

Austrey Modified Neighbourhood Plan 2025 - 2033

Basic Conditions Statement



Austrey Parish Council
July 2025

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1.0 Introduction

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 of the Town and Country Planning Act 1990](#) as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004. A draft neighbourhood plan or order meets the basic conditions if—
 - having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood plan
 - the making of the plan contributes to the achievement of sustainable development
 - the making of the neighbourhood plan is in general conformity with the strategic policies of the development plan for the area
 - the making of the neighbourhood plan does not breach, and is otherwise compatible with European Union (EU) obligations.
2. Regulations 32 and 33 of the Neighbourhood Planning Regulations 2012 (as amended) set out two additional basic conditions. These are:
 - the making of the neighbourhood plan is not likely to have significant effects on a European site or a European offshore marine site either alone or in combination with other plans or projects and
 - having regard to all material considerations, it is appropriate that the neighbourhood development order is made where the development described in an order proposal is Environmental Impact Assessment development (this does not apply to the examination of the NDP as it is not about a neighbourhood development order).
3. A further Basic Condition was added by legislation on 28th December 2018. The Neighbourhood Planning (General) Regulations 2012 para 1 states
 - In relation to the examination of neighbourhood development plans the following basic condition is prescribed for the purpose of paragraph 8(2)(g) of Schedule 4B to the 1990 Act - 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.
4. This Basic Conditions Statement sets out how the Austrey Modified Neighbourhood Plan (AMNP) has been prepared to meet the basic conditions. It has been prepared as a supporting document for consideration by the independent Examiner and will be updated at Regulation 15 (Submission).

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

2.0 Legal Requirements

1. The Submission Plan is being submitted by a qualifying body

Austrey Modified Neighbourhood Plan (AMNP) is being submitted by a qualifying body, namely Austrey Parish Council.

2. What is being proposed is a neighbourhood development plan

The modified 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.

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

The modified neighbourhood plan states the period for which it is to have effect. That period is from 2025 to 2033 (from the current year and referring to the same period as the North Warwickshire Local Plan, Adopted September 2021).

4. The policies do not relate to excluded development

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

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 modified neighbourhood plan relates to the designated Austrey Neighbourhood Plan Area and to no other area. There are no other neighbourhood plans relating to that neighbourhood area. The Designated Neighbourhood Plan Area has the same boundary as that of the Parish at the time of the designation and is shown on Map 1 in the AMNP.

3.0 Basic Conditions

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

1. Austrey Modified Neighbourhood Plan has been prepared having appropriate regard to the policies set out in the revised National Planning Policy Framework (NPPF, updated 12th December 2024). Note - only those policies and sections in the NPPF that are relevant to the NDP are addressed below.

2. Achieving Sustainable Development

Paragraph 1 of the NPPF explains that '*The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied.*' Paragraph 7 sets out that '*The purpose of the planning system is to contribute to the achievement of sustainable development, including the provision of homes, commercial development and supporting infrastructure in a sustainable manner. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations*

to meet their own needs. At a similarly high level, members of the United Nations – including the United Kingdom – have agreed to pursue the 17 Global Goals for Sustainable Development in the period to 2030. These address social progress, economic well-being and environmental protection.'

The planning system has 3 overarching objectives to achieve sustainable development (paragraph 8): an economic objective, a social objective and an environmental objective. These objectives should be delivered through the preparation and implementation of plans (paragraph 9). The NDP includes various policies which, together, should deliver sustainable development.

Table 1 sets out how Austrey NDP delivers the 3 overarching Objectives.

Table 1 Delivering Sustainable Development

NPPF Overarching Objectives	AMNP Objectives and Policies
<p>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</p>	<p>AMNP recognises that Austrey has a rural character with a local economy based around the village shop, pub and local farms. The Plan includes Policy AP4: Farm Diversification which supports appropriate farm diversification and renewable energy schemes provided that landscape character and good agricultural land are protected.</p>
<p>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 accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and</p>	<p>The modified plan includes positive social objectives and policies.</p> <p>AMNP Housing Objectives include Objective 1: To support housing in line with the Local Plan, Objective 2: To meet local needs, Objective 3: To ensure growth can be accommodated by infrastructure and facilities, Objective 4: To support suitable local employment and encourage home working which will support the local shop and Post Office, Objective 5: To support housing viability, Objective 6: To ensure new housing is accessible to local facilities and Objective 7: To promote better health and wellbeing.</p> <p>The chapter on Housing Design contains Policy AP7: Promoting Safer Neighbourhoods which promotes the use of principles set out in 'Secured by Design' and Policy AP8: Active Travel and Healthy Lifestyles which sets out how development is expected to contribute to the village of Austrey being an accessible neighbourhood with services located within 10 minutes' walk of residential areas and where walking and cycling are prioritised.</p>

NPPF Overarching Objectives	AMNP Objectives and Policies
	<p>The chapter on Housing Development supports further windfall development in the village in line with the North Warwickshire Local Plan and subject to local criteria (Policy AP9: Windfall Development) and Policy AP10: Local Housing Need requires housing proposals to demonstrate how they respond to local needs identified in the 2023 parish housing needs survey or later evidence.</p>
<p>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.</p>	<p>AMNP has a strong emphasis on protecting and enhancing the environment.</p> <p>Environment, landscape and wildlife objectives include: Objective 1: To Protect the ‘Green Ring’ (of open spaces previously identified in the made ANP), Objective 2: To Enhance Local Wildlife and Objective 3: To Minimise Flood Risk.</p> <p>Policy AP1: Natural Environment identifies important and distinctive features of local landscape character which should be retained where possible and used in landscaping schemes and identifies locally appropriate measures to support biodiversity net gain in the area. Light pollution should be minimised and schemes should incorporate the relevant design guidance and codes for landscaping and sustainable drainage. Policy AP2: Local Green Spaces identifies a number of Local Green Spaces which have local significance, and which are highly valued by the community. The modified plan continues to note locally important views which should be taken into consideration (Policy AP3).</p> <p>Objectives and policies on housing design will also contribute to the NPPF’s environmental objective. Objective 1 is to Protect Austrey’s Rural Character, Objective 2 is to Promote Sympathetic Design, Objective 3 is to Maximise Energy and Resource Efficiency and Objective 4 is to Ensure Viability.</p> <p>These objectives will be delivered through a range of planning policies designed to support and promote sustainable development. The Plan Review has included commissioning a design codes</p>

NPPF Overarching Objectives	AMNP Objectives and Policies
	<p>document and this is referred to in policies for design. Policy AP5: High Quality Design requires proposals to demonstrate high quality design which incorporates the relevant principles set out in Austrey Design Guidance and Codes document which forms Appendix 2 of AMNP and Policy AP6: Sustainable Design sets out that development proposals will be expected to maximise resource and energy efficiency and demonstrate how designs will achieve net zero and contribute towards tackling the climate emergency.</p> <p>Policy AP8: Active Travel and Healthy Lifestyles should help to reduce reliance on private cars by encouraging alternative and more sustainable travel choices.</p>

3. The presumption in favour of sustainable development is explained in relation to plan making in NPPF paragraph 11:

'Plans and decisions should apply a presumption in favour of sustainable development. For plan-making this means that:

a) all plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects;

b) strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.'

