

RUSCOMBE NEIGHBOURHOOD PLAN

2019 – 2036

BASIC CONDITIONS STATEMENT

Published by Ruscombe Parish Council under the Neighbourhood Planning (General) Regulations 2012
(as amended)

August 2021

1.INTRODUCTION

1.1 This statement has been prepared by Ruscombe Parish Council ("the Parish Council") to accompany its submission of the Ruscombe Neighbourhood Plan ("the Neighbourhood Plan") to the local planning authority, Wokingham Borough Council ("the Borough Council"), under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (as amended) ("the Regulations").

1.2 The Neighbourhood Plan has been prepared by the Parish Council, a qualifying body, for the Neighbourhood Area, which coincides with the boundary of the Parish of Ruscombe and which was designated by the Borough Council on 25 January 2018 (see Plan A overleaf). The Parish Council has consulted the local community, the statutory bodies and other stakeholders throughout the preparation of the Neighbourhood Plan, as required by the Regulations. This is detailed in the Consultation Statement, which is published separately as part of the submission documentation.

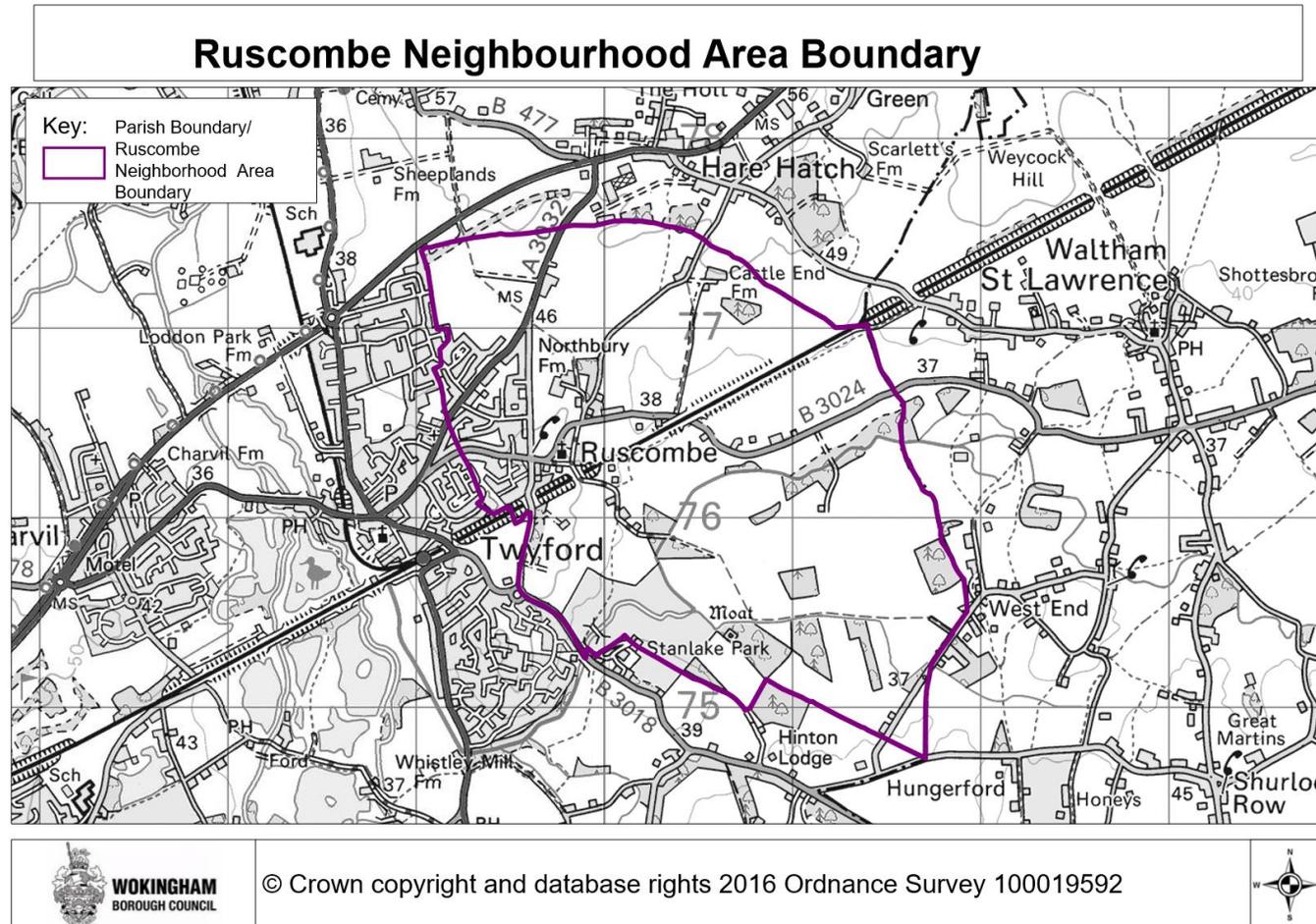
1.3 The policies described in the Neighbourhood Plan relate to the development and use of land in the designated Neighbourhood Area only. They do not relate to 'excluded development', as defined by the Regulations. The plan period of the Neighbourhood Plan is from 1 April 2019 – 31 March 2036, which corresponds with the plan period of the emerging Wokingham Borough Local Plan 2036.

