects for the criteria of sustainable development.
HO6	Specialist housing for the elderly	+	+	+	This policy is related to a proven housing need and will have positive effects for the criteria of sustainable development
E1	Development within green belt	+	0	0	This positive in social terms but has a neutral effect in economic and environmental terms due to the specific proven need for the development and the character and location of the specific site.

E2	Public rights of way	+	0	+	This will have a positive impact on social well-being and environmental terms
E3	Areas of Local Green Space	+	0	+	In economic terms this is a neutral policy but it is positive in social and environmental terms
E4	Protecting and enhancing non historic green open spaces	+	0	+	This policy maintains and enhances rural character and will have positive impact in social and environmental terms
E5	Agricultural land	+	+	+	This policy will contribute positively to social, economic and environmental aspects
E6	Landscape, vistas and skylines	+	0	+	This policy maintains and enhances the rural character of the Parish and will have a positive impact on both social well-being and the environment.
E7	Pollution	+	0	+	This policy will have a positive effect on social well-being and the environment
E8	Renewable energy	+	+	+	This policy will have a positive effect on social, economic and environmental aspects.
E9	Biodiversity and habitats	+	0	+	In economic terms this is a neutral policy but it is positive in social and environmental terms.
E10	Hedgehog and other wild life protection	0	0	+	In social and economic terms this is a neutral policy but positive in environmental terms.
E11	Local Wildlife sites	0	0	+	In social and economic terms this is a neutral policy but positive in environmental terms
B1	Encouragement and growth of small businesses	+	+	+	Any new business or growth of an existing business contributes positively to the social, economic and environmental well-being of the area.
B2	New business opportunities	+	+	+	This policy promotes the development and growth of businesses that will contribute

					positively to the social, economic and environmental well-being of the area.
B3	Business traffic and parking	+	0	0	This policy will have a positive effect on the social well-being of the workplace and a neutral effect on the economy and environment
B4	Proposed new car park for the village	+	+	+	This policy will have a beneficial social, economic and environmental effect on the community
B5	Tourism and visitor attraction	+	+	+	This policy will have a beneficial social, economic and environmental effect on the community
TR1	Development proposals to include measures for sustainable transport	+	0	0	This policy will have a positive social impact and a neutral impact on the economy and the environment
TR2	Partnerships for integrated transport system	+	+	+	This policy will have a positive impact on social, economic and environmental aims.
TR3	Promotion of transport infrastructure projects	+	+	0	This policy will have positive social and economic effects.
TR4	Transport and rural crime	+	0	0	This policy will have positive social effects.
TR5	Transport and the environment	+	0	+	This policy will have positive social and environmental effects
IC1	Support for security systems to prevent crime	+	0	0	This will have a positive impact on social well being
IC2	Connectivity hub	+	+	0	This will have a positive impact on social and economic well being
IC3	Broadband and mobile phone coverage	+	+	0	This will have a neutral effect on the environment but provide positive effects for social and economic well being
CF1	Protecting existing	+	0	0	This policy will have a positive social effect in retaining the viability of existing facilities .

	community facilities				
CF2	Support for additional services and facilities	+	+	0	This policy will have a positive social and economic effect with the encouragement of new provision
CF3	Enhance provision of social and sport facilities for older children	+	+	0	The policy will have a positive social and economic effect and a neutral effect on the environment
CF4	Provision of additional commercial services	+	+	0	This encourages development that provides a positive social and economic effect.
CF5	Access to health care and outdoor recreation	+	0	0	This offers a positive uplift to the social well-being of the community
HC1	Conservation and enhancement of listed buildings	+	+	+	This contributes positively to the social, economic and environmental well-being of the area
HC2	Natural and historic landscape features	+	0	+	This will have a positive impact both on social well-being and the environment.
HC3	Extension to Brinklow Conservation Area	+	0	+	In economic terms, this is a neutral policy, but it is positive in social and environmental terms.
HC4	Explanation of historic farmsteads policy	+	0	+	This policy maintains and enhances the rural character of the Parish and will have a positive impact on both social well-being and the environment.
HC5	Archaeology policy	+	0	+	This policy will have a positive impact on both social well-being and the environment.

