

Bishop's Itchington Neighbourhood Development Plan

Basic Conditions Statement

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

Bishop's Itchington Parish Council

With assistance from



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1.0 Introduction

1.1 Planning Practice Guidance (Paragraph: 065 Reference ID: 41-065-20140306)¹ sets out that only a draft neighbourhood plan or order that meets each of a set of basic conditions can be put to a referendum and be made. The basic conditions are set out in [paragraph 8\(2\) of Schedule 4B to the Town and Country Planning Act 1990](#) as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004. The basic conditions are:

a. having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the order (or neighbourhood plan).

b. having special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses, it is appropriate to make the order. This applies only to Orders.

c. having special regard to the desirability of preserving or enhancing the character or appearance of any conservation area, it is appropriate to make the order. This applies only to Orders.

d. the making of the order (or neighbourhood plan) contributes to the achievement of sustainable development.

e. the making of the order (or neighbourhood plan) is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).

f. the making of the order (or neighbourhood plan) does not breach, and is otherwise compatible with, EU obligations.

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

1.2 This Basic Conditions Statement sets out how the Bishop's Itchington Neighbourhood Development Plan (BINDP) has been prepared to meet the basic conditions. It has been prepared as a supporting document for consideration by the BINDP independent Examiner.

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

2.0 Legal Requirements

2.1 The Submission Plan is being submitted by a qualifying body

This Submission Plan is being submitted by a qualifying body, namely Bishop's Itchington Parish Council. The area was designated by Stratford-on-Avon District Council on 2nd April 2020 (<https://www.stratford.gov.uk/planning-building/Bishop's-itchington-neighbourhood-plan.cfm>).

2.2 What is being proposed is a neighbourhood development plan

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

2.3 The proposed neighbourhood plan states the period for which it is to have effect

The BINDP states the period for which it is to have effect. That period is from 2011-2031 (the same plan period as the Stratford-on-Avon District Core Strategy 2011-2031 (<https://www.stratford.gov.uk/planning-building/core-strategy.cfm>)).

2.4 The policies do not relate to excluded development

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

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

The BINDP relates to the designated Bishop's Itchington neighbourhood area and to no other area. There are no other neighbourhood plans relating to that neighbourhood area. The designated neighbourhood plan area has the same boundary as that for the Parish Council at the time of the designation and is shown on Figure 1 in the BINDP.

3.0 Basic Conditions

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

3.1 The BINDP has been prepared having appropriate regard to the policies set out in the revised National Planning Policy Framework (NPPF, July 2021)².

Achieving Sustainable Development (NPPF, section 2)

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

3.3 Table 1 sets out how the BINDP delivers the 3 overarching Objectives in the NPPF:

Table 1 Delivering Sustainable Development

NPPF Overarching Objectives	BINDP Policies and Proposals
<p><i>a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure.</i></p>	<p>The BINDP supports this overarching objective by supporting new development within the Built Up Area Boundary (BUAB) of the village (Policy BINDP1). The BINDP also local economic development and homeworking (Policy BINDP3).</p>
<p><i>b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with</i></p>	<p>The BINDP helps to support this overarching objective through the following policies:</p> <ul style="list-style-type: none"> • BINDP1 – New Development within Bishop’s Itchington

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

NPPF Overarching Objectives	BINDP Policies and Proposals
<p><i>accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being.</i></p>	<ul style="list-style-type: none"> • BINDP2 – Local Housing Needs – this policy seeks to address evidenced local housing need • BINDP4 – Design – this policy seeks to promote good design • BINDP7 – Protecting and Enhancing Community Facilities • BINDP8 – Sports Facilities – this policy seeks to protect and enhance such facilities • Policies BINDP9 and BINDP10 that seek to protect local green spaces and other open spaces
<p><i>c) an environmental objective - to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.</i></p>	<p>The BINDP helps to contribute to protecting and enhancing our natural, built and historic environment by:</p> <ul style="list-style-type: none"> • Protecting local landscape and views (Policy BINDP5) • Protecting built and natural heritage assets (Policy BINDP6) • Protecting local green spaces (Policy BINDP9) and other open spaces (Policy BINDP10)

Plan Making (NPPF, section 3)

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

Table 2 Plan Making

NPPF Plan Making	BINDP
<p>a) be prepared with the objective of contributing to the achievement of sustainable development;</p>	<p>The BINDP has been prepared to contribute to sustainable development; Table 1 above sets out how the Plan's objectives, policies and proposals address economic, social and environmental objectives.</p>

NPPF Plan Making	BINDP
b) be prepared positively, in a way that is aspirational but deliverable;	The BINDP has been prepared positively to support new development and to protect key environmental assets. The plan is both aspirational and deliverable.
c) be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees;	<p>All the policies have been prepared through an extensive and thorough approach to community engagement. This has led to regular and constructive involvement of the local community in the plan-making process.</p> <p>The accompanying Consultation Statement sets out the details of the extensive and wide ranging community consultation and engagement activities which have been undertaken at all stages of the BINDP's preparation.</p> <p>At each consultation stage representations have been considered carefully and appropriate amendments to the PNDP made.</p>
d) contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals;	<p>The BINDP policies and proposals have been prepared by a Steering Group on behalf of the Parish Council, with support from a planning consultant and planning officers at Stratford-on-Avon District Council.</p> <p>Amendments have been made at key stages to improve the clarity and reduce ambiguity, but it is understood that the Examiner is likely to recommend further changes to wording following the examination process.</p>
e) be accessible through the use of digital tools to assist public involvement and policy presentation; and	<p>Updates and documents have been provided on the Parish Council website at all stages of plan preparation:</p> <p>https://Bishop'sitchington-pc.gov.uk/neighbourhood_development_plan_consultation.aspx</p>

NPPF Plan Making	BINDP
	Responses by email were invited at informal and formal consultation stages.
f) serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area (including policies in this Framework, where relevant).	The BINDP has been amended and updated to reduce duplication with policies in the development plan. Again, it is understood that the Examination may lead to further changes to policies and supporting text.

The Plan Making Framework (NPPF, section 3)

- 3.5 Paragraph 18 sets out that policies to address non-strategic matters should be included in local plans that contain both strategic and non-strategic policies, and/or in local or neighbourhood plans that contain just non-strategic policies. The BINDP contains non-strategic planning policies and proposals that add local detail and value to strategic policies in the Stratford-on-Avon District Core Strategy 2011-2031 (the “Core Strategy”). This document has recently been subject to a Review Assessment and Stratford-on-Avon District Council consider the Core Strategy remains up to date. In line with guidance contained in National Planning Practice Guide (NPPG) the BINDP has also had appropriate regard to the emerging planning policy in the Site Allocations Plan (SAP) and the South Warwickshire Local Plan (SWLP).