1.4 The statement addresses each of the four 'Basic Conditions' required of the Regulations and explains how the submitted Neighbourhood Plan meets the requirements of paragraph 8 of Schedule 4B to the 1990 Town & Country Planning Act.

1.5 The Regulations state that a Neighbourhood Plan will be considered to have met the conditions if:

- a) Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the Neighbourhood Development Plan,
- b) (Not relevant for this Neighbourhood Plan),
- c) (Not relevant for this Neighbourhood Plan),
- d) The making of the Neighbourhood Development Plan contributes to the achievement of sustainable development,
- e) The making of the Neighbourhood Development Plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area),
- f) The making of the Neighbourhood Development Plan does not breach, and is otherwise compatible with EU obligations.

- g) The making of the neighbourhood plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017, which set out the habitat regulation assessment process for land use plans, including consideration of the effect on habitats sites.



Plan A: Ruscombe Designated Neighbourhood Area

1.6 The responsibility for determining if a Neighbourhood Plan rests with a combination of the qualifying body, the local planning authority and the independent examiner (Planning Practice Guidance §41-070 and §410-074). Case law, established in the Tattenhall Neighbourhood Plan in 2014 (see §82 of EWHC 1470) but endorsed by the Courts on a number of occasions since, makes clear that:

“... the only statutory requirement imposed by Condition (e) is that the Neighbourhood Plan as a whole should be in general conformity with the adopted Development Plan as a whole ... any tension between one policy in the Neighbourhood Plan and one element of the ... Local Plan (is) not a matter for the Examiner to determine.” (our emphasis)

1.7 The case acknowledged that there will often be tensions between different strategic policies when considered against the non-strategic policies of a specific local area covered by a Neighbourhood Plan. It sensibly concluded that such tensions can only be resolved by the qualifying body using its planning judgement to strike an appropriate balance across the plan as a whole. The examination tests the extent to which the qualifying body has exercised its judgement in a reasonable way.

1.8 It is noted that the case law has not yet explicitly established the same principle for Condition (a) in respect of the regard to national policy, but it seems reasonable to expect the Courts would reach the same conclusion, given there will also be a range of national policies influencing plan making, and that those policies may also be in tension. It is therefore expected that the examination of this Condition will take the same approach as Condition (e).

1.9 For these reasons, sections 3 and 5 of this Basic Conditions Statement highlight which policies of the Neighbourhood Plan are considered to meet Conditions (a) and/or (e) and, if any, those that do not. Where they do not, the Statement explains how the qualifying body has reached a view in those cases “where different parts of national policy need to be balanced” (§070) and how it has taken into account the criteria of §074 on general conformity. Finally, it explains how the Neighbourhood Plan as a whole meets Conditions (a) and (e).

2.BACKGROUND

2.1 The decision to proceed with a Neighbourhood Plan was made by the Parish Council in 2017. The key driver of this decision was a sense of wanting to plan positively for the future of the Parish. Although a small Parish with few services, the Parish Council considered having a Plan would improve the way in which future development proposals, however modest, are managed.

2.2 A steering group was formed comprising the residents and Parish Council representatives. The group has been delegated authority by the Parish Council to make day-to-day decisions on the preparation of the Neighbourhood Plan. However, as the qualifying body, the Parish Council approved the publication of the Pre-Submission plan in February 2021 and the Submission Plan now.