5. General Conformity with the Development Plan

5.1 The Neighbourhood Plan has been prepared to ensure its general conformity with the strategic policies of the Rugby Borough Council Local Plan 2011-2031 adopted June 2019. This new Local Plan has now replaced the previously saved policies of the Rugby Borough Council Local Plan 2006 and Core Strategy adopted in 2011 that were noted in a policy review document prepared as a background to the Brinklow Neighbourhood Plan in October 2017 and revised in December 2018. The now adopted Rugby Local Plan 2011-2031 establishes a new strategic framework for the Neighbourhood Area.

5.2 This Basic Conditions Statement has been provided based on the adopted Rugby Borough Council Local Plan 2011-2031 and Table C below considers those adopted policies.

Table C: Neighbourhood Plan and Development Plan Conformity Summary

Key:

RBC: Policies from Rugby Borough Council Local Plan 2011-2031

No.	Policy Title	Commentary
HO1	Brinklow development limits	RBC Policy GP2 defines settlement hierarchy and Brinklow is defined as a Main Rural Settlement in which development will be permitted within existing boundaries and on allocated sites. The proposed policy HO1 respects this policy.
HO2	Development outside the settlement boundaries	RBC Policy GP2 supports development within the village confines. In addition, it provides advice in the supporting text at paragraph 3.13 that “some schemes, such as those submitted under the rural exception affordable housing policies or as community led development schemes may come forward on sites outside the defined settlement boundaries of Main Rural Settlements. Such schemes may be acceptable if they meet the social or economic needs of that community.” The proposals in the neighbourhood plan and in particular policies HO1 and HO2 will be in conformity with the policy GP2 and the supporting text.
HO3	Design Principles	RBC: Policy SDC1 Sustainable Design advises that all development will demonstrate high quality and be of

		<p>a scale density and design that responds to the character of the areas in which they are situated.</p> <p>Policy SDC2 Landscaping: The landscape aspect of a development proposal will be required to form an integral part of the overall design.</p> <p>Policy HO3 of the NP is compliant with the Local Plan policies SDC1 and SDC2.</p>
HO4	Policy for Lutterworth Road Site	<p>RBC</p> <p>The NP policy HO4 is in conformity with the Local Plan policy GP2 and its supportive text as outlined under HO2 above and this applies also to the proposal for development at the site in Lutterworth Road.</p> <p>That site is “a preferred rural exception site for a mixture of up to 12 affordable housing units and up to 7 elderly persons dwellings.”</p> <p>The approach was taken that this was a “preferred rural exception site” rather than a specific site allocation under Policy H4 of the Rugby Local Plan as that policy requirement goes beyond the scope of the neighbourhood plan by requiring details of the management of the dwellings and whether the site can provide affordable housing with/without market housing all of which will be demonstrated through a planning application.</p> <p>Policy HO4 is therefore compliant with the Local Plan policy GP2</p> <p>The RBC Local Plan policy SDC2 requires that the landscape aspects of any development proposal are an integral part of the overall design. The protection and enhancement of landscape features is an important aspect of the Lutterworth Road site and its development would not be in conflict with the policy SDC2.</p>
HO5	Affordable housing	<p>RBC:</p> <p>This policy is in accordance with the Local Plan policy H2 affordable housing provision and H4 Rural exception sites.</p>
HO6	Specialist housing for the elderly	<p>RBC:</p> <p>This policy is in accordance with the Local Plan policy H6 Specialist Housing.</p>
E1	Development	<p>RBC:</p> <p>Any development within green belt must be supported by identified proven need and a site selection assessment that enables it to be treated as a rural exception site. This approach is identified within the</p>