Non-strategic policies (NPPF, Section 3)

- 3.6 Paragraph 29 advises that neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan. Neighbourhood plans should not promote less development than set out in the strategic policies for the area or undermine those strategic policies. The BINDP does not undermine the strategic planning policies for Stratford-on-Avon it seeks to set more local non-strategic policies to tackle more local issues to help retain the area and various settlements’ local identity and distinctiveness.
- 3.7 Paragraph 30 goes on to say that once a neighbourhood plan has been brought into force, the policies it contains take precedence over existing non-strategic policies in a local plan covering the neighbourhood area, where they are in conflict; unless they are superseded by strategic or non-strategic policies that are adopted subsequently.

Delivering a sufficient supply of homes (NPPF, section 5)

- 3.8 Paragraph 66 sets out that strategic policies should also set out a housing requirement for designated neighbourhood areas which reflects the overall strategy for the pattern and scale of development and any relevant allocations. The Core Strategy and Policies sets strategic planning policy for the supply of new homes. Policy CS.15 of the Core Strategy identifies Bishop’s Itchington as one of 5 Category 1 Local Service Villages. Over the plan period 2011-2031, Category 1 Local Service Villages will provide approximately 450 homes in total, of which no more than around 25% should be provided in any one individual settlement.

Promoting healthy and safe communities (NPPF, section 8)

- 3.9 Paragraph 92 of NPPF sets out that planning policies and decisions should aim to achieve healthy, inclusive and safe places which promote social interaction, are safe and accessible and enable and support healthy lifestyles. The BINDP includes policies to protect to protect and enhance community facilities (BINDP7); and recreation sites (BINDP8); and local green and other open spaces (Policies BINDP9 and BINDP10).

Promoting sustainable transport (NPPF, section 9)

- 3.10 Transport issues should be considered from the earliest stages of plan-making (Paragraph 104). This is so that opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised; opportunities to promote walking, cycling and public transport use are identified and pursued; and the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account. Paragraph 106d of NPPF sets out that planning policies should provide for attractive and well-designed walking and cycling networks and supporting facilities such as cycle parking. The BINDP supports sustainable transport by seeking to protect public rights of way and other local routes (Policy BINDP11) and by promoting infrastructure for electric vehicles (Policy BINDP12).

Achieving well-designed places (NPPF, section 12)

- 3.11 Paragraph 126 sets out creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Paragraph 127 expands on this for neighbourhood plans, whereby neighbourhood “planning groups can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development, both through their own plans and by engaging in the production of design policy, guidance and codes by local planning authorities and developers”. The BINDP includes Policy BINDP4 that seeks to encourage good design, including design that protects the character of the neighbourhood area; and Policy BINDP5 that seeks to protect landscape and identified important views.

Meeting the challenge of climate change, flooding and coastal change (NPPF, section 14)

- 3.12 The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure (NPPF, paragraph 152). Policy BINDP4 of the BINDP seeks to promote good design, including features that reduce carbon emissions and increase water efficiency and features that reduce the risk of flooding, such as Sustainable Drainage Systems.

Conserving and enhancing the natural environment (NPPF, section 15)

- 3.13 Paragraph 174 advises that planning policies and decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes and sites of biodiversity and recognising the intrinsic character and beauty of the countryside. The BINDP includes policies to protect local landscape (Policy BINDP5), natural heritage assets (Policy BINDP6) Local Green Space (Policy BINDP9) and other open spaces (Policy BINDP10).

Conserving and enhancing the historic environment (NPPF, section 16)

- 3.14 Paragraph 189 advises that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations. Paragraph 18 goes on to say that plans should set out a positive strategy for the conservation and enjoyment of the historic environment. The BINDP includes policy for built heritage assets (Policy BINDP6).

Basic condition b. Having special regard to the desirability of preserving any listed building or its setting or any features of special architectural historic interest

- 3.15 The BINDP took account of designated heritage assets during its preparation, including those assets listed on the National Heritage List for England.
[Note: this Basic Condition only applies to neighbourhood development orders but has been included for the sake of completeness].

Basic condition c. Having special regard to the desirability of preserving or enhancing character or appearance of any conservation area

- 3.16 The neighbourhood area does not include a Conservation Area.
[Note: this Basic Condition only applies to neighbourhood development orders but has been included for the sake of completeness].

Basic condition d. Contributes to the achievement of sustainable development

- 3.17 The Submission BINDP contributes strongly to the achievement of sustainable development. This is set out in more detail in Table 1 above in relation to the economic, social and environmental objectives of the NPPF.

Basic condition e. In general conformity with strategic local planning policy

- 3.18 The Submission BINDP is in general conformity with strategic Local Plan policies contained in the Core Strategy. Table 3 sets out the way that the neighbourhood plan conforms to the relevant strategic planning policies in the development plan.

Table 3 General Conformity with Strategic Planning Policies in the Stratford-on-Avon District Core Strategy 2011-2031 (the Core Strategy).

BINDP Policies	Core Strategy Policy	General Conformity
Policy BINDP1 - New Development within Bishop's Itchington		
<p>Within the Built Up Area Boundary (BUAB) new development will be supported in principle when it is consistent with Core Strategy Policy CS.15 Distribution of Development, Policy CS.16 Housing Development, and Policy AS.10 Countryside and Villages.</p> <p>The area outside the BUAB is countryside and development in this area will be restricted to those supported by policies in this plan and elsewhere in the development plan, including Core Strategy Policy AS.10 Countryside and Villages.</p>	<p>Policy CS.15 Distribution of Development [extract]</p> <p>The distribution of development in Stratford-on-Avon District during the plan period 2011 - 2031 will be based on a pattern of balanced dispersal, in accordance with the distinctive character and function of the wide range of sustainable locations across the District:</p> <p>D. Local Service Villages</p> <p>A wide range of villages fall into this category, in accordance with the level of local services available. The status of an individual settlement could alter if the availability of services changes.</p>	<p>Policy BINDP1 is in general conformity with Policy CS.15 of the Core Strategy it supports development in principle within the BUAB. This is the revised BUAB defined in the emerging Site Allocations Plan. This approach is considered to be consistent with adopted and emerging development plan policy.</p> <p>Bishop's Itchington is identified as A Category 1 Local Service Village in the Core Strategy.</p> <p>Policy BINDP1 is also in general conformity with Policy CS.16 Housing Development [extract]</p> <p>A. Housing Requirement</p>

BINDP Policies	Core Strategy Policy	General Conformity
	<p>The scale of housing development that is appropriate in each village is specified in Policy CS.16 Housing Development.</p> <p>Development will take place:</p> <ul style="list-style-type: none"> • on sites identified in a Neighbourhood Plan; and • through small-scale schemes on unidentified but suitable sites within their Built-Up Area Boundaries (where defined) or otherwise within their physical confines. 	<p>Stratford-on-Avon District will meet its objectively assessed housing needs for the period 2011 to 2031. Provision will be made for at least 14,600 additional homes, distributed as follows based on the sustainable locations identified in Policy CS.15:</p> <ul style="list-style-type: none"> • Stratford-upon-Avon: approximately 3,500 homes • Main Rural Centres: approximately 3,800 homes • New Settlement at Lighthorne Heath: approximately 2,300 homes • New settlement at Long Marston Airfield: approximately 2,100 homes • Local Service Villages: approximately 2,000 homes • Large Rural Brownfield Sites: approximately 1,245 homes • Other Rural Locations: approximately 750 homes <p>A further strategic allocation of approximately 2,000 homes is identified for the Local Service Villages. Policy CS.15 identifies four categories of Local Service Village, to which the following housing requirements apply:</p> <ul style="list-style-type: none"> • Category 1 - approximately 450 homes in total, of which no more than around 25%