2.3 The Parish Council has consulted local communities extensively over the duration of the project. It has also worked closely with officers of the Borough Council since the start of the project to collate and examine the evidence base, to design and iterate policy proposals and to define the proper relationship between the Neighbourhood Plan and the existing Core Strategy 2010 and the Managing Development Delivery Plan 2014, and with the emerging Local Plan 2036 ("the new Local Plan"). The outcome of that work is the submission version of the Neighbourhood Plan.

2.4 The Neighbourhood Plan contains eleven land use policies, some of which are defined on the Policies Map. The Plan has deliberately avoided containing policies that duplicate saved or forthcoming development plan policies or national policies that are already or will be used to determine planning applications. The policies are therefore a combination of development management matters that seek to refine and/or update existing and emerging policies to secure their specific application to this Parish.

2.5 The steering group debated if the Neighbourhood Plan should make housing site allocations. It concluded that the emerging Local Plan policies will encompass all types of housing and affordability, as well as any Green Belt policy constraints, and this will be adequately addressed by strategic policies at the Local Plan level.

3.CONDITION (A): REGARD TO NATIONAL PLANNING POLICY

3.1 The Neighbourhood Plan has been prepared with full regard to national policies as set out in the National Planning Policy Framework (NPPF) and is mindful of the Planning Practice Guidance (PPG) in respect of formulating Neighbourhood Plans. In overall terms, there are four NPPF paragraphs that provide general guidance on neighbourhood planning, to which the Neighbourhood Plan has directly responded:

General Paragraphs

3.2 The Parish Council believes the Neighbourhood Plan “support(s) the delivery of strategic policies contained in local plans ... and ... shape(s) and direct(s) development that is outside of these strategic policies” (§13). It considers the Neighbourhood Plan contains only non-strategic policy proposals or proposals that refine strategic policy to fit the circumstances of the Area without undermining the purpose and intent of those strategic policies (§18). It considers that the Neighbourhood Plan sets out more “detailed policies for specific areas” including “the provision of infrastructure and community facilities at a local level, establishing design principles, conserving and enhancing the natural and historic environment and setting out other development management policies” (§28).

3.3 The Parish Council considers that its Neighbourhood Plan has provided its communities the power to develop a shared vision for the Area that will shape, direct and help to deliver sustainable development, albeit in a modest way, by influencing local planning decisions as part of the statutory development plan. The Neighbourhood Plan contains no site allocation proposals nor any other policies that will result in less development than set out in the strategic policies for the area (as proposed in the Local Plan Review) (§29). In this regard, the NPPF provisions of meeting local housing needs (as per §66/§67) are therefore not relevant to this Neighbourhood Plan. The Plan is underpinned by relevant and up-to-date evidence. This is considered to be adequate and proportionate, focused tightly on supporting and justifying the policies concerned (§31).

Specific Paragraphs

3.4 Each policy engages one or more specific paragraphs of the NPPF. Those that are considered to be of the most relevance and substance are identified in Table A overleaf.

Table A: Neighbourhood Plan & NPPF Conformity Summary

No.	Policy Title	Commentary
RU1	Development limit for Ruscombe	<p>The policy defines a boundary around the village to distinguish between the built-up areas and the surrounding countryside to bring clarity and remove ambiguity, so it is evident how a decision maker should react to development proposals (§16d). The convention of settlement boundaries is provided for in strategic policy (Policy CC02) of the development plan and the Neighbourhood Plan has used this as 'a clear starting point' for its non-strategic policy (§21).</p> <p>'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.' (§127). The policy therefore acknowledges the extent of the Green Belt (§137). 'Planning policies should recognise(ing) the intrinsic character and beauty of the countryside...' (§174b). The final paragraph of the policy seeks to ensure that the open and tranquil landscape character that contribute to the separation of Ruscombe and Harehatch is protected. In recognising the local status of the policy, it does not seek to prevent any development as a matter of principle, but rather requires development proposals to avoid unnecessary harm by way of their height, massing or obstructive location.</p>
RU2	Ruscombe Housing Design Code	<p>'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...through their own plans...' (§127). 'Design guides and codes can be prepared at an area-wide, neighbourhood or site specific scale, and to carry weight in decision-making should be produced either as part of a plan or as supplementary planning documents.' (§128). The Wokingham Borough Design Guide SPD has been supplemented by the Ruscombe Housing Design Code in the Neighbourhood Plan to ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change establish or maintain a strong sense of place (§130). The policies bring clarity about design expectations (§128) and identifies the important features that will enable the preserving and enhancing of the Ruscombe Conservation Area and its setting (§190).</p>
RU3	Enhancing Ruscombe Conservation Area	

