

BISHOP'S TACHBROOK PARISH COUNCIL

NEIGHBOURHOOD PLAN



BASIC CONDITION STATEMENT

January 2016

Town & Country Planning Act 1990 (as amended by The Planning & Compulsory Purchase Act 2004 as amended by the Localism Act 2011 Part 6 Chapter 3 Section 116 (1) Schedule 9 Part 2) Schedule 4B Paragraph 8(1) and (2) .

'BASIC CONDITIONS' STATEMENT

LEGAL REQUIREMENTS

The Submission Plan is Being Submitted by a qualifying body

This Submission Plan is being submitted by a qualifying body, namely Bishop's Tachbrook Parish Council.

What is being proposed is a Neighbourhood Development Plan

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

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

The proposed Neighbourhood Plan states the period for which it is to have effect. That period is from the plan being made by the local planning authority to 31st March 2029, the same as the relevant Warwick District Local Plan.

The policies do not relate to excluded development

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

The proposed Neighbourhood Plan does not relate to more than one Neighbourhood Area and there are no other Neighbourhood Development Plans in place within the Neighbourhood Area.

Localism Act 2011 Part 6 Chapter 3 Section 116 (1) Schedule 9 Part 2 has the effect of amending the Planning & Compulsory Purchase Act 2004 which by paragraph 7 inserts 38A (3) giving effect to Schedule 4B to the principal Act, set out in Schedule 10 to the Localism Act, which makes provision about the process for the making of neighbourhood development orders/plans, including—

- (a) Provision for independent examination of orders proposed by qualifying bodies, and
 - (b) provision for the holding of referendums on orders proposed by those bodies, is to apply in relation to neighbourhood development plans (subject to the modifications set out in section [38C\(5\)](#) of this Act).
- 8(1) the examiner must consider the following—
- (a) whether the draft neighbourhood development order(plan) meets the basic conditions (see sub-paragraph [\(2\)](#)),
 - (b) Whether the draft order/plan complies with the provision made by or under sections [61E\(2\)](#), [61J](#) and [61L](#),
 - (c) whether any period specified under section [61L\(2\)\(b\)](#) or [\(5\)](#) is appropriate,
 - (d) whether the area for any referendum should extend beyond the neighbourhood area to which the draft order relates, and
 - (e) such other matters as may be prescribed.
- (2) A draft order/plan meets the basic 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 order/plan,
 - (b) having special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses, it is appropriate to make the order/plan,
 - (c) having special regard to the desirability of preserving or enhancing the character or appearance of any conservation area, it is appropriate to make the order/plan,
 - (d) the making of the order/plan contributes to the achievement of sustainable development,
 - (e) the making of the order/plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area),
 - (f) the making of the order/plan does not breach, and is otherwise compatible with, EU obligations, and
 - (g) prescribed conditions are met in relation to the order/plan and prescribed matters have been complied with in connection with the proposal for the order/plan.
- (3) Sub-paragraph [\(2\)\(b\)](#) applies in relation to a listed building only in so far as the order grants planning permission for development that affects the building or its setting. [does not apply to Neighbourhood Plans]
- (4) Sub-paragraph [\(2\)\(c\)](#) applies in relation to a conservation area only in so far as the order grants planning permission for development in relation to buildings or other land in the area. [does not apply to Neighbourhood Plans]
- (5) In this paragraph “listed building” has the same meaning as in the Planning (Listed Buildings and Conservation Areas) Act 1990.
- (6) The examiner is not to consider any matter that does not fall within sub-paragraph [\(1\)](#) (apart from considering whether the draft order is compatible with the Convention rights).

1 APPLICATION

- 1.1 The Neighbourhood Plan proposal relates to the designated Bishop's Tachbrook Neighbourhood Area and to no other area. There are no other Neighbourhood Plans relating to that Neighbourhood Area.
- 1.2 The Neighbourhood Plan is for the period from the date the plan is made until 31st March 2029.

