

Rugby Local Plan Examination

Matters, Issues and Questions Identified by the Inspectors

Matter 1: Legal Compliance

Issue 1:

Whether the Council has complied with the relevant procedural and legal requirements.

Questions:

Plan Preparation

1. Has the Plan been prepared in accordance with the latest adopted Local Development Scheme?
2. Have the relevant notification, consultation, publication and submission requirements been met in line with the Town and Country Planning (Local Planning) (England) (2012) Regulations (the Regulations)?
3. Is the public consultation which has been undertaken throughout the plan making process consistent with the measures set out in the Council's Statement of Community Involvement (Document Ref: CD16)?
4. How have the representations received shaped the Plan?

Sustainability Appraisal

When responding to the following questions on Sustainability Appraisal please do so having regard to the Council's response (Document Ref: RBC2) to our initial questions (Document Ref: ID1).

5. Is the Sustainability Appraisal methodology applied legally compliant and robust? Please provide reasons for your stance.
6. Is the baseline information upon which the Sustainability Appraisal is based up to date, relevant, and comprehensive?
7. How are the objectives of the Sustainability Appraisal Framework appropriate and justified?

8. How is the approach to identifying and assessing reasonable alternative options for the following justified and robust:
 - a. Overall scale of housing and other growth
 - b. The broad distribution of development across the Borough
 - c. Site allocations; and
 - d. Development management policies?
9. How is the assessment of the likely effects of the Plan's strategy, policies and allocations adequate?
10. How is the scoring against the Sustainability Appraisal Framework objectives reasonable?
11. Is consideration of reasonable alternatives and reasoning for rejecting alternatives clearly justified?
12. Does Document Ref: RBC 2 raise any new issues regarding the robustness of the Sustainability Appraisal which has been undertaken for the Plan? What are they and what implications, if any, do they have on the soundness and/ or legal compliance of the Plan?

Habitats Regulations Assessment (HRA)

13. How was the HRA carried out and is the methodology appropriate?
14. How have the potential in combination effects been assessed, and are the findings clearly justified?
15. What were the conclusions of the HRA and how have they informed the preparation of the Plan? Are the screening findings in the HRA justified and carried out on a precautionary basis?
16. How has Natural England been involved in the HRA process and how have any concerns raised been responded to?
17. Overall, does the HRA meet all the relevant legal requirements?

Other Legal and Procedural Matters

18. How does the Plan ensure the mitigation of and adaption to climate change paying regard to the duty in S19(1A) of the Planning and Compulsory Purchase Act 2004?
19. How has the Council had regard to all other relevant matters set out in section 19 of the Planning and Compulsory Purchase Act 2004 and Regulation 10 of the Town and Country Planning (Local Planning) Regulations 2012?

20. In relation to those who have a relevant protected characteristic, how does the Plan seek to ensure that due regard is had to the 3 aims expressed in section 149 of the Equality Act 2010?

Matter 2: Maintaining Effective Cooperation

Issue 1:

Whether effective cooperation has been maintained with reference to the National Planning Policy Framework?

Recent changes brought about by the Town and Country Planning (Local Planning) (England) Regulations 2026 have removed the Duty to Cooperate as a legal requirement for plan-making. Nevertheless, the 'Reforming Local Plan-Making' Written Ministerial Statement of 27 November 2025 sets out that Planning Inspectors are expected to continue to examine plans in line with the NPPF on 'maintaining effective cooperation'. The Council has submitted a Duty to Cooperate Compliance Statement (Document Ref: CD14) and Statements of Common Ground (Document Refs: SOCG1-SOCG16 inclusive).

Questions:

1. Have all signed up to date Statements of Common Ground been provided? If not:
 - What is outstanding and why?
 - What are the implications of this on the soundness of the Plan?
2. In terms of the soundness of the Plan, have all relevant cross boundary and other strategic matters been identified?
3. Has the Council maintained effective cooperation with the appropriate parties to explore and address any cross boundary or other strategic matters? How has that cooperation shaped the Plan?
4. Are there any unresolved or disputed strategic matters? If so:
 - What is the current position in relation to these matters?
 - What implications, if any, do any unresolved or disputed matters have for the soundness of the Plan?

Matter 3: Strategy

Issue 1:

Whether the Vision and Strategic Objectives for Rugby are justified, effective, consistent with national policy and positively prepared.

Vision and Objectives

Questions:

1. Does the fact that the plan period falls short of being 15 years post adoption have any implications for delivering the Plan Objectives and Strategic Priorities? How is this shorter period justified, effective and consistent with national planning policy?
2. In line with National Planning Policy Framework paragraph 15, does the Plan set out a clear and positive vision for the Borough's future, and is the approach of expressing this across the Plan, rather than through a single vision statement, justified and effective?
3. On what basis is the Plan's vision for Rugby both ambitious and realistic in scope and deliverability, having regard to the evidence on viability and infrastructure requirements and the need to meet development needs, and how is this consistent with national planning policy?
4. How do the Spatial Strategy, distribution of allocations and development management policies align with the Plan's Objectives, Strategic Priorities and are they consistent with national planning policy?
5. Collectively, how effectively do the Spatial Strategy, distribution of allocations and development management policies implement the Plan's Objectives and Strategic Priorities, and are they justified, particularly in relation to meeting development needs and the scale and distribution of growth (including in rural settlements)?
6. Is the Plan internally consistent, with its Vision, Objectives, Spatial Strategy, site allocations, and policies working together coherently to deliver its intended outcomes?

Issue 2:

Whether the Spatial Strategy for the Borough is justified, effective, consistent with national policy and positively prepared.

Policy S1: Settlement Hierarchy

Questions:

7. Is the methodology used to determine the Borough's settlement hierarchy appropriate and robust? Is it consistent with national planning policy?

8. Are there any inconsistencies between the Rural Sustainability Study (SD14) findings and the resulting hierarchy, and if so, how are these justified?
9. Is the Spatial Strategy applied consistently across rural settlements, including Wolvey, Brinklow and Wolston, and what justifies any differences?
10. How does the settlement hierarchy link to the Spatial Strategy?
11. Is the approach to the distribution of the new development through site allocations and development management policies consistent with the proposed Spatial Strategy, as defined through criteria i-iii of Policy S1? Upon what basis are any inconsistencies justified?
12. What reasonable alternative spatial strategies were identified and why were they discounted? How does the Sustainability Appraisal support or challenge the Spatial Strategy and how have any conflicts been resolved?
13. How is the exclusion of strategic employment allocations on the edge of Coventry from the hierarchy justified? To be effective, should Policy S1 address these as part of the Spatial Strategy?
14. When devising the preferred Spatial Strategy, what consideration was given to reasonable alternative spatial forms (e.g. urban extensions, non-greenbelt development near urban areas) and alternatives to growth in rural areas?
15. How have the implications of the proposed levels of housing and employment growth to be directed to the preferred settlement hierarchy been assessed and, where necessary, mitigated?
16. Is there clear evidence that infrastructure provision will support the spatial distribution of growth?
17. When devising the Spatial Strategy what consideration has been given to the future needs of uses which require large sites, and how is the preferred approach justified in these respects?
18. Is the wording of Policy S1(A) effective in conveying where new development will be accepted in principle? Should the supporting text make cross reference to other rural development policies within the Plan?
19. In terms the effectiveness of the proportionality assessment contained in Policy S1 (ii), would it be clear to a decision maker how that assessment would be undertaken in practice? How is the requirement justified and consistent with national policy?
20. Are any Main Modifications required to ensure that Policy S1 is sound?