		Local Plan policies H2, H4 and H6 and NP policy E1 is in accordance with that advice.
E2	Public rights of way	RBC: Policy HSI supports the intention of any development to create healthy safe and inclusive communities and two of the actions listed under that policy are “ to contribute to the development of a high quality, safe and convenient walking and cycling network” and “to improve the quality and quantity of green infrastructure networks and protect and enhance physical access, including public rights of way to open space.” The NP policy E2 fully complies with that policy.
E3	Areas of Local Green Space	RBC: The NP policy E3 is broadly consistent with Local Plan Policy HS4 where in its supportive text at paras 8.15 and 8.16 it is stated that “all open space of public value can be defined as primary open land whether green or hard surfaced” The NP policy E3 is also compliant with the Local Plan policies NE2 strategic green and blue infrastructure and NE3 landscape protection and enhancement.
E4	Protecting and enhancing non historic green open spaces	RBC: The NP policy E4 is aimed at protecting other important community spaces as open areas to be kept free from built development. This policy fully supports the Local Plan policies HS4 open space, sports facilities and recreation and policy SDC2 landscaping and SDC3 protecting and enhancing the historic environment.
E5	Agricultural Land	RBC: Policy GP2 advises that new development on green belt land will be resisted and most of the agricultural land outside the settlement of Brinklow is in agricultural use, and NP E5 will be in accordance with that advice. In addition, Local Plan policies H2, H4 and H6 provide guidance for development that might be considered exceptions and would be on agricultural land and policy E5 takes note of that advice.
E6	Landscape, vistas and skyline	RBC: Policy NE3 provides advice for landscape protection and enhancement and advises that any proposal “identifies the likely visual impacts on the local landscape and townscape and its immediate setting and undertakes appropriate landscaping to reduce these impacts.

		NP policy E6 supports the Local Plan policy NE3 and goes slightly further than policy NE3 with specific considerations of the different types of developments that could harm valued landscapes.
E7	Pollution	RBC: Advice on minimising the effect of pollution is provided in the Local Plan in policies SDC1 and HS5. NP Policy E7 is in accordance with these LP policies.
E8	Renewable energy	RBC: Policy E8 is in compliance with the Local Plan policy SDC1 which encourages enhancing energy efficiency, policy SDC4 sustainable buildings which encourages the use of renewable energy generation and policy SDC8 supporting the provision of renewable energy and low carbon technology.
E9	Biodiversity and habitats	RBC: Policy NE1 provides advice for protecting designated biodiversity and geodiversity assets for both sites of national importance and local importance. Policy E9 of the NP is in accordance with this policy and advises that “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.”
E10	Hedgehog and other wildlife protection	RBC: The LP policy NE1 provides advice for the protection of habitats that have biodiversity and geodiversity This would include protection for hedgehog and other wildlife. NP Policy E10 is in accordance with this policy.
E11	Local Wild life sites	RBC: Policy E11 of the NP is compliant with the details of the LP policy NE1 and special note should be taken to have regard to the particular advice provided on the relationship of any possible development at local wild life sites and measures that should be taken to mitigate any effects.
B1	Existing businesses	RBC LP policy ED3 provides guidance for shaping employment development including conversions and redevelopment. NP policy B1 will support this policy.
B2	New business opportunities and growth of existing businesses	RBC: LP Policy SDC1 encourages the most efficient and effective use of previously developed land and provision of new sites. It will support continued use

		<p>and redevelopment of employment sites and states that “proposals for new development will ensure that the living conditions of existing and future neighbouring occupiers are safe guarded.”</p> <p>NP policy B2 supports this approach to business development</p> <p>Policy B1 of the NP is in conformity with these VALP policies.</p>
B3	Business traffic and parking	<p>RBC</p> <p>NP policy B3 requires provision of car and cycle parking for any new development for business purposes. This is in line with LP policies D1 transport which encourages safe and convenient access for pedestrians and cyclists as well as providing opportunities for sustainable transport.</p> <p>In addition, LP policy D2 provides guidance for parking facilities for cars, motor cycles and cycles including the provision of electric charging points and NP policy B3 supports this guidance.</p>
B4	Proposed new car park area for the village	<p>RBC:</p> <p>NP Policy B4 supports the creation of new businesses and tourism by the provision of a new car park and this policy will be in accordance with LP Policy SDC1 that supports development of a scale, density and design that responds to the character of the area and which adds to the overall quality of the areas.</p>
B5	Tourism and visitor attractions	<p>RBC:</p> <p>NP policy B5 aims to promote local tourism and attractions that will support and encourage new business and it will be in accordance with the aims and purposes of LP policies ED3 and SDC1.</p>
TR1	Development proposals and sustainable transport	<p>RBC:</p> <p>Policy D1 Transport advises that development will be permitted where sustainable modes of transport are prioritised and where practical and effective measures are taken to mitigate any adverse impacts of traffic.</p> <p>NP policy TR1 is compliant with the local plan policy D1.</p>
TR2	Partnerships to achieve a high quality integrated transport system	<p>RBC:</p> <p>Policy D1 Transport supports the provision of sustainable modes of transport and policy D3 Infrastructure and Implementation encourages delivery of new development to be supported by improvements to or provision of new infrastructure where necessary.</p> <p>NP policy TR2 is compliant with those policies.</p>

