

BISHOP'S TACHBROOK PARISH COUNCIL

NEIGHBOURHOOD PLAN



SUBMISSION STATEMENT

JANUARY 2016

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EXECUTIVE SUMMARY

1. The neighbourhood plan proposal relates to the designated Bishop's Tachbrook Neighbourhood Area and to no other area. There are no other neighbourhood plans relating to that Neighbourhood Area subject to the qualification set out in paragraph 1.1 following. The Neighbourhood Plan is for the period from the date the plan is made until 31st March 2029.
2. The Bishop's Tachbrook Submission Neighbourhood Plan has been produced with appropriate regard to the guidance contained within the National Planning Policy Framework (NPPF). Table 1 in the Basic Condition Statement sets out the 12 core planning principles of NPPF17 and describes how the Bishop's Tachbrook Neighbourhood Plan has met these principles.
3. Paragraphs 183-185 of the NPPF gives communities, through Neighbourhood Planning, direct power to develop a shared vision for their neighbourhood to deliver the sustainable development they need, providing a powerful set of tools for local people to ensure that they get the right types of development for their community. Whilst it must be in general conformity with the strategic policies of, nor undermine or promote less development than the Local Plan, outside these strategic elements, a Neighbourhood Plan can shape and direct sustainable development within the Neighbourhood Area.
4. Neighbourhood planning was introduced in 2012 through the Localism Act 2011. The Parish Council, very aware of the concerns of the community about proposed developments south of Warwick and the impact they may have, was the first parish to apply to Warwick District Council for Neighbourhood Area status to prepare a Neighbourhood Plan for Bishop's Tachbrook. The Council designated the Neighbourhood Area on 10th October 2012. Since then, there has been full consultation with everyone in the Parish that wanted to be involved in the preparation of the plan and this has been central to the process. The neighbourhood Plan has to be in general conformity with the strategic policies of the adopted Local Plan. Currently this is the Warwick District Council (1996-2011) Local Plan adopted in 2007. It should also take into account an emerging Local Plan and ensure it also complies with the National Planning Policy Framework. The new Local plan has gone through a number of stages and its formal examination is currently suspended. This Neighbourhood Plan has been written to conform to both the 2007 and the emerging Local Plans on strategic matters, but incorporates non-strategic elements to benefit all parts of the parish with the minimum disadvantage to the community. If approved by the community at referendum, it will become part of the Warwick District Council Local Plan.

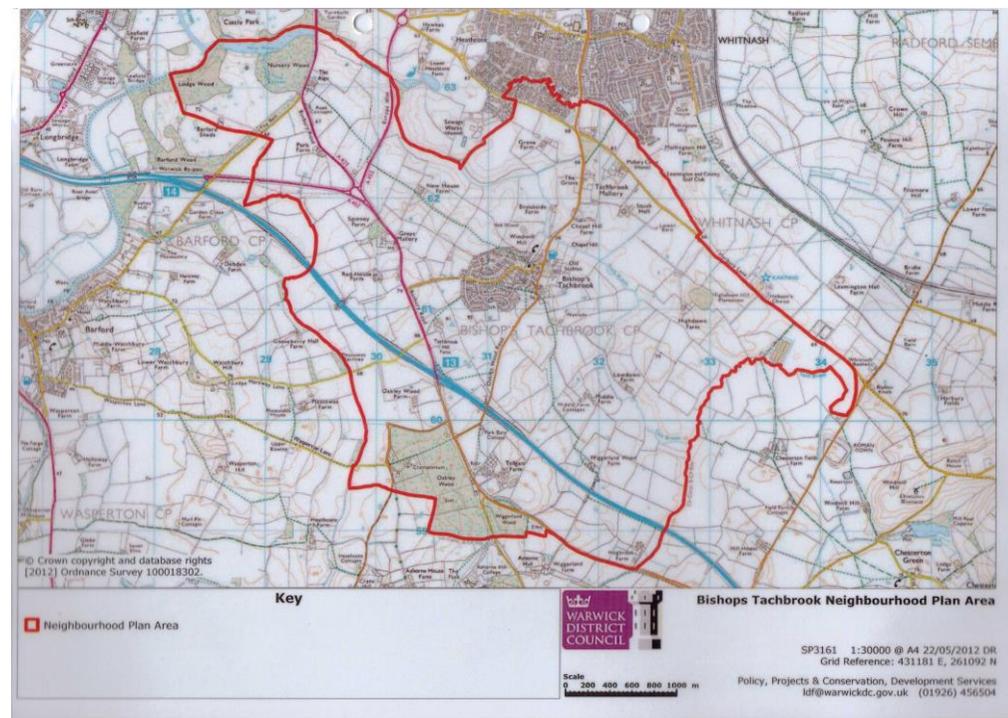
1. INTRODUCTION

1.1 Plan Period and Neighbourhood Area

Map 1 Bishops Tachbrook Neighbourhood Area

The Bishop's Tachbrook Neighbourhood Plan is for the period from the date the plan is made until 31st March 2029 and relates to the designated Bishop's Tachbrook Neighbourhood Area, which is the whole of the parish of Bishop's Tachbrook at the date of its designation, the 10th October 2012, when the Executive Committee of Warwick District Council designated the Neighbourhood Area of the Bishop's Tachbrook Neighbourhood Plan.

Recent decisions on boundary changes between Whitnash, Warwick, Barford and Bishop's Tachbrook will ultimately require amendment to the Neighbourhood Area, but as yet have not taken place except for one change that took place on the 1st April 2015, when land comprising of Woodside Farm and playing fields to the north of Harbury lane was taken into Whitnash from Bishop's Tachbrook. The policy contained in this Neighbourhood plan for land within this boundary change has been agreed with Whitnash Town Council. When the boundary changes as a whole have been finalised, the process of formally redesignating Neighbourhood Areas for those towns and parishes preparing a Neighbourhood Plan will take place. Until then the Neighbourhood plan is as designated and shown on Map 1.



1.2. NEIGHBOURHOOD PLANNING PRINCIPLES

Neighbourhood Planning requires good consultative and participatory techniques. PPG26-031 says *Local communities play a vital part in good design. Those who live and work in an area often best understand the way in which places operate and their strengths. Local plans must evolve in a way that genuinely allows for local leadership and participation. Local plans should set a clear design framework. Neighbourhood plans can be used by local communities to develop their vision of how their area should look, feel and function.*

Neighbourhood Planning 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 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.

1.3 NEIGHBOURHOOD PLAN VISION

The people of Bishop's Tachbrook consider it is a special place to live in, which retains a village feel and has a strong sense of community spirit. Our vision is to retain this cohesive attribute by protecting our environment and community, whilst seeking to encourage change in a manner that will enhance the whole parish as well as its sustainability.

The Neighbourhood Plan Vision is that this parish should be **“Fantastic to live in, whatever your age”**.

This means

- Everyone – children, families & older citizens – has a future in Bishop's Tachbrook with homes to suit their needs.
- Community – deeply cohesive and welcoming - with happy residents who are proud of what it offers new residents and visitors.
- Balanced – all age groups are important – with activities and opportunities to enhance lifestyles.

- Sustainable – the facilities that we have in the parish are valued. We will plan to positively enhance them and to develop other community resources to create a sustainable future for all residents.
- Rural – we value our rural environment and heritage. We preserve this by ensuring that our community is not subsumed into the urban areas as they expand. We are looking for better access into the countryside to encourage healthy lifestyles and enhance quality of life.

1.4 BISHOP’S TACHBROOK – GEOGRAPHICAL LOCATION AND HISTORY

The Neighbourhood Plan Background Statement Pages 7 to 9 contains a short description of the geographical location and history of the Parish.

1.5 PLANNING HISTORY.

1.5.1 Until the late 1950’s, Bishop’s Tachbrook remained a small village with basic water, drainage and energy services. Then the District Council built some 70 council houses to the south and west of the village and later in the 1960’s and 1970’s two tranches of speculative housing were built to the west to enlarge the settlement to what it is today.

1.5.2a On 7th January 1987, a Village Policy Statement (VPS) for Bishop’s Tachbrook was approved by Warwick District Council. It recognised that the village was a popular dormitory settlement as it had few employment opportunities within either the village or the parish. In the 1981 census, the population was 1,902. Warwickshire County Council’s Structure Plan Review contained policies for rural areas to control both development outside the village policy boundary and the more detailed proposals contained in the village policy statement. Although defined as a rural growth centre, at the time of the report it had already almost completed the construction of 125 dwellings that the Structure plan allocated for the period 1981 -1996.

1.5.2b The VPS defined village boundaries across the County. For Bishop’s Tachbrook, in view of the residential development prior to 1987 and to protect the character of Bishop’s Tachbrook, a tight boundary to the edge of the village was drawn. It excluded the 7.5 acres of land to the west of St. Chads Road which was refused planning permission in November 1980 for residential development as well as the Meadow and allotments which were not considered suitable for development and should be used either for a purpose which retains their open character or revert to agricultural use.

- 1.5.2c It was recognised that within the village boundary there was very little potential for infill development but that no further development was envisaged. The village's status as a rural growth centre was deleted. Outside the village boundary, Savages Close is a secluded, visually attractive and historically important area separated from the remainder of the village by a landscaped buffer and Oakley Wood Road in the 1996-2011 Local Plan adopted in 2007. As it is outside the Village Envelope, any development is subject to rural area policies RAP1 to 16.
- 1.5.2d The Structure plan Review also identified areas of restraint where a general presumption against development that would change their open character applies. The area between Bishop's Tachbrook and Whitnash was an area of restraint. The main purpose of this was to prevent further spread of the Leamington Urban Area southwards.
- 1.5.3e The VPS also defined the Conservation area around the old core of the village around St. Chads Church, Church Hill and Savages Close which was designated in 1980. As well as the Grade 1 listed church, it contains 14 of the 35 listed buildings in the Parish.
- 1.5.4 In September 2007 Warwick District Council adopted the 1996 - 2011 Warwick District Local Plan. This followed a Public Inquiry in 2006 at which objections to the proposed Local plan were heard. Because housing completions by 2006/7 were significantly higher (44%) than the target plan that commenced in 1996, a moratorium on the grant of planning permissions reduced the remainder of the programme from 536 households per year to 395. This was supported by the Inspector of the 2006 Inquiry. Even then, by the end of the programme period, the number of completions still exceeded the original plan target by 619.
- 1.5.5 By 2008, the West Midlands Regional Authority had started to plan the housing need from 2011. This was on a regional basis rather than local. When it was announced that Warwick District Council would be expected to complete a further 8,800 dwellings in the next 15 years and that much of it would be located south of the towns, the whole community of Bishops Tachbrook were shocked and angered by the proposal and the effect that it would have on the character and infrastructure of the parish. Petitions and demonstrations followed as people made their views known. It formed a key dimension to the 2010 elections locally and similar reactions across the country partly led to a change of government.
- 1.5.6 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.

1.6 DEVELOPMENT OF THE 2011-2029 WARWICK DISTRICT LOCAL PLAN AND THE NEIGHBOURHOOD PLAN.

1.6.1 The Warwick District Local Plan 1996 – 2011 was adopted in 2007. The plan period terminated on 31st March 2011. Warwick District Council began consideration of the plan for the next period, 2011 to 2029, commencing with public consultations on the extent of acceptable development. The plan developed through a series of iterations that are briefly described in the Neighbourhood Plan Background Statement Paragraph 1.3.

In 2012 the National Planning Policy Framework was published setting out the way that the government intended future Local Plans to reflect the vision and aspirations of local communities and to be prepared positively, be justified, effective and consistent with national policy. It was intended to establish a plan-led approach to the determination of planning applications.

Neighbourhood Plans have to be aligned with the strategic needs and priorities of the wider local area and be in general conformity with the Local Plan. As the Background Statement explains the new Local Plan is still being developed and has not yet passed examination.

1.6.2 For this Neighbourhood plan it means that the emerging local plan is still subject to change in respect of housing numbers and location of sites.

The adopted (2007) Warwick District Local Plan is therefore the Local plan that this Neighbourhood plan must be in general conformity with. It is, in general, consistent with the Framework except that housing policy in particular should be amended from 214 dwellings per annum to 606 dpa for Warwick District Council's full objectively assessed need plus any need arising from the duty to co-operate within the housing market area.

1.7 WHY PRODUCE A NEIGHBOURHOOD PLAN?

1.7.1 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 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 right and opportunity to shape new development, because 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.

1.7.2 The Neighbourhood Plan Background Statement, Section 2, describes the development of the Neighbourhood Plan, its aims and issues and the way the Community were involved in its preparation. The Basic Condition Statement demonstrates that the Basic conditions have been met and the Consultation Statement demonstrates the consultation that has been carried out through the process. There are also reports on both the 1st and 2nd pre-submission consultations.

2. PLANNING POLICY CONTEXT

Neighbourhood Plans are required to sit within the framework of national, regional and local planning policies, and to be in general conformity with those policies.

Bishop’s Tachbrook Neighbourhood Plan will need to have regard to the following planning policy documents:



2.1 NATIONAL PLANNING POLICY FRAMEWORK (NPPF) – THE FRAMEWORK

The NPPF sets out the national planning framework for England. The purpose of the planning system is to contribute towards sustainable development in economic, social and environmental terms.

NPPF183 defines that:

Neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood and deliver the sustainable development they need. Parishes and neighbourhood forums can use neighbourhood planning to:

- *set planning policies through neighbourhood plans to determine decisions on planning applications; and*

- *grant planning permission through Neighbourhood Development Orders and Community Right to Build Orders for specific development which complies with the order.*

NPPF184:

Neighbourhood planning provides a powerful set of tools for local people to ensure that they get the right types of development for their community. The ambition of the neighbourhood should be aligned with the strategic needs and priorities of the 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.

NPPF185:

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. Local planning authorities should avoid duplicating planning processes for non-strategic policies where a neighbourhood plan is in preparation.

2.2 PLANNING PRACTICE GUIDANCE

On 6th March 2014 Planning Practice Guidance (PPG) was published to supplement, and clarify the NPPF. Section ID41 set out detail of the implementation of Neighbourhood Planning with 80 clauses detailing specific aspects of the NPPF. Appendix NP6 sets out all references to Neighbourhood Planning in the PPG.

2.3 WARWICK DISTRICT LOCAL PLAN 2007 (1996-2011) AND WARWICK DISTRICT DRAFT LOCAL PLAN (2011 -2029)

2.3.1 For the reasons set out in paragraph 1.6, the Neighbourhood Plan must be in general conformity with the Warwick District Local plan 1996 – 2011 which was adopted in 2007. In addition, the Neighbourhood Plan should also recognise and be in conformity with the emerging local

plan. NPPF215 says 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 Framework, the greater the weight that may be given).

- 2.3.2 NPPF 216 says that decision-takers may also give weight to relevant policies in emerging plans according to the stage of preparation, the extent to which there are unresolved objections to relevant policies and the degree of consistency with the NPPF.
- 2.3.3 Bishop’s Tachbrook Neighbourhood Plan is now proceeding in advance of an up to date local plan. PPG4-009 “*Can a Neighbourhood Plan come forward before an up-to-date Local Plan is in place?*” describes how this should be done.

*Where a neighbourhood plan is brought forward before an up-to-date Local Plan is in place, the qualifying body and the local planning authority should discuss and aim to agree the relationship between policies in the **emerging neighbourhood plan**, the **emerging Local Plan** and the **adopted development plan** with appropriate regard to national policy and guidance.*

The local planning authority should take a proactive and positive approach, working collaboratively with a qualifying body particularly sharing evidence and seeking to resolve any issues to ensure the draft neighbourhood plan has the greatest chance of success at independent examination.

The local planning authority should work with the qualifying body to produce complementary neighbourhood and Local Plans. It is important to minimise any conflicts between policies in the neighbourhood plan and those in the emerging Local Plan. This is because section 38(5) of the Planning and Compulsory Purchase Act 2004 requires that the 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.

- 2.3.4 PPG12-013 states that *Neighbourhood Plans can be developed before, after or in parallel with a Local Plan, but the law requires that they must be in general conformity with the strategic policies in the adopted Local Plan for the area (and any other strategic policies that form part of the statutory development plan where relevant, such as the London Plan). Neighbourhood plans are 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.*

3 NEIGHBOURHOOD PLAN DEVELOPMENT CONTEXT

3.1 INTRODUCTION

- 3.1.1 This section sets out matters that have led to the planning policies of the Bishops Tachbrook Neighbourhood Plan. These will be used to help determine planning applications in the Parish and to help shape and direct sustainable development within the Parish to realise the Vision set out in paragraph 1.3
- 3.1.2 Each topic also includes proposed complementary actions that are not within the remit of a Neighbourhood Plan, to be undertaken by the Parish Council, to support the planning policies. These proposed actions will be used to help prioritise activity by the Parish Council over the lifetime of the Neighbourhood Plan.

3.2 WARWICK DISTRICT COUNCIL STRATEGIC POLICIES

- 3.2.1 The Neighbourhood plan must be in general conformity with the Strategic Policies of the Local plan for the area. As set out in paragraph 2.3.2, the Local plan that applies at the time of writing is the one which was adopted in 2007. This does not have Strategic Policies but has a similar arrangement known as Core Strategy. This sets out the Aims and objectives of the Local Plan.
- 3.2.2 In brief these Aims and objectives are

Aim 1: To Maintain high and Stable Levels of Economic Growth.

- Objective 1A: To maintain high levels of economic growth
- Objective 1B: To promote and enhance vibrant rural communities
- Objective 1C: To meet the housing needs of the whole community to 2011
- Objective 1D; To enhance the vitality and viability of town centres
- Objective 1E: To promote the regeneration of deprived areas
- Objective 1F: to promote sustainable tourism

Aim 2: Effective Protection of the Environment

- Objective 2A: To protect and improve land quality
- Objective 2B: To protect and enhance the natural environment
- Objective 2C: To protect and enhance the historic environment

Objective 2D: To maintain and enhance the quality of landscapes and townscapes
Objective 2E: To promote high quality sustainable design and enhance the built environment
Objective 2F: To protect and improve air quality

Aim 3: Prudent use of Natural Resources

Objective 3A: To reduce the need to travel
Objective 3B: To promote the use of more sustainable travel options
Objective 3C: To ensure the prudent use of scarce resources and limit and reduce the impacts of climate change
Objective 3D: To reduce the generation and disposal of waste.

Aim 4: Social Progress which recognises the Needs of Everyone

Objective 4A: To make housing affordable and available to everyone
Objective 4B: To reduce poverty, social exclusion, crime and anti-social behaviour
Objective 4C: To improve the health and well-being of communities
Objective 4D: To protect and improve the amenity of the local community
Objective 4E: To protect, enhance and improve accessibility to local services and community facilities

3.2.3 When the Draft Local Plan 2011-2029 is in place, Neighbourhood Plan policies must be in general conformity with the Strategic Policies of that Local Plan. Whilst the Draft local Plan is still in preparation, the Strategic policies so far known can realistically be taken into account in the Neighbourhood plan since these are intentions and not necessarily implementation policies.

3.2.4 Those Strategic policies are

STRATEGIC POLICY DS1 : Supporting Prosperity

We will provide for the growth of the local and sub-regional economy by ensuring sufficient and appropriate employment land is available within the District to meet the existing and future needs of businesses.

STRATEGIC POLICY DS2 : Providing the Homes the District Needs

We will provide in full for the Objectively Assessed Housing Need. We will ensure new housing delivers the quality and mix of homes needed in the District including;

- a) affordable homes;
- b) a mix of homes to meet identified needs including homes that are suitable for elderly and vulnerable people; and
- c) sites for gypsies and travellers

STRATEGIC POLICY DS3 : Supporting Sustainable Communities

We will promote high quality new development including:

- a) delivering high quality layout and design which relates to existing landscapes or urban form and, where appropriate, is based on the principles of garden towns, villages and suburbs;
- b) caring for our built, cultural and national heritage;
- c) regenerating areas in need of improvement;
- d) protecting areas of significance including high quality landscapes, heritage assets and ecological assets;
- e) delivering low carbon economy and lifestyles and environmental sustainability

We will expect development which enables new communities to develop and sustain themselves. As part of this we will provide for the infrastructure needed to support communities and businesses including:

- A) physical infrastructure (such as transport and utilities);
- B) social infrastructure (such as education, sports facilities and health);
- C) green infrastructure (such as parks, open space and playing pitches).

STRATEGIC POLICY DS4 : Spatial Strategy

Allocated Housing and employment will be distributed across the District to take account of the following:

- a) in the first instance, allocations will be directed to previously developed land within the urban areas and in particular those areas where there is greatest potential for regeneration and enhancements;

- b) where greenfield sites are required for housing, they should be located on the edge of urban areas in sustainable locations close to areas of employment or where community facilities such as shops, bus services, medical facilities and schools are available or can be made available;
- c) where greenfield sites are required for employment, they should be allocated in locations which are suitable for the needs of 21st century businesses, accessible via a choice of transport modes and are in close proximity to existing or proposed housing;
- d) limiting development on sites which would lead to coalescence of settlements to ensure settlement identity is retained;
- e) sites which have a detrimental impact on the significance of heritage assets will be avoided unless suitable mitigation can be put in place;
- f) areas assessed as high landscape value or other highly sensitive features in the natural environment will be avoided; and
- g) taking the national green belt policy into account, sites in the green belt will be limited to those locations where exceptional circumstances can be justified. The following will be taken into account in considering the exceptional circumstances:
 - i. the availability of alternative suitable sites outside the Green Belt;
 - ii. the potential of the site to meet specific housing or employment needs that cannot be met elsewhere;
 - iii. the potential of the site to support regeneration within deprived areas; and
 - iv. the potential of the site to provide support to facilities and services in rural areas.

All other local Plan policies are non-strategic. They will apply to the Neighbourhood area except where modified or replaced by Neighbourhood plan policies providing for the definition within Bishop's Tachbrook.

3.3 VILLAGE HOUSING OPTIONS AND SETTLEMENT BOUNDARIES CONSULTATION

Warwick District Council commenced consideration of options for housing in villages in the District in October 2012 to help meet the need for housing in the District for inclusion in the Local Plan.

This culminated in the commencement of a Village Housing Options and Settlement Boundaries Consultation (VHO) in November 2013. For Bishop's Tachbrook it recommended that the best option for the village is to provide the 150 homes required by the Warwick District Draft Local Plan Strategic Policy DS11 ref H23 to be located in the village by extending the village boundary to the south of the school. This conclusion was arrived at jointly with the Parish Council and the Neighbourhood Plan consultation events.

Detail of this process and the parameters drawn up for seeking an appropriate site for any new housing development in the village are included in the Neighbourhood Plan Background Statement, paragraphs 2.3 & 2.4.

3.4 DRAFT LOCAL PLAN SITE ALLOCATIONS

3.4.1 The Spatial Strategy is the basis of the site allocations as set out in the Warwick District draft 2011-2029 Local Plan policies DS9, DS10, DS11, DS12, DS13, DS14, and DS16. DS9, 10, 12, 14 and 16 are either not site specific or do not relate to sites in the parish. Policy DS11 lists greenfield sites on the edge of Warwick, Whitnash and Leamington H02 Land south of Harbury Lane for 1,505 dwellings. It is presumed this means Grove Farm and Lower Heathcote Farm. Grove Farm is in the Neighbourhood Plan Area. Lower Heathcote Farm is immediately adjacent as is the former Sewage Works which has a further 215 allocated. This also has the reference H02 but is in urban brownfield sites. Lower Heathcote Farm and the former Sewage Works are not in the Bishops Tachbrook Neighbourhood Plan area.

3.4.2 Conserving and enhancing the natural environment.

A key component of the Bishop's Tachbrook Neighbourhood Plan is the Tachbrook Valley that lies between the urban area 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 and valued landscapes. Running east/west through the valley is the fast flowing Tach Brook. The Environment Agency are concerned about the water quality of the Tachbrook and have 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.

It follows that the Tachbrook Valley is an entity between the village and 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. To be consistent with the Framework in respect of this valued landscape, NPPF109, 110, 111, 112, 114 should be given due weight as well as WDC Strategic policies DS3 (d), DS4 (a), (d), (e), (f) as these are consistent with the Framework. It follows that both the local plan and the Neighbourhood Plan must be in conformity with these Framework requirements.

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. (see paragraph 4.3). The variable topography, particularly the northern slopes are significant features that enhance the visual quality of the valley.

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. At 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.

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 the former sewage works site 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.



The former Sewage Farm

The contribution to the valued landscape from this piece of land as well as the falls across the site and down to the Brook can be appreciated from the photograph. The Tach Brook water level is normally about 6 feet below the edge of the ground line at its sides and the water is normally about 2 feet depth and usually fast flowing.

A brookstray landscape buffer along the Tach Brook could be created and 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).



Views from the south towards Lower Heathcote. 785 homes will be seen from on the skyline to halfway down the hill.



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 (see paragraph 5.5) are part of the setting of the listed building and also from the conservation area on the north side of the village. To comply with the Basic conditions in Schedule 4B to the Town & Country Planning Act 1990 as amended by section 38A of the Planning & Compulsory Purchase Act 2004, further development proposed at Grove Farm would mean that the draft neighbourhood plan basic conditions are not met.

- 3.4.3 DS13 allocates land for a Country Park but much of the land allocated is impractical for a Country Park because it is along the relatively steep northern bank of the Tach Brook. For most of its length it is about 150m width on a slope that falls 15m in 100m. There is no flat land for activity areas except at each end, and at the bottom of the slope there is a steep drop down to the Brook level that could be dangerous for young children particularly. Trees planted at this level to mask the housing beyond would not hide the housing that would be at the top of the hill. So the landscape value of the Tachbrook Valley would be permanently damaged.
- 3.4.4 Given that the Examination Inspector found that that there is significant work still to be undertaken jointly with the other HMA authorities in terms of assessing the capacity to accommodate housing, reviews of Green Belt, and agreeing a distribution of the OAN for the HMA in full, the spatial strategy that includes this site may find that, as there is a current over provision of dwelling sites for Warwick District already, the Warwick OAN can be met without it and that this site is not the best location to meet the Coventry unmet need.
- 3.4.5 The Framework makes clear the co-operation that should exist between the District and Parish. PPG12-013 says "*Where a neighbourhood plan has been made, the local planning authority should take it into account when preparing the Local Plan strategy and policies, and avoid duplicating the policies that are in the neighbourhood plan.*" The community of Bishop's Tachbrook as well as the Neighbouring towns of Whitnash and Warwick are concerned about the loss of significant valued landscapes in the Tachbrook Valley and the narrowing of the distance between the settlements. To ensure settlement identity is retained the Neighbourhood plan should define the factors that would lead to coalescence of settlements and so should be avoided.

4. NATURAL ENVIRONMENT

4.1 NATURAL ENGLAND AND NATIONAL CHARACTER AREA PROFILE.

- 4.1a The parish of Bishop's Tachbrook is located in National character Area 96: Dunsmore and Feldon, which Natural England describe as being a "*predominantly rural, agricultural landscape, crossed by numerous small rivers and tributaries and varying between a more open character in*

the Feldon area and a wooded character in Dunsmore. The area is mainly within Warwickshire, with the southern boundary delineated by the steep limestone escarpment of the Cotswolds.