RU4	Community Engagement in Planning	<p>'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.' (§127). These policies seek to ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change establish or maintain a strong sense of place (§130). To do so, it requires that proposals are made with the benefit of having access to, and making proper use of, processes for assessing and improving the design of development, most importantly through workshops to engage the local community (§133).</p>
RU5	Buildings of Traditional Local Character	<p>'Plans should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats.' (§190).</p> <p>The process for identifying buildings or structures as Buildings of Traditional Local Character is normally through the Borough Council's 'Local List' nomination process. The Steering Groups efforts in revising the Design Statement of the village identified a set of nominations. The policy seeks to identify the local heritage value of these buildings as merit for inclusion in the Local List in due course and for the application of existing policy in the development plan (Local Plan Policy TB24) which engage the provisions of §203.</p>
RU6	Employment	<p>'Planning policies should set out a clear economic vision and strategy which positively and proactively encourages sustainable economic growth...' (§82). The policy defines Ruscombe Business Park as an employment area and supports the continued use of employment land at this defined employment area in the Parish. There are no signs that this site is no longer suited to these purposes and it should continue as such, despite the introduction of Prior Approval Consents for change of uses at such locations. Although the policy provisions repeat those of national and strategic policy, it is intended to draw attention to this specific matter and is not therefore an unnecessary duplication (§16).</p>
RU7	Community Facilities	<p>'To provide the social, recreational and cultural facilities and services the community needs, planning policies ... should ... plan positively for the provision and use of ... community facilities (and) guard against the unnecessary loss of valued facilities and services' (§93). The policy identifies those facilities in the Parish to which these objectives</p>

		apply. It seeks both to protect but also to enhance those facilities providing a mechanism that will allow a partial change of use of a facility it is secures longer-term viability.
RU8	Local Green Spaces	'The designation of land as Local Green Space through ... neighbourhood plans allow communities to identify and protect green areas of particular importance to them' (§101). The policy seeks to designate four spaces and each space is considered to meet the tests of §102, as shown in the Evidence Report. Further, the policy does not unduly constrain the delivery of new development, as the settlement boundary of Policy RU1 have made provision for such development of a scale that is in line with strategic policy.
RU9	Green Infrastructure and Biodiversity	'Plans should ... take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure' (§175). In addition, plans should 'safeguard components of local wildlife-rich habitats and wider ecological networks' (§179). The policy identifies a series of green infrastructure attributes of the Parish that are especially important to its biodiversity value. 'Planning policies should ... provide for high quality walking and cycling networks' (§106). The Parish also benefits from a network of public rights of way and other informal walking and riding routes. The policy seeks to protect those routes from unnecessary loss or obstruction and to encourage suitably located development schemes to respond positively to opportunities to improve route connectivity.
RU10	Managing Traffic	'Transport issues should be considered from the earliest stages of plan-making so that ... the potential impacts of development on transport networks can be addressed' (§104). The policy seeks to secure any funding that could be made available from suitably located development schemes, although limited, to invest in the provision of reducing traffic speeds.
RU11	Car Parking	'Transport issues should be considered from the earliest stages of plan-making so that ... patterns of movement, streets, parking and other transport considerations are integral to the design of schemes and contribute to making high quality places.'" (§104e). As journeys are essentially by car and the impact of the lack of facilities from Twyford station is on residential streets in Ruscombe, the policy seeks to ensure that schemes reflect the parking standards for Ruscombe.

3.5 It is considered that all of the policies have had full regard to national policy, with no incidence of two or more national policies being in tension, nor of the Parish Council having to strike a balance between them. As a result, the Neighbourhood Plan, as a whole, meets Condition (a).

4.CONDITION (D): CONTRIBUTING TO ACHIEVING SUSTAINABLE DEVELOPMENT

4.1 A draft version of the Neighbourhood Plan was submitted to the Borough Council to inform its 'screening opinion' on the need for a Strategic Environmental Assessment (SEA) under the European Directive 2001/42/EC and Environmental Assessment of Plans and Programmes Regulations 2004. A final screening opinion ('Determination') was issued in June 2020 by the Borough Council, following a consultation period with the statutory bodies, as per those Regulations. The Determination Statement concludes that an SEA is not required (see Section 6 below for further details).