2 BASIC CONDITIONS

2.1 HAVING APPROPRIATE REGARD TO NATIONAL POLICY

- a) The Bishop's Tachbrook Submission Neighbourhood Plan has been produced with appropriate regard to the guidance contained within the National Planning Policy Framework (NPPF).
- b) Paragraphs 183-185 of the NPPF gives communities direct power to develop a shared vision for their neighbourhood and deliver the sustainable development they need.
- c) NPPF184 Neighbourhood planning provides a powerful set of tools for local people to ensure that they get the right types of development for their community. The ambition of the neighbourhood should be aligned with the strategic needs and priorities of the local area. Neighbourhood plans must be in general conformity with the strategic policies of, and not undermine nor promote less development than the Local Plan. Outside these strategic elements, Neighbourhood Plans can shape and direct sustainable development within the Neighbourhood Area.
- d) The Bishop's Tachbrook Neighbourhood Plan has been drafted with regard to the planning policies of the Warwick District Council 1996-2011 Local Plan and the publication draft Local Plan 2011- 2029 including the District Council's evidence base that supports these policies in identifying needs for development within the wider area. This is to allow the Neighbourhood Plan to be brought into force into either Local Plan, depending on which Local Plan is in place when the Neighbourhood Plan has been accepted by referendum and allows a seamless transition when the 2011-2029 Local Plan is adopted.
- e) Table 1 sets out the 12 core planning principles of NPPF17 and describes how the Bishop's Tachbrook Neighbourhood Plan has met these principles.

TABLE 1; THE PLAN HAS REGARD TO THE TWELVE CORE PLANNING PRINCIPLES IDENTIFIED IN PARAGRAPH 17 OF THE FRAMEWORK.

	<i>NPPF Core Planning Principle</i>	<i>Regard that Bishop’s Tachbrook Neighbourhood Plan has to guidance</i>
1	<p>Planning should be genuinely plan-led, empowering local people to shape their surroundings, with succinct local and neighbourhood plans setting out a positive vision for the future of the area. Plans should be kept up to date, and be based on joint working and co-operation to address larger than local issues. They should provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency</p>	<p>The plan-led approach is an essential part of any Town or Country plan. It marks a change from a reactive planning system that has been seen to fail on numerous occasions causing severe public adverse reaction, to a proactive system determining where developments can or cannot occur. When in place, developers know where applications will be entertained. This should stop aggressive and opportunistic developer led applications, provide society with what it needs where it needs it and reduce the huge cost of Inquiries and arguments all of which finds its way into either the cost of the product or the taxation system.</p> <p>Empowering local people to shape their surroundings is so important and it is hoped that the Neighbourhood Plan will be a successful way of allowing this to happen. Many planning phrases have to cover a wide range of situations and become so general that interpretation can be very variable. The Neighbourhood Plan should take those phrases and determine how a particular requirement needs to be interpreted in that local area. It is about solving problems in an imaginative way. not feeding aspirations.</p> <p>Although keeping plans up to date is important, it is not an excuse to fail to identify problems thoroughly by ignoring trends or not understanding sometimes complex issues. Almost everyone likes to have stability in their life and where you live should be dependable and</p>

		satisfying. The planning system should be capable of making sound decisions that are not being continually changed from one year to the next. Involving the community in the plan in the first place ought to result in a more stable environment and lead to sustainable communities. The plan tells applicants what will be granted and it is that which will lead to an efficient approval system, not scaring LPA's into making bad decisions just to keep to an imposed timetable.
2	Planning should not simply be about scrutiny, but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives	Creativity is key to the process. Imagination is a word that is hard to find in planning documents. It is not in the NPPF, nor in the Planning Practice Guidance, but is essential when trying to find new ways to solve old problems. Imagination aids problem solving. Although legislation has to be adhered to, it should not stifle new ways of finding solutions to problems. Enhancing and improving places requires imagination and sometimes a lot of it. This Neighbourhood Plan has tried to rationally examine problems to find joint answers that solve a range of issues simultaneously.
3	Planning should proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond to wider opportunities for growth. Plans should take account of market signals, such as land prices and housing affordability, and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business communities.	This Neighbourhood Plan defines and amplifies District-wide policies and proposals set out in Warwick District Council's adopted and draft Local Plans as to the way that non-strategic policies should be applied in the Neighbourhood Area. It is important to note that due to Warwick Districts proximity to Coventry, about 80% of the District is in green belt, preventing development north of Warwick, Leamington and Kenilworth. The urban areas of Warwick and Leamington have already seen significant expansion between 1991 and 2011 of 20,000 people but since projections are based on the 5 or 6 years averaged forward, this results in continuous growth predictions. There is a limit on the capacity of those urban areas, so the countryside of south Warwick, Bishop's Tachbrook and Whitnash becomes a substantial component of any further growth as although it is open countryside it is not in green belt. But the 2012 ONS population projections say that growth will be about 15,313 by 2029, over 25% less than 2011 based projections. Monitoring actual population growth to date, it is found to be much less than projected.