- 4.1b It is an important food producing area and the agricultural expanse of large arable fields, improved pasture and small villages forms a transitional landscape between the surrounding National Character Areas. In the south the landform becomes more undulating with low hill tops, clay vales, sparse woodland and hedgerows, now largely denuded of the large elm trees that once grew in abundance. This area is known as the Feldon and comprises most of the south-eastern part of Warwickshire. It is a rural landscape strongly influenced by post-medieval enclosures of former strip fields, heavy clay soil and frequent small, compact villages. This NCA is drained by the rivers Avon and Leam flowing in a south-westerly direction. Flood meadows, characterised by great burnet and meadow foxtail, occur on the regularly flooded alluvial soils.*
- 4.1c The historic character of this area is very important, in particular its ancient woodlands, enclosed fields, veteran trees, landscaped parklands and areas of archaeological interest, including deserted villages and numerous sites of remnant ridge and furrow. The Fosse Way Roman military road passes through the area and has influenced patterns of settlement in this NCA. Earthwork remains of medieval settlements and associated field systems at Radwell, Tysoe and Napton on the Hill are three of the most coherent medieval township landscapes in existence in England.*
- 4.1d The area is facing key challenges around how to protect and enhance its assets and recreational resource while accommodating the pressure for sustainable modern growth and development and the needs of the communities who live there. The landcover is primarily agricultural with extensive arable and improved pasture. The Lower Lias clays which underlie the bulk of Feldon produce fertile alkaline soils. Such soils are well suited to the mixed farming and pasture grassland management which has long supported the tradition of corn production and stock rearing in the area.”*

4.2 NPPF & LOCALPLAN IMPLICATIONS FOR THE NATURAL ENVIRONMENT

- 4.2.1 NPPF section 11. Conserving the natural environment sets out that (109) the planning system should contribute to and enhance the natural and local environment by
- a) Protecting and enhancing valued landscapes;
 - b) Geological conservation interests and soils;
 - c) Recognising the wider benefits of ecosystem services such as food, water, flood, disease control and recreation.
 - d) Minimising impacts on biodiversity and providing net gains where possible to halt the overall decline in biodiversity

- e) Establish coherent ecological networks that are more resilient to current and future pressures;
- f) Prevent new and existing development from contributing to or being put at risk of adverse effects of unacceptable levels of
 - Soil pollution
 - Air pollution
 - Water pollution
 - Noise pollution
 - Land instability
- g) Remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

4.2.2 Other NPPF matters that are important to the Natural Environment include

NPPF110 – Allocate land with the least environmental or amenity value, where consistent with other policies in the Framework.

NPPF111 – Re-use Brownfield, if not of high environmental value.

NPPF112 – Take into account the economic and other benefits of the best & most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, use areas of poorer quality land before that of higher quality.

NPPF113 – LPA's to set criteria based policies to judge effect of development on protected wildlife, geodiversity sites or landscape areas. Protection to relate to status of international, national and locally designated sites to give appropriate weight to their importance.

NPPF114 – Local plans should have a strategic approach for the creation, protection, enhancement and management of networks of biodiversity and green infrastructure.

NPPF117 – to minimise impacts on bio/geodiversity, planning policies should plan for bio-diversity at a landscape scale across LA boundaries; identify and map local ecological networks of importance for biodiversity, wildlife corridors and stepping stones that connect them and areas identified by local partnerships for habitat restoration or creation; prevent harm to geological conservation interests; Nature Improvement Areas in local plans should identify types of development that may be appropriate there.

NPPF118 – when deciding planning applications, if significant harm from a development to biodiversity cannot be avoided (put it somewhere else), adequately mitigated or as a last resort compensated for, then refuse it; (SSI's); if development objective is to conserve or enhance

biodiversity grant it; incorporate biodiversity in and around developments encouraged; refuse development that loses irreplaceable habitats, ancient woodland unless it is vital; defines special sites that have status as European sites.

NPPF119 – presumption in favour of sustainable development does not apply if Birds or Habitats Directives is being considered.

NPPF120 – decisions should ensure that development is OK for its location after accounting for risks of pollution and land instability. Effects (including cumulative) of pollution on health, the natural environment or general amenity and the potential sensitivity of the area or proposed development to the adverse effects from pollution should be taken into account. Responsibility for safe development rests with the developer and/or landowner.

NPPF121 & 122 - make sure site is suitable for the new use due to contamination, mining, remediation etc with a site investigation report. 123 is about noise pollution and tranquillity, 124 is about Air quality, 125 light pollution.

4.2.3 WDC Local Plan 2011-2029 on the natural environment says

5.177 A healthy natural environment is of vital importance to people, places, the economy and nature itself. Need to protect & enhance it.

5.178 District has a particularly high quality natural environment. (1) Landscape characteristics based on topography, farming, history and settlement patterns (2) nature conservation, biodiversity interests historic features including geologically and geomorphologically.

NE1- WDC will protect, enhance and restore green infrastructure at a variety of spatial scales including local and neighbourhood scales; Key statement is protecting and enhancing existing habitats and restoring fragmented areas ensuring access to natural green space and improvements to landscape character.

5.183 finishes with the statement that the Council will support Neighbourhood Plans that recognise the importance of green infrastructure and the natural environment and promote policies for its protection.

5.184 uses the Green Infrastructure Study 2010 and Strategy 2012 to identify gaps in Accessible Natural Green space.

NE2 Protecting designated Biodiversity and Geodiversity Assets. WDC will protect sites of local importance. Development will not be permitted that will destroy or adversely effect the following locally important sites and assets unless it can be demonstrated that the benefits of development outweigh the nature conservation value or scientific interest of the site and its contribution to wider biodiversity objectives and

connectivity. (a) ancient woodland, aged and veteran trees, (b) Local Nature Reserves, (c) Local Wildlife sites, (d) Local Geological Sites, (e) protect rare species. Ecological assessment required.

NE3 is about biodiversity. New development will be permitted provided that it protects, enhances and or restores habitat diversity, involves no net loss, protects assets and manages them and avoids negative impacts. Otherwise mitigate, if not on site, somewhere else. Mitigation does not help achieve government policy to halt the net loss of biodiversity. If biodiversity depends on connectivity of habitats, how is that helped by destroying an area and moving it somewhere else given that there are few places that are probably suitable for that purpose otherwise the species relocated would be in that location already? There is a link reason between species and habitats. Human intervention reduces species diversity.

NE4 Landscape. New development has to positively contribute to landscape character. Points a) to c) are normal landscape design rules that apply to any situation. d) is about identifying impacts on existing landscape and provide landscaping to reduced impacts - it may be better to leave it alone. e) says conserve important features f) avoid detrimental effects on features that make a significant contribution to the character, history and setting - difficult to do without leaving it alone g) keep veteran and aged trees, woodland, hedges and enhance by buffering or reconnecting fragmented areas. h) maintain the existence of viable agricultural units and i) be sensitive to capacity to change, be aware of cumulative effects and guard against coalescence.

5.192 ends by saying that the Council will support the identification of local areas of tranquillity that remain relatively undisturbed by noise and are valued for this reason, including through Neighbourhood plans.

NE5 Protection of Natural resources (minerals), permits development subject to ensuring that any contamination does not reduce quality of water resources. In d) it restates the need to avoid the best and most versatile agricultural land, unless the benefits of the proposal outweigh the need to protect the land for agricultural purposes; and finally protect minerals. This is basically the same policy for best and most versatile agricultural land. RAP9(a) in the 2007 LP and Paragraph 5.198 in the emerging local plan state the case for retaining best & most versatile land grades 1, 2, and 3a . The strategic policies for housing will use up all the grade 1 and most of the Grade 2 as well as large amounts of grade 3a that are DEFRA graded in this area of Warwickshire. There will be very little, or if the Asps and Gallows Hill appeals succeed, none of this land left.

4.3 LANDSCAPE STUDY

4.3.1 WDC Local Plan 2011-2029 on the natural environment and landscape includes

5.193 describing that the Council has undertaken local landscape analysis with regard to its development strategy options. This was done through a report by Richard Morrish dated February 2009 which identified Site E (South of Harbury Lane) as being of medium to High sensitivity as its relative value as the setting for Warwick and Leamington. It also comments that *'This area is on a ridge of higher ground that is prominent in some views from the south. Development here would be a relatively prominent urban extension.'*

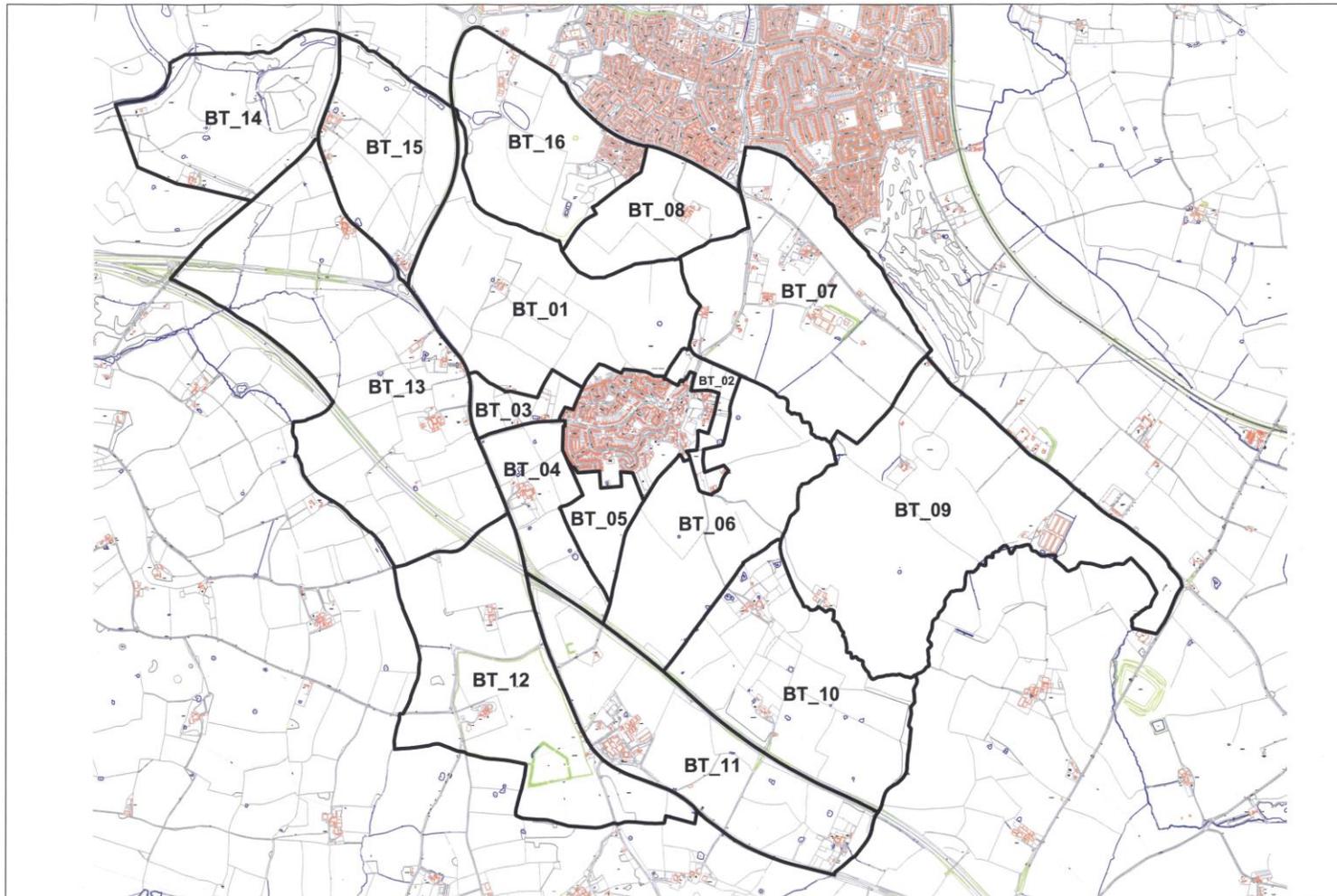
4.3.2 The Parish Council commissioned a landscape report from the WCC Landscape Architect for the whole of the parish which was completed in October 2014. This was a continuation of the report prepared for WDC for the Village Housing Options Consultation dated November 2013. As well as finding that the land south of the Tach Brook (BT01) was of high sensitivity and was *'considered unsuitable for development due to its open nature and high visibility, its strong rural character and to prevent the encroachment of the settlement edge towards Leamington / Whitnash'* it also found that the land comprising of site E (BT08 and BT16) was also of high sensitivity and commented that *'Due to the open nature of the zone, its prominent skyline and detachment from the existing settlement, it is not considered suitable for development.'*

This report can be found at Appendix NP8 and the summary on pages 5 & 6 of that study report describe the rural nature of the whole of the parish south of Harbury Lane. The zones can be identified on Map 2.

4.3.3 Paragraph 3.6 of the Landscape Study recommended the following landscape enhancements

- Gap up and manage hedgerows to enhance field pattern and increase biodiversity value.
- Increase the number of hedgerow trees by planting locally occurring native species such as oak and field maple, or encouraging natural regeneration.
- Manage Tach Brook, including the trees and other vegetation, in order to increase its biodiversity potential.
- Where appropriate (i.e. in those areas which form part of the Feldon Parklands Landscape Character Area) plant coverts and tree belts, or larger woodlands on rising ground.
- Manage small woodlands and spinneys by coppicing.

Developer contributions to make these landscape enhancements should be made through S106 or other agreements for off-site works or by inclusion in the site development landscape proposals where appropriate.



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Map of the Warwickshire Local Plan with the introduction of the Council of Warwickshire Members
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Bishop's Tachbrook Landscape Study
 Zone boundaries

MAP 2

5. HISTORIC ENVIRONMENT

- 5.1 Bishop's Tachbrook has a rural history that in past times supported the lifestyle of Warwick town and Warwick Castle. Part of the Neighbourhood Area includes part of Castle Park that was the hunting ground for castle residents.
- 5.2 It is important that the Neighbourhood Plan has special regard for the preservation of any Listed Building and its Setting as well as any features of Special Architectural or Heritage Interest that are undesignated and which deserve appropriate and proportionate consideration. This Neighbourhood Plan includes policies which set out design principles for landscape, settlement patterns and buildings and proposes the preparation of a local list of non-designated heritage assets.
- 5.3 This Neighbourhood Plan also has special regard for the need to preserve and enhance the character and appearance of the Bishop's Tachbrook Conservation Area, through the provision of planning policies which aim to protect and enhance historic, natural and built heritage assets as well as the setting surrounding the conservation area. It should also consider whether there are any reasons to extend the conservation area.
- 5.4 The Parish of Bishop's Tachbrook has 32 designated heritage Assets, one being Grade I and 31 being Grade II. There are also two Historic Parks & Gardens Registered by Historic England one being Grade I and the other Grade II. In addition, there are 2 locally important Parks and Gardens recognised by the District Council. Warwickshire County Council holds Historic Records of finds in Warwickshire. In Bishop's Tachbrook Neighbourhood Area there are 6 sites in the Bishop's Tachbrook part of Castle Park, 5 in the area of the Asps, 6 sites in the Tachbrook valley between Europa Way and Oakley Wood Road, Harbury Lane and Mallory Road (EWNS) and 43 other sites east of Oakley Wood Road to Fosse Way and around Oakley Wood.

5.5 The Grade I listed building is St. Chads parish church on the north side of Mallory Road of mid-C12 origin. It has a long list of attributes that includes C15 & C16 wall paintings, Stained glass windows by William Morris and Philip Webb and a 3 storey West Tower. There are interesting and valued views across the Tachbrook Valley from the roof of the tower. This one is towards Leamington with Warwick Gates in the distance and Heathcote Park in the centre of the photo. The District Councils local plan will cover the green area causing unacceptable damage to the views across Windmill Hill and the Tachbrook Valley.

5.6 Of the Grade II listed buildings, one is Grade II*, 12 are in the conservation area, 3 of which each contain two dwellings.

Table 1 lists these designated heritage Assets.



TABLE 1 BISHOP'S TACHBROOK GRADE II LISTED BUILDINGS

WDC No.	In conservation area ?	location	Name	Brief detail
15/93	no	Banbury Road	The Aspens	House C17/18 2 storey, 3 bays
16/100	no	Banbury Road	Greys Mallory	Large House 1903 Elizabethan style
16/371	No	Banbury Road	Barn 30m NW Newhouse Farmhouse	C18 Timber frame/brick infill
16/101	No	Banbury Road	West & East Lodges & archway Greys Mallory	Pair of cottages 1903
16/102	No	Banbury Road	Barn 35yd N Oakley Wood Farmhouse	C17 Timber frame/brick infill
	No	Banbury Road	Oakley Wood Farmhouse	
16/94	No	Banbury Road	Barn 30yd NE of Hill Farmhouse	C17 Timber frame/brick infill
19/95	No	Banbury Road	Wiggerland Wood Farmhouse	C17 Timber framed cottage
19/96	No	Banbury Road	Cartshed/granary 20yds S Wiggerland Wood Farmhouse	C17 Timber framed/ brick infill
19/97	No	Banbury Road	Stable 8yds W of Wiggerland Wood Farmhouse	C18 Sandstone with timber frame
19/98	No	Banbury Road	Barn 10 yds NW Stable of Wiggerland Wood Farmhouse	C18 Timber framed & weatherboards
19/99	No	Banbury Road	Hogbrook Farmhouse	C17 Rubble stone with Ashlar Quoins
15/103	No	Castle Park	The Hunting Lodge, Lodge Wood II*	1748 large house: coursed ashlar
16/104	Yes	9, Church Hill	The Bishop's House	Circa 1600 Timber frame/render panels
16/105	Yes	Church Hill	15 & 17	Circa 1600 Timber frame now 2 homes
16/106	Yes	Church Hill	18, Attwood Cottage	C17 timber frame cottage Thatch roof
16/107	Yes	30, Church Hill		C17 timber frame cottage
16/108	Yes	Church Hill	32, Willow cottage	C17 timber frame cottage
16/109	No	Harbury Lane	Mallory Court Hotel	Large House C17 vernacular style
16/111	Yes	Mallory Road	3 & 5	C17 two timber frame cottages
16/112	Yes	Mallory Road	15 & 19	C17 two timber frame cottages
16/113	No	1, Powell Close	The Cottage	Small C17 timber-frame cottage
16/114	Yes	Oakley Wood Rd	The Leopard Public house	C17 timber frame cottage

16/115	Yes	Oakley Wood Rd	12, Eden Cottage	C17 timber frame cottage
16/116	Yes	Oakley Wood Rd	26.	C17 timber frame cottage
16/117	Yes	Savages Close	8	C17 timber frame cottage
16/118	Yes	Savages Close	The Old Manor house , 15,	1558 H-shaped plan large House
16/119	No	Tachbrook Mallory	Tachbrook Mallory house and The Grove	Large house 1570 to 1609
16/120	No	Tachbrook Mallory	The Barracks 14 yds W of The Grove	C17 Redbrick 2 storey, 7 bays long gallery on upper floor.
16/121	No	Tachbrook Mallory	Wall, gate Piers & gates 50yds N of The Barracks	C18 Sandstone Ashlar gate piers & wrought Iron gates
16/122	No	Tachbrook Mallory	Chapel Hill Farmhouse	House & medieval chapel C17 farmhouse L-shped plan

5.7a Historic England's Register of Historic Parks & Gardens of special interest in England has two Gardens in Bishop's Tachbrook. Landscapes are allocated grades. Grade 1 is of international importance, grade II* is of exceptional historic interest and Grade II is of special historic interest.

The Gardens are Warwick Castle and Castle Park, Warwick, which is Grade I and Mallory Court, which is Grade II.

5.7b Warwick District Council also maintains its own list of Parks & Gardens which are of historical interest but which do not currently meet the criteria for inclusion in the national register.

These are the grounds of the Old Manor House in Savages Close, and at Greys Mallory on the Banbury Road. All these Gardens are shown on the Neighbourhood Plan Map in light blue.

5.8 Warwickshire County Council's Historic Records of finds and Historical Land Classification in Bishops Tachbrook are held on the Community Profile Data files. The finds records range from aerial photos that indicate possible earthworks from the past, cropmarks, a brickworks and 2 quarries dating from 1751 to 1913AD, to finds of coins going back to Henry III, jewellery, roman and medieval pottery, flints and prehistoric implements including a Palaeolithic hand axe. There are scattered finds across the whole of the parish up to the Fosse Way. On the Fosse, just outside the parish boundary, a site of a Roman Town is marked on OS maps across the Fosse. It is very likely that adjacent fields up to and beyond Tachbrook will yield further roman finds.

5.9 300m North of St Chads Church and 500m SW of Tachbrook Mallory, there is the site of a windmill which dates back to the post Medieval period.(1540 to 1750 AD) There is a reference to a windmill belonging to the manor in 1557 and a large mill mound at SP31316172. The field was named as Near Windmill Field and the field to the north was known as the Far Windmill Field.

5.10 Within Oakley Wood, there are earthworks that may be the site of an Iron Age hill fort. There is an entrenchment in good preservation and of considerable size. It is on fairly level ground. The camp, roughly triangular, encloses an area of about 3.75ha. The defences, consist primarily of a rampart, protected externally by a ditch, then, in places a second rampart and ditch. The height of the ramparts at the north apex is 3.9m with a breadth at the base of 8.8m. The ditch defending it measures 10.5m across. If it is a hill fort it would be late bronze age to late iron age (1200BC to 42 AD), but it may be related to Medieval land management. It is a scheduled Ancient Monument.



6 CONTRIBUTE TO THE ACHIEVEMENT OF SUSTAINABLE DEVELOPMENT

- 6.1 The Neighbourhood Plan contributes strongly to the achievement of sustainable development. Paragraphs 6-10 of the National Planning Policy Framework outline the Government's definition of sustainable development and the policies in paragraphs 18 to 219, taken as a whole, constitute the Governments view of what sustainable development in England means in practice for the planning system.
- 6.2 The UK Government's interpretation of the concept of sustainable development builds on that of the UN resolution 42/187, which is 'meeting the needs of the present without compromising the ability of future generations to meet their own needs.'

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

1. Living within the planet’s environmental limits; and
2. Ensuring a strong, healthy and just society; and
3. Achieving a sustainable economy; and
4. Promoting good governance; and
5. Using sound science responsibly.

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

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

- ☐ *“an economic role- contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;*
- ☐ *a social role- supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of the present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community’s needs and support its health,, social and cultural well- being; and*
- ☐ *an environmental role- contributing to protecting and enhancing our natural, built and historic environment; and as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy. “*

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

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

- Making it easier for jobs to be created in cities, towns and villages
- Moving from a net loss of bio-diversity to achieving net gains for nature
- Replacing poor design with better design
- Improving the conditions in which people live, work, travel and take leisure
- Widening the choice of high quality homes

6.5 NPPF10 emphasises the need to take local circumstances into account when responding to different opportunities for achievable development in different areas.

6.6 Basic Condition Statement Paragraph 2.4.6 gives a Table of SUSTAINABILITY COMFORMITY which sets out how the policies and allocations in the Neighbourhood Plan contribute to the requirements for development to be considered sustainable by reference to the Framework policies and current and emerging Local plans.

7. COMMUNITY PROFILE

The Neighbourhood Plan Background Statement Paragraph 3, describes the profile of the community of Bishop's Tachbrook. It takes data from the 2011 census on

- people and housing types,
- Material changes to population structure between 2001 and 2011 censuses,
- an assessment of the housing tenure mix for the 150 dwellings on the site south of the school.
- employment and skills,
- qualification levels,
- Method of travel to work and Car or Van availability.
- Employment and Businesses in Bishop's Tachbrook.

8. POLICY SECTION

8.1a The Neighbourhood Plan's policies are presented in a consistent format comprising

- the strategic objectives for the relevant topic (housing, rural environment, etc.)
- the context and rationale for the individual policy,
- the strategic basis for the policy,
- the policy itself, and
- an explanation of how the policy will be applied in managing future development in Bishop's Tachbrook.

8.1b Policy reference numbers all commence BT to avoid confusion with the Warwick District Local Plan policy numbers that may otherwise be very similar.

8.2 HOUSING POLICIES

8.2.1 OBJECTIVES FOR HOUSING

The Neighbourhood Plan contains the following strategic objectives for future housing development in Bishop's Tachbrook:

- To identify locations for new housing which are supported by a majority of the community;*
- To ensure that the impact of new housing development in the rural area is minimized;*
- To provide homes for local people of all ages, incomes and household size;*
- To ensure new housing development is designed to a high standard, is of an appropriate scale and density, is responsive to established local built character and distinctiveness and is environmentally sustainable.*

8.2.2 POLICY BTH1: LOCATION OF NEW HOUSING WITHIN THE GROWTH VILLAGE

Context and rationale

8.2.2a The Neighbourhood Plan Background Statement 4.1 POLICY BTH1: LOCATION OF NEW HOUSING WITHIN THE GROWTH VILLAGE describes

- the multi-settlement, rural community, centred on the main village.
- The need to maintain a distinct separation between each settlement.
- The importance of conserving and enhancing the rural and green spaces that give each settlement a separate identity and strengthening the links that bring the settlements together as one Parish.
- The strategic policies of the draft Warwick District Local Plan (2011 to 2029) to accommodate an additional 150 dwellings within Bishop's Tachbrook as a Growth Village, and the importance of the Neighbourhood Plan identifying the right location for this level of growth
- meeting established local housing need found by the Housing Need Survey (see Appendixes NP2 & NP3).

Strategic basis

8.2.2b Policy BTH1 facilitates the level of housing growth identified in the emerging Warwick Local Plan for 150 dwellings within the village settlement boundary, identifying a suitable site. An increase from 737 dwellings in 2013 to 887 dwellings (20%) over the Neighbourhood Plan period (to 2029) allows housing development which is proportionate in scale to Bishop's Tachbrook as a Primary Service/facilities Growth Village and which could, through appropriate planning obligations and planning conditions, enable local facilities to be improved.

This policy meets the Neighbourhood Plan's Strategic Aims and Objectives 2.3.1, 2.3.2, 2.3.5 and 2.3.6. (pages 5 & 6 Consultation Statement).

8.2.2c Policy BTH1 supports sustainable development by concentrating new housing development within an enlarged settlement boundary and may lead to the improvement of local services and facilities. Other policies in the Neighbourhood Plan and the Local Plan will ensure that a proportion of the new dwellings will be for groups of people with protected characteristics such as older people and people with young children, and for those who cannot afford open market housing.

