

**BISHOP'S TACHBROOK
PARISH COUNCIL**



NEIGHBOURHOOD PLAN

2ND PRE-SUBMISSION CONSULTATION STATEMENT

January 2016

BISHOP'S TACHBROOK PARISH COUNCIL

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20TH APRIL TO 1ST JUNE 2015

A) REASON FOR THE SECOND PRE-SUBMISSION CONSULTATION

1. The first pre-submission consultation commenced on 24th September and terminated on 5th November 2014. All representations were collated, considered and used to take into account in the draft Neighbourhood Plan. The whole process was fully written up and published in a Consultation Statement that formed part of the Neighbourhood Plan Submission to Warwick District Council on 13th February 2015 as required by Regulation 15(1) of the Neighbourhood Planning (General) Regulations 2012.
2. Paragraph 12.12 of the Consultation statement describes the representations made by HOW planning on behalf of Barwood Securities, the appellants to the Appeal on land South of Mallory Road in Bishop's Tachbrook. During that appeal in late September 2014, Bishop's Tachbrook Parish Council had, coincidentally, reached the point with their Neighbourhood Plan that they considered they were ready for a Regulation 14 pre-submission consultation and duly set the process in motion. On the last day of that appeal, the Inspector was informed of the proposed consultation period and this information was made public at the same time. Copies of the Notice and the consultation documents were handed to the Inspector and the Appellant.
3. The Parish Council published the appropriate notice and map on the Parish Council notice boards on the 24th September 2014 and made copies of the draft plan available to take away at the village shop on the commencement day. The notice was also published in the October edition of the Parish Magazine that was being distributed that week and the District Council announced the consultation on their Website. The notice of the consultation was also published on the Bishop's Tachbrook website on the 23rd September, the day before the start date of the consultation. HOW said that they could not see the documents on the website and were still having problems on October 3rd. No one else seemed to have the problem but the site was checked a number of times on and after 24th September by the Parish Council and no problems were experienced.

In the event, whether there was a problem at the commencement of the consultation or not, 2 papers were received from Barwood's consultants, HOW Planning and An Opinion from Jeremy Cahill QC, before the closing date.

The Parish Council's website at that time, an early version run by volunteers, was not particularly good and it has since been upgraded, but it was working and relatively easy to get into. HOW planning made it clear they were not able to find the information on

the website until later and then started to submit requests for further information, followed by requests commencing on the 5th November, the day of the termination of the consultation period, under the Freedom of Information Act at a rate that was beyond our ability to react to.

It became clear to the Parish Council that the information requested was being assembled into the Neighbourhood Plan Consultation Statement in sufficient detail to answer the questions of Barwood's consultants, in the correct context and sequence and that it would be fairer to release the information that way rather send it to just one enquirer. After consulting the District Council, a letter was sent to Barwood's solicitor on 9th March 2015, the main points being -

"Your request for information has now been considered and unfortunately the Parish Council is unable to comply with it.

In accordance with section 17 of the Freedom of Information Act 2000 please treat this letter as a Public Interest Refusal Notice.

The exemption applied is Information which is intended for future publication, Section 22 of the Freedom of Information Act 2000. This exemption applies because the information will be published within the next three months as part of the evidence for the Neighbourhood Plan for this parish."

4. From the Parish Councils point of view, the pre-submission consultation had been very successful. The simple set of documents that had been published setting out the draft policies and the reasons for them, had engaged the community in the plan preparation process and a large number of thoughtful contributions were made. These are all set out in the Consultation Statement and gave the electorate the opportunity to help shape development where they live as intended by the Framework and the Localism Act.
5. The assessment led to the development of the policies and assembling the data on which they were based so that the final result was considerably improved from the draft policies. That is what consultation is about and it is important to make policies clear and unambiguous rather than vague and open to interpretation depending on the approach of the participants at the time.

In preparing this document the Parish Council was guided by the NPPF paragraphs 183 to 185 and the final draft of all the policies were tested against these criteria. In particular, attention was paid to the need to be in general conformity with the strategic policies of the Local Plan

6. As stated in paragraph 1, the Parish Council submitted its Neighbourhood Plan Submission to Warwick District Council on 13th February 2015 as required by Regulation

15(1) of the Neighbourhood Planning (General) Regulations 2012. From the close of the pre-submission consultation period on the 5th November, the Parish Council has kept the District Council informed about the freedom of information requests and the representations made by Barwood to the draft Neighbourhood Plan. During February and early March, the District Council's officers were checking the submitted plan to ensure its legality. At the end of that, 2 issues were identified as to procedure that had an element of doubt about them. They were

- a. The timing and publicity given to the notice of the pre-submission consultation by the Parish Council as asserted by Barwood, despite evidence available that showed that the notice was on the Parish Council website and even though it was not a requirement of The Neighbourhood Planning(General) Regulations 2012 to be published on a website; and
- b. An assertion by Barwood that the District Council had not carried out the Strategic Environmental Assessment correctly by not publishing it on the District Council's website.

7. Emanating from these discussions, the District Council on 9th April decided to

- a. Carry out the Strategic Environmental Assessment a 2nd time, observing the full correct procedure – note that the result was the same and can be seen in Appendix C2.5; and
- b. Due to threat of Judicial Review and the costs to defend and the time it may take to complete, it would be better to carry out the Regulation 14 pre-submission consultation again.

The Parish Council, bearing in mind the number of amendments to the original policies in the final draft, agreed that it would be better to ensure that the community had a final chance to see how the Neighbourhood Plan had taken all the responses into account, and decided to carry out a 2nd pre-submission consultation, between 20th April and 1st June 2015.

B) NOTIFICATION PROCESS

1. Following the meetings with the District Council described above, Councillor Bullen formally updated the Parish Council at the meeting of 16th April on the Neighbourhood Plan progress. It was agreed that Cllr. Bullen should
 - liaise with the District Council officer to ensure that the District agrees that the necessary documentation is available for the public and

- liaise with our website administrator regarding the uploading of the documents to our website.
2. On the 20th April 2015 a Public Notice in the form shown in Appendix C2.1 was placed on both Parish Council notice boards, one in the village on Mallory road by the shop and the other on Othello Avenue in Warwick Gates.

On the evening of 19th April 2015, that notice plus all the Neighbourhood Plan documents were placed on the Bishop's Tachbrook website including

- the Neighbourhood plan submission statement and appendices NP2 TO NP11 inclusive,
- Neighbourhood plan Map,
- Basic Condition Statement
- Report of previous consultation which took place from 24th September 2014 to 5th November 2014.
- Strategic Environmental Assessment Scoping Report March 2015
- SPD SEA ENVAGENCY (Environment Agency)
- SPD SEA_HRA Screening(Historic England)
- SPD SEA-NEResponse (Natural England)
- A comments form for completion in both pdf and word formats.

3. Informing residents.

A special 2 sided A5 card was printed and hand delivered to every house in the Parish giving residents notice of the Regulation 14a consultation finishing on the 1st June 2015. (see appendix C2.2) and how to access or see the documents. A hard copy of the Neighbourhood Plan documents was held at the addresses of the phone numbers given in the Notice so that those without internet access could see the documents.

Residents were also reminded of the consultation in the May edition of the Parish Magazine in the Parish Council News.

4. Informing Local Business

As for the 1st pre-submission consultation, all 25 farms had a pre-submission consultation notice hand delivered informing them of the access arrangements to the draft Plan. Those farms were –

Barford Wood, Asps Farm, Park Farm, Spinney Farm, Red House Farm, Lower Heathcote Farm, New House Farm, Brickyard Farm, Oakley Wood Farm, Tachbrook Hill Farm, Hill Farm, Park Barn Farm, Grove farm, Woodside Farm, Brookside Farm, Chapel Hill Farm, Wyslade Farm, Middle Farm, Tollgate Farm, Wiggerland Wood Farm, Squab Hall Farm, Lowdown Farm, Highdown Farm, Barnwell Farm, Hogbrook Farm.

Similarly, all of the businesses listed in paragraph 12.2 of the 1st pre-submission Consultation Statement had a pre-submission consultation notice (as Appendix C2.1) hand delivered to them.

Four development groups, known to have land interests in the parish, had direct Notice of the 2nd pre-submission consultation. They were Barwood Securities, ACLloyd, Marron Planning on behalf of Bloor Homes and Malcom Glenn.

Coincidentally, the appeal on land at the Asps Farm had commenced on 14th April 2015, closing on 28th April involving Barwood Securities Ltd. The Inspector wanted to know the position on the Neighbourhood Plan and was given a copy of the notice of the pre-submission consultation and also a copy of the Neighbourhood Plan map, the Neighbourhood Plan Submission Statement including the main appendices, the Report of the 1st pre-submission consultation and the Condition Statement. A copy was also given to the appellant's barrister.

A C Lloyd, had notice of the consultation via the District Councils notification system and a meeting was held with them to discuss details of the site for 200 homes at Grove Farm which is within the Parish Neighbourhood Area. The draft Neighbourhood plan was also discussed.

Marron Planning on behalf of Bloor Homes are the developers of the preferred option site south of the primary school. The Parish Council are working with them on the detail of the scheme and they were given a copy of the notice at one of the project meetings.

Malcolm Glenn was notified by e-mail with a copy of the Notice. Mr. Glenn owns a site outside the village boundary on the north side of the village opposite the Leopard PH and has had permission refused for 10 dwellings on this site in the rural area of the parish. An appeal on this refusal was dismissed on 6th January 2016 by the planning inspectorate, see Appendix NP13 to the January 2016 Neighbourhood Plan Submission Statement.

5. The District Council signposted the consultation on the Neighbourhood Plans webpage on the 21st April and informed all those on their consultation database who have indicated an interest in planning policy documents, neighbourhood plans and those interested in the villages and rural issues.
6. As defined in Schedule 1 of the Neighbourhood Planning regulations, Statutory consultees were Informed by e-mail using a list provided by the District Council. Detail of the 47 addresses are contained in the Section on Statutory Consultees
7. There have not been any comments of lack of notification or timescale issues during the 2nd pre-submission consultation period.

C) NEW MATTERS THAT THE PRE-SUBMISSION CONSULTATION WILL HAVE TO TAKE INTO ACCOUNT

The Planning Inspectorate began the Examination of the Warwick District Local Plan. Initial hearing sessions were held between 6th & 12th May 2015, and on the 1st June 2015, the Inspectors report was published setting out his findings regarding initial matters and issues.

1. The Inspector has found that the local plan submitted for examination by Warwick District Council has complied with the duty to co-operate in conjunction with the other local authorities in the Housing Market Area.

However, he has found that as regards the overall housing provision and the supply and delivery of housing land the proposed Local plan is not sound and consequently that the examination should not proceed any further.

The Inspector found that a suspension of the examination is not appropriate as it would take too long, is likely to result in a plan that is substantially different from that submitted and in any event is unlikely to facilitate the adoption of a sound local plan in a timetable that is significantly shorter than the other options open to the Council. He gave 2 options to the Council, either choose to receive the formal report which would recommend non-adoption of the Local Plan or withdraw the plan under S22 of the Planning and Compulsory Purchase Act 2004(as amended).

The implications of this on the Neighbourhood Plan need to be addressed since there is no emerging Local Plan for the Neighbourhood Plan to be in general conformity with and the Inspector considers that the plan likely to result from a reconsideration will be substantially different to that submitted for examination.

2. The principle reason for this decision is that there is not a clear strategy to meet the OAN for the Housing Market Area (HMA) in full so the Plan is not positively prepared, justified, effective or consistent with national policy and is not sound.

The Leader of the District Council wrote to the Secretary of State asking him to consider calling in the Plan in order to complete the Examination in public. This the Secretary of state declined to do and recommended referral to the Inspector. Subsequent actions led to the Inspector agreeing to suspension of the Examination until May 2016 providing sufficient progress has been made by the end of January 2016.

This is the nub of the dilemma that has been referred to in the Neighbourhood Plan concerning sites within Bishops Tachbrook and south of the towns being in the wrong place for the HMA OAN.

3. The Inspector does agree that the OAN for the HMA is 4,004 dwellings per annum and also the number for each of the members of the HMA based on the 2014 addendum to the 2013 JointSHMA as shown in this table taken from the 2014 addendum with the DCLG 2012 projections in the right hand column.

	2013 JSHMA	2014 addendum	DCLG 2012 average over 18 years
Coventry	1,180	1,811	1,885
North Warwickshire	165	204	161
Nuneaton & Bedworth	494	422	435
Rugby	658	453	451
Stratford on Avon	538	508	456
Warwick	718	606	573
TOTAL HMA	3,753	4,004	3,961

The table shows that Warwick District's OAN has dropped from 718 to 606 and the other shire districts have also fallen substantially but Coventry City has suddenly gone up from 1,180 to 1,811 and there is no strategy in place to address this problem.

The plan for Warwick District acknowledged the changes but only made provision for the shire Districts to remain as the 2013 SHMA contributing to the Coventry growth but falling short of it. Hence this plan is not sound.

4. Coventry's Local Plan is running to a later timescale to that of Warwick District.

It was evident to the Inspector that if the Shire Districts were to make up the difference, the disposition of sites in them would be different to solve Coventry's problem than if they were only addressing their own.

Solving the problem is compounded by the large amount of Green Belt involved. Coventry has considerable green belt inside its boundary and it is surrounded by Green Belt in Warwick District, Rugby, Nuneaton & Bedworth, North Warwickshire and Solihull.

The Inspector notes that although the increase in numbers for Coventry has been known since May 2014 and the DCLG housing projections were published in February

2015, none of the HMA authorities were arguing that there were constraints which would prevent the HMA overall being met in full.

From the Coventry Local Plan consultation in September 2014 it is clear that Coventry would be looking for sites adjacent to its boundaries if it needed to request other members of the HMA to assist. Of the 32,600 dwellings it is said to need by 2029, it can accommodate 16,500 in its urban area and a further 7,100 in the lower quality parts of its own Green Belt. If Coventry took all its Green Belt in for housing development then it could accommodate all of its OAN. This implies that a Green Belt Review ought to take place in all the HMA's to ensure the least damage to the environment of meeting the current projections of OAN.

In the financial implications part of the report to Cabinet, it is clear that Coventry would want to take all the OAN within the Coventry boundary if it could or at worst on land that Coventry owns in the Shire Districts, but if that were not possible, then sites to provide for Coventry people should be adjacent to its boundary to reduce travel to work miles. This would be necessary to meet the sustainability requirements of the Framework. Such adjacent sites may result in a request for boundary changes.

In that event, Warwick District would only need 10,908 reducing the Warwick Local Plan by over 2000 dwellings. This would mean that no further land south of Harbury Lane in Bishop's Tachbrook would be needed to meet the Warwick OAN.

Coventry could investigate the reason why its projection has suddenly risen by so much and could find that the statistical projection should be modified by robust evidence relating to policy changes affecting population growth such as sudden growth in courses for international students at Coventry University.

5. So far as the Neighbourhood plan is concerned the position is fluid.

We know that if the OAN for Warwick had to remain at 12,860, then Strategic sites south of the towns may continue to still be required. However, if the OAN is now 10,908, the strategic sites south of Harbury Lane will not be needed as they are in the wrong place for Coventry due to travel distance reasons as well as affordability since Warwick South house prices are considerably more than Coventry prices. In addition, the OAN is more than met by permissions given and sites identified in the plan without inclusion of any more sites south of Harbury Lane.

6. Since there is now no immediate Local Plan in place, then the 2007 Adopted Local Plan is the Local Plan with which this Neighbourhood Plan should be in general conformity. *NPPF211, for the purposes of decision-taking, the policies in the Local Plan should not be considered out-of-date simply because they were adopted prior*

to the publication of this Framework and NPPF215 so that due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

The policies in the 1996-2011 Adopted Local Plan(2007), that will apply to the Neighbourhood Plan are

- a. Housing supply for Warwick District, excluding any duty to co-operate, up to 2021 as set out in appendix 2 Tables 5 & 6 of the 2007 Plan shows an RSS requirement for 4,767 dwellings remaining to be built between 2005 & 2021, but for which the supply was estimated to be 6,955. This would clearly need to be moderated upwards to meet the current OAN of 606dpa to meet the Framework;
- b. Policy RAP1 Directing new housing in rural areas, those rural areas being defined on the Proposals Map Part 2 Leamington & Warwick Urban inset;
- c. Policy DAP4 Protection of Listed Buildings, in particular, development will not be permitted that will affect the setting of a listed Building to meet national policy;
- d. Policy DAP8 Protection of conservation areas, in particular paragraph 9.34 that development both within and outside of conservation areas should not adversely affect the setting of a conservation area by impacting on important views from inside and outside the boundary to meet national policy;
- e. Core strategy, Aim 2, Effective Protection of the Environment, Objective 2A: to protect and improve land quality, in particular to resist the unnecessary development of greenfield land and Grade 2 agricultural land to meet national policy;
- f. Core strategy, Aim 2 , Effective Protection of the Environment, Objective 2B: to protect and enhance the natural environment, in particular to protect the landscape character of local importance from inappropriate development in rural locations to meet national policy.

The 2007 policies in b to f above have matching policies in the local plan at examination.

The Parish Council considers that the provision for the area of Coalescence Protection proposed in the Neighbourhood Plan is fully justified in these circumstances and is not in conflict with the Examining Inspector's decision and that with the provision in the Policies to allow any strategic sites that may be included in the revised Local Plan when it is adopted within the Area of Coalescence Protection and areas with rural or open countryside land use designation, the Neighbourhood Plan would be in conformity with both the 2007 local plan and the 2011-2029 local plan by the flexibility in the policy wording.

D) STATUTORY CONSULTEES

The Statutory consultees that were invited by e-mail to make representations following advice from Warwick District Council are detailed in Appendix C2.3 which gives the Rep Nos.

Responses were received from the following consultees.

Rep No.	support	COMMENT	ACTION
104		Parish Clerk Chesterton & Kingston (Harbury) received by e-mail on 27/5/15.	
104.1		We would just like to raise the issue of the need for improvements to the Harbury Lane/ fosse way junction	junction itself is not within BT Neighbourhood Area. Not a NP matter as WCC is the Highway Authority. For the Parish Council it is an active issue with WCC as Harbury Lane is within the BTNA. Include with parish matters.
107		Historic England	
107.1		Comments made in response to 1 st consultation are still relevant	The historic environment was considerably under-represented in the content of the plan and said that the imbalance should be addressed. Designated and undesignated Heritage assets of the whole parish and the conservation area should be included - a very helpful response that was incorporated into the plan as described in paragraph 13.3 of the 1 st consultation statement.
107.2	yes	Pleased to see that plan now acknowledges undesignated heritage assets.	Reference to "historic assets" amended to "heritage assets" as recommended
107.3		undesignated heritage assets are not included in a policy except BTCC2. Should be in BTHE1 and BTHE2 to meet NPPF17	Paragraph D) has been added to BTHE1 and para 10.6.2.g added to the application of policy BTHE1 and BTHE2 paragraph A to bring that protection into effect.
131		Highways England submitted a response dated 30th April 2015	
	yes	Has reviewed the BTNP &, as with the draft plan on which Highways Agency was consulted they have no comment on the details of the pre-submission plan	None required
134		The Coal Authority submitted a response dated 19th May 2015	
		Has reviewed the BTNP & confirm that they have no specific comments to make	None required

146	Natural England		
146.1		Natural England does not consider the BTNP poses any significant risk to internationally or nationally designated nature conservation sites.	None required
146.2	yes	Welcomes policy BTRE3: Protection & enhancement of the natural environment & in particular to protections of the River Avon Local Wildlife site and where possible enhancement of this site.	noted
146.3	yes	Also supports BTRE3 F) No development of designated Ancient Woodlands will be permitted that will reduce the area of the woodland. Oakley Wood is also a local Wildlife site and should be protected and enhanced.	Protection of Local wildlife sites has been added to BTRH3 as G) and the clause that was G) is now H)
146.4		Green Infrastructure is recommended for a range of benefits including the delivery of priority habitats to meet national and local targets.	Added to BTRE3 G). Other matters raised were protected species and features beneficial to wildlife but these are covered in the WDC Local plan and need no further amendments
112 etc	Warwickshire County Council Communities Directorate - this is a joint response from several departments. E-mails were sent to Rep nos 112,124,126,128,129,135,138,139,141,& 145. The specialisms are not known but it is presumed that this response includes all that WCC needs to say.		
Transport comments 112.1	yes	Supports emphasis of reducing the need to travel and increase options for modes of sustainable transport such as car share schemes or car clubs	NP can and does cover matters such as paths and cycleways, but car share etc is organisational and not land use based and not a matter for the NP. It can be a matter for Parish Council consideration
112.2	no	BTE1A(f) new employment parking provision at odds with Warwickshire's Parking Strategy	Ministerial statement 25/03/15 parking standards shall be as NPPF39 plus "local planning authorities should only impose local parking standards for non-residential development where there is clear and compelling justification that it is necessary to manage their local road network" and should take into account accessibility, availability of public transport, local car ownership levels. These should be a minimum. For the reasons set out in 10.3.1k because any developments permitted by this policy will be in remote locations where the only access will be by road, then the business should provide

			all necessary parking off the country roads that are in general not designed for large vehicles eg a garden centre. Discussion to be had with WCC to resolve concerns. This requirement may see such businesses being located in more accessible locations.
112.3	yes	Supports provision of streets that encourage low vehicle speeds	Agrees with BTH4(9)
112.4	Yes & no	BTH4 (10) WCC supports new car parking well integrated into the landscape, providing they do not hinder traffic flow but not the amount of parking provision in the plan so as to not actively encourage car use.	<p>For reasons given in the ministerial statement of 25/03/15 as set out in rep no 112.2, adequate off street parking will ensure roads are not congested by parked cars. It is recognised that the district council has a residential parking standard with a minor modification for rural areas for 2bed properties. The maximum standard was laid down in 2007 but abolished in 2011. Since then the average car size has got larger and car ownership has increased. In a village cars are a must for most people and will be acquired and design of new properties must take that into account or else cars will be parked wherever it is possible to do so rather than in a civilised manner, off road. NPPF 185 allows NP's to shape and direct sustainable development for non-strategic policies.</p> <p>BTPC supports reducing the need to travel, but in a village with minimal public transport, the 2011 census found (see para 6.4.4 on travel to work and car ownership) there are very few households that do not have a vehicle and travel distances are lengthy and of multiple destinations. 81.3% of people in Bishops Tachbrook travel to work by car compared with 70% in Warwick District as a whole and 63.38% in England. In Bishop's Tachbrook only 6% of people have less than 2km to travel to work and 39% travel between 2 and 5km, 13% 5 to 10km and another 14% 10 to 20km. The balance of 28% work farther away demonstrating the dormitory nature of the parish.</p> <p>This is one of the reasons that new dwellings should be located in urban areas where jobs, infrastructure and facilities are and housing in open countryside should be restricted. But once there, not only are jobs distant but so are other facilities and services and many people lead complex travel lives to support the various family</p>

			<p>members. As a result, we find (see para 6.4.4c) that only 7.8% of households do not have access to a car or van compared with 18.5% in Warwick District and 25.5% in England. Add to that the fact that a considerable number of people in Bishop's Tachbrook are involved in high tech car production (Jaguar Land Rover & Aston Martin at Gaydon) for whom cars are a lifestyle, leading to car collections needing space. Off street parking to the level stated is necessary to keep streets clear and prevent front gardens, intended to contribute to the garden village design philosophy, being used for vehicle parking. Car ownership in the parish is much higher than Warwick District being 1.629 vehicles per household compared with 1.347 in Warwick district and 1.165 in England. Discussion to be had with WCC to resolve concerns.</p>
112.5	Yes & no	<p>Supports development providing new or improved sustainable travel & local transport but conditions should be as WDC Local Plan policies.</p>	<p>The Neighbourhood Plan is not a repeat of the Local Plan. NPPF185 says that outside strategic elements, neighbourhood plans will be able to shape and direct sustainable developments in their area and the policies it contains take precedence over existing non-strategic policies in the plan. Of course, there should be a good reason for departing from the District standards and when it comes to transport provision this policy has arisen due to the lack of transport provision available to the parish. Any new developments will make the position worse unless that development brings with it improvements across the parish. Hence the Parish Council expects to be involved with the Highway authority when improving transport provision is considered. Discussion to be had with Mrs Kaur.</p>
112.6		<p>BTT2 Improving Road Safety-Transport assessments depend on size of development , may not be needed for small developments</p>	<p>Agreed. Amend policy to ass 'as WCC Highways require' Covered by paragraph 10.9.2f <i>Where Transport Assessments are required to support a development proposal...</i> Comments from the community in their responses to the NP proposals place road safety as one of their top priorities. They are particularly concerned about the cumulative effects of large new developments on the few roads through the village, increasing traffic density and speed as drivers try to avoid bottlenecks at peak times. This is a constant source of attention by the Parish Council at a day to day level.</p>

Flood risk comments 112.7		Boundary review for Heathcote park date not correct. page 7 ¶ 1.1.2	Agreed. Reference omitted.
112.8		Key objectives does not mention flooding on Page 20 ¶ 3.2	This paragraph refers to initial Aims & Issues Statement of January 2013. Flood Risk is addressed elsewhere. Most of chapter 3 transferred to consultation statement.
112.9		¶ 5.2.2 Aim 2 –could include water quality as well as air quality?	This section quotes the strategic Aims and Objectives of the Warwick District Local Plan adopted in 2007 which the Neighbourhood Plan has to be in general conformity with. Water quality is now addressed elsewhere.
112.10		¶ 5.2.4 DS3 could include a D) blue spaces (making space for water) or include with C)	This is a quote of the strategic policies from Warwick District Draft Local Plan 2011-2029. Blue spaces included in 112.15.
112.11		¶ 5.3.2 -8 refers to 01/04/15	5.3.2 amended comment no longer relevant
112.12		¶ 3.6 3 rd bullet could also include natural flood defence, mitigation too?	This is a quote from the Landscape Study about landscapes issues. Water management dealt with elsewhere.
112.13		Refers to Table 14 about how flood risk is included	Table 14 was an assessment of NP policies against NPPF and strategic policies of the 2007 and draft Local Plans to demonstrate general conformity. As this is to show how Basic Conditions have been met, the table has been transferred to the Basic Condition Statement section 2.4.4 and removed from the Neighbourhood Plan Submission Statement. Some of the flooding referred to relates to maintenance issues of the existing system which is not an NP issue. Parish Council is working with Severn Trent to resolve. it does highlight potential difficulties with any new developments that might try to extend the existing system.
112.14		BTH1 c) corrects Environment Agency to Lead Local Flood Authority WCC	The text has been corrected.
112.15		BTH4 suggests inclusion of blue/green corridors, fully integrating SuDS features tec.	The text has been amended to include this where it is practicable to do so. (the clause will apply to any development site in the Parish).
112.16		10.5.1 objective A add significant surface water flows to areas that may be affected by flooding	Amended.

