

P18-2522

10 August 2020

Warwick District Council  
Development Policy Manager  
Development Services  
Warwick District Council  
Riverside House  
Milverton Hill  
Leamington Spa  
CV32 5QH

Dear Sirs

**Bishop's Tachbrook Neighbourhood Development Plan: Regulation 16 Consultation Draft - March 2020**

Pegasus Group on behalf of Mr Brian Lewis of Hill Farm is pleased to make representations to the Bishop's Tachbrook Neighbourhood Development Plan: Regulation 16 Consultation Draft (March 2020). This document will provide planning policies to guide development within the Parish, ultimately forming part of the Development Plan for Warwick District. The document has been opened to public consultation, with the deadline for response being 10th August 2020.

The opportunity to engage in the plan making process is welcomed and the comments made on the Consultation Draft Neighbourhood Plan are restricted here to matters which either impact, or have the potential to impact on, their land interests. In particular, these representations seek to comment on matters relating to the context of the Site which are felt to be not fully representative or take into account development which has recently occurred in the immediate and wider vicinity.

Mr Lewis is owner of land south of Mallory Road, Bishop's Tachbrook, which falls within the central part of the Neighbourhood Plan Area. The site has been subject to a previous planning application for residential development of up to 125 dwellings, with access from Mallory Road along with areas of public open space, landscaping and associated works (ref: W/13/1688). A subsequent appeal in respect of that land (ref: APP/T3725/A/14/2216200 was also dismissed on the basis that the scheme would cause harm to the character and appearance of the area, which alongside harm to a heritage asset would outweigh the positive aspects/benefits identified, which included the creation of jobs in construction, the delivery of market and affordable housing, off-site highways improvements, the provision of areas of open space and a modest biodiversity gain.

Since the time of the appeal for this Site, the context of the Site's locality is considered to have changed through significant residential developments that have been permitted in the area surrounding the Site and settlement, including in the immediate vicinity of the site at Seven Acre Close for which reserved matters planning consent for 50 dwellings was granted in November 2019 and also at Oakley Wood Road where a development of 150 dwellings has recently been completed by Bloor Homes.

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Other developments have been permitted in the locality which also have changed the context for the site including Harbury Lane, Europa Way and at the Asps.

Specific comments to matters within the Consultation Draft Bishops Tachbrook Neighbourhood Plan are set out below, with cross reference to the basic conditions tests against which the Draft Plan must be assessed.

**Section 4: Key Issues** of the draft Neighbourhood Plan states that the Neighbourhood Plan is not looking to identify further sites for development or change the village growth envelope, seemingly on the basis that other developments within the area have fulfilled the Warwick Local Plan's requirements.

Neighbourhood plans must not promote less development than is set out in the relevant Local Plan for their area, but it is not an absolute maximum on the development which can be accommodated. Para 60 of the NPPF refer to 'minimum' numbers of homes for relevant Local Plan periods. In alluring to no additional residential development in the Neighbourhood Plan Area over its plan period the Plan as drafted fails Basic Condition test a) as it is not in conformity with national or local planning policies.

**Paragraph 4.16** of the draft Neighbourhood Plan refers to the development of a 'Masterplan' for infrastructure development in the Neighbourhood Plan Area, however, if this does not come forward alongside the Neighbourhood Plan it will only be able to be given limited weight until such time it can go through the formal examination process as part of any future review of the Neighbourhood Plan. It would seem more sensible to produce a Masterplan for the village and wider Neighbourhood Plan Area as appropriate, that can be the subject of the statutory consultation process that is part of the development of the Neighbourhood Plan.

**Policy BT1: Conserving and Enhancing Bishop's Tachbrook's Landscape Character** states that new development should conserve or enhance the area's landscape character through, inter alia: 'seeking to retain the quality and integrity of views identified in Figure 7'.

Figure 7 is imprecise as to the nature of the views that are being protected, the public 'viewpoint' itself is not identified and there is no identification of what elements of the views are of value or need protecting. Whilst unclear, figure 7 as drafted also suggests things protected are toward land on which residential development has been granted permission and where development is underway, such as at Harbury Lane for example. Text supporting the policy also fails to have regard to developments which have changed the context of the landscape in which Bishop's Tachbrook is located.

As drafted, this part of Policy BT1 is considered to fail Basic Condition a) as it is not in accordance with policy NE4 of the Warwick Local Plan which seeks to ensure that landscape context is considered in all development proposals. Policy BT.1, and Figure 7, as drafted are not sufficiently detailed to allow a proper consideration of landscape context.

**Policy BT12 – Securing a Suitable Mix of House Types, Tenures and Sizes in New Development** states that development proposals for new housing should demonstrate how they have met the needs identified in the most up to date Parish Housing Survey. However, housing development sites may not only be providing for local needs and Policy BT12 would therefore not have appropriate application unless the proposal is for a development that is purely to meet identified local need in the village. As drafted the policy is therefore contrary to Basic Condition e).



As noted in opening, Mr Lewis welcomes the opportunity to continually engage in the Plan making process and would request to be kept informed as the Bishop's Tachbrook Neighbourhood Plan moves through the plan-making process.

Yours faithfully

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**Sarah Butterfield**

Director

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Enc.