- a) Within the plan period new housing development will be permitted on the site South of the School, and north west of Oakley Wood Road shown on Map 3.
- b) The site will be developed in accordance with a master plan based on the principles set out in Policy “BTH3 for mix of housing types” and Policy “BTH4 Design of new Housing Development and produced for the planning application for detail matters”.
- c) Surface water drainage should include a Sustainable Drainage System (SuDS) and other measures to reduce surface water run-off and to alleviate the known and regular flood risk of Oakley Wood Road with a drainage system that connects into a reliable outfall in the watercourse that flows towards the Tachbrook as shown on Map 4 below. In addition, a ground drainage system shall be provided to the west of the school playing field and along the south side of the houses in Holt Avenue to drain high water table levels in that part of the development site and the end of Holt Avenue to the SuDS system, all to the satisfaction of the Lead Local Flood Authority, Warwickshire County Council.
- d) The access road into the site shall be of sufficient width, after allowing for street parking, to allow easy access for the school bus to deliver children to a new rear entrance to the school with a good turning road and bus parking point. At the bus stop the pavement shall be of sufficient capacity to ensure children’s safety getting to the school gate and the developer shall provide a new secure gated access to the satisfaction of the school authorities.
- e) The development will include a new pedestrian/cycle access from the new school entrance to the existing road to the Sports & Social Club, with bollards to prevent misuse by motor vehicles. Relocate any allotments affected by this requirement to join the allotments to be provided to meet open space standards for this site. Provide a new public footpath from the development to Oakley Wood, on the field side of the road hedgerow to the southernmost point under the developers control and connect into a roadside path leading to the M40 bridge with provision for a path from the southern side of the motorway bridge to a safe crossing point across the Banbury Road to Oakley Wood.
- f) Broadleaf Tree shelter belt to be planted on southwest boundary to comply with policy BTCC1 Climate Change.
- g) the 2014 Housing Need Survey identified 16 dwellings that local people may need for their family members. To meet this identified need, this development should include the following in the 150 overall housing mix proposed and this will discharge the need identified.
Rented; 2 x 2 bedroom house ; 2 x 3 bedroom house ; **Shared Ownership** 1 x 1 bedroom bungalow
Owner Occupier; 3 x 2 bedroom house ; 7 x 4 bedroom house ; 1 x 4 or 5 bedroom house



Map 4 Environment Agency Surface water run-off flood risk map for Preferred Option site BTH1

8.2.3 POLICY BTH2: BISHOP'S TACHBROOK SETTLEMENT BOUNDARY

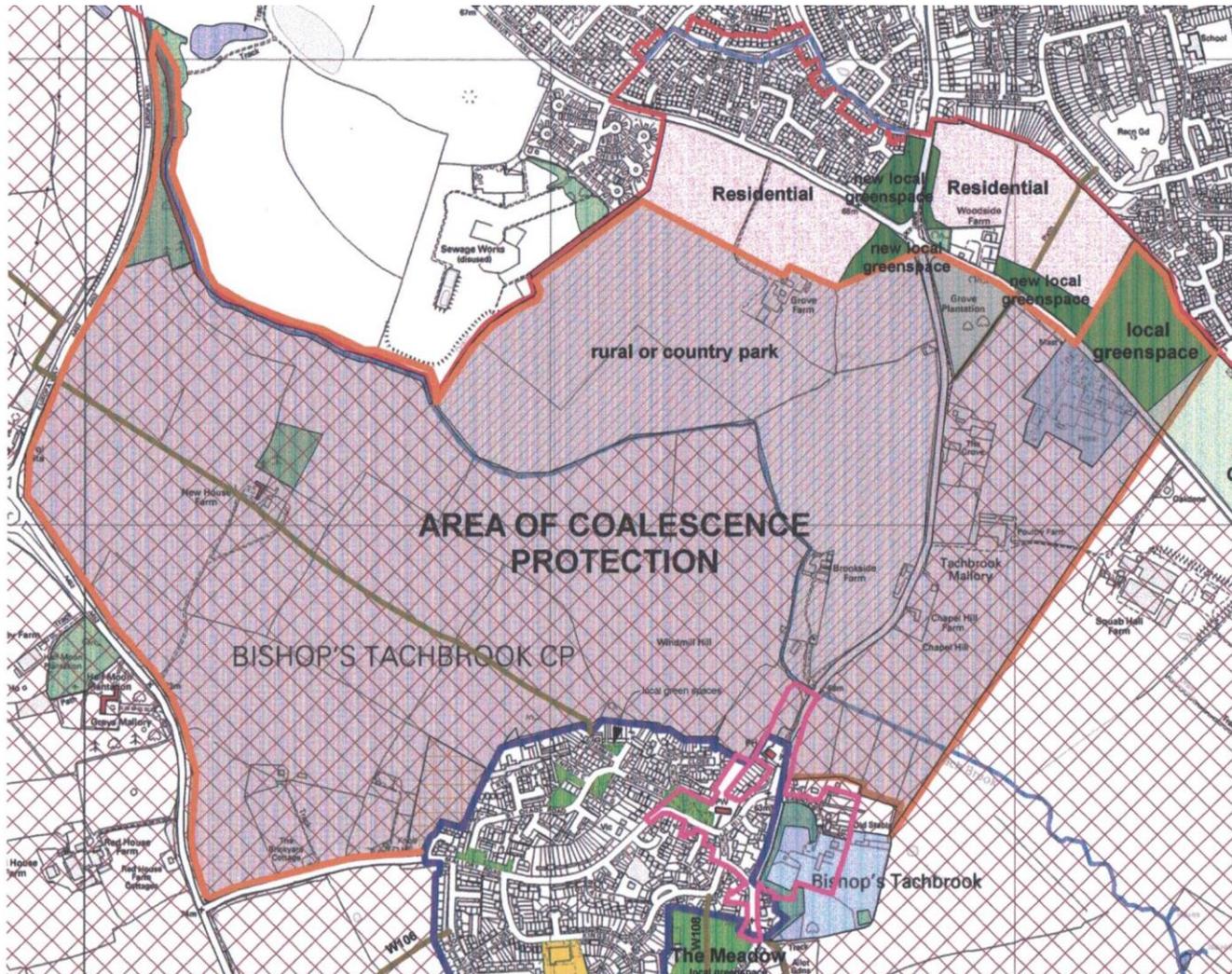
Context and rationale

8.2.3a Bishop's Tachbrook is located approximately 1km south of the urban area of Warwick / Leamington Spa. The land between the village and the main urban area is rural and in agricultural use which serves to separate the two built-up areas with open farmland comprising fields defined in part by hedgerows with trees. This land provides an important visual amenity and consultation showed that the local community places high to very high value on the open nature of this land and is strongly of the view that it should remain undeveloped.

To comply with the Draft Local Plan, Strategic policies DS3 d) protecting areas of significance including high quality landscapes and DS4 d) limiting development on sites which would lead to coalescence of settlements to ensure settlement identity is retained will be applied on rural areas north of the village settlement boundary.

The rural nature of the parish is a substantial part of its character and history, making it an essential component of the heritage of the Parish that should be considered relevant to policy BTRE3. The distance between settlements that could reasonably said to be the minimum necessary to prevent coalescence is considered by the communities of Bishop's Tachbrook, Whitnash and Warwick Gates to be all land South of Harbury Lane, due to visibility from long distance views across the valley. With the permissions that have recently been granted for Grove Farm and Lower Heathcote Farm any further permissions for more housing reaching down to the Tach Brook should only be granted in very special circumstances and after all other urban, regeneration and brownfield locations have been utilised.

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, north along Banbury Road/Europa Way to Tach Brook, east along the Brook to the south corner of the Sewage Works, north to Grove Farm 1 residential permission, east to the junction of Harbury Lane and Oakley Wood Road, along Harbury Lane, south and east of Woodside Farm residential area, to the north corner of Local Greenspace LGS13, then southeast to the southern corner of Whitnash, then south west to the north east corner of the Bishop's Tachbrook Conservation Area boundary, then



east along the northern boundary of housing on Savages Close to Oakley wood Road, as shown on Map 5 . The area is shaded pink and bounded by an orange line.

Map 5

Area of Coalescence Protection.



8.2.3b The Neighbourhood Plan Background Statement 4.2. POLICY BTH2: BISHOP'S TACHBROOK SETTLEMENT BOUNDARY shows that this approach is supported by the Inspector at the Inquiry into objections to

the Local Plan that was adopted in 2007, quoting relevant paragraphs from the report. If however, the case is made for a further strategic housing site within the area of coalescence protection and included in a plan that the examination of the plan finds necessary and in an

appropriate location, then that Strategic Site will be permitted, as it should have been demonstrated as an essential requirement to meet the objectively assessed need for housing that cannot be met anywhere else on land of lower quality and which is in the right location to meet that need.

- 8.2.3c The Settlement Boundary shown on Map 3 accommodates the required new housing growth without encroaching on open farmland or rural area to the north of the village, whilst also ensuring that the village remains a compact settlement. The new housing is located within a convenient, walkable distance to village services and facilities.
- 8.2.3d Outside the Settlement Boundary, new housing development is controlled by the Affordable Housing on Rural Exception Sites policies H1 & H3 in the Local Plan. A rural exception site should be within or on the edge of a settlement. In order to compensate for their relative isolation from existing services and facilities such developments will be required to achieve an enhanced standard of environmental sustainability and Policy BTH2 requires any development proposal of this nature to demonstrate this. In view of the visually prominent or sensitive nature of the land where such proposals may be made, developments on Rural Exception Sites will also be required to make a positive contribution to the character and appearance of the area and restrict the number of dwellings to a maximum of three affordable homes only, because of the impact on the environment of Bishop's Tachbrook of such developments.
- 8.2.3e Historic buildings that become redundant may be considered for conversion for residential, employment or other purposes if this provides a means to secure their preservation. Opportunities to preserve such buildings through beneficial re-use will be considered positively, providing other criteria defined in Policy BTH2 can be satisfied. Redundant agricultural buildings conversion, that do not qualify for permitted development rights will not be considered for residential development except in exceptional circumstances and where sustainability consequences in all 3 dimensions are not compromised.

Strategic basis

- 8.2.3f Warwick District Council's publication Draft Local Plan based on the Village Housing Options and Settlement Boundaries Consultation (2013) amends the Bishop's Tachbrook Settlement Boundary to the finally agreed layout for an outline planning application, which coincides with the boundary shown in Map 3 and will be included in the Warwick District Council Local Plan.

- 8.2.3g Community consultation for the Bishop's Tachbrook Neighbourhood Plan revealed a unanimous preference that the village should not merge with the urban edge of Warwick / Leamington Spa, as shown in the Consultation Statements.
- 8.2.3h The Warwick District Local Plan 2011 to 2029 Publication Draft revised in January 2015 is the emerging Local Plan. This proposes a new country park between the urban edge of Warwick / Whitnash and the village of Bishop's Tachbrook in order to provide a permanent, landscape buffer between the two. The Bishop's Tachbrook Settlement Boundary will ensure that the village does not expand northwards to reduce the buffer of open land between the two built up areas. However, the proposed line of the country park east to west is a thin slither of land on a relatively steep gradient falling towards the brook on the lowest point of the valley and any tree belts that may be planted will not screen any housing from views across the valley. It will destroy the highly valued landscape of the Tachbrook Valley and is not compliant with the WDC strategic policies DS3 d) or DS4 a), d), or f). It is not supported by the communities of Bishop's Tachbrook, Warwick Gates, Heathcote Park, Whitnash or South Warwick. If the Country Park is to be built at all, then it needs to safeguard the whole of the remaining area of the north bank of the Tach Brook Valley from the brook to the housing line that was granted permission on 29/5/14 and subject to paragraph 8.3.2b, excluding the field east of the brook, Brookside Farm and Windmill Hill which should remain rural and in agricultural use in open countryside.
- 8.2.3i A compact settlement with no development on the northern (Warwick) side of the village would accord with both local strategic policy and also the local community's preference. In addition it would help achieve sustainable development by ensuring the new housing growth is located close to existing village services and facilities. Any development within the **area of coalescence protection** would cause serious harm to the setting of the conservation area and to the character of the entrance to the village from Leamington and the natural environment as well as the valued landscape views from the Leopard country pub towards the east that supports this rural enterprise so would be contrary to NPPF 28 points 2, 3, & 4 and 109 points 1 & 5.
- 8.2.3j Very occasionally, cases arise where small scale development outside the Settlement Boundary may be appropriate. Policy BTH2 provides criteria to determine when such cases are justified as NPPF54 & 55. Further, NPPF 55 requires isolated homes in the countryside to be truly outstanding in their design.

The Bishop's Tachbrook Settlement Boundary is shown on Map 3. Housing development proposals outside that Settlement Boundary will only be permitted in locations that are

- 1. strategic sites in the WDC Local plan 2011-2029 when adopted; or**
- 2. not in the Area of Coalescence Protection north of the village (see 8.2.3a and Map 5) and then only if it can be demonstrated that**
 - a) the development is for affordable housing in perpetuity; and on a rural exception site not exceeding 3 dwellings located within, or adjoining, an existing settlement; and where it can be demonstrated, by a new housing needs survey, that it is essential to meet the needs of the local community by accommodating households who are either current residents or have an existing family or employment connection and no other affordable housing is available for people with local connections within the parish. No additional market homes will be allowed for any reason; or**
 - b) the development is for rural worker's dwellings where it is demonstrated that it is essential for the/those operative(s) to be always available to enable the particular rural activity to be effective, that the activity is continuous & not seasonal, and suitable accommodation is not available within 2 miles of the workplace; or**
 - c) the development is a new isolated home in the countryside complying with NPPF55, to be truly outstanding or innovative in its design without any intrusion into the landscape, distant or protected views or alteration to the defining characteristics of the area and which significantly raises the quality of its immediate setting ; or**
 - d) in the case of replacement dwellings, they do not exceed the footprint area or height of the dwelling to be replaced; and, for all cases,**
 - e) the development makes an overall positive gain to environmental quality as the Framework defines sustainability (NPPF 6 to 10); and**
 - f) the development enhances the character or appearance of the area; and**
 - g) where relevant, the development brings redundant or vacant historic buildings back into beneficial re-use and enhances the immediate setting. Redundant agricultural buildings conversion, that do not qualify for permitted development rights will not be considered for residential development except in exceptional circumstances and where sustainability consequences in all 3 dimensions are not compromised.**

Policy BTH4 will apply to the Design of any new development.

8.2.3k Application of Policy BTH2

Policy BTH2 replaces WDC Policy H3 for applications within Bishop's Tachbrook Neighbourhood Area and seeks to focus any new development to be within the village or other residential settlements set out in 8.2.2a and to prevent the dispersion of new development around the parish. It recognises that some minor development in other parts of the parish may be necessary to deliver some affordable housing on rural exception sites, for rural workers or where existing dwellings are being replaced. Such developments must demonstrate high standards of environmental sustainability, preserve and enhance the quality and character of the wider landscape or, where relevant, bring redundant historic buildings back into beneficial re-use.

The Warwick District Council Local Plan will continue to provide

- the overall policy framework for the provision of affordable housing
- Policy H10 for allocated sites in Growth villages within the Warwick District Council Local Plan
- Policy H12, and BTH2b will apply in addition for rural workers
- Policy H13, and BTH2c will apply in addition for replacement dwellings in the open countryside
- Policy H14 Extensions to dwellings in the open countryside.

and if there should be disagreement between the Local plan and the Neighbourhood Plan, the Neighbourhood Plan requirement will take precedence.

8.2.4 POLICY BTH3: MIX OF HOUSING TYPES

Context and rationale

8.2.4a A Housing Needs Survey for Bishop's Tachbrook was commissioned by the Parish Council for the Neighbourhood Plan and the report was published in January 2014. The full report is at Appendix NP3. Responses were received from 234 households (23% of those surveyed). Owner-occupiers represented 92% of respondees; people renting or with shared ownership represented 7 % of respondees. The conclusions were that

- there is a need for 16 new homes in Bishop's Tachbrook for local people; and

- local housing needs should be accommodated within the housing sites coming forward to meet the requirements of the emerging Local Plan within the Bishop’s Tachbrook Village settlement boundary.

The affordable housing needs identified were for 2 x two-bedroom rented houses, 2 x three-bedroom rented houses, 1 x one-bedroom shared ownership bungalow, and the market housing need was 3 x two bedroom owner-occupied houses, 7 x four-bedroom owner occupied houses, and 1 x four- or five-bedroom owner occupied house. This provision will be satisfied by their inclusion in the site allocated in Policy BTH1. Any rural exception sites in the future will have to be tested against a new Housing Needs Survey.

8.2.4b This housing mix is intended to adjust the village housing mix to be closer to the District wide housing mix.

8.2.4c Key issues identified during the consultation process that will be addressed by Policy BTH3 are:

- The village had 414 people aged 65 plus in 2001. This is addressed in paragraph 6.1.1c. in the Neighbourhood Plan Background Statement
- A perceived need for housing for larger families. This is addressed in paragraph 6.1.1d. in the Neighbourhood Plan Background Statement
- Opportunities for growing families to stay in the village. This is addressed in paragraph 6.1.1e. in the Neighbourhood Plan Background Statement
- An over-dominance of 2-3 bed houses. This is addressed in paragraph 6.1.1f. in the Neighbourhood Plan Background Statement
- Unmet need for smaller properties. This is addressed in paragraph 6.1.1g. in the Neighbourhood Plan Background Statement

Strategic basis

8.2.4d The emerging Local Plan Policy H4 contains the policy framework for securing a mix of market housing and to take account of up-to date housing need assessments in rural areas.

As a rural area, new housing provision will only be permitted within the settlement boundary or in WDC Local Plan Strategic Site allocations except for sites complying with policy BTH2.

Proposals for new housing development must demonstrate how the type of dwellings provided will help ensure a balanced mix of housing for Bishop's Tachbrook. 40% of the development will be affordable homes to the tenure mix required by the WDC Housing department. For the site south of the school in BTH1, market housing will be generally to the tenure mix suggested in Table 3 of paragraph 6.3 of the Neighbourhood Plan Background Statement which is written for the site in BTH1 but to form the base of any housing mix on other sites, to provide

- dwellings designed for older persons as one or two bed bungalows to Lifetime Homes Standards, clustered to enable early care of elderly residents, providing accessible dwellings suitable for “down-sizing” or as purpose-designed accommodation for older persons, with provision for minimum age of 55 to qualify and for sale or rent to local people in perpetuity;
- one bedroom/2 person dwellings for smaller households in one or two storey provision;
- two and three bed dwellings in terraces not exceeding 5 dwellings or semi-detached;
- four or more bedrooms in semi-detached or detached dwellings.

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.

Warwick District Council Strategic sites outside the village boundary will be subject to the Local Plan policy H4.

Application of Policy BTH3

8.2.4e Policy BTH3 seeks to ensure that Bishop's Tachbrook remains a sustainable settlement with a balanced provision of housing, including dwellings suitable for occupier groups who may otherwise experience difficulties in accessing suitable housing in the parish. The housing mix suggested is intended to rebalance previous enlargements of the village that has led to age stratification of the residents and make the housing offer more flexible, particularly for local people.

8.2.4f Working collaboratively with developers, through the housing policies of the Neighbourhood Plan, it is intended to meet both the Housing Need Survey 2014 (Appendix NP3) established local housing need and the Warwick District Local Plan Strategic need to meet the objectively established housing need of the district.

8.2.5 POLICY BTH4: DESIGN OF NEW HOUSING DEVELOPMENT

Context and rationale

8.2.5a Bishop's Tachbrook is a village with a distinctive rural character and a historic core. It is important that all new housing development is well designed and integrates well with the existing village both in terms of design and community cohesion. The selection of the strategic village site from the options that were available had this consideration at its centre to absorb a new influx of housing into the community the best way to maintain and enhance the quality of the built environment in the village without losing too much of the environment that the people in the village value. Objective BTH4 of this Neighbourhood Plan is “To ensure that new housing is well designed and respects its local setting”.

Strategic basis

8.2.5b Good design is indivisible from good planning. The National Planning Policy Framework recognises that well-designed buildings and places improve the quality of people’s lives and that it is a core planning principle always to secure good design, particularly where developments are in an isolated location. Neighbourhood plans should develop robust and comprehensive policies that set out the quality of development that will be expected for the area. Such policies should be based on stated objectives for the future of the area and an understanding and evaluation of its defining characteristics.

8.2.5c The emerging Warwick Local Plan promotes the delivery of new development which delivers high quality layouts and design and integrates well with its setting. Good design is a key element in achieving sustainable development. It is the District Council’s wish that by 2029 Warwick is known for its sustainable garden towns, suburbs and villages. Policy BTH4 is intended to help deliver this aim in Bishop's Tachbrook.

8.2.5d *Building For Life 12* is the national standard against which proposals for new housing development can be assessed. Policy BTH4 draws on the design principles which underpin the *Building For Life 12* Standard.

POLICY BTH4: NEW HOUSING DESIGN

Proposals for new housing development, including inside the settlement boundary, must demonstrate how they will improve Bishop's Tachbrook as a sustainable 'garden village' and have regard for policy BTH3. New housing developments must

- 1. Be well integrated with their surroundings by reinforcing existing connections and creating new ones; and**
- 2. Provide convenient access to community services and facilities; and**
- 3. Have good access to public transport or otherwise help reduce car dependency through pedestrian paths and cycleways to other parts of the village and/or urban locations; and**
- 4. Provide a mix of housing types and tenures that suit local housing needs as set out in policy BTH3. Provision of some allocation for selfbuild will be encouraged; and**
- 5. Create a place with a locally inspired or distinctive character; and where new housing is within 50m of existing housing boundaries, it shall be single storey and the common boundary between new and existing properties to be fenced and planted with low shrubs/hedging in keeping with the garden village concept to minimise impact on neighbours; and**
- 6. Take advantage of the local topography, landscape and water features, trees and plants, wildlife habitats, existing buildings, site orientation and microclimate, integrating blue/green corridors and SuDS features into the design where practicable ; and**
- 7. Provide buildings, landscaping and planting to create well defined streets and spaces and meet the open space requirement for recreation, children's safe play areas and allotments within the development, with contributions for children's play equipment if it is not provided in the development; and**
- 8. Take advantage of views into and out of the site in order to make the development easy to access and to navigate through; and**
- 9. Provide streets which encourage low vehicle speeds and which can function as safe, social spaces; and**
- 10. Integrate car parking within landscaping so that it does not dominate the street and provide at least one off-road parking space for each bedroom provided up to 3 bedrooms and then half a space per bedroom to the nearest whole number thereafter, including any garage(s) or carports; and**
- 11. Clearly distinguish between public and private spaces, provide appropriate access, and enable the site to be well managed and safe to use;**

and

12. Provide convenient, well-screened storage space for bins and recycling, and for bicycles and motor vehicles; and
13. where developments lead to fragmentation of farming units and land that would otherwise remain as unviable agricultural units, include proposals for making it available for student related agricultural starter units as described in policy BTE2(f).

An independent design review report must be submitted with all planning applications for housing developments of more than 8 dwellings.

Application of Policy BTH4

- 8.2.5e The Design and Access Statement submitted with planning applications for housing development must show how the design of the proposed development satisfies Policy BTH4 and responds to each of the principles set out in it. This should be tested against a peer review of the design of the development carried out by an independent design review panel, the reviewer panel to be agreed before it is undertaken.
- 8.2.5f Although community consultation revealed strong support for the principles of reducing car dependency and reducing the impact of car parking it was also clear that in a rural area the need for the car is important. That is why urban sites are preferable for new housing rather than rural areas.

8.3 EMPLOYMENT POLICIES

The strategic objectives for new employment and business development are

- A. *To facilitate new jobs for the local community;*
- B. *To reduce travelling to work;*
- C. *To improve the range of local services and facilities available to local residents;*
- D. *To facilitate the provision of high speed broadband for new and existing businesses.*

8.3.1 POLICY BTE1: NEW EMPLOYMENT DEVELOPMENT

Context and rationale

8.3.1a The Neighbourhood Plan Background Statement 4.3. POLICY BTE1: NEW EMPLOYMENT DEVELOPMENT describes the wide range of knowledge, experience and workplace skills that are available from residents of Bishop's Tachbrook. The importance of farming is noted and unemployment in Bishop's Tachbrook is low. Access to high speed broadband is seen as a priority to ensure local businesses thrive so any proposals must demonstrate that good broadband is available or will be installed.

Strategic basis

8.3.1b Both the emerging Local Plan and the National Planning Policy Framework encourage and promote sustainable economic growth in rural areas. The National Planning Policy Framework states that planning policies should support economic growth in rural areas through the sustainable growth of local businesses and the retention and development of local services and community facilities (paragraph 28).

8.3.1c The emerging Local Plan encourages new employment development in Growth Villages, which include Bishop's Tachbrook, and the diversification of agricultural and other land-based rural businesses, providing such developments are sustainable and do not generate unacceptable levels of traffic and do not adversely affect the landscape and character of the area. These are generalised statements open to interpretation.

8.3.1d The community considers that for Bishop's Tachbrook, whilst supporting NPPF28 - To promote a strong rural economy, in the ways suggested, this Neighbourhood Plan should take into account that it is a rural parish and the majority of residents are employed in a range of non-rural occupations in locations relatively close but outside the Neighbourhood Area. Of itself, that demonstrates the rural economy of Bishop's Tachbrook is already strong and that any new business proposals should be related to the need to retain and grow the agricultural economy and retain the land necessary to do so.

8.3.1e This Neighbourhood Plan therefore has two equally important policies, one (BTE1) to support sustainable environmental, social and economic growth in the rural area that does not reduce the successful agricultural contribution to the economy of the country and the other (BTE2) to provide a framework for the development of agricultural and rural businesses requiring land for that purpose and not for resale. Both policies should require restrictions on the impact of any development on the open countryside and the area of coalescence protection.