BINDP Policies	Core Strategy Policy	General Conformity
		<ul style="list-style-type: none"> • should be provided in any individual settlement <p>Policy BINDP1 supports the approach in CS.16 and includes in the Background/Justification for BINDP1 this shows that 487 dwellings have been approved in Bishop’s Itchington (Table 2) more than exceeded the Core Strategy target.</p> <p>Part C of Policy CS.16 states that</p> <p>“Neighbourhood Planning</p> <p>The Council is committed to giving local people the opportunity to influence where homes are built in their communities and encourages Parish Councils to prepare Neighbourhood Plans that identify sites to meet or exceed the housing requirements set out above.”</p> <p>This opportunity has not been considered necessary: the Core Strategy target has been more than exceeded and there is no requirement in national planning policy or guidance that a neighbourhood plan must allocate sites for housing development. This approach does not raise any issues of general conformity.</p>

BINDP Policies	Core Strategy Policy	General Conformity
		<p>Policy BINDP1 is in general conformity with Policy AS.10 of the Core Strategy in that it references this policy but does not seek to replace or duplicate any of that policy provisions.</p>
<p>Policy BINDP2 - Local Needs Housing</p>		
<p>Within the BUAB, development of bona fide community-led housing schemes of up to 10 properties, brought forward to meet a need identified in Bishop’s Itchington will be supported.</p> <p>Such schemes must be supported by an up to date Housing Need Survey, or other comparable evidence of that need. The housing to be provided must include a suitable means of ensuring that such housing is affordable in perpetuity.</p> <p>Where viability for 100% affordable housing provision cannot be achieved, an element of market housing may be included within a rural exception scheme, to provide sufficient cross-subsidy to facilitate the delivery of affordable homes.</p>	<p>Policy CS.15 Distribution of Development [extract]</p> <p>G. Local Needs Schemes</p> <p>Within and adjacent to settlements, development may include small-scale community-led schemes brought forward to meet a need identified by that community. Dwellings provided through such schemes will contribute to the overall housing requirement for the District.</p> <p>Policy CS.18 Affordable Housing A. Requirement and Thresholds</p> <p>All new residential development that incorporates or comprises use as a dwelling house within Use Class C3 will be required to contribute to the provision of affordable housing in accordance with the following thresholds:</p>	<p>Policy BINDP2 is in general conformity with Core Strategy Policy CS.15 that allows for community-led housing schemes to be brought forward. Policy BINDP2 adds further policy detail on Housing Need Surveys or other supporting evidence and the potential need for cross-subsidy. These are considered to be non-strategic matters and do not raise any issues of general conformity.</p> <p>Policy BINDP2 is also in general conformity with Policy CS.18 of the Core Strategy – Policy BINDP2 does not seek or to duplicate any of CS.18 and would sit within this strategic policy.</p>

BINDP Policies	Core Strategy Policy	General Conformity
	<p>☑ In the parishes of Alcester and Kinwarton, Bidford-on-Avon, Henley-in-Arden and Beaudesert, Kineton, Shipston-on-Stour, Southam, Stratford-upon-Avon, Studley and Mappleborough Green, Tanworth-in-Arden, and Wellesbourne; development providing:</p> <ul style="list-style-type: none"> - 11 or more dwellings; or - 6 or more dwellings with a combined floorspace of more than 1,000sqm <p>☑ In all other parishes: development providing 6 or more dwellings.</p> <p>The Council will have regard to the nature of a scheme, including the relevant planning unit, in order to determine whether it comes within Use Class C3 and is subject to the provisions of this policy. The affordable housing will comprise 35% of the homes, unless credible site specific evidence of viability indicates otherwise. Schemes proposing more than 35% affordable housing provision, including rural exceptions, will also be supported where it meets an identified need. The Council will also support Use Class C2 and C2a schemes that contribute to the provision of affordable housing.</p>	

BINDP Policies	Core Strategy Policy	General Conformity
	<p data-bbox="846 272 1088 300">B. On-site Provision</p> <p data-bbox="846 344 1384 587">On schemes proposing fewer than 11 homes a contribution to off-site affordable housing provision in the District will be provided where on-site provision (in whole or part) is not proposed. On schemes proposing 11 or more homes, affordable housing will be provided on-site.</p> <p data-bbox="846 632 1384 1337">The application of the affordable housing requirement may result in a fractional level of provision. Given the distributional strategy of this Plan and the preference for smaller sites, fractional provision assumes greater importance for reasons of equitability. On sites of fewer than 11 homes, the fractional requirement will be provided as an off-site contribution. For sites proposing between 11 and 20 homes the requirement for on-site provision will be rounded down to the nearest whole unit (unless the applicant proposes rounding up), with the balance to be provided as an off-site contribution. For sites proposing 21 homes or more, affordable housing will be provided on-site to the nearest whole unit. Full or partial off-site provision of general needs affordable housing on sites proposing 11</p>	

BINDP Policies	Core Strategy Policy	General Conformity
	<p>or more homes will only be permitted where exceptional circumstances have been demonstrated to the Council's satisfaction. Schemes providing specialised accommodation may provide affordable housing off-site where such provision has been justified to the Council's satisfaction. In both circumstances the alternative form of provision will be equivalent or better in all respects to the affordable housing were this to have been provided on-site in accordance with Part A of the Policy.</p> <p>C. Affordability and Tenure Affordable housing is defined as social rented, affordable rented, and intermediate housing provided to eligible households whose needs are not met by the market. Such housing will:</p> <ol style="list-style-type: none"> 1. Ensure the development of cohesive and stable communities, through the provision of appropriate stock and tenure profiles and management arrangements on each site. 2. Effectively meet the needs of households, including through its availability at a cost low enough for them to afford, determined with regard to local house price and market rent levels. 3. Include provision for homes to remain at an affordable cost for future eligible households or, exceptionally if relevant 	

BINDP Policies	Core Strategy Policy	General Conformity
	<p>restrictions are lifted, for the subsidy involved in their development to be fully recycled for alternative affordable housing provision.</p> <p>On each site to which this policy applies, an appropriate tenure profile will be determined based on the principle that total affordable housing costs (rents and sale prices together with any applicable service charges) must be set at levels which will ensure that the accommodation is genuinely affordable to all households on low incomes, including those in work and/or with special needs. In accordance with the housing size and mix required by Policy CS.19, the following preferred tenure mix will also apply. The final mix achieved on any site will be informed by the up-to-date position set out in the Development Requirements SPD, which shall take into account any change to the definition of affordable housing established via national guidance, any relevant site specific issues and evidence of local circumstances:</p> <ul style="list-style-type: none"> • Maximum 20% Affordable Rented Housing • Maximum 20% Intermediate Housing • Minimum 60% Social Rented Housing 	