112.17		10.5.2a add reference to EA Map for flooding	Reference to Map 10 added to 10.5.2b
112.18		BTRE1.1 Add 'where necessary' to opening of sentence	Amended
112.19		BTRE1.1 include any application within 10m of a watercourse will require a flood risk assessment regardless of EA flood maps	Sentence added to the end of BTRE1.1
112.20		BTRE1.4 include 'to satisfaction of LLFA'	Amended
112.21		BTRE1.6 remove 'where possible' at end of sentence	Amended
112.22		10.5.2e WCC SAB should read LLFA and insert after Environment Agency 'and/ or the LLFA'	Amended
112.23		10.5.3g change 'contaminate' to 'degrade'	Amended
112.24		BTRE2 - add D for development within 10m if a watercourse plus blue/green corridors.	Added to BTRE2 C for 10m issue. Blue/green included in Green infrastructure.
112.25 & 112.26		10.5.4c 3 rd point - add to Tach Brook environmental enhancements natural flood defence and water management including Woodlands for Water scheme	Agreed and sentence extended by adding 'natural flood defence and better water management including Woodlands for Water management schemes.'
112.27		10.4.5f last sentence change 'worse pollution' to 'further degradation'	Amended. Paragraphs number amended to 10.5.4g point 1
Public Health comments 112.28	support	Supports WDC strategic policies in paragraph 5.2	noted
112.29	support	¶ 5.5 supports "Vision Statement" and policy for building for Life standards 10.2.25d)	noted
112.30	support	¶ 6.2 supports affordable housing and homes for older people with a good housing mix as table 3.	noted
112.31	support	¶ 7.5 supports Landscape Study	Public Health Warwickshire provides a helpful table

		recommendations and suggests developer contributions to provide both on site and off-site works for hedgerow planting, woodland planting, Ornamental shrub/ perennial planting, grass and wild flower seeding, Orchard and footpaths.	of landscape enhancement costs and says that the Neighbourhood Development planning for Health document seeks these improvements. As part of BTH4 requiring development proposals to demonstrate how they will improve Bishop's Tachbrook as a sustainable 'garden village', paragraph 7.6 and BTRE3 (I) have been added.
112.32	support	supports focus on sustainable development as set out in Table of Sustainability conformity which aligns with Public Health's document on Neighbourhood Development planning for Health.	noted
112.33	support	¶ 10.2 supports housing policies including Building to Lifetime homes standards as set out in BTH3 to ensure housing is flexible and allows people to grow and remain independent in their own homes for longer.	noted
112.34	support	¶10.8 supports Leisure & well-being objectives. Suggests installing measured miles	This is signage so is not a matter for the Neighbourhood plan but has been added to the Parish Council plan for action.

E) OTHER RESPONSES

Other responses that were received are listed in Appendix C2.4 which gives the Representation Numbers.

001 FRAMPTONS ON BEHALF OF A C LLOYD.

Rep No.	support	COMMENT	ACTION
<p>These representations are made for A C Lloyd homes Ltd who are promoting residential developments in the Neighbourhood Plan area. Representations were made to the 1st pre-submission consultation and these are recorded in the consultation statement at paragraph 12.11 and in the report on the 1st pre-submission consultation at paragraph 2.11.</p>			

001.1		<p>In para 1.2 Frampton claim to have engaged with WDC over failings & inadequacies, substantive and procedural in the NP and WDC wrote to BTPC on 10 April 2015 that NP was yet to be subject to Reg 14 pre-submission consultation as the previous consultation was not carried out properly and was unlawful.</p>	<p>This misrepresents the reason for the 2nd pre-submission consultation. WDC have never indicated such failings to the Parish Council. The correct position is set out in Section A) above.</p> <p>An email on 10th April from Tracy Darke to Parish Council and internal officers/members referred to Barwoods legal challenge, WDC did not want the financial risk, this was due to Counsels opinion that the chance of losing was 50:50 and was due to SEA screening opinion procedural fault and Barwoods construct of the PC's consultation procedure. Counsels opinion was attached to the e-mail. Letter was sent by Max Howarth WCC Legal, to Bird Wilford and Sale Barwoods solicitors saying WDC had decided not to publish the NP until the PC had consulted again under regulation 14. Neither the letter nor the email said it was unlawful. I have no record of Framptons involvement in this process as stated by them.</p>
001.2		<p>Para 1.3 states that The Parish council will have to consider any representations it receives and amend the plan as appropriate.</p>	<p>Agreed</p>
001.3		<p>In para 1.4 suggest BTNP is on a collision course with the emerging local plan. Quotes a committee report to support that statement.</p>	<p>This is incorrect for 2 reasons</p> <ol style="list-style-type: none"> a. All relevant BT Policies allow any strategic site allocations WDC deem necessary whereas other applications will need to meet BTNP policies as to land use designations b. The emerging local plan has been found unsound, subject to a representation made to the Secretary of State, so the plan that BTNP must be in conformity with is the local plan adopted in 2007. <p>The committee report was written by an officer not involved with the emerging NP and was incorrect. This was brought to the planning committee's attention. The planning application for the site in the report was refused by Planning Committee.</p>
001.4		<p>Para 1.5 states that the NP must contribute to the achievement of sustainable development, part of which is to supply adequate housing to meet the objectively assessed</p>	<p>It is for the Local Plan to make strategic site allocations and for the Neighbourhood Plan to be in general conformity with the LP. The OAN must be provided by strategic site allocations together with other acceptable applications</p>

		need.	that are in sustainable locations in the terms of the whole Framework, the 3 dimensions being jointly and simultaneously through the planning system.
001.5		Para 1.6 states NPPG 41-009 that allows a NP before an LP is in place but the reasoning and evidence may be relevant to the considerations of the Basic Conditions	Agreed
001.6		Para 1.7 states in that case the LPA should discuss with the PC to minimise any conflicts	Agreed, but as the Inspector has found, the plan proposed by WDC is not sound and expects that when a clear strategy for the HMA OAN has been devised, the WDC Local Plan will be substantially different as set out in Section C)4 above.
001.7		Para 1.8 claims that because the BTNP 'appears to be routed in the past.in the application of rural area policies this is a fundamental shortcoming	<p>PPG 41-009. The clause referred to says</p> <p><i>“A draft neighbourhood plan or Order must be in general conformity with the strategic policies of the development plan in force if it is to meet the basic condition. A draft Neighbourhood Plan or Order is not tested against the policies in an emerging Local Plan although the reasoning and evidence informing the Local Plan process may be relevant to the consideration of the basic conditions against which a neighbourhood plan is tested.”</i></p> <p>Given that the emerging Local Plan has been recommended for non-adoption by the Inspector, (see Section C) above), subject to review by the Secretary of State, the only plan available for the Neighbourhood Plan to be in general conformity with is the existing 2007 WDC Local Plan. In particular, the Inspector expects that when the HMA has fully considered the total OAN, the WDC plan will be substantially different, particularly in relation to the disposition of housing for the whole HMA.</p> <p>When an acceptable Local Plan does come forward it may contain strategic policies that may override the Neighbourhood Plan since any <i>“conflict must be resolved by the decision maker favouring the policy which is contained in the last document to become part of the development plan.”</i> For this reason, the BTNP policies that may otherwise restrict development are written to allow strategic policies that are approved at Examination of a</p>

			<p>draft Local Plan.</p> <p>There is no fundamental shortcoming.</p>
001.8		<p>Paragraphs 1.8 & 1.9 agrees that the local plan adopted in 2007 applies but BTNP does not develop the context further in terms of the extent to which weight should be given to certain policies.</p>	<p>The facts are that the 2007 Local plan remains the current plan and the Rural Area policies are still relevant, particularly RAP1, in which residential development will only be permitted within the limited growth village of Bishop's Tachbrook. During the development of the new local plan, the District Council instigated a village Housing Options and Settlement Boundaries Consultation in November 2013. This was adopted by the Council in 2014 and incorporated into the emerging Local Plan. So both plans have the same policy for village settlement boundaries.</p> <p>Except where the emerging local plan identifies a strategic site, all land in the Neighbourhood area other than the village settlement is designated open countryside.</p> <p>In preparing the Neighbourhood Plan, the community were to a total majority, supportive of the 2007 Local Plan, the Village Housing Options recommendations for Bishop's Tachbrook and that part of the emerging local plan, Policy H10, for Rural housing for sites within the Growth villages as set out in Policy DS11. H10a) refers to a collaborative approach to such design and development, involving District and Parish councils, Neighbourhood plan Teams, local residents and other stakeholders.</p> <p>The proposed Neighbourhood Plan is in full conformity with all these policies and in full conformity with the NPPF for sustainable development, taking the NPPF policies 18 to 219 as a whole to determine where development needed is best located in a planned planning system.</p>
001.9		<p>Paragraphs 1.10 & 1.11 assert that the 2007 plan was only intended to run up to 2011 and because it is out of date it has no housing requirement and so is silent on the development strategy. So RAP1 is out of date</p>	<p>The NPPF is clear,</p> <p>211. For the purposes of decision-taking, the policies in the Local Plan should not be considered out-of-date simply because they were adopted prior to the publication of this Framework.</p> <p>215. Due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).</p>

			The adopted Local plan is not time expired as it does have a housing requirement up till 2021, albeit not to the latest requirements, is not silent on the development strategy post 2011 and RAP1, H10 and NPPF54 and 55 all agree the same policies, providing the latest DCLG housing projections are utilised to establish the OAN. The Neighbourhood Plan accepts that the OAN must be met but the question is where should that HMA OAN be located in relation to where in the HMA unmet need might be.
001.10		Paragraph 1.13 asserts yet again that the BTNP disagrees with the emerging local Plan and hides behind the adopted local Plan	it is now known that the emerging local plan has not been supported by the Inspector for the same reasons that the BTNP was suggesting – that for Warwick District, the local plan numbers were 606dpa and if the duty to co-operate resulted in housing for Coventry needing support from neighbours then it should be proximal to Coventry not a long distance away. The HMA needs to develop a clear strategy to meet the OAN of 4004 dpa for the HMA in full. If that results in a strategic site allocation in the BT Neighbourhood Area, then the policies as written in the NP will enable that to happen.
001.11		Paragraph 1.14 states that the BTNP invites conflict and frustration of housing delivery.	To emphasise, the BTNP does not seek to constrain housing delivery but to ensure that the housing required is located in the best place to serve the need. Frampton have an interest in certain sites at stated in paragraph 1.14. On Grove Farm where they are seeking permission for 720 dwellings, the rate of delivery is said by the developer to be 50 per year. That means that the last 20 dwellings will not be built until 2030 if construction starts in 2016, after the end of the plan period. That does not boost significantly housing provision which is the intent of NPPF47. The developer constrains delivery.
001.12		Paragraphs 1.15 and 1.16 question the precedence of the Neighbourhood plan. A reference to paragraph 10.2.3k is made and states that this is a BTNP way of excluding sites coming forward	NPPF185 is clear – <i>“Outside these strategic elements, neighbourhood plans will be able to shape and direct sustainable development in their area. Once a neighbourhood plan has demonstrated its general conformity with the strategic policies of the Local Plan and is brought into force, the policies it contains take precedence over existing non-strategic policies in the Local Plan for that neighbourhood, where they are in conflict.”</i> NP 10.2.3k is about the application of policy

			<p>BTH2, which is intended to replace the emerging local plan policy H3(Affordable housing on rural exception sites) to take into account circumstances in the parish.</p> <p>Any strategic sites that might otherwise be excluded by BTH2 are included by BTH2.1, The policy goes on to state which listed emerging Local Plan policies will also apply, but if a case is found where there is a difference between the listed local policies and BTH2, but not BTH2.1, then BTH2 would take precedence as set out in NPPF185.</p> <p>The respondent's claim in these paragraphs is wrong. Strategic local plan policies apply but in non-strategic local plan policies the NP can take precedence.</p>
001.13		Paragraphs 1.17 and 1.18 continue with the supposed conflict inference	<p>The residents of all the communities around the Harbury Lane are concerned about the potential loss of the Tachbrook Valley and the contravention of NPPF requirement on protection and enhancement of the Natural environment. It is also contrary to some of the Strategic policies in the emerging local plan and certainly contrary to the adopted local plan.</p> <p>The emerging local plan has not been adopted, the Warwick District OAN has reduced, meaning that unless Coventry cannot meet its need and that has yet to be established, some of the sites allocated will not be required to meet the OAN. In that case significant development of agricultural land has not been demonstrated to be necessary NPPF112. If Coventry is shown to have an unmet need then other sites across the HMA close to Coventry around its whole boundary, would be most appropriate, subject to Green Belt Review.</p>
001.14		Is it the intention of BTPC to reconsult on the plan to take account of changes to the Parish Boundary ?	<p>No. The Neighbourhood Area will remain as it is designated for the Neighbourhood Plan. The timetable for the part of the boundary changes that affects land of south of Harbury Lane is not yet known. When it is, it is probable that a new application for designation of the Neighbourhood Area will be made, at the same time as for adjacent Town & Parish Councils that are affected, perhaps related to a NP Review date, after which any proposed changes to the Neighbourhood Plan to cover new areas would be re-consulted.</p> <p>The Map as published is correct</p> <p>For the avoidance of doubt that means that Lower Heathcote Farm, Heathcote Park and the former sewage works will not be within the BT Neighbourhood Area to which the BTNP will</p>

			<p>apply. References to these areas in the draft neighbourhood plan have been taken out unless necessary to see the context of the whole area.</p> <p>Note, the reference to the Gallagher's site under construction in the 3rd line of para 1.18 is not relevant to this matter since it is north of Harbury Lane and clearly part of DS7.</p>
001.15		Paragraph 2.2 to 2.9 concerning Grove Farm and the Country Park	<p>To clarify the position, the BTNP shows the land at Grove Farm that has been given planning permission for 200 Homes as residential. The remainder of the land north of the Brook is shown on the map as Rural or Country Park and within the Area of Coalescence Protection. The policies clearly indicate that if any sites are allocated in a strategic policy within this area then they will be permitted by the NP effectively redrawing the land-use map. If, however, those Strategic policies do not come through in the plan that is finally recommended for adoption, then the NP Map and Policies for Rural land use will apply. If the Country Park does proceed with whatever boundaries, and is contained in a strategic policy then that will become its land use designation, as it is essential to meet unavoidable objectives.</p> <p>It needs to be said that so far as the overwhelming number of people in the area, including Whitnash, Warwick Gates and Warwick are concerned as well as those from Bishop's Tachbrook, the preferred option is to keep it as agricultural land to protect habitats, Grade 2 agricultural land, valued landscapes and open countryside.</p>
001.16		Paragraph 2.6 refers to a Master Plan being prepared	<p>If a masterplan is being undertaken by developers and the council as claimed in 2.6 then it is not open to the community to see. DS15 only refers to the location of sites for 2 schools (which are the responsibility of the County Council and will be one 2fe primary school on lower Heathcote, a country park which has been addressed already, a community facility of an undescribed and unfinanced nature and possible retail provision that is unlikely to be viable in an area where multiple superstores are within a short distance.</p>
001.17		Paragraphs 2.7 to 2.9 claims NP does not meet basic conditions	<p>The strategy adopted in the NP does have due regard to national policy and allocation of sites that meet all the dimensions of sustainability. It directs efficient land-use but builds in flexibility to enable housing if there are no other options. The NP does not undermine the provision of housing in Warwick District but rather supports</p>

			the sustainability dimensions of the Framework by keeping a significant area of open countryside for future generations to enjoy.
001.18		Paragraph 2.10.1 single story height limit.	<p>The requirement in BTH4 that new housing within 100m of existing housing boundaries shall be single storey height limit has been reviewed. It does provide the opportunity for bungalows to be provided to meet the needs of older people either for sale or for affordable small units whilst meeting the objective of respecting the amenity of existing householders who would otherwise have a view of dominant roofscapes where they currently have an open environment.</p> <p>The emerging local plan policy BE3 says that development will not be permitted which has an unacceptable adverse impact on the amenity of nearby uses and residents and examples of disturbance and intrusion include loss of privacy, loss of sun/day light, visual intrusion. The policy is applicable to all development proposals but leaves open specific requirements, which means that frequently amenity of neighbours is insufficiently protected.</p> <p>However, it is accepted that 100m is probably excessive and so the requirement will be reduced to 50m together with planting to the common boundary between new and existing properties in keeping with the garden village concept. BTH4 will be amended on these lines.</p>
001.19		Paragraphs 2.10.2:- Concerning Design Reviews as being unnecessary for developments of more than 8 dwellings, misquoting NPPF 62	<p>NPPF62 It actually says <i>“Local planning authorities should have local design review arrangements in place to provide assessment and support to ensure high standards of design. They should also when appropriate refer major projects for a national design review. In general, early engagement on design produces the greatest benefits. In assessing applications, local planning authorities should have regard to the recommendations from the design review panel.”</i></p> <p>Chapter 7 of the NPPF is about requiring good design. This applies as much to small developments as larger developments. It is often the small developments that are of poor design but which affect the quality of the built environment just as much. NPPF66 <i>expects applicants to work closely with those directly affected by their proposals to evolve designs that take account of the views of the community</i></p>

			<p>and opportunities should be taken for improving the character and quality of an area and the way it functions. Determining whether this has been observed is frequently a matter of opinion, and a local design review brings an independent approach into the design process and represents a very low cost on a development that is frequently repaid from the recommendations made.</p> <p>The requirement is wholly consistent with the NPPF and will be retained.</p>
001.20		Paragraph 2.11 objects to Policy BTCC1 claiming such a policy is out of place in a Neighbourhood Plan.	Response to 007.11 also applies to this objection.
001.21		Paragraphs 2.12:- A C Lloyd objects to policy BTRE2 on the grounds that it is akin to an area of restraint and a blanket embargo on development outside the settlement boundaries which does not accord with local or national policy in providing for sustainable development.	<p>This interpretation of the policy is not accepted.</p> <p>The NPPF addresses the issue of plan-making in clauses 150 to 185.</p> <p>NPPF 154 says that Local Plans should be aspirational but realistic. They should address the spatial implications of economic, social and environmental change. Local plans should set out the opportunities for development and clear policies on what will or will not be permitted and where. This is precisely the intent of BTRE2. It directs development of housing, employment and other functions to locations that satisfy the parameters of development, safeguarding vulnerable but essential agricultural land, that with climate change, is considered will become more essential in years to come.</p> <p>It is positive because, it makes it clear that the important function of agriculture to both the economy and culture of the country has a priority in land use requirements such that existing land use designations will only be changed when there is a specific robust requirement to do so. To do anything else negates the whole concept of Town & Country Planning.</p> <p>A plan led planning system identifies the right place for development that has been shown to be necessary to meet local needs and as NPPF 155 indicates, early and meaningful engagement and collaboration with neighbourhoods, local organisations and businesses is essential. A wide section of the</p>

			<p>community should be proactively engaged, so that local plans, as far as possible, reflect a collective vision and a set of agreed priorities for the sustainable development of the area, including those contained in any neighbourhood plans that have been made.</p> <p>The policy draws together in one place what will or will not be permitted and where. It makes provision for all strategic policies that may be included in the new local Plan when it is adopted, but until then retains the land use designations intact.</p>
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002 SEVERN TRENT GROWTH DEVELOPMENT - E-MAIL RECEIVED 2/6/2015

002.1	Thanks for opportunity to comment. We currently liaise with the local planning department and will address any water concerns that may arise from our discussions	noted
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003 MARRONS PLANNING ON BEHALF OF BLOOR HOMES LIMITED