POLICY BTE1: NEW EMPLOYMENT DEVELOPMENT

- A Within the growth village of Bishops Tachbrook or in existing or new settlement areas of Grove Farm or Woodside Farm, proposals for the development of new small businesses and for the expansion or diversification of existing businesses will be permitted, providing that**
- a) There is no net loss of dwellings because of the development; and**
 - b) There is no net loss of agricultural land, open or recreational space or local green space because of the development; and**
 - c) it can be demonstrated that there will be no adverse impact resulting from increased traffic, noise, smell, lighting, vibration or other emissions or activities generated by the proposed development likely to be a nuisance to neighbouring residents ; and**
 - d) no adverse impact on the natural or built environment will result from the development proposed; and**
 - e) where relevant, opportunities are taken to secure the re-use of, vacant or redundant historic buildings, as part of the development and if it is within the Conservation Area or within the setting of the Conservation Area it shall be of a form, scale and appearance that contributes to the quality of its immediate surroundings and the whole of the Conservation Area; and**
 - f) it will provide free off-street parking spaces that are sufficient for the customers and employees of the new or enlarged or diversified business based on the District Council planning parking policy uplifted by 50% as a minimum. Full assessment must be made of any access and parking of all delivery vehicles that the development will need and demonstrate how it will be provided including an assessment of the capacity of any related public roads.**
 - g) provide a Connectivity Statement setting out how High-speed broadband is or will be provided to the development.**
- B Outside the growth village of Bishops Tachbrook or outside existing settlements or the new settlement areas of Grove Farm or Woodside Farm, or outside the Area Of Coalescence Protection north of the village (in which no new small business development will be permitted) , proposals for the development of new small businesses or for the expansion or diversification of existing businesses that are not directly related to agricultural activities may be permitted, providing that the qualifications a) to g) in section A of this policy are met and the business is not located within a farming complex then**
- a) for a new development in the countryside, the design shall be truly outstanding in its design without any intrusion into the landscape, distant or protected views or alteration to the defining characteristics of the area and shall significantly raise the quality of its immediate setting; and**
 - b) the size of the new small business will relate to the surrounding landscape, hedgerows, habitats, woodland, soils or topographical features in a way that does not dominate or diminish the existing character of that location; and**
 - c) it shall be set back from any rural road or access route and screened with woodland shelter belt planting on all sides that the development can be seen from elsewhere in the open countryside, with bends in the development access road so that a direct view of the development**

is not visible from the public highway; and

- d) any Rural Roads leading to the development shall be safeguarded and development will not be permitted that would require modification to rural roads in a way that would change the character of those roads in the vicinity of the development; and**
- e) any highway or other signage relating to the development is discrete, limited in size and number but must also be relevant.**

Application of Policy BTE1

- 8.3.1f In applying policy BTE1, the aim is to facilitate new small business employment within Bishops Tachbrook which is appropriate in scale, that protects and respects both the natural and historic environment. The term ‘New small rural business’ shall mean the five business areas of farm competitiveness, agri-food, tourism, forestry, and micro enterprise, which the governments Rural Economy grant scheme might support. Development considered against Policy BTE1 must be of a scale and intensity appropriate to the context of its location, not having any detrimental impact on residential or visual amenity and no adverse effect on the natural, built or historic environment, supporting and not detracting from the rural and agricultural character of the neighbourhood area. This is particularly important on the Banbury Road for its entire length from Wiggerland Wood in the east and Castle Park in the west that already supports rural tourism and leisure developments at Warwick Castle, benefiting businesses in Warwick and the rural area to its south.
- 8.3.1g Any developments permitted by this policy will be in remote locations where the only access will be by car. Car parking within the village particularly around its centre is almost negligible so it is essential that any additional business developments do not exacerbate the current parking problem and must therefore provide sufficient off-road parking spaces for cars, customers and delivery vehicles that can also relieve some of the existing problems. For this purpose, BTE1 a(f) requires a 50% increase on the District Council parking standards which should be free to the user to ensure their use so that limited existing roads are not obstructed.

8.3.2 POLICY BTE2: AGRICULTURAL EMPLOYMENT DEVELOPMENT

Context and rationale

- 8.3.2a Bishop’s Tachbrook is a rural parish. There are 25 farms of various types and sizes. The Neighbourhood Plan Background Statement 4.4. POLICY BTE2: AGRICULTURAL EMPLOYMENT DEVELOPMENT describes

- the importance of farming to the national economy,
- the problem of replacing retiring farmers,
- the need to retain farmland for future farmers and ways to train the farmers of the future to adapt to climate change and
- when any development results in fragmentation of farmland, include positive initiatives for their use and/or create opportunities for young people to begin their agricultural career.

Strategic basis

- 8.3.2e The NPPF requires Neighbourhood Plans to take a positive approach to developments which can be shown to contribute to a strong rural economy by ensuring sustainable developments which respect the character of the countryside and help the retention and development of local services and facilities.
- 8.3.2f NPPF109 requires that the planning system should contribute to and enhance or improve the natural and local environment by protecting and enhancing valued landscapes, geological conservation interests and soils; by minimising impacts on biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. NPPF112 requires that the economic and other benefits of the best and most versatile agricultural land should be taken fully into account and this is true for all developments. Where agricultural land is included in the development proposals, all applications will need to provide an independent assessment of land quality as determined by the DEFRA Revised guidelines and criteria for grading the quality of agricultural land.

POLICY BTE2: AGRICULTURAL EMPLOYMENT & DEVELOPMENT

Proposals for the development or diversification of existing agricultural businesses will be permitted, providing that

- a) the development remains agricultural in nature, the scale and nature of the proposals are appropriate to their rural location so that they can be satisfactorily integrated into the landscape without being detrimental to its character and does not constitute a different land-use class and there is no net loss of dwellings because of the development; and**
- b) it can be demonstrated that there will be no adverse impact resulting from increased traffic, noise, smell, lighting, vibration or other emissions or activities generated by the proposed development; and**
- c) any new buildings needed for the development are in scale with and within the existing building complex area to avoid loss of any production land unless animal or vegetable production takes place within the building proposed; and**

- d) no adverse impact on the natural or built environment will result from the development proposed, including but not limited to, the visibility of the development from a distance, the loss of hedgerows, habitats, woodland, soils or topographical features, or where some very limited loss occurs, it is to be replaced close to the development to achieve this objective of no adverse impact; and**
- e) where relevant, opportunities are taken to secure the re-use of vacant or redundant undesignated historic buildings as part of the development as well as having regard for the setting of any Listed buildings within, or near to, the developed building complex; and**
- f) it provides all necessary parking for staff, customers and all related vehicles and farm machinery and any rural roads leading to the development shall be safeguarded. Development will not be permitted that would require modification to rural roads in a way that would change the character of those roads in the vicinity of the development; and**
- g) any highway or other signage relating to the development is discrete , limited in size and number, but must be relevant; and**
- h) it can demonstrate that the development will include initiatives to promote the training of young people into the agricultural industry. This could include apprenticeships related to the development or sponsoring an agricultural apprenticeship in the locality, or where developments lead to fragmentation of farming units, land that would otherwise remain as unused after the proposed development, being made available for student related starter units; and**
- i) it can demonstrate the development is sustainable in environmental, social and economic terms including its commercial viability as well as retaining the viability of the existing agricultural business ; and**
- j) provide a Connectivity Statement setting out how High-speed broadband is or will be provided to the development**

Application of Policy BTE2

8.3.2f In applying policy BTE2, the aim is to facilitate Agricultural employment and development within Bishops Tachbrook which is appropriate in scale, supports agriculture and respects both the natural and historic environment. Development considered against Policy BTE2 must be of a scale and intensity appropriate to its context, not having any detrimental impact on residential amenity and no adverse effect on the natural, built or historic environment, supporting the rural and agricultural character of the neighbourhood and encouraging the uptake of agriculture based careers by young people.

Context and rationale

8.4.1a The National Planning Policy Framework, in the preamble to Achieving sustainable development, quotes Resolution 42/187 of the United Nations General Assembly that defined sustainable development as *“Meeting the needs of the present without compromising the ability of future generations to meet their own needs.”*

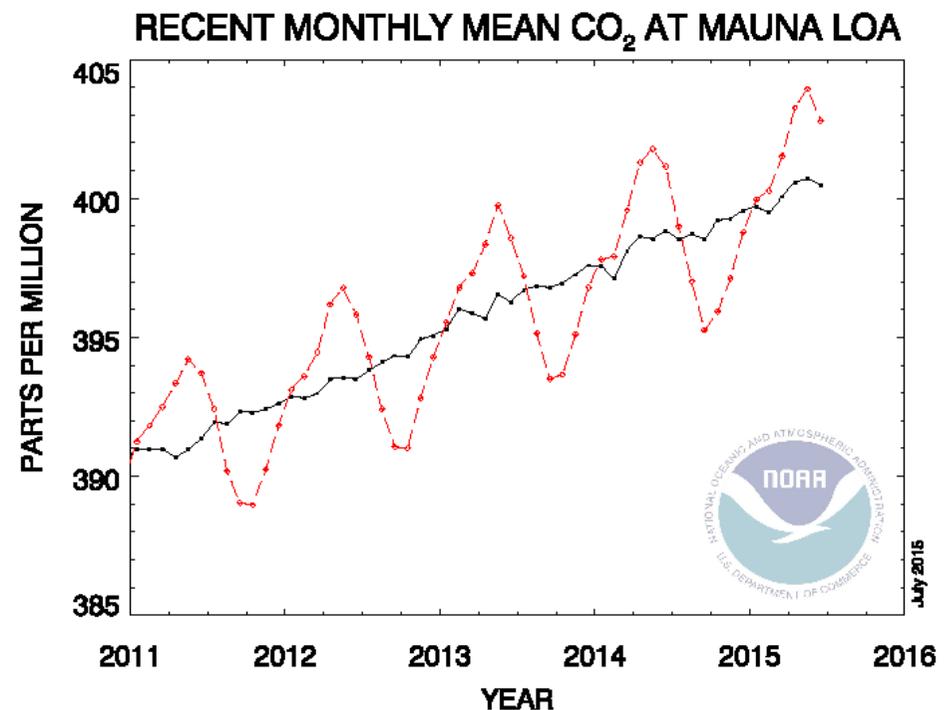
The UK sustainable Development Strategy ‘*Securing the Future*’ set out five guiding principles of sustainable development

- 1 living within the planet’s environmental limits;
- 2 ensuring a strong, healthy and just society;
- 3 achieving a sustainable economy;
- 4 promoting good governance;
- 5 using sound science sensibly.

The purpose of the planning system is to contribute to the achievement of sustainable development. The policies in paragraphs 18 to 219, taken as a whole, constitute the Government’s view of what sustainable development means.

8.4.1b Before the Industrial Revolution, Atmospheric Carbon Dioxide was constant at 280 parts per million. The graph shows that by June 2015 that has risen to peaking at 404ppm. The annual rate of increase is also increasing and is now more than 2ppm per year and the global problem needs every village, town and country to cut CO₂ emissions urgently as we get nearer to the global danger point.

The Neighbourhood Plan Background Statement POLICY



BTCC1 : CLIMATE CHANGE MITIGATION APPLIED TO NEW DEVELOPMENT AND THE BISHOPS TACHBROOK COMMUNITY ENERGY PLAN sets out the reasons for this concern.

8.4.2 POLICY BTCC1 : CLIMATE CHANGE & COMMUNITY ENERGY PLAN.

8.4.2a Planning Practice Guidance ID6-001 says that the NPPF includes the requirements for local authorities to adopt proactive strategies to mitigate and adapt to climate change. Mitigate means take steps to reduce CO₂ emissions and adapt means “try to anticipate what might happen and plan to overcome that unknown eventuality”. Proactive strategies suggested are stated in the NPPF93 to 108. Key clauses are -

93 **Planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure. This is central to the economic, social and environmental dimensions of sustainable development.**

94 **Local planning authorities should adopt proactive strategies to mitigate and adapt to climate change, taking full account of flood risk, coastal change and water supply and demand considerations.**

95. **To support the move to a low carbon future, local planning authorities should:**

- **plan for new development in locations and ways which reduce greenhouse gas emissions;**
- **actively support energy efficiency improvements to existing buildings; and**
- **when setting any local requirement for a building’s sustainability, do so in a way consistent with the Government’s zero carbon buildings policy and adopt nationally described standards.**

Shaping places is the intention of the NPPF using a plan-led system. Therefore, Local and Neighbourhood plans should, by relating land usage and energy functions imaginatively, minimise energy usage so that Greenhouse gas emissions can be radically reduced.

To encourage developments to help reduce carbon dioxide emissions into the atmosphere, the Parish Council is promoting the **Bishop’s Tachbrook Community Energy Plan** for new and existing carbon dioxide emission reduction.

8.4.2b Any new development that uses energy for whatever purpose, unless it uses energy that does not depend on fossil fuels or sources that do not produce CO₂, will increase and not radically reduce current emissions. Greenhouse gas emissions include gases other than CO₂ and include methane (natural gas). CO₂ emissions are produced in the home, in industry and by all transport. Gas, oil and coal are fossil fuels that when burnt produce CO₂. Electricity when produced by these fuels is considered to be the worst CO₂ emitter due to the efficiency of the

steam production to power the generators. However, it is the only fuel that can be produced without any CO₂ emissions, by nuclear, hydro, solar, tidal or wind generators.

8.4.2c This would seem to suggest that the only new development that can meet the criteria of NPPF93 to 95 is development that uses energy produced by zero carbon methods and is accessed by people with zero carbon transport and if the present level of CO₂ emissions are to be reduced, then the new development should also replace old fabric that currently produces CO₂. Only then will emission levels reduce and fall back to where they were. Every new m³ of occupied building volume requires heating and lighting and if that energy is produced by fossil fuels then CO₂ emissions are increasing, not reducing.

Strategic basis

8.4.2d 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

- a. all new development to meet zero carbon buildings performance. 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 8.4.2e and table 2. As a guide, 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 Fabric Energy Efficiency (FEE) is recommended to be 39Kwh/m²/annum and 46 Kwh/m²/annum in all other cases.
- 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 distance walkable or encourages 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.
- c. development that replaces or upgrades existing buildings by regeneration to zero carbon levels should be encouraged; regeneration of high carbon generating fabric could be programmed for replacement. Retrofitting rarely will get to zero carbon levels.

8.4.2e There are three core requirements for a home to qualify as zero carbon:

1. The fabric performance must, at a minimum, comply with the defined standard known as the Fabric Energy Efficiency Standard (FEES) which is 39kg/m²/ year for apartments or mid terrace properties or 46kg/m²/ year for end of terrace, semi-detached or detached properties.
2. Any CO₂ emissions that remain after consideration of heating, cooling, fixed lighting and ventilation, must be less than or equal to the Carbon Compliance limit established for zero carbon homes.
3. Any remaining CO₂ emissions, from regulated energy sources (after requirements 1 and 2 have been met), should be reduced to zero.

Government has discontinued policy to move to Zero Carbon. When the 2016 Building Regulations are brought in, they will set minimum insulation standards and this is likely to be Code 4. After calculation using SAP 2012, if the dwelling CO₂ emission rate exceeds this standard, then consideration should be given to reducing the balance towards zero by an allowable solution.

However, given that making sure the planet is healthy and can sustain us, is in everyone's best interests. Whether you are buying or building property, doing so in a way that does not put the future at risk, seems like a good idea. It is proposed to introduce the **Bishop's Tachbrook Community Energy Plan** to recognise and aid initiatives to reduce atmospheric CO₂ levels.

The larger a property is, the more CO₂ it will produce. Therefore, when considering the volume of any property, CO₂ emissions should be taken into account. In the case of housing, there is a base area of each house type used to arrive at the standards quoted. Properties with larger areas should have all of the extra area counted into the area that requires an allowable solution to reduce CO₂ emitted.

For developments that would like to contribute to the **Bishop's Tachbrook Community Energy Plan**, it is suggested that planting a new area of woodland could be considered either as part of the development, or in another location in the parish or elsewhere in Warwick District or in an area nominated by the Woodland Trust. This could be a woodland area calculated on the basis of 25m² per tonne of CO₂/annum emitted or alternatively, using Table 2 below which is based on the standards set out in the Zerocarbon Hub publication FABRIC ENERGY EFFICIENCY FOR ZERO CARBON HOMES - A flexible performance standard for 2016. To ensure the CO₂ reduction target is achieved, include fencing or hedging to safeguard planting.

Development that voluntarily meets either of these standards will receive a certificate of compliance with the Bishops Tachbrook Community Energy Plan from Bishop's Tachbrook Parish Council.

Procedure for use with Table 2

1. Column A shows the base zero carbon floor area for each house type. Min gifa column is the expected minimum gross internal floor area which should be the minimum figure included in column B.
2. Enter actual gross internal floor area, or the minimum gifa in column A1, whichever is the greater, for each house type in column B and the number of dwellings of that type in column C.
3. Column D shows the zero carbon maximum FEE for each house type.
4. From SAP 2012 section 12a enter all gas usage in entry references (211) to (232) less any renewable contributions for heating/hot water in kwh/m²/annum in column E.. If main fuel is not gas, enter fuel type. Similarly enter all electricity usage in column F.
5. Convert energy to tonnes of CO₂ with the formula $((E - D) \times 0.216 \times (B - A)) + (F \times 0.519 \times (B - A)) \times C / 1000$. If main fuel is not gas, use the SAP emission factor for that fuel.
6. Woodland CO₂ sequestration is measured over 40 years. Enter result of G x 40 in column H.
7. The 40 year CO₂ cumulative sequestration is 223 tonne per hectare. Divide H by 223 and enter in I to give hectares of woodland required.
8. Add results of all house types to get total area of woodland required for the whole development.

The 40 year CO₂ cumulative sequestration shown is the normal mixed woodland tree mix and includes all sequestration losses due to set up, management and soils, less 20% for model precision. If a different tree mix is used, then the appropriate calculated constant should be used.

TABLE 2 TO POLICY BTCC1

Dwelling type	Zero Carbon floor area m ²	Min gifa m ²	Actual gross int floor area (gifa)	Actual Number of homes	Maximum fabric energy efficiency Kwh/m ² /annum	SAP calculation of total gas use Kwh/m ² /annum	SAP calculation of total electricity use Kwh/m ² /annum	Conversion of E and F to tCO ₂ /m ² /annum See procedure point 5	Woodland sequestration tCO ₂ See procedure point 6	Area of 40year life woodland ha Constant varies on tree mix see note 1 H ÷ 223
	A	A1	B	C	D	E	F	G	H	I
1 bed apartment	40	43			39					
2 bed apartment	63	67			39					
3 bed mid-terrace	70	76			39					
3 bed end terrace/semi-d	70	76			46					
Detached	110	118			46					
Large detached between 118 & 130m ²	110	130			46					
TOTALS				Σcolumn C					Σcolumn F	Σcolumn G

Note 1: choose constant from woodland trust carbon lookup tables V 1.4 22Feb 2012 . 0.233 is for mixed native woodland 20%oak, Ash & Birch, 10% Alder & Rowan, 8% Aspen, 7% Hazel & 5% Willow all at 2.5m c/cs gives cumulative net carbon sequestration of 223 tons of CO₂ per ha over 40 years Σcolumn G = number of ha of woodland required.

Development within Bishop’s Tachbrook is encouraged to meet zero carbon principles by

- 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 8.4.5e and table 2,**
 - **for housing according to the types and sizes set out in the table to the policy**
 - **in other developments, if the ground floor area is more 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. In all other cases the Maximum Fabric Energy Efficiency shall be 46 Kwh/m²/annum .**
- b) **where the Maximum Fabric Energy Efficiency exceeds these limits, woodland carbon sequestration can be provided by the planting of an area of new woodland to absorb the excess carbon dioxide produced by the development.**
- c) **development that voluntarily meets this standard will receive a certificate of compliance with the Bishops Tachbrook Community Energy Plan**

Application of Policy BTCC1

8.4.2f If policy BTCC1 is voluntarily entered into with the aim of avoiding adding further CO₂ emissions into the atmosphere because it would otherwise compromise the ability of future generations to meet their needs to continue successful lives and where minimal emissions are expelled from essential developments, sequestration equal to output would be provided to limit the effect of raised levels of atmospheric Carbon Dioxide.

8.4.3 POLICY BTCC2 : SOLAR POWER AND OTHER RENEWABLES

8.4.3a The National Planning Policy Framework explains that all communities have a responsibility to help increase the use and supply of green energy, but this does not mean that the need for renewable energy automatically overrides environmental protections and the planning concerns of local communities. As with other types of development, it is important that the planning concerns of local communities are properly heard in matters that directly affect them. (PPG 5-003) and Community initiatives are likely to play an increasingly important role and should be encouraged as a way of providing positive local benefit from renewable energy development. Local planning authorities may wish to establish policies which give positive weight to renewable and low carbon energy initiatives which have clear evidence of local community involvement and leadership. (PPG 5-004)

The deployment of large-scale solar farms can have a negative impact on the rural environment, particularly in undulating landscapes. However, the visual impact of a well-planned and well-screened solar farm can be properly addressed within the landscape if planned sensitively. (PPG 5-013)

8.4.3b Bishops Tachbrook already has 2 solar farms - one that ought not to have been approved as it has a negative impact on green field land in the rural environment, now proven, because it can now be seen from across the Tach Brook Valley from many directions, contrary to the 'evidence' provided by the applicant and the other, that was identified and encouraged by the community that is in a location that is both not visible from any known ground location but also screened by new woodland shelterbelts and is on built up waste land. Both are over 4.1 MW output.

8.4.3c From the experience of these two applications and the content of the Neighbourhood Plan Climate Change policies, this plan will support Solar Power Generation proposals that meet the following criteria

- 1 Proposals must not be located on greenfield land that is best and most versatile agricultural land, but be focussed on land that has been previously developed and not agricultural, provided that it is not of high environmental value and does not support birds and wildlife that are protected; and
- 2 The land must not be visible from any other ground location other than in the immediate vicinity of the Solar Power Generator and not in the view of any adjacent residential properties, roads or public footpaths or Rights of Way; and
- 3 great care should be taken to ensure heritage assets are conserved in a manner appropriate to their significance, including the impact of proposals on views important to their setting. As the significance of a heritage asset derives not only from its physical presence, but

also from its setting, Solar Power Generators will not be permitted within the setting of such assets due to the substantial harm to the significance of the asset that may be caused; and

- 4 Security fencing around the Solar Power Generator shall be carefully designed, including penetrating 300mm into the ground to prevent accidental animal incursion under the fence and planted both sides with native woodland hedgerow plants at least 3 plants depth either side with native Woodland trees at intervals ; and
- 5 All cables from the generation plant shall be underground to the point where it joins the existing grid powerlines; and
- 6 the proposal allows for biodiversity improvements around arrays; and
- 7 the proposal is to be considered as a temporary structure and planning conditions will be used to ensure that the installations are removed when no longer in use and the land is restored to its previous use;
- 8 any lighting to the site shall be for maintenance only and only be used when needed and fitted with a timed cut-off to prevent lighting pollution; and
- 9 the site shall be assessed for local flooding, particularly where such flooding may affect adjacent properties and either adequate drainage provided or the application be refused and
- 10 comply with the Written Ministerial Statement made on 18 June 2015.

8.4.4 Other renewable power generation forms.

Proposals for other renewable sources of power generation will be considered positively, but they must have the same regard for the countryside as set out in 8.4.3c. Any wind power proposals in particular should limit its height from ground to top of the blade sweep of 30m and not be visible in any distant views, a distant view being greater than 500m away from the device. Hydropower is unlikely within Bishop's Tachbrook as the only water course is the Tach Brook.

When considering applications for wind energy development, the Written Ministerial Statement made on 18 June 2015 should be followed and only grant planning permission if:

- the development site is in an area identified as suitable for wind energy development in a Local or Neighbourhood Plan; and
- following consultation, it can be demonstrated that the planning impacts identified by affected local communities have been fully addressed and therefore the proposal has their backing.

Solar Power Generation proposals that meet the following criteria will be permitted :

- 1** Proposals must not be located on greenfield land that is best and most versatile agricultural land, but be focussed on land that has been previously developed and not agricultural, provided that it is not of high environmental value and does not support birds and wildlife that are protected; and
- 2** The land must not be visible from any other ground location other than in the immediate vicinity of the Solar Power Generator and not in the view of any adjacent residential properties, roads or public footpaths or Rights of Way; and
- 3** great care should be taken to ensure heritage assets are conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations, including the impact of proposals on views important to their setting. As the significance of a heritage asset derives not only from its physical presence, but also from its setting, Solar Power Generators , which are industrial in nature, will not be permitted within the setting of such assets due to the substantial harm to the significance of the asset that may be caused; and
- 4** Security fencing around the Solar Power Generator shall be carefully designed including penetrating 300mm into the ground to prevent accidental animal incursion under the fence and planted both sides with native woodland hedgerow plants at least 3 plants depth either side with native Woodland trees at intervals ; and
- 5** All cables from the generation plant shall be underground to the point where it joins the existing grid powerlines; and
- 6** the proposal allows for biodiversity improvements around arrays; and
- 7** the proposal is to be considered as a temporary structure and planning conditions will be used to ensure that the installations are removed when no longer in use and the land is restored to its previous use; and
- 8** any lighting to the site shall be for maintenance only and only be used when needed and fitted with a timed cut-off to prevent lighting pollution; and
- 9** the site shall be assessed for local flooding, particularly where such flooding may affect adjacent properties and either adequate drainage provided or the application be refused.

To help the community reduce Carbon Dioxide emissions and support the move to a low carbon future, proposals for solar farms should include the installation of solar power and the upgrading of insulation to current standards to existing dwellings in the parish at the rate of 10 dwellings per MW capacity of the solar generator, the dwellings to be nominated by the Parish Council and the installations be provided free of charge to residents.

Application of Policy BTCC2

- 8.4.5 In applying policy BTCC2, the aim is to meet the requirements of NPPF93 to 98 and reduced Carbon Dioxide Emissions both for the grid power supply and to improve existing dwellings in the provision of energy supplies and their usage. Sites may provide opportunities for woodland development to support Policy BTCC1.