Policy S5: Countryside Protection

21. What proportion of the Borough is designated as Green Belt? What proportion of new housing and employment proposed in the Plan would be on land currently designated as Green Belt?
22. In the context of national planning policy, are Green Belt and Grey Belt policy considerations adequately covered in the Plan?
23. Is it an effective and justified approach to include Green Belt matters within the scope of a countryside restraint policy such as Policy S5?
24. How have the settlement boundaries been justified and is the methodology upon which they are based robust? What assessment of these boundaries has taken place through the production of the Plan? What alternative approaches were tested and on what basis was the preferred approach chosen?
25. Do the defined settlement boundaries reflect the changes on the ground that will arise from the development of allocated sites? If not, what are the implications for the application of policies in the Plan as a whole?
26. How has the Plan's approach to countryside protection been informed by a proportionate and robust Sustainability Appraisal, including consideration of reasonable alternatives, and how have the Sustainability Appraisal findings influenced the chosen approach? What evidence exists to demonstrate that Policy S5 and resulting distribution of development is justified and effective in securing a sustainable pattern of development across the Borough?
27. Are any Main Modifications required to ensure Policy S5 is sound?

Policy S2: Strategy for Homes

28. Has the calculation of Local Housing Need been undertaken appropriately using the standard method, with correct inputs in line with Planning Practice Guidance?
29. What is the minimum number of new homes required over the plan period using the Standard Method, and is this clearly reflected in the Plan?
30. Is the Housing Requirement justified and effective in delivering sustainable growth that meets identified needs? Have all relevant factors been considered to ensure soundness?
31. Is the Housing Requirement in Policy S2 expressed as a gross or net figure? Is it clear whether this represents a minimum (floor) or maximum (ceiling)? Is Policy S2 consistent with Annex 3 given the latter cites the site capacities in 'circa' terms? Is modification to the Plan needed to ensure clarity?

32. Are the housing site allocations and other sources of housing supply consistent with the Spatial Strategy, particularly the hierarchy and the role of rural areas, and do they provide an appropriate distribution of development across the plan area?
33. How have the findings of the traffic assessments undertaken influenced the location, scale, distribution and timing of housing proposals?
34. Is the approach to assessing flood risk for housing site allocations justified by robust evidence and consistent with national planning policy?
35. How have the flood risk findings evidence influenced the location, scale, distribution and timing of housing proposals?
36. Are any Main Modifications required to ensure that Policy S2 is sound?

Policy S3: Strategy for Employment Land

37. What evidence underpins the approach to allocating and managing employment land, and how does the policy relate to the Spatial Strategy and national policy?
38. How does the Plan clearly set out:
 - Employment land needs arising within the Borough;
 - Employment land needs arising from outside the Borough;
 - The overall employment land requirement; and
 - Whether the requirement is expressed on a gross or net basis?
39. How has the employment land requirement been derived, is it justified and consistent with national policy in terms of:
 - The assessment of unmet needs arising from Coventry and Warwickshire;
 - The approach to Functional Economic Market Areas;
 - Any differences from the Coventry and Warwickshire Housing and Economic Development Needs Assessment 2022 (C&W HEDNA) (Document Ref: SD1);
 - The plot ratio assumptions;
 - The West Midlands Strategic Employment Sites Study (WMSESS) brownfield recycling assumption;
 - The departure from the Labour Demand and VOA models in the alignment paper; and
 - The assumptions applied to strategic and non-strategic sites?
40. How does the employment evidence base reflect Rugby's role within the regional economy, including its role as a major logistics centre?
41. How does the employment land strategy adequately recognise the economic impacts of housing delivery?

42. Is the relationship between strategic and non-strategic site assumptions in the evidence base internally consistent, including the differing uplift and discount assumptions applied?
43. How is the distribution of sites to meet some of the identified shortfall in employment land across the West Midlands, including within Opportunity Area 7, justified?
44. How are strategic employment allocations justified in spatial terms, and do they align with the overall distribution strategy?
45. How is the approach to assessing the nature, extent and level of flood risk robust for housing and employment site allocations justified through evidence and consistent with national policy?
46. How have the traffic assessment findings shaped the plan proposals for the scale and distribution of economic development within the plan period?
47. What implications do the outstanding disputes about the Strategic Traffic Assessment have on the justification and effectiveness of the proposed Spatial Strategy and distribution of employment and housing allocations?
48. How will the preferred employment land strategy promote sustainable travel patterns, including from planned housing growth within the plan period and commuting patterns with neighbouring areas?
49. How does the identified employment land supply provide sufficient quantitative and qualitative provision to meet the full range of employment land needs over the plan period?
50. Is there any double counting between sites meeting indigenous and imported needs and is it clear for monitoring purposes which sites are earmarked to meet the external unmet needs?
51. Does the employment land strategy provide an appropriate mix of employment uses, including logistics, digital-intensive and knowledge-based sectors, offices and small and medium-sized units?
52. Is the employment land strategy sufficient to support a diverse and resilient local economy, particularly in digital and knowledge-based industries?
53. How does the employment land strategy address concerns about over reliance on Class B8 uses, job quality and economic resilience?
54. What evidence supports the deliverability of the employment site allocations within the plan period?
55. What contingencies exist for the employment land supply if delivery is lower than anticipated? Is a buffer justified?

56. Can the Council provide an employment land trajectory for the plan period? When can the Council update the position regarding employment development completions and commitments to reflect the period 2025/2026?
57. Are any Main Modifications required to ensure that Policy S3 is sound?

Issue 3:

Are the Plan's strategy, policies and proposals deliverable and are the arrangements to monitor its future performance effective?

Questions:

58. How has viability been considered in plan preparation? Is there a proportionate assessment of whole plan viability, and is it sufficiently flexible to respond to relevant changes which may occur during the plan period?
59. The Viability Study (Document Ref. I1) identifies that some policy requirements would have a relatively low impact on viability and would not be expected to prevent development from coming forward. Conversely, it concludes that other requirements, including infrastructure contributions and affordable housing provision, are unlikely to be fully supportable. How have these findings been reconciled in demonstrating the overall viability and deliverability of the Plan?
60. Is the Council's response in document I15 to concerns previously raised about the Viability Study (Ref. I1) for the Plan justified?
61. Does the Plan have a Monitoring Framework? Does it contain monitoring indicators which provide adequate coverage across each of the policies covered by this Matter, and is each indicator clear, relevant and measurable?
62. Does the Monitoring Framework clearly demonstrate how performance of each policy will be assessed, and how effective and robust is it in measuring future performance against the Plan's Objectives and Strategic Priorities, including alignment with the Sustainability Appraisal Framework?
63. Are there any barriers to securing the necessary monitoring arrangements for the Plan?
64. Are any Main Modifications to the Monitoring Framework required so that the Plan is effective?

Matter 4: New Neighbourhood

Issue 1:

Whether the proposals for a new neighbourhood at Southwest Rugby are justified, effective, consistent with national policy and positively prepared.