AMNP takes a positive and balanced approach to development, recognising the area's location in the countryside and the village's position in the settlement hierarchy. The village has seen significant housing growth over the plan period – far in excess of the growth identified in the Local Plan – and is likely to see continued development pressure. The made Austrey Neighbourhood Plan (ANP) is over 5 years old the NDP Review provides a timely opportunity to ensure AMNP remains relevant and up to date.

NPPF para 13 goes on to say, *'The application of the presumption has implications for the way communities engage in neighbourhood planning. 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 explains '*In situations where the presumption (at paragraph 11d) applies to applications involving the provision of housing, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, provided the following apply:*

- a) the neighbourhood plan became part of the development plan five years or less before the date on which the decision is made; and*
- b) the neighbourhood plan contains policies and allocations to meet its identified housing requirement (see paragraphs 69-70).'*

Local Plan Policy LP2 Settlement Hierarchy identifies Austrey as a Category 4 Settlement: Other settlements with a development boundary. In these settlements development within development boundaries will be supported in principle. Development directly adjacent to settlement boundaries may also be acceptable. All development will be considered on its merits; having regard to other policies in the plan and will cater for windfall housing developments usually on sites of no more than 10 units at any one time, depending on viability, services and infrastructure deliverability. The Austrey development boundary is shown on Map 6 in the Plan. The Plan includes policies but no site allocations

3. Plan Making

In Section 3 Plan Making, the NPPF paragraph 16 sets out 6 principles that plans should address.

Table 2 sets out how AMNP addresses each of these in turn.

Table 2 Plan Making

NPPF Plan Making Plans should:	AMNP
<i>a) be prepared with the objective of contributing to the achievement of sustainable development;</i>	<p>AMNP has been prepared to contribute to sustainable development; policies support appropriate housing development taking into account the village's identification as a Category 4 settlement in the Local Plan.</p> <p>There is a strong emphasis on sustainable and high-quality design. Design related policies reference detailed design guidance in the Austrey Design Guidance and Codes document to help achieve sustainable development in the area.</p> <p>Table 1 above sets out how the Plan's objectives, policies and proposals address economic, social and environmental objectives.</p>
<i>b) be prepared positively, in a way that is aspirational but deliverable;</i>	<p>AMNP has been prepared positively, with policies that are aspirational and deliverable. Policies promote high quality, sensitive</p>

	<p>design and development which is appropriate to local character.</p> <p>Policies have been modified following local community engagement and have been informed by advice from officers at NWBC and independent planning consultants who were engaged by the Parish Council to assist with the review process.</p>
<p>c) <i>be shaped by early, proportionate and effective engagement between plan- makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees;</i></p>	<p>The work on the NDP has been led by a steering group of local residents and parish councillors.</p> <p>The accompanying Consultation Statement sets out the details of the various community consultation and engagement activities which have been undertaken at all stages of the Plan's preparation. Briefly these have included:</p> <ul style="list-style-type: none"> - Parish Housing Needs Survey (2022) - Launch Event and Issues Consultation (2023) - Liaison with officers at NWBC (2024) - Engagement with local landowners about proposed Local Green Spaces (2024) - Regulation 14 consultation on the Draft Modified Plan (Spring 2025).
<p>d) <i>contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals;</i></p>	<p>The NDP policies and proposals have been prepared by the steering group, with support from a planning consultant and advice from officers at NWBC.</p> <p>Amendments have been made in response to suggestions provided during the public consultation processes. It is understood that the Examiner is likely to recommend further changes to wording following the examination process.</p>
<p>e) <i>be accessible through the use of digital tools to assist public involvement and policy presentation; and</i></p>	<p>All relevant documents have been provided on the NDP pages of the Parish Council website at various stages and the website has been updated to include all documents from each stage prior to submission.</p> <p>Responses by email and using an online response form were invited at informal and formal consultation stages.</p>
<p>f) <i>serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area (including policies in this Framework, where relevant).</i></p>	<p>As a Modified NDP the review process has largely involved updating existing local policies. Some policies have been amended to reduce duplication with NWBC policies and national policies.</p>

The Plan Making Framework

Paragraph 18 sets out that *'Policies to address non-strategic matters should be included in local plans that contain both strategic and non-strategic policies, and/or in local or neighbourhood plans that contain just non-strategic policies.'*

The NDP contains non-strategic planning policies and proposals that add local detail and value to strategic policies set out in the Local Plan.

Non-strategic policies

Paragraph 30 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 NDP refers to the relevant NWBC policies in the supporting text.

Paragraph 31 goes on to say that *'Once a neighbourhood plan has been brought into force, the policies it contains take precedence over existing non-strategic policies in a local plan covering the neighbourhood area, where they are in conflict; unless they are superseded by strategic or non-strategic policies that are adopted subsequently.'*

5. Delivering a sufficient supply of homes

Rural housing paragraph 82 advises that *'In rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs, including proposals for community-led development for housing.'* AMNP housing policies have been informed by a recent parish housing needs survey.

6. Building a strong, competitive economy

Supporting a prosperous rural economy paragraph 88 advises that *'Planning policies and decisions should enable: a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings; b) the development and diversification of agricultural and other land-based rural businesses;...'* AMNP recognises the Parish's location in the countryside and its rural economy of farming and some people working from home. The Plan supports suitable rural diversification provided development and change are appropriate and supports working from home. The Plan also notes the importance of local community facilities in the Parish and their contribution to the village way of life.

8. Promoting healthy and safe communities

Paragraph 96 sets out that *'Planning policies and decisions should aim to achieve healthy, inclusive and safe places which: ... c) enable and support healthy lives, through both promoting good health and preventing ill-health, ... – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.'* AMNP supports healthy lives by promoting active travel and development which is located close to public transport and village facilities and encourages walking and cycling. The Infrastructure Project List includes various measures which encourage safer accessibility for all and aim to reduce adverse impacts of traffic on rural roads.