8.5 RURAL ENVIRONMENT POLICIES

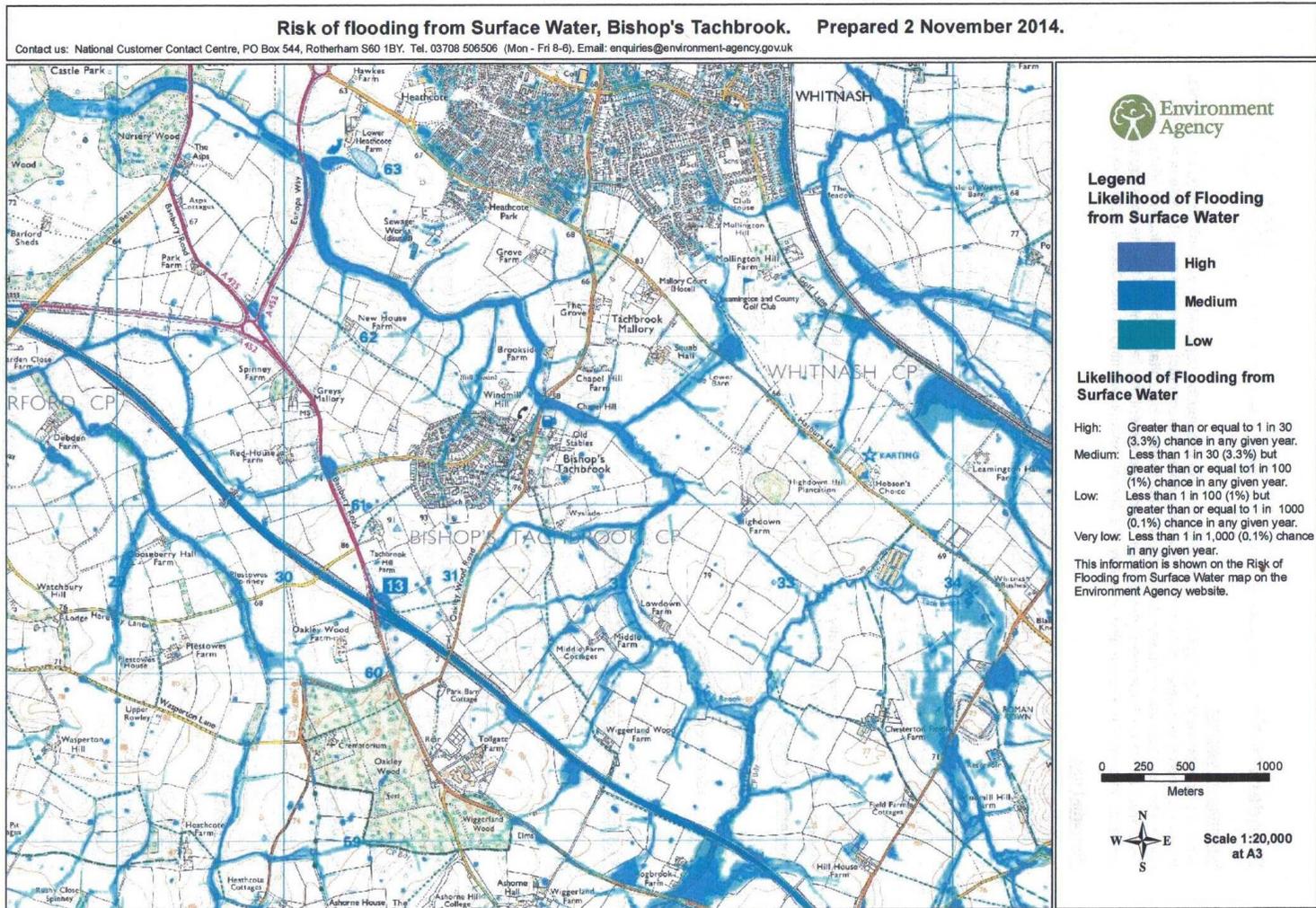
8.5.1 The strategic objectives for the rural environment are as follows:

- A. *To ensure that new development is not located in areas which may be affected by flooding due to significant surface water flows, rising water course levels, natural springs or aquifers or in areas where subsoils contain water and prevent swift water dispersal;*
- B. *To ensure that future development in Bishop's Tachbrook does not adversely affect the rural setting of the village;*
- C. *To preserve and enhance the natural environment of the parish including its Landscape character and agricultural opportunity;*
- D. *To preserve, enhance and provide wildlife habitats and access to them.*

8.5.2 POLICY BTRE1: FLOOD RISK

Context and rationale

- 8.5.2a The Environment Agency Risk of flooding from surface Water in Bishop's Tachbrook identifies that along the Tach Brook there is a Medium to Low Flood Risk. In paragraph 2.6.2 of the Consultation Statement it was found that in flood conditions, water rises above the new road level of 58m AOD by at least a metre. Ground to the side gets very soggy. In Bishop's Tachbrook we should not permit development on any land less than 62m AOD to allow for increased flooding that may occur in the future due to Global warming.
- 8.5.2b The Environment Agency also identifies many tributaries to the Brook which are susceptible to surface water flooding both within the village and in the open countryside of the parish, see map 6 on page 67. The local community has expressed concern about the importance of considering flood risk in designing and assessing development proposals in Bishop's Tachbrook. Policy RE1 aims to ensure that due regard is given to the risk of flooding when any development proposals are assessed.
- 8.5.2c The Environment agency advises that the Policy should include a requirement for a Flood Risk Assessment where necessary, a design and Access Statement to show mitigation measures, the inclusion of Sustainable Drainage Systems and proposals for surface water drainage that flooding does not occur on the development site and the development does not increase flooding elsewhere.



MAP 6

Strategic basis

8.5.2d Both the National Planning Policy Framework and the emerging Local Plan are clear about the need to avoid development on land that is at high risk from flooding. The National Planning Policy Framework says that development should be directed away from areas at highest risk from flooding, but where development is necessary it should be designed to be safe without increasing flood risk elsewhere. The emerging Local Plan states that development will be directed away from areas at risk from flooding, with certain stated exceptions.

- 1. Where necessary, or where sites are identified on the Environment Agency flood risk maps as being at risk of flooding, planning applications for development in Bishop's Tachbrook must be accompanied by a Flood Risk Assessment which identifies the flood risk for the site and describes the measures that will be taken. Any application within 10m of a watercourse will require a flood risk assessment at application stage regardless of the EA flood maps. This is**
 - a) to ensure that the development does not have an adverse impact on flood risk in the locality, and**
 - b) Ensure flood risk will be managed now and over the developments lifetime, taking climate change into account and with regards to the vulnerability of its users**
- 2 The Design and Access Statement accompanying the relevant planning application, and where relevant in other documents supporting the application, must show how any proposed mitigation measures have been satisfactorily integrated into the design and layout of the development.**
- 3. Along the length of the Tach Brook, no development will be permitted that is below 62m AOD, including any access routes into and out of the development to prevent flooding of properties in the Tach Brook Flood Plain**
- 4. Surface water shall be discharged through a Sustainable Drainage System to meet National Standards to reduce surface water runoff to the satisfaction of the Lead local Flood Authority (Warwickshire County Council) and at the same time improve biodiversity, amenity and water quality. Natural flood plains shall be identified and avoided for development.**
- 5. Prevention of flooding on the development site shall be designed to be safe without increasing the risk of flooding elsewhere.**
- 6. All development proposals should seek to actively reduce flood risk and provide betterment.**

Application of Policy BTRE1

- 8.5.2e The Flood Risk Assessment must make reference to the most up to date information on flooding in the area, including the most recent Strategic Flood Risk Assessment. The Design and Access Statement must show how the proposed mitigation measures have been designed to integrate with the layout and landscaping, and with the surroundings to the site, including the provision of Sustainable Urban Drainage

Schemes (SUDS) and other measures to reduce surface water run-off and to provide capacity for water retention. Systems must be designed and approved by the LLFA (WCC) before any work commences on site. Pre-applications discussions with the Environment Agency and/ or the LLFA in respect of BTRE1(6) must be demonstrated.

8.5.3 POLICY BTRE2: PROTECTION OF LAND

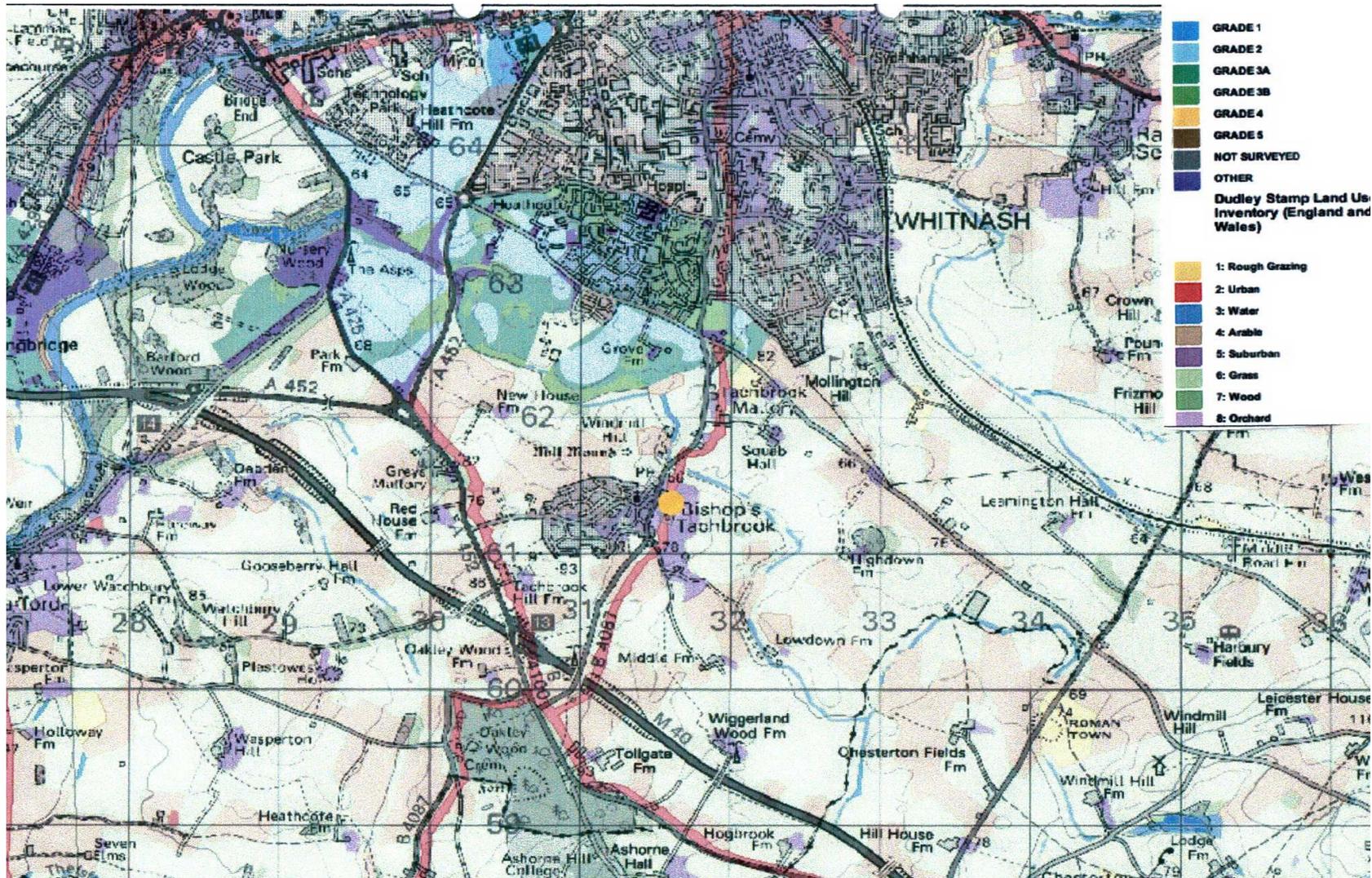
Context and rationale

8.5.3a Bishop's Tachbrook is a village surrounded by land almost entirely in agricultural use. DEFRA land classification shows large areas of Grade 2 agricultural land in the areas of the Asps and Grove Farms, with edges and small parts being Grades 3a mainly and some 3B. The existing land use Magic Map , Map 7 shows that south of these farms, land is arable and mixed with some areas of grassland.

In paragraph 4 Natural England describe the parish as being a *“predominantly rural, agricultural landscape, crossed by numerous small rivers and tributaries and with a more open character in the Feldon area”*. *“It is an important food producing area and the agricultural expanse of large arable fields, improved pasture and small villages forms a transitional landscape between the surrounding National Character Areas”*. “

The River Avon flows strongly through Castle Park to the west of the parish and this is part of the parkland setting to Warwick Castle. The Tach Brook runs through the parish before it joins the Avon, just south of the Castle at New Waters.

8.5.3b Community Consultation responses from residents in the parish of Bishop’s Tachbrook demonstrate that the settlements should remain free-standing and in particular that there should be no further development on the open agricultural land between the village and the urban edge of Warwick and Leamington Spa to the north. The community consultations in the three years that the Neighbourhood Plan has been developed demonstrated a very strong body of opinion that the current District Council’s proposed Local Plan would ruin the heritage and quality landscapes that previous incumbents of the Council posts had striven hard to retain and look after, a position supported by previous planning inspectors



Map 7 Agricultural land classification

People expect consistency of approach to planning and a respect for the countryside in which they live and this is strongly supported by the Planning Framework. At the same time the community recognises that objectively assessed housing need has to take place but not all in the same place.

- 8.5.3c For this reason, this Neighbourhood Plan sees it to be essential to strongly protect this agricultural parish from inappropriate development and to ensure that development that is justified is located in the right place to solve problems in the village or the parish as a whole at the same time. Policy BTRE2 intends that land outside well-defined settlement boundaries that is planned as rural, remains rural.
- 8.5.3d It is helpful to quote Planning Practice Guidance 26-014 which says that *“Planning should promote cohesive and vibrant neighbourhoods”* and *“Cohesion relies on a community having a robust structure and identity.”* That is what is already successful about Bishop’s Tachbrook and why any essential change has to be welcomed and not resented by the community as if it were being imposed upon them. The community agrees with 26-014 in that *“the health, wellbeing and quality of life of those who will be using an area will be influenced by its cohesion.”*
- 8.5.3e The community, in consultation responses, show a high value being placed on the agricultural nature of the Tachbrook Valley. People like the PRoW across the valley but would like to see brookstray walks along the Tach Brook and to Warwick Gates / Heathcote Park from the village. This could be achieved through DEFRA stewardship schemes and would open the valley up whilst protecting its agricultural character. A Country Park as envisaged would change that character to an urban park, but because of its limited nature, it will be visually subservient to the large areas of housing development to the north.

It is possible that, when the Country Park is handed to the District Council to maintain, in 13 years’ time, it will be found too expensive to run at a time when local authority budgets are being cut, so may face an uncertain future. As agricultural land, it is productive and does not cost the District to run.

- 8.5.3f The Neighbourhood Plan, reflecting the community view, will not permit the conversion of agricultural land to an Urban Country Park unless the District Council considers that the need for a country park outweighs the agricultural and rural economics and the community need by making it a strategic requirement, in which case the policy allows that strategic development.

8.5.3g The Environment Agency, in its statutory response to the pre-submission consultation, strongly supports the Neighbourhood Plan policy saying that the Tach Brook is part of the arterial network of tributaries and wildlife corridors which are an intrinsic feature of the River Avon itself and is part of the Avon LWS designated area (LWS SP1=15Li8f). This has an important role within the wider ecological and biodiversity setting of the area and should be protected and enhanced where possible. The Environment Agency is very pleased to see the Tach Brook listed as a local asset. Housing so close to this wild life corridor as the district is proposing will have a high negative impact and would destroy that setting rather than protect and enhance it. The Brook already is reported by the Environment Agency to be of below standard water quality. Building close to it will degrade it further and reduce the free passage of wild life.

Strategic basis

8.5.3h The 2014 Landscape Character Assessment for the whole of the Parish, includes the area south of Warwick and Leamington and rated the value of this land as the setting for Warwick and Leamington as high. The land has at least this value as the setting for Bishop's Tachbrook.

POLICY BTRE2: PROTECTION OF LAND

- A. Land within Bishop's Tachbrook Neighbourhood Area that is outside Settlement Boundaries defined in Policy BTH2 and designated rural on the Neighbourhood Plan Map, will be protected from development, except for certain exceptions set out in paragraphs (a) to (c) on Policy BTH2; or Policies BTE1B or BTE2; or strategic sites set out in WDC Local Plan 2011-2029 when adopted.**
- B. No development will be permitted in the Area of Coalescence Protection north of the village, as shown on Map 5 in paragraph 8.2.3a, unless it is a strategic site set out in WDC Local Plan 2011-2029.**
- C. Agricultural land will be protected from any form of development that changes its character from its agricultural base or on any land within 10m of a watercourse unless determined otherwise by District Council Strategic Policies essential to meet unavoidable objectives.**

Application of Policy BTRE2

8.5.3i The development of the land between Bishop's Tachbrook and the urban edge of Warwick / Leamington Spa would conflict with WDC Strategic Local Plan Policy DS4(d) and would undermine Strategic Aim 10 in the Neighbourhood Plan. Development in this area would not be appropriate. The Area of Coalescence Protection defines the land to which this policy applies in Bishop's Tachbrook.

8.5.3j Small scale development may be allowed in certain exceptional cases, such as for Rural Exception Sites delivering affordable housing, or where redundant historic buildings can be brought back into beneficial use. Occasionally the redevelopment of previously developed land may be appropriate, subject to satisfying high standards of design.

8.5.4 POLICY BTRE3: PROTECT AND ENHANCE THE NATURAL ENVIRONMENT

Context and rationale

8.5.4a Bishop's Tachbrook is a village surrounded by land almost entirely in agricultural use. Most of it is natural environment, so this subject is uppermost in the communities mind.

Chapter 4 sets out the

- Natural England description of the Feldon National Character Area profile,
- the NPPF requirements for the Natural Environment,
- relevant clauses from the Warwick District 2011-2029 draft Local Plan
- Landscape study for Bishop's Tachbrook.

8.5.4b Chapter 11 of the NPPF makes it clear that conserving the natural environment is very important. In September 2014 an appeal against refusal of planning permission on land south of Mallory Road was dismissed by the Inspector and the main reason given was the substantial harm that would have been done to natural environment if it were to proceed. This was held despite the fact that the District Council were unable to show they had a 5 year housing land supply. (see appendix NP9)

The key NPPF clause for Bishop's Tachbrook is 109 a) *The planning system should contribute to and enhance the natural and local environment by: protecting and enhancing valued landscapes.*

The valued landscapes in Bishops Tachbrook should be made clear in this Neighbourhood Plan. The Community considers the valued landscapes to be most of the rural parish but identifies the following views that particularly should be protected and be designated 'Protected Views'. The views protected are illustrated in Appendix NP10.

- PV1 All views across the Tachbrook Valley bounded by Mallory Road and the village settlement boundary, Oakley Wood Road, Harbury Lane, Europa Way and Banbury Road at the large number of viewing points across the valley from each of those roads, particularly from the very well-used Oakley Wood Road pedestrian cycleway. In its Statutory Response the Environment Agency said that it strongly supports the Policy LACV1 which seeks to protect local assets of community value and was very pleased to see that the Tach Brook was listed as a local asset and asked for the policy to be strengthened further by looking for opportunities to link open spaces, to make green corridors for people and wildlife, planting trees or making improvements to waterways. The community are pleased to take action through all its policies to achieve this level of protection. Most of this is in the Area of Coalescence Protection.
- PV2 Views southwards along the Oakley Wood Road from the corners with Church Hill and Savages Close, with the Old School on the right and the wooded area to the left, being part of the parkland planted around the Manor House it is thought in the 1750's or thereabouts. The woodland contains Tree belts with Tree Preservation orders and a number of individual veteran trees from the original planting with TPO's. One of these is a pendant Silver Lime which has a girth thought to be the largest for this species in Warwickshire. The rising hill bending gently to the right through the overhanging trees has a magical quality. This is all in the village conservation area.
- PV3 At the same place there are views up Church Hill to the right up the hill towards St. Chad's Church with its clock tower and in to the Conservation area. This view and its value are included in the WDC leaflet on the Bishop's Tachbrook Conservation Area.
- PV4 From the Leopard Inn, the views across Oakley Wood Road with its steeply sloping field dropping towards the brook matched by a steeply sloping hill on the other side of the Brook is a topographical feature that is worthy of protected view status. The willow and other trees that grow along the brook are the remains of a willow osiery of former times. This view is in the Area of Coalescence Protection.
- PV5 Views towards the village from the north side of the Brook, descending the hill from Leamington and bending left up the hill towards the village take in the fields on the left and the conservation area to the right presenting the listed buildings of the Leopard Inn and Eden Cottage and its front Garden. This view is in the Area of Coalescence Protection.
- PV6 The View towards Harbury on the Harbury Lane from its junction with Oakley Wood Road as it climbs the hill and winds to the right towards Mallory court is also something special. New housing on Woodside Farm needs to be carefully located to retain the view without interruption. The view is created from the combination of the rural road going uphill, with the trees in Grove Plantation meeting trees in the historic grade II listed gardens of Mallory Court on the south side and the hedgerows and steeply sloping field falling down to the road on the north side. This view is in the Area of Coalescence Protection.
-

- PV7 There are attractive views along Oakley Wood Road southwards from the Harbury Lane alongside Grove plantation on the Left, the Grove and Chapel Hill Farm, with roadside lined with mature trees and hedgerows that contain and frame views on either side bending to the right as it goes down the hill towards the brook. This is in the Area of Coalescence Protection and is particularly important as the new pedestrian/cycleway is well used by people recreationally between village and Warwick Gates as well as part of the safer route to the primary school in the village.
- PV8 The entrance to the village from the west along Mallory Road is a rural road that should be safeguarded from any development that would alter the character of the road. Coming in from the Banbury road there are very attractive views across the fields to the south that are used for grazing sheep and cattle, as well as, over the hedgerow, views across the valley northwards.
- PV9 Views from the Banbury Road at the top of the hill (80m AOD) looking north from outside of Greys Mallory towards the Asps Farm between the Banbury road and Europa Way into a valley at Greys Mallory roundabout at about 63m AOD rising gently on the other side to over 70m AOD.
- PV10 As the Banbury Road approaches the Asps Farm going north, the Barford Road joins it and Castle Park now forms the woodland to the left. This forms an impressive entrance road to Warwick with very mature trees on either side of the road with gentle bends as the road drops to the Tachbrook and rises again as it bends to the left to approach Warwick and the Castle.
- PV11 The Banbury Road south of the M40 approaches Oakley Wood and, farther on, Wiggerland Wood. The roads around Oakley Wood have fine views along them and into the wood on Banbury Road, the Moreton Morrell Road and the Wellesbourne Road and the approach to the Crematorium.
- PV12 From the bridge over the M40, looking northwest from the Oakley Wood Road towards Harbury. The Protected View only applies to land within the Neighbourhood Area.
- PV13 Panoramic view from the top of Tachbrook Hill southeast to Chesterton and Edge Hill. The Protected View only includes land within the Neighbourhood Area. The View shows the context of the open countryside through Warwickshire.
- PV14 A view from Guy's Tower in Warwick Castle across the Tach Brook Valley shows that instead of isolated farmsteads, development of Lower Heathcote and Grove Farms will be spread across the yellow rape fields in the middle distance. The enlargement shows Chesterton Windmill

on the hill to the right. This demonstrates the importance of the National Planning Policy Framework Chapters 11 and 12, Conserving and Enhancing the Natural and Historic Environments.

8.5.4c NPPF109 a) emphasises: *protecting and **enhancing** valued landscapes.*

The Landscape architects report that coincides with the Environment Agency recommendation for the Tach Brook recommends the following landscape enhancements:

- Gap up and manage hedgerows to enhance field pattern and increase biodiversity value.
- Increase the number of hedgerow trees by planting locally occurring native species such as oak and field maple, or encouraging natural regeneration.
- Manage Tach Brook, including the trees and other vegetation, in order to increase its biodiversity potential, natural flood defence and better water management including Woodlands for Water management schemes.
- Where appropriate (i.e. in those areas which form part of the Feldon Parklands Landscape Character Area) plant coverts and tree belts, or larger woodlands on rising ground. This is supported by policy CC1.
- Manage small woodlands and spinneys by coppicing.

Developments in the parish will be required to include proposals of this nature on or adjacent to the development site where ownership issues permit.

The parish has a wide range of areas providing a natural habitat, including the ancient woodlands of Oakley Wood & Wiggerland Wood. These areas support biodiversity and make an important contribution to the character and quality of the countryside.

8.5.4d The character of Rural Roads will be safeguarded. The scale and nature of any development within the rural area should be appropriate to its location. The rural area within Bishops Tachbrook contains some minor rural roads and it is important that in permitting new development, their character is protected. Development that would change this character is, by definition, likely to be of an inappropriate scale. Development proposals will have to demonstrate that they do not cause any harm to highway safety, nor result in unacceptable levels of traffic generation or vehicle size and in a manner that would be not detrimental to the character of rural roads in the vicinity of the proposal, nor cause nuisance to other properties that use those roads. Development will not be permitted that would require major modifications, for safety or capacity reasons, of surrounding rural roads because of its effect on the character of the road and damage to the natural environment.

8.5.4e. Local communities through local and neighbourhood plans are able to identify for special protection green areas of particular importance to them. (NPPF76) Local policy for managing development in a Local Green Space would be consistent with policy for Green Belts. (NPPF 78)

The Local Green Space designation should only be used:

- where the green space is in reasonably close proximity to the community it serves
- where the green area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and
- where the green area concerned is local in character and is not an extensive tract of land.

The following table identifies the green spaces that are listed as Local Green Spaces by this Neighbourhood plan and Appendix NP11 shows the location and boundaries of each proposed Local Green Space.

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 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.

TABLE 3 LIST OF LOCAL GREEN SPACE

Ref. No.	Location	Area ha	Proximity and access	Special reason	Arising from planned layout	Local character	Is it extensive?
LGS01	Meadow	2.968	Close, easy access	recreational	no	yes	no
LGS02	Village Green	0.467	ditto	Central green , tranquillity, focal point	yes	yes	no
LGS03	Farm Walk	0.057	ditto	A tranquil amenity	Yes	Yes	No
LGS04	Lisle Gardens	0.133	Ditto	Tranquil greenspace	Yes	Yes	No
LGS05	St. Chads Road	0.152	Ditto	Residential green	Yes	Yes	No
LGS06	Mallory Road	0.223	Ditto	Residential green & amenity for OAP housing	Yes	Yes	No
LGS07	South of Holt Avenue	tba	Ditto	Allotments, wildlife, play and walking area	Yes	Yes	No
LGS08	Field north of Croft close	0.84	Ditto	Wildlife, unmown meadow adjacent to conservation area	No	Yes	No
LGS09	Othello Avenue	1.196	Ditto	Waterspace and wildlife	Yes	Yes	No

LGS10	Woodside 1	tba	Ditto	Green buffer to main road	Yes	Yes	No
LGS11	Kingsley Road opposite meadow entrance		Ditto	Residential greenspace with mature trees and the Coronation Oak	Yes	Yes	No
LGS12	Woodside 2	tba	Ditto	Green buffer to main road	Yes	Yes	No
LGS13	New wood & parkland off Rideswell Grove	5.0	Ditto	Recreational woodland and play space	No	Yes	No
LGS14	Harbury Lane playing fields	8.5	Ditto	recreational	No	Yes	No
LGS15	land east of The Leopard	2.35	Ditto	Valued landscape, tranquillity wildlife, brookstray and re-establish agricultural use, village entrance	No	Yes	No
LGS16	Tachbrook Valley	tba	Ditto	Valued landscape, tranquillity, wildlife, PRoW, recreational	No	Yes	Large but 1 unit
LGS17	Land west Seven Acre Close	2.59	Ditto	Natural environment & recreational	No	Yes	no
LGS18	Oakley Wood excluding the Crematorium site	57.31	Ditto	Mixed ancient woodland, family walks, historical activity for children	No	Yes	Large but 1 unit
LGS19	Wiggerland Wood	11.51	Ditto	Broad-leaved Ancient woodland , secretive, habitats, wildflowers	No	Yes	no
LGS20	Grove plantation	2.94	Ditto	Woodland, family walks on RoW, habitats, road screen	No	Yes	no

8.5.4f Bishop's Tachbrook has two Ancient Woodlands, Oakley Wood and Wiggerland Wood. No development will be permitted in these woodlands that will reduce the area of Woodland remaining.

8.5.4g Protecting and enhancing the natural environment is strongly supported by the Environment Agency and Natural England.

- The Tach Brook is part of the arterial network of tributaries and wildlife corridors which are an intrinsic feature of the River Avon itself and is part of the Avon LWS designated area (LWS SP15Li8f). This has an important role within the wider ecological and biodiversity setting of the area and should be protected and enhanced where possible. It is also known that the Tach Brook is a Water Frame Directive waterbody that is failing in its objectives under the water Framework Directive due to high levels of phosphates and has a Poor Status. No development will be permitted that will lead to further degradation of the water courses and must also include proposals to improve the water status to Good subject to the agreement of the Environment Agency. Consideration should be given to the planting of Woodland for improvement of Water quality, linking up with the Woodland for carbon dioxide reduction in policy BTCC1 for climate change.

- Oakley Wood is a Local Wildlife Site. This and any other Local Wildlife Sites will be protected from development and enhanced where any proposals come forward that may affect them.