Questions:

Policy S8: Southwest Rugby

1. What is the basis for the policy approach?
2. Is the policy approach of allocating a strategic development site consistent with the National Planning Policy Framework?
3. Have alternative sites to the Southwest Rugby site been assessed to meet the identified development needs? How is the proposed location, scale and mix of development demonstrably the most appropriate?
4. In terms of both site selection and the internal layout and configuration of land uses within the preferred site, what reasonable options were explored, how were the locational requirements of different uses considered and addressed, and what evidence supports the conclusions reached, including the reasons for discounting alternatives?
5. How have any constraints (such as potential for flood risk, recreational pressures to ancient woodland and light pollution) on this site been assessed, and are these assessments proportionate and robust for plan-making purposes?
6. On what basis are the site-specific requirements set out in Policy S8 justified?
7. Are Policy S8, the Plan and the existing Master Plan for the site consistent in their approach to maintaining separation between the site and Dunchurch? Does Policy S8 provide sufficient certainty that this and other site-specific requirements will be delivered effectively, having regard to the transitional status of supplementary planning documents? If not, what are the implications?
8. In terms of effectiveness, is the Plan sufficiently clear on what will constitute “ad-hoc or piecemeal development”?
9. How will the necessary infrastructure be delivered across the site, and how will it affect the delivery of each part of the development? In terms of effectiveness, does Policy S8 adequately manage this? Should specific policy triggers be embedded in policy?
10. What are the implications of the reduction in the proposed developable employment floor area of site ref: 17, and the absence of a master builder, on the funding, delivery strategy and overall delivery of the site? In this context, are the delivery assumptions realistic and clearly evidenced?

11. Are any Main Modifications required to ensure the policy is sound?

Policy S9: Southwest Rugby Spine Road Network

12. What is the basis and rationale for the policy approach?
13. Is the policy approach consistent with the National Planning Policy Framework?
14. Is Policy S9 consistent with the requirements of the existing Southwest Rugby Supplementary Planning Document? If not, what are the implications?
15. Does Policy S9 recognise that development will extend beyond the transitional arrangements governing the future status of supplementary planning documents? If not, what are the implications on the delivery of the site-specific requirements?
16. How have the traffic impacts of the Plan on both the local and wider highway network been assessed, and does the evidence robustly justify the need for the spine road network proposals?
17. What are the implications of reducing the developable employment floor space of site ref: 17, on the viability and delivery of the spine road network, and what up to date evidence supports this?
18. To be effective, should the Plan include a specific delivery trigger embedded in policy for securing financial contributions and managing the timing of the delivery of the spine road network, (including consideration of Policy 8) and if so, what modification is necessary?
19. Are any Main Modifications required to ensure the policy is sound?

Issue 2:

Are the arrangements to monitor the future performance of policies relating to the proposed new neighbourhood effective?

Questions:

20. Are there proposed monitoring indicators which provide adequate coverage of all policies within this Matter, and is each indicator clear, relevant and measurable?
21. Does the Monitoring Framework clearly demonstrate how the performance and effectiveness of each policy will be assessed, including measurement against the Plan's Objectives, Strategic Priorities and Sustainability Appraisal Framework?

22. Are there any barriers to implementing and maintaining the necessary monitoring arrangements for these policies?
23. Are any Main Modifications required to the Monitoring Framework to ensure the Plan is effective and capable of being appropriately monitored?

Matter 5: Residential Policies

Issue 1:

Whether the Plan has been positively prepared, justified, effective and consistent with national policy in relation to local housing needs.

Questions:

Policy H1: Housing Mix

1. What is the rationale of the policy approach, and is it justified and consistent with national policy?
2. Has the Plan evaluated and clearly incorporated the required size, type, and tenure mix of housing for the various groups within the Borough's community, including those identified in the National Planning Policy Framework?
3. In terms of effectiveness, is specific reference to Updated Housing Needs Evidence (2025) (Document Ref: SD3) sufficiently flexible for the policy to remain up to date over the plan period?
4. Do documents SD3 and I2 provide sufficient evidence to demonstrate that the proposed housing mix, including affordable housing provision, appropriately reflects projected employment growth, the likely wage levels of future employment, and housing affordability? In particular:
 - Have these factors been adequately assessed in determining the affordable housing mix; and
 - Is the approach consistent with Policy H8 regarding HMOs?
5. For effectiveness, should the Plan provide clearer direction on the split of the rented housing provision for those aged over 65 (between social rent and shared ownership)?
6. Are any Main Modifications required to ensure the policy is sound?

Policy H2: Affordable Housing

7. What is the basis and rationale for Policy H2, and is it justified by robust and proportionate evidence, including in relation to:
 - The affordable housing need figure, demographic assumptions and plan period;
 - The assumptions, inputs and typologies used in the viability assessment (including land values, Biodiversity Net Gain costs, site typologies tested and the treatment of former agricultural land); and
 - The approach to site typologies and spatial variations (including Green Belt and sites of between 200 and 500 dwellings)?

8. Will the Policy be effective in delivering the Borough's affordable housing needs over the plan period? In particular:
 - Are the affordable housing requirements viable across different site types, sizes and locations;
 - What barriers exist to delivery (including on strategic sites and Green Belt land);
 - Is sufficient flexibility provided to respond to site-specific circumstances; and
 - How do the policy requirements relate to other policies (including H4 and provision for older persons' housing)?
9. Is the Policy internally consistent and clearly articulated, including in relation to:
 - The exclusion of specialist older persons' housing;
 - The differential requirements inside and outside Rugby urban area;
 - The relationship between Policies H2 and H4, including provision in villages; and
 - The justification for higher affordable housing percentages on certain sites?
10. Are any Main Modifications required to ensure the Policy is justified, effective and consistent with national policy?

Policy H3: Rural Worker Dwellings

11. What is the basis and rationale of the policy approach, and is it justified and consistent with national policy?
12. How is the policy approach effective?
13. Are any Main Modifications required to ensure the policy is sound?

Policy H4: Rural Exception Sites

14. What is the basis and rationale of the policy approach, and is it justified and consistent with national policy?
15. What evidence is there on the viability of rural exception sites for housing and is this robust?
16. How is the policy approach effective?
17. Are any Main Modifications required to ensure the policy is sound?

Policy H5: Replacement Dwellings

18. What is the basis and rationale of the policy approach, and is it consistent with national policy?

19. On what basis is the rescinding of permitted development rights justified?
20. Upon what basis is the policy approach effective?
21. Are any Main Modifications required to ensure the Policy is sound?

Policy H6: Specialist Housing

22. What is the evidence base and rationale underpinning the policy approach, and is it consistent with national policy?
23. How is Policy H6 justified?
24. Why is criterion (C) necessary and appropriate within Policy H6 when the relevant requirement is already reflected in Policy S6?
25. What is the rationale for the differing policy approach to self-build and custom housebuilding provision and housing for older persons, (with the former embedded both within Policies H6 and S6, whereas sites 136 and 337 are identified for over-55s housing within the site proformas only)? Is this sufficiently clear and effective to ensure delivery of the intended provision?
26. What flexibility is embedded within Policy H6 to ensure that provision for older persons is not confined to specific allocations and can be delivered through a range of housing types and locations where appropriate?
27. Are any Main Modifications required to ensure the policy is sound?

Policy H7: Housing Standards

28. What is the basis and rationale for the policy approach and how is it justified? In particular:
 - What evidence demonstrates a need for the requirements in criterion A and supports the proposed standards; and
 - What evidence demonstrates that the policy requirements will not act as a barrier to housing delivery, including affordable housing and homes at the lower end of the market?
29. Is the policy approach consistent with national policy and guidance? Does it unnecessarily duplicate or conflict with Building Regulations or other national standards?
30. Are the proposed requirements for accessible and adaptable housing justified? Is the proportion of dwellings required to meet M4(2) and M4(3) standards appropriate and supported by evidence?