4.2 There is no legal requirement for Neighbourhood Plans to have a sustainability appraisal, however the 'basic conditions' require a qualifying body to demonstrate how its plan will contribute to the achievements of sustainable development in a systematic way. As neither a Sustainability Appraisal nor Strategic Environmental Assessment Report have been required of the Neighbourhood Plan, the Statement sets out in Table B below how each of the policies contribute to the achievements of sustainable development. It does so by identifying the potential of each policy to lead to significantly positive (++), minor positive (+), neutral (0), minor adverse (-) or significant adverse (--) effects, taking into account the proposed mitigation measures.

Table B: Neighbourhood Plan & Sustainable Development					
Policy		Social	Economic	Environ	Commentary
RU1	Development limit for Ruscombe	++	0	0	The policy will have positive social effect by encouraging small scale infill housing development, which will enable containing and managing the sustainable infill growth of the village. The physical containment of the village will ensure that its historic and rural character, and the surrounding landscape and Green Belt, will be protected to avoid causing a negative environmental effect.
RU2	Ruscombe Housing Design Code	+	0	+	The policy will have a positive environmental effect in helping to ensure that the future standards of design reflect the characteristics of the character areas, including the Ruscombe Conservation Area and its setting. It should also lead to social benefits where development reflects those design matters which have been highlighted as important to the community is included in the design process which ought to lead to better
RU3	Enhancing Ruscombe Conservation Area	+	0	+	

					development outcomes which maintain local community identity.
RU4	Community Engagement in Planning	+	0	+	Effectively engaging the local community in the design process ought to lead to better development outcomes, with social and environmental benefits.
RU5	Buildings of Traditional Local Character	+	0	+	The policy will have positive environmental and social effects by seeking to retain a number of locally important buildings, which not only play an important role in defining the streetscene of the village but also have some intrinsic, local architectural merit or historical associations with the village.
RU6	Employment	0	++	+	The policy has a positive economic effect by encouraging the retention of existing employment sites. The success of the employment site should result in the community having to avoid travelling out of the Parish for jobs, resulting in positive environmental effects.
RU7	Community Facilities	++	+	+	Encouraging the viable use and improvement of the local community facilities will have both community and economic benefits as the pub is commercial. There may also be an environmental benefit if local people can continue to use these facilities rather than have to travel outside the Parish if a facility closes.
RU8	Local Green Spaces	++	0	+	The policy will have a positive social effect by protecting the character of these spaces that are special to the local community. The spaces also play a role in defining the setting to character areas and listed buildings in some cases, resulting in a positive environmental effect. The policy works in parallel with Policy RU1, which provides for appropriate infill development, and so there is no adverse economic effect arising from its constraint on development.

RU9	Green Infrastructure and Biodiversity	++	0	++	The network is multi-functional in its recreational, ecological and climate change roles. The policy works in parallel with Policy RU1, which provides for appropriate infill development, and so there is no adverse economic effect arising from its constraint on development.
RU10	Managing Traffic	0	0	+	The policy will result in positive environmental effects ensuring development continue to promote sustainable methods of transport.
RU11	Car Parking	+	0	0	The policy will have a positive social effect by enhancing the quality of life for residents by restraining growth of chronic on-street parking congestion.

5. CONDITION (E): GENERAL CONFORMITY WITH THE STRATEGIC POLICIES OF THE DEVELOPMENT PLAN

5.1 The Neighbourhood Plan has been prepared to ensure its general conformity with the development plan for the Borough, that is the Core Strategy 2010 and the Managing Development Delivery Plan 2014 which the Borough Council considers be of a strategic nature (as per Planning Practice Guidance (§41-076)).

5.2 In accordance with Planning Practice Guidance (§ 41-009), this Statement does not seek to demonstrate general conformity with the policies of any emerging Development Plan Documents, i.e. the new Local Plan to 2036. However, it is noted that the evidence base for emerging Development Plan Documents is important to informing the Neighbourhood Plan and conformity with emerging policies is crucial for the long-term success of the Neighbourhood Plan given that in the event of any future conflict the most recent policy will take precedent.

5.2 Notably, the draft version of the new Local Plan (of February 2020) continues to define Ruscombe as a 'Tier 2 settlement' in the settlement hierarchy of the Borough and therefore a modest development location. It also makes two allocations totalling approximately 20 new homes for Ruscombe. It encourages the preparation of Neighbourhood Plans but does not require any further growth to be planned for, other than infill and conversions.