Strategic basis

8.5.4h The natural environment will be protected by a range of policies in the Neighbourhood Plan. Policy BTRE3 sets out how the NPPF sustainability criteria in relation to the natural environment and biodiversity and as included in the emerging Warwick Local Plan will be applied in The Neighbourhood Area.

POLICY BTRE3: PROTECTION AND ENHANCEMENT OF THE NATURAL ENVIRONMENT

- A) All development proposals will be required to demonstrate that the natural environment in Bishop's Tachbrook will be protected and, where appropriate, sensitively made more protective of the natural environment. A Planning Statement should show how the natural environment requirements of policies BTH1 (f), BTH2 (c), (e), (f), BTH4 6, 7, 8, BTE1 A(d), B (a) to (e), BTE2 (d), BTCC1 (b), BTCC2, BTRE1 (4), & BTRE2 (A) have been met including improvement to the Avon LWS SP15Li8f designated area and Tach Brook WFD waterbody, including the use of Woodlands for Water quality improvement Scheme.**
- B) The statement should include the way by which the proposal makes the natural environment more accessible to the local community and includes proposals for ecologically balanced maintenance and management of the natural environment.**
- C) Protected views listed in paragraph 8.5.4b and shown in Appendix NP10, must not be affected by the proposed development.**
- D) Rural roads will be safeguarded. A rural Road is any road in the rural area outside of defined settlements that is not a Motorway or an A class road. Development will not be permitted that would require major modifications to surrounding rural roads in a way that would change the character of rural roads in the vicinity of the proposal.**
- E) Land to be designated as Local Green Space is set out in table 3 to paragraph 8.5.4e**
- F) No Development of designated Ancient Woodland will be permitted that will reduce the area of the Woodland or that has the potential to reduce wildlife and biodiversity.**
- G) Local Wildlife Sites will be protected and enhanced from any development. Green Infrastructure will be encouraged to include the delivery**

of priority habitats as listed in section 41 of the Natural Environmental and Rural Communities Act 2006 and will include unimproved grassland, broadleaved woodland and ponds.

- H) Planting of new woodland and expansion of existing coppices or woodland will be sought to help to reduce the effect of the loss of the Elm that was once an important part of the Warwickshire Landscape particularly in this area and to increase biodiversity and habitat. These may be linked to or in addition to Policy BTCC1. Trees should be native species or a targeted crop.
- I) Developer contributions to make landscape enhancements listed in paragraph 5.5 and identified by the Parish Council will be sought through S106 or other agreements for off-site works or by inclusion in the site development landscape proposals where appropriate, reasonable and with the agreement of landowners to meet policy BTH4 that requires development proposals to demonstrate how they will improve Bishop's Tachbrook as a sustainable 'garden village'.

Application of Policy BTRE3

- 8.5.4i Any new development in the rural areas of Bishop's Tachbrook must be located and designed so as to have no adverse impact on the natural environment, conserving and, where appropriate, sensitively enhancing the natural environment.

8.6 HISTORIC ENVIRONMENT POLICIES

- 8.6.1 The Neighbourhood Plan has the following objectives for the historic environment in Bishop's Tachbrook

OBJECTIVES FOR THE HISTORIC ENVIRONMENT

- A. *To protect and enhance all designated and undesignated heritage assets within the Neighbourhood area;*
- B. *To identify and list undesignated heritage assets including historic field systems, hedgerows, route ways and other man-made features such as woodlands and ponds*
- C. *To protect and enhance the Conservation Area and to provide a safe and attractive centre for the village to encourage its wider use.*
- D. *To encourage high standards of maintenance and management to enhance the visual quality of the Conservation area.*

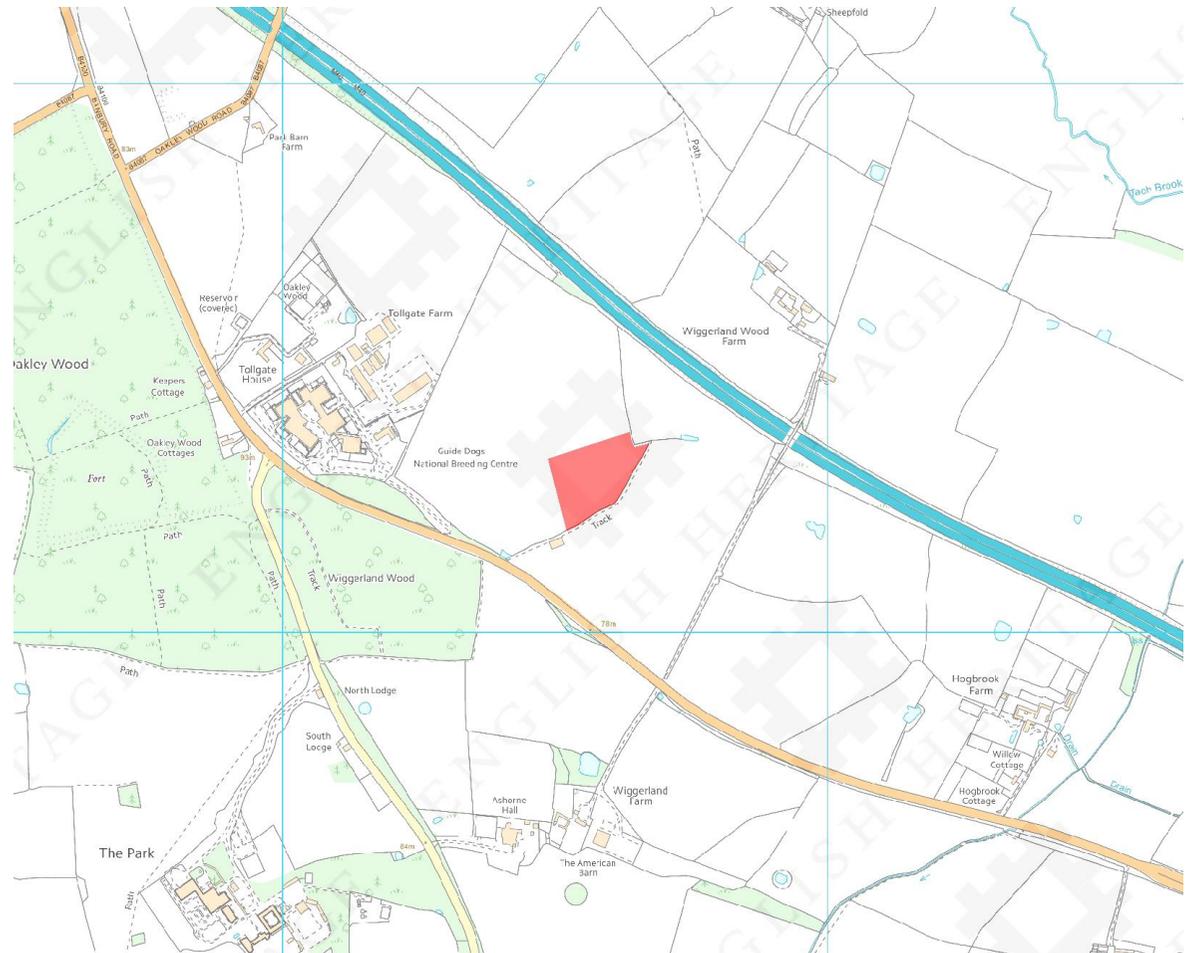
8.6.2 POLICY BTHE1: HERITAGE ASSETS

- 8.6.2a The parish of Bishop’s Tachbrook contains 32 buildings and structures which are included in the national statutory list of buildings of special architectural or historic interest. It also has two scheduled ancient monuments and two registered historic parks, part of Castle Park and Mallory Court. The Scheduled monuments are
- (1) Oakley Wood Camp as described in paragraph 6.10; and
 - (2) Circular ditched enclosures SW of Wiggerland Wood Farm.

The location of the Circular ditch enclosures SW of Wiggerland Wood Farm is shown on **Map 8** from the Historic England website. No other detail is yet available on the website. Monuments are scheduled under the Ancient Monuments and Archaeological Areas Act 1979 as they appear to the Secretary of State to be of national importance.

- 8.6.2b Permission will not be granted for any development within the designated red areas of Scheduled Ancient Monuments nor within their setting, taking account of views into and out of the site being of sufficient distance so that there is no effect on the setting because of that spatial separation; except for any work necessary in relation to the Ancient Monument itself authorised by Historic England.

MAP 8 WIGGERLAND WOOD ANCIENT MONUMENT



8.6.2c Listed Buildings are of national importance. Any work on them for maintenance, repair or alteration must meet the District Council's conservation policies.

Where proposals for material changes within and/or minor extensions to and/or changes of use to Listed Buildings are made, a design and access statement should be provided with fully detailed and dimensioned drawings to justify and explain the works proposed. It should clearly show the effect on the setting of the Listed Building and any other adjacent Listed Buildings and maintain the scale, massing and character of the Listed Building utilising the original construction materials, design philosophy and detailing. When applicable, the reason for changes of use of the building should explain why the existing use is no longer viable.

Where proposals include large extensions or new buildings adjacent to Listed Buildings, to which they may or may not be connected, the form of construction should be either the same as the existing listed building or be of a high quality design to 21st century standards but which remains sympathetic to and respects the scale and character of the Listed Building.

8.6.2d When proposals for extensions or new developments are made in the proximity of a Listed Building, undesignated heritage asset or Historic Park or Garden, then the setting of the historical asset must be taken into account. If it is in an urban location where the heritage asset or listed building is part of an existing complex then the requirements as to setting will be different to a listed building in open countryside. Applications should clearly show the views to and from the Listed Building/ asset due to the development and the way that materials, construction, mass and heights between the new and old sympathetically relate including the spaces between the buildings. In the open countryside where the setting of the listed building/asset is part of a landscape then the open space around it should be maintained as well as views from it.

8.6.2e The setting of a Heritage asset will be commensurate with the importance of the Asset. If a significant Heritage asset is part of an overall view in an open area, then development will not be permitted that causes serious harm to the character and appearance of the area. NPPF 132 requires that as heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. NPPF128 requires that the significance of any heritage asset affected by a development includes any contribution made by their setting. Substantial harm to or loss of designated heritage assets to Grade I and II* listed buildings and Grade I or II* registered parks and gardens should be wholly exceptional. Where a proposed development will lead to substantial harm, consent should be refused unless either the substantial public benefits can be said to outweigh that harm or loss.

Planning Practice Guidance ID: 18a-009 advises *“Heritage assets may be affected by direct physical change or by change in their setting. Being able to properly assess the nature, extent and importance of the significance of a heritage asset, and the contribution of its setting, is very important to understanding the potential impact and acceptability of development proposals”*.

- A) Permission will not be granted to alter or extend a Listed Building unless**
- a) a design & access statement is provided that clearly shows the detail set out in paragraph 8.6.2c demonstrating that the proposal is sympathetic with and maintains the scale, massing and character of the Listed Building; and**
 - b) The reason for any changes of use of the building demonstrates that the existing use is no longer viable or that the proposed use is sympathetic to the special architectural , historic or setting of the Listed building.**
- B) New developments or extensions in the visual proximity of a Listed Building that do not and cannot demonstrate that the setting of the listed building will not be affected by the new development as set out in paragraph 8.6.2d will not be permitted; and**
- C) Development will not be permitted within the designated red areas of Scheduled Ancient Monuments nor within their setting, taking account of views into and out of the site being of sufficient distance so that there is no effect on the setting because of that spatial separation; except for any work necessary in relation to the Ancient Monument itself authorised by Historic England.**
- D) Designated and undesignated Heritage assets within the parish and their settings must be protected, conserved and enhanced when development proposal are brought forward.**

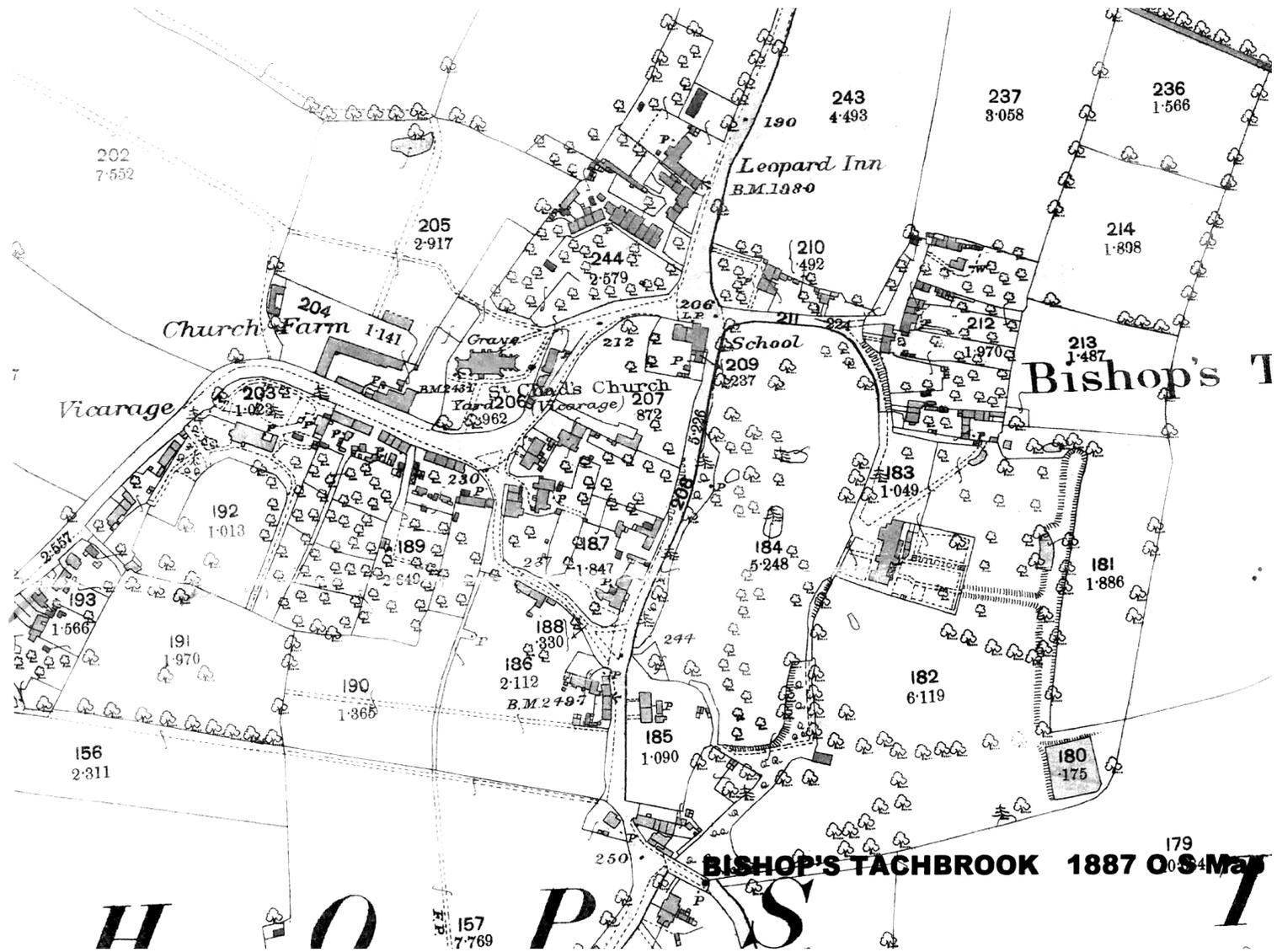
Application of Policy BTHE1

- 8.6.2f Policy BTHE1 is in addition to Warwick District Council Local Plan Policies HE1 & HE4 for applications within Bishop’s Tachbrook Neighbourhood Area and seeks to ensure the quality and protection of listed buildings and Historic Parks and Gardens from any new development or works to adjacent listed buildings including taking into account the setting of any listed building or Historic Park or Garden.
- 8.6.2g Undesignated heritage assets will comprise of a local list of heritage assets compiled by Warwick District Council, as assets are included that are within the Bishops Tachbrook Parish Boundary, plus any undesignated heritage asset the Parish Council may identify from time to time and held in a list of Undesignated Assets for Bishops Tachbrook and to which policy BTHE1 D) will apply.

Context and rationale

- 8.6.3a The easterly original part of the village is a conservation area, which was designated in 1969 and extended in 2001. The centrepiece of the Conservation Area is the Grade I listed St Chad's Church on its prominent raised site, with 5 Grade II listed buildings in the near vicinity and a total of 12 in the Conservation area. The quality of the environment in the Conservation Area is adversely affected by past highway works, facilitating increased volumes and speed of traffic and creating extensive road surfaces particularly at junctions. These areas are dominated by surfaces designed for motor vehicles and provide a visually inappropriate setting for the historic buildings at the core of the village, as well as acting to separate parts of the village community. The purpose of Policy BTHE2 is to ensure that opportunities are taken to bring about environmental improvements in the conservation area and centre of the village.
- 8.6.3b Conservation areas are a historic asset that has been designated in order to conserve an area because of its special architectural or historic interest. So it would be of help to understand the village as it was before post-war development began.

In 1887 the Ordnance Survey plan (Map 9) of the village at that time shows that the village was centred on St. Chad's Church. From the Church yard to the north of the church the footpath still exists, going West Norwest across field 205 & 202 to the Asps farmhouse. North of the church there was a cluster of 10 timber frame cottages in New Yard with a garden area and fruit trees between them and the unmade road that is now Church Hill. The cottages were demolished in the 1960's to make way for the houses there now, the only one remaining, 12, Eden Cottage being a Grade II Listed Building. Next to Eden cottage is another original house that later became the Leopard Inn and this is also Grade II listed.



Map 9 Bishop's Tachbrook village in 1887



The Church of St. Chad, Bishops Tachbrook Date: 1860s © Warwickshire County Council

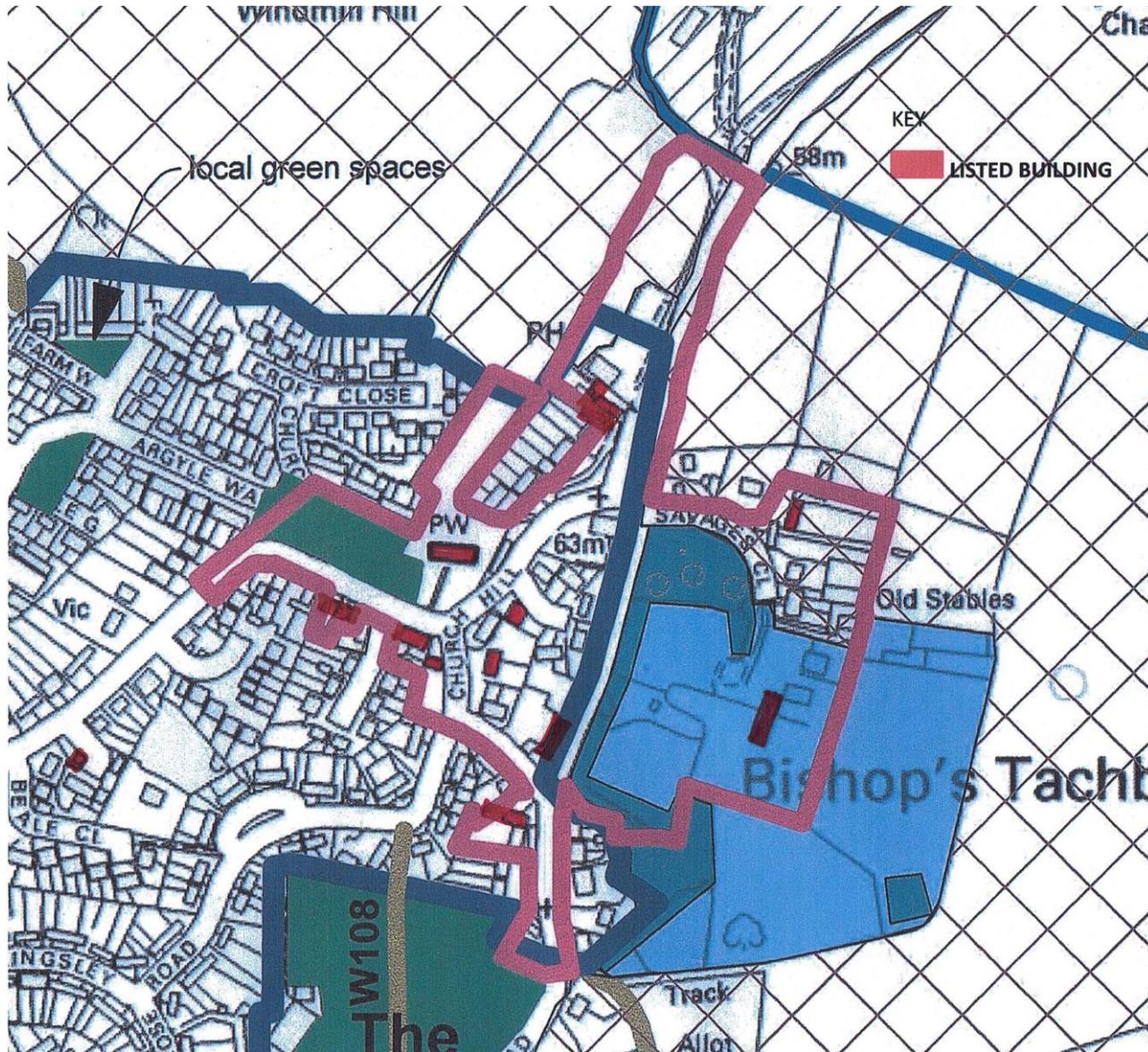
The road from the school that was the road from Banbury to Leamington rises from 206ft to 250ft as it travels up the road between the school and the wooded parkland to the manor. The east side of the road has a dry stone wall embankment retaining the parkland at a higher level of 237feet. Trees lined the road and were Elm, Ash, Sycamore, Lime and those on the top of the bank were coppiced and form the attractive route through the village as they overhang the road and which is one of the protected views in paragraph 8.5.4b (2).

This 1860's photo of the footpath up to the church shows a pony and trap in front of what is now 16, Church Hill that gives an impression of the openness and simplicity of the village. At the junction of Church Hill with Savages Close and Oakley Wood Road the school was built in 1771. It was a free school funded by benefactors. By the 1860's the school housed 100 children and was too small, so a new room had to be built at a cost of £470. South of the church, timber framed houses were set out along Mallory Road that go back to 16th and 17th Century, with Church Farm buildings on the north side of the road.

On the east side of Oakley Wood road, Savages Close ran around the wooded parkland that was the grounds of the Manor House, thought to have been built in 1558. The parkland was set out in the 1750's and is now locally listed by Warwick District Council as a historic garden. The house on the corner of Savages Close was the village post office and the dairy was in the northern cluster of cottages.

The 1887 map shows the location of the water pumps being the only water supply available until after WW2 but diligently shows the levels in feet above ordnance datum of bench marks and spot levels plus field numbers and areas.

The road from the school that was the road from Banbury to Leamington rises from 206ft to 250ft as it travels up the road between the school and the wooded parkland to the manor. The east side of the road has a dry stone wall embankment retaining the parkland at a higher level of 237feet. Trees lined the road and were Elm, Ash, Sycamore, Lime and those on the top of the bank were coppiced and form the attractive route through the village as they overhang the road and which is one of the protected views in paragraph 8.5.4b (2).



Map 10 Bishop's Tachbrook Conservation Area

8.6.3c

This plan shows the boundary of the Conservation Area in Bishop's Tachbrook. Comparing with the 1887 map it can be seen that village around the Manor House remains much the same as it was with some new infill east of the Close. The wooded parkland has two TPO tree belts and several TPO veteran trees. The parkland became neglected during the 1980's to 2000, but since then has been replanted with trees from the Woodland Trust that are beginning to have an impact and improve habitats for birds and small mammals.

On the west side of the Oakley Wood Road, there has been considerable infill which together with the 3 major housing developments of the 50's , 60's and 70's to the south and west of the original village has served to fill if not overfill the land within the current settlement boundary. Some recent developments have been allowed but it is unlikely that any more material new development is possible without having an adverse effect on the Conservation Area. The old

school has closed and moved to a primary school site on Kingsley Road and the old school building has recently been converted to residential.

8.6.3d The Conservation Area now has to deal with a number of issues brought about by those developments

1. With the advent of the M40 and junction 13, Mallory Road and Church Hill connect that junction into Leamington. At peak times it means that this and the Oakley Wood Road going south to the Banbury Road are busy with through traffic which is not good for the conservation area or those trying to use facilities within the village centre. With the new developments in the local plan for housing growth both within the village and to the south of the 3 towns, this is going to get worse. In the pre-submission consultation, many in the community raised the matter of safety on all the main roads through the village.
2. As part of the post war developments, when Church Farm was taken for housing development a relatively small green area was retained on the north side of Mallory Road. It was originally the Church Farm house and yard. A wide road with echelon parking to serve the new housing cuts the green area into 2 parcels which means that the green is smaller than it ought to be. In the main it is a residential lung on the way to the shop, but the traffic, sometimes quite fast, is a negative problem that limits the use of the retail facilities.
3. Attracting people to the centre of the village is a problem. The green area has become known as the village green showing that those who live adjacent to it as well as the rest of the village value the only space we have for events in the centre of the village. Church fetes that have been held there have been very successful but it means closing the road for the day. Other small events occasionally take place but most of the time it is very lightly used. Its tranquillity is however, part of its value to the community.
4. Parking at any of the facilities including the church and shop is almost non-existent. There are 3 spaces outside the shop, but the cottages on the south side of Mallory Road do not have off road parking available so have to park on the street.
5. For the community in general there is little to attract people to the village centre. In the first wave of post-war development a typical retail unit comprising 3 shops with 3 maisonettes over was built in Wychwood Close. In those days it was well used with a general store, a butchers and a newsagents. The Post Office had moved to an adjacent cottage (one of the Grade II listed buildings). But as car usage and supermarkets took over, the Post Office closed (and has since been returned to residential), as had the butcher, then the newsagent and the only shop left running is the general store. This retail unit is immediately adjacent to the conservation area and because of its use and design is a negative contributor to the conservation area.

6. St. Chads Church is sited in an elevated position but on a relatively small plot of land. When Church Farm closed and the new housing built, west of the Church, the Grave Yard was extended into the south corner of field 205. The church was built in the 12th century as a nave & chancel, the north aisle being added in the 14th century, and the south aisle in the 15th century. The chancel was rebuilt in 1869, possibly the reason for the photograph in paragraph 8.6.3b and the vestry was added in 1898. When digging the foundation for the vestry, a chancel was discovered, thought to be a burial of stragglers from the battle of Edge Hill because of the remains of a close-buttoned tunic found on one of the dead. Before the battle, Cromwell is thought to have stabled some of his horses in the church.
7. The church does not have any rooms other than the church itself, a small vestry and a small room at the base of the tower that was originally the west door. It had been the ambition to build a church hall but it was also clear that the community needed a village hall in the centre of the village, but nowhere that this could be located except for the village green which was too small to begin with. Eventually, the Parish Council agreed with the Church that a combined village and church hall on part of the land added to the church in the 1960's could be a way forward and the St. Chad's Centre Trust was set up to be an independent trust that ran the building to accommodate the need for hall type uses for everyone. St. Chads Centre is now under construction to open in 2016. However, inevitable parking needed for a community hall still needs to be addressed.
8. Finding a solution to resolve these problems within the conservation area will have to have regard to the Conservation Area.