More sustainable and energy efficient housing should help to support health and wellbeing of

residents, particularly those who are elderly and vulnerable. Local Green Spaces provide opportunities for informal recreation.

Paragraph 106 sets out that *'The designation of land as Local Green Space through local and neighbourhood plans allows communities to identify and protect green areas of particular importance to them.'* AMNP includes several Local Green Spaces and the supporting text provides evidence for their justification including explaining their value for community, environmental and heritage reasons.

9. Promoting sustainable transport

Paragraph 109 advises that *'transport issues should be considered from the earliest stages of plan-making'* and should involve *'c) identifying and pursuing opportunities to promote walking, cycling and public transport use'*. AMNP promotes walking and cycling.

12. Achieving well-designed and beautiful places

Paragraph 131 explains that *'The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve.'* Paragraph 132 goes on to say that *'Design policies should be developed with local communities, so they reflect local aspirations, and are grounded in an understanding and evaluation of each area's defining characteristics. Neighbourhood 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.'* AMNP has a strong focus in design with policies underpinned by design guidance and codes commissioned through the Locality Technical Support Programme for NDPs.

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

Paragraph 161 advises that *'The planning system should support the transition to net zero by 2050 and take full account of all climate impacts including overheating, water scarcity, storm and flood risks 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.'* Paragraph 164 advises that *'New development should be planned for in ways that: b) help to reduce greenhouse gas emissions, such as through its location, orientation and design. Any local requirements for the sustainability of buildings should reflect the Government's policy for national technical standards.'* AMNP policies encourage development to be energy efficient by incorporating principles of sustainable design and to carefully manage water consumption and reduce flood risk. The village has a history of flooding, and this is noted in AMNP and Policy AP9: Windfall Development requires development to not result in increased risk of flooding. Design Code 17: Sustainable drainage systems (SuDS) provides advice on sustainable drainage.

15. Conserving and enhancing the natural environment

Paragraph 187 advises that *'Planning policies and decisions should contribute to and enhance the natural and local environment by: a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan); b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land,*

and of trees and woodland.' AMNP notes the importance of the local countryside to residents and describes the characteristics that contribute to the area's landscape character. ANP policies will help to ensure the natural environment is conserved and enhanced by protecting important features, using appropriate planting in landscaping schemes and ensuring lighting is sensitive.

16. Conserving and enhancing the historic environment

Paragraph 208 sets out that '*Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.*' AMNP notes the listed buildings in the Parish and contains Policy AP3: Views, which requires development proposals to respect existing views of landscape and heritage significance. Design Code 1: Responding to heritage provides detailed advice about how designs should consider their impacts on heritage assets.

b. Having Special Regard to the Desirability of Preserving any Listed Building or its Setting or any Features of Special Architectural or Historic Interest

AMNP notes the listed buildings in the Parish. [Note: this Basic Condition only applies to Neighbourhood Development Orders but has been included for the sake of completeness].

c. Having Special Regard to the Desirability of Preserving or Enhancing Character or Appearance of any Conservation Area

AMNP area does not include any conservation areas. [Note: this Basic Condition only applies to Neighbourhood Development Orders but has been included for the sake of completeness].

d. Contributes to the Achievement of Sustainable Development

AMNP contributes 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.

e. In General Conformity with Strategic Local Planning Policy

The Submission AMNP is in general conformity with strategic policies set out in North Warwickshire Local Plan, Adopted September 2021. 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

Austrey Modified Neighbourhood Plan Policy	North Warwickshire Local Plan, Adopted September 2021 Policies	General Conformity
<p>POLICY AP1: NATURAL ENVIRONMENT</p> <p>Existing hedgerows, ditches, water bodies, broadleaved woodlands, mature, ancient and veteran trees, and ridge and furrow are all important and distinctive features of local landscape character and form part of Austrey's green infrastructure network. These features should be retained and enhanced as part of landscaping schemes.</p> <p>Where development proposes the removal of any of these features, schemes will be expected to include suitable replacement and enhancement.</p> <p>Any new landscaping schemes should incorporate appropriate native species, and new hedgerows should be planted to form wildlife-friendly boundaries, in keeping with the surrounding landscape and linking to local wildlife corridors such as mature hedgerows, Public Rights of Way and water courses.</p> <p>Locally appropriate measures to support biodiversity net gain include:</p> <ul style="list-style-type: none"> • Tree and hedgerow planting using traditional native species; • Wetland restoration and planting; • Improved management of grassland and wetland; and • Planting wildflower meadows on verges and green spaces. 	<p>LP14 Landscape</p> <p>Within landscape character areas as defined in the Landscape Character Assessment (2010), Arden Landscape Guidelines (1993) and the Historic Landscape Characterisation Project (June 2010) (or successor document) development should look to conserve, enhance and where appropriate, restore landscape character as well as promote a resilient, functional landscape able to adapt to climate change. Specific landscape, geo-diversity, wildlife and historic features which contribute to local character will be protected and enhanced as appropriate.</p> <p>A Landscaping Proposals</p> <p>New development should, as far as possible retain existing trees, hedgerows and nature conservation features such as water bodies with appropriate protection from construction where necessary and strengthen visual amenity and bio-diversity through further hard and soft landscaping. The Council will seek replacement or enhancement to such natural features where their loss results from proposed development.</p> <p>Development proposals should be designed so that existing and new conservation features, such as trees and hedgerows and water bodies are allowed to grow to maturity without causing undue problems, or are not unacceptably compromised by development, for example by impairing visibility, shading or damage.</p>	<p>AMNP Policy AP1 identifies various significant local landscape features which contribute to the landscape character of Austrey parish and sets out that they should be protected and enhanced as part of landscaping schemes. The policy also advises that landscaping schemes should incorporate native species and hedgerows to support wildlife and provides local advice for developers on how to achieve BNG in the parish. Light pollution should be minimised and designs should incorporate measures set out in the design guide for Austrey.</p> <p>This Policy is in general conformity with Local Plan Policy LP14 Landscape and provides suitable local detail relevant to Austrey neighbourhood plan area to add value to the strategic policy. Policy LP14 sets out that developments should try to retain existing trees, hedgerows and nature conservation features and that new landscape schemes should use native species and incorporate benefits for biodiversity.</p> <p>AMNP Policy 1 is also in general conformity with strategic Policy LP16 Natural Environment. This advises that the quality, character, diversity and local distinctiveness of the natural environment will be protected and enhanced and seeks to minimise impacts on, and provide net gains for biodiversity.</p> <p>In addition, Local Plan Policy LP29 addresses the need to minimise light pollution and to protect and enhance the natural environment.</p>