BINDP Policies	Core Strategy Policy	General Conformity
	<p>D. On-site Integration</p> <p>To ensure community cohesion and good design, affordable homes will be fully integrated in the design of the overall scheme, being physically and visually indistinguishable from the market units and dispersed across the site in clusters appropriate to the size and scale of the development.</p> <p>E. Delivery</p> <p>The provision of affordable housing will be required irrespective of the availability of public subsidy. Schemes will remain at an affordable price for future eligible households or for the subsidy to be recycled for alternative affordable housing provision. The Council will identify quality benchmark standards in respect of affordable housing allocation, monitoring and management arrangements in its Development Requirements SPD.</p>	
Policy BINDP3 – Local Economy		
<p>New development to support the local economy will be supported when it is consistent with Core Strategy Policies CS22 Economic Development and AS.10 Countryside and Villages.</p>	<p>Policy CS.22 Economic Development [extract]</p> <p>Opportunities for business development will be provided in the countryside, including</p>	<p>Policy BINDP3 is in general conformity with Core Strategy Policies CS22 and AS.10. Policy BINDP3 supports local economic development when consistent with these 2 Core Strategy policies. Policy BINDP3</p>

BINDP Policies	Core Strategy Policy	General Conformity
<p>New development for homeworking that requires planning permission will be supported when it does not lead to significant adverse impact on residential amenity, car parking, or in terms of vehicle trips to and from the site.</p>	<p>farm-based activities, in accordance with Policy AS.10 Countryside and Villages.</p> <p>The expansion of businesses in their existing locations will be supported, subject to the scale and type of activities involved, the location and nature of the site, its accessibility including by public transport, and impact on the character of the local area.</p> <p>The incorporation of workspace associated with residential development will be encouraged in order to increase the scope for home-based working. The provision of workspace in a proposed dwelling will not make that dwelling acceptable if its location is contrary to policies elsewhere in the Core Strategy.</p>	<p>provides additional policy guidance for consideration of proposals for homeworking. This latter provision does not raise any issues of general conformity.</p>
<p>Policy BINDP4 - Design</p>		
<p>Within the framework of standards set at the time a proposal is submitted, development should seek to minimise resource use, exceed minimum standards for energy efficiency and seek to be carbon neutral, thereby contributing to reducing the effects of climate change.</p>	<p>Policy CS.9 Design and Distinctiveness A. Ensuring Local Distinctiveness</p> <p>All forms of development will improve the quality of the public realm and enhance the sense of place, reflecting the character and distinctiveness of the locality. Proposals that would damage or destroy features which positively contribute to local distinctiveness</p>	<p>Policy BINDP4 is in general conformity with Policy CS.9 of the Core Strategy, both policies seek to improve the quality of design. Policy BINDP9 adds more detailed local policy guidance and is in general conformity with Policy CS.9. More specifically:</p>

BINDP Policies	Core Strategy Policy	General Conformity
<p>Development will not be supported where it is of poor design that has an adverse impact on the character of the area. To ensure good sustainable design is achieved development should be designed to take account of, and will be assessed against, the following criteria:</p> <p>Where relevant the proposal shall:</p> <ul style="list-style-type: none"> • reinforce local distinctiveness by demonstrating that appropriate account has been taken of existing good quality examples of village street layouts, blocks and plots, building forms and styles, materials and detailing and the vernacular of the settlement; • be designed in such a way so as to make a positive use of local landform, watercourses, trees, hedgerows and other vegetation and for larger proposals has had suitable regard to landscape setting and settlement pattern; • conserve or enhance existing wildlife habitats and incorporates new native planting and landscaping that creates a net gain in biodiversity e.g. by creating new habitats, nesting and foraging opportunities; • create new public open spaces that are enclosed, integrated and overlooked by buildings and are in prominent useable 	<p>will not be permitted. Understanding local context is key to achieving good design and proposals should take into account any relevant design principles and contextual analysis set out in local guidance. Where required as part of a planning application, Design and Access Statements will set out how new development responds to its unique context and enhances local distinctiveness.</p> <p>B. Ensuring High Quality Design High quality design will be achieved by ensuring that all development is:</p> <ol style="list-style-type: none"> 1. Attractive: Proposals will be of a high quality architectural design and include appropriate landscaping to create places where people want to live, work and visit. Proposals should use a limited palette of materials to give coherence to the overall design. The provision of landscaping will be accompanied by appropriate mechanisms to ensure its ongoing management and maintenance. 2. Sensitive: Proposals, including layout and orientation, will be sensitive to the setting, existing built form, neighbouring uses, landscape character and topography of the site and locality. Proposals will reflect the context of the locality, ensuring a continuity 	<ul style="list-style-type: none"> • Policy BINDP4 seeks to exceed minimum standards for energy efficiency within standards prevailing at the time. Policy CS.9 seeks proposals to be environmentally sustainable; • Both policies seek to ensure local distinctiveness. Policy BINDP4, bullet point 1 seeks to do this by setting out more detailed local policy guidance; • Bullet 2 of BINDP4 seeks to ensure proposals take into account local landscape features this is consistent with CS.9B2. • Bullet 3 seeks to protect wildlife habitats and ensure new landscaping is of native planting and results in a net gain in biodiversity, this approach is consistent with CS9.B1. • Bullets 4 and 5 that seeks to create new public open and amenity spaces are consistent with the approach to such spaces in CS9.B3. • Bullets 6 and 7 on boundary treatments and amenity are additional development management criteria that raise no issues of general conformity. • Bullets 8 and 9 dealing with transport are in general conformity

BINDP Policies	Core Strategy Policy	General Conformity
<p>locations. Such spaces should use native planting (including wildflowers to encourage pollinators);</p> <ul style="list-style-type: none"> • include sufficient amenity space to serve the needs of the development and its users; • include appropriate boundary treatments that reflect local context and landscaping using predominantly native species to support a net-gain for biodiversity; • not have a detrimental effect on the amenity of occupiers in neighbouring property; • not have a severe cumulative adverse effect on the safe and efficient operation of the existing transport and road infrastructure; • include measures that seek to improve pedestrian facilities and linkages in the parish and beyond to encourage walking and cycling, wherever possible; • contribute to local identity, and sense of place. Proposals should not feature generic designs and should be able to demonstrate how they take account of the locally distinctive character of the area in which they are to be located; • respect the height of the buildings in the immediate surrounding area; 	<p>of key design features that establishes the identity of the place, making best use of on-site assets including landscaping features as well as public views and vistas and not harming existing ones.</p> <p>3. Distinctive: The layout of proposals will be easy to navigate with buildings designed and positioned to define and enhance a hierarchy of streets and spaces, taking account of the relationship between building height and street width. Public and private spaces should be clearly defined and areas that have little or no public or biodiversity value should be avoided. Densities should be appropriate to the site taking into account the fact a key principle of good design is the relationship between the height, width and depth of buildings.</p> <p>4. Connected: Proposals will be well-integrated with existing built form, enhancing the network of streets, footpaths and green infrastructure across the site and the locality, and retaining existing rights of way.</p> <p>5. Environmentally Sustainable: Proposals will respond to climate change. Measures should include energy efficiency technologies, low carbon and renewable energy sources, the use of local materials where possible, effective water</p>	<p>with CS9.B4 that seeks for proposals to be “connected”.</p> <ul style="list-style-type: none"> • Bullet 10 that seeks to avoid generic design is in line with overall design approach set out in CS.9, including CS.9C. • Bullet 11 is an additional development management criterion that does not raise any issues of general conformity. • Bullet 12 on materials is an additional development management criterion that does not raise any issues of general conformity. • Bullet points 13, 14 and 15 are consistent with the approach to environmental sustainability in CS.9B5 and provide additional development management policy on these matters. They are in general conformity. • Bullet 16 on light pollution is a local development management criterion that does not raise any issues of general conformity is a local development management criterion that does not raise any issues of general conformity; • Bullet 17 concerning space for off road storage of refuse and recycling