003	Marrons Planning on behalf of Bloor Homes Limited		
003.1	object	<p>BTH1 Bloor Homes support the principle of policy BTH1 and the inclusion of the policy in the Neighbourhood plan. But BTH1b refers to Policy BTH3 for mix of housing types as set out Table 3. This appears to conflict partly with the Planning Condition given in the outline approval for this site for 150 homes of which 90 are market homes with 60 affordable homes.</p>	<p>The intention of this policy is, as NPPF50 suggests, to plan for a better mix of housing. Post war expansions of the village provided 2 and 3 bedroom houses for families but none or few smaller or larger properties. Table 3 was calculated to try to correct the balance towards the overall position in Warwick District. BTH3 will apply to all market housing in the Neighbourhood Area once the plan is made. In general the market housing spread in the planning condition is broadly similar to that in Table 3 and the policy has a flexibility clause - Where compliance to within 10% of the suggested mix is not to the advantage of the village, parish or prospective occupiers of the development, reasons for departure from the mix will be positively considered.</p> <p>Restricted housing mix means that as people want to move up or downsize, choice is limited and people are forced to move to other locations when they would prefer to remain in the village.</p> <p>The clause is useful as it indicates where emphasis should be put, but it will vary with time and market conditions, so the Table could be amended as and when the plan is reviewed to keep it up to date. It is flexible</p>

			to within 10% without special consideration and still has the ability to stretch if good reasons suggest it. But it should remain as it makes sure the question is raised in the development of the scheme and the overall result for the community can be tested against NPPF50.
003.2	object	BTH4 raises concern about the requirement that new housing within 100m of existing housing boundaries shall be single storey height.	<p>It does provide the opportunity for bungalows to be provided to meet the needs of older people either for sale or for affordable small units whilst meeting the objective of respecting the amenity of existing householders who would otherwise have a view of dominant roofscapes where they currently have an open environment.</p> <p>The emerging local plan policy BE3 says that development will not be permitted which has an unacceptable adverse impact on the amenity of nearby uses and residents and examples of disturbance and intrusion include loss of privacy, loss of sun/day light, visual intrusion. There are no specific requirements, which mean that amenity of neighbours is often insufficiently protected.</p> <p>it is accepted that 100m is probably excessive and so the requirement will be reduced to 50m together with planting to the common boundary between new and existing properties in keeping with the garden village concept. BTH4 will be amended on these lines.</p>
003.3	comment	Local Green space LGS07 The respondent points out that the development has not yet commenced and the layout has yet to be determined.	<p>It is recognised that the precise boundary cannot yet be determined, but LGS can only be created with the Neighbourhood Plan. This applies to several sites on new housing developments in the parish. These spaces are already special to those that live adjacent to the new developments but as open fields. The intention is to define these Local Green Spaces from the outset to protect and maintain them. The following note has been added to paragraph 10.5.4e to clarify this intention.</p> <p>Note that the list includes new green spaces that are planned into new housing developments but are in either the planning stage or under construction. Their inclusion in the housing schemes has been negotiated with the developer to ensure green spaces are available to both new and existing residents for the reasons set out in NPPF76, but the precise boundaries and layouts have yet to be determined. In these cases the location plans are indicative only and will be confirmed when the construction is completed. The intention is</p>

			to see that these local green spaces are protected and maintained from the outset. This applies to LGS07, LGS10, & LGS12 where the areas are yet to be determined.
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004 GLADMAN DEVELOPMENT LIMITED - E-MAIL RECEIVED 29/5/2015

004	Gladman Development Ltd Letter by e-mail dated 29 th May2015		
	To the best of our knowledge this business does not have any land interest in the parish. It has not said that it has in the representation. Nevertheless, the representation is considered.		
004.1	object	Objects to the whole plan in a generalised, mainly non-specific manner, inferring, but not stating significant legal flaws, not sufficiently growth orientated, claims that progression of the BTNP prior to the adoption of the emerging local plan will be found contrary to the basic conditions, states that an SA/SEA has not been undertaken and prejudices its outcome if it were etc.	<p>This response lists selected parts of various applicable documents such as the NPPF, states the plan does not comply but offers no real robust evidence to as to why that is said. It seems to be clear that this respondent is not supportive of Neighbourhood Plans and makes presumptions about result of the examination of the Local plan that are now known to be wrong.</p> <p>This respondent appears to be one of the preserve of specialists mentioned by the Minister for Planning in the Ministerial forward to the NPPF, that does not see planning as a collective enterprise and who would prefer to exclude, rather than to include people and communities and who would like planning to carry on being elaborate and forbidding excluding people in communities. But the NPPF changes that to allow people and communities back into planning.</p> <p>The only response that this developer would deem acceptable is for the NP to allow any development anywhere without regard for people or infrastructure.</p> <p>The response is repetitive so the Parish Council will deal with the matters in the conclusion that would seem to contain most of the issues in the text of the letter and relates to the Basic conditions.</p>
004.2		<p>a) Having regard to national policies and advice contained in guidance issued by the Secretary of State -</p> <p>States that 1. the BTNP is based on the clear intention to prevent the ability of future sustainable growth, 2.the development strategy in its entirety is counter to the national growth agenda 3.and the</p>	<p>1.The entire development strategy of the BTNP is dependent on the WDC Local Plan, Adopted or emerging, otherwise it would not be in general conformity with it. BTNP is fully compliant with them both at a strategic level. At a non-strategic level NP's can shape the way that strategic policies apply in it's Neighbourhood area.</p> <p>2. the examination of the local plan found that the OAN for Warwick District is, as proposed by</p>

		<p>requirements of the framework and 4.fails to consistently apply the requirements of the PPG</p>	<p>WDC, 606dpa, not the higher figures that developers were promoting. 606 is based on the DCLG 2012 projections with an estimated uplift from the joint SHMA. That presumably is compatible with the National growth agenda. If it were not, it is not within the NP's remit to amend it. Provision has to be made for the whole HMA at 4004 but if and when any member of the HMA finds it has an unmet need, the HMA must have a strategy in place to meet that need and the Inspector considers that all will need a Green Belt review to identify solutions close to where the need is to be in line with the sustainability requirements of the NPPF. None of this can be addressed in the NP at this stage but this does not prevent the NP proceeding, subject to the provisions of PPG41-009</p> <p>3. The Basic Condition Statement contains in Table 1 an analysis of the way that the plan has regard to the 12 core planning principles identified in NPPF17 and from the references throughout the whole NP it is clear that the NPPF has formed a principle lead in making the plan.</p> <p>4. BTNP has been rigorous in applying the requirements of the PPG. Appendix NP6 to the Neighbourhood Plan Submission Statement contains all the PPG references to Neighbourhood Planning implications. The respondent seems to be selective in the parts that it chooses to quote whereas the PPG and the NPPF need to be understood and applied as a whole. For example, at the bottom of page 3, it finds that because the BTNP plan period is from when the plan is made to 1st April 2029, to match the Local Plan it conflicts with NPPF 157. But 157 applies to Local Plans not Neighbourhood Plans for which PPG 41-003 says <i>"Neighbourhood planning provides the opportunity for communities to set out a positive vision for how they want their community to develop over the next ten, fifteen, twenty years in ways that meet identified local need and make sense for local people"</i></p>
004.3		<p>d)the making of the order contributes to the achievement of sustainable development –</p> <p>the development strategy in its entirety sets out to prevent the delivery of sustainable development coming forward due to a restrictive</p>	<p>This statement is not accepted.</p> <p>The Basic Condition Statement in paragraph 2.4 sets out the requirements for sustainable development which the Parish Council considers it has met. The paragraph includes a Table of Sustainability conformity that sets out how each policy meets the NPPF and the strategic policies of both the adopted Local Plan and the emerging Local plan.</p>

		settlement boundary, This approach allows for no flexibility or contingency and will lead to otherwise future sustainable development being refused	As to not being growth orientated, this is clearly not the case. Bishop's Tachbrook has already actively encouraged one site for 150 dwellings attached to the village, accepted 280 dwellings at Woodside Farm, a further 200 at Grove Farm – total of 630 dwellings, the only village in the entire district to get this level of growth moved before the local plan has got into place, some of which is under construction and the rest having been granted outline permission and we are working up the detail collaboratively with those developers. That is almost 6% of the entire district OAN in one parish in the first 4 years of the 18 year programme.
004.4		<p>e)The making of the order is in general conformity with the strategic policies contained in the development plan for the area –</p> <p>the examination of the emerging LP is yet to be completed, therefore the housing requirement and spatial strategy is dependent on the outcome of the Inspectors report and therefore may potentially change in the interim. If the Neighbourhood plan is progressed in its current form it will not be able to adhere to the strategic policies for the wider area.</p>	The result of the initial hearing of the examination means that the Development plan for the area remains the adopted Local Plan, subject to compliance with the Framework, where , for housing requirements, the 606 dpa for Warwick District before applying any duty to cooperate . The BTNP includes policies that allows all strategic site allocations that have been or may be planned so has complete flexibility, contrary to the respondents assertions.
004.5		<p>f) The making of the order does not breach and is otherwise compatible with, EU obligations, and –</p> <p>No SA/SEA has been undertaken as part of the BTNP's preparation. The requirement of the SA goes to the core compliance of basic condition (f). The BTNP should be tested with significant SEA level scrutiny and be able to identify, describe and evaluate the significant effects on the environment and all reasonable alternatives.</p>	<p>This statement is not correct. In the 1st instance, in 2012, the Parish Council carried out its own assessment of the SEA requirements and could not see from the regulation and schedules any matter that was likely to be affected by the BTNP.</p> <p>For the 1st pre-submission consultation WDC carried out a screening opinion that confirmed it <i>“unlikely there will be any significant environmental effects arising from the Bishops Tachbrook Neighbourhood Plan that were not covered/ addressed in the Sustainability Appraisal of the Local Plan. As such, it is considered that the Bishops Tachbrook Neighbourhood Plan does not require a full SEA to be undertaken.”</i></p> <p>Fault was found with the procedure of that Screening opinion by Barwood in that it was not published on the WDC website , so prior to the 2nd pre-submission consultation, the District Council carried out the Screening Opinion</p>

			again. The result was identical and was published on the WDC website and was published on the Bishops Tachbrook Website with the 2 nd pre-submission consultation documents.
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005 MALCOLM GLENN LETTER SENT BY E-MAIL DATED 30/5/2015

005	Mr Glenn has interests in the sites east and west of the Leopard Inn which is outside the village boundary up to the brook. These parcels are parts of Church Farm that was otherwise taken to develop the village in the 1960's in the first wave of expansion of the village.		
005.1		Congratulates the authors of the NP and states his interest in housing in the village and in particular why the plan changed from small sites to 1 large site referring to 5.5 Parameters for suitability	Noted. The series of small sites that in the Urban Vision housing report totalled 149 was superseded when it was found that the site south of the school could take 150; that some of the small sites had difficulties; the single site had the potential to come with other village benefits due to its location and size and that very little additional traffic would need to use Mallory Road that is a cause for safety concerns from peak time through traffic.
005.2		Suggests that the plan should include some small housing developments to 1. To give a choice of an individual development and 2. The site chosen might not give 150 homes and a fall back position might be necessary.	The individual small developments idea is understood but still need to be in an acceptable location. The scheme has been developed from outline to detail approval and will take 150 homes so that a fallback position has not proved necessary.
005.3		Suggests the site opposite the Leopard is one such site (which he has an interest in) and which has had planning applications refused and details the way he thinks it could be used with the northern end at the brook gifted to the Council for a Country Park	The District Council have refused all applications for it because the benefits to be gained by a small amount of housing were far outweighed by the harm that would be caused to the character and appearance of the area, to the setting of the listed building of the Leopard and adjacent cottage in Oakley wood Road and the setting of the conservation area and well as the views from the Leopard across the open countryside that helps make the public house viable. Hence in the context of the Framework as a whole, the proposal would perform poorly against the environmental dimension to sustainable development.
005.4		Notes the Planning Inspectors report of 2007 in which a similar proposal was not supported by the Inspector	This is resolved by the Site allocations in the emerging local plan which will more than provide for the Warwick District OAN. The NP

		but says that things are different to 2007 as there is now a critical situation and lists advantages the site may have.	did identify a small number of additional sites within the village boundary
005.5		Comments on the village boundary, the conservation area boundary, the position of 30mph signs and Highway issues if a road were to be put in to this site.	The comments on the road are not accepted. Taking a new road into this site off a road that is fast both ways, although it is supposed to be 30mph, with the entrance to the Leopard just about opposite, the bend over the bridge and the bus stops either side of a major road, are not seen to be safe proposition.
005.6		Agrees with the area of coalescence protection north of the Brook but thinks the village boundary should be extended to the brook because it is regarded as a visionary asset to the village	The village boundary was considered in both the NP and the WDC Village housing options consultation, but for the reasons set out by the Planning Inspector in 2006/7 it was found to be unacceptable to modify in this part of the village. In addition there was a large community view at the various consultation meetings against any development north of the village as it could ultimately lead to coalescence of settlements
005.7		In section 10.5 Rural environment policies he agrees with the 4 objectives, but disagrees with BTH4.5 concerning the 100m zone for single storey adjacent to existing dwellings and also BTRE2B, hoping this does not include the field opposite the Leopard. He informs that the site is not agricultural land but redundant agricultural land	It has been accepted that 100m is probably excessive and so the requirement will be reduced to 50m together with planting to the common boundary between new and existing properties in keeping with the garden village concept. BTH4 will be amended on these lines. BTRE2.B does include the field referred to. It probably comes under the category of unimproved grassland since it has not be used for any agricultural purpose since about 1985. It has a history of being smallholdings before being taken in to Church Farm. It would still seem to be agricultural land as it could readily be returned to use.

006 SHARRON LOGAN E-MAIL

006.1	support	Supports the majority of the plan as it is a sensible and proportionate response to the requirements placed on our village by the wider planning policies	
006.2		Provides some corrections to facts on garages mentioned in 5.6.7 as to ownership and condition of garages in private ownership and clarification about the unsuitability of the garages for other usage.	Relevant clauses amended. 5.6.7 has been moved to the consultation Statement para 7.3.7

006.3		<p>raises a question about a statement in 5.4.3 of the plan about the condition of the Sports & Social Club.</p> <p>She also refers to the limited parking in the centre of the village. This is linked to the effect of the proposed community hall in the grounds of St Chad's church which has planning permission but has yet to commence construction and the way that associated parking will be dealt with.</p>	<p>Since that part of the plan was written improvements have begun and the reference has been updated.</p> <p>An amendment has been made to register that the problems of the centre of the village need further work as things become clearer.</p>
006.4		<p>Refers to clause 5.5.1i - The location should be such that it affects the amenity of the least number of existing residents, with reasonable mitigation measures for those that are directly affected. What are the mitigation measures?</p>	<p>Mainly the developer criticised measure of a 100m zone for single story dwellings that has been reduced to a 50m zone plus selecting a site that limits the problem to very few houses in immediate proximity.</p>

007 LORNA COLDICOTT WARWICK DISTRICT COUNCIL

007.1	<p>Remove negative content on local plan and on housing need in paras 1.3.11 & 12, 1.4.1 & 2 NP should not be produced to 'control' development but to add to the LP policies in making development suitable for the area and of good quality. It is also to promote additional development and allows local aspirations in this regard to be realised.</p>	<p><u>Omit 1.3.10 to 1.4.4 complete and add back the following</u></p> <p>1.3.10 Following the 2010 elections, the new government decided that the Regional Authority should be closed and that planning policy would go back to the local authorities. In March 2012, government announced the National Planning Policy Framework (NPPF). This brought together the large number of planning policies in one place and included the provision for Neighbourhood Planning to bring people & communities back into planning through the Localism Act.</p> <p>1.3.11 Warwick District Council covers 28,226ha, over 90% of which is rural. Over 75% is rural area in Green Belt. NPPF protects Green Belt from any significant development. 10% is Urban so that 15% is rural green field. Housing need in previous programmes has been directed to Urban areas, so the very high number of new households said to be needed is easier to put in greenfield than in urban regeneration. But this does not meet the NPPF policy to protect and enhance the natural environment and valued landscapes.</p> <p>1.3.12 The Revised Development Strategy of July 2013 was based on 12,300 dwellings. The District Council carried out a Strategic Housing Market Assessment for the plan period 2011 to 2029 and this report suggested that 12860 dwellings would be needed, based on the mid-2011 ONS population projection. However,</p>
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		<p>take a long time and result in a plan substantially different from that submitted and it is unlikely to facilitate the adoption of a sound local plan in a shorter timescale.</p> <p>Options are limited to either receive the formal report which will recommend non-adoption of the Local Plan or withdraw the plan under section 22 of the Planning and Compulsory Purchase Act 2004 (as amended).</p> <p>However, the Inspectors findings did agree some helpful matters.</p> <ul style="list-style-type: none"> a) Warwick Districts OAN after allowing for uplifts from the DCLG 2012 housing projection is reasonable at 606dpa. b) Similarly the OAN for the HMA is reasonable at 4004dpa. c) The council has submitted a plan in the absence of a clear strategy to meet the OAN for the HMA in full. d) Taking all these factors into account....it is likely to result in a plan substantially different from that submitted <p>The clear strategy to meet the OAN of the HMA will involve all the immediate neighbours to Coventry, including the west side. Coventry has yet to decide whether it cannot meet its need within its own boundary. If it cannot it will want sites proximal to its boundary. The Inspector will expect to see an HMA review of all green belt in member authorities plus the west boundary of Coventry in Solihull (Meriden).</p> <p>1.13.15 For this Neighbourhood plan it means that there is not an emerging local plan which the Neighbourhood plan can be in general conformity with. Relevant policies in the current (2007) Warwick District Local Plan are not out of date unless they are not consistent with the Framework. In so far as housing is concerned, the 2007 WDCLP does contain a housing policy between 2005 and 2021 in Appendix 2 Table 5. If the now established 606dpa is substituted into the 2007 WDCLP from 2011, that will give an up to date plan that the Neighbourhood Plan can be in conformity with.</p> <p>Until the emerging plan has been revised to meet the inspectors concerns, the Neighbourhood Plan will have to be written to the 2007 plan plus the Warwick OAN of 606 for housing, with relevant policies written to allow any strategic site allocation policies for housing arising from the new plan that may affect Bishop's Tachbrook to be permitted.</p> <p>1.4 Why produce a Neighbourhood Plan?</p> <p>1.4.1 As well as the NPPF, government also brought in the Localism Act which introduced Neighbourhood Planning. This provides for people to shape where they live, so that, within strategic policy limits of national and local government, neighbourhoods or communities can, through a Neighbourhood Plan control development so that the right development takes place in the</p>
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		<p>right place at the right time. The Localism Act 2011, which came into force in April 2012, gave parish councils and other relevant bodies, new powers to prepare statutory Neighbourhood Plans to help guide development in their local areas. These powers give local people the opportunity to shape new development, as planning applications are determined in accordance with national planning policy, the local development plan and neighbourhood plans that have been supported by the electorate at referendum and taken into the Local Plan.</p> <p>1.4.2 In October 2011, Neighbourhood Planning was discussed by the Parish Council. As details became known, it became clear that it would be advantageous to the Parish to commence the process. On the 7th January 2012, at an initial meeting that considered both the Neighbourhood Plan and the NPPF consultation, it was decided to undertake a Neighbourhood Plan for the parish. Neighbourhood Area status was granted to the area within the Parish Boundary shown on Map 2.</p> <p>Full details of the approach, method and community consultation are set out in the consultation Statement</p> <div data-bbox="679 1016 1361 1496" data-label="Image"> </div> <p>Map 2 Bishops Tachbrook Neighbourhood Plan Area</p>	
007.2	Page 15 para2.1 object	Coventry Duty to Co-operate issues triggered the Joint SHMA.	Agreed and paragraph corrected.

007.3	Page 20 para 3.2.3 comment	Presumably, this one objective should be split into two since they are separate aims	This is a historical record of the early Aims and objectives. The issues are treated separately in the policies.
007.4	Page30-33 para5.3.2– 5.3.3 object	NP cannot veto strategic sites and should encourage growth	
		<p><u>Agreed and was not intended that way. Omit 5.3.2 subparagraphs 1 to 8 and add</u></p> <p>5.3.2 Conserving and enhancing the natural environment.</p> <p>A key component of the Bishop’s Tachbrook Neighbourhood Plan is the Tachbrook Valley that lies between the urban are of Warwick and Whitnash and the village settlement of Bishop’s Tachbrook. It is a significant area of agricultural land much of which is Grade 2 and 3a. there are long distance views in all directions across the valley offering high visual quality valued landscapes. Running east/west through the valley is the fast flowing Tach Brook. The Environment Agency is concerned about the water quality of the Tachbrook and has requested a number of improvements to the policies affecting the brook and its surroundings that have been incorporated into the Neighbourhood plan policies. The agency supports the principle of the Tach Brook being a local asset</p> <p>It follows that the Tachbrook Valley is an entity between the village and the Harbury Lane and should be considered as a whole landscape. Most of it is in Bishop’s Tachbrook Parish but the north-west corner is currently in Warwick south and not in the Neighbourhood Area at the present time.</p> <p>A Landscape assessment of the whole of the both sides of the Tach Brook has been included in a landscape study of the whole of the Bishops Tachbrook Neighbourhood Area and found to be of high sensitivity to housing development. The variable topography particularly on the northern slopes are significant features that enhance the visual quality of the valley.</p> <p>The Former Sewage Works has been closed for a long time. The ground slopes down towards the Tach Brook from 70m AOD at the southern boundary of Heathcote Park to 65m AOD. Close to the Brook, the level drops to about 50mAOD at Brook level so there is a relatively steep embankment. The site is a significant contributor to the environment of the valley. At the top end of the site there is a substantial stand of trees of some 20m depth.</p> <p>The National Planning Policy Framework sets out a core planning principle that in decision-taking local planning authorities should encourage the effective use of land by re-using land that has been previously developed (brownfield land), provided that it is not of high environmental value. But this is of high environmental value as it can be seen prominently from PRoW105 and other views from the south and as the site is on high ground it would be prominent in views, particularly from the south and south-east and the village of Bishops Tachbrook and hamlet of Tachbrook Mallory.</p> <p>A brookstray landscape buffer along the Tach Brook could be created and</p>	

		<p>that would help to maintain distance between the settlements, but the existing gap between the settlements would be greatly reduced (probably down to 600–700 metres) and would not meet WDC Strategic Policy DS4 (d) & (f).</p> <p>St. Chads Church in Bishop’s Tachbrook is a grade 1 listed building dating from the 12th C. Views across the valley from the tower are part of the setting of the listed building and also from the conservation area on the north side of the village and to comply with the Basic conditions in Schedule 4B to the country Planning Act 1990 as amended by section 38A as amended by the Planning & Compulsory Purchase Act 2004 the further development proposed at Grove Farm would mean that the draft neighbourhood plan basic conditions are not met.</p>	
007.5	Page 36 para 5.4.01 comment	<p>Reference is made to the appointment by WDC of an officer specifically to deal with the needs of 15 villages. The person referred to was an agency employee commissioned by the authority to assist with all areas of Local Plan work and not exclusively to work with villages, although he did the majority of the work on such issues. He was not the WDC Village Housing Officer</p>	<p>Noted, but the NP does not use the term WDC Village Housing Officer so far as I can see. For the NP the relevance is that an officer (agency or otherwise) was given the responsibility for liaising with the PC on the NP and the village housing policy of the new local plan.</p>
007.6	Page 94 BTH1 object	<p>a) Whilst it is acceptable to support housing allocation sites made in the Local Plan, it is not acceptable to restrict development to those sites only</p> <p>d) this part of the policy can only be included if agreement has been made with Warwickshire County Council as the highway authority, to do so</p> <p>e) as above where the public highway or access thereto is affected</p>	<p><i>BTH1 is a specific policy for this site formed by an extension of the village settlement boundary. It does not restrict other sites within the village settlement boundary and these would need to comply with BTH3 and 4 in so far as they are relevant to the scale of the development.</i></p> <p><i>a) is purely descriptive of the location of the site that came jointly out of the village housing options policy and the BTPC. It allows this site as it is currently outside the settlement boundary and will remain so until the new local Plan is in place when it will formally extend the settlement boundary to include it.</i></p> <p><i>d) Agreed and we are working jointly as a Parish Council and developer with WCC highways to get their elements agreed by all parties. Some of these matters include highways but other do not and</i></p>