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Austrey Modified Neighbourhood Plan Policy	North Warwickshire Local Plan, Adopted September 2021 Policies	General Conformity
<p>In addition, lighting schemes should be designed to minimise light pollution. Security lighting should be operated by intruder switching, be appropriate to the setting, be unobtrusive and energy efficient and have consideration for neighbouring amenity. Business and agricultural development in the countryside should have lighting plans to avoid unnecessary light pollution.</p> <p>Development proposals should also incorporate the relevant design guidance and codes for landscaping and sustainable drainage set out in Austrey Design Guidance and Codes (Appendix 2 of Austrey Modified Neighbourhood Plan) which is published on the Parish Council website. These are:</p> <ul style="list-style-type: none"> • Design Code 10: Landscape setting and rural identity • Design Code 11: Biodiversity • Design Code 12: Tree planting and • Design Code 17: Sustainable drainage systems (SuDS). 	<p>Development will not be permitted which would directly or indirectly damage existing mature or ancient woodland, veteran trees or ancient or species-rich hedgerows (other than where appropriate avoidance, mitigation, or compensation has been taken and any minimised harm is justified having considered the policies in this plan as a whole).</p> <p>B New Landscape Features</p> <p>The landscape and hydrological impacts of development proposals which themselves directly alter the landscape, or which involve associated physical change to the landscape such as recontouring, terracing, new bunds or banks and new water features such as reservoirs, lakes, pools and ponds will be assessed against the descriptions in the Landscape Character Areas. Particular attention will be paid in this assessment as to whether the changes are essential to the development proposed; the scale and nature of the movement of all associated materials and deposits, the cumulative impact of existing and permitted schemes, the impact on the hydrology of the area and its catchment, any consequential ecological impacts and the significance of the outcome in terms of its economic and social benefits.</p> <p>New landscape schemes will look to use native species and incorporate benefits for biodiversity. Species that are invasive or problematic to the natural environment will be avoided.</p>	

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Austrey Modified Neighbourhood Plan Policy	North Warwickshire Local Plan, Adopted September 2021 Policies	General Conformity
	<p>LP16 Natural Environment</p> <p>The Borough Council recognises the importance of the natural environment to the Borough's local character, identity and distinctiveness. The quality, character, diversity and local distinctiveness of the natural environment will be protected and enhanced as appropriate relative to the nature of development proposed. This policy seeks to minimise impacts on, and provide net gains for biodiversity, where possible, relative to the ecological significance of international, nationally and locally designated sites of importance for biodiversity.</p> <p><i>Understanding the Natural Environment</i></p> <p>All development applications that affect the natural environment will be required to provide sufficient information and an assessment of those proposals on the natural asset(s) including via Appropriate Assessment under Regulation 63 of the Conservation of Habitats and Species Regulations 2017, or successor legislation, where likely significant effects individually or in combination with other schemes cannot be ruled out.</p> <p>Planning permission will be refused if development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss. Given the natural heritage of the Borough, the Council expects such circumstances to be wholly exceptional and for there to be a suitable compensation strategy in place where any loss or deterioration would occur. Developments</p>	

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	<p>should avoid significant harm to biodiversity by locating to an alternative site with less harmful impacts. If this is not possible adequately mitigate the impacts or, as a last resort compensate the loss. Where development takes place, it should help ensure there is a measurable net gain of biodiversity and geological interest. Warwickshire, Coventry and Solihull Biodiversity Impact Assessment calculator will be used to assess the changes to biodiversity resulting from the development and Biodiversity Offsetting will be used where net gain cannot be achieved within the site boundary. Offsets will be sought towards enhancements of the wider ecological network in the Borough or sub-region in line with local, regional and national priorities for nature conservation.</p> <p>A minimum buffer zone of 15m will be required in line with Government Guidance for ancient woodland and individual ancient or veteran trees. The size and type of buffer zone should vary depending on the scale, type and impact of the development and the sensitivity of the natural asset(s) that may be affected based on proportionate evidence.</p> <p>Where possible, a buffer zone should:</p> <ul style="list-style-type: none"> • contribute to wider ecological networks • be part of the green infrastructure of the area <p>Encouragement will be given to the planting of street trees, wherever possible.</p> <p>LP29 Development Considerations Development should meet the needs of residents and businesses without compromising the ability of</p>	

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	<p>future generations to enjoy the same quality of life that the present generation aspires to. Development should:</p> <p>...</p> <p>9. avoid and address unacceptable impacts upon neighbouring amenities through overlooking, overshadowing, noise, light, air quality or other pollution; and in this respect identification of contaminated and potentially contaminated land will be necessary prior to determination of proposals depending on the history of the site and sensitivity of the end use and,</p> <p>10. protect and enhance the historic and natural environment;</p>	
<p>POLICY AP2: LOCAL GREEN SPACES</p> <p>The following areas as identified on Austrey NDP Review Policies Map 2A Local Green Spaces 1, 2, 3, 4, 5, 6 & 7 and Austrey NDP Review Policies Map 2B Local Green Spaces 8 & 9 are identified as local green spaces:</p> <ol style="list-style-type: none"> 1. Newton Lane Playing Fields 2. Old Cricket Ground 3. Bishops Field 4. Field to the northeast of Hollybank 5. Austrey Community Orchard 6. Woodlands off Cinder Lane (Fairy Woods) 7. Land at Bishops Cleeve cul-de-sac 8. Village Green, Wulfric Avenue 9. Play Area, Wulfric Avenue. <p>Development proposals within the local green spaces will be consistent with national policy for Green Belts.</p>	<p>LP20 Green Spaces</p> <p>The Green Spaces as shown on the Policies Map will be retained, protected and wherever possible enhanced.</p> <p>The Green Space Strategy will provide information which will be used in determining the amount of land, facilities and/or contributions which will be required as part of development proposals</p> <p>Neighbourhood Plans may designate additional areas.</p> <p>LP22 Open Spaces and Recreational Provision</p> <p>Wherever possible, Open spaces and recreational areas will be retained, protected and enhanced (unless their loss is off-set by an equivalent or improved replacement).</p>	<p>AMNP identifies a number of areas of open space as Local Green Space. Four of these areas were already noted in the made ANP as forming a 'Green Ring' around the village. Other areas of LGS were identified as important through community consultation undertaken as part of the NDP Review.</p> <p>This is in general conformity with strategic Policy LP20 Green Spaces which supports neighbourhood plans designating additional areas to the Green Spaces on the Local Plan Policies Map.</p> <p>Some of the LGS are public open spaces, play areas and recreation areas and these would also fall under Local Plan Policy LP22 Open Spaces and Recreation Provision which sets out that such areas will be retained, protected and enhanced unless their loss is offset.</p>