31. What impacts, if any, will the requirements for accessible and adaptable housing have on the efficient use of land and the ability to optimise development on constrained sites?
32. What are the likely viability implications of the policy requirements, including the application of M4(2), M4(3) and the Nationally Described Space Standard? Could the requirements reduce housing numbers, affect site capacity, or impact the delivery of affordable housing?
33. How effective is the policy approach? Should the policy allow greater flexibility where it is demonstrated that compliance with some or all the policy requirements is not technically feasible, would result in inefficient use of land, or would adversely affect development viability?
34. Are any Main Modifications required to ensure the Policy is sound?

Policy H8: Houses in Multiple Occupation (HMO)

35. What is the basis and rationale of the policy approach, and is it justified by proportionate evidence and consistent with national policy?
36. How are the proposed thresholds and concentration levels justified by the evidence base? What alternative approaches, thresholds and/ or concentrations were considered, and why were these discounted?
37. Is the Policy likely to achieve its stated objectives, and can it be applied consistently, fairly and effectively in development management decisions? In particular:
 - Does the Council have access to sufficiently robust and up to date information to monitor and apply the thresholds and concentration levels consistently;
 - Are the thresholds and concentration levels capable of practical implementation; and
 - Is the Policy sufficiently clear for applicants, decision makers and communities?
38. Is it sufficiently clear whether the Policy applies only to proposals for new HMOs, or also to proposals that intensify existing HMOs through increases in bedroom numbers or occupancy?
39. Is criterion B relating to 'sandwiching' comprehensive and unambiguous? In particular, does it adequately address all relevant adjacency scenarios, including relationships arising to the rear of properties as well as to either side?
40. Are any Main Modifications required to ensure the Policy is sound?

Issue 2:

Are the arrangements to monitor the future performance of policies relating to the Borough's residential development effective?

Questions:

41. Are there proposed monitoring indicators which provide adequate coverage of all policies within this Matter, and is each indicator clear, relevant and measurable?
42. Does the Monitoring Framework clearly demonstrate how the performance and effectiveness of each policy will be assessed, including measurement against the Plan's Objectives, Strategic Priorities and Sustainability Appraisal Framework?
43. Are there any barriers to implementing and maintaining the necessary monitoring arrangements for these policies?
44. Are any Main Modifications required to the Monitoring Framework to ensure the Plan is effective and capable of being appropriately monitored?

Matter 6: Residential Allocations

Issue 1:

Whether the preferred residential site allocations are positively prepared, justified, effective and consistent with national policy.

Questions:

Policy S4: Sites for Gypsies and Travellers

1. Have the accommodation needs of Gypsies, Travellers and Travelling Showpeople for pitches and temporary stop over sites been robustly assessed, and is the evidence base up-to-date and reliable for the whole plan period?
2. Does the Plan respond appropriately to national policy, including the implications of *Smith v Secretary of State [2022]*, particularly in relation to households who have ceased to travel?
3. The Plan does not identify a sufficient level of supply, including for pitches and temporary stop-over provision. Has it been positively prepared in seeking to meet the identified need in full over the plan period? Is the approach to addressing the shortfall justified and effective?
4. Where does the Plan identify a 5-year supply of deliverable Gypsy and Traveller sites in accordance with paragraph 10 of the Planning Policy for Traveller Sites? Has a trajectory been prepared to demonstrate the position in the period's years 1-5, years 6-10 and years 11-15?
5. Is the proposed supply of pitches and plots justified, effective and deliverable, including whether opportunities to intensify existing sites (such as Bryants Bungalows) have been appropriately considered?
6. Does the Plan direct development to the most suitable and sustainable locations, including:
 - Avoiding inappropriate development in the Green Belt unless exceptional circumstances are demonstrated; and
 - Taking proper account of site constraints (e.g. flood risk)?
7. Is the distribution of sites justified, and has the Plan adequately considered impacts on existing communities, including areas such as Shilton, Ansty and Barnacle?
8. Does the Plan adequately address the needs of other travelling communities, including Travelling Showpeople and river dwellers where relevant?

9. Taken as a whole, is the approach justified, effective, and consistent with national policy?
10. Are any Main Modifications required to ensure soundness?

Policies S6 and S8: Residential Allocations

11. It is stated that upon adoption this plan will supersede all policies of the adopted Local Plan. Have the proposed allocations, including carried-forward allocations and committed sites, been assessed against the preferred Spatial Strategy through a robust, consistent and transparent methodology?
12. Are the allocations capable of being delivered in accordance with the other policy requirements of the development plan when read as a whole?
13. The Council has advised that they have been unable to obtain archaeological mapping and highway advice from Warwickshire County Council. Does this have any implications on the soundness of the proposed site allocations, and why?
14. What open space data was used to assess site suitability and how up to date is that evidence?
15. Other than engagement with Warwickshire County Council, did the Council explore cross boundary infrastructure requirements with their neighbours as part of their cooperation activities? Where is the outcome of any such discussions and how is that evidenced?
16. The Statement of Common Ground with the Integrated Care Board indicates that GP surgery capacities have not been assessed against the planned growth proposed by the Plan. Does this represent a significant gap and, if so, what are the implications for the justification and effectiveness of the Housing Requirement, Spatial Strategy and proposed allocations?
17. Can the secondary schools identified for expansion support the scale and distribution of planned housing growth, and can any agreed contributions for early years provision be accommodated? If not, what are the implications for the delivery of the proposed allocations?
18. Is the key Infrastructure Delivery Schedule (Document Ref: I2) justified by and consistent with the evidence base? Is the need for critical infrastructure to support the delivery of individual allocations clearly identified in the Plan and are there effective policy mechanisms to secure its delivery?
19. What contingencies have been factored into the Plan to address delays in the provision of infrastructure that is critical to the delivery of proposed housing allocations?

20. The proformas in the Housing and Economic Land Availability Assessment (HEELA) (Document Ref: SS3) refer to the need to consult with Natural England. Was this done before site assessments were finalised?
21. Without revisiting the strategic approach to site selection and allocation methodology, for each proposed housing site allocation:
- a) How does the site contribute to delivering the Spatial Strategy;
 - b) Are the site boundaries appropriate?
 - c) What uses are proposed and are they justified?
 - d) For mixed use sites what is the anticipated floor space and residential unit capacities, and how have these been derived?
 - e) Have all technical constraints been adequately assessed and can they be mitigated?
 - f) Are site specific policy requirements justified, effective and proportionate?
 - g) Where applicable, how will the provisions of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the national policy approach to heritage be met?
 - h) What are the highways implications of the site, including accesses and the effect on the highway network?
 - i) What are the necessary infrastructure dependencies and are the assumptions relating to their funding and delivery justified?
 - j) How will the necessary infrastructure requirements be funded and delivered in line with anticipated delivery timeframes?
 - k) What clear evidence is there that the site is viable and developable at the scale of development expected?
 - l) What evidence supports the expected timescale and rate of development, and are they realistic?
 - m) What is the position regarding land ownership, land assembly and developer interest; and

In addition, for sites located in the Green Belt:

- n) What does the evidence show about the site's contribution to Green Belt purposes?
 - o) What would be the effect of development on openness and Green Belt purposes?
 - p) Are exceptional circumstances demonstrated?
 - q) Would the proposed Green Belt boundary be durable beyond the plan period?
 - r) Are any Green Belt compensation or enhancement measures required?
22. Are any Main Modifications required to ensure the policy is sound?

Issue 2:

Whether the Council can demonstrate a sufficient housing land supply on adoption of the Plan for years 1-5, 6-10 and 11-15.