		<p>Sustainable economic development is only achieved by matching homes needed to jobs available and infrastructure to support them.</p> <p>Across the housing market area, although the shire districts have all reduced 2012 projections, Coventry is projected to have a 70% increase by 2029. This presents a different problem since building homes for Coventry people in the south of Warwickshire not only extends travel to work miles, contrary to the principles of environmental sustainability, it puts open countryside, valued landscapes, historic environments at risk and is inconsistent with the Framework. To leapfrog greenbelt does is not a sensible policy.</p> <p>As it stands therefore, the Neighbourhood Plan has to meet district-wide assessments of requirements for housing, employment and so on that does not meet the need of this small part of the locality, is not suitable for development by the measure of the NPPF is not necessary to meet the needs of the business community because there are many closed offices, (some being converted to housing), factory units, empty urban sites, and empty shop units as well as many underused premises. Even so, unemployment in Bishop's Tachbrook is very low and low in Warwick District.. The joint SHMA said that Warwick had a good home to work ratio.</p> <p>As to market signals such as land prices and affordability, it is these that are distorting the planning process. Land prices have gone up because property investments return more than bank rates> this has led to prices out of step with incomes, so for local people in ordinary jobs, social housing is their only alternative. If that were not happening, the homes that are there would be available and affordable.</p>
4	<p>Planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.</p>	<p>Specifically addressed in policies in BTH1, BTH2, BTH4, BTE1, BTE2 which require high quality design standards.</p>

5	<p>Planning should take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it.</p>	<p>The main thrust of many of the policies in Bishop’s Tachbrook’s Neighbourhood Plan is about recognising the intrinsic character and beauty of the countryside and supporting thriving communities, such as Bishop’s Tachbrook within it. The Parish Council is discussing such issues with the District Council when setting its strategic site allocations.</p>
6	<p>Support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change, and encourage the reuse of existing resources, including conversion of existing buildings, and encourage the use of renewable resources (for example, by the development of renewable energy).</p>	<p>BTCC1 encourages a zero carbon requirement by woodland sequestration for any excess CO₂ over a zero carbon level through the Bishops Tachbrook Community Energy Plan. BTCC2 permits Solar generation but controls the location of those installations. It also provides for some solar provision to existing homes. BTRE1 addresses Flood Risk generally and BTH1 specifically for the allocated site.</p>
7	<p>Planning should contribute to conserving and enhancing the natural environment and reducing pollution. Allocations of land for development should prefer land of lesser environmental value, where consistent with other policies in the Framework.</p>	<p>The parish council and community of Bishops Tachbrook support this core planning principle. A large part of the Neighbourhood Plan aims to do just this. BTH1(f) includes shelter belt planting on an exposed side of the strategic housing site. BTH2 prohibits the development of rural area outside the settlement area, except in certain circumstances and even then there has to be a positive gain in environmental quality.</p> <p>BTE1 on employment paras A(b) & (d) and B (a) to (e) specifically includes these requirements and BTE2 Agricultural Employment and Development (d) & (i) particularly aim to protect the natural environment. Policy BTCC1 encourages woodland planting to absorb CO₂ emissions over the zero carbon limit. BTCC2 (1) supports solar power generation but in locations that do not take best & most versatile land or where the environment would be damaged with particular reference to protected or threatened species that will not find the industrial development an acceptable habitat.</p> <p>BTRE2 Protection of Land fully supports this principle and in particular</p>