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<p>POLICY AP3: VIEWS</p> <p>Existing views of landscape and heritage significance should be respected and used as a placemaking opportunity. A number of Key Public Views of particular importance to the local community have been identified and are shown on Map 4.</p> <p>Where a development proposal would affect these views, appropriate evidence should be submitted with any application to demonstrate how the view has been taken into account and respected.</p>	<p>LP15 Historic Environment</p> <p>The Council recognises the importance of the historic environment to the Borough's local character, identity and distinctiveness, its cultural, social, environmental and economic benefits. The quality, character, diversity and local distinctiveness of the historic environment will be conserved or enhanced.</p> <p>LP16 Natural Environment</p> <p>The Borough Council recognises the importance of the natural environment to the Borough's local character, identity and distinctiveness. The quality, character, diversity and local distinctiveness of the natural environment will be protected and enhanced as appropriate relative to the nature of development proposed.</p> <p>LP30 Built Form</p> <p><i>General Principles</i></p> <p>All development in terms of its layout, form and density should respect and reflect the existing pattern, character and appearance of its setting. Local design detail and characteristics should be reflected within the development. All proposals should therefore:</p> <ul style="list-style-type: none"> a) ensure that all of the elements of the proposal are well related to each other and harmonise with both the immediate setting and wider surroundings; b) make use of and enhance views into and out of the site both in and outside of the site; c) make appropriate use of landmarks and local features; 	<p>AMNP Policy AP3 refers to a number of important views which were previously identified in the made ANP. These views include cherished local landscape and heritage features around the village.</p> <p>This is in general conformity with Local Plan Policy LP15 which advises that the Council recognises the importance of the Borough's historic environment to local character and distinctiveness and that the distinctiveness of the historic environment will be conserved or enhanced. Similarly, Policy LP16 also notes that the Council recognises the importance of the natural environment and its contribution to identity and distinctiveness and seeks to ensure it will be protected and enhanced.</p> <p>AMP Policy AP3 is also in general conformity with Local Plan Policy LP30 where it refers to the requirements for proposals to harmonise with their surroundings and to make use of views and landmarks.</p>

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<p>POLICY AP4: FARM DIVERSIFICATION</p> <p>Local farmers will be supported in their attempts to diversify, providing that such diversification:</p> <ol style="list-style-type: none"> 1. Respects the tranquility, character and beauty of the countryside, and 2. Does not have an unacceptable adverse impact on local residential amenity, and 3. Does not lead to unacceptable increases in traffic on rural roads. <p>Renewable energy schemes will be supported, particularly where they are community led schemes which provide sustainable and affordable energy resources for local residents and businesses. All such proposals should avoid or mitigate any significant adverse impacts on local landscape character and biodiversity through careful and sensitive siting, design and landscaping and avoid using the best and most versatile agricultural land.</p> <p>Proposals for the conversion of agricultural buildings will be expected to incorporate the principles set out in Design Code 8: Conversion of agricultural buildings in Austrey Design Guidance and Codes (Appendix 2 of Austrey Modified Neighbourhood Plan) and published on the Parish Council website.</p>	<p>LP13 Rural Employment</p> <p><i>Farm Diversification</i> Proposals for farm diversification through the introduction of new uses onto established farm holdings will be supported where it can be demonstrated that:</p> <ol style="list-style-type: none"> a) the development in terms of its scale, nature, location and layout would contribute towards sustaining the long-term operation and viability of the farm holding; b) it would not cause an unacceptable adverse impact to the safe and free movement of pedestrian, vehicular or other traffic on the trunk or rural road network as a result of heavy vehicle usage, c) there would be no adverse impacts arising from increased noise or other form of pollution, d) there are adequate foul drainage facilities, and e) there would be no adverse impact on the character of the surrounding natural or historic environment. <p><i>Re-Use of Existing Rural Buildings</i> Proposals for the re-use and adaptation of existing rural buildings will be supported provided that the following three pre-conditions are all satisfied:</p> <ol style="list-style-type: none"> a) The buildings are readily accessible to the Main Towns and Local Service Centres via a range of modes of transport; b) they are of sound and permanent construction, and c) are capable of adaptation or re-use without recourse to major or complete re- building, alteration or extension. 	<p>AMNP Policy AP4 supports appropriate farm diversification in the neighbourhood plan area, subject to local criteria including protecting the character of the countryside and residential amenity and acceptable traffic increases. This is in general conformity with Local Plan Policy LP13 which supports appropriate farm diversification where it would not cause unacceptable adverse impacts on pedestrians and traffic on rural roads and no adverse impact on the character of the surrounding natural or historic environment.</p> <p>The AMNP Policy goes on to support conversion of agricultural buildings where they incorporate principles set out in the design guidance and this adds local detail and is in general conformity with the part of the Local Plan policy referring to re-use of existing rural buildings.</p> <p>Renewable energy schemes including community led schemes are also supported in AMNP Policy AP4 subject to protecting landscape character, biodiversity and the best agricultural land and this is in general conformity with Local Plan Policy LP35 which requires them to respect the capacity and sensitivity of the landscape, and to be assessed against impacts on features of natural importance and the economy amongst other things.</p>