Questions:

23. Does the Council seek confirmation of their housing land supply position through this examination?
24. Does the Housing Trajectory identify the components of housing land supply across the plan period with sufficient clarity?
25. For each source of housing land supply for the plan period (i.e. sites with planning permission and under construction; Sites with planning permission and not started (split by outline and full permissions); Sites identified in land availability assessments; Sites identified in the brownfield register and with Permission in Principle; adopted development plan housing allocations without planning permission; and windfall sites):
 - What evidence demonstrates that the deliverability, developability and achievability assessments of housing sites are based on robust evidence and/ or assumptions, and is that evidence sufficiently clear and up to date?
 - What assumptions have been applied regarding site capacity and density, scale, lead in times, lapse rates, timing and annual rates of delivery?
 - What is the basis for these assumptions, and are they realistic, justified and supported by evidence, including where delivery relies upon strategic infrastructure?
 - Is the windfall allowance justified by robust evidence? On what basis have larger windfall sites been excluded from the allowance?
26. What will be the relevant 5-year period on adoption, and what is the 5-year housing land requirement for that period? Does the trajectory need to be updated to reflect that base date?
27. Based on the Housing Trajectory, how many dwellings are expected to be delivered in the first 5 years following adoption of the Local Plan? How many dwellings would come from each source of supply?
28. Can the Council provide:
 - A version of the Housing Trajectory showing the annual and cumulative totals against the annualised housing requirement throughout the plan period in an Excel sheet;
 - The 5-year housing land supply position calculated for the most up-to-date Year 1 base date possible (which is currently assumed to be 1 April 2026); and
 - A summary bar and line chart illustrating the forecast delivery against the annualised housing requirement?

(Note: The summary chart should be included as a proposed Main Modification to the Plan)

29. Are any Main Modifications required to ensure the Plan is sound in terms of housing land supply matters?

Issue 3:

Are the arrangements to monitor the future performance of policies relating to the Borough's housing growth effective?

Questions:

30. Are there proposed monitoring indicators which provide adequate coverage of all policies within this Matter, and is each indicator clear, relevant and measurable?
31. Does the Monitoring Framework clearly demonstrate how the performance and effectiveness of each policy will be assessed, including measurement against the Plan's Objectives, Strategic Priorities and Sustainability Appraisal Framework?
32. Are there any barriers to implementing and maintaining the necessary monitoring arrangements for these policies?
33. Are any Main Modifications required to the Monitoring Framework to ensure the Plan is effective and capable of being appropriately monitored?

Matter 7: Employment / Economy

Issue1:

Whether the Plan has been positively prepared, justified, effective and consistent with national policy in relation to the local economy.

Questions:

Policy E1: Employment Land Protection

1. What is the basis and rationale for the policy approach?
2. Is the policy approach consistent with the National Planning Policy Framework?
3. Is the policy approach, including the marketing requirement and scope of uses permitted, justified and effective?
4. Are any Main Modifications required to ensure the policy is sound?

Policy E2: Employment Development

5. What is the basis and rationale for the policy approach?
6. Is the policy approach consistent with the National Planning Policy Framework?
7. How is the approach justified and effective, including in regard to the rural economy, office uses and data centres?
8. Are any Main Modifications required to ensure the policy is sound?

Policy E3: Rural Economy

9. What is the basis and rationale for the policy approach?
10. Is the policy approach consistent with the National Planning Policy Framework?
11. How is the policy approach effective?
12. Are there any tensions between policies E2 and E3 regarding the scope of uses to be supported in rural areas?
13. Are any Main Modifications required to ensure the policy is sound?

Issue 2:

Whether the preferred employment sites are justified, effective and consistent with national policy.

Questions:

Policy S7: Employment Allocations

14. Is the policy approach consistent with the National Planning Policy Framework?
15. To what extent is the process for identifying and selecting sites robust, proportionate and clearly evidenced? In particular:
 - Is the Council's approach to responding to local and regional needs through site selection justified and effective?
 - It is stated that upon adoption this plan will supersede all policies of the adopted Local Plan. However, some existing employment site allocations are proposed to be carried forward from that adopted plan into the plan now under examination. Have they been tested against the preferred Spatial Strategy, and has their assessment been undertaken consistently with that applied to new allocations?
16. Is the Council's approach to pre-let employment sites justified?
17. Has the Council adequately assessed the viability, deliverability and infrastructure requirements of the proposed employment allocations?
18. Does the Plan's reliance on large allocations with significant infrastructure requirements create a delivery risk? What contingencies have been identified to mitigate the potential for this and what evidence supports the delivery assumptions and any contingency measures?
19. Does the transport evidence (Document Ref: I14) provide a robust basis for the proposed employment allocations?
20. Is the Council's treatment of employment land supply matters, including extant permissions and the Coventry Gateway South adjustment, justified and consistent with the overall employment land strategy?
21. Without revisiting the strategic approach to site selection and allocation methodology, for each proposed employment land allocation:
 - a) How does the site contribute to delivering the Spatial Strategy;
 - b) Are the site boundaries appropriate?
 - c) What uses are proposed and are they justified?
 - d) What is the anticipated floor space capacity and how has this been derived?
 - e) Have all technical constraints been adequately assessed and can they be mitigated?
 - f) Are site specific policy requirements justified, effective and proportionate?

- g) Where applicable, how will the provisions of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the national policy approach to heritage be met?
- h) What are the highways implications of the site, including accesses and the effect on the highway network?
- i) What are the necessary infrastructure dependencies and are the assumptions relating to their funding and delivery justified?
- j) How will the necessary infrastructure requirements be funded and delivered in line with anticipated delivery timeframes?
- k) What clear evidence is there that the site is viable and developable at the scale of development expected?
- l) What evidence supports the expected timescale and rate of development, and are they realistic?
- m) What is the position regarding land ownership, land assembly and developer interest?

In addition, for sites located in the Green Belt:

- n) What does the evidence show about the site's contribution to Green Belt purposes?
 - o) What would be the effect of development on openness and Green Belt purposes?
 - p) Are exceptional circumstances demonstrated?
 - q) Would the proposed Green Belt boundary be durable beyond the plan period?
 - r) Are any Green Belt compensation or enhancement measures required?
22. Should the Plan include the Natural England requirements contained in the Statement of Common Ground (Document Ref: SOCG12) relating to site refs: 14, 17 and 121 regarding the need for further detailed ecology work at the planning application stage?
23. What is the status of the additional heritage evidence prepared for site ref: 121? To what extent does it resolve Historic England's concerns about that site allocation and how is your position evidenced?
24. Are any Main Modifications required to ensure the policy is sound?

Issue 3:

Are the arrangements to monitor the future performance of policies relating to the Borough's employment land effective?

Questions:

- 25. Are there proposed monitoring indicators which provide adequate coverage of all policies within this Matter, and is each indicator clear, relevant and measurable?
- 26. Does the Monitoring Framework clearly demonstrate how the performance and effectiveness of each policy will be assessed, including measurement against

the Plan's Objectives, Strategic Priorities and Sustainability Appraisal Framework?

27. Are there any barriers to implementing and maintaining the necessary monitoring arrangements for these policies?
28. Are any Main Modifications required to the Monitoring Framework to ensure the Plan is effective and capable of being appropriately monitored?

Matter 8: Centres

Issue 1:

Whether the policy approach for the Borough's centres and hubs is justified, effective, consistent with national policy and positively prepared.

Questions:

1. To what extent are the issues and opportunities set out in the Plan based on a sound understanding of place and clearly articulated?
2. Are the boundaries of the Borough's centres clearly defined, including any proposed alterations?
3. Where are alterations to centres proposed and are they supported by proportionate evidence (i.e. development capacity assessments and town centre health checks) and subject to assessments of retail impact?
4. Taken as a whole, is the Plan clear about the relevant policies that will apply in centres?