		complies with District Council Strategic Policies. BTRE3 is totally about protection of the Natural Environment in clauses (A) to (G) that collects together all the other references in policies, with requiring positive enhancement through Parish Council initiatives that may arise from any development proposals in the parish.
9	<p>Planning should encourage the effective use of land by reusing land that has been previously developed (Brownfield land), provided that it is not of high environmental value.</p> <p>Planning should promote mixed use developments, and encourage multiple benefits from the use of land in urban and rural areas, recognising that some open land can perform many functions (such as wildlife, recreation, flood risk mitigation, carbon storage or food production).</p>	<p>As a rural parish, this principle is also at the forefront of our Neighbourhood Plan. In the various consultations with the District Council on the Local Plan the Parish Council has identified a considerable number of ways that the Local plan should reuse Brownfield Land and identified regenerative mixed use developments to use land in urban areas. The parish does not have any urban area except within the village settlement boundary and in Warwick Gates and has included this in its review of housing provision.</p> <p>District Council Strategic policies as they affect this parish do not meet this principle as they target countryside that is best and most versatile land before identifying opportunities in urban areas. As time goes on, more urban opportunities are being found, but the pressure on the countryside does not stop. If the attempts by the District Council and the developers succeed, then all the Grade 1, 2 and 3a land DEFRA designated will have turned from productive agricultural land to urban areas. There will be none left.</p>
10	Planning should conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations	The Neighbourhood Plan supports this principle specifically through policies BTH2(g), BTE1 A(e) both inside the settlement boundary and in the rural parts of the parish & BTE2(e) regarding vacant or redundant historic buildings and their settings but mainly by BTHE1 protecting both listed buildings and their settings and ancient Monuments and BTHE2 concerning Conservation Areas and both listed buildings within them and unlisted buildings that contribute to the character of the conservation area.

11	Planning should actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable	<p>Policies BTT1 and BTT2 aim to manage these issues at a parish level particularly matching housing locations with employment locations to reduce the need to travel. But as a rural parish and to a large extent dormitory location, it has a high car owning population out of necessity. But policies to improve pedestrian links and extend cycleways are included in BTH1 (d) &(e), BTH4 (3), (9) & (10), BTE1 (A) (f) & BTE2(f).</p> <p>BTT1 and BTT2 aim to improve public transport destinations, frequency and costs to try to reduce car dependency and to open up new country walks and bridlepaths.</p>
12	Planning should take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural services to meet local needs	Policies BTLWB1, 2 & 3 identify inadequate provision of recreational area and a need for more indoor sports facilities. Linking these to new developments may be possible but otherwise it will be for the Parish Council to find ways and means to provide them.

2.2 HAVE SPECIAL REGARD TO THE DESIRABILITY OF PRESERVING ANY LISTED BUILDING OR ITS SETTING OR ANY FEATURES OF SPECIAL ARCHITECTURAL OR HISTORIC INTEREST

The Submission Neighbourhood Plan has special regard to the desirability of preserving listed buildings and their settings, and features of architectural or historic interest within the Parish, through the provision of planning policies which aim to protect and enhance historic, natural and built heritage assets. The Plan includes policies which set out design principles for landscape, settlement patterns and buildings and the proposed preparation of a local list of non-designated heritage assets.

2.3 HAVE SPECIAL REGARD TO THE DESIRABILITY OF PRESERVING OR ENHANCING CHARACTER OR APPEARANCE OF ANY CONSERVATION AREA

The Submission Neighbourhood Plan has special regard to the desirability of preserving and enhancing the character and appearance of the Bishops Tachbrook Conservation Area, through the provision of planning policies which aim to protect and enhance historic, natural and built heritage assets within the Conservation Area. The Plan includes policies which set out design principles for landscape, settlement patterns and buildings and the proposed preparation of a local list of non-designated heritage assets and the setting of the conservation area..