			<p>are design issues.</p> <p>e) similarly, some of these requirements are not at highway level as they cross parish council land or the developer/land owners land where paths are being provided to improve connectivity in the village and for the district at large.</p>
007.7	Page 102/3 10.2.3h	This has been dealt with at P30 – 33 above	See rep no. 007.4
007.8	Page 103 BTH2 object	<p>This policy is in part contrary to the emerging Local Plan.</p> <p>b) and d) these points are already covered by Policy H12 of the emerging Local Plan and does not need to be repeated therefore</p> <p>f) This point is already covered by Policy H13 of the emerging Local Plan and does not need to be repeated therefore</p>	<p>b) BTH2b extends H12 to define the activity to be continuous and not seasonal and that no suitable accommodation is available within 2 miles of the workplace, to ensure the essential nature of the proposal and the fact that Bishops Tachbrook is close to other residential accommodation that could be just as suitable. H12 is referred to in 10.2.3k point 3</p> <p>d) BTH2d applies to H13 not H12. It limits the area and height of the replacement as ‘materially larger’ is not a specific definition and becomes an arguable matter. Since this sort of replacement in Bishop’s Tachbrook is likely to be very visible, examples of the operation of H13, or its current equivalent have allowed inappropriate applications that were materially larger. This is part of NPPF185 to allow NP’s to shape and direct sustainable development in their area. 10.2.3k point 4 specifically refers to H13.</p> <p>f) H13 limits the replacement to have no greater impact on the character and openness of the rural area. But f) extends that so that the development should enhance the character or appearance of the area. This is not the same and is permissible through</p>

			NPPF185.
007.9	Page 109 BTH4 10 object	Gives the WDC adopted Parking Standards for residential development. These are the standards that should apply until such time as the SPD is reviewed.	<p><i>NPPF 185 allows NP's to shape and direct sustainable development in their area. From experience in BT this policy is necessary to provide adequate off street parking to ensure roads are not congested by parked cars as they are now.</i></p> <p><i>BTPC supports reducing the need to travel, but in a village with minimal public transport the 2011 census found (see para 6.4.4 on travel to work and car ownership) housing in the open countryside/dormitory villages, there are very few households that do not have a vehicle and travel distances are lengthy and of multiple destinations. 81.3% of people in Bishops Tachbrook travel to work by car compared with 70% in Warwick District as a whole and 63.38% in England. In Bishop's Tachbrook only 6% of people have less than 2km to travel to work and 39% travel between 2 and 5km, 13% 5 to 10km and another 14% 10 to 20km. The balance of 28% work farther away demonstrating the dormitory nature of the parish.</i></p> <p><i>This is one of the reasons that new dwellings should be located in urban areas where the jobs are and housing in open countryside should be restricted. But once there, not only are jobs distant but so are other facilities and services and many people lead complex travel lives to support the various family members. As a result, we find (see para 6.4.4c) that only 7.8% of households do not have access to a car or van compared with 18.5% in Warwick District and 25.5% in England. Add to that the fact that a considerable number of people in Bishop's Tachbrook are involved in high tech car production (Jaguar Land Rover & Aston Martin at Gaydon) for whom cars are a lifestyle, which leads to car collections needing space. Off street parking to the level stated is necessary to keep streets clear. Car ownership in the parish is much higher than Warwick District being 1.629 vehicles per household compared with 1.347 in Warwick district and 1.165 in England. Discussion to be had with WCC to resolve concerns.</i></p>
007.10	Page 115 BTE2	b) It is highly likely that new development or	<i>b) striving to minimise usually means that little actually gets done. The perils listed are more</i>

	comment	<p>diversification will result in adverse impact relating to one of the listed criteria at least. Rather than 'no impact' the policy should strive to minimise the impact. This will have the effect of allowing development or diversification that contributes positively to the rural economy whilst minimising the impact on the general environment and can enhance certain aspects: likewise with criteria d) of this policy</p> <p>h) This is very restrictive and to insist on it would render many diversification projects unacceptable. In order to improve the rural economy, this should be less onerous by <i>encouraging</i> such schemes to embrace training of young people in the industry</p>	<p><i>important in a rural area such as Tachbrook as there is no room to accommodate the effects in the surrounding areas. eg., roads are narrow and do not support large trucks - we even have a big problem with deliveries to our one local shop. Squab Hall, a large storage facility is OK off of Harbury Lane but would not be so off of smaller local roads. But even that causes problems with sight lines to farm entrances on fast roads with accidents or near misses occurring. Phrases that allow interpretation where other infrastructure is not available to support the effect leads to bad decisions.</i></p> <p><i>d) is particularly important as in a rural area there long views from across the countryside and unless real care is taken with any new development the quality of the countryside deteriorates rapidly. Examples abound where poor development has taken place and destroyed an area that was previously good as such developments may not be on a sound financial footing and work on a low budget.</i></p> <p><i>h) again, encouraging is an imprecise term that is unlikely to see improvements of any consequence. In the break up of farm complexes, the land left over after planning becomes a constant source of problem thereafter, either by neglect or opportunism and makes the process of proactive planning very difficult. It is not too difficult to have apprenticeship schemes that any reasonable rural enterprise would benefit from or to make provision for the proper use of pieces of land no longer required through arrangements with the community or adjacent landowners. Minor adjustment made to h) to suggest a range of acceptable methods of making training for young people in the industry available.</i></p>
007.11	Page 141 10.4.5d object	<p>There are National Standards which apply through the Building Regulations to new build and additions/extensions to existing built development. These standards are implemented through that regime.</p>	<p><i>Building Regulations are minimum standards and the government is aware that they do not meet climate change policy. Zero carbon standards are being developed and are available and it is upon these that this policy is based. It is a simple calculation of CO₂ emissions with sequestration permitted through the provision of woodland. This has the double advantage of enhancing the countryside.</i></p> <p><i>NPPG 5-004 says As part of a neighbourhood plan, communities can also look at developing a Community</i></p>

		Energy Plan to underpin the Neighbourhood Plan.
<p><i>This policy is part of our Community Energy Plan. The reason for the policy is fully explained in 10.4.5. Every house that is built to the current building regulation standards, if they do not use the 2010 standards as some of them are, will produce about 4 tonnes of CO₂ per annum every year. 12,800 houses will be producing over 51,000 tonnes of CO₂ per year. This does nothing to reduce CO₂ emissions and is therefore not consistent with the Framework in environmental sustainability terms.</i></p> <p><i>On 25th March 2015, a ministerial statement on Energy Efficiency in buildings said “From the date of the Deregulation Bill 2015 (26th March) planning authorities and qualifying bodies should not set in their emerging local plans, or neighbourhood plans any additional local technical standards or requirements relating to the construction, internal layout or performance of new dwellings including any level of the code for sustainable homes. Government has now withdrawn the code due to a lost legal challenge. There are to be some new optional technical standards for water usage, access and a new national space standard. These can be applied by LPA’s but not by Neighbourhood Plans.</i></p> <p><i>The purpose of a Neighbourhood plan is for people to shape and direct sustainable development in their area. NPPF185. Is there anything to stop us encouraging zero carbon and could we have a policy to encourage applicants to voluntarily adopt a zero carbon approach?</i></p> <p><i>A Policy suggested is</i></p> <p>POLICY BTCC1 : CLIMATE CHANGE MITIGATION APPLIED TO NEW DEVELOPMENT.</p> <p>THIS POLICY IS VOLUNTARY NOT MANDATORY</p> <p>Development within Bishop’s Tachbrook is encouraged to meet zero carbon principles by</p> <ul style="list-style-type: none"> a) reducing energy usage by the use of layout, building volume, orientation, construction techniques and materials including elimination of the use of energy for cooling and ventilation. Carbon Dioxide emissions from energy usage in the development could be mitigated by the provision of woodland as calculated and described in 10.4.5e and table 15, for housing according to the types and sizes set out in the table to the policy and in other developments, if it has a larger ground floor area than 150m² or a party wall with adjacent properties that is not less than 25% of its own perimeter external wall, the Maximum Fabric Energy Efficiency shall be 39 Kwh/m²/annum and in other cases a Maximum Fabric Energy Efficiency of 46 Kwh/m²/annum. b) where the Maximum Fabric Energy Efficiency exceeds these limits, woodland carbon sequestration should be provided by the planting of an area of new woodland to absorb the excess carbon dioxide produced by the development as calculated in Table 15. c) development that voluntarily meets this standard will receive a 		

		certificate of compliance with the Bishops Tachbrook Community Energy Plan for issue to purchasers of the properties.	
007.11 continued	007.11 continued	Points a) and b) don't appear to make sense or support the objectives	<p>Agree, they need clarification and if a voluntary policy is included, amended to say</p> <p>10.4.5d Therefore to meet NPPF93 to 95, this Neighbourhood plan will adopt proactive strategies to mitigate and adapt to climate change so that it will encourage</p> <p>a. all new development to meet the governments zero carbon buildings policy. Building volume efficiency can be controlled by limiting areas of building types to a base zero carbon floor area above which, carbon sequestration could be provided as set out in 10.4.5e and table 15. For non-housing development, buildings with a ground floor area up to 150m² or a party wall with adjacent properties that is not less than 25% of its own perimeter external wall, the Maximum FEE is recommended to be 39Kwh/m²/annum and 46 Kwh/m²/annum in all other cases.</p> <p>b. developments should locate employment as close as possible to people, which is normally considered to be in urban areas where public transport is viable and distances walkable or encourage use of cycles. in Open Countryside developments not related to the rural economy should be resisted because of travel distances resulting in increased CO₂ levels.</p> <p>c. development that replaces or upgrades existing buildings by regeneration to zero carbon levels should be encouraged; regeneration of high carbon generating fabric should be programmed for replacement. Retrofitting rarely will get to zero carbon levels.</p>
007.12	Page 125 BTCC1	a) Refers to new Building Regs in 2016 and the ministerial statement.	Response to 007.11 also applies to this objection.
007.13	Page 126 10.4.6b & c Object &	b) The Neighbourhood Plan is not the place to dispute previously decided planning applications	<i>This is not disputing the previously decided planning application. It is using it as an example that has led to the</i>

	comment	<p>c) this reads like a policy – is that what it is meant to be?</p>	<p><i>policy now being promoted. That is exactly what the Planning Minister did when he addressed the issue in his ministerial statement and the changes made in the PPG.</i></p> <p><i>It is an explanation of the approach that this community would wish to take when it comes to renewable energy generation arising from the experience we had have with this new technology. It becomes the policy in BTCC2 and follows the ministerial statement of 25th March 2015</i></p>
007.14	Page 127/8 BTCC2	<p>Best and most versatile relates to agricultural land see LP paragraph 5.109 for details. Nationally, the best and versatile agricultural land definition includes grades 1,2 and 3a. Grade 3b should therefore not be included in the policy. This part of the NP policy appears to be inconsistent with the Local Plan</p> <p>Heritage assets are protected by National and Local Plan policies and there is no need to repeat those here</p> <p>The final section appears to be requiring conditions to be included in a planning permission which do not relate to the development and therefore could not be enforced. If conditions cannot be enforced they cannot be attached as a planning condition. To do so would mean the Council acting ultra vires.</p>	<p><i>Agreed, policy amended to say</i></p> <p><i>1. Proposals must not be located on greenfield land that is best and most versatile agricultural land (1, 2, & 3A) but be focussed on land that has been previously developed....etc</i></p> <p>Heritage Assets have been included here because Solar farms are very large sites and it alters the dimensions of what the setting of a heritage asset might be. A solar Farm is an industrial installation and its effect cannot be minimised so that while setting out how they should be accommodated it is helpful in conceptual thinking to have all the necessary considerations in one place. Now also stated in the ministerial statement of March 2015.</p> <p>It relates to the development in the sense that it is more renewable energy opportunity to help meet government targets and for which the supplier can get recognition. It also helps to meet part of our community energy plan by upgrading existing properties and reducing existing CO2 emissions and this is a matter that renewable energy generators could be expected to support. I am not sure how that relates as to whether this is achieved by condition or some other means such as voluntary agreement included in the application for planning permission so that a</p>

			condition is not necessary.
007.15	Page 131 BTRE1	This policy, with the exception of point 3, is fully covered by national and local policies and is therefore not required.	<p><i>This has been included in response to</i></p> <ol style="list-style-type: none"> <i>1. The NPPG 7-062 What advice and information on flood risk is available for neighbourhood planning? & 7-063 What should be considered if there is a risk of flooding in the neighbourhood plan area?</i> <i>2. the Environment Agency in their letter of the 11th December 2014 in response to the 1st pre-submission consultation and</i> <i>3. the Lead Local Flood Authority (WCC) in the WCC response to the 2nd pre-submission consultation that is recorded in the Assessment of responses received to the 2nd pre-submission consultation items 112.6 to 112.26.</i> <p><i>It is seen to be important to include this in Neighbourhood Plans because a lot of flooding issues are relevant to and dealt with at Parish Council level to engage with the LLFA or Severn Trent when local flooding occurs. The detail flood maps from the Environment Agency included in the NP indicates water problem areas that are not the main known rivers and brooks but which are due to field runoffs, road flooding and 'hidden' underground water sources that eventually flow into the main watercourses.</i></p> <p><i>Although it is clearly covered by the main flood agencies these are matters that should be taken into account when proactively planning through a neighbourhood plan. The Policy will remain in place.</i></p>
007.16	Page 134 10.5.3b, c, e	<p>Objection - Another attack on the Local Plan and integrity of the Council in implementation which should not be in a Neighbourhood Plan. These plans are supposed to work together. Constant attacks on the Local Plan make this an unconvincing aim in this case</p> <p><i>It is relevant to the Neighbourhood plan for the examiner to be aware that the Local plan that is being imposed on a community is not supported by that community and even worse when an initial hearing of the Examination of the Local Plan finds the plan unsound in terms of housing provision and its spatial distribution and this is ignored by the LPA. You are correct to say that the plans should work together but this means listening to those that will have to suffer from poor decision making and</i></p>	

		<p><i>finding a solution that can be accepted at both District and Parish level and which fully meets the planning principles in the Planning Framework taken as a whole.</i></p> <p><i>We do not see these paragraphs as an attack on either a sound Local Plan or the integrity of the Council but as an expression of the residents wishing to ensure that development that is an objectively assessed need is located in the right place to service that need in locations that are consistent with the NPPF and with the Examination Inspectors’ findings, in 2006/7 and in 2015.</i></p> <p><i>It will be obvious to the NP examiner that representations from people in the Neighbourhood area have not been taken into account by the Neighbourhood Plan if those strong representations are not even mentioned in the NP and could lead to the community not voting for the NP at the referendum.</i></p> <p><i>If the land was poor quality and the need was unavoidable, there may be a different view taken but to continue with this plan when the need has not been confirmed and there is doubt about where a need , if it does arise, should be located is not a sound plan nor consistent with the Framework in a plan-led context.</i></p>	
007.17	Page 135 BTRE2	<p>a) The protection of this area of land includes land which is allocated for housing and for a Country Park in the Local Plan. Although policies seem to allow for the potential housing allocation, they do not recognise the designation for the Country Park or any other strategic allocation.</p> <p>It also includes land which is likely to be allocated for a Gypsy and Traveller site in the forthcoming DPD.</p> <p>Reference is made to Policy BTE18, but this does not appear to exist. Presumably this is a typographical error and should read BTE1.</p> <p>b) Isn't this basically the same as a)</p>	<p><i>It does not need to refer to Country Park as it allows ‘strategic sites’ that are eventually allocated in the WDC Local Plan 2011-2029 when it is finally published. If the Country Park is defined as a strategic policy then it would be covered by this policy. The list of Strategic Policies in the draft Local Plan has been taken from the Local Plan and can be found in para 5.2.4. DS1 to DS4 are the only policies that are described as Strategic Policies</i></p> <p><i>It is assumed that sites for Gypsy & Travellers are not a matter for Neighbourhood Plans but as a national policy requirement delivered through a DPD that will have a similar status to highways requirements. The NP neither includes or excludes Gypsy & Travellers sites.</i></p> <p><i>Reference is not made to BTE18 but to BTE1B which does exist but it is an interesting difficulty that could be clarified – suggest I change it to BTE1 – section B. Amended.</i></p> <p><i>No. A refers to all parts of the Parish outside Settlement Boundaries that we describe as rural or the local plan describes as open countryside, whereas B defines the Area of coalescence protection as shown on Map 8</i></p> <p>C makes it clear that Agricultural land in the parish</p>

		<p>c) The 'Country Park' location is allocated through the Local Plan. It cannot be overridden by the Neighbourhood Plan. Furthermore the protection of best and most versatile agricultural land is already addressed in the Local Plan. This criterion is therefore unnecessary.</p>	<p>will be protected from proposals that change that land use classification to ensure retention of agricultural land for farming purposes. That is a legitimate and economic necessity in the production of food within the British Isles to support the increased population that we are providing houses for and could form a stronger part of the Local Plan. The exception is for District Council Strategic Policies essential to meet unavoidable objectives. Given that the local plan as proposed by the District together with the ambition of other developers on the Asps and south of Gallows Hill would remove all the best and most versatile agricultural land in this part of the county, the local policy to protect it does not seem to be being followed. There is a large amount of other agricultural land that does not currently have DEFRA designation but is nevertheless in quality production in the 25 farms in the parish and C is there to ensure it's retention unless there are overriding reasons that are unavoidable and cannot be met elsewhere.</p>
007.18	Page139 10.5.4b PV14	<p>Again, this is a negative comment regarding Local Plan allocated sites which has no place in a Neighbourhood Plan</p>	<p><i>We do not see this as a negative comment. On the contrary it is a positive comment showing that the community cares about the environment that is entrusted to it and the NP gives the community the opportunity to help shape the place where they live. We suggest a minor change to the question posed to turn it into a positive statement.</i></p> <p><i>This demonstrates the importance of the National Planning Policy Framework Chapters 11 and 12, Conserving and Enhancing the Natural and Historic Environments.</i></p> <p>Paragraph amended.</p>
007.19	Page 142 BTRE2	<p>When reference is made to roads, the advice of Warwickshire County Council should be sought to ensure that the policy complies with any national or local highway policies</p>	<p><i>Understood. The emphasis here is on the character of rural roads and defines what a rural road is. If a proposal necessitated a major change to a rural road such as right turning lanes, the rural road would no longer have a rural character. It was a matter taken into account on land south of Mallory Road as part of the planning balance. WCC highways have been through the policy document and raised issues 112.1 to .5 and have not raised</i></p>

		<p>E) this is not part of a policy, but a statement of fact and should be elsewhere (Local Green space designation)</p>	<p><i>this question.</i></p> <p>It was not in to start with but was raised as a point that it was missing by consultation submissions HOW in particular 008.23. This was the start of my question on how should Local Green Space designations be included in the plan. If it is equivalent to Green belt for specific areas of special local green space, well green belt is subject to policies and definition. Local Green Space can only be designated in a Neighbourhood Plan so presumably it should have something more than just a list of Local Green Spaces to implement it?</p>
007.20	Page 145/6 BTHE1	<p>This policy adds nothing to existing national and local policies and is therefore not required</p> <p><i>The whole of 10.6.2 and policy BTHE1 is due to a response from English Heritage to 1st pre-submission consultation. To quote "However we are of the opinion that by contrast the historic environment is currently considerably under-represented in the content of the plan and believe that this imbalance should be addressed." The whole of English Heritage's advice is given in Appendix C14.9 to the consultation statement</i></p> <p><i>NPPG 18a-007 How should heritage issues be addressed in neighbourhood plans? Gives detail of what a Neighbourhood Plan should include as being enough information about local heritage to guide decisions and put broader strategic heritage policies from the Local Plan into action at a neighbourhood scale and designated heritage assets within the plan area should be clearly identified at the start of the plan-making process so they can be appropriately taken into account. In addition, and where relevant, neighbourhood plans need to include enough information about local non-designated heritage assets including sites of archaeological interest to guide decisions.</i></p> <p><i>The Policy BTHE1 is based on this advice and the experience of the Parish Council when considering planning applications and listed building consents and so identifies the neighbourhood scale of heritage policies in the Local Plan.</i></p> <p><i>It is important to retain. 10.6.2f makes it clear that this policy is in addition to WDC Local Pan policies HE1 & HE4.</i></p> <p><i>Due to Historic England's response to the 2nd pre-submission consultation an additional clause D has been added - Designated and undesignated Heritage assets within the parish and their settings must be protected, conserved and enhanced when development proposal are brought forward. See 2nd pre-submission consultation assessment 107.1 to 107.3</i></p>	
		<p>Historic England will no doubt comment upon and assist with any additional policies that are required to ensure</p>	<p>This has been demonstrated as having been done.</p>

		protection not afforded specifically, if necessary.	
007.21	Page 154/5 BTHE2	This is again superfluous given that the points are already covered in National and Local policies	<p><i>Similar to the response to Rep. no 007.20. In addition, PPG41-071 When do the basic conditions relating to listed buildings and conservation areas apply?</i></p> <p><i>Basic conditions (b) and (c) that relate to listed buildings and conservation areas apply to a draft neighbourhood Development Order so that making the order will not weaken the statutory protections for listed buildings and conservation areas.</i></p> <p><i>So it important to retain this policy to both demonstrate that the Basic conditions are met and to apply the policy at a Neighbourhood Level.</i></p>
007.22	Page 157 10.7.2c	The second paragraph states that the legislation gives the community..."the right to be given notice of the sale and a moratorium period of 6 months within which..." it should be noted that the 6 month moratorium only comes into effect should the nominating body state that they wish to make a bid for the asset within 4 weeks of the notice of intention to sell.	Helpful comment noted and added to the paragraph.
007.23	Page 159 BTLACV1	This policy indicates that any site on the list would be "protected from development". The use of the ACV List as a determinant of a planning application would be inappropriate. Listing of ACVs is awarded on a basis of furthering social wellbeing, without taking reference to the provision of similar services close by – it would be quite possible for a 20 public houses to be listed within a village of 20 dwellings under the ACV guidelines. It may be	<p><i>The policy indicates that sites on the list would be "protected from development that adversely affects the community benefit that the asset provides". It is concerned with the community benefit not the premises it occupies so also allows the community benefit element within the proposed development to move to another location if it is of equivalent or better provision.</i></p> <p><i>For a very theoretical example, say the owner of the Wychwood Close Shops</i></p>

		<p>used within the planning process, as one of a number of things to consider, however it should not be the sole determinant.</p>	<p><i>wanted to convert the shops to residential, the retail benefit to the community would be lost, but if it were to be replaced in a suitable location with an equivalent or better shop, the community asset would be retained whilst the residential conversion is permitted to take place.</i></p> <p><i>The distinction is drawn between Community Assets and Assets of Community Value in the regulatory sense as the terms are very confusing for the general population. If any advantage is to be gained from the ACV regulation at all, the status and procedures of ACV's needs to be prepared since as you point out there are some short timescales involved. The first step is to recognise what is or maybe of value to the community before any decision can be made to acquire it with an ACV if the opportunity arises.</i></p> <p><i>But it is very much a part of the local community being able to shape and direct sustainable development in their area and be inclusive of the community in the planning process. The provision or loss of assets that provide community value is a sustainability dimension in the Planning Framework that should be taken into account in the planning balance.</i></p>
007.24	Page 161 BTLACV2	<p>As a way of allocating CIL money gained by the Parish this seems a reasonable way forward. However, it is entirely conceivable that other applicable groups may nominate ACVs within the Parish boundaries – from the wording of the policy it appears that the entire relevant part of the list will be consulted rather than just those listed by the Parish Council.</p>	<p><i>I don't understand this comment. Formal ACV applications to the district council can be made by any community group on any property they may be using. This policy is intended to be part of the plan-led pro-active planning matter that identifies the effect of expansion on existing community facilities to determine any modifications required to cope with the additional demand. With the Bloor development of 150 homes south of the school we have been working with Bloors to identify improvements around the village to cope with increased demand or which might lead to quality benefits both to</i></p>