BINDP Policies	Core Strategy Policy	General Conformity
<ul style="list-style-type: none"> • use, and where appropriate re-use, local and traditional materials sympathetic to the context of the site, or suitable high quality alternatives that authentically reinforce or positively contribute towards local distinctiveness; • contribute to reducing carbon emissions by incorporating measures to reduce energy consumption (e.g. building orientation, siting, areas for outdoor drying) and, where possible, sources of renewable energy (e.g. solar, domestic wind turbines etc.). Where such features are included, they should be appropriate in scale to the building of good design and well sited. Such features should also be sympathetic to the surrounding area; • be designed to be as water efficient as possible e.g. by incorporating water collection measures; • use existing watercourses and ditches, sustainable drainage systems (SuDS), such as swales, to hold rainwater in storms. SuDS should be planted with native vegetation to support wildlife. All paving should be permeable to allow run-off to drain away. All applications for new development shall demonstrate that all surface water discharges have been carried out in accordance with the principles laid out within the drainage hierarchy, in such that a 	<p>management and flood protection, and appropriate landscaping.</p> <p>6. Accessible: Proposals will encourage walking and cycling and provide for or be close to, community facilities, having good access to public transport.</p> <p>7. Safe: Proposals will incorporate effective measures to help reduce crime and the fear of crime and to minimise danger from traffic. Schemes linked to the evening and night-time economy will incorporate measures to help manage anti-social behaviour and to avoid unacceptable impact on neighbouring uses, residents and the surrounding area. Measures should include pedestrian and cycle friendly streets and opportunities for natural surveillance whilst avoiding large parking courts and blank building elevations.</p> <p>8. Healthy: Proposals will ensure a good standard of space and amenity for occupiers. Occupants of new and neighbouring buildings will be protected from unacceptable levels of noise, contamination and pollution, loss of daylight and privacy, and adverse surroundings.</p> <p>C. Design Innovation High quality design innovation will be encouraged where it reflects and complements the immediate local</p>	<p>bins is a local development management criterion that does not raise any issues of general conformity ;</p> <ul style="list-style-type: none"> • Bullet 18 on car parking is a local development management criterion that does not raise any issues of general conformity; • Bullet 19 is in general conformity with CS.9B7 “safe” and introduces a n additional policy reference to Secured by Design principles. This approach does not create any issues of general conformity; • Bullet 20 concerning Public Rights of Way is in general conformity and adds additional development management policy to CS9.B4.

BINDP Policies	Core Strategy Policy	General Conformity
<p>discharge to the public sewerage systems is avoided, where possible;</p> <ul style="list-style-type: none"> include features to minimise light pollution; include space for off road storage of refuse and recycling bins; have appropriate car parking in accordance with locally adopted standards. Car parking should be sited in such a way that it is unobtrusive, does not dominate the street scene, and minimises the visual impact of car parking; incorporate Secured by Design principles; where necessary and achievable, link to existing Public Rights of Way and shall not restrict the use and enjoyment of such routes. 	<p>environment and maximises sustainability benefits. Where such an approach is appropriate it should be based on the characteristics of the built environment in the local area and have a beneficial purpose.</p> <p>D. Advertisements</p> <p>The display of advertisements will not compromise amenity and highway safety. Advertisements will not be permitted if the character or setting of a building would be unduly affected due to inappropriate size, design, colour, materials or illumination. Advertisements should be located within the curtilage of the premises to which they relate or at the site access.</p>	
<p>Policy BINDP5 – Landscape Character and Views</p>		
<p>New development must have regard to the landscape character and historic landscape character of the designated neighbourhood area. Where impacts are identified new development should identify and seek to retain key features such as historic field and other boundaries, key features in the landscape (e.g. hedgerows, trees),</p>	<p>Policy CS.5 Landscape</p> <p>The landscape character and quality of the District will be maintained by ensuring that development takes place in a manner that minimises and mitigates its impact and, where possible, incorporates measures to enhance the landscape. The cumulative impact of development proposals on the</p>	<p>Policy BINDP5 is in general conformity with strategic planning policy CS.5 Landscape. Both policies seek to protect landscape character and the historic landscape.</p> <p>Policy BINDP5 identifies 5 local views meriting particular attention. These views will be protected, development affecting these views may be subject to Landscape</p>

BINDP Policies	Core Strategy Policy	General Conformity
<p>particularly those of high medium sensitivity adjoining the BUAB (Appendix 2); The following views (Appendix 1. Views) will be protected:</p> <ul style="list-style-type: none"> • View from Station Road looking west • View from Hambridge Road looking south east • View from Mount Pleasant looking west • View from Knightcote Road looking south east • View from playing field towards railway and Burton Dassett Hills. <p>Development affecting these views may need to provide a Landscape Visual Impact Assessment, this should identify any mitigation considered necessary to make the development acceptable.</p>	<p>quality of the landscape will be taken into account.</p> <p>Development will thus be permitted where:</p> <p>A. Landscape Character and Enhancement</p> <ol style="list-style-type: none"> 1. Proposals have regard to the local distinctiveness and historic character of the District's diverse landscapes. 2. Proposals protect landscape character and avoid detrimental effects on features which make a significant contribution to the character, history and setting of a settlement or area. 3. Measures are incorporated into development schemes to enhance and restore the landscape character of the locality. <p>B. Visual Impacts</p> <ol style="list-style-type: none"> 1. Proposals include, dependent on their scale, use and location, an assessment of the likely visual impacts on the local landscape or townscape, and the site's immediate and wider setting. Applications for major developments may require a full Landscape and Visual Impact Assessment. 2. New landscaping proposals are incorporated to reduce predicted harmful visual impacts and enhance the existing 	<p>Visual Assessment and may have to identify suitable mitigation. This approach provides more detailed management guidance (i.e. the identified views) and is consistent and in general conformity with the policy set out in CS.5B.</p>