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	<p>LP35 Renewable Energy and Energy Efficiency</p> <p>Renewable energy projects will be supported where they respect the capacity and sensitivity of the landscape and communities to accommodate them. In particular, they will be assessed on their individual and cumulative impact on landscape quality, sites or features of natural importance, sites or buildings of historic or cultural importance, residential amenity and the local economy.</p>	
<p>POLICY AP5: HIGH QUALITY DESIGN</p> <p>Development proposals for new housing development and conversions of existing buildings to residential use will be expected to demonstrate high quality design which incorporates the relevant principles set out in Austrey Design Guidance and Codes (Appendix 2 of Austrey Modified Neighbourhood Plan) which is published on the Parish Council website. These are:</p> <ul style="list-style-type: none"> • Design Code 1: Responding to heritage • Design Code 2: Appearance • Design Code 3: Detailing • Design Code 4: Boundary treatments in new development • Design Code 5: Infill and backland development • Design Code 6: Building Line and setback • Design Code 7: Proportion and scale and • Design Code 9: Extensions and alterations. 	<p>LP30 Built Form</p> <p><i>General Principles</i></p> <p>All development in terms of its layout, form and density should respect and reflect the existing pattern, character and appearance of its setting. Local design detail and characteristics should be reflected within the development. All proposals should therefore:</p> <ol style="list-style-type: none"> a) ensure that all of the elements of the proposal are well related to each other and harmonise with both the immediate setting and wider surroundings; b) make use of and enhance views into and out of the site both in and outside of the site; c) make appropriate use of landmarks and local features; d) reflect the characteristic architectural styles, patterns and features taking into account their scale and proportion, e) reflect the predominant materials, colours, landscape and boundary treatments in the area; f) ensure that the buildings and spaces connect with and maintain access to the surrounding area and with the wider built, water and natural environment; 	<p>AMNP Policy AP5 sets out how development in Austrey will be expected to demonstrate high quality design by applying various principles in Austrey Design Guidance and Codes.</p> <p>This is in general conformity with strategic Policy LP30 which sets out broad general design principles, principles for specific development types and principles for extensions, alterations and replacements. The Policy also sets out that Where Neighbourhood Plans address design matters, then all development proposals will be expected to accord with the principles set out therein.</p>

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	<p>g) are designed to take into account the needs and practicalities of services and the long term management of public and shared private spaces and facilities;</p> <p>h) create a safe, secure, low crime environment through the layout, specification and positioning of buildings, spaces and uses in line with national Secured by Design standards;</p> <p>i) reduce sky glow, glare and light trespass from external illumination; and</p> <p>j) ensure that existing water courses are fully integrated into site layout at an early stage and to ensure that space is made for water through de-culverting, re- naturalisation and potential channel diversion. Where Design Briefs are adopted for allocated sites and Neighbourhood Plans address design matters, then all development proposals will be expected to accord with the principles set out therein.</p> <p><i>Specific Development Types</i></p> <p>Infill development should reflect the prevailing character and quality of the surrounding street scene. The more unified the character and appearance of the surrounding buildings and built form, the greater the need will be to reproduce the existing pattern.</p> <p>Back-land development should be subservient in height, scale and mass to the surrounding frontage buildings. Access arrangements should not cause adverse impacts to the character and appearance, safety or amenity of the existing frontage development.</p> <p><i>Alterations, Extensions and Replacements</i></p> <p>Extensions, alterations to and replacement of existing buildings will be expected to:</p>	

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	<p>a) respect the siting, scale, form, proportions, materials, details and overall design and character of the host building, its curtilage and setting;</p> <p>b) retain and/or reinstate traditional or distinctive architectural features and fabric,</p> <p>c) safeguard the amenity of the host premises and neighbouring occupiers</p> <p>d) leave sufficient external usable private space for occupiers, and</p> <p>e) satisfy the design criteria set out in the Document “Design Guide for Extensions”. Extensions should be physically and visually subservient to the host building including its roof form so as not to dominate it, by virtue of their scale and siting.</p>	
<p>POLICY AP6: SUSTAINABLE DESIGN</p> <p>Development proposals will be expected to maximise resource and energy efficiency and demonstrate how designs will achieve net zero and contribute towards tackling the climate emergency.</p> <p>Proposals will address the following design guidance and principles set out in the Austrey Design Guidance and Codes (Appendix 2 of Austrey Modified Neighbourhood Plan) which is published on the Parish Council website:</p> <ul style="list-style-type: none"> • Design Code 14: Energy efficiency measures to net zero carbon • Design Code 15: Sustainable building materials and construction and • Design Code 16: Assessing renewable energy sources. 	<p>LP29 Development Considerations</p> <p>Development should meet the needs of residents and businesses without compromising the ability of future generations to enjoy the same quality of life that the present generation aspires to. Development should:</p> <p>...</p> <p>11. manage the impacts of climate change through the design and location of development, including sustainable building design and materials, sustainable drainage, water efficiency measures, use of trees and natural vegetation and ensuring no net loss of flood storage capacity;</p> <p>LP35 Renewable Energy and Energy Efficiency</p> <p>...</p> <p>New development will be expected to be energy efficient in terms of its fabric and use including, where viable, the production of 10% of operational</p>	<p>AMNP Policy AP6 promotes sustainable design as part of addressing net zero and climate change objectives. It refers to detailed guidance set out in the Austrey Design Guidance and Codes document. This is in general conformity with Local Plan Policies LP29 which requires development to manage the impacts of climate change and LP35 which requires new development to be energy efficient.</p>

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	energy from on-site renewables, in support of the Government's Clean Growth Strategy.	
<p>POLICY AP7: PROMOTING SAFER NEIGHBOURHOODS</p> <p>Developments are expected to include measures which promote safer neighbourhoods by incorporating the principles set out in 'Secured by Design'.</p>	<p>LP29 Development Considerations</p> <p>Development should meet the needs of residents and businesses without compromising the ability of future generations to enjoy the same quality of life that the present generation aspires to. Development should:</p> <p>...</p> <p>17 seek to reduce crime and in particular the threat of terrorism</p> <p>LP30 Built Form</p> <p><i>General Principles</i></p> <p>All development in terms of its layout, form and density should respect and reflect the existing pattern, character and appearance of its setting. Local design detail and characteristics should be reflected within the development. All proposals should therefore:</p> <p>h) create a safe, secure, low crime environment through the layout, specification and positioning of buildings, spaces and uses in line with national Secured by Design standards;</p>	<p>AMNP Policy AP7 requires developments to include measures which support safer neighbourhoods and to apply the principles in Secured by Design.</p> <p>This is in general conformity with Local Plan Policy LP29 which sets out that development should seek to reduce crime and Policy LP30 which advises that development should create a safe and low crime environment.</p>
<p>POLICY AP8: ACTIVE TRAVEL AND HEALTHY LIFESTYLES</p> <p>The village of Austrey will continue to be an accessible neighbourhood, with local services and facilities provided within 10 minutes' walk (800m) of all residential areas in the village. In order to achieve this, all new development proposals must</p>	<p>LP23 Transport Assessments</p> <p>Travel Plan</p> <p>...</p> <p>Development will be expected to link with existing road, cycle and footpath networks.</p> <p>Developments that are likely to generate significant amounts of traffic and particularly larger</p>	<p>AMNP Policy AP8 should help Austrey continue to be an accessible neighbourhood where residents are encouraged to walk and cycle, streets feel safe and residential areas are accessible to local facilities.</p> <p>This is in general conformity with the Local Plan which promotes sustainable travel choices and healthy and active lifestyles. Local Plan Policy 23</p>