2.4 CONTRIBUTE TO THE ACHIEVEMENT OF SUSTAINABLE DEVELOPMENT

2.4.1 The Submission Neighbourhood Plan contributes strongly to the achievement of sustainable development. Paragraphs 6-10 of the National Planning Policy Framework outline the Government's definition of sustainable development and the policies in paragraphs 18 to 219, taken as a whole, constitute the Government's view of what sustainable development in England means in practice for the planning system.

2.4.2 The UK Government's interpretation of the concept of sustainable development builds on that of the UN resolution 42/187, which is 'meeting the needs of the present without compromising the ability of future generations to meet their own needs.'

The UK Sustainable Development Strategy '*Securing the Future*' sets out 5 guiding principles of sustainable development

1. Living within the planet's environmental limits; and
2. Ensuring a strong, healthy and just society; and
3. Achieving a sustainable economy; and
4. Promoting good governance; and

5. Using sound science responsibly.

These principles are mutually dependent and should be sought jointly and simultaneously through the planning system, which should play an active role in guiding development to sustainable solutions.

2.4.3 NPPF 7 identifies three dimensions to sustainable development - economic, social and environmental. Planning needs to perform a number of roles in relation to these issues:

☐ ***“an economic role** - contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;*

☐ ***a social role** - supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of the present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community’s needs and support its health, social and cultural well-being; and*

☐ ***an environmental role**- contributing to protecting and enhancing our natural, built and historic environment; and as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.“*

2.4.4 For development to be sustainable, then that development should satisfy the 5 principles, the 3 dimensions and the policies of paragraphs 18 to 219 taken as a whole, jointly and simultaneously.

NPPF 9 also adds seeking positive improvements in the quality of the built, natural and historic environment as well as in people’s quality of life giving as examples

- Making it easier for jobs to be created in cities, towns and villages
- Moving from a net loss of bio-diversity to achieving net gains for nature
- Replacing poor design with better design

- Improving the conditions in which people live, work, travel and take leisure
- Widening the choice of high quality homes

2.4.5 NPPF10 emphasises the need to take local circumstances into account to respond to the different opportunities for achievable development in different areas.

2.4.6 The Table of SUSTAINABILITY COMFORMITY (Table 2) sets out how the policies and allocations in the Submission Plan contribute to these requirements for development to be considered sustainable by reference to the Framework policies and current and emerging Local plans.

TABLE 2 SUSTAINABILITY COMFORMITY

Bishops Tachbrook Neighbourhood Plan Policies	National Planning Policy Framework	Warwick District Council Local Plan 1996-2011(adopted 2007) - see para 5.2.2	Warwick District Council Draft Local Plan 2011-2029 - see para 5.2.4
BTH1 : Location of new housing within the growth village a)site allocation to meet strategic need in village b) see BTH3 & BTH4 c) flood risk identified on this site	NPPF196- The planning system is plan-led. Plan determines land use. NPPF 197 - presumption in favour of sustainable development that complies with the plan. Sustainable development definition is summarised in paragraph 2.4.4. District Strategic site allocation should be objectively assessed NPPF chapter 10, 94 to 104 NPPF 56 good design applies to rural/urban plans as well as building or development design. It is a key aspect of sustainable development, is indivisible from	Aim 1 :objective 1C Aim 4 :objective 4A	DS11 BE2 DS2a DS2b FW1 DS3c