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	<p>landscape. Provision must be made for its long term management and maintenance.</p> <p>C. Trees, Woodland and Hedges</p> <ol style="list-style-type: none"> 1. Proposals do not lead to any loss or damage but rather protect the quality of ancient semi-natural woodland and aged/veteran trees, particularly in the Forest of Arden, but also (due to their relative scarcity) elsewhere in the District. 2. Proposals that will have an impact on woodlands, hedges and trees 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. 3. The design and layout of development schemes and other projects in rural and urban areas incorporate trees in a manner that is appropriate to the nature of the site, including the use of native species. However, given the continued threat to native trees and plant species from pests and diseases, the incorporation of non-native species into schemes will be considered and accepted where appropriate. 4. Development schemes and other opportunities are used to: 	

BINDP Policies	Core Strategy Policy	General Conformity
	<ul style="list-style-type: none"> • enable the expansion of native woodlands, • buffer, extend and connect fragmented ancient woodlands, • develop flood risk reduction measures through the planting of woodlands, trees and undergrowth for their intrinsic value and to help climate change adaptation. <p>Policy CS.12 sets out additional factors to be taken into account when considering development proposals in those parts of the District designated as Special Landscape Areas.</p>	
<p>Policy BINDP6 – Built and Natural Heritage Assets</p>		
<p>New development shall be designed in such a way that it:</p> <ul style="list-style-type: none"> • conserves designated and non-designated built heritage assets and their settings in a manner appropriate to their significance. Where impacts on the historic environment and built heritage assets are identified, the Historic Environment Assessment/Historic Environment Record shall be 	<p>Policy CS.6 Natural Environment</p> <p>Development will be expected to contribute towards a resilient ecological network throughout the District that supports ecosystems and provides ecological security for wildlife, people, the economy and tourism.</p> <p>Developments that are likely to have an adverse effect either directly, indirectly or cumulatively upon a site designated through</p>	<p>Policy BINDP6 in seeking to protect the natural heritage assets of the area is in general conformity with Policy CS.6A.</p> <p>Policy BINDP6 in seeking to minimise impact on the geodiversity of the area is also in general conformity with Policy CS6B that seeks to conserve and enhance such features.</p> <p>Policy BINDP6 also deals with built heritage assets. The approach in BINDP6 is in general</p>

BINDP Policies	Core Strategy Policy	General Conformity
<p>consulted and those proposing new development must demonstrate how this information has been used in proposed designs;</p> <ul style="list-style-type: none"> • minimises impact on the archaeology of the area including the abandoned medieval village, ridge and furrow and other known archaeological features. Where considered necessary, by the appropriate bodies, further study/survey/investigation may be required. If development is considered acceptable, suitable recording or in situ preservation of the archaeological assets may be necessary; • minimises impact on the biodiversity and natural heritage assets of the area especially designated sites (SSSI, Local Wildlife Sites, Phase 1 Habitats and Woodland Priority Sites; and • minimises impact on the geodiversity of the area. 	<p>the EC Habitats Directive or Birds Directive will not be permitted.</p> <p>A. Biodiversity Proposals will be expected to minimise impacts on biodiversity and, where possible, secure a net gain in biodiversity by:</p> <ol style="list-style-type: none"> 1. Safeguarding and, where possible, enhancing existing habitats, including: <ol style="list-style-type: none"> a. Sites of Special Scientific Interest, which will be subject to a high degree of protection. Development proposals should seek to avoid adverse effects on SSSIs. Development adversely affecting a SSSI, either directly or indirectly, will only be permitted in exceptional circumstances where the benefits of development clearly outweigh the likely impacts on the site and any broader impacts on the national networks of SSSIs. b. Those that are irreplaceable in view of their unique characteristics arising from, for example, a particular combination of site specific circumstances and/or a prolonged evolution of the site’s ecosystem, such as ancient woodland. c. Those subject to local designations such as Local Wildlife Sites and Local Nature Reserves. Development adversely affecting a Local Site will only be permitted either 	<p>conformity with that in Policy CS.8 and introduces additional development management criteria to sit alongside this strategic policy. These include:</p> <ul style="list-style-type: none"> • use of information in the Historic Environment Assessment/Historic Environment Record (Bullet 1 of BINDP6); and • named archaeological features e.g. medieval village, ridge and furrow (Bullet 2). <p>This approach raises no issues of general conformity.</p>

BINDP Policies	Core Strategy Policy	General Conformity
	<p>where it can be demonstrated that the benefits of the development clearly outweigh the impacts on the site.</p> <p>B. Geodiversity</p> <p>Proposals that affect Local Geological Sites or other sites containing features of geological interest need to safeguard these features with reference to the Local Geodiversity Action Plan.</p> <p>Proposals should also seek, wherever possible, to conserve and enhance features of geological interest for the future.</p> <p>Policy CS.8 Historic Environment</p> <p>A. Protection and Enhancement</p> <p>The District’s historic environment will be protected and enhanced for its inherent value and for the enjoyment of present and future residents and visitors. Through a partnership approach, the Council will seek opportunities to promote the historic environment as a catalyst for enhancing the vitality of the District.</p> <p>Priority will be given to protecting and enhancing the wide range of historic and</p>	

BINDP Policies	Core Strategy Policy	General Conformity
	<p>cultural assets that contribute to the character and identity of the District, including:</p> <ol style="list-style-type: none"> 1. designated heritage assets such as Listed Buildings, Conservation Areas, Registered Gardens, the Battle of Edgehill Historic Battlefield, Scheduled Monuments, and sites of archaeological importance, and their settings; 2. non-designated heritage assets and their settings; 3. Stratford-upon-Avon’s historic townscape and street scene, and sites associated with William Shakespeare, to maintain the town’s international and cultural importance; 4. the distinctive character of the market towns, villages and hamlets, including their settings, townscapes, streets, spaces and built form; 5. features that reflect the historic interaction of human activity on the landscape, including local vernacular building styles and materials, traditional farm buildings, and historic features associated with canals, navigations and railways; 6. working with the highways authority and infrastructure providers to ensure works to streets and the public realm do not detract from the historic value of the street 	

BINDP Policies	Core Strategy Policy	General Conformity
	<p>scene; and; 7. seeking to reduce the number of heritage assets at risk.</p> <p>B. Proposals Affecting the Significance of a Heritage Asset</p> <p>Where proposals will affect a heritage asset, applicants will be required to undertake and provide an assessment of the significance of the asset using a proportionate level of detail relating to the likely impact the proposal will have on the asset's historic interest.</p> <p>Proposals which would lead to substantial harm to, or total loss of significance of, designated heritage assets will only be permitted where substantial public benefits outweigh that harm or loss and it is demonstrated that all reasonable efforts have been made to sustain the existing use or find reasonable alternative uses.</p> <p>Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm must be justified and weighed against the public benefits of the proposal, including securing its optimum viable use.</p>	