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<p>support increased walking and cycling and use of public transport by:</p> <ol style="list-style-type: none"> 1. Being located close to bus routes and stops; and 2. Including accessible linkages to safe walking and cycling routes and existing public rights of way, especially those linking to local community facilities such as the school, shop, public house and village hall, and to nearby towns and villages; and 3. Providing suitable and secure storage provision for bicycles; and 4. Including external electric charging points for bicycles and cars. <p>The design of new streets should promote a travel hierarchy which recognises that pedestrians, cyclists and users of mobility scooters have safe priority over cars and motor vehicles.</p> <p>Car parking provision will be expected to incorporate the design principles set out in Design Code 13: Car parking of the Austrey Design Guidance and Codes (Appendix 2 of the Austrey Modified Neighbourhood Plan).</p>	<p>developments will be expected to focus on the longer-term management of new trips; encourage the use of public and shared transport as well as appropriate cycle and pedestrian links.</p> <p>Increasing the opportunity to access these developments for all sections of the community should be addressed. This will be secured through a Travel Plan and/or financial contributions which will be secured either through planning conditions or the provisions of Section 106.</p> <p>LP27 Walking and Cycling</p> <p>The Borough Council will develop a Walking and Cycling Strategy.</p> <p>All developments should consider what improvements can be made to encourage safe and fully accessible walking and cycling.</p> <p>Encouragement will be given to establishing and promoting responsible access to the natural environment, for example in the Tame Valley Wetlands NIA.</p> <p>LP29 Development Considerations</p> <p>Development should meet the needs of residents and businesses without compromising the ability of future generations to enjoy the same quality of life that the present generation aspires to.</p> <p>Development should:</p> <p>...</p> <ol style="list-style-type: none"> 4. promote healthier lifestyles for the community to be active outside their homes and places of work; and, 	<p>expects developments to link with road, cycle and footpath networks and encourage the use of public and shared transport as well as appropriate cycle and pedestrian links. Policy LP27 sets out that all developments should consider what improvements can be made to encourage safe and fully accessible walking and cycling and LP29 promotes healthier lifestyles including sustainable transport.</p>

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	5. encourage sustainable forms of transport focussing on pedestrian access and provision of bike facilities; and, 6. Provide safe and suitable access to the site for all users;	
<p>POLICY AP9: WINDFALL DEVELOPMENT</p> <p>Proposals for “windfall” housing development will be supported where they:</p> <ol style="list-style-type: none"> 1. Are for small scale development of usually no more than 10 houses; 2. Would help to create local employment opportunities without unacceptable adverse impact on the rural landscape, for example by providing mixed use live / work accommodation and provision of office space to enable working from home; 3. Are within easy walking distance of the village centre and key amenities (including the church, chapel, village hall, school, and pub) (see Policy AP8 Active Travel and Healthy Lifestyles); 4. Include renewable energy projects and new active transport links that do not have an unacceptable adverse impact on the landscape or residential amenity; 5. Provide additional benefits for the community through developer contributions (see Appendix 1); 6. Do not result in increased risk of flooding; 7. Are acceptable in terms of visual impact, particularly with regard to listed buildings and/or the rural landscape and views (see Policies AP1 Natural Environment and AP3 Views); and 	<p>LP2 Settlement Hierarchy</p> <p>Development within the Borough will be proportionately distributed and be of a scale that is in accordance with the Borough’s settlement hierarchy. Development will be commensurate with the level, type and quality of day to day service provision currently available and the ability of those services to absorb the level of development in combination with any planned allocations in this Local Plan and committed development in liaison with service providers.</p> <p>In Categories 1 to 4 settlements development within development boundaries will be supported in principle. Development directly adjacent to settlement boundaries may also be acceptable, including that which would enhance or maintain the vitality of rural communities, provided such development is proportionate in scale to the relevant settlement and otherwise compliant with the policies in the plan and national planning policy considered as a whole (including in respect of Green Belt protections)</p> <p>Category 4: Other Settlements with a development boundary - Ansley, Austrey, ...</p> <p>Development within development boundaries will be supported in principle. Development directly adjacent to settlement boundaries may also be acceptable. All development will be considered on</p>	<p>AMNP Policy AP9 sets out local criteria for windfall development in Austrey. This Policy respects Austrey’s position in the settlement hierarchy in the Local Plan as a Category 4 settlement in Policy LP2 where developments of up to 10 houses may be acceptable within or adjoining the development boundary.</p> <p>The AMNP Policy is also in general conformity with Local Plan Policy 29 where relevant criteria include promoting healthy lifestyles and sustainable travel, making effective use of land, addressing climate change, maintaining and improving community services, protecting against flooding, protecting and enhancing the historic and natural environment and making efficient use of land.</p>

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<p>8. Make efficient use of land and / or include the development of brownfield (previously developed) sites or sensitive conversion and re-use of existing buildings.</p>	<p>its merits; having regard to other policies in this plan and will cater for windfall housing developments usually on sites of no more than 10 units at any one time depending on viability, services and infrastructure deliverability.</p> <p>LP29 Development Considerations</p> <p>Development should meet the needs of residents and businesses without compromising the ability of future generations to enjoy the same quality of life that the present generation aspires to.</p> <p>Development should:</p> <ol style="list-style-type: none"> 1. make effective use of brownfield land in appropriate locations reflecting the settlement hierarchy; and, 2. be adaptable for future uses and take into account the needs of all users; and, 3. maintain and improve the provision of accessible local and community services, unless it can be demonstrated that they are no longer needed by the community they serve; not needed for any other community use, or that the facility is being relocated and improved to meet the needs of the new, existing and future community; and services in line with policy LP21 4. promote healthier lifestyles for the community to be active outside their homes and places of work; and, 5. encourage sustainable forms of transport focussing on pedestrian access and provision of bike facilities; and, 6. Provide safe and suitable access to the site for all users; and <p>...</p>	