<p>d) access to school required</p> <p>e) pedestrian/cycleway connect to village</p> <p>f) tree belt for visual and carbon environment see BTCC1</p> <p>g) housing mix to meet needs</p>	<p>good planning and should contribute positively to making places better for people. Cycles NPPF35.</p> <p>NPPF 109 protecting and enhancing valued landscapes</p> <p>NPPF50 housing mix</p>	<p>Aim3:objectives 3A & 3B</p> <p>Aim 2:objectives 2B, 2D & 2E</p> <p>Aim1:objective 1C</p>	<p>TR1</p> <p>DS3e</p> <p>H4</p>
<p>BTH2: Bishop’s Tachbrook settlement boundary. Contains development except for</p> <p>a) affordable rural exception site as defined</p> <p>b) rural workers dwellings defined</p> <p>c) isolated homes in countryside</p> <p>d) replacement dwellings</p> <p>e) overall positive gain to environment</p> <p>f) character and appearance improvement</p> <p>r) reuse of redundant or historic buildings</p>	<p>NPPF54 in rural areas be responsive to local circumstances & plan to meet local need. NPPF55 Locate housing where it will enhance or maintain the vitality of rural communities.</p> <p>NPPF 54</p> <p>NPPF 55</p> <p>NPPF 55</p> <p>NPPF58 complete for e), f) & g)</p> <p>NPPF55 point 2</p>	<p>Aim1:objective 1B</p> <p>Aim4:objective 4A</p> <p>Aim4:objective 4A</p> <p>Aim2:objective 2E</p> <p>Aim1:objective 1C</p> <p>Aim2:objective 2B, 2D</p> <p>Aim2:objective 2D</p> <p>Aim2:objective 2C</p>	<p>DS3a H10</p> <p>H3</p> <p>H12</p> <p>H1c)V</p> <p>H13</p> <p>BE3</p> <p>BE1</p> <p>H1c)III</p>

<p>BTH3: Mix of Housing Types</p> <p>a) affordable level 40%</p> <p>b) tenure mix to rebalance village</p> <p>c)provision for older people</p>	<p>NPPF 50</p> <p>NPPF 50 point 3</p> <p>PPG3-037</p>	<p>Aim4:objective 4A, 4B & 4C</p> <p>Aim1:objective 1C</p>	<p>H4</p> <p>H5</p>
<p>BTH4: Design of new housing development</p> <p>a) village overall improvement</p> <p>b) integrate with existing fabric</p> <p>c)close to services and facilities</p> <p>d) reduce car dependency</p> <p>e)create distinctive space, respect neighbours</p> <p>f) natural environment</p> <p>g)recreation, play, community health & well-being</p> <p>h) accessibility & visibility, safety</p> <p>g)traffic & parking</p>	<p>NPPF chapter 7requiring good design</p> <p>NPPF58 complete for e), f) & g)</p> <p>NPPF chapter 4 promoting sustainable transport plus reduce car miles .NPPF 30 solutions that reduce CO₂ emissions NPPF34 locate developments where need to travel is minimised NPPF35 give priority to pedestrian and cycle movements, minimise conflicts between traffic and cyclists or pedestrians</p> <p>NPPF relevant parts of Chapter 11 particularly 109 to 113</p> <p>NPPF chapter 8 69,70, 73, 74 & 75</p> <p>NPPF 69</p>	<p>Aim1:objective 1B</p> <p>Aim1:objective 1C</p> <p>Aim4:objective 4E</p> <p>Aim3:objective 3A</p> <p>Aim4:objective 4D</p> <p>Aim2:objective 2B</p> <p>Aim4:objective 4C</p> <p>Aim4:objective 4B & 4E</p>	<p>DS3a BE2</p> <p>SC0</p> <p>BE1</p> <p>DS3</p> <p>BE1</p> <p>NE1 TO 4</p> <p>HS2, HS4</p> <p>HS7</p> <p>TR1 & TR4</p>

<p>h)estate management over time</p> <p>i) storage spaces for tidy estate</p> <p>j) viability of farming unit remaining after planning</p>	<p>NPPF39</p>	<p>Aim2:objective 2E</p> <p>Aim2:objective 2A</p>	
<p>BTE1: New employment development in growth village or other settlements</p> <p>a) not to lose dwellings</p> <p>b) not to lose greenspace</p> <p>c) no adverse impact on neighbours</p> <p>d) no adverse impact on natural/built environment</p> <p>e) reuse of redundant or historic buildings & protect conservation areas</p> <p>f) employment traffic impact</p> <p>g) broadband connectivity</p>	<p>NPPF chapter 3 para 28 supporting a prosperous rural economy</p> <p>NPPF relevant parts of Chapter 11 particularly 109 to 113</p> <p>NPPF relevant parts of Chapter 11 particularly 109 to 113</p> <p>NPPF chapter 12 131; NPPF55 point 2</p> <p>NPPF Chapter 4</p> <p>NPPF chapter 5</p>	<p>Aim1:objectives 1A & 1B</p> <p>Aim2:objective 2B</p> <p>Aim2:objective 2c</p>	<p>EC1 EC3</p> <p>NE1</p> <p>H1c)III</p>