			<p>the existing residents as well as their potential customers. It may identify works that the developer may fund or that CIL receipts can or some sort of joint arrangement.</p> <p>Perhaps a discussion on this would be useful.</p>
007.25	Page 165 BTWLB1	<p>The calculations in the plan seem to assume that an open space requirement in quantity terms will be based on existing population's access and addressing a shortfall.</p> <p>The approach and calculations seem questionable. The requirements need to be in proportion to the size of the new development. There is an awful lot of conjecture and that could be stripped out and throw away statements about accessibility to other facilities outside the village. In terms of formal sports and leisure facilities, those available in Leamington Spa and Warwick should also be taken into account as being accessible to Bishops Tachbrook residents.</p>	<p><i>This is not an open space requirement for the new development. This is a review of what the village has as open space now and in forward planning terms if it has a shortfall, how should we plan to rectify that? If the village is about to expand, it is in calculating what the new development provision ought to be that has led us to finding a shortfall in the village itself as a separate settlement to the parish as a whole.</i></p> <p><i>If an open space requirement is to be established then it is necessary to consider the village at the size it will be. It does identify a shortfall for the existing population if the open space standards that are on the WDC website are correct. That means that in past expansions, this has not been addressed. The starting point is what should the village have when expanded again and what has it got now. It is not the intention to get more from the new development than is related to the development but to establish a longer term plan to end up with the right facilities for the village. That is what plan-led planning is about.</i></p> <p><i>Why is it questionable? I am not trying to identify what the new development needs only but to look at the whole village in principle. In particular, because recreational facilities should be close to residential areas so that they get used frequently, without car journeys, parking and costs to put people off getting exercise and because the village is distant from facilities in the towns, it is important to make the right provision within a community of over 2000 people. Any 106 monies from new developments all seem to disappear into a big pot that gets distributed far and wide without any getting anywhere near the developments that produce it, certainly very infrequently to villages. It tends to go to support major provision in the towns and nothing gets distributed to the villages and we have been talking to leisure officers to try to redress this matter.</i></p> <p><i>Once we know the total requirement then we can work out how to get there. It is not a presumption that any one development will make up for previous lack of provision. But more than finance, the problem is a suitable site. That is why</i></p>

		<p>The associated table does not show available public space in Bishops Tachbrook and this should be added to give a full picture.</p> <p>How are the additional facilities at Seven Acre Close going to be delivered? Whilst it is acceptable to be aspirational the development could not deliver what is required here on the basis of its size.</p> <p>The Parish Council does not determine viability; the Local Planning Authority does.</p> <p>The policy itself has superfluous wording in it. Only the final sentence is required and that should be the policy. Alternatively a policy could be written with two parts: the first outlining aspirations, the second any further development over and above what has already been granted planning permission.</p>	<p><i>the Seven Acre Close site could be a potential location for recreational area as it is of a suitable size in the right place and about the only one available in the village to spread the open space provision to be closer to residential areas. How it will be used is a further question that will be addressed, with the community, when availability is known.</i></p> <p><i>This is outlining aspirations and the reason why it is necessary to do so as you suggest in your last paragraph.</i></p> <p><i>Available public space was given in the 3rd para of 10.8.1g giving an approximate total of 6ha. including some provision on the new development site which has yet to be confirmed. It brought together figures from elsewhere so I have included better references in the revised version of the NP submission.</i></p> <p><i>Delivery and viability are as much a concern for the Parish Council as they are for the District. and will need addressing if the opportunities arise. The parish council expects that recreational facilities and allotments etc will be managed by the Parish in the long term in revenue costs.</i></p> <p><i>Discussion on this issue would be helpful.</i></p> <p>I agree the wording needs clarification & suggest the following -</p> <p>A. Open Space provision in the village settlement, as distinct from the whole parish, currently does not meet the District Council Open Space standard. New development in Bishop's Tachbrook village will require more open space as set out in 10.8.1h. to provide improved recreational facilities, in line with priorities identified in 10.8.1. Recreational land and facilities due to new developments will be expected from those developments and opportunities will be sought for sites and finance to improve open space provision in the village settlement in general.</p> <p>B. Appropriate use will be made of the Community Infrastructure Levy, other</p>
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			<p>planning agreements or planning conditions, in order to deliver improved and new sporting, recreational and community facilities arising from new developments across the parish to provide recreational facilities related and close to those developments.</p>																		
007.26	Page 166 BTLWB2	<p>Gives the WDC openspace SPD allotment provision as 0.42 ha allotments / 1000 population and a caveat with regards to a development size threshold. Also states the Council will liaise at the pre-application stage with the relevant Town or Parish Council and developer to seek to secure an appropriate mechanism for the long term management and maintenance of the allotments.”</p> <p>Why are rooms marked as ‘offices’ counted as a room and therefore a person?</p> <p>It is at outline stage that s106 is agreed and a suggestion of housing mix is unnecessary, hence the local authority has used the WD SHMA average of 2.36 people per household as a calculation.</p> <p>The strategic site in the village and those nearby, have all but got planning permission but it seems to be written with them in mind.</p>	<p><i>This seems to be largely in line with 10.8.2a. The Parish Council currently manages the allotments in the village and we would expect to continue that on the new developments. Pre-application stage liaison with council welcomed.</i></p> <p><i>Because they are frequently interchangeable functions. Offices may become another bedroom, particularly when properties are extended.</i></p> <p>The 2011 census household size for Bishop’s Tachbrook is 2.5pph. There is an emphasis in the housing mix to provide more larger homes because previous housing waves have provided 2 and 3 bed properties, so growing families move out to find larger properties but not all want to move, so extend. This reduces the smaller more affordable homes.</p> <p>Across Warwick District the 2011 census gives figures for each dwelling type as follows –</p> <table> <tr> <td>Det house or bungalow</td> <td>2.586pph</td> </tr> <tr> <td>Semi ditto</td> <td>2.512</td> </tr> <tr> <td>Terrace ditto</td> <td>2.37</td> </tr> <tr> <td>Flat purpose built</td> <td>1.577</td> </tr> <tr> <td>Flat converted/shard inc bedsits</td> <td>1.619</td> </tr> <tr> <td>Flat in commercial building</td> <td>1.965</td> </tr> <tr> <td>Caravan/mobilehome</td> <td>1.898</td> </tr> <tr> <td>Shared dwelling</td> <td>1.362</td> </tr> <tr> <td>Total(exc communal residents)</td> <td>2.295</td> </tr> </table>	Det house or bungalow	2.586pph	Semi ditto	2.512	Terrace ditto	2.37	Flat purpose built	1.577	Flat converted/shard inc bedsits	1.619	Flat in commercial building	1.965	Caravan/mobilehome	1.898	Shared dwelling	1.362	Total(exc communal residents)	2.295
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007.27	Page 177 BTT1	<p>1) and 2) cannot be implemented as developers do not have control of public transport operations operatives and therefore cannot influence public transport.</p> <p>Precluding all development that could not provide 1) and 2) would preclude small and infill developments, including those for employment, retail and community services as a quantum of development is required to sustain increased services.</p>	<p><i>WDCLP TR3 seeks contributions for transport infrastructure that includes public transport. In public consultation this issue is one of the most important. Any contributions to the district under TR3 tend to go into the corporate pot and not much change happens to public transport provision for Bishops Tachbrook. We appreciate that developers do not have control over public transport but any contributions levied by the District/County could use part of that to arrange minor rerouting of bus services to provide more destinations and some evening services.</i></p> <p><i>The intention is to get some improvement given the increased population. Contribution assessment to include a specific upgrade in services plus wording in the contribution documentation required by the policy may be an answer. Need to discuss an appropriate wording or method of achieving this objective.</i></p>
007.28	Page 180 BTT2	<p>Transport assessments are only required for major development resulting in the generation of significant traffic movements (Local Plan policy TR2). It would be too onerous to expect smaller developments to provide this sort of information. 'Developers' can be considered to be anyone developing land, whether that be an extension to an existing property or a house builder building several hundred/thousand homes. Access can be assessed through the planning application process and by reference to Warwickshire County Council as Highways Authority on smaller developments without the need for a full Transport assessment. The Neighbourhood Plan can only influence its own designated area, therefore any reference to 'beyond' the Neighbourhood area, should be excluded.</p>	<p><i>WCC have made the same point see rep no. 112.5 Policy amended to say "as WCC highways require," Travel plans need to address this and NPPF36 requires all substantial developments to provide this.</i></p> <p><i>The problem we have in BT with transport is destinations. To get to Warwick is 2 buses BT to LS, LS to W which takes time and cost and early appointments to hospital by bus are not possible. To get to JLR Gaydon is worse. So people give up and use cars. As more potential customers become available then this can be the trigger to reroute buses into the village rather than bypass on the Banbury Road. We are not trying to influence someone else's area only trying to get there!</i></p> <p><i>One of the largest issues raised by residents.</i></p>

007.29	All	<p>The Draft Neighbourhood Plan includes the evidence base as part of the document and within the main body of text. The evidence should appear as an appendix to the Plan as it clutters the main objectives and policies. It would be much clearer to state the background to the Plan, the context for the Plan, the objectives and the policies without all the detailed information contained within the document.</p> <p>The Draft Plan is very negative. The government has made it clear that the agenda is for growth and the guidance to producing Neighbourhood Plans makes it clear that using such a vehicle to try and block development is not what is intended. Neighbourhood Plans should build on the Local Plan, not be in opposition to it or indeed criticise it. The document does not show any indication of supporting and upholding the policies and strategic sites outlined in the Local Plan and in some cases actively opposes them. This is totally contrary to the NPPF and the spirit of the Localism Act.</p>	<p><i>I am separating the evidence base from the policy document into the appendix as suggested.</i></p> <p><i>It is not true to say the draft plan is negative. The government makes it clear that it is committed to supporting sustainable economic growth (NPPF19). NPPF 184 is also clear that the ambition of the neighbourhood should be aligned with the strategic needs and priorities of the wider local area. Neighbourhood plans must be in general conformity with the strategic policies of the Local Plan. To facilitate this, local planning authorities should set out clearly their strategic policies for the area and ensure that an up-to-date Local Plan is in place as quickly as possible. Neighbourhood plans should reflect these policies and neighbourhoods should plan positively to support them. Neighbourhood plans and orders should not promote less development than set out in the Local Plan or undermine its strategic policies.</i></p> <p><i>We believe that we have done just that. The strategic policy for housing is the OAN and for Warwick District that is now established by the examination Inspector as being reasonable at 606 dpa. Any decision on meeting unmet need of Coventry in particular requires a clear strategy to meet the OAN of the HMA in full. Until that is in place there is no known figure as to how housing to meet unmet need in Coventry will be delivered and the location of sites to provide that need have yet to be determined.</i></p> <p><i>To be sustainable in terms of the Framework, sites have to be consistent with all parts of the framework unless there are unavoidable reasons why that cannot be achieved. Just inflating Warwick District's OAN to an old</i></p>
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			<p><i>projection and spatially distributing those sites in an inappropriate context will not satisfy the Inspector and besides it currently does not meet the HMA OAN of 4,004. BTPC is fully supportive of the Inspector's recommendation.</i></p> <p><i>It means that the NP has to conform with the 2007 Local Plan with the OAN adjusted to the 606 dpa for Warwick District recognising that there may be an additional number to meet the duty to cooperate when the HMA has agreed a proper and clear strategy for its number and spatial location.</i></p> <p><i>The text of the NP is being reviewed to amend any part that may appear to be negative but would hope that this is matched by a better understanding as to the problems that the Parish Council has in representing its electorate in a continuously changing situation.</i></p>
007.30	Page 183/4 Appendix 3 and Appendix 4	<p>Comment - Any changes to the approved boundaries of the Neighbourhood Plan Area must be subject to a new application to designate. This cannot be done as part of the Neighbourhood Plan examination.</p>	<p><i>Agreed.</i></p> <p><i>However, Pages 180 to 184 is Appendix NP1 which is a copy of the WDC Executive Committee report of the 10th October 2012 in which the Committee were recommended to designate the Neighbourhood Area. This is to support the statement made in 1.4.2 concerning the Designation of the Neighbourhood Area by that Committee.</i></p> <p><i>The report included details of consultation responses objecting to the proposed area from Barwood and A C Lloyd in paragraph 3.4 recommending omitting sites in which they have an interest should be omitted from the Area and para 4.1 refers to appendix 3 that shows the effect on the Neighbourhood area of these omissions. Similarly, in paragraph 4.3, consideration was given to exclude areas that may arise from the boundary review of the District wards at that time. Appendix 4 of that report showed the effect of that alternative.</i></p> <p><i>So these are just a record of the matters considered by the Executive Committee whilst designating the Neighbourhood area and is for record purposes only for the examiner.</i></p> <p><i>In December 2014, I agreed with Dave Barber that because the ward boundaries had not changed by then and the timescale was not known (and it still isn't for all but</i></p>

		<p><i>Woodside Farm etc toWhitnash) that the NP would be prepared based on the designated area as agreed in October 2012, but that the neighbouring town and parish would be kept informed as to the NP proposals for areas that may pass to them in the future to ensure compatibility with their Neighbourhood Plans. When the boundaries have actually taken effect, at a convenient time after that, possibly related to an NP review, a formal application for a review of the designated areas of all the neighbourhood plans affected by the boundary changes would go through the necessary consultation and approval process then.</i></p> <p><i>So Appendixes 3 and 4 that you refer to are part of that 2012 committee report, which itself is Appendix NP1 to the Neighbourhood Plan submission statement</i></p>
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008 HOW PLANNING ON BEHALF OF BARWOOD

008		HOW Planning on behalf of Barwood Securities submitted a lengthy representation, which has been assessed on a paragraph by paragraph basis and where necessary the Neighbourhood plan amended.
008.1		<p>¶1.1 States who it is representing and submitting representations for. It states that this 2nd pre-submission consultation is a second attempt at a valid Regulation 14 consultation and that the first attempt failed and was withdrawn.</p>
		<p>This is not correct. The correct position is set out in Section A) above and in para 7 in particular. The 1st pre-submission consultation did not fail, it was very successful and led to significant amendments to the policies as a consultation should. The 1st pre-submission was not withdrawn and there was no suggestion by anyone, other than HOW Planning that it should be.</p>
008.2		<p>¶1.2 expresses concern that there</p> <ul style="list-style-type: none"> • has been no change of approach • only 1 new development • rules out further development for vital housing and transport infrastructure
		<p>None of this is true.</p> <p>The approach has been to meet WDC strategic policies but to allow the community to shape the area in which they live through the application of non-strategic policies.</p> <p>The rural community has had 3, not 1, new developments given outline planning since 2011 totalling 630 dwellings. The existing village has 737 dwellings.</p> <p>This infers constraint and the intent to undermine the OAN. The BTNP accepts that the OAN for the district should be met and that if a total HMA unmet need requires co-operation, that will be done within a fair & clear HMA strategy across the HMA, selecting sites in the right place to serve the need taking account of sustainable travel in terms of CO₂ and cost/time factors.</p> <p>Transport infrastructure is not a matter for a Neighbourhood Plan but for the County Highways and Highways England. It is a matter of concern to the public as the few roads in the locality cannot</p>

		<ul style="list-style-type: none"> • is in absolute conflict with the emerging local plan • deliberately aim to run ahead of the emerging local plan • undermines its efforts to deliver the essential infrastructure as well as the housing that WDC accepts is a minimum • denies any opportunity for consultation about what advantages can be delivered by development of sites within that area by prejudging and reporting on the suitability of those sites without any supporting expert evidence & without allowing owners/promoters to put their case to the public for consultation 	<p>cope with peak loads now and cannot be added to due to the geography of the towns.</p> <p>No conflict exists as policies permit all strategic sites</p> <p>The BTNP commenced in January 2012, it is now mid-2015. We have waited for the Local Plan to emerge, only to find the plan is not sound. The NP relates to the adopted Local plan moderated to meet the latest OAN housing requirement. How this conclusion is arrived at is not known. One of the reasons for community concern about the level of housing is the effect on existing infrastructure that every developer attempts to ensure that they do not contribute to.</p> <p>All developers have been given the opportunity to address the Parish Council at special public meetings for the purpose. Developers have promoted proposals for sites to the public at which the expert evidence was demonstrated. The community were not convinced that the volume of housing in one place, promoted particularly by Barwood on sites that had not been included in the strategic allocations for good reasons, was necessary, reasonable or acceptable and denied the community the right to shape the place where they live.</p>
008.3		¶1.3 Draws a medieval simile that is too long to abbreviate. States the NP to be a cynical exercise where development is to be denied and local people are being misled to the point where they will not understand what they are voting for in the referendum	The Neighbourhood plan process has been totally constructive and tried to assist the District prepare a sound local plan. The rest of HOW'S paragraph 1.3 is fantasy. The community has a very deep understanding of what they are voting for at a referendum and have been extremely discerning at the consultation events that taken place. They have actively led and helped shape the plan and given some very constructive ideas that have been included.
008.4		¶1.4 records that HOW acted for Barwood at the dismissed appeal at land south of Mallory Road and the appeal ,yet to report at the Asps where the Parish Council took rule 6 status	Obviously the Parish Council are aware of HOW's role at the appeals mentioned. One was dismissed and the other has yet to report. This might suggest that the Parish Council and its Neighbourhood Plan is on the right track.
008.5		¶1.5 Records that Barwood is actively participating in the process of plan making by WDC and that their representations object to the plan in relations to soundness on OAN, site	The Parish council is aware of the respondent's role in participating in the process of WDC plan-making. The Parish council was also invited to contribute to the initial hearing of the examination of the draft Local Plan. Contrary to HOW's assertions, the

		allocations and duty to co-operate.	examination Inspector found that the Duty to Cooperate had been discharged satisfactorily, the OAN being used by WDC was acceptable at 606 dpa, that the OAN for the whole HMA is acceptable at 4,004 dpa, but there was not a clear strategy as to how the HMA would respond to Coventry if their increased OAN could not be met within Coventry's boundary. Until this issue was resolved, in particular how Coventry's unmet need would be met and where, the plan was not sound as he thought site allocations in the final plan would be substantially different to the plan submitted for examination and would involve Green Belt Reviews across the HMA. Barwood was promoting much higher growth than the Inspector concluded oblivious to the fact that level was virtually impossible for local developers to physically achieve or the DCLG found to be necessary.
008.6		¶1.6 claims that submissions on the conflict between the NP submission Statement and the emerging local plan by their Barristers closing statements at the Asps Inquiry is summarised in Section 2 of the representation.	Section 2 does not contain this. It reprints the Grove Farm Committee report extract which the planning Committee refused in March 2015
008.7		¶1.7 asks for these representations to be read with those submitted for the 1 st pre-submission consultation	OK, so the 1 st consultation was not withdrawn then? They have already been taken account of.
008.8		¶1.8 lists the published information for the 2 nd pre-submission consultation	Appears to be complete
008.9		¶1.9 & 1.10 Records two judicial Review Pre-action Protocol letters to WDC	That is a matter for WDC
008.10		2.2 Alleges the NP is contrary to the PPG and the Basic conditions and does not contribute to the achievement of sustainable development.	All representations are or have been considered to both consultations. These matters have been fully dealt with elsewhere in this Assessment so will not be repeated again. The Parish council is clear that it is not nor has been on a collision course with the emerging local plan because a) there was not a collision course in the first place and b) the emerging local plan has been recommended for non-adoption, basically for

		<p>the same reasons that the Parish Council was advising the District. HOW appears to use similar language to other developer responses.</p> <p>The reference to the Grove Farm report is not relevant. The statement in that report was incorrect, as following the 1st pre-submission consultation that concluded on November 5th 2014, the Neighbourhood Plan was submitted to the District council on 13th February 2015. The policies in that submission are the same as those comprising the documents published for the second pre-submission consultation and all the clauses that require it include the specific paragraph to allow strategic site allocations where otherwise they may not.</p> <p>The Grove Farm report was prepared before the end of the planning application consultation period and the error was drawn to the officers attention when it had been noticed after publication. In the event, the application was refused by the Planning Committee and that was followed by the Inspector at the examination of the local plan who found that the overall housing provision and the supply and delivery of housing land was not sound.</p>
008.11	¶2.3 to 2.5 Quotes PPG41- 004, NPPF 184 and PPG 41-009	The Neighbourhood Plan is fully aware of and compliant with these clauses and no conflict exists.
008.12	<p>¶2.6 Alleges that the NP invites conflict with the emerging local plan that seeks to meet its OAN of the District on sites that are expressly excluded by the draft NP.</p> <p>The draft NP in its current form currently announces that the emerging Local Plan is unsound because it over provides for housing.</p>	<p>It is noted that in all this quotation supposition, the respondent never quotes the policies that clearly state, for example in BTH2 “proposals outside that Settlement Boundary will only be permitted in locations that are</p> <p>1.strategic sites in the WDC Local plan 2011-2029;”</p> <p>This is how it turned out to be in the initial hearing. For Warwick district the Inspector found that the OAN was 606dpa not 720 and using the difference as a top up for unmet need that had no strategy to support it was not acceptable.</p>
008.13	¶2.7 refers to the tension in 5.3.2	<p>Makes the same mistake as Frampton in representation number 001.12. The tension referred to was that between allocating sites in valued landscapes, in greenfield that should be protected and enhanced and losing best & most versatile agricultural land without ensuring that there was no possible alternative to meet the OAN.</p> <p>Given the Inspectors finding, the 2007 Adopted Local plan, modified to OAN, is the only plan</p>

			available for the NP to be in general conformity with and 5.3.2 has been revised accordingly.
008.14		¶12.8 makes a similar point about para 1.3.12.	<p>The respondent unfairly denigrates the Neighbourhood Plan as at 1.3.12 it points to the problem the Examination Inspector found the plan unsound for. The problem had been raised a number of times with the District in other discussions but not been heeded.</p> <p>That paragraph is part of the planning history of the Parish and records the concerns of the community at that time. It is not unreasonable for the NP to mention that concern.</p>
008.15		¶12.9 questions the logic used by the NP to establish the dormitory nature of the village	<p>This is a deliberate misinterpretation of the paragraph it was taken from. It merely explains why the community were not happy when their housing need survey identified 14 homes needed, yet they had to find a site in the village for 150.</p> <p>In rural areas or open countryside, the Local Plans both say that new housing in rural area/open countryside is for local people.(para 4.76) Open countryside is defined in eLP as areas other than the urban areas, growth & limited infill villages. The intention of that is to ensure local people that work locally can get housing where they need it at a price they can afford on relatively lower incomes. A dormitory village makes housing for local people more difficult and also leads to longer journeys to work, contrary to the sustainability consequences of travel miles and the policy to concentrate new dwellings in urban areas.</p> <p>It is reasonable and necessary to be able to address such matters as part of the process of identifying and solving problems and indeed required by the NPPF to do so as part of the development process of the NP.</p> <p>The approach complies with NPPF 16 as it requires the NP to plan positively to support development, shaping and directing development in their area that is outside the strategic elements of the Local Plan. If you shape and direct, then that means selecting where built development can and cannot be located.</p>
008.16		¶12.10 – 2.11 refers to NP paragraphs 5.4, 5.6 & 5.7commenting on the tone of the NP being in HOW’s opinion to be not in the spirit of the Framework.	<p>These paragraphs record the options iteration process that is an essential part of the development process of an NP. Part of that is recognising the deep concerns of the people that live in a successful community and taking that into account when arriving at suitable locations for Objectively assessed housing need. That is entirely consistent with the Framework that requires sustainable</p>