BINDP Policies	Core Strategy Policy	General Conformity
	<p>For non-designated heritage assets, proposals will be assessed having regard to the scale of any harm or loss and the significance of the heritage asset.</p> <p>Where harm or loss of a heritage asset can be fully justified, as part of the implementation of the proposal the District Council will require archaeological excavation and/or historic building recording as appropriate, followed by analysis and publication of the results.</p> <p>C. Appreciation, Design and Management</p> <p>Proposals will be high quality, sensitively designed and integrated with the historic context. The design and layout of development proposals will be informed by an understanding of the significance of the historic asset and environment. Creative and innovative design and architecture that helps to secure the conservation of heritage assets and integrates new development into the historic environment will be encouraged where it is sympathetic to the character of the local area.</p> <p>The positive management of heritage assets through partnership approaches and</p>	

BINDP Policies	Core Strategy Policy	General Conformity
	<p>measures will be encouraged, including the use of Conservation Area Appraisals and Management Plans, Heritage Partnership Agreements and Neighbourhood Plans. Where appropriate, opportunities should also be taken to assist people’s understanding of the history of the asset by such measures as permitting public access and the provision of interpretation displays. This will be particularly important if the asset has relevance to the District’s special contribution to the nation’s literary and cultural history.</p>	
<p>Policy BINDP7 - Protecting and Enhancing Community Facilities</p>		
<p>The retention of the following community facilities (also shown on the Policies Map) will be supported in accordance with Core Strategy Policy CS.25 - Healthy Communities:</p> <p>BINDP7/1 - Bishop’s Itchington Primary School BINDP7/2 - Bishop’s Fryer (fish and chip shop) BINDP7/3 - Bishop’s Itchington newsagent BINDP7/4 - St Michael's Church BINDP7/5 - Children's play area BINDP7/6 - Community centre BINDP7/7 - Hard courts at the playing field</p>	<p>Policy CS.25 Healthy Communities [extract]</p> <p>The provision of new and enhanced community, cultural, sport and leisure facilities will be encouraged as a way of promoting healthy, inclusive communities. Where appropriate, new community uses will be required as an integral part of residential developments. They are to be located where they are accessible by all reasonable sustainable modes of transport by potential users. Shared use of community spaces will also be encouraged.</p>	<p>Policy BINDP7 identifies the community facilities in Bishop’s Itchington and shown on the Policies Map. These community facilities will be protected in accordance with Core Strategy Policy CS.25 – this approach is in general conformity with strategic planning policy.</p> <p>Policy BINDP7 also supports enhancement and improvement to existing community facilities – this approach is considered to be in general conformity with strategic planning policy.</p>

BINDP Policies	Core Strategy Policy	General Conformity
<p>BINDP7/8 - Hair/beauty salon BINDP7/9 - The Butcher's Arms pub BINDP7/10 - The Co-Op general store BINDP7/11 - The Greaves Club BINDP7/12 - The Memorial Hall</p> <p>Proposals to enhance and improve existing community facilities will be supported.</p> <p>New community facilities will be encouraged providing they are compatible with existing neighbouring uses.</p>	<p>It is expected that existing community facilities, such as shops, pubs, medical and leisure, will be retained unless it can be demonstrated that one or more of the following criteria is satisfied:</p> <ol style="list-style-type: none"> 1. there is no realistic prospect of the facility continuing for commercial and/or operational reasons on that site; 2. the land and/or property has been actively marketed or otherwise made available for a similar or alternative type of facility that would be of benefit to the community; 3. the facility can be provided effectively in an alternative manner or on a different site in accordance with the wishes of the local community; and 4. there are overriding environmental benefits in the use of the site being discontinued. <p>In all instances the potential to mitigate within the local area the loss of a community facility will be considered alongside any proposal for development on the site of the existing facility.</p>	
<p>Policy BINDP8 - Sports Facilities</p>		

BINDP Policies	Core Strategy Policy	General Conformity
<p>Existing formal and informal sport and recreational facilities in the designated neighbourhood area will be protected, enhanced and expanded where appropriate and achievable.</p> <p>The loss of any facility will only be permitted if a facility of equivalent scale and quality is provided in a suitable location within the community unless there is clear evidence that the existing facilities are not well used.</p>	<p>Policy CS.25 Healthy Communities [extract]</p> <p>Development proposals that would result in the loss of public or private open space, including allotments, without suitable replacement being made, will be resisted unless:</p> <ol style="list-style-type: none"> 1. it can be demonstrated that there is an absence of need or it is surplus to requirements; and 2. it does not make a valuable contribution to the amenity and character of the area. 	<p>Policy BINDP8 is in general conformity with Core Strategy Policy CS.25 that seeks to resist the loss of public and private open space.</p>
<p>Policy BINDP9 - Local Green Space</p>		
<p>The following sites identified below, and shown on the Policies Map, are designated as Local Green Spaces</p> <p>BINDP9/1 - Playing Field and Pavilion BINDP9/2 - The Yellow Land BINDP9/3 - Plough Lane allotments BINDP9/4 - Ridge & Furrow land within the designated area</p> <p>Development of these spaces will not be supported.</p>	<p>No relevant policy.</p>	<p>No issue of general conformity.</p>
<p>Policy BINDP10 – Other Open Spaces</p>		

BINDP Policies	Core Strategy Policy	General Conformity
<p>Development that would result in the loss of the open spaces within the village will be only supported when it can be clearly demonstrated by the applicant that the open space no longer performs a useful open space function in terms of the local environment, amenity, or active public recreation use.</p>	<p>Policy CS.25 Healthy Communities [extract]</p> <p>Development proposals that would result in the loss of public or private open space, including allotments, without suitable replacement being made, will be resisted unless:</p> <ol style="list-style-type: none"> 1. it can be demonstrated that there is an absence of need or it is surplus to requirements; and 2. it does not make a valuable contribution to the amenity and character of the area. 	<p>Policy BINDP10 identifies several open spaces throughout Bishop’s Itchington village. These are shown on the Policies Map. Policy BINDP10 is in general conformity with the relevant part of Core Strategy Policy CS.25 in relation to public and private open spaces.</p>
<p>Policy BINDP11 - Protection of existing footpaths/bridleways and cycling routes</p>		
<p>New development should protect existing Public Rights of Way and other walking and cycling routes. Where practical and feasible new development should also create new connections to the existing network of foot and cycle routes. These should be well designed, safe and seek to provide access to local facilities and the open countryside.</p>	<p>Policy CS.26 Transport and Communications [extract]</p> <p>A. Transport Strategy</p> <p>Development proposals should be consistent with and contribute to the implementation of the transport strategies and priorities set out in the Warwickshire Local Transport Plan (LTP), including its area strategies. Stratford-on-Avon District Council, Warwickshire County Council and, where appropriate, Highways England, will work together to achieve the objectives and implement the</p>	<p>Policy BINDP11 is in general conformity with Core Strategy Policy CS.26 both policies seek to provide new and improve existing walking and cycling routes. Policy BINDP11 provides more specific local policy detail on design of such routes and access to local facilities and the open countryside.</p>