<p>zero carbon standards through Bishop's Tachbrook Community Energy Plan certification.</p> <p>b) with carbon sequestration via woodland planting to do so and trying to reduce commuting distances by locating housing close to employment</p>	<p>land use planning principles. The 3 dimensions, environmental, social and economic are mutually dependent. To be sustainable gains should be sought jointly and simultaneously. NPPF 6 to 10 & 18 to 219</p> <p>NPPF95. To support the move to a low carbon future, we should plan for new development in locations and ways which reduce CO₂; actively support energy efficiency improvements to existing buildings; and when setting any local requirement for a building's sustainability, do so in a way consistent with the Government's zero carbon buildings policy and adopt nationally described standards.</p> <p>New woodland with developments will remove CO₂. All new development produces some CO₂ that woodland can help remove.</p>		<p>CC2 CC3</p>
<p>BTCC2 : Climate change and solar power</p> <p>a) not to be on best and most versatile land nor of high environmental land or supports protected species</p> <p>b) site not to be generally visible, nor from nearby homes, roads or Rights of Way</p> <p>c) conserve historic assets or</p>	<p>PPG 5-013 The deployment of large-scale solar farms can have a negative impact on the rural environment, particularly in undulating landscapes.etc</p> <p>NPPF 112</p> <p>PPG 5-013</p> <p>NPPF55 point 2</p>	<p>Aim3:objective 3C</p> <p>Aim2:objectiveS 2A &2B</p> <p>Aim2:objective 2D</p> <p>Aim4:objective 4D</p>	<p>CC2</p>

amenity & water quality in Brook			
<p>BTRE2: Protection of land</p> <p>a) outside settlement boundaries land is rural open countryside, protected, except as BTH2, BTE1B, BTE2 or WDC strategic sites</p> <p>b) No development in Area of Coalescence Protection</p> <p>c) Agricultural land protected unless WDC strategy makes it unavoidable to do so.</p>	<p>NPPF 109, 111 to 114</p> <p>NPPF 112,113,117,118</p> <p>NPPF 112.</p>	<p>Aim2:objective 2A</p> <p>Aim2:objective 2B</p> <p>Aim2:objective 2D</p>	<p>DS4(a), (b), (c), (d),</p> <p>DS4(d)</p>
<p>BTRE3: Protection and enhancement of the natural environment (NE)</p> <p>a) statement needed to show how all policies that have NE issues are met</p> <p>b)show NE access & maintenance & Management of NE</p> <p>c) protected views</p>	<p>NPPF Chapter 11</p> <p>Plan for protection of natural environment & set criteria based policies against which development will be judged</p> <p>A criteria based policy</p>	<p>Aim2:objective 2B</p>	<p>NE1 to NE5</p>

<p>BTLACV1: Protection of community assets and Local Assets Of Community Value</p> <p>a) community benefit can be relocated to be considered</p> <p>b) development should not reduce community benefit</p> <p>c) nomination to List of Assets of Community Value</p>	<p>NPPF 70</p> <p>NPPF69</p>	<p>Aim4:objective 4D</p> <p>Aim1:objective 1B</p>	<p>HS8</p>
<p>BTLACV2: The provision of new Local Assets Of Community Value</p> <p>a) assess any development for the need to provide new or reinforce existing community assets</p>	<p>NPPF 70</p>	<p>Aim4:objective 4C & 4D</p>	
<p>BTLWB1: Sport, recreation and community provision</p> <p>a) open space review when developments are permitted and funding methods established</p>	<p>NPPF69 & 73</p>	<p>Aim4:objective 4C</p>	<p>DS3(A), (B) & (C)</p>