			<p>development to be achieved simultaneously across the 3 dimensions of environmental, social and economic.</p> <p>Since 5.6 is about parts of the consultation process that did not find a place in the draft NP, the paragraph has been moved to the Consultation Statement at Paragraph 7.3</p>
008.17		¶2.12 continues to criticise the NP as being consistently negative using PPG 41-009 and NPPF184 to do so.	<p>This paragraph is an entire fabrication. To begin with, the accusation that the Parish council has excluded key strategic sites from the draft Neighbourhood plan is clearly not correct. There is nothing in the Plan that prevents any strategic site allocation, whether known at this stage or not. The plan is entirely consistent with paragraph 184 as it is for local people to ensure that they get the right types of development for their community; the plan is aligned with the strategic needs and priorities of the wider local area; in general conformity with the strategic policies in both the local plans, current and non-adopted. The parish Council has planned positively to support them working with appointed planning officers to do so and has not promoted less development than set out in the emerging Local Plan nor undermined any of its policies.</p>
008.18		¶2.13 repeats the presumption regarding the 1 st pre-submission consultation.	<p>This repeats the incorrect statement about the 1st pre-submission consultation dealt with in representation number 008.1.</p>
008.19		¶2.14 Accepts that the draft Neighbourhood plan appears to be complete with policies supported by justification texts and appendices.	<p>The Parish Council agrees that the draft Neighbourhood Plan is complete for the 2nd pre-submission consultation which is resulting in further refinements of the plan to be submitted.</p>
008.20		¶2.15 considers the supporting evidence base, listing them but selecting some documents which they think are not robust evidence.	<p>Does not qualify why this is said.</p>
008.21		¶2.16 to 2.21 selects appendix NP5 and then attempts to rerun the appeal on land south of Mallory Road due to the content of the Urban Vision Housing Options Report.	<p>HOW attempts to discredit Appendix NP5, Urban Vision's initial stage assessment dated January 2014, (but the work for it was carried out in November 2013 just prior to the district councils village housing Options Consultation) to find as many options as possible and give an initial broad brush indicator of options worth pursuing. Although this report found 16 sites to consider, the</p>

		<p>respondents focus is on the site promoted by Barwoods. It is not surprising that the respondent disagrees with almost all the indications that Urban vision made in its report and which they have listed in this section. The report was only one of the information sets that eventually, after several iterations described in the consultation statement, neighbourhood plan and in this assessment of responses that finally led to the solution selected. 2.20 criticises a line in that report saying that “Barwood homes will be likely to pursue this site vigorously”. Whether this should have been in the report is not an issue, it appears to have been an accurate assessment.</p> <p>The result of the appeal was dismissal, confirming refusal of the application. Appendix NP9 is the Appeal Decision APP/T37252/A/14/2216200.</p> <p>Given that the dismissal was a question of the principle of any development on that site in a rural area and that Barwood did present the scheme to the Parish Council but continued to pursue it, knowing that it was unlikely to succeed, it is not reasonable to suggest any further active discussions as suggested in 2.20 would have resulted in a different result..</p>
008.22	¶2.22 Appendix NP10 lacks any robust evidence so this is insufficient justification to inform the policies of the NP	<p>A picture paints a thousand words. Views are visual and do not need a script. Views are part of the character of any area and are valued consciously or unconsciously by the community. Key views do not necessarily stop development but once lost they have gone forever.</p>
008.23	¶2.23 Appendix NP11: Local Green Space is produced without any justification. States that the appendix is not referenced within any policy of the draft local Plan, rather listed in the documents contents	<p>Policy BTRE3E) said Land to be designated as Local Green Space is set out in table 16 to paragraph 10.5.4d But there is a slight error in paragraph numbering as 10.5.4c was used twice in succession so 10.5.4d is renumbered 10.5.4e.</p> <p>Table 16, which includes justification for each space is referred to in an introductory paragraph in 10.5.4e and this been extended to include reference to Appendix NP11 as well a reference to Local Green Spaces in new developments as described in Rep no. 103.3.</p>
008.24	¶2.24 to 2.26 considers whether the NP is accompanied by a screening opinion and refers to PPG on the subject..	<p>The NP process started in January 2012. At that time the Parish Council was aware and supportive of the SEA and referred to the Regulations to determine whether any action needed to have taken at the start. It was considered to be unlikely</p>

		<p>to be a problem. In March 2014 the PPG was first published, by which time most of the NP had been considered. It is true that this reference had not been discovered at that point in the 587 pages of the PPG by the Parish council, but at the time of the 1st Presubmission consultation, which included consultations on the Plan with the Statutory Bodies required for the SEA in any case, the District Council prepared a Screening Opinion .</p> <p>PPG 11-031 says <i>“Who is responsible for ensuring that the strategic environmental assessment requirements have been met?”</i></p> <p><i>It is the responsibility of the local planning authority to ensure that all the regulations appropriate to the nature and scope of a draft neighbourhood plan submitted to it have been met in order for the draft neighbourhood plan to progress. The local planning authority must decide whether the draft neighbourhood plan is compatible with EU obligations (including obligations under the Strategic Environmental Assessment Directive):</i></p> <ul style="list-style-type: none"> • <i>when it takes the decision on whether the neighbourhood plan should proceed to referendum; and</i> • <i>when it takes the decision on whether or not to make the neighbourhood plan (which brings it into legal force).</i> <p><i>A qualifying body should make every effort to ensure that the draft neighbourhood plan that it submits to the local planning authority:</i></p> <ul style="list-style-type: none"> • <i>meets each of the basic conditions;</i> • <i>has been prepared in accordance with the correct process and all those required to be consulted have been; and</i> • <i>is accompanied by all the required documents.”</i> <p>Hence there is not a requirement for the LPA to decide whether a NP is compatible with the regulations until it takes the decision that the NP should proceed to referendum, which is after the examination. It is of course sensible to carry out the screening opinion so that the plan when finalised does not fail on this elementary count, but it is not a requirement and therefore not a subject that can invoke judicial review if it has not been done earlier.</p> <p>The Parish Council, so far as it can see, has done all that it should through consultation with the Statutory Authorities themselves and through the</p>
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			LPA to address this issue and so has the LPA. Barwood's non-acceptance of that does not seem justified.
008.25		¶12.27 there is not a robust evidence base to the policies	The Parish Council disagrees with this statement. As much robust evidence as is gatherable has been included in the NP Development Process. Much of it is included in either the NP or the Consultation Statement but not to the extent of making the documents unworkable or unreadable. Above all it has to be a document that is understandable by those that will be voting on it and those that have to use it after the plan has been made.
008.26		¶13.1 quotes housing policy objectives from para 10.2.1	noted
008.27		<p>¶13.2 Notes that</p> <ul style="list-style-type: none"> • these objectives are different to Objectives in 3.2.1,.2, .5 & .6 • none of the objectives promotes a level of growth consistent with the emerging local plan • refers to general conformity and misunderstands the way the policies work. 	<p>They will be different, as the 3.2 references are from the initial aims and objectives in January 2014 and these were adjusted through the Development process until the August 2014 policies were drafted</p> <p>Incorrect as 3.2.2 says <i>"To provide homes for both local need and strategic objectively assessed need."</i> and 10.2.2b ends by saying <i>"In order to be in general conformity with strategic local policy, the Neighbourhood Plan must make provision for the level of housing growth identified in the emerging Local Plan as this should be based on the most up-to-date evidence available. "</i></p> <p>10.2.2.f amended to read <i>"Policy BTH1 facilitates the level of housing growth within the village settlement identified in the emerging Warwick Local Plan"</i> to align with the BTH1 title.</p> <p>It is made clear in 10.2.2h that this is a site specific policy to meet policy DS11 site H23 and covers specific issues that only apply to this site. Other policies BTH2, 3 & 4 will also apply to this site and any other site in the Neighbourhood area, whether strategic or not.</p>
008.28		¶13.3 The extent of the site allocated in Policy BTH1 as shown on Map 6 is larger than the emerging local plan as site 23 shown on Map 16 of the draft local plan dated April 2014.	<p>This is correct. 10.2.2d says that the VHO identified site 23 as a preferred site to accommodate the strategic growth village to contribute to the District OAN. The VHO (appendix NP7) makes it clear in a note on page 38 that <i>"the plan also indicates an indicative new settlement boundary for the village. It should be noted that further discussions will be required with the Parish council and other bodies, including the Neighbourhood Plan Working Group about the extent of the settlement boundary"</i>.</p> <p>Working collaboratively, an appropriate new</p>

			<p>settlement boundary was drawn and was approved with the outline planning application for the site. A commensurate amendment to the Bishop's Tachbrook Settlement Boundary to match the outline approval has been included in the emerging plan submitted for examination by WDC.</p>
008.29		<p>¶3.4 to 3.6 questions the approach to housing contained in the housing policies and the Area of coalescence protection claiming it does not meet the basic conditions.</p>	<p>This is a muddled interpretation of the NP.</p> <p>The NP has to be in general conformity with the adopted and emerging local plans. To do this it has to</p> <ul style="list-style-type: none"> • include the strategic allocation within the growth village of 150 homes, • include the strategic site allocations that have also been given outline planning approval at Grove Farm and Woodside Farm and are contained in DS11, • comply with Emerging local plan policy H1 that directs new housing to Urban areas and to within the Growth villages and only in the open countryside for the 5 specified reasons which is totally consistent with the Framework. • If when the new local plan is adopted it still includes more at Grove Farm, then the NP policies will need to permit that development or it will be overridden anyway as a local plan adopted after the NP will take precedence. <p>The Local plan also has a strategic policy DS4 d) to limit development on sites which would lead to coalescence of settlements to ensure settlement identity is retained. This, as explained in the text in 10.2.3a leaves what this means open to interpretation and argument. But the NP can determine what that means in its Neighbourhood area. Arising from the detailed consultation with the community the area of coalescence protection was defined to ensure the essential elements across the Tach Brook valley are respected and kept free of development that can become incremental, over time, leading to urban sprawl.</p> <p>Hence all of these policies in the BTNP are entirely consistent with the NPPF and the WDC Local plans,</p>

			<p>and therefore meets the Basic Condition.</p> <p>The statement in the 1st line of 3.6 is wrong because a total of 3 sites have been given planning permission totalling 630 homes. The remainder of the parish is rural. The strategic sites in DS11 with permissions already given are in substantial excess of the plan period OAN for Warwick District and the 3 sites mentioned are part of that. The draft Neighbourhood plan is in full compliance with the emerging plan as well as the current local plan.</p>
008.30		¶13.7 Barwood disagrees with the District Council on the overall housing provision and its spatial distribution.	<p>We know that the Examination Inspector found that the emerging plan was unsound for these matters but not for the reasons promoted by Barwood. In fact, the Inspector found that the Warwick District dpa is 606 as stated by WDC, subject to satisfactory HMA arrangements to meet the overall HMA OAN of 4,004. The reason for unsoundness was that there is no clear strategy on the way that any unmet need is to be dealt with. In addition, due to Green Belt Reviews across the HMA, the distribution of housing in the district will be different to the plan proposed.</p>
008.31		¶13.8 to 3.15 Barwood disagrees with the BTNP and the WDC Local Plan on the treatment of housing allocations on Harbury Lane concluding by stating a fundamental conflict.	<p>This passage indicates that this respondent does not understand the area at all so not surprisingly comes out with entirely the wrong conclusion. 3.9 & 3.10 describes 2 pink parcels of land on the proposals Map and in 3.10 presumes, incorrectly, that they are site H02 land south of Harbury Lane. The correct position is that Harbury Lane is the road running from the north west to the south east across the plan. This is crossed by the Oakley Wood Road running south to north which becomes Tachbrook Road at the redline boundary with Whitnash.</p> <p>The pink residential area north east of the crossroads is Woodside Farm. This does not appear in the site allocations in DS11 because it was part of the plan that has been achieved since 2011 and is a Persimmon Homes site currently under construction. It is in DS7 as a site with planning permission. Land south of Harbury Lane comprises 2 parcels – 1 being the pink area in the southwest quarter of those crossroads, Grove Farm. The other part of H02 is Lower Heathcote Farm in the white area (outside the current Neighbourhood Area) to the west of Grove Farm and it is these 2 sites which are site H02. These are strategic sites in the local plan and as such are controlled by the local plan. They do not and should not form part of the Neighbourhood plan, except to be taken into account, because the NP should not duplicate</p>

		<p>strategy or policies in the Local plan and they already have outline planning permission. The NP is about future land use.</p> <p>Woodside Farm is within the BT parish and the Parish Council has been working with the developer on the detail of that development to apply BTH4 in a cooperative way to assist in improving the layout to the benefit of the developer and the development.. BTH4 of course cannot be applied, except with co-operation, because the BTNP is not yet made, nevertheless it has helped on a voluntary basis to develop the external areas of the scheme with, as examples, Public Rights of Way across the site and the location of green spaces in the development and retaining protected views around the site mainly on the Harbury Lane itself..</p> <p>Similarly, but to a lesser extent so far, with Grove Farm, the Parish Council is talking with the developer. Sites that have already got outline permission, Grove Farm and Woodside Farm, are not in the Area of Coalescence Protection which is why they are coloured pink. The Area of Coalescence protection is bounded by an orange line clearly shown on Map 8. It does not include these two residential areas.</p> <p>The hatched pink area labelled rural or country park does not yet have an outline planning approval. An application was refused at planning committee in March 2015 so it still is only in the draft local plan that has not passed the initial hearing of the examination. Currently the land is rural area. A Country Park is being promoted but until that comes into being as a definite it cannot be assumed it will happen. Financial implications for its construction and long term maintenance have yet to be made certain. So the BTNP says that</p> <ol style="list-style-type: none"> a. It is currently rural and may remain that way: or b. It may become country park, in whole or in part; or c. part of it may become a further phase of site H02 but since the boundary of that area is not properly known it cannot be shown on Map 8. If it is approved as a strategic site then the policies in the BTNP allow it to happen. But after review of the Local Plan the spatial distribution required to meet unmet need may be different and other sites found to locate housing where it is needed. <p>This confused criticism of the BTNP is wholly unfounded. 3.13 is wrong as there has been discussion with the District Council planning officers who are fully aware of the NP policies that allow approved strategic sites that are unavoidable to</p>
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			<p>provide housing needed to carry greater weight than other sustainability issues in the Framework. In no circumstance is the BTNP advocating promoting less development than set out in the Local Plan or seeking to undermine its strategic policies, but these will not now be known until the matters identified by the Inspector have been resolved.</p> <p>Paragraphs 3.14 & 3.15 are completely wrong from start to finish. BTH1 does not deal with all new housing within the designated area as the respondent states. It is a specific site to provide new housing to meet strategic demand within the village settlement. The Parish and District Councils are in agreement through the Village Housing Options Consultation on both the site being allocated for housing and the village settlement boundary being adjusted to accommodate the site</p> <p>Policies BTH2, BTRE2 and BTH1 do not undermine housing delivery as they are in conformity with both the adopted local plan policy for rural areas and the eLP for open countryside plus strategic policy DS4(d) concerning coalescence of settlements.</p> <p>If the respondent had read the Neighbourhood Plan policies properly, he would have found that in every policy there is provision for strategic policies for site allocations to be met by the Neighbourhood plan but where policies are not strategic then the policy can be met in a way determined by the Neighbourhood Plan. It is entirely in general conformity with both the adopted Local plan and the emerging local Plan even when it is finally adopted with a plan that may be substantially different to the plan that has been found unsound. The Basic Condition 8(2)(a) has been met..</p>
008.32		¶3.16-3.20 BTH2 is more restrictive than H1(c) and policy H3	<p>Emerging policy H1 is not described as a strategic policy. The described strategic policies are listed in section 5.2 of the NPSS. As a non-strategic policy, NP's can shape and direct sustainable development in its area. As explained in the text, because of the rural nature of the parish and the need to ensure affordable homes are ideally within the settlement boundary because facilities are available, the number of smaller homes permitted in a rural exception site has been reduced as explained in 10.2.3d. including not permitting market homes. That is because this could become too large a development in a rural setting and is fairly often included in rural area policies. Within the parish, in the open countryside there is, from time to time a small group of 2 or 3 cottages for farmworkers so this is part of the character of the parish that should be followed.</p>

008.33		¶3.21 bringing redundant or vacant stock back into use is restricted to historic buildings only	The inclusion of redundant or vacant historic buildings into use has been limited to historic buildings because in a rural location, many other vacant buildings are vacant for good reason - they should be replaced. We have had examples of people trying to bring pigsty's back into use for housing in an attempt to get around rules for rural housing, with very poor results. In terms of shaping where we live it has been decided to not allow this to happen.
008.34		¶3.22 to 3.23 BTH3; mix of housing types and BTH4; design of new housing development will impact on delivery and viability.	<p>The comments are not accepted. There is in 6.3 of the NPSS a full explanation as to the intent of BTH3 and in the first instance it is geared to balance up the current housing mix in the village. But the policy is not rigid and would allow reasonable differences if the developer demonstrates good reasons to change. It is intended to be a direction of travel not a rigid requirement so long as they cover the range of tenures. It has worked perfectly well so far with the 2 major sites that have reached this point even though it has only been discussed on a voluntary basis as the policy is not yet in place.</p> <p>BTH4 seeks to apply the NPPF requirement for good design by defining to a limited extent what that means. There is no reason why any of the requirements would impact on delivery and very little effect on viability. The references to the PPG are obtuse in that 41-041 does not mention consultation with proposed developers and for 41-048, all consultation bodies listed in Schedule 1 of the NP Regulations have been consulted at least twice and all landowners in the Neighbourhood area have been circulated with information about the NP and been given the opportunity to contribute.</p>
008.35		¶3.24 to 3.25 the climate change policy goes above and beyond WDC climate change policies	Response to 007.11 also applies to this objection.
008.36		¶3.26 to 3.32 concerning BTRE2; Protection of land	<p>The NPPF addresses the issue of plan-making in clauses 150 to 185.</p> <p>NPPF 154 says that Local Plans should be aspirational but realistic. They should address the spatial implications of economic, social and environmental change. Local plans should set out the opportunities for development and clear policies on what will or will not be permitted and where. This is precisely the intent of BTRE2. It directs development of housing, employment and other functions to locations that satisfy the</p>

		<p>parameters of development, safeguarding vulnerable but essential agricultural land, that with climate change, is considered will become more essential in years to come.</p> <p>It is positive because, it makes it clear that the important function of agriculture to both the economy and culture of the country, has a priority in land use requirements such that existing land use designations will only be changed when there is a specific robust requirement to do so. To do anything else negates the whole concept of Town & Country Planning.</p> <p>A plan led planning system identifies the right place for development that has been shown to be necessary to meet local needs and as NPPF 155 indicates, early and meaningful engagement and collaboration with neighbourhoods, local organisations and businesses is essential. A wide section of the community should be proactively engaged, so that local plans, as far as possible, reflect a collective vision and a set of agreed priorities for the sustainable development of the area, including those contained in any neighbourhood plans that have been made.</p> <p>The policy draws together in one place what will or will not be permitted and where. It makes provision for all strategic policies that may be included in the new local Plan when it is adopted, but until then retains the land use designations intact.</p>
008.37	¶3.33 to 3.36 Policy BTT1 will not permit park and ride or other transport initiatives	<p>It is not the function of a Neighbourhood Plan to include provision for new infrastructure such as roads or park and ride . These are the responsibility of the County Council or other authorities and will happen or not outside of the Neighbourhood Plan. BTT1 Relates to relatively low key travel/transport initiatives as is clear from the Policy. Neighbourhood Plans are required to sit within the framework of national, regional and local planning policies and NP policies cannot prevent and does not wish to prevent those overriding policies.</p>
008.38	¶4.1States that for the reasons set out by Barwood above and prematurity to the determination of key strategic issues such as level of housing need and spatial distribution subject to initial hearing sessions by the Inapector, which means that the draft Neighbourhood plan does not meet the Basic Conditions and should not	<p>The Parish council and the community of Bishop’s Tachbrook do not agree with this assessment of the position.</p> <p>The examination Inspector found that the Warwick District OAN is 606dpa, contrary to HOWPlanning’s statement made to the hearing that it should be in excess of 800, but also that the plan was not sound in terms of the overall housing provision and the supply and delivery of housing land. When the revised draft Local plan has addressed the reasons for this decision, the inspector expects the spatial</p>

		proceed to regulation15.	distribution and share of any unmet need within the HMA to be spread between the HMA authorities resulting in a substantially different plan The draft Neighbourhood plan can therefore only comply with the Adopted Local Plan 2007 adjusted for housing provision to the OAN determined by the Inspector which has already overprovided for by planning permissions granted and sites allocated in the unsound plan. The NP meets the Basic conditions and should proceed to Regulation 15.
008.39		¶4.2 Screening opinion should be repeated and SEA undertaken for this Neighbourhood plan	Is this a request for a 3 rd attempt or is the respondent just not up to date? The District Council has repeated the Strategic Environmental Assessment Scoping Report and it was published with the other 2 nd pre-submission consultation documents on both the District Council and Parish Council websites. The result was the same as the first SEA report that an SEA is not required for the Neighbourhood Plan.
008.40		¶4.3 seeks to demand via Counsels Opinion that the Parish Council should conduct a full site assessment and say yes to the use of land south of Mallory Road and also land at the Asps. It states that these have not been considered.	The Parish Council, the Neighbourhood Plan team and the whole community at meetings arranged for the purpose have fully considered both the sites that Barwoods have an interest in and have rejected them as viable sites from every point of view. The land south of Mallory Road was dismissed at appeal for sound reasons which the community, the Parish Council and the District Council all agree with. Full details of the planning parameters for the selection of sites to meet the OAN objectives are included in the Neighbourhood plan documentation including the fact that both these sites are in either rural area in the 2007 Adopted plan or open countryside in the emerging Local Plan, are not included in site allocations to meet the Warwick OAN which is already over provided for, are contrary to the NPPF sustainability requirements in terms of chapters 11 and 12 of the NPPF and are not supported by any local inhabitants due the excess pressures that an additional population would place on the limited infrastructure available.
008.41		¶4.4 Barwoods reaffirms its willingness to work with the Parish Council and District Council on developments.	Noted.