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	<p>10. protect and enhance the historic and natural environment; and,</p> <p>11. manage the impacts of climate change through the design and location of development, including sustainable building design and materials, sustainable drainage, water efficiency measures, use of trees and natural vegetation and ensuring no net loss of flood storage capacity; and,</p> <p>12 protect the quality and hydrology of ground or surface water sources so as to reduce the risk of pollution and flooding, on site or elsewhere;</p>	
<p>POLICY AP10: LOCAL HOUSING NEED</p> <p>New residential development should demonstrate how it contributes to a suitable mix of tenure, type and size of dwelling in Austrey based on the latest available evidence of housing need as set out in the 2021 Austrey Parish Housing Needs Survey Report or other more up to date evidence.</p> <p>Proposals should demonstrate how they respond to local needs for:</p> <ul style="list-style-type: none"> • affordable small to medium sized starter homes (2 to 3 bedrooms), • housing designed for older people such as bungalows (2 to 3 bedrooms) and assisted living accommodation and • affordable larger family accommodation (4 bedrooms) if evidenced by the latest available housing needs and viability considerations. <p>Self-build schemes will also be supported.</p>	<p>LP7 Housing Development</p> <p>Housing developments will be required to:</p> <p><i>Housing Mix</i> Provide for a variety of types and tenures that reflect the needs of the Borough and of the settlement. Sites will be expected to provide for a range of needs and opportunities including:</p> <ul style="list-style-type: none"> • homes for those with mobility issues; • homes for older people; • homes for young people; and • plots for custom / self-builders. <p><i>Older People</i> Independent living units for the over 55's will be a key way to provide for some of these needs.</p> <p><i>Self-build and Custom Build</i> Development proposals should make serviced plots available for self-build to address relevant demand identified in the Council's Self and Custom Build register at the time of the planning application, unless that would be unfeasible on</p>	<p>AMNP Policy AP10 requires residential development to contribute to a suitable mix of housing in the area which responds to local housing needs as evidenced in a recent parish housing needs survey or later evidence.</p> <p>This is in general conformity with Local Plan Policy LP7 which requires developments to provide for a variety of types and tenures that reflect the needs of the Borough and of the settlement. The Local Plan policy refers to the need for housing for older people and young people and self builders, all of which are also supported in the AMNP Policy.</p>

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	<p>account of the nature of the development proposed, its scale, or viability.</p> <p>On larger sites plots should be spread across the development. Plots should be reasonably priced reflecting prevailing market values. Where not taken up by self-builders or custom builders within three years of becoming available can, having provided evidence to the Borough Council, be built out as general housing.</p> <p>LP9 Affordable Housing Provision All major developments will provide at least 30% of housing provided on-site will be affordable except in the case of Greenfield (previously agricultural use) sites where 40% on-site provision will be required.</p>	

f. Be Compatible with EU Obligations

A neighbourhood plan must be compatible with EU obligations, as incorporated into UK law, in order to be legally compliant. Notwithstanding the United Kingdom's departure from the EU, these obligations continue to apply unless and until repealed or replaced in an Act of Parliament.

The Submission AMNP is fully compatible with EU Obligations.

European Convention on Human Rights

The Submission Neighbourhood Plan is fully compatible with the European Convention on Human Rights. It has been prepared with full regard to national statutory regulation and policy guidance, which are both compatible with the Convention. The Plan has been produced in full consultation with the local community. The Plan does not contain policies or proposals that would infringe the human rights of residents or other stakeholders over and above the existing strategic policies at national and district-levels, as demonstrated below.

The Human Rights Act 1998 incorporated into UK law the European Convention on Human Rights ('The Convention'). The Convention includes provision in the form of Articles, the aim of which is to protect the rights of the individual.

Section 6 of the Act prohibits public bodies from acting in a manner, which is incompatible with the Convention. Various rights outlined in the Convention and its First Protocol are to be considered in the process of making and considering planning decisions, namely:

Article 1 of the First Protocol protects the right of everyone to the peaceful enjoyment of possessions. No one can be deprived of possessions except in the public interest and subject to the conditions provided by law and by the general principles of international law. The Submission Neighbourhood Plan is fully compatible with the rights outlined in this Article. Although the Submission Plan includes policies that would restrict development rights to some extent, this does not have a greater impact than the general restrictions on development rights provided for in national law, namely the Planning and Compulsory Purchase Act 2004 and the Localism Act 2011. The restriction of development rights inherent in the UK's statutory planning system is demonstrably in the public interest by ensuring that land is used in the most sustainable way, avoiding or mitigating adverse impacts on the environment, community and economy.

Article 6 protects the right to a fair and public hearing before an independent tribunal in determination of an individual's rights and obligations. The process for Neighbourhood Plan production is fully compatible with this Article, allowing for extensive consultation on its proposals at various stages, and an independent examination process to consider representations received.

Article 14 provides that *'The enjoyment of the rights and freedoms set forth in ... [the] ... European Convention on Human Rights shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.'*

The Parish Council has modified policies and proposals 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.

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

The NDP must not breach the requirements of Chapter 8 of the Conservation of Habitats and Species Regulations 2017 (d).

Regulation 32 of the Neighbourhood Planning (General) Regulations 2012 (as amended by the Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018, effective from 28 December 2018, prescribes the following additional Basic Condition for the purpose of paragraph 8(2)(g) of Schedule 4B to the TCPA 1990:

‘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’.

Regulation 106(1) of Chapter 8 states that: *‘a qualifying body which submits a proposal for a neighbourhood development plan must provide such information as the competent authority may reasonably require for the purposes of the assessment under Regulation 105 (that assessment is necessary where the neighbourhood plan is likely to have a significant effect on a European site or a European offshore marine site either alone or in combination with other plans or projects) or to enable it to determine whether that assessment is required’.*

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).

The Draft Modified Plan was subjected to a Strategic Environmental Assessment and Habitats Regulations Assessment prior to the Regulation 14 consultation.

The report concluded:

‘Strategic Environmental Assessment (SEA)

7.3 In relation to the requirement for the AMNDP to be subject to Strategic Environmental Assessment, it is concluded in the assessment undertaken in Section 5 of this report that the Plan in its current form is unlikely to have significant environmental effects and therefore SEA will not be required.

Habitat Regulations Assessment (HRA)

7.4 In terms of the requirement for the AMNDP to be subject to Habitat Regulations Assessment, the appraisal set out in Section 6 of this report concludes that no further work will be required in order to comply with the Habitat Regulations.’

The report was sent to the three consultation bodies, Natural England, Environment Agency and Historic England for their views. Responses were received from Environment Agency and Natural England and these have been added to the report. Both bodies concurred with the findings that Austrey Modified Neighbourhood Plan was unlikely to have significant environmental effects.

4.0 Conclusion

1. The Austrey Modified Neighbourhood Development Plan has been prepared to meet the required basic conditions.
2. The prescribed conditions have been met in relation to the Austrey Modified Neighbourhood Plan (AMNP) and prescribed matters have been complied with in connection with the proposal for the Plan.

Austrey Parish Council

July 2025

Supported by