5.3 An assessment of the general conformity of each policy with the current development plan ('CS/MDP'), and its relationship with new Local Plan ('2019 LP') policy where relevant, is contained in Table C below.

Table C: Neighbourhood Plan & Development Plan Conformity Summary		
No.	Policy Title & Refs	Commentary
RU1	Development limit for Ruscombe	<ul style="list-style-type: none"> 'The scale of development proposals in Wokingham borough must reflect the existing or proposed levels of facilities and services at or in the location, together with their accessibility... Development proposals (in addition to the Strategic Development Locations in policies CP18-21) within development limits will be acceptable in: The modest development locations of Arborfield Garrison, Pinewood (Crowthorne), Finchampstead North, Ruscombe, Shinfield, Spencers Wood, Three Mile Cross and Wargrave.'" (CS CP9). '1. Development limits for each settlement are defined on the Policies Map.

		<p>2. Planning permission for proposals at the edge of settlements will only be granted where they can demonstrate that the development, including boundary treatments, is within development limits and respects the transition between the built up area and the open countryside by taking account of the character of the adjacent countryside and landscape.' (MDP CC2).</p> <ul style="list-style-type: none"> • 'The scale of development proposals must reflect the existing or proposed level of facilities and services at or in the location, together with their accessibility. Development proposals within development limits will be acceptable in:... The modest development locations at Tier 2 settlements: Pinewood (Crowthorne), Finchampstead North, Ruscombe, Shinfield (south of M4, Three Mile Cross and Spencers Wood) and Wargrave....' (2019 LP SS2) • 'The countryside, as defined on the policies map, will continue to be recognised for its intrinsic character and beauty in accordance with national policy...' (2019 LP SS13) <p>The policy does not attempt to revise the ways in which development plan policies apply within settlement boundaries or the open countryside, it only reinforces the boundary at Ruscombe and describes the landscape features in the Parish.</p>
RU2	Ruscombe Housing Design Code	<ul style="list-style-type: none"> • 'Planning permission will be granted for proposals that: <ul style="list-style-type: none"> a) Are of an appropriate scale of activity, mass, layout, built form, height, materials and character to the area together with a high quality of design without detriment to the amenities of adjoining land users including open spaces or occupiers and their quality of life;... f) Contribute to a sense of place in the buildings and spaces themselves and in the way they integrate with their surroundings (especially existing dwellings) including the use of appropriate landscaping;...' (CS CP3). • 'All development will contribute to a strong sense of place through high quality design which should endure over the lifetime of the development. Development is required to:... Reinforce or create a positive sense of place and local distinctiveness through design that respects the local natural and historic character of the area, paying particular attention to urban grain, layout, rhythm, density, scale, bulk, massing, proportions, detailing and trees...' (2019 LP DH1) <p>The policy supplements existing and emerging Local Plan Policies, and the Wokingham Borough Design Guide SPD as set out in Appendix A of the Neighbourhood Plan, by identifying features that contribute to the local distinctive character of Ruscombe. Its provisions are also consistent with policies on heritage assets in relation to the Conservation Area in the Parish.</p>
RU3	Enhancing Ruscombe Conservation Area	

RU4	Community Engagement in Planning	There is no adopted or new Local Plan policy that makes provision for community engagement in the design process, but the Borough's Design Guide does encourage consultation with interested local people. Although assumed to be a non-land use matter, Neighbourhood Plan examinations elsewhere have consistently regarded a policy of this type and intent to be a valid policy that meets the basic conditions in respect of translating the national policy provision of the NPPF (notably §133) and of the new National Design Guide into local policy.
RU5	Buildings of Traditional Local Character	<ul style="list-style-type: none"> • <i>'...2. Planning permission will only be granted for proposals to or affecting Buildings of Traditional Local Character and Areas of Special Character where they demonstrate that they retain and enhance the traditional, historical, local and special character of the building or area and its setting.</i> • <i>3. Proposals that involve the demolition of a Building of Traditional Local Character will require strong justification...'</i> (MDP TB26) • <i>'Development proposals should conserve and seek to enhance, wherever possible, the archaeological, architectural, artistic or historic interest of all heritage assets, including the contribution to this interest made by their setting...'</i> (2019 LP DH5) <p>The policy identifies Buildings of Traditional Local Character to which TB26, and in due course DH5, will apply.</p>
RU6	Employment	<ul style="list-style-type: none"> • <i>'Development for business, industry or warehousing will be permitted, including the expansion or intensification of existing employment uses provided it is within one of the following Core Employment Areas:...5) Ruscombe Business Park...Any proposed changes of use from B1, B2 & B8 should not lead to an overall net loss of floorspace in B Use within the borough. Provision will be made for a range of sizes, types, quality and locations of premises and sites in order to meet incubator/start up, move on, expansion and investment accommodation needs and having regard to the needs of specific sectors of the business community.'</i> (CS CP15) • <i>'Core Employment Areas are listed in Policy CP15- Employment Development of the Core Strategy and are defined on the Policies Map.'</i> (MDP TB11) • <i>'Employment needs in the borough will be supported and met by:</i> <ol style="list-style-type: none"> 1. <i>Safeguarding the Core Employment Areas shown on the policies map and listed below, and encouraging and facilitating their ongoing regeneration and evolution in accordance with economic needs:...e. Ruscombe Business Park...'</i> (2019 LP ER1)