Policy C1: Rugby Town Centre

5. What is the basis and rationale for the policy approach?
6. Is the policy approach consistent with the National Planning Policy Framework?
7. Are the Main Modifications proposed by the Council necessary for soundness?
8. Are any other Main Modifications required to ensure the policy is sound?

Policy C2: Main Town Centre Uses

9. What is the basis for the policy approach?
10. Is the policy approach consistent with the National Planning Policy Framework?
11. Does the existence of permitted development rights undermine the justification for, and therefore soundness of, the policy?
12. Are any Main Modifications required to ensure the policy is sound?

Policy C3: Local and District Centres

13. What is the basis and rationale for the policy approach?
14. Is the policy approach consistent with the National Planning Policy Framework?

15. Does the existence of permitted development rights undermine the justification for, and therefore soundness of, the policy?
16. Are any Main Modifications required to ensure the policy is sound?

Policy C4: Neighbourhood Hubs

17. What is the basis and rationale for the policy approach?
18. Is the policy approach consistent with the National Planning Policy Framework?
19. Are any Main Modifications required to ensure the policy is sound?

Issue 2:

Are the arrangements to monitor the future performance of policies relating to the Borough's centres effective?

Questions:

20. Do the proposed monitoring indicators provide adequate coverage of all policies within this Matter, and is each indicator clear, relevant and measurable?
21. Does the Monitoring Framework clearly demonstrate how the performance and effectiveness of each policy will be assessed, including measurement against the Plan's Objectives, Strategic Priorities and Sustainability Appraisal Framework?
22. Are there any barriers to implementing and maintaining the necessary monitoring arrangements for these policies?
23. Are any Main Modifications required to the Monitoring Framework to ensure the Plan is effective and capable of being appropriately monitored?

Matter 9: Infrastructure

Issue 1:

Whether the policy approach to infrastructure is justified, effective and consistent with national policy.

Questions:

Policy I1: Transport

1. What is the basis and rationale of the policy approach, and is it justified?
2. To what extent is Policy I1 consistent with national policy? In particular:
 - Does it have appropriate regard for the needs of all users and modes of transport?
 - Is it consistent with the national approach in terms of the circumstances where mitigation and travel plans will be necessary?
 - Is there sufficient flexibility in terms of its approach to differentials in accessibility between rural and urban areas or site-specific circumstances?
3. To what extent is Policy I1 effective, including in terms of supporting the implementation of the Local Cycling and Walking Infrastructure Plan and safe walking routes?
4. What evidence justifies whether Policy I1 should require developments to contribute to the delivery of the Warwickshire Bus Service Improvement Plan, Home to School Transport and Warwickshire Rail Strategy?
5. Are any Main Modifications required to ensure the policy is sound?

Policy I2: Parking

6. What is the basis and rationale of the policy approach, and is it consistent with national policy?
7. Bearing in mind the representations made in respect of Appendix 2:
 - What engagement with relevant bodies has shaped these standards?
 - On what basis are these parking standards justified and effective for the Borough's context? (In responding to this question please can the Council address all of the Local Highway Authority's concerns).
 - Will the parking strategy be effective within the Borough's context, particularly in supporting modal shift while avoiding any worsening of on-street parking pressures?
 - Should Appendix 2 include standards for adapted cycle parking?
8. How does Policy I1 align with paragraph 9.6 of the supporting text regarding how flexibility is to be applied to Appendix 2 in specific circumstances?

9. Are any Main Modifications required to ensure the policy is sound?

Policy I3: Communications Infrastructure

10. What is the basis and rationale of the policy approach, and is it justified and consistent with national policy?
11. How is the policy approach effective? Is criterion (C) sufficiently clear on the circumstances where it would apply?
12. Are any Main Modifications required to ensure the policy is sound?

Policy I4: Infrastructure and Planning Obligations

13. What is the basis and rationale of the policy approach, and is it consistent with national policy?
14. In terms of being justified and effective, are the linkages between Policy I4, the Infrastructure Delivery Strategy and contingent infrastructure set out clearly within the Plan?
15. Is the approach set out in criterion (B) justified?
16. Are any Main Modifications required to ensure the policy is sound?

Policy I5: New Railway Stations

17. What is the basis and rationale of the policy approach and is it consistent with national policy?
18. What evidence justifies the proposal in terms of need, viability and deliverability? What are the expected timescales for implementation and how will it be delivered?
19. How have the potential effects of the proposal been assessed, including the integrity of the Rainsbrook Valley and changes in local traffic conditions; where is this evidenced, and what, if any, mitigation measures are necessary?
20. Is the proposal consistent with the other relevant policies in the Plan, including Policy EN3? How does the settlement hierarchy and Spatial strategy take this proposal into account?
21. Are any Main Modifications required to ensure the policy is sound?

Issue 2:

Are the arrangements to monitor the future performance of policies relating to the Borough's infrastructure requirements effective?

Questions:

18. Are there proposed monitoring indicators which provide adequate coverage of all policies within this Matter, and is each indicator clear, relevant and measurable?
19. Does the Monitoring Framework clearly demonstrate how the performance and effectiveness of each policy will be assessed, including measurement against the Plan's Objectives, Strategic Priorities and Sustainability Appraisal Framework?
20. Are there any barriers to implementing and maintaining the necessary monitoring arrangements for these policies?
21. Are any Main Modifications required to the Monitoring Framework to ensure the Plan is effective and capable of being appropriately monitored?

Matter 10: Wellbeing

Issue 1:

Whether the approach of the Plan to wellbeing is justified, effective and consistent with national policy.

Questions:

Policy W1: Protection of Community Facilities

1. What is the basis and rationale of the Policy approach?
2. How is the scope of uses falling within the Policy defined and is it clear and justified?
3. Is Policy W1 justified and consistent with national policy, including in its approach to sports facilities?
4. What evidence demonstrates that the proposal contained in criterion B is, in principle, capable of meeting the policy requirements of the Plan, including safeguarding the existing living conditions of neighbouring residents and biodiversity interests, and that it is viable?
5. Does criterion B require the proposed redevelopment to include community uses alongside the specified motor car uses? What engagement has taken place with the site owner to understand the potential of the site?
6. Are any Main Modifications required to ensure the policy is sound?

Policy W2: Open Space and Sports Provision

7. What is the basis and rationale of the policy approach?
8. Is Policy W2 justified? How has the available evidence informed the policy requirements and Appendix 3?
9. Is Policy W2 consistent with national policy?
10. How is the policy approach effective? When responding to this question please include your stance on the following:
 - When read as a whole, how does the Plan give a clear approach to assessing proposals involving the loss of sports pitches and facilities? Is criterion F clear?
 - Bearing in mind the concerns expressed by Sport England, is the supporting text of Policy W2 clear on how this policy should be interpreted?
 - Should the Plan address shortfalls in the quality of indoor sports provision? What evidence supports your stance?

11. Are any Main Modifications required to ensure the Policy is sound?

Issue 2:

Are the arrangements to monitor the future performance of policies relating to the Borough's wellbeing effective?

Questions:

12. Are there proposed monitoring indicators which provide adequate coverage of all policies within this Matter, and is each indicator clear, relevant and measurable?
13. Does the Monitoring Framework clearly demonstrate how the performance and effectiveness of each policy will be assessed, including measurement against the Plan's Objectives, Strategic Priorities and Sustainability Appraisal Framework?
14. Are there any barriers to implementing and maintaining the necessary monitoring arrangements for these policies?
15. Are any Main Modifications required to the Monitoring Framework to ensure the Plan is effective and capable of being appropriately monitored?