TR3	Promotion of Transport infrastructure projects	RBC: Policy D1 Transport and Policy D3 Infrastructure and Implementation both support and promote the provision of improvements to existing and provision of new transport infrastructure projects. NP Policy TR3 is compliant with those policies.
TR4	Transport and rural crime	RBC: There are no direct policies in the Local Plan that relate to specifically promoting safety and reduce crime. However, it is considered that the NP policy TR4 would not be in conflict with any of the policies of the Local Plan.
TR5	Transport and the environment	RBC: The NP policy TR5 will be compliant with the LP Policy D2.
ICI	Support for security systems that assist in the prevention of crime	RBC: There are no direct policies in the Local Plan that relate to security systems. However it is considered that the NP policy ICI would not be in conflict with any of the policies of the Local Plan.
IC2	Connectivity Hub	RBC: Policy SDC9 supports the provision of improvements for mobile, broadband and wi-fi in existing and new developments. The NP policy IC2 would not be in conflict with this policy as the provision of a connectivity hub would help facilitate improvements.
IC3	Broadband and mobile phone coverage	RBC: Policy SDC9 supports the provision of improvements for mobile, broadband and wi-fi in existing and new developments. The NP policy IC3 will be compliant with this policy.
CF1	To protect existing community facilities	RBC: The NP policy CF1 is compliant with the Local Plan community facility policies HS3 and HS4.
CF2	To support additional services and facilities	RBC: The NP policy CF2 is compliant with the Local Plan community facilities policies HS3 and HS4.
CF3	Enhance provision of social and sport facilities for older children	RBC: The NP policy CF3 is compliant with the Local Plan community facilities policies HS3 and HS4.
CF4	Provision of additional commercial services to the village	RBC: The NP Policy CF4 supports the aim for a prosperous rural economy for the village and its surrounds which

		will be in accordance with the Local Plan policies ED3 and SDC1.
CF5	Access to health care and outdoor recreation	RBC: The NP policy CF5 is compliant with the Local Plan policies HS3 and HS4
HC1	Conservation and enhancement	RBC: The NP policy HC1 is compliant with Local Plan policy SDC3.
HC2	Natural and historic landscape features	RBC: The NP policy HC2 is compliant with Local Plan policy SDC2
HC3	Extension of Brinklow Conservation Area	RBC: The NP policy HC3 will not be in conflict with the advice provided under Local Plan policy SD3 for protecting and enhancing the historic environment
HC4	Explanation of historic farmsteads	RBC: The NP policy HC4 will not be in conflict with the advice provided under Local Plan policy SD3.
HC5	Archaeology policy	RBC: The NP policy HC5 is compliant with Local Plan Policy SDC3.

6. Compatibility with EU Legislation

6.1 As set out in Section 4 above, a screening opinion has been obtained from Rugby Borough Council dated 14th January 2022 which confirmed that the Neighbourhood Plan would not have any significant environmental effects and that an SEA would not be required for the Neighbourhood Plan to be in accordance with EU Directive 200142/EC.

6.2 Further, in paragraph 5.1 Rugby Borough Council reported that “ Ensors Pool Special Area of Conservation (SAC) and the River Mease SAC are not considered to sit within 15km of the Neighbourhood Plan Area. The Brinklow Neighbourhood Plan is not allocating any sites (please see previous comments on the preferred site which could be subject to a separate planning application) so it is not considered that there would be any detrimental impacts on Ensors Pool or the river Mease.”

7. Meet prescribed conditions and comply with prescribed matters

There are no other prescribed conditions or prescribed matters that have to be considered.

8. Compatibility with the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017

The proposed Neighbourhood Plan does not breach any of the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species and Planning (various amendments) England and Wales Regulations 2018.