BTLWB2: Allotment Provision	NPPF 73		
BTLWB3: Pedestrian Access To The Countryside	NPPF69		
<p>BTT1: Improving transport provision</p> <p>a) development to improve public transport, destinations & frequency</p> <p>b)provide cycle routes</p> <p>c)provide safety measures to reduce risk to people from greater traffic impact in parish</p>	<p>NPPF chapter 4 promoting sustainable transport</p> <p>NPPF35 points 2 & 3</p> <p>NPPF37 & 38 balance of land uses to minimise car usage</p>	Aim3:objective 3B	<p>TR1</p> <p>TR3</p>
<p>BTT2: Improving road safety</p> <p>a) transport assessments to show need for improved access and safety</p> <p>b) development to finance and complete before occupation</p>	NPPF35 points 2 & 3		

3. COMPATIBILITY WITH EU OBLIGATIONS

- 3.1 The Submission Neighbourhood Plan is fully compatible with EU Obligations.
- 3.2 A request to Warwick District Council for a Strategic Environmental Screening Opinion was made on 6th October 2014 and a draft was received on 5th November 2014. The Final version was received on 28th November 2014. The Screening outcome was that it was considered unlikely there will be any significant environmental effects arising from the Bishop's Tachbrook Neighbourhood Plan that were not covered or addressed in the Sustainability Appraisal of the Local Plan. As such, it is considered that the Bishop's Tachbrook Neighbourhood Plan does not require a full SEA to be undertaken.
- Following representations received concerning the process adopted by the District Council and whether it conformed with the regulation requirements, the Strategic Environmental Screening Opinion was repeated and made on 30th March 2015. The resultant opinion was the same as the first assessment.
- 3.3 The Submission Neighbourhood Plan is fully compatible with the European Convention on Human Rights. It has been prepared with full regard to national statutory regulation and policy guidance, which are both compatible with the Convention. The Plan has been produced in full consultation with the local community. The Plan does not contain policies or proposals that would infringe the human rights of residents or other stakeholders over and above the existing strategic policies at national and district- levels.
- 3.4 The Human Rights Act 1998 incorporated into UK law the European Convention on Human Rights ("The Convention"). The Convention includes provision in the form of Articles, the aim of which is to protect the rights of the individual.

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

Article 1 of the First Protocol protects the right of everyone to the peaceful enjoyment of possessions. No one can be deprived of possessions except in the public interest and subject to the conditions provided by law and by the general principles of international law. The Submission Neighbourhood Plan is fully compatible with the rights outlined in this Article. Although the Submission Plan includes policies that would restrict development rights to some extent, this does not have a greater impact than the general

restrictions on development rights provided for in national law, namely the Planning and Compulsory Purchase Act 2004 and the Localism Act 2011. The restriction of development rights inherent in the UK's statutory planning system is demonstrably in the public interest by ensuring that land is used in the most sustainable way, avoiding or mitigating adverse impacts on the environment, community and economy.

Article 6 protects the right to a fair and public hearing before an independent tribunal in determination of an individual's rights and obligations.

The process for Neighbourhood Plan production is fully compatible with this Article, allowing for extensive consultation on its proposals at various stages, and an independent examination process to consider representations received.

Article 14 provides that "The enjoyment of the rights and freedoms set forth in ... [the] ... European Convention on Human Rights shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status." The Parish Council has developed the policies and proposals within the Plan in full consultation with the community and wider stakeholders to produce as inclusive a document as possible. In general, the policies and proposals will not have a discriminatory impact on any particular group of individuals.

- 3.5 The allocation of sites for affordable housing, may, in some locations be intended to support housing that can be afforded for local people. In these cases, provision for the retention of that property in perpetuity as a home that can be afforded for future owners/tenants resident or related to other resident in the village will not however, be at variance with the rights outlined in Article 1 of the First Protocol. If implemented, the proposal to allocate sites for affordable housing would have substantial public benefits through encouraging the social sustainability of the settlement. The proposals are also in line with local and national policy and statutory provisions with regard to affordable housing.