Matter 11: Design

Issue 1:

Whether the approach of the Plan to design standards is justified, effective and consistent with national policy.

Questions:

Policy D1: Well-designed Places

1. What is the basis and rationale for the policy approach?
2. In terms of being justified, is there any unnecessary repetition with national policy and guidance?
3. Are the requirements of achieving well-designed developments justified by appropriate evidence having regard to the local context?
4. Upon what basis is the policy approach effective? Does Policy D1 provide a robust and effective framework for securing high-quality design? Should key design requirements be set out more explicitly in policy rather than through reference to local design codes, design guides and the National Design Guide?
5. Are any Main Modifications required to ensure the Policy is sound?

Policy D2: Infill and Householder Development

6. What is the basis and rationale of the policy approach, and is it consistent with national policy?
7. How is the policy approach effective?
8. Are any Main Modifications required to ensure the Policy is sound?

Policy D3: Landscaping

9. What is the basis and rationale of the policy approach?
10. How does Policy D3 align with national policy, and are there any elements that unnecessarily repeat national policy or guidance?
11. What evidence supports the effectiveness of the policy approach, and to what extent is it consistent with Policy EN2? If there are any inconsistencies, what are they and what implications do they have?
12. To what extent is Policy D3 provide sufficient flexibility, including to enable operationally essential infrastructure associated with development sites?

13. Are any Main Modifications required to ensure the Policy is sound?

D4: Historic Environment

14. What is the basis and rationale of the approach to the Policy, and is it justified and consistent with national policy?
15. Does the Policy clearly distinguish between designated and non-designated heritage assets?
16. How does the Policy 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?
17. Are the heritage assets and/ or their settings potentially affected by the planned growth in the Plan clearly identified?
18. Have any potential effects been assessed and reported upon in a clear and consistent way, which demonstrates an effective understanding of their significance?
19. How have any objections raised by Historic England to the Plan been considered and/ or addressed?
20. On what basis is the Policy effective in addressing the cumulative impact of development on the setting of heritage assets?
21. How is the Policy justified and effective in securing the preservation of archaeological assets affected by new development?
22. Are any Main Modifications required to ensure the Policy is sound?

Policy D5: Sustainable Drainage

23. What is the basis and rationale of the policy approach, and is it justified and consistent with national policy?
24. How does Policy D5 provide a justified and effective approach to managing flood risk and drainage within existing settlements, without increasing flood risk or harming water quality?
25. Is the Policy justified and effective in addressing the capacity of existing wastewater infrastructure to accommodate new development?
26. Are any Main Modifications required to ensure the Policy is sound?

Issue 2:

Are the arrangements to monitor the future performance of policies relating to design and heritage assets effective?

Questions:

27. Are there proposed monitoring indicators which provide adequate coverage of all policies within this Matter, and is each indicator clear, relevant and measurable?
28. Does the Monitoring Framework clearly demonstrate how the performance and effectiveness of each policy will be assessed, including measurement against the Plan's Objectives, Strategic Priorities and Sustainability Appraisal Framework?
29. Are there any barriers to implementing and maintaining the necessary monitoring arrangements for these policies?
30. Are any Main Modifications required to the Monitoring Framework to ensure the Plan is effective and capable of being appropriately monitored?

Matter 12: Climate

Issue 1:

Whether the Plan is justified, effective and consistent with national policy in relation to climate change.

Questions:

Policy CL1: Net Zero Buildings

1. What is the background to the local approach to operational energy performance set out in Policy CL1 and what evidence justifies the scope and approach taken?
2. What does the Policy add, over and above current Building Regulations in addressing climate change?
3. Given the ongoing efforts to decarbonise the national grid, is the proposed policy approach justified?
4. Is Policy CL1 consistent with the Written Ministerial Statement on Energy Efficiency (December 2023) particularly in relation to:
 - The proposed target levels;
 - The robustness of the evidence supporting any proposed uplift;
 - The way the targets are expressed within the policy;
 - The cumulative viability implications for development; and
 - Flexibility to respond to scheme specific viability circumstances?
5. What evidence supports the targets set out in criteria A, and C of the Policy?
6. Has the Policy been subject to a viability assessment and are the assumptions regarding the costs of on-site measures robust?
7. Have the potential unintended consequences of the Policy requirements, including heritage assets, affordable housing, design quality, appearance and living conditions, been adequately assessed?
8. Is the policy's approach to fossil-fuel-free development and net-zero operational performance clear, justifiable and achievable, including for speculative employment and logistics development and having regard to grid capacity constraints?
9. Does the Policy clearly address circumstances where compliance with the required measures would be unfeasible or impractical, and provide sufficient clarity regarding how such judgements will be made?
10. For effectiveness, should the Policy distinguish between its application to full, outline and reserved matters applications?
11. Are any modifications needed to Policy CL1 for soundness?

Policy CL2: Renewable Energy and Low Carbon Technology

12. What is the basis and rationale of the policy approach, and is it consistent with national policy, including the approach to proposals in the Green Belt?
13. What evidence justifies the identification of the areas shown on the Policies Map as potentially suitable for wind turbine development? Is development in those locations capable of complying with other relevant development plan policies and constraints?
14. Is the Policy effective in ensuring that proposals would appropriately address potential impacts on residential amenity, landscape character, heritage assets, ecology, best and most versatile agricultural land, and cumulative effects?
15. Are any Main Modifications required to ensure the Policy is sound?

Policy CL3: Water Supply, Quality and Efficiency

16. What is the basis and rationale for the Policy approach, and is it consistent with national policy?
17. Is the Policy sufficiently clear and effective, particularly in relation to the requirement to 'minimise' impacts under Part A?
18. Does the Policy introduce any unnecessary duplication of, or conflict with, Building Regulations, including the requirements of Part C and the water efficiency provisions in Part D of the Policy?
19. What are the practical implications of implementing Part D of the Policy, including the requirement to demonstrate compliance through assessment against a non-statutory standard? Is the Council satisfied that this approach is justified and proportionate?
20. Has the Council assessed whether particular forms of development, including logistics development, may face difficulties in complying with the Policy requirements?
21. Are any Main Modifications required to ensure that the Policy is positively prepared, justified, effective and consistent with national policy?

Policy CL4: Climate Adaptation

22. What is the basis and rationale of the policy approach, and is it justified and consistent with national policy?
23. How will the Policy be effective in addressing climate change?

24. Are any Main Modifications required to ensure the policy is sound?

Issue 2:

Are the arrangements to monitor the future performance of policies relating to climate change effective?

Questions:

- 25. Are there proposed monitoring indicators which provide adequate coverage of all policies within this Matter, and is each indicator clear, relevant and measurable?
- 26. Does the Monitoring Framework clearly demonstrate how the performance and effectiveness of each policy will be assessed, including measurement against the Plan's Objectives, Strategic Priorities and Sustainability Appraisal Framework?
- 27. Are there any barriers to implementing and maintaining the necessary monitoring arrangements for these policies?
- 28. Are any Main Modifications required to the Monitoring Framework to ensure the Plan is effective and capable of being appropriately monitored?

Matter 13: Environment

Issue 1:

Whether the approach of the Plan to the natural environment is justified, effective and consistent with national policy.