The principles are –

- conserve the listed buildings - St. Chads Grade I and twelve Grade II, some being two dwellings in one building;
- conserve settings of those listed properties;
- conserve the conservation area and its setting;
- conserve trees in the area;
- Should comply with the WDC strategy for the conservation and enjoyment of the heritage environment of BT conservation area. Recognising that conservation is not a passive exercise, identifying specific opportunities for the conservation and enhancement of heritage assets as appropriate to their significance is a core planning principle. Heritage assets are an irreplaceable resource and effective conservation delivers wider social, cultural, economic and environmental benefits.
- Conservation is an active process of maintenance and managing change. All the listed buildings in the conservation area are in everyday use.

- Clear and up to date information on identified non-designated heritage assets, both identification criteria and the location of existing assets, should be made accessible to the public.
- The “setting of a heritage asset” is defined in the Glossary of the NPPF. A thorough assessment of the impact on setting needs to be taken into account, and be proportionate to, the significance of the heritage asset under consideration and the degree to which proposed changes enhance or detract from that significance and the ability to appreciate it. Setting is the surroundings in which an asset is experienced, and may therefore be more extensive than its curtilage. It is not fixed and may change as the asset and its surroundings evolve. Visual considerations and views of or from an asset are an important part as is noise, dust and vibration from other land uses and by our understanding of the historic relationship between places.
- What about harm in relation to conservation areas? An unlisted building that makes a positive contribution to a conservation area is individually of lesser importance than a listed building (paragraph 132 of the National Planning Policy Framework). If the building is important or integral to the character or appearance of the conservation area, then its demolition is more likely to amount to substantial harm to the conservation area, engaging the tests in paragraph 133 of the National Planning Policy Framework. However, the justification for its demolition will still be proportionate to the relative significance of the building and its contribution to the significance of the conservation area as a whole.
- Strategy delivery may need specific policies, for example, from the use of buildings to the design of new development and infrastructure. Consider the relationship and impact of other policies on the delivery of the strategy for conservation. Resolving the identified problems within the conservation area will also take into account the purpose of the conservation area.
- As relevant, neighbourhood plans need to include enough information about local heritage to guide decisions and put broader strategic heritage policies from the Local Plan into action at a neighbourhood scale. The local Historic environment record and any local list will be important sources of information on non-designated heritage assets.

Strategic basis

8.6.3e Opportunities for new development within conservation areas to enhance or better reveal the significance of the area should be sought and proposals for new development which do this should be treated favourably. The Bishop’s Tachbrook conservation area is fairly well built out so that apart from minor changes is unlikely to present opportunities for new development. The purpose of this conservation area is to safeguard the 16th and 17th century cottages on the south & east side of Mallory Road as well as the church and the ‘village green’ in the village centre plus the original village to the east and up to the Tach Brook.

The emerging Warwick Local Plan recognises the impact that transport infrastructure can have on the historic environment and community cohesion. New development should enhance both the historic and social environment taking measures to restore or bring back into use areas that presently make a negative contribution to the Conservation Area.

8.6.3f Unlisted buildings can often contribute significantly to the special architectural or historic importance of conservation areas, particularly those that contribute to the overall character of the conservation area and were part of the village before it was developed post war. Any alterations or extensions to unlisted buildings should be sympathetic to the conservation area and not adversely affect the character, appearance or setting of the conservation area. In addition, the demolition of unlisted buildings will only be supported if details of a new development or treatment of the open space are provided that retains or improves the character, appearance or setting of the conservation area and a condition imposed that demolition does not take place until a contract for redevelopment has been entered into and planning permission has been granted for the works.

POLICY BTHE2: CONSERVATION AREA

A Heritage assets within the parish, especially the listed buildings in the Conservation area and their settings must be protected, conserved and enhanced when development proposal are brought forward.

Opportunities will be taken to enhance Bishop’s Tachbrook Conservation Area, either when planning permission is granted for development within or affecting the Conservation Area or through other proposals which improve the quality of the historic and social environment. Proposals that enhance the Conservation Area will be designed to improve the range, quality and functionality of public amenities and to mitigate the impact of motor vehicles in favour of people on foot; and development will also be expected to respect the character, appearance or setting of the Conservation Area and important views both in and out of them.

Gardens and open spaces that contribute to the appearance, historic interest and social cohesion will be protected from development

B Unlisted heritage assets in the Conservation Area.

Alterations or extensions to unlisted heritage assets in the Conservation Area that will adversely affect the character, appearance or setting of the Conservation Area will not be permitted and there will be a presumption in favour of the retention of unlisted heritage assets that

positively contribute to the character, appearance or setting of the Conservation Area. Consent for total demolition of unlisted heritage assets will only be granted as described in Paragraph 8.6.3f.

Application of Policy BTHE2

8.6.3f When planning applications are submitted for development within or within the setting of Bishop's Tachbrook Conservation Area provision will be made through CIL contributions, planning agreements or planning conditions to secure environmental improvements to the Conservation Area. Where other funding opportunities arise efforts will be made to develop conservation area enhancement schemes to implement sensitively designed environmental improvements appropriate to the Conservation Area.

Such improvements may include the reducing of the surface area of the highway which is dedicated to motor vehicles, resurfacing using historically appropriate materials, and the provision of landscaped areas including planting, seating, and other street furniture. Road signage and any traffic calming measures must be designed to be as minimal as possible and be such that they do not have an adverse effect on the Conservation Area.

Proposals for the demolition and/or redevelopment of existing unlisted heritage assets or sites within, or within the setting of, the Bishop's Tachbrook Conservation Area which currently have an adverse effect on the quality and appearance of the area will be supported where it can be shown that the development will enhance the Conservation Area and its setting. Such proposals must also satisfy the requirements of other relevant policies in this Neighbourhood Plan.

8.7 LOCAL ASSETS OF COMMUNITY VALUE

8.7.1 The Neighbourhood Plan identifies four strategic objectives which seek to preserve and enhance assets of community value in the parish:

OBJECTIVES FOR LOCAL ASSETS OF COMMUNITY VALUE

- A. *To protect and maintain existing and valued local community assets.*
- B. *To guarantee important local green spaces are protected for now and future generations.*
- C. *To exploit opportunities to develop new village community facilities.*
- D. *To support the viability and continued success of Bishop's Tachbrook Church of England Primary School.*

Context and rationale

8.7.2a Bishop's Tachbrook has a number of assets which are valued by the community and which are considered fundamental to maintaining a good quality of life within the village and ensuring it remains a sustainable community into the future. These facilities provide the facilities to support many of the policies included in the District Local plan and the Bishop's Tachbrook Neighbourhood Plan.

They consist of a number of types of asset –

- buildings for specific purposes that involve community activity and/or interest;
- land used for community recreational purposes;
- land and/or buildings used by the community for horticultural purposes;
- land that provides rural amenity for the community;
- land that provides green recreational spaces used by the community.

8.7.2b It is important to identify those assets in order to ensure that they continue to be available to the community if the status or availability of the asset changes. Some of these are within the communities control in terms of ownership and decision-making and are therefore Community Assets so that the holding body is independent of external changes. The holding body in relation to Community Assets in Bishop's Tachbrook and its Neighbourhood Plan is the Bishop's Tachbrook Parish Council. All other assets considered of value to the community are Potential Assets of Community Value.

8.7.2c The Localism Act ("the Act") was enacted on 15 November 2011, and the Assets of Community Value provisions in Part 5 Chapter 3 were commenced for England at the same time as the Regulations made under those provisions came into force, both on 21 September 2012. The provisions give local groups a right to nominate a building or other land for listing by the local authority as an Asset Of Community Value. It can be listed **if a principal ("non-ancillary") use of the asset furthers (or has recently furthered) their community's social well-being or social interests**

(which include cultural, sporting or recreational interests) and is likely to do so in the future. When a listed asset is to be sold, local community groups will in many cases have a fairer chance to make a bid to buy it on the open market. The intention of the legislation is, when an asset of community value appears to be vulnerable from sale by the owner, to give the community the right to be given notice of the sale and a moratorium period of 6 months within which both the owner is not permitted to enter into a contract of sale and the community can arrange to finance the purchase. However, it is not at all straight forward and has a large number of exemptions of one sort or another.

If the community wish to acquire it, they have to buy it at a price that the owner will accept and if that cannot be done or agreed in the moratorium period then the sale can take place to anyone else. The Act does not provide any control over the cost to be paid. The theory is that planning controls are sufficient to prevent planning gain on an asset that may have a low land value, which if it were to be given a planning usage of a higher value and the community still wanted to retain it, then that higher value would have to be paid.

8.7.2d Assets considered being those with community value and their functional terms should be identified.

Local green spaces and community facilities further the social well-being and interests of the local community. The purpose of Policy BTLACV1 is to ensure that such assets are retained, enhanced or increased, in the future development of Bishop's Tachbrook.

Evidence gathered during community consultation identified local assets of community value in Bishop's Tachbrook – see table 4 below.

The Localism Act provides a process for the inclusion of valued community assets by Warwick District Council in a list of Assets of community Value. Assets that the Neighbourhood Plan identifies in Bishop's Tachbrook that are valued by the local community and which needs the protection and help that this Act might provide, need to be identified and, at an appropriate time, submitted to Warwick District Council for consideration to be given to include them in the statutory List of Assets of Community Value.

Since Bishop's Tachbrook Parish Council is the Community holding Body, any assets it already owns would not have any advantage on that list. But if another public authority is the provider of that community asset, it may be that, for financial reasons for example, the authority decides to dispose of the asset. If that were to happen, it may be that the authority arranges to pass it to the Parish Council but that cannot be relied on. So it would seem sensible to include these unless the particular asset is in the list of exemptions in section 95(5) of the Act, or are in Schedule 3 to the Regulations. These are complex exemptions but should be taken into account when deciding whether or not to ask the local authority to include an asset in the list.

TABLE 4 COMMUNITY ASSETS & ASSETS OF COMMUNITY VALUE YET TO BE REFERRED TO WARWICK DISTRICT COUNCIL

Buildings	Recreation	Horticulture	Rural Amenities	Green Spaces
Community Assets in the ownership of or under the control of Bishops Tachbrook Parish Council.				
Sports & Social Club	The Meadow playing fields Including children’s playground Floodlit Porous Pitch, BMX track (LGS01)	Allotments (by the Meadow) Storage sheds near club		The ‘Village Green’ (LGS02) Local green spaces LGS03,04,05,06,07
Assets of Community Value in the ownership of other public bodies				
BT C of E Primary School Croft Surgery	Harbury Lane Playing Fields (WDC)(LGS14)	New wood & parkland off Rideswell Grove (LGS13)	Oakley Wood (WDC)(LGS18) Europa Way Wood (WCC)	
Assets of Community Value in other ownerships				
Wychwood Close shops	Land west of Seven Acre Close (LGS17)	Allotments off Oakley Wood Road	Wiggerland Wood (LGS19)	Field north of Croft close (LGS08)
Leopard Public House		Land east of Leopard(LGS15)	Highdown Hill Half moon plantation	
			The Tach Brook & its banks (LGS16)	
			Grove Plantation (LGS20)	
			Castle Park	

Note; St Chads Church is exempted. Disposals of closed Church of England churches if it were to happen would come under Part 6 of the Mission and Pastoral Measure 2011: The lengthy process in Part 6 of the Measure involves public consultation, and at the end of it the building will either be sold or leased for an agreed purpose, or demolished, or transferred to the Churches Conservation Trust for preservation – following which outcomes it will once more be possible to list the building and land if appropriate.

Strategic basis

8.7.2e The assets in the table above were identified using the criteria set out in the Localism Act 2011 (Section 88), namely that the actual current or recent use of the building or land furthers the social well-being or social interests of the local community, and it is realistic to think that such use can continue or could be resumed in the next five years. The Parish Council will consider the list to determine their suitability and need to nominate the Asset to Warwick District Council for formal inclusion on the List of Assets of Community Value.

The emerging Warwick Local Plan recognises the value that cultural, leisure, shopping, open space, environmental and heritage assets have for local communities. Several policies in the emerging Local Plan seek to protect and enhance such assets when opportunities arise.

POLICY BTLACV1: PROTECTION OF COMMUNITY ASSETS AND ASSETS OF COMMUNITY VALUE

Community Assets and potential and actual Local Assets of Community Value in the Asset Table as amended from time to time, will be protected from development that adversely affects the community benefit that the asset provides. Where proposals might be reduced or lost, the Parish Council may consider an alternative location provided it is of equal or better provision than the location to be lost.

Whenever Assets are to be altered or extended the community aspect of the asset should not be reduced.

Where the Asset is thought to be at risk or may become so, the asset will be nominated for inclusion in the Warwick District Council List of Assets of Community Value.

Application of Policy LACV1

8.7.2f The loss in whole or in part of local assets of community value would reduce the sustainability of Bishop's Tachbrook and therefore would not help achieve sustainable development. Development proposals which result in the loss or reduction of these assets will not be acceptable.

This policy will be used to ensure that development proposals in Bishop's Tachbrook do not adversely affect local assets of community value identified in Table of community assets. Whenever possible opportunities will be taken to improve or enhance such assets through planning agreements or community infrastructure levies associated with relevant development proposals.

8.7.3 POLICY BTLACV2: THE PROVISION OF NEW LOCAL ASSETS OF COMMUNITY VALUE

Context and rationale

8.7.3a Planning applications for development in the Neighbourhood area may have implications on the services that community assets provide. The developer will provide sufficient information as the Parish Council requires to assess the effect of the development on the community assets, either as growth of existing assets or any new assets found to be evident and the costs that will be met either by section 106 agreements or through Community Infrastructure Levy Payments (when implemented by the Local Plan), to be used to provide new local assets of community value for Bishops Tachbrook.

8.7.3b During consultation on this Plan several projects were highlighted by respondents that should be considered in conjunction with future planning applications. These include:

- Another access to the school ;
- Better footpaths and links to Oakley Wood;
- Footpath signs with a formal walking route defined;
- The creation of a pathway alongside the Tach Brook;
- A School / community farm.

Strategic basis

8.7.3c The emerging Warwick Local Plan contains policies which aim to support prosperous communities by recognizing the important role that culture, heritage, leisure and shopping assets play in the lives of local communities (Policy PC0: Prosperous Communities) and seeking to protect these valuable assets wherever possible. The emerging Local Plan also contains a policy which seeks to provide improved or new

open space, sport or recreation facilities (Policy HS4). It also seeks to create new green infrastructure assets and restore degraded ones and to improve public access and enjoyment of such assets (Policy NE1).

POLICY BTLACV2: THE PROVISION OF NEW LOCAL ASSETS OF COMMUNITY VALUE

When planning permission is granted for development in Bishop's Tachbrook, a Parish Council assessment of the effect of the development on the community and its assets will be made to either extend or provide new local assets of community value, in accordance with priorities identified in the Neighbourhood Plan or as otherwise determined by the Parish Council. Appropriate use will be made of the Community Infrastructure Levy, other planning agreements or planning conditions to provide new local assets of community value.

Application of Policy BTLACV2

8.7.3d Financial contributions received by the Parish Council from the Community Infrastructure Levy or other agreements or conditions will be used to improve existing local assets of community value or to provide new buildings, recreational, horticultural and rural amenities, and green spaces for the benefit of the people of Bishop's Tachbrook.

Developments that provide new infrastructure as an integral part of the development will be designed so as to create practical improvements in the quality of life of local people.

8.8 LEISURE AND WELL-BEING

8.8.0 The strategic objectives for leisure and well-being are as follows:

OBJECTIVES FOR LEISURE AND WELL-BEING

1. *To provide facilities for sport, recreation and community activities for all ages;*
2. *To provide new allotments both in new housing development and around the parish;*
3. *To improve access to the countryside by maintaining public rights of way, reinstating lost footpaths and creation of brookstray walks*
4. *To provide for primary healthcare facilities.*

8.8.1 POLICY BTLWB1: SPORT, RECREATION AND COMMUNITY USE

Context and rationale

8.8.1 Residents of Bishops Tachbrook, in common with the general population of a prosperous country like the United Kingdom, have a growing desire to improve physical fitness as part of a healthier lifestyle. Currently local sports facilities within the parish are limited to

- 1) the playing Fields on Kingsley Road, known as The Meadow. This is a well-used space both for sports and village events; and
- 2) the playing Fields on Harbury Lane, that were provided as part of the recreational area for Warwick Gates residents. It is however remote to both Warwick Gates and the population centres of the parish so only gets limited use. In the WDC boundary review this area was transferred to Whitnash Town Council on 1st April 2015.

8.8.2 The Neighbourhood Plan Background Statement POLICY BTLWB1: SPORT, RECREATION AND COMMUNITY PROVISION describes the present provision, particularly in the village settlement and calculates the open space requirement based on the District Council's open space standards.

Strategic basis

8.8.3 The recreational space available within the village is about 4 ha. Some extra will come with the 150 new houses say 2ha that gives a total of 6 ha which is 6 ha below the open space standard.

The village, at a distance from the urban area should be considered on its own for open space assessment.

A village in the open countryside looks and feels as though it has lots of open space, but access to it is very limited. You can see it but not use it. That is an important attribute which to some extent masks the deficiency, but when it comes to activities, residents have to go to the urban areas where these activities are available.

8.8.4 If it can become available the site at Seven Acre Close site would go some way to rectifying this deficit and so should become a justified Asset of Community Value as set out on the Neighbourhood Plan Map. That site had a planning application for 25 homes but was refused Planning permission for the reasons set out in the village housing options document. The Developer lodged an Appeal but has since withdrawn it following the recent dismissal of an appeal against refusal for 125 houses on land opposite Seven Acre Close for similar reasons of serious harm to the character of the open countryside and other matters, (see appendix NP9) but the developer is now promoting a more ambitious scheme for 50 dwellings.

POLICY BTLWB1: SPORT, RECREATION AND COMMUNITY PROVISION

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 will require more open space as set out in 8.8.3 & 8.8.4. to provide improved recreational facilities, in line with priorities identified in paragraphs 4.6.7 to 4.6.9 of the Neighbourhood Plan Background Statement POLICY BTLWB1: SPORT, RECREATION AND COMMUNITY PROVISION page 49. 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.

B. Appropriate use will be made of the Community Infrastructure Levy, other 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.

Application of Policy BTLWB1

8.8.1h Development proposals in Bishop's Tachbrook will include provisions to improve or provide new sport, recreation or community facilities to make provision for the enlarged village population. Such improvements will be enabled by planning agreements, planning conditions or funded from the Community Infrastructure Levy (when in place).

Other potential sources of funding will also be explored by the Parish Council from grants, sponsorship or other public sources.

8.8.2 POLICY BTLWB2: ALLOTMENTS

Context and rationale

8.8.2a The main allotment provision for the village is adjacent to The Meadow on land owned by the Parish Council. It is approximately 0.76ha. and contains 28 plots, which are all occupied. The District Standard provision is 0.42 ha per 1,000 population. The village population is 1,709 which would therefore require 0.714ha. So the current provision is just over that standard. The national standard is 20 plots/1000 so this would need 34 plots. Hence current provision is less than the national standard.

Based on the national standard, the new development south of the school would need $.43 \times 20 =$ say 9 plots bringing the total to 43.

To provide the new pedestrian link from the Development site to The Meadow and the village may take out 2 existing allotments. Therefore, 17 plots in total need to be provided. Some will be included in the new development, but it is thought that there would be an advantage if some allotment are made available closer to other parts of the village so they can be more easily managed.

POLICY BTLWB2: ALLOTMENT PROVISION

Allotment provision in the parish will be to the national standard of 20 allotments per 1000 population. The population for new developments will be calculated on the basis of 1 person per bedroom built, except for 1 bedroom properties which will be at the rate of 1.5 persons per dwelling. For this purpose, rooms described as office or similar will be taken as a bedroom.

On strategic development sites outside the village, allotments will be provided on the development and arrangements for their management and ownership will need to be agreed at detail application stage. On the strategic development site in the village, the allotment provision of 17 plots may be located around the village.

Application of Policy BTLWB2

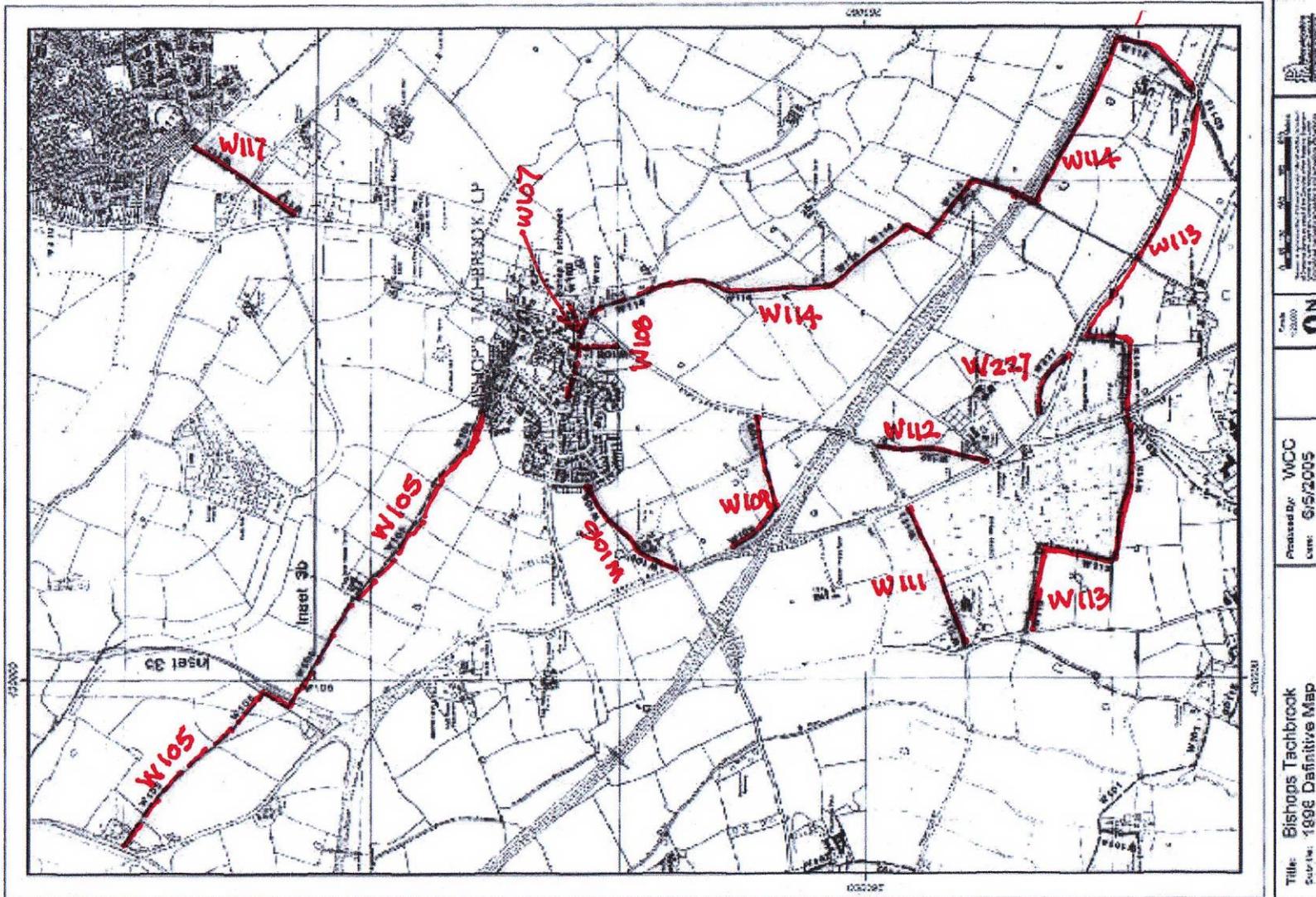
8.8.2b Detail arrangements for allotments related to the development will be based on Policy BTLWB2 for inclusion in the detail planning application.

8.8.3 POLICY BTLWB3: PEDESTRIAN ACCESS TO THE COUNTRYSIDE

Context and rationale

- 8.8.3a Bishop's Tachbrook is surrounded by land which is mainly in productive agricultural use. To the south lies Oakley Wood & Wiggerland Wood, separated from the rest of the parish by the M40. To the west there are areas of woodland within the Grade I Listed Castle Park which is not open to the public. The countryside in the parish is an important informal leisure resource, as well as an important visual amenity and contributor to community well-being. Pedestrian access to these areas is available but limited and the purpose of Policy BTLWB3 is to ensure that opportunities are taken as they arise to improve public access to countryside and woodland areas in the parish.
- 8.8.3b There are 11 Public Rights of Way within the parish, most of them in rural locations but some have been built around but still provide a useful pedestrian function now the village has grown over them. Public Rights of Way are a good indicator of the social life of the past as they originate from the days before metalled roads and motor vehicles and almost everyone was dependent on them to travel anywhere. The settings of paths, views and interesting topography should be taken into account when assessing the value of the path. Map 11 on the next page shows all the routes. Considerable work has been done to maintain signage and stiles etc. so that they are all available to the public. The schedule describes the routes for each Public Right of Way.

Table 5 SCHEDULE OF EXISTING PUBLIC RIGHTS OF WAY IN THE NEIGHBOURHOOD AREA OF BISHOP'S TACHBROOK	
W105	St. Chad's Church to the Asps Farm
W106	Holt Avenue to Hareway Lane
W107	Powell Close to Oakley Wood Road
W108	Kingsley Road to Oakley Wood Road on the north side of the Meadow
W109	Oakley Wood Road to Banbury Road diverted around the motorway slip road
W111	Oakley Wood Road through Oakley Wood to Wellesbourne Road
W112	Oakley Wood Road south of M40 bridge at Park Barn Farm to Banbury Road
W113	From junction of W114 with Banbury Rd., ENE along Banbury Rd. to Wiggerland Wood, around the south side of Wiggerland Wood across Moreton Morrell Rd. and around the south side of Oakley Wood to the Wellesbourne Road.
W114	From junction of W107 with Oakley Wood Rd. S to Banbury Rd. via Wiggerland Wood Farm, over the M40 south along the field side of the M40 to the parish boundary at a small copse, around Hogbrook Farm to Banbury Road.
W117	Oakley Wood Road at south point of Grove Plantation, NE to Harbury Lane then north to Logan Road in Whitnash.
W227	Short length on old Banbury Road east of Tollgate Farm, now a vehicle layby.