009 PEGASUS ON BEHALF OF GALLAGHER

009	<p>Representations from Pegasus on behalf of Gallagher Estates Ltd have been submitted in a 15 page paper. The points made will be assessed and where necessary the Neighbourhood plan amended.</p>	
009.1	<p>¶1.1 to 1.3 draws attention to the fact that Lower Heathcote Farm is not in the Neighbourhood Area, was granted permission in September 2014 and DS11 and 13 applied.</p>	<p>It is agreed that the site containing Lower Heathcote Farm and the former Sewage Works is not in the Parish or the Neighbourhood Area and not covered by the Neighbourhood plan. They are not shown on the Neighbourhood Plan Map nor included in any of the policies in the 2nd pre-consultation documents.</p> <p>In the 1st pre-submission consultation in September 2014, the NP Map showed the site as a site that was said to be being transferred to Bishops Tachbrook as part of the Governance Review of ward boundaries. However it was distinguished from the Neighbourhood Area by an orange line around it whilst the Neighbourhood area had a red boundary line. The key on the Map described the difference. The reason for this was that in the months before that consultation, the Governance Review was underway and it was known that the Council was keen to review boundaries in time for the May 2015 elections.</p> <p>Questions to the Council as to how and when the Neighbourhood Area should be amended to align with the new boundaries did not get a clear response, so it was essential that the preparation of the Neighbourhood Plan should include consideration of areas to be transferred both in and out of the Parish. The Governance Review Committee deliberated on how boundaries should change and at the time the Map was produced in August 2014 the best information was that this site would be transferred into the Parish but it was still unclear as to when that would take place. Until the transfer had properly taken place, it was considered that the Neighbourhood Area could not be reconsidered and because it would have to be done through a separate consultation process it was unlikely that the Parish Boundary and Neighbourhood Area boundary could change simultaneously.</p> <p>For the 1st pre-submission consultation, it was concluded that the best way was to continue with the authorised Neighbourhood Area but show the possible changes so that the community knew the possible outcome of the review. On that map the area within the orange boundary showed the residential area (including supporting infrastructure works) with outline permission at Lower Heathcote Farm clearly as residential, coloured pink, whilst the remaining area not containing residential was hatched blue/grey and titled rural or country park. Grove Farm was treated in the same way but that was inside the Neighbourhood Area boundary with the residential area with outline approval shown in pink and remaining area hatched blue/grey and titled rural or country park. That seemed the only way to show things at the time because it was not known whether the country park would materialise and the alternative would then have been rural remaining agricultural. Rural area in the rest of the parish was cross-hatched brown in contrast so that the plan recognised the potential change that</p>

		may occur.
009.2	¶1.4 to 1.5 and 2.1 to 2.2 – consequently the NP does not meet Basic conditions.	<p>a. The 1st pre-submission consultation concluded on November 5th 2014. During that consultation period, the Governance Review continued, firstly not extending into Lower Heathcote and then returning to the move of the Parish boundary up to Harbury Lane and west to Europa Way. However, by December 2014, it was clear that changes were not certain due to electoral rules and Neighbourhood area changes could not be co-ordinated so the Parish and District Council’s agreed that the Neighbourhood Plan should remain as the area designated in 2012 and when changes are known, then consideration will be given to amending the Neighbourhood area and the implications of doing that.</p> <p>b. Following that 1st pre-submission consultation, the required Neighbourhood Plan documents were prepared removing any references to Lower Heathcote Farm and sewage works on the map and in the policy section of the Neighbourhood Plan. In the 2nd pre-submission consultation, this was made very clear in the last paragraph of ¶ 10.2.2a. A further amendment has now been made to the last sentence to clarify its intent, to say (amendments in bold)</p> <p><i>We have agreed with the respective neighbours that the policies included for the land in this Neighbourhood Plan subject to boundary changes are in accordance with their plans so that when they transfer out, they can be accommodated within their plan. This Neighbourhood Plans will be reviewed in due course to regularise the boundary change.</i></p> <p>c. The final position of the boundary changes is still unclear. Woodside Farm transferred to Whitnash on April 1st 2015. Enquiries are currently out to get the latest position.</p> <p>d. Concerning the Basic Condition</p> <p>The NP has to be in general conformity with the adopted and emerging local plans. To do this it has to</p> <ul style="list-style-type: none"> • include the strategic allocation within the growth village of 150 homes, (BTH1) • include the strategic site allocations that have also been given outline planning approval at Grove Farm and Woodside Farm and are contained in DS11,(BTH4) • comply with Emerging local plan policy H1 that directs new housing to Urban areas and to within the Growth villages and only in the open countryside for the 5 specified reasons which is totally consistent with the Framework.(BTH2) • If when the new local plan is adopted it still includes more at Grove Farm, then the NP policies permit that development or it will be overridden anyway as a local plan adopted after the

		<p>NP will take precedence.(BTH2)</p> <ul style="list-style-type: none"> • If when the new local plan is adopted it still includes a country park as a strategic policy then the BTNP will permit it (BTRE2C) <p>The Local plan also has a strategic policy DS4 d) to limit development on sites which would lead to coalescence of settlements to ensure settlement identity is retained. This, as explained in the text in 10.2.3a leaves what this means open to interpretation and argument. But the NP can determine what that means in its Neighbourhood area. Arising from the detailed consultation with the community the area of coalescence protection was defined to ensure the essential elements across the Tach Brook valley are respected and kept free of development that can become incremental, over time, leading to urban sprawl.</p> <p>Hence all of these policies in the BTNP are entirely consistent with the NPPF and the WDC Local plans, and therefore meets the Basic Condition.</p>
009.3	¶12.3 to 2.5 remove references to land outside the Neighbourhood area	<p>Further to paragraph 2.5, the policies section 10 of the plan has been examined in detail and found only 2 further references that may refer to adjacent areas outside the Neighbourhood area and these have been amended as follows.</p> <p>a.For the avoidance of doubt an amendment has been made to 10.2.3a final paragraph</p> <p>b. <i>The Area of Coalescence Protection will be between Europa Way/Banbury Road and Oakley Wood Road from the northern village settlement boundary and the north side of Mallory Road up to the parish boundary along the Tach Brook, then up to the recently granted residential site at Grove Farm, plus all areas to the east of Oakley Wood Road from the northern village settlement boundary to the north east corner of the conservation area boundary, due east to the southern corner of Whitnash where it meets the northern corner of the sports ground on the north east side of Harbury Lane, west to the Woodside Farm residential site, south to Harbury Lane and west to the Harbury Lane/Oakley wood crossroads, as shown on Map 8 page 100. The area is shaded pink and bounded by an orange line.</i></p> <p>c.The last sentence of 10.2.3h has been omitted as the Inspectors findings of the initial hearing of the examination changes the housing supply position.</p> <p>d. The only other references are in section 5.3. Chapter 5 is about the context in which the Neighbourhood Plan has been developed. In Pegasus para 1.2 it suggests that providing context for the Neighbourhood plan is satisfactory. 5.3 sets out the overall parameters that will affect the Neighbourhood plan from the strategic policies of the existing Local plan and the draft local plan site allocations. Inevitably, it addresses issues that the community are concerned about, for a range of reasons, when</p>

		<p>large developments are concentrated in one area. Developments not only provide housing but affect the infrastructure into which they are placed.</p> <p>e. It is particularly important to identify matters that conflict with the NPPF whosoever has a plan to suggest them. Since the Examination Inspector has declined to take the examination any further due to the level of housing need and how this will be met across the whole of the HMA, it would seem that the Neighbourhood Plan's identification of non-compliance of these sites with the NPPF112 was justified unless significant development of agricultural land is demonstrated to be necessary to meet unavoidable objectives, LPA's should seek to use poorer quality land in preference to that of a higher quality. If conformity to the local plan puts the Neighbourhood plan into conflict with the NPPF, is that right?</p> <p>f. 5.3.1 describes DS11 as listing the greenfield sites giving H02 as</p> <ul style="list-style-type: none"> • 1,505 dwellings on land south of Harbury Lane. • that Grove Farm is in the Neighbourhood Plan area. • To date these have had outline applications of 200 on Grove Farm and 785 on Lower Heathcote Farm totalling 985. It does not say what the final disposition of the 1,505 would be. From previous information it was thought that there would be second phases for both, totalling 320 and 1200 respectively. That does not now appear to be the case. • It also notes that the brownfield site, the former Sewage Works, also H02, allocates 215. <p>These are just facts trying to separate what is in the Neighbourhood Plan area and what isn't.</p> <p>g.5.3.2 has been rewritten to take account of objections and the result of the LP examination. Conserving and enhancing the natural environment is very much part of the neighbourhood plan context and important to address because, as neighbourhood plans are to include communities in the planning process, it is important to listen to and take heed of the community if planning is to be a collective enterprise. Unless the problem is analysed then it cannot be solved. So the question that 5.3.2 tries to address is has the need to build large volumes of housing in this location been demonstrated such that</p> <ul style="list-style-type: none"> • the use of b & mv agricultural land and • the loss of valued landscapes in the Tachbrook Valley that have been safeguarded for many years by the District Council and by Inspectors at previous planning Inquiries • as well the importance of limiting development on sites that would lead to coalescence of settlements to ensure settlement identity is retained <p>can all be disregarded?</p> <p>The housing is acknowledged as being required, but has it been demonstrated that this was the only location for it?</p> <p>As it turns out, following the report of the Examination Inspector, for Warwick District, the housing need was less, down from 720 to 606 dwellings per annum, meaning that almost</p>
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009.4	¶13 The local plan and Neighbourhood plan should be complementary and they aren't.	<p>It is not accepted that there is any conflict between either the 2007 Local Plan and the Neighbourhood plan or the emerging local plan and the Neighbourhood plan.</p> <p>Simply, due to the inspectors findings, there is not an emerging local plan. The 2007 local plan is therefore still in place in so far as it does not conflict with the Framework and where that is the case then the Framework will be applied. The Neighbourhood Plan has to be in general conformity with this local plan and that means the parts of that plan designated rural should remain rural. This can be done without constraining delivery of important national objectives, since the District OAN is now agreed as 606dpa, without duty to co-operate requirements that are yet to be determined.</p> <p><i>A draft neighbourhood plan or Order must be in general conformity with the strategic policies of the development plan in force if it is to meet the basic condition. A draft Neighbourhood Plan or Order is not tested against the policies in an emerging Local Plan although the reasoning and evidence informing the Local Plan process may be relevant to the consideration of the basic conditions against which a neighbourhood plan is tested. PPG41-009.</i></p> <p>To ensure that when a local plan is ready to be made, policies in the Neighbourhood plan relating to housing are written to allow any site set as a Strategic site to be permitted when otherwise it would not be. That way the policies are flexible and are in general conformity with the new local plan.</p> <p>In paragraph 3.2 and in many other places Pegasus accuse the Neighbourhood plan of being in conflict with the emerging local</p>

		<p>plan. First, it is not, as it contains policies that allow all strategic initiatives and these were agreed with the LPA. Where we have identified problems with the local plan we have said so to try to avoid the plan being found unsound. Pegasus point out that in para 1.3.12 of the Neighbourhood plan it is stated that the emerging plan is unsound. At the examination, that is exactly what the Inspector found.</p>
009.5	<p>¶ 4.1 concerned with references in the NP to adjacent land outside the Neighbourhood area.</p> <p>¶ 4.2 respondent states no difficulty with para 5.3.1</p> <p>¶ 4.3 to 4.5 Former sewage works and 5.3.2 references to it</p> <p>¶ 4.6 States that the Landscape study is out of date since the land has outline planning permission and there is no evidence to support the current high environmental value of the former sewage works site.</p> <p>Also states that there is no evidence to support the assertions that the site is not developable due to unacceptable contamination</p>	<p>Answered in rep no 009.1</p> <p>None required</p> <p>Answered in rep no. 009.3g The accusation that the NP is being used as a vehicle to resist development is not accepted. It is attempting to ensure that all development complies with the NPPF that, only when it is essential, chapter 11 is overridden. The NP is trying to get development to meet the OAN in the right place to meet the needs identified in respect of the HMA as a whole as now identified by the Examination inspector.</p> <p>The Landscape study is dated October 2014 and records the position as it is before any development takes place so it is not out of date. Outline planning permission was granted on 19/9/14. The Landscape study is included in the appendixes to neighbourhood plan as appendix NP8 2. It records in Zone BT16 that Landscape sensitivity to housing is potentially high, the skyline is prominent due to the open nature of the zone and rising ground, and views are of a medium to large scale farmed landscape. There is good tree cover along Tach Brook, around Lower Heathcote Farm and around the disused Sewage Works but overall the views are very open. especially from PRoW W105 which runs through zone BT_01. Intervisibility is High. Tranquillity rating is Medium</p> <p>The farmland forms part of the wider farmed area. Tach Brook, Harbury Lane and Europa Way around the perimeter of the zone also provide links to the wider area. Visually the farmland within the zone relates to the wider farmed area to the south, west and east rather than the built up area of Warwick Gates. Key receptors Rural residents High; Road users Medium ; Recreational High. Photographs are also shown that demonstrate the environmental value of the former sewage works.</p> <p>Para 7 of 5.3.2 noted the large deep tanks sunk into the site and warned that contamination could be a problem. It did not say it was but Environmental Health will need to ascertain the position. That is a developer risk.</p> <p>However, since the site is outside the Neighbourhood plan area, 5.3.2 has been completely revised to address</p>

	<p>¶ 4.7 to 4.10 sets out the respondents justification for the Country Park and disagrees with the views expressed by the draft Neighbourhood Plan.</p> <p>¶ 4.11 Criticises the Neighbourhood Plan on the grounds that the need to meet the OAN requires development as DS11 and that this is a matter for the Local plan not the Neighbourhood Plan and that this is in direct conflict with national guidance and therefore fails that Basic Condition.</p> <p>¶ 4.12 In conclusion, the respondent accuses the Neighbourhood Plan of trying to constrain the delivery of a strategic site.</p>	<p>the conservation and enhancement of the Tachbrook Valley.</p> <p>It is important for the Neighbourhood Plan to present the views of the community and that is what it does. The policies in the plan were written to safeguard the agricultural land, through a difficult local plan development period, which is not yet finished. Provision has been made to permit a country park if so determined by District Council Strategic Policies essential to meet unavoidable objectives. This will not stop the community preference for the land to remain as agricultural and as considered most appropriate by the 2007 planning inspector, but as it has now received planning permission and if it is fully financed, then the Neighbourhood Plan is written so that it is not prevented.</p> <p>This paragraph bases its criticism on para 5.3.3 in the draft Neighbourhood plan at consultation. Following the letter to the District Council from the Inspector of the Examination of the draft Local Plan initial hearings that found the plan unsound, the position has changed.</p> <p>5.3.3 has been rewritten to take this into account. Without involving the Neighbourhood plan in any more numbers, the Inspector determined the OAN of both the Housing Market Area and its individual authorities, that there was a significant shortfall in provision due to Coventry but that there was not a strategy in place to address that issue.</p> <p>At the present time, the only knowns for Warwick District is an OAN of 606 dwellings per annum, that all authorities have been given the task of green belt review and that he expects the revised plan to be substantially different from that submitted for examination. The revised plan should ensure that the HMA OAN of 4,004 dwellings per annum with sites relevant to the place of need is planned for.</p> <p>The implication is that the current draft Local Plan spatial strategy is not correct and thus the Neighbourhood plan was not necessarily in direct conflict with the Framework. The only local plan available to the Neighbourhood Plan now, is the Adopted Local Plan of 2007 with which it is fully in general conformity.</p> <p>The accusation is false as there was never any attempt to constrain delivery, only to provide the Objectively Assessed need in locations that were relevant to that need. That is the whole philosophy and purpose of a plan-led planning system and is the only way to achieve the Framework goal for sustainable development.</p>
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<p>¶5.1 repeats the point on the landscape study as it covers zone BT16 and the robustness of the Landscape Study compared with a forensic ES prepared by the respondent</p> <p>¶6.1 refers again to the Neighbourhood Area that does not include Lower Heathcote Farm and former sewage works. Also questions evidence on land exchange areas agreement with respective neighbours.</p> <p>¶7.1 repeats the accusations that</p> <ul style="list-style-type: none"> • the NP and LP are not in conformity • Has no remit on land outside its Neighbourhood area • States that there is no proportionate evidence to support retention of the former sewage works as land of high environmental value. • Denies that the Country park will be ineffective • Denies that land south of Harbury Lane is no longer required <p>¶7.2Agrees that BTH2 <u>does</u> state that housing development proposals located outside of the settlement boundary will be in locations that are strategic sites in the WDC Local plan 2011-2029 and that this supports the Basic condition requirement that the NP is in general conformity with the strategic policies of the LP.</p>	<p>This disagrees with the planning Inspector of the 2007 adopted local plan who stated that Lower Heathcote Farm should not be identified as an area of search post-2011 for housing-led mixed use development in either the medium or longer terms. It also disagrees with the obvious visual quality of the landscape as seen from the south across the Brook that is appreciated by the community responses to the 2 pre-submission consultations.</p> <p>Agreed, and is referred to in rep no.009.2c Para 10.2.2A has been updated. All neighbouring towns and parishes have been notified of the two pre-submission consultations as statutory consultees see appendix c.2.3 attached, Rep nos. 101 to 105. Only one responded with a comment. Informal discussions took place with Whitnash Town Council representatives on specific detail matters on the area north of Harbury lane that has transferred to them on 1st April 2015 but still remains in our Neighbourhood Area.</p> <p>The NP does comply with all strategic policies of the Local plans, both 2007 and the draft 2015</p> <p>Agreed and explained at length in 009.2c and elsewhere</p> <p>Disagreed and this is dealt with in 009.3g</p> <p>There is no definition of a country park but by comparison with others it will be ineffective for the reasons stated. But if it is a strategic policy, then the NP permits.</p> <p>The revised position due the finding of the Inspector results in a housing supply that has already been exceeded by over 1,100 dwellings through permissions granted to date plus sites allocated in DS11, windfalls agreed by the inspector without any further allocations south of Harbury Lane.</p> <p>WE are in agreement on this issue. Thank you.</p>
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009.6	¶18 8.2 concerns Policy BTH4.5 - raises concern about the requirement that new housing within 100m of existing housing boundaries shall be single storey height.	<p>A matter raised by other respondents and amended as follows.</p> <p>It does provide the opportunity for bungalows to be provided to meet the needs of older people either for sale or for affordable small units whilst meeting the objective of respecting the amenity of existing householders who would otherwise have a view of dominant roofscapes where they currently have an open environment.</p> <p>The emerging local plan policy BE3 says that development will not be permitted which has an unacceptable adverse impact on the amenity of nearby uses and residents and examples of disturbance and intrusion include loss of privacy, loss of sun/day light, visual intrusion. There are no specific requirements, which mean that amenity of neighbours is often insufficiently protected.</p> <p>it is accepted that 100m is probably excessive and so the requirement will be reduced to 50m together with planting to the common boundary between new and existing properties in keeping with the garden village concept. BTH4 will be amended on these lines.</p>
009.7	¶19 Policy BTTCC1	Response to 007.11 also applies to this objection.
009.8	¶10 Objections to BTRE2	<p>10.1 claims that BTRE2 has the intention, as large parts of the NP do to object to strategies DS13 and DS11. This is a misconstruction of the draft NP. In fact it supports DS11 and DS13 as strategic sites for housing and the country park by permitting sites that are considered strategic when the new local plan is prepared and adopted but directs other windfall applications away from the area that is essential to prevent coalescence of communities. This safeguards important agricultural land, protects the environment around the Tachbrook Valley and meets the objective of engaging the community in shaping and directing sustainable development in their area, whilst at the same time meeting the national policy of providing housing. It complies with the Basic condition whereas uncontrolled development in rural areas or open countryside does not.</p> <p>10.2 BTRE2 does not resist changes of use from agricultural land to other forms of development including a country park. It direct developments to appropriate locations and prevents the loss of essential agricultural land that will become more important as the population grows and climate change affects global food production. It supports growth by providing crops that would otherwise need to be imported.</p> <p>The reasons for suggesting that a country park in this location is not appropriate are set out in 10.5.3a to g of the Neighbourhood Plan Submission Statement. If district council does decide to include it as a strategic element of the plan then the NP</p>

		policy will bow to that. If the district council takes the view of the existing communities about the park into account, then retention as agricultural in a rural area is the preferred option, meeting national policy in conserving and enhancing the natural environment.
009.9	¶11 objection to the principle of protected views	<p>Policy BTRE3 and protected views. Contrary to Pegasus' claim that protected views are not accordance with national policy, NPPF 185 allows Neighbourhood Plans, outside strategic elements, to be able to shape and direct development in their area. Once a neighbourhood plan has demonstrated its general conformity with the strategic policies of the Local plan and is brought into force, the policies it contains take precedence over non-strategic policies in the local plan for that neighbourhood, where they are in conflict.</p> <p>Protected views do not necessarily prevent development. They may affect it, but not prevent it. Some protected views will be regarded as undesignated heritage assets for the local listing, others will be valued landscape views but all are part of the character of the area, that is attractive to people and which, when lost to inappropriate development, can never be regained. It is part of Chapters 7, 8, 11 and 12 of the NPPF as it is about good design which is a key aspect of sustainable development (NPPF56), a shared vision with communities of the residential environment to create and retain high quality public space (NPPF 69), protecting and enhancing valued landscapes (NPPF109) and sustaining and enhancing the significance of heritage assets (NPPF126). For any development to be sustainable all the dimensions of sustainability have to be achieved simultaneously not gain one at the expense of the other. That is national Policy and is necessary to meet the Basic conditions.</p>

010 JENNY BEVAN

010.1	comment	Check documents to distinguish Warwick District Council and Warwickshire County Council.	Checked and corrected
010.2	Comment & support	Well thought through, detailed plan which would benefit from an executive summary with brevity to enable wider village engagement. I support the findings in the plan.	A brief, easy to read , NP summary leaflet will be distributed once the plan has passed examination to inform the electorate prior to the referendum with a full online version posted on the website.

011 DELTA PLANNING ON BEHALF OF A C LLOYD

011	<p>Delta Planning are making representations on behalf of A C Lloyd Homes Ltd.</p> <p>Welcomes the 2nd consultation that has resolved some of the objections to the 1st consultation..</p>		
011.1		<p>¶2 Neighbourhood plan requirements sets out key basic conditions as NPPF and must not constrain national objectives, should plan positively and not promote less than set in the local plan</p> <ul style="list-style-type: none"> • Contribute to sustainable development • To conform to strategic policies of the local plan • A presumption in favour of sustainable development • Plan positively to support local development, shaping and directing development that is outside the strategic elements of the Local plan 	<ul style="list-style-type: none"> • agreed and the NP achieves this. • suggests a sustainability appraisal – agreed and this is a primary objective of the NP. The consultation Statement contains Sustainability appraisals at chapters 4 and 8. • agreed and the NP does that irrespective of which local plan is in place at the time of its examination – the 2007 Local Plan , the emerging local plan that failed at the initial hearing at its examination or a new local plan that properly takes into account the concerns of the Inspector, subject to knowing what it will contain. (All we know at the moment is that it may be substantially different). • agreed, placing the emphasis on sustainable as set out in NPPF14 to meet objectively assessed needs, with flexibility (up or down as found necessary in the future), unless adverse impacts outweigh the benefits when assessed against the framework as a whole or specific framework policies indicate that development should be restricted. • agreed and we consider the NP policies do that
011.2	object	<p>¶ Paragraph 5.3.2 Draft plan allocations</p>	<p>5.3.2 has been rewritten to take account of objections and the result of the LP examination. Conserving and enhancing the natural environment is very much part of the neighbourhood plan context and important to address because, as neighbourhood plans are to include communities in the planning process, it is important to listen to and take heed of the community if planning is to be a collective</p>

			<p>enterprise. Unless the problem is analysed then it cannot be solved. So the question that 5.3.2 tries to address is has the need to build large volumes of housing in this location been demonstrated such that</p> <ul style="list-style-type: none"> • the use of b & mv agricultural land which Eric Pickles, in his ministerial statement 25/3/15, wanted to make it clear that loss of the best and most versatile agricultural land would need to be justified by the most compelling evidence; and • the loss of valued landscapes in the Tachbrook Valley that have been safeguarded for many years by the District Council and by Inspectors at previous planning inquiries; as well as • the importance of limiting development on sites that would lead to coalescence of settlements to ensure settlement identity is retained <p>can all be disregarded?</p> <p>The housing is acknowledged as being required, but has it been demonstrated that this was the only location for it?</p> <p>As it turns out, following the report of the Examination Inspector, for Warwick District, the housing need was less, down from 720 to 606 dwellings per annum, meaning that almost 2000 dwellings less are needed for Warwick District. To provide for the HMA, then the location of sites in neighbouring authorities to do that across the HMA would be substantially different and at the present time the outcome of this approach is unknown.</p> <p>5.3.2 has been revised to take account of these matters and comply with the Basic conditions in PPG41-065</p>
011.3	object	<p>¶14 Land off Seven Acre close has not been included in the NP for housing development.</p> <p>The site is outside the settlement boundary and in rural area in the 2007 Local Plan and in open countryside in the emerging Local Plan. In this draft Neighbourhood Plan it is allocated as rural land and so is in general conformity with either Local Plan. Also noted is that at the Warwick District Local Plan 1996-2011 Inquiry the Inspector’s Report, at 12.3.16, in the last sentence states, referring to development opposite the Leopard “....my overall conclusions that neither of these potential housing sites should be allocated for development or be included in the village envelope for Bishops Tachbrook. I also consider it would be inappropriate to include other areas on the margin of the settlement but outside the defined policy boundary, including the existing playing fields on the south east of the village”</p> <p>The process leading to the decision on where to locate new housing is clearly set out in</p>	