		<p>The policy seeks to protect the integrity of the main business park in the Parish, and therefore remains consistent with adopted strategic policy and in due course for the application of ER1 in the Parish.</p>
RU7	Community Facilities	<ul style="list-style-type: none"> • <i>'Planning permission will be granted for proposals that:...</i> <li style="padding-left: 20px;"><i>j. do not lead to a loss of community or recreational facilities/land or infrastructure unless suitable alternative provision is available...'</i> (CS CS3) • <i>'...3. Existing community facilities should be retained, improved and enhanced.</i> <li style="padding-left: 20px;"><i>4. Proposals that result in the loss of an essential community facility or service will only be permitted where:</i> <li style="padding-left: 40px;"><i>a. It would lead to the significant improvement of an existing facility or the replacement of an existing facility, of equal accessibility and convenience for the local community, with equivalent or improved facilities; or</i> <li style="padding-left: 40px;"><i>b. It has been determined that the facility no longer meets the needs of the local community; or</i> <li style="padding-left: 40px;"><i>c. It would provide sufficient community benefit to outweigh the loss of the existing facility; or</i> <li style="padding-left: 40px;"><i>d. It is no longer economically viable.</i> <li style="padding-left: 20px;"><i>5. Appropriate, detailed and robust evidence will be required to satisfy the above criteria.'</i> (2019 LP HC2) <p>The policy identifies those community facilities in the Parish and is consistent with the policy in its requirements of development proposals. It adds further provisions to protect and ensure longer term viability of those facilities which will in due course be reflected in emerging Local Plan policy.</p>
RU8	Local Green Spaces	<ul style="list-style-type: none"> • <i>'...3. Development proposals which would result in the loss, fragmentation or isolation</i> <li style="padding-left: 20px;"><i>of areas of green infrastructure will not be acceptable....'</i> (MDP CC03) • <i>'...Within the Local Green Space, development will be restricted to those limited types of development which are deemed appropriate, unless very special circumstances can be demonstrated...'</i> (2019 LP HC4) <p>There is no current development plan provision for designating Local Green Spaces, however the policy complements policies on Green Infrastructure in identifying important green infrastructure assets and is consistent with emerging policy in terms of designating Local Green Spaces.</p>

RU9	Green Infrastructure and Biodiversity	<ul style="list-style-type: none"> • <i>'Planning permission will be granted for schemes that:... c) Improve the existing infrastructure network, including road, rail and public transport, enhance facilities for pedestrians and cyclists, including provision for those with reduced mobility, and other users;...'</i> (CS CP6). • <i>'Development: ...B) Which may harm habitats or, species of principle importance in England for nature conservation, veteran trees or features of the landscape that are of major importance for wild flora and fauna (including wildlife and river corridors), whether directly or indirectly, or C) That compromises the implementation of the national, regional, county and local biodiversity action plans will be only permitted if it has been clearly demonstrated that the need for the proposal outweighs the need to safeguard the nature conservation importance, that no alternative site that would result in less or no harm is available which will meet the need...'</i> (CS CP7). • <i>'1. Green Routes and Green Route Enhancement Areas are defined on the Policies Map. 2. Development proposals should demonstrate how they have considered and achieved the following criteria within scheme proposals: a) Provide new or protect and enhance the Borough's Green Infrastructure networks, including the need to mitigate potential impacts of new development...etc'</i> (MDP CC03). • <i>'The existing areas of green and blue infrastructure of Wokingham Borough will be protected and enhanced for the biodiversity, recreational, amenity, health and townscape and landscape value, and contribution towards mitigating and adapting to climate change. Development proposals should contribute to enhancing the network of habitats, open spaces and waterscapes...'</i> (2019 LP C8) <p>The policy is consistent, and supplements, these policies to acknowledge the extent of the existing Green Infrastructure Network, including biodiversity, in the Parish.</p>
RU10	Managing Traffic	<ul style="list-style-type: none"> • <i>'Planning permission will be granted for schemes that... e) Mitigate any adverse effects upon the local and strategic transport network that arise from the development proposed; f) Enhance road safety; and g) Do not cause highway problems or lead to traffic related environmental problems.'</i> (CS CP6). • <i>'1. Development proposals will not be supported unless infrastructure, services, resources and amenities or other assets lost or impacted on as a result of development or made</i>