BINDP Policies	Core Strategy Policy	General Conformity
	<p>proposals in the LTP, with particular emphasis on encouraging modal shift with greater use of more sustainable forms of transport and improving the safety of all road users.</p> <p>B. Transport and New Development Development will only be permitted if the necessary mitigation is provided against any unacceptable transport impacts which arise directly from that development. This will be achieved, as appropriate, through:</p> <p>5. the provision of new, and the improvement of existing, pedestrian and cycle routes;</p>	
<p>Policy BINDP12 - Electric Vehicle (EV) Charging Infrastructure for New Homes</p>		
<p>All new residential development providing off-street car parking which is within the curtilage of a dwelling shall provide facilities for plug-in vehicle re-charging.</p> <ul style="list-style-type: none"> The parking spaces and electricity supply point shall be located such that extension cables are not required. The supply point shall support not less than 7 KW ‘fast’ charging. 	<p>Policy CS.26 Transport and Communications [extract]</p> <p>The Council will encourage the provision of electric charging points for low emission vehicles in new development as part of the transition to a low carbon economy (see also Policy CS.3 Sustainable Energy).</p>	<p>Policy BINDP12 is in general conformity with, and provides additional local policy detail, to Policy CS.26 of the Core Strategy that encourages the provision of electric charging points for low emission vehicles.</p> <p>Policy BINDP12 is also in general conformity with Policy CS.3 of the Core Strategy that seeks to encourage renewable and low carbon energy generation.</p>

BINDP Policies	Core Strategy Policy	General Conformity
<p>Where off-street communal car parking is provided this shall also include the provision for EV charging.</p> <ul style="list-style-type: none"> • Such infrastructure shall be sited and designed to avoid kerbside clutter and be safe for all users of that facility. • The design shall give due consideration to need for and position of charging cables between the charging point and the vehicle. • The communal charger shall support not less than 7 KW 'fast' charging per socket. 		

Basic condition f. Be compatible with EU obligations

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

Strategic Environmental Assessment (SEA)

- 3.21 To meet the ‘basic conditions’ which are specified by law a neighbourhood development plan must be compatible with EU obligations. Furthermore, as of 9th February 2015 Regulation 15 of the 2012 Neighbourhood Planning Regulations was amended to require that when a plan is submitted to the Local Planning Authority it should include either an environmental report prepared in accordance with the applicable regulations or where it has been determined as unlikely to have significant environmental effects, a statement of reasons for the determination.
- 3.22 A Strategic Environmental Assessment Screening was undertaken on the BINDP by Lepus Consulting on behalf of Stratford-on-Avon District Council (SADC) in February 2021. SADC then subsequently issued a screening determination in March 2021. This concluded that:

“The Screening Document explored the potential effects of the proposed BINDP and concluded that on the basis of the SEA Screening Assessment, the BINDP would not result in significant environmental effects in relation to criteria set out in the SEA Regulations or the Habitats and Species Regulations.

This screening document was subsequently submitted to the statutory environmental bodies of Historic England, Environment Agency and Natural England for comment, in accordance with the SEA Regulations. The three consultees concurred with the conclusions of the Screening Document that the preparation of a SEA was not required. However, the EA did suggest a number of recommendations which you may wish to consider.

Having read the Submitted Draft NDP, SEA Screening Document and responses from the three statutory consultees, I concur with the view that a SEA is not required for the BINDP.”

- 3.23 The full report and screening determination are submitted alongside the BINDP.

Requirement for Habitats Regulations Assessment (HRA)

- 3.24 Article 6 (3) of the EU Habitats Directive (Council Directive 92/43/EEC) and Regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended) requires that an appropriate assessment of plans and programmes is carried out with regard to the conservation objectives of European Sites (Natura 2000 sites) and that other plans and projects identify any significant effect that is likely for any European Site. In the context of neighbourhood planning, a Habitats Regulation Assessment (HRA) is required where a neighbourhood plan is deemed likely to result in significant negative effects occurring on protected European Sites (Natura 2000 sites) as a result of the plan's implementation.
- 3.25 The Habitat Regulations Screening was undertaken on the BINDP by Lepus Consulting on behalf of Stratford-on-Avon District Council (SADC) in February 2021. SADC then subsequently issued a screening determination in March 2021. This concluded that:

“The Screening Document explored the potential effects of the proposed BINDP and concluded that on the basis of the SEA Screening Assessment, the BINDP would not result in significant environmental effects in relation to criteria set out in the SEA Regulations or the Habitats and Species Regulations.

This screening document was subsequently submitted to the statutory environmental bodies of Historic England, Environment Agency and Natural England for comment, in accordance with the SEA Regulations. The three consultees concurred with the conclusions of the Screening Document that the preparation of a SEA was not required. However, the EA did suggest a number of recommendations which you may wish to consider.

Having read the Submitted Draft NDP, SEA Screening Document and responses from the three statutory consultees, I concur with the view that a SEA is not required for the BINDP.”

- 3.26 The full report and screening determination are submitted alongside the BINDP.

European Convention on Human Rights

- 3.27 The Submission BINDP is fully compatible with the European Convention on Human Rights. It has been prepared with full regard to national statutory regulation and policy guidance, which are both compatible with the Convention. The BINDP has been produced in full consultation with the local community. The BINDP does not contain policies or proposals that would infringe the human rights of residents or other stakeholders over and above the existing strategic policies at national and district-levels, as demonstrated below.
- 3.28 The Human Rights Act 1998 incorporated into UK law the European Convention on Human Rights (“The Convention”). The Convention includes provision in the form of Articles, the aim of which is to protect the rights of the individual.

- 3.29 Section 6 of the Act prohibits public bodies from acting in a manner, which is incompatible with the Convention. Various rights outlined in the Convention and its First Protocol are to be considered in the process of making and considering planning decisions, namely:
- 3.30 Article 1 of the First Protocol protects the right of everyone to the peaceful enjoyment of possessions. No one can be deprived of possessions except in the public interest and subject to the conditions provided by law and by the general principles of international law. The Submission PNDP is fully compatible with the rights outlined in this Article. Although the Submission Plan includes policies that would restrict development rights to some extent, this does not have a greater impact than the general restrictions on development rights provided for in national law, namely the Planning and Compulsory Purchase Act 2004 and the Localism Act 2011. The restriction of development rights inherent in the UK's statutory planning system is demonstrably in the public interest by ensuring that land is used in the most sustainable way, avoiding or mitigating adverse impacts on the environment, community and economy.
- 3.31 Article 6 protects the right to a fair and public hearing before an independent tribunal in determination of an individual's rights and obligations. The process for neighbourhood plan production is fully compatible with this Article, allowing for extensive consultation on its proposals at various stages, and an independent examination process to consider representations received.
- 3.32 Article 14 provides that "The enjoyment of the rights and freedoms set forth in ... [the] ... European Convention on Human Rights shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status." The Parish Council has developed the policies and proposals within the PNDP in full consultation with the community and wider stakeholders to produce as inclusive a document as possible. In general, the policies and proposals will not have a discriminatory impact on any particular group of individuals.

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

- 3.33 The prescribed conditions have therefore been met in relation to the Submission BINDP and prescribed matters have been complied with in connection with the proposal for the Plan.

Bishop's Itchington Parish Council

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