	<p>paragraphs 5.4 to 5.6 of the Neighbourhood Plan Submission Statement(NPSS). 5.4 describes the Village Housing Options Consultation (VHO) that Warwick District Council carried out commencing in October 2012 as part of the research for the new local plan to establish the potential capacity for housing in all the villages in Warwick District. (Relevant extract attached to NPSS as Appendix NP7). This was led by the District and the allocated officer became the liaison person with the Parish Council on developing the Neighbourhood Plan. To define local need in 2009 the Parish Council had commissioned a housing needs survey through Warwickshire Rural Community Council (WRCC) which identified a need for 14 dwellings and their tenure. This was attached as Appendix NP2 to the NPSS.</p> <p>At about the same time, the Neighbourhood Area was designated by the District Council and the Parish Council prepared an Aims & Issues Statement to establish the matters that the Neighbourhood plan should consider, what the needs and aspirations were and what the possible alternatives might be. This was attached as Appendix NP4 to the NPSS and on page 9, set out an early indication of the possible housing need, and on page 12 in appendix B, an initial drawing of the village highlighted some of the possible options for small housing schemes as a starting point. This showed the site south of the school initially as 55 dwellings and Seven Acre Close as a possible 25 homes (partly because it was known that A C Lloyd had it in mind).</p> <p>Within the WDC programme, the aim was to find 1000 sites in all the villages. At the beginning of the process the number that the Aims and Issues Statement of 75 had suggested was fed into the VHO, but in the other villages it was found difficult to identify sufficient sites to reach the local plan expectations.</p> <p>In parallel with the WDC work, the Parish Council had commenced working with Urban Vision, a consultancy experienced in Neighbourhood Planning to help us get into the NP process particularly in engaging with the community. They were able to produce a simple comparative analysis of the sites that jointly with the WDC officer we had identified by walking the village. (see appendix NP5). It found that the 75 required could be taken on the site south of the school but the VHO was struggling to get up to it's target, so Urban Vision looked at every possible site in the village identifying 16 sites inside the settlement boundary. After removing the impractical sites – see paragraph 5.6.2 of the NPSS, it found that 149 dwellings might be possible in the village. In the autumn of 2013 it was felt that we should check the housing need survey, so WRCC was asked to undertake a second Housing need survey. The report was received in January 2014 and identified a need for 16 dwellings. This was attached as Appendix NP3 to the NPSS</p> <p>The Parish Council working with the District Council considered the issues in depth as set out in 5.4.2 and narrowed the field to 3 sites and at the same time the parish council set out the design parameters for the site(s) to be selected that achieved the best result for the village as a whole with the potential for general improvements as part of the package. (see 5.5). The result of all these processes was to settle on one site as it was found to be capable of taking the total 150 required on one building site that minimised disruption to the village, was in the best place to plug in to the village facilities, was able to include other improvements to the village etc as set out in the design parameters. The VHO then included 150 for Bishop's Tachbrook and this was included in the Local Plan policy DS11 that finally found 763 sites in all the villages. Without the work done in constructing the Neighbourhood Plan, the villages contribution to the Local Plan target could have been less.</p> <p>At this level of provision it was felt to be the maximum that the limited facilities in the village could cope with although 3 other small sites could contribute satisfactorily to any flexibility that might be found to be necessary as shown in 5.6.13 giving 189 sites, a 26% uplift if required.</p> <p>The reasons for not including more housing at Seven Acre Close are given in 5.6.5. and with an unrelated line of enquiry it began to be seen that with the increased housing numbers the village was going to be low on recreational space and that this field in planning terms, considering its location, could be better utilised for recreational open space facilities on the</p>
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		west side of the village. It is outside the designated settlement boundary both in the 2007 local plan and the emerging local plan and the land owner was not utilising the land for any agricultural purpose as it had been acquired for possible development. In a plan-led planning environment a site outside but adjacent to the village in open countryside could provide community recreational facilities of some sort. In fact, it would be about the only opportunity in the village to provide such a facility.	
011.4	object	¶15 Objects to policy BTH1 and 10.2.2h as it only identifies one site for housing development except for sites qualifying under BTH2	The recent refused application was for 25 dwellings with a mention in the supporting documents that the remainder of the field could take another 25. But it is outside the settlement boundary and at the 2006 Inquiry was specifically excluded from a village boundary extension as recorded in 011.3. The owner is understandably not content with that and describes it as an unused overgrown field. As the owner, that must be his choice, but in planning terms it is agricultural land being part of a farm in the past before the village was developed along Mallory Road. As part of the Tach Brook Valley it is rural area and it should be protected and enhanced. Note that AC Lloyd are the developers of Grove Farm which is a WDC Strategic site allocation, so they have more than one site in the parish. Seven Acre Close is not in DS11 of the local plan, so the OAN for the district has been planned for without this site.
011.5	object	¶16 object to the Bishop's Tachbrook Settlement boundary and the proposed Area of Coalescence protection	A C Lloyd objects to the settlement boundary for Bishop's Tachbrook. The NP has no choice in this. It has been the same boundary since 1983, it was confirmed by the inspector of the 2007 Local Plan and was included in the emerging local plan. The NP has to be in general conformity with the Local Plan but the vocal community consultations definitely confirm that the settlement boundary should be retained. A C Lloyd objects to the Area of Coalescence Protection to the north of the village suggesting it is in conflict with the WDC Local Plan. We agree that it is not in an area of restraint. The Inspector of the 2007 Local Plan specifically addressed the area between Harbury Lane and Bishops Tachbrook and in para 9.4.4 said " <i>I consider that this extensive tract of open land south of Gallows Hill/Harbury Lane is sufficiently well protected by the Rural Area Policies of the Plan, which are stronger than those in the previous Local Plan, without the need for additional protection. It is not the function of AoRs to give an added layer of protection to open countryside where appropriate policies already exist to control development.</i> "

			<p>The Area Of Coalescence Protection is specifically to define the meaning of what constitutes the required distance to prevent community coalescence, as this depends on local circumstances. Hence it is frequently argued over. A plan-led planning system should be clear. The NPPF185 says that outside strategic elements, Neighbourhood Plans will be able to shape and direct sustainable development in their area. That is what the Area of Coalescence Protection does, as it directs non-strategic development elsewhere through Policy BTH2 which directs where development outside the settlement boundary can take place. It specifically allows any strategic development in the Local Plan.</p> <p>In this respondent's case with an interest in Grove Farm, if the site is included in a successful new local plan as a strategic site, then BTH2 would allow sustainable development. Whilst it is subject to rural area policies in the current Local Plan it would not and that position is supported by the Inspectors of both the 2007 Inquiry and the Local Plan examination. Where permission has already been given at Grove Farm, it cannot be undone.</p> <p>The Parish council considers that this approach does meet the Basic Conditions.</p>
011.6	object	<p>¶17 a Objects to the 100m single storey zone at existing housing boundaries</p> <p>b objects to design review on sites of more than 8 dwellings</p>	<p>See response to Frampton at 001.18 and this is reduced to 50m.</p> <p>See response to Frampton at 001.19. No change.</p>
011.7	object	<p>¶18 Objects to climate change policy as out of place in a NP.</p>	<p>Response to 007.11 also applies to this objection.</p>
011.8	object	<p>¶19 Objects to BTRE2 as it serves no purpose whatever and repeats BTH2</p>	<p>See response to Frampton at 001.21</p> <p>The policy draws together in one place what will or will not be permitted and where. It makes provision for all strategic policies that may be included in the new local Plan when it is adopted, but until then retains the land use designations intact.</p>

011.9	object	¶10 Objects to the entire approach to identifying Local Green Spaces but in particular the land at Seven Acre Close in A C Lloyds ownership.	<p>Policy BTRE3E) said Land to be designated as Local Green Space is set out in table 16 to paragraph 10.5.4d. But there is a slight error in paragraph numbering as 10.5.4c was used twice in succession so 10.5.4d is now renumbered 10.5.4e.</p> <p>Table 16, which includes justification for each space is referred to in an introductory paragraph in 10.5.4e and this been extended to include reference to Appendix NP11 as well a reference to Local Green Spaces in new developments as described in Rep no. 103.3.</p> <p>Proper procedures must be adopted for any Local Green Space designation. As a new designation, those procedures are uncertain and are being researched. The landowners objection is noted.</p> <p>Land can be considered for designation even if there is not public access and if designated does not in itself confer any rights of public access over what exists at present PPG37-017</p> <p>Land designated as local Greenspace may potentially also be nominated for listing by the local authority as an asset of community Value as such listing gives community interest groups an opportunity to bid if the owner wants to dispose of the land.PPG37-022</p>
011.10	object	¶11 Assets of community Value - A C Lloyd objects to the inclusion of Land off Seven Acre Close in Table 17 as an Asset of community Value	<p>BTNP 10.7.2 explains the identification of assets that may have value to the community. Some are in public ownership already, others have potential. The rules are complex but will be followed.</p> <p>The Neighbourhood plan is the vehicle to identify sites that provide or could provide for community activities in a plan-led system.</p> <p>The assets identified are not listed through the Neighbourhood plan. As and when an Asset threat or opportunity arises, an application may be made to the District Council to list the Asset through Part 5 Chapter 3 of the Localism Act, and the Assets of Community Value (England) Regulations, which together deliver the Community Right to Bid</p>

012 NATIONAL GRID

012	National Grid owns & operates the high voltage electricity transmission system and the gas transmission system to help ensure the continued safe operation of existing sites and equipment and to facilitate future infrastructure investment. National Grid wishes to be involved in the preparation, alteration and review of plans and strategies which may affect their assets.		
012.1		<p>National Grid has identified the following high pressure gas transmission pipeline as falling within the Neighbourhood Area boundary :</p> <p>Pipeline FM02: Churchover to Wormington Pipeline FM14: Churchover to Wormington</p> <p>These transmission pipelines do not interact with any of the proposed development sites. There may however be Low Pressure (LP)/Medium Pressure Gas distribution pipes present within proposed development sites</p>	Consult National Grid on any Neighbourhood Plan documents or site-specific proposals that could affect the infrastructure

From the consultation information provided, the above gas transmission pipelines do not interact with any of the proposed development sites. There may however be low pressure(LP)/ Medium Pressure(MP) Gas Distribution pipes present within proposed development sites. If further information is required in relation to the LP/MP network please contact plantprotection@nationalgrid.com

013 THE RAMBLERS ASSOCIATION, WARWICKSHIRE AREA

013	Michael Bird – Hon Footpath & Countryside Secretary, The Ramblers Association, Warwickshire Area		
013.1	comment	Table 18 SCHEDULE OF EXISTING PUBLIC RIGHTS OF WAY- Penultimate line- there is no footpath numbered W142. I agree it's not clear from the map on page 169, but the footpath number should read W112	Correct the Map. Better quality map requested from WCC PRoW department.
013.2	Comment	Para 10.8.3c Warwickshire Ramblers are pleased to see you have referred to two of our claims for public footpaths to be added to the definitive map, which date from 1 st September2003 and have still to be decided. WCC reference number for these two claims are MZ631RA & MZ636RA respectively	noted
013.3	Comment	However, you have failed to mention our third claim in the parish. This runs from SP31586008 to SP32946157 via Highdown Farm. The WCC	Added to 10.8.3c

		reference number for this claim is MZ637RA	
013.4	support	Subject to these two brief amendments, Warwickshire Ramblers are happy to support BTLWB3 in it's entirety. We wish you every success and the speedy adoption of your excellent Neighbourhood Plan	noted

014 ANDREW & JULIE DAY

I have no comments and support the Draft Neighbourhood plan.

015 LEIGH CARTER

I have no comments and support the Draft Neighbourhood plan.

016 PAUL M WHITWOOD

I have no comments and support the Draft Neighbourhood plan.

017 KEITH WELLSTED

017.1	support	I fully support these sensible set of policies and trust they allow us to ensure that the encroachment of building towards our village is blocked. Specifically this means the rejection of further phases of the Grove Farm development. Any other result will be a travesty of local democracy.	noted
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018 LARRAINE CURZON

018.1	support	I fully support the aims and vision of the draft Neighbourhood plan for Bishop's Tachbrook	noted
018.2	support	Our village should grow in a sustainable way for the future to provide an excellent community for all ages. I feel it particularly important that Bishop's Tachbrook should remain as a village community able to enjoy a rural environment and to strongly resist the encroachments from Warwick & Leamington Spa towns.	noted
018.3	support	Please express my great thanks to the Parish council and all other contributors for the hard work that brought about the Neighbourhood plan.	noted

019 EIRAN CURZON

019.1	Support	I fully support the aims and vision of the draft Neighbourhood plan for Bishop’s Tachbrook.	noted
019.2	Support	I want our village to remain in a rural environment providing a balanced community for all ages, whose residents feel happy and proud of their village. The village should grow in an organic way and not be subsumed into the nearby urban towns.	noted

020 DAVID TAYLOR

020.1	Support	I have read the draft plan and am happy to give it my support	noted
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021 ROY NELMES

021.1	Support	I would simply like to make my total support for the Revised Neighbour plan which the Parish Council has submitted mainly because it addresses the real needs and wishes of the residents of the Parish. We should require both the District council and the County council to fully accept and implement it.	noted
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022 ANNMARIE & MICHAEL WELLS

022.1	Support	“We would like to say that we support the Option No.1, preferred site, in the revised Draft Plan, for new housing within the village of bishop’s Tachbrook.”	noted
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023 PERSIMMON HOMES E-MAIL28/5/15

023.1	comment	Suggests Neighbourhood Area should be changed to line up with community governance review boundary revision	<p>In this case, Persimmon are the developers for Woodside Farm. Land north of Harbury Lane and east of Tachbrook Road transferred on 1st April 2015 to Whitnash. Other changes do not yet have a date and some that were expected are not in the schedules.</p> <p>All affected NP’s will be realigned at a point in the future when convenient and boundary changes have completed. WDC lead expected.</p> <p>I have advised Persimmon to this effect. So far we have had useful dialogue with them on detail for their reserved matters applications on the Woodside Farm development.</p>
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BISHOP'S TACHBROOK PARISH COUNCIL 19TH APRIL 2015



BISHOP'S TACHBROOK NEIGHBOURHOOD PLAN

Notice is hereby given that in accordance with Regulation 14 a) The Neighbourhood Planning (General) Regulations 2012, a Draft Neighbourhood plan has been prepared for public consultation.

The Neighbourhood Plan Documents consist of

The Draft plan including Appendices NP1 to NP11;

Map;

Strategic Environmental Assessment Scoping Report;

A comments form for completion;

Report of previous consultation which took place from 24th September 2014 to 5th November 2014.

Inspect the documents by visiting www.bishopstachbrook.com

The Map Displayed on the Parish Council notice board shows the proposals. Paper copies of the Neighbourhood Plan documents may be consulted by telephoning to make an appointment:

- 338317 (if you are in Warwick Gates);
- 428934 (if you are in Bishop's Tachbrook); or
- 641220 (to contact the Parish Clerk).

The six-week consultation period begins on Monday 20th April 2015 and finishes on Monday, 1st June 2015. Please lodge your written comments by not later than **2200hrs, 1st June 2015**, to the Bishop's Tachbrook Parish Clerk:

- Post: Gaydon Fields Farm, Gaydon CV35 0HF
- Email: parishclerk@bishopstachbrook.com

The Neighbourhood Plan contains:

- The Draft Plan, including Appendices NP1 to NP11;
- Map;
- Strategic Environmental Assessment Scoping Report;
- Comments Form, for your completion;
- Report of the previous consultation, which took place from 24th September 2014 to 5th November 2014.

Please go online to see these documents by visiting www.bishopstachbrook.com or review the display on the Parish Council notice board. You can also arrange to inspect the complete set of paper copies of the Neighbourhood Plan documents by telephoning:

- 01926 338317 (if you are in Warwick Gates);
- 01926 428934 (if you are in Bishop's Tachbrook village);
- 01926 641220 (to contact the Parish Clerk).

Please send responses or support for the revised Draft Plan by writing to the Bishop's Tachbrook Parish Clerk:

by post to: Gaydon Fields Farm, Gaydon CV35 0HF or
Email: parishclerk@bishopstachbrook.com

Our Neighbourhood Plan, once approved by residents, will ensure that Bishop's Tachbrook is an even better place for people of all ages to live.



BISHOP'S TACHBROOK NEIGHBOURHOOD PLAN FINAL CONSULTATION

Our Neighbourhood Plan will make sure that we get the right development for our community. Thank you for your responses to the Public Consultation last October.

The Plan has been revised to take them into account. Before submission of the Draft Neighbourhood Plan to Warwick District Council, the revised Draft Plan is published for final consultation. **This finishes on 1st June 2015.**

This is to ensure that due process has been followed by giving all residents and interested parties an opportunity to make final comments on the draft Plan, in accordance with Regulation 14a of the Neighbourhood Planning (General) Regulations 2012, before it is submitted to examination. If the Examiner finds that all the matters prescribed by Regulation have been met then the Plan can proceed to referendum.



The following Statutory consultees were invited by e-mail to make representations following advice from Warwick District Council on the persons to contact:

Rohan.Torkildsen@english-heritage.org.uk, peter.boland@english-heritage.org.uk, david.westbrook@naturalengland.org.uk, roslyn.deeming@naturalengland.org.uk, piotr.behnke@naturalengland.org.uk, richard.c.rose@openreach.co.uk, mark.english@warwickshire.pnn.police.uk, sarahwells@warwickshire.gov.uk, mail@homesandcommunities.co.uk, bob.sharples@sportengland.org, laura.perry@environment-agency.gov.uk, adamharrison@centro.org.uk, davidlowe@warwickshire.gov.uk, kathryn.burgess@highways.gsi.gov.uk, office@ancientmonumentsociety.org.uk, katherine.burnett@canalrivertrust.org.uk, andrew.morgan.60139@westmercia.pnn.police.uk, will.pascoe@hse.gsi.gov.uk, townplanninglnw@networkrail.co.uk, annastocks@warwickshire.gov.uk, kim.auston@english-heritage.org.uk, evaneale@warwickshire.gov.uk, jayne.blacklay@swift.nhs.uk, emilyfernandez@warwickshire.gov.uk, disabilitynetwork@warwickshire.gov.uk, james.kitchen@environment-agency.gov.uk, neil.hansen@highways.gsi.gov.uk, diane.clarke@networkrail.co.uk, lisa.maric@highways.gsi.gov.uk, giles.matthews@environment-agency.gov.uk, planningconsultation@coal.gov.uk, ciaranpower@warwickshire.gov.uk, nicolawright@warwickshire.gov.uk, alastair.welch@naturalengland.org.uk, tonylyons@warwickshire.gov.uk, pamneal@warwickshire.gov.uk, paul.gethins@environment-agency.gov.uk, adamjames@warwickshire.gov.uk, mel.duffy@swift.nhs.uk, janet.marsden@warwickshire.pnn.police.uk, midscentralplanning@environment-agency.gov.uk, monicafogarty@warwickshire.gov.uk, consultations@naturalengland.org.uk, e-wmids@english-heritage.org.uk.

Some organisations have multiple person addresses with different specialisms and responses that have been made may include a joint response from different parts of that organisation.

Register of responses received from Statutory consultees.

Rep no.	STATUTORY CONSULTEES	sent	responded
101	Town Clerk, Warwick Town Council	20/4/15	none
102	Whitnash Town Council	20/4/15	None
103	Parish Clerk Barford Sherbourne & Wasperton	20/4/15	None
104	Parish Clerk Chesterton & Kingston (Harbury)	20/4/15	27/5/15
105	Parish Clerk Newbold Pacey & Ashorne	20/4/15	None
106	Rohan.Torkildsen@english-heritage.org.uk	20/4/15	See 107

107	peter.boland@english-heritage.org.uk	20/4/15	29/5/15
108	david.westbrook@naturalengland.org.uk	20/4/15	None
109	roslyn.deeming@naturalengland.org.uk	20/4/15	None
	piotr.behnke@naturalengland.org.uk	20/4/15	Undeliverable e-mail
110	richard.c.rose@openreach.co.uk	20/4/15	None
111	mark.english@warwickshire.pnn.police.uk	20/4/15	None
112	sarahwells@warwickshire.gov.uk	20/4/15	28/5/15
113	mail@homesandcommunities.co.uk	20/4/15	None
114	bob.sharples@sportengland.org	20/4/15	None
115	laura.perry@environment-agency.gov.uk	20/4/15	None
116	adamharrison@centro.org.uk	20/4/15	None
117	davidlowe@warwickshire.gov.uk	20/4/15	None
118	kathryn.burgess@highways.gsi.gov.uk	20/4/15	None
119	office@ancientmonumentsociety.org.uk	20/4/15	None
120	katherine.burnett@canalrivertrust.org.uk	20/4/15	None
121	andrew.morgan.60139@westmercia.pnn.police.uk	20/4/15	None
122	will.pascoe@hse.gsi.gov.uk	20/4/15	None
123	townplanninglnw@networkrail.co.uk	20/4/15	None
124	annastocks@warwickshire.gov.uk	20/4/15	28/5/15
125	kim.auston@english-heritage.org.uk	20/4/15	See 107
126	evaneale@warwickshire.gov.uk	20/4/15	28/5/15
127	jayne.blacklay@swft.nhs.uk	20/4/15	None
128	emilyfernandez@warwickshire.gov.uk	20/4/15	28/5/15
129	disabilitynetwork@warwickshire.gov.uk	20/4/15	28/5/15
130	james.kitchen@environment-agency.gov.uk	20/4/15	None
131	neil.hansen@highways.gsi.gov.uk	20/4/15	30/4/15
132	diane.clarke@networkrail.co.uk	20/4/15	None
133	lisa.maric@highways.gsi.gov.uk	20/4/15	None
134	planningconsultation@coal.gov.uk	20/4/15	20/5/15
135	ciaranpower@warwickshire.gov.uk	20/4/15	None
136	nicolawright@warwickshire.gov.uk	20/4/15	28/5/15
137	alastair.welch@naturalengland.org.uk	20/4/15	None
138	tonylyons@warwickshire.gov.uk	20/4/15	28/5/15
139	pamneal@warwickshire.gov.uk	20/4/15	28/5/15
140	paul.gethins@environment-agency.gov.uk	20/4/15	None
141	adamjames@warwickshire.gov.uk	20/4/15	28/5/15
142	mel.duffy@swft.nhs.uk	20/4/15	None
143	janet.marsden@warwickshire.pnn.police.uk	20/4/15	None

144	midscentralplanning@environment-agency.gov.uk	20/4/15	None
145	monicafogarty@warwickshire.gov.uk	20/4/15	28/5/15
146	consultations@naturalengland.org.uk	20/4/15	1/6/15
147	e-wmids@english-heritage.org.uk	20/4/15	See 107



Register of other responses received

	OTHER RESPONSES	sent	responded
001	Framptons / A C Lloyd		2/6/15
002	Severn Trent		2/6/15
003	Marron Planning on behalf of Bloor Homes		2/6/15
004	Gladman		1/6/15
005	Malcolm Glenn		1/6/15
006	Sharon Logan		1/6/15
007	WDC Lorna Coldicott		1/6/15
008	HOW Planning		1/6/15
009	Pegasus		1/6/15
010	Jenny Bevan		1/6/15
011	Delta Planning/ A C Lloyd		1/6/15
012	National Grid		28/5/15
013	Ramblers Association		19/5/15
014	A & J Day		18/5/15
015	L Carter		18/5/15
016	P Whitwood		18/5/15
017	K Wellsted		18/5/15
018	L Curzon		8/5/15
019	E Curzon		8/5/15
020	D Taylor		7/5/15
021	R Nelmes		5/5/15
022	A & M Wells		5/5/15

Strategic Environmental Assessment Screening Opinion

See the following files –

Bishops Tachbrook Neighbourhood plan /Jan2016 regulation 15 submission/SPD_SEA screening Bishops Tachbrook march2015.

Bishops Tachbrook Neighbourhood plan /Jan2016 regulation 15 submission/SPD_SEA_ENVAGENCY
 Bishops Tachbrook Neighbourhood plan /Jan2016 regulation 15 submission/SPD_SEA-HRA Screening
 Bishops Tachbrook Neighbourhood plan /Jan2016 regulation 15 submission/SPD_SEA-NEResponse