		<p>necessary by the development will be improved or provided through direct provision or financial contributions at an appropriate time.</p> <p>2. Arrangements for improvements to, or the provision of, infrastructure to the required standard, and their ongoing maintenance, will be secured by planning obligations or condition if appropriate.' (2019 LP SS10)</p> <p>The policy is consistent with, and refines, strategic policy to address specific traffic concerns in the Parish.</p>
RU11	Car Parking	<ul style="list-style-type: none"> • 'Planning permission will be granted for schemes that... • 'd) Provide appropriate vehicular parking, having regard to car ownership; ...' (CS CP3) • '1. Planning permission will only be granted where the proposal demonstrates the following: <ul style="list-style-type: none"> a) How the proposed parking provision meets the standards set out in Appendix 2 of the MDD b) That the new scheme retains an appropriate overall level of off-street parking.' (MDP CC07) • '1. Development should provide vehicle parking (including motorcycles) and cycle parking that is appropriate to the accessibility of the location...' (2019 LP C4) <p>The policy seeks to address a specific scarcity of off-street spaces in the village, exacerbated by the close proximity of Twyford railway station and higher car ownership levels.</p>

5.4 It is considered that all of the policies are in general conformity with the strategic policies of the adopted and emerging development plan, with no incidence of two or more strategic policies being in tension, nor of the Parish Council having to strike a balance between them. As a result, the Neighbourhood Plan, as a whole, meets Condition (e).

6.COMPATABILITY WITH EU LEGISLATIONS

6.1 The Borough Council provided a screening opinion in June 2020 that has determined that a Strategic Environmental Assessment, in accordance with Regulation 9 of the Environmental Assessments of Plans and Programmes Regulations 2004 (as amended), is not required, following consultation with statutory bodies as per those Regulations and in accordance with the EU Directive 2001/42. A copy of the final screening opinion is published separately.

6.2 The Parish Council has also met its obligations in relation to the habitats provisions of EU Directive 92/43/EEC (and the associated Conservation of Natural Habitats and Wild Flora and Conservation of Habitats and Species Regulations 2017 (as amended)). In this regard, the Parish Council provided the Borough Council with all the necessary information it required for the purposes of determining whether an Appropriate Assessment was required or to carry out the Appropriate Assessment if one was required. The Borough Council's Habitats Regulations Screening Assessment concludes that the making of the Neighbourhood Plan is not likely to have a significant effect on a European site (as defined in the 2017 Regulations) either alone or in combination with other plans or projects.

6.3 The Parish Council has been mindful of the fundamental rights and freedoms guaranteed under the European Convention on Human Rights in process of preparing the Neighbourhood Plan and considers that it complies with the Human Rights Act. The Plan has been subject to extensive engagement with those people local to the area who could be affected by its policies and their views have been taken into account in finalising the Plan.

6.4 In respect of Directive 2008/98/EC – the Waste Framework Directive – the Neighbourhood Plan does not include any policies in relation to the management of waste, nor does the area include a waste management site. On that basis, this Directive is not considered relevant to the Neighbourhood Plan and therefore could not be breached.

6.6 In respect of Directive 2008/50/EC – the Air Quality Directive – the Neighbourhood Plan includes some policies relevant to Air Quality. These policies are tested in accordance with national policy and guidance relevant to their content. The policies are not considered to breach the requirements of the Air Quality Directive as they comprise small-scale interventions and do not negate from the framework for measurement and improvement of air quality set in the Directive.