Questions:

Policy EN1: Biodiversity and Geodiversity Protection

1. What is the basis, justification and rationale of the policy approach? Does it avoid unnecessary duplication of national policy?
2. Is the Policy consistent with national policy and The Conservation of Habitats and Species Regulations 2017 (as amended)? In particular:
 - Does it provide appropriate protection for irreplaceable habitats, having regard to paragraph 193(c) of the National Planning Policy Framework?
 - Does it adequately address the protection of ancient and veteran trees, including Root Protection Areas?
3. Bearing in mind that the Policies Map falls beyond the scope of this examination, what implications does the current uncertainty about the Local Wildlife Site boundaries at Houlton have on the effectiveness of the Plan, including delivery?
4. Will the policy be effective in practice? In particular:
 - Does it provide clear and robust protection and delivery of green and blue infrastructure corridors?
 - Does it respond adequately to climate change objectives, including the Council's declared climate emergency?
5. Are any Main Modifications required to ensure the Policy is sound?

Policy EN2: Landscape Protection

6. What is the basis and rationale of the policy approach, and is it justified by proportionate and robust evidence?
7. How is the policy approach consistent with national policy, including:
 - Its application to all landscapes versus those of particular value; and
 - The extent to which it allows for planning balance in decision-making?
8. Are the scope and wording of Policy EN2 sufficiently clear, including:
 - Its intended level of protection
 - Its relationship with other policies (including D1, D3 and D4); and
 - Whether it avoids unnecessary duplication?

9. How does the Policy address cross-boundary landscape impacts, including effects on receptors beyond the plan area?
10. Is the Policy effective, including:
 - Whether it provides clear guidance on the role of mitigation; and
 - Whether it can be applied consistently in decision making?
11. Are any Main Modifications required to ensure the Policy is sound?

Policy EN3: Rainsbrook Valley Landscape of Elevated Sensitivity

12. What is the basis and rationale for Policy ENV3?
13. Is Policy EN3 justified by proportionate and robust evidence, including:
 - The treatment of different land parcels; and
 - Assumptions regarding development form (e.g. schemes of 50 or more dwellings); and
 - The methodology used in the 2025 study (Document Ref: EN3)?
14. Is Policy EN3 consistent with national policy, particularly paragraph 11(a) of the National Planning Policy Framework, and does it support development in sustainable locations without leading to unintended consequences such as increased reliance on Green Belt allocations?
15. Is the Policy effective in achieving its aims? In particular:
 - Should it address impacts on the setting of the designated area; and
 - Should it consider development outside the boundary that may affect important views?
16. Are any Main Modifications required to ensure the policy is sound?

Policy EN4: Areas of Separation

17. What is the basis and rationale of this policy approach, and does it present any inconsistencies with national policy?
18. Is Policy EN4, including the proposed boundaries, justified through robust and transparent evidence, including a clear methodology and appropriate technical input?
19. What role has the Sustainability Appraisal played in the development of the policy?
20. How is the policy approach effective?
21. Are any Main Modifications required to ensure the Policy is sound and legally compliant?

Policy EN5: Biodiversity Net Gain

22. What is the basis and rationale of Policy EN5?
23. Does the Policy unnecessarily duplicate national policy or legislative requirements, including the Environment Act?
24. On what basis has the Council opted for a minimum 10% biodiversity net gain requirement as opposed to a specific higher requirement?
25. How does the Policy address the use and location of biodiversity net gain credits, including whether off-site provision should be secured within the Borough?
26. Overall, is Policy EN5 justified, effective and consistent with national policy?
27. Are any Main Modifications required to ensure the Policy is sound?

Policy EN6: Canopy Cover

28. What is the basis and rationale of the policy approach, and is it consistent with national policy?
29. What evidence exists to demonstrate the effects increased tree cover will have on the existing character and appearance of the Borough?
30. Is the scope of developments captured by Policy EN6 clear, and does it extend to the proposals set out in Policies S9 and I5?
31. In terms of practical application, is the coverage requirement based on the gross or net developable site area?
32. Is the Viability Study's (Document Ref. I1) reliance on a proxy of green roofs reasonable?
33. What evidence demonstrates that site allocations can deliver the minimum 20% policy requirement without compromising other policy requirements (e.g. ENV5) or the achievement of expected site capacities, including those specified in the housing trajectory?
34. Is the policy sufficiently flexible to cater for site constraints which may restrict tree planting? Should the text set out in paragraph 5.17 be embedded within the body of Policy EN6?
35. Is the interrelationship between Policies ENV6 and W2 clear in terms of required maintenance periods.

36. Are any Main Modifications required to ensure the Policy is sound?

Policy EN7: Flood Risk

37. How is requiring the application of the sequential test in all cases justified, given national policy allows exceptions where a site-specific Flood Risk Assessment (FRA) demonstrates that development can be safe for its lifetime without increasing flood risk elsewhere?
38. How does the Policy align with national guidance that the sequential approach is risk-based and proportionate?
39. Is there evidence that the current wording could lead to over-application of the sequential test, potentially preventing otherwise acceptable development?
40. What is the purpose of repeating national policy in Parts A and B of the Policy, and how does this add clarity or local distinctiveness? In particular:
- Could duplication create confusion or inconsistency if national policy changes over time; and
 - Has the Council considered whether the Policy should instead signpost national policy, to ensure long-term consistency?
41. What is the evidence base for applying a blanket 8m exclusion zone to all development adjacent to watercourses? In particular:
- How does the Policy justify a universal restriction rather than a site-specific, risk-based approach?
 - Should the Policy include exceptions for essential infrastructure where flood risk can be appropriately managed?
 - How does the 8-metre restriction align with national policy and Environment Agency guidance, which typically allows for case-by-case assessment? and;
 - Is the requirement overly prescriptive and therefore inflexible?
42. How does the Council reconcile the Policy with allocated sites (e.g. Site 64) that require access routes crossing a watercourse? Has the Council assessed whether the Policy would render such allocations undeliverable or unviable?
43. Could the Policy, as currently drafted, result in unnecessary barriers to development, contrary to the presumption in favour of sustainable development? Is there any risk that the Policy would create internal inconsistencies within the Local Plan by undermining allocated sites? What flexibility exists within the Policy to ensure that allocated development can come forward?
44. Are any Main Modifications required to ensure the Policy is sound?

Policy EN8: Environmental Protection and Amenity

- 45. What is the basis and rationale of the policy approach?
- 46. How is Policy EN8 justified?
- 47. How is Policy EN8 consistent with national policy?
- 48. How is the policy approach effective?
- 49. Are any Main Modifications required to ensure the Policy is sound?

Policy EN9: Air Quality

- 50. What is the basis and rationale of the policy approach, and is it consistent with national policy?
- 51. How will planning reform impact the status of the adopted Air Quality Supplementary Planning Document, and will this influence its future practical application and overall effectiveness?
- 52. Are any Main Modifications required to ensure the policy is sound?

Issue 2:

Are the arrangements to monitor the future performance of policies relating to the Borough's environment effective?

Questions:

- 53. Are there proposed monitoring indicators which provide adequate coverage of all policies within this Matter, and is each indicator clear, relevant and measurable?
- 54. Does the Monitoring Framework clearly demonstrate how the performance and effectiveness of each Policy will be assessed, including measurement against the Plan's Objectives, Strategic Priorities and Sustainability Appraisal Framework?
- 55. Are there any barriers to implementing and maintaining the necessary monitoring arrangements for these policies?
- 56. Are any Main Modifications required to the Monitoring Framework to ensure the Plan is effective and capable of being appropriately monitored?

END