Map 11 Public Rights of Way in Bishop's Tachbrook Parish



- 8.8.3c There are three old claimed Rights of Way that have yet to be added to the definitive map starting from SP28206100 to SP30266118, SP31586088 to SP32906000 and SP31586008 to SP32946157 The reference numbers for these claims are MZ631RA, MZ636RA and MZ637RA respectively.
- 8.8.3d NPPF75 requires that planning policies should protect and enhance public rights of way and access. Opportunities should be sought to provide better facilities for users, for example, by adding links to existing rights of way networks including National Trails.
- 8.8.3d There are other paths in the Tach Brook valley that have been given permissive rights by their owners for the public to use. It would also be a welcome addition if some brookstray walks along the banks of the Tach Brook could be arranged through a Defra Stewardship scheme together with some habitat biodiversity. This is not necessarily a Neighbourhood Plan matter but is for the Parish Council and the Parish Plan to consider. Any planning applications that may present an opportunity to contribute to this provision, could help, so will be included in the policy for Leisure & Well-being in order to meet NPPF75. This policy is supported by the environment agency
- 8.8.3e It has to be remembered that habitats and humans are not always compatible. The majority of species see humans, cats and dogs as a threat so will move away. Habitats will not thrive unless paths are rarely and carefully used. Bats, owls, hedgehogs, shrews, grass snakes are examples of species that need support from the natural quiet of the countryside.
- 8.8.3f Developing the footpath network, especially a link to Oakley Wood, emerged as one of the leading concerns of the local community, and most strongly supported in the three major consultation initiatives taken to inform the writing of the Neighbourhood Plan. As part of the development of the land south of the school, the developer has agreed to provide this link, subject to satisfactory arrangements with County Highways for carriageway access. The Oakley Wood Road is a fast and narrow road and safety of any path is paramount. A path on the field side of the hedgerow to a point where their land interest stops has been agreed, but agreement with the County Council as to crossing the motorway and getting to Oakley Wood has to be worked out.
- 8.8.3g Residents have expressed the wish for a circular walk around the village area. This has proven successful at Warwick Gates (Tachbrook Mallory) and should be addressed by the Parish Council as opportunities arise.

8.8.3h Horse riding is not well served within the parish. Even though some horses are kept locally in paddocks, there is poor access to paths suitable for riding so that owners use residential streets or dangerous rural roads. NPPF28 supports economic growth in rural areas in order to create jobs and horse riding can be a rural business opportunity. A bridlepath network could serve all path users.

Strategic basis

8.8.3g The emerging Warwick Local Plan recognises that pedestrian access to the wider network of footpaths in the countryside on the south side of Warwick and Leamington is limited and should be improved. Countryside footpaths should be for pedestrians except where bridlepath provision is planned and these should be wide enough for that purpose. Past experience shows it to be important that allowing the misuse of paths by motorbikes or competitive cycling is not acceptable. These activities, if they are to be made available, need paths for that purpose. Cycleways on the transport network are provided for in policy BTT1.

POLICY BTLWB3: PEDESTRIAN ACCESS TO THE COUNTRYSIDE

Public Rights of Way and their settings will be protected from development including all access points to them. Opportunities will be taken to develop, improve and extend the footpath network, including some bridlepaths, within Bishop's Tachbrook Neighbourhood Area in order to provide better pedestrian access to the countryside and will be expected to be included in any development proposals on or adjacent to a development site either through the granting of planning permissions for development or through other proposals which enhance or increase the footpath network.

Application of Policy BTLWB3

8.8.3h Whenever practical, development proposals in Bishop's Tachbrook will include provisions to improve, extend or make connections to the existing footpath network, so that pedestrian access to the countryside is enhanced. Such improvements will be enabled by planning agreements, planning conditions or funded from the Community Infrastructure Levy.

Other potential sources of funding for footpath improvements will be explored and efforts will be made to raise funds for footpath improvement schemes from grants, sponsorship or public sources.

8.8.4 Promoting Healthy Communities

Context and rationale

8.8.4a Primary Healthcare facilities.

The village has a surgery on Mallory Road, with a pharmacy facility within the surgery. It is part of the Croft Medical Centre but it only is open for 50% of the week, spread evenly through it. With more patients, it could increase the opening hours to meet extra demand.

8.8.4b The Director of Public Health submitted a response to the consultation and welcomed the inclusion of matters important to health, particularly those related to the wider determinants of health, highlighting

- A range of different types of housing and a mix of resident profiles supporting the long term future of the area
- Employment opportunities, as employment is a vital part of good health and access to the internet can support healthy behaviours
- Building for life criteria are highlighted as good practice (see BTH3 & BTH4 8.2.5d)
- Community assets including meeting places and green spaces are highlighted as important for reducing isolation and improving social cohesion and improving mental health and well-being
- Green spaces and access to them has been highlighted as important
- Walking routes to connect areas need improving which is important for physical and mental well-being; and
- Sustainable transport was highlighted.

Other elements suggested were measured miles and walking school bus, signage to local amenities highlighting distance to encourage walking, placing outdoor gym equipment in green spaces or trim trails to increase multifunctional use of space, cycling routes as a form of leisure including signage, lighting and cycle parking, consider mental health benefits, new housing to be lifelong housing for all ages and needs and consider improvement to facilities rather than new.

8.8.4c NPPF chapter 8 is about Promoting Healthy Communities. NPPF69 says that Local Planning Authorities should create a shared vision with communities of the residential environment and facilities they wish to see. To support this, LPA's should aim to involve all sections of the community in the development of local plans and in planning decisions and facilitate neighbourhood planning.

NPPF70 advocates that we ensure shops, facilities and services can modernise in a sustainable way, but the village shop has difficulty competing with nearby supermarkets, on price, footfall or convenience.

NPPF73 is referred to at 8.8.1 and forms the basis of Policy BTLWB1. NPPF74, on existing open space, sports and recreational buildings and land is very relevant and full use will be made of Local Green space listings to prevent losses of needed facilities. NPPF75 is the basis of policy BTLWB3 and NPPF76 & 77 are the basis of policy BTRE3(E) as set out in paragraph 8.4.5d.

Strategic basis

8.8.4d Policies through the Neighbourhood Plan are designed to achieve a strong cohesive community with a clear plan-led strategy to provide housing and facilities in the right place and prevent opportunistic developments in the wrong place that would achieve the opposite result, a divided, resentful and reactive assembly of people who feel they do not matter. Warwick District Local Plan Policies HS1 to HS8 together with other policies in this Neighbourhood Plan provide the framework for promoting Healthy Communities in Bishop's Tachbrook.

8.9 TRANSPORT & TRAFFIC MANAGEMENT

8.9.1 The Neighbourhood Plan has the following strategic objectives for transport and traffic management:

OBJECTIVES FOR TRANSPORT AND TRAFFIC MANAGEMENT

- A. To facilitate the provision of a suitable range of cost-effective transport options for local people;
- B. To facilitate the implementation of traffic management schemes which increase safety on roads in the village.

How people get to work is a sustainability and safety issue. Because of its rural location, limited public transport links and low level of unemployment within the Parish even though there are few jobs in the parish itself, Bishop's Tachbrook is highly dependent on the car. Journey times are longer and multiple car ownership in households is higher than regional and national averages. Our transport policies aim to address these issues.

8.9.1 POLICY BTT1: IMPROVING TRANSPORT OPTIONS

Context and rationale

8.9.1a The Parish is served by local bus services but these are limited, typically no better than an hourly service with the last bus just after 7pm. Residents rely quite heavily on their cars to get to work and as their main mode of transport. The cycle way that was built in 2008, connecting

the Village area to Warwick Gates and then onwards to Leamington and Warwick has been successful, but access to other local destinations except by car is difficult and relatively dangerous for vulnerable road users.



8.9.1b Paragraph 6.4.4A and TABLE 10 in the Neighbourhood Plan Background Statement shows that in the 2011 census, from the summary that 5.99% of residents work at home compared with 6.77% in Warwick District, 4.72% in the West Midlands and 5.36% in England.

Those that use Public Transport (Metro/train/bus) as their main journey to work is lowest in Bishop's Tachbrook at 4.38% compared with 7.14% in Warwick District, 11.53% in West Midlands 16.92% in England. This may reflect the level of service provided (no metro, infrequent buses, limited train destinations) or it may be due to work locations or lifestyle choice.

Those that used the road as a driver or passenger, in a car or taxi or on a motorbike were highest in Bishop's Tachbrook as 81.3%, with Warwick District at 70.38%, West Midlands at 70.38% and overall in England 63.38%.

Those that were self-propelled – bike or walk – were the lowest in Bishop’s Tachbrook at 7.67%, compared with 15.21% in Warwick District, 11.76% in the West Midlands and 13.69% in England.

- 8.9.1c The consultation questionnaires found a large number of comments on the transport issue. The main points were Infrequent bus service (one an hour means long waiting times particularly when buses are delayed as happens frequently), no direct bus to Warwick and the hospital in particular, no bus in the evening, Limited bus to Jaguar LandRover at Gaydon that does not come through the village. It is a long walk to Banbury Road with no pavement along a fast country road and not least the cost of bus services to families that far exceeds the cost by car.
- 8.9.1d Travel distance indicates that greater car dependency is due to it being the easiest or only travel option. Table 11 in the Neighbourhood Plan Background Statement, giving 2001 census data since 2011 census data for this measure is not yet available, shows that only 6% work within 2 km of home, 45% work between 2 to 10km of home and 32% work between 10km and 30km away. The farther away the destination is, the less likely an easy transport route there is likely to be. This is a by-product of a dormitory settlement which is why it is better to populate urban areas than build dormitory housing.

Strategic basis

- 8.9.1e The Highways Agency statutory response to the Neighbourhood plan consultation is content with the policies in so far as they might affect the Strategic Road network of the motorways and major trunk roads in the area.
- 8.9.1f Transport objectives in the Local Plan include the need to locate development where it minimises the need to travel and to provide sustainable modes of transport such as walking, cycling and public transport. This is unlikely to be achieved if new housing is located outside of urban areas where the current experience of Bishop’s Tachbrook is the norm. The Highway Authority is Warwickshire County Council and policies directly dealing with transport in Warwick District are provided in the Local Plan and the Local Transport Plan.

The Transport objectives in the Local Plan, which need to be consistent with the Local Transport Plan, include

- improvements to buses and rail but with better integration of transport and land-use planning to reduce the need to travel
- Improvements to major congestion hotspots
- Cycle parking and cycle /pedestrian routes to key destinations
- Improved public transport information,
- Improved pedestrian crossing facilities and
- School travel plans

The purpose of Policy BTT1 is to ensure that opportunities to improve public transport options in Bishop's Tachbrook are taken whenever they arise from an increased population due to a new development. The evidence is that the farther away from facilities people are, the greater the use that has to be made of the car. In addition few people live close to where they work. The greater the use of the car, the greater the likelihood of congestion.

8.9.1g WDC Local plan policies TR1, TR2 and TR3 are high level policies that do not relate to the Neighbourhood level. TR3 does address the issue of contributions towards transport improvements and for Bishop's Tachbrook this should mean that all development within the parish is required to include payments for work, both internal and external to the development sites, to

- complete the cycle way from Warwick Gates to the primary school, to provide a safer route to Schools.
- Ensure the safety of pedestrians and cyclists on Oakley Wood Road at its junction with the estate road into the new housing estate and from there into the village.

POLICY BTT1: IMPROVING TRANSPORT PROVISION

Development will only be permitted that makes provision, through contributions towards transport improvements via WDC Local Plan policy TR3, to

- 1) improve public transport, particularly bus services, in Bishop's Tachbrook, including from Warwick and Gaydon**
- 2) improve the frequency of bus services including at evenings and weekends**
- 3) provide additional cycle routes through the village to connect the new developments to Leamington safely**
- 4) provides for additional safety measures in and around the parish to reduce the risk to pedestrians due to the greater impact of traffic on the roads through the parish**
- 5) have regard for the effect of transport works on the character and nature of the conservation area where roads pass through them**

such provision to be objectively assessed by the Highway Authority in conjunction with the Parish Council when new development is proposed or when transportation schemes are produced which affect the Neighbourhood Area.

Application of Policy BTT1

8.9.1h When proposals for new development in Bishop's Tachbrook are proposed or when transportation schemes are produced which affect the parish, opportunities to improve public transport options including those arising from the Travel Plan will be objectively assessed for implementation as part of the development or scheme concerned.

8.9.2 POLICY BTT2: IMPROVING ROAD SAFETY

Context and rationale

8.9.2a Oakley Wood Road, Church Hill and Mallory Road, in the Village area and Othello Avenue in Warwick Gates, all suffer from high peak volumes of commuter traffic, often travelling at excessive speeds. Recent community speed watch surveys found that on the Oakley Wood Road (OWR) southbound outside the Leopard the 85th percentile speed southbound was 44.3mph and northbound 40.3mph. Some vehicles were in excess of 50mph.

A similar survey of the Mallory Road showed that, as traffic goes through the village, 85th percentile speeds were 35mph in a road in which roadside parking is significant. The majority of the measurements are on vehicles passing through the village, not residents.

The speed limit on each road is 30mph.

	Current **	Future traffic calming measures required		
	85th %ile speed	1.Additional VAS	2.Safe crossing	3. Chicanes
OWR southbound	44.3mph	40.3mph	n/a	30mph
OWR northbound	40.3mph	n/a	n/a	30mph
MR eastbound	34.5mph	n/a	n/a	30mph
MR westbound	35.0mph	n/a	30mph	n/a

** Data sources: 1. Highways 5 day speeds 08/10/12-12/10/12 2. BT CSW 09/13, 01/14, 05/14, 09/14

8.9.2b Speeding traffic is not a Neighbourhood plan issue directly. It is however a serious concern for the community and the Parish Council. The pre-submission consultation got the highest number of comments on this sort of issue. Increased housing will lead to increased problems.

Action is being taken by the Parish Council through Highways to try to reduce traffic speed.

- A study has begun of the ways that the roads in the centre of the village might be changed to improve this length to be more appropriate for both pedestrians and the conservation area - we would like to conserve our residents as well as our historic environment. The study is being funded by the developer of the preferred site south of the school and has yet to report.
- Work arising from this has to be funded so this might be a call on developments through policy BTT1(4).
- VAS signs have been found to reduce traffic speed somewhat. VAS signs have been installed on the three village entrances .
- Chicanes to give village outgoing traffic priority over incoming traffic on the three entrances to the village is being considered. This might also be a call on developments through policy BTT1(4).

Costs for any recommended actions should be included by Highways in their requirements under the Highways Act and ring-fenced for the solutions identified.

8.9.2c Another priority is the completion of the Safer Routes to School initiative, which will enable people of all ages to cross Mallory Road in a safe manner. Provisions to enable safer road crossings are needed to reduce road safety risks.

Strategic basis

8.9.2d The Local Plan requires all proposals for new development to demonstrate that safe and convenient access can be achieved for all modes of transport.

POLICY BTT2: IMPROVING ROAD SAFETY

Developers will be required to provide transport assessments, as WCC highways require, to show the measures to improve accessibility and safety for all modes of transport wherever it may impact both inside the Neighbourhood area and beyond. The costs of improvements identified by that assessment and by the County Council Highways Assessment to improve road safety in the Neighbourhood Area will be met by the new development and completed before the first house in the development is occupied.

Application of Policy BTT2

- 8.9.2e Where Transport Assessments are required to support a development proposal these should state what measures will be required to improve accessibility and safety for all modes of travel, particularly for alternatives to the car such as walking, cycling and public transport and what measures will need to be taken to deal with the anticipated transport impacts of the development.

For the avoidance of risk to residents, any identified works will be completed before the new occupiers add their additional load to the transport network.

9 NEXT STEPS

- 9.1 Once the Neighbourhood Plan has been 'made' by Warwick District Council, the Council will determine all planning applications and other proposals in the light of policies set out in the plan. Similarly the Parish Council will look to apply the Plan's policies in its decision making. Applicants will be expected to demonstrate in their applications how they conform to the neighbourhood plan policies. The adjacent Parish or Town Councils will be expected to have regard to the policies where they are consulted on development proposals within Bishop's Tachbrook Parish.
- 9.2 Warwick District Council and the Parish Council will work together to monitor progress on the Neighbourhood Plan. They will bring forward proposals to review the plan as necessary during the plan period following procedures for review as may be set out in neighbourhood planning regulations applying at that time.

APPENDIX NP1 WARWICK DISTRICT COUNCIL EXECUTIVE COMMITTEE GRANT BISHOP'S TACHBROOK NEIGHBOURHOOD AREA DESIGNATION.

Executive Committee – 10th October 2012

Agenda Item No. **11C**

Title Bishop's Tachbrook Neighbourhood Area Designation

Wards of the District directly affected Bishop's Tachbrook

Background Papers Appendix 1 – Bishop's Tachbrook Proposed Neighbourhood Plan Area

Appendix 2 – Summary of Representations

Appendix 3 – Bishop's Tachbrook

Alternative Neighbourhood Plan Area – objector changes

Appendix 4 – Bishop's Tachbrook Alternative Neighbourhood Plan Area – boundary commission changes

Equality & Sustainability Impact Assessment Undertaken No These impact assessments are not necessary for a neighbourhood area designation.

Officer/Councillor Approval Officer Approval Date Name

Chief Executive 25/09/12 Chris Elliott

Deputy Chief Executive & Monitoring Officer 25/09/12 Andrew Jones; CMT 25/09/12 Chris Elliott Bill Hunt Andrew Jones; Finance 25/09/12 Mike

Snow; Heads of Service 14/09/12 Tracy Darke; Portfolio Holders 25/09/12 Councillor Hammon

Consultation & Community Engagement

Guided by the Neighbourhood Planning (General) Regulations 2012, the Bishop's Tachbrook Neighbourhood Area application was subject to a 6 week public consultation between 20 July 2012 and 31 August 2012. Comments were invited on the proposed Neighbourhood Area.

A public notice appeared on the Council's website; in the Courier; community notice boards in Bishop's Tachbrook parish; and the August edition of the local parish magazine. In addition, notification was sent via email to stakeholders and interested parties via the LDF consultation system.

Six representations were received, four in support of the area designation and two objecting to specific areas included. Objections will be dealt with further in this report.

A summary of representations is at Appendix 2 of this report, full representations are publicly available on the LDF consultation system at:

<http://warwickdc.jdi-consult.net/ldf/viewreps.php?docelemid=1512&docid=24>

1. SUMMARY

1.1 This report summarises the representations made on the Neighbourhood Area consultation for Bishop's Tachbrook and recommends designating the Neighbourhood Area as submitted by the Parish Council. This will enable Bishop's Tachbrook Parish Council to begin to formally prepare a neighbourhood plan.

2. RECOMMENDATIONS

2.1 That Executive designates the Neighbourhood Area as submitted by Bishop's Tachbrook Parish Council, attached as appendix 1 having regard to the representations made.

2.2 That Executive notes the funding available from the Department for Communities and Local Government for the financial year 2012/13 as set out in the Budgetary Framework.

3. REASONS FOR THE RECOMMENDATIONS

3.1 The Council recently consulted on its first Neighbourhood Area designation application under the new provisions of Neighbourhood Planning (General) Regulations 2012, which followed the enactment of the Localism Act 2011.

3.2 On 2 May 2012, Warwick District Council received formal notification from Bishop's Tachbrook Parish Council of their intention to prepare a Neighbourhood Plan encompassing the whole of the Parish area (see Appendix 1). Being a Parish Council they are the only relevant body that can apply in their parish. Their application included the following statement explaining why the area is considered as appropriate to be a neighbourhood area:

'That, in considering the development of Neighbourhood Plan for the plan period of 15 years, recognising both the rural nature and the needs of the populated parts of the parish, it is essential to balance demand on all parts of the locality so that the most appropriate development plan is produced for the whole of the parish.'

3.3 In July & August Warwick District Council undertook consultation as described in the consultation and community engagement section above.

3.4 Two consultation responses were objections to the proposed area, both from landowner and/or developer interests. The first, from Barwood, recommended omitting the area known as 'South of Gallows Hill/West of Europa Way' that is identified in the Local Plan Preferred Options as a development site. The second, from A C Lloyd Homes Ltd and Midlands Land Portfolio Ltd, for land at Grove Farm and the former sewage works, south of Harbury Lane, which is only identified in the Local Plan as a potentially suitable development option.

3.5 Dealing with the comments by each objector in turn, Barwood states that the site at Gallows Hill and the Asps is land required to meet the whole district and not a matter for the neighbourhood plan. However, it is considered that whilst there are areas currently identified for development to meet the District's needs this should not preclude a neighbourhood plan having any influence at all over an area that is still yet to be allocated in an adopted plan. All proposed neighbourhood areas should be aware that they have to be in alignment, and subservient to the strategic elements of the Local Plan. Barwood rightly point out the example of the unsuccessful Dawlish Neighbourhood Plan examination where the Local Plan for the area had yet to be determined being one of the principle reasons for the neighbourhood plan being found unsound. Warwick District Council will be advising all local communities in the District preparing neighbourhood plans that whilst early preparation of neighbourhood plans is suitable it would be most appropriate if neighbourhood plans are not submitted for examination where there are likely to be potentially conflicting spatial issues of a strategic nature outstanding in any of the Council's development plan documents.

3.6 The objections from A C Lloyd Homes and Midlands Land Portfolio Ltd repeat some of the same arguments put forward by Barwood above, stating that there are unresolved objections to the Local Plan in particular for the area of land they are concerned with. In addition, they consider the

application statement from Bishop's Tachbrook Parish Council, outlined above, to be inconsistent with an appropriate strategy for the District. All those undertaking neighbourhood plans should be cognisant of the hierarchy of planning documents as outlined above.

4. ALTERNATIVE OPTION(S) CONSIDERED

4.1 Revise the neighbourhood area boundary as in Appendix 3 to reflect representations made that object to the inclusion of certain areas. There is a recent example of Wycombe District Council amending Daws Hill Neighbourhood Forum's proposed neighbourhood area designation to exclude two development sites. However, it is considered that this would be inappropriate as it would leave certain areas without any possible Neighbourhood Plan Area as the parish council is the only relevant body able to undertake a Neighbourhood Plan.

4.2 The area application could be refused on the grounds that it is premature to be preparing a neighbourhood plan and developing land use proposals when strategic elements of the Local Plan are not finalised. This is the contention of the respondent A C Lloyd Homes Ltd and Midlands Land Portfolio. Whilst this is a possible alternative option, it is considered inappropriate not to allow Bishop's Tachbrook to begin the early stages of preparation of a Neighbourhood Plan.

4.3 Revise the area boundary as in Appendix 4 to exclude those areas that are likely to not form part of the parish following boundary reviews. Members will be aware of the boundary review of the District wards that is currently being considered by the boundary commission. This is likely to affect the boundaries of the Warwick District electoral ward of Bishop's Tachbrook. The District boundary review will be followed by a parish boundary review which should align the district's ward boundaries with parish boundaries and create a new parish of Heathcote, which will encompass land currently within Bishop's Tachbrook, notably the south eastern corner of Warwick Gates and land to the north of Harbury Lane and east of Bishop's Tachbrook.

5. BUDGETARY FRAMEWORK

5.1 Within the Development services, staff resources have already identified to provide some support for neighbourhood plans in line with the requirements of the Regulations. This support will be ongoing as and when neighbourhood plans are proposed. Funding for this resource is covered within existing budgets, although it has required some reprioritisation of the work being performed by the Development Policy Team.

5.2 Executive has already agreed to make available up to £40,000 from the Contingency Budget to enable Parish Councils to progress their respective plans; and in addition up to £10,000 has been made available to support necessary to produce the Whitnash Neighbourhood Plan (minute 32, 11 July 2012).

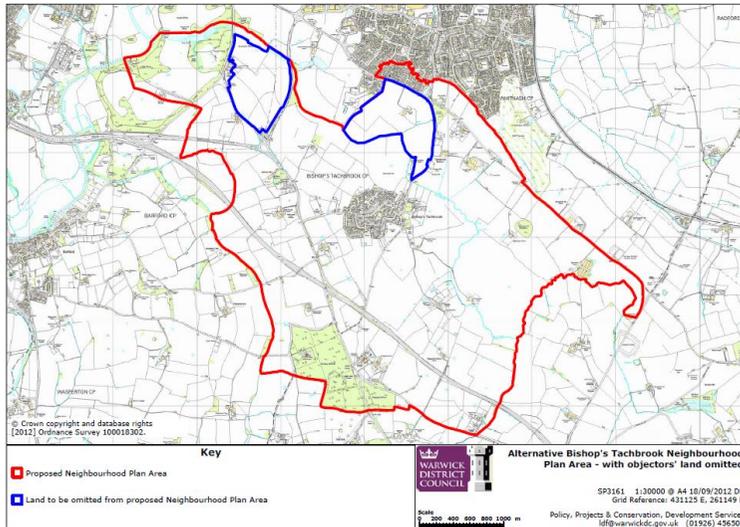
5.3 The Department for Communities and Local Government (DCLG) recently announced £10m funding for 2012/13 for Local Authorities in England to assist local communities prepare neighbourhood plans. This reflects the new duties placed upon local planning authorities to support and advise parish councils, neighbourhood forums and community right to build organisations and pay for examinations and referendums. This funding consists of £5,000 for each Neighbourhood Area designation. A maximum of £20,000 can be claimed for this payment, meaning four neighbourhood area designations. The second payment of £25,000 will be made on successful completion of a neighbourhood planning examination, however this is

unlikely to happen in Warwick District this financial year given the current status of the new Warwick District Local Plan 2011-2029 as outlined above. DCLG clear makes clear that this funding is not ring fenced and reflects the additional costs involved with introducing, adapting to and meeting the new duty.

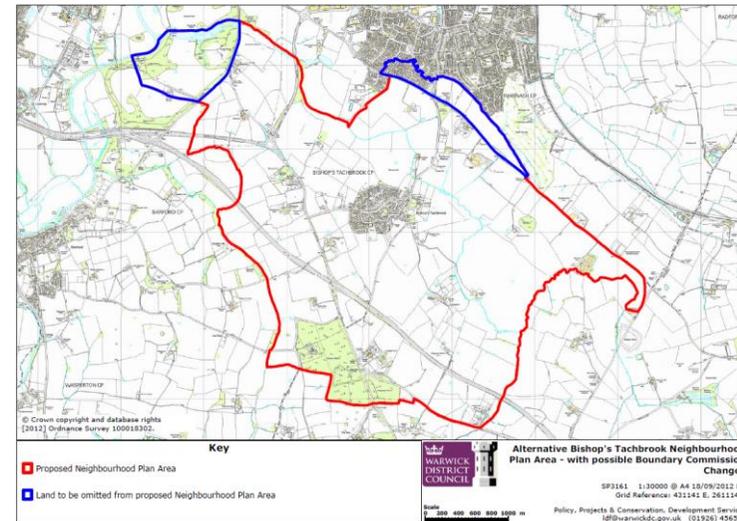
6. POLICY FRAMEWORK

6.1 Any Neighbourhood Plan is required to be in conformity with the Local Plan. As the new Local Plan is not yet in place it would be premature for Bishops Tachbrook Parish Council to proceed to an Examination in Public at this stage of the process. However, the Neighbourhood Plan is likely to take a considerable time to prepare by which time the Local Plan will be further advanced and conformity can therefore be assessed. For this reason, the recommendations of this approach are consistent with the Council's policy framework and with the Council's commitment to support neighbourhood planning.

Appendix 3 to the Report



Appendix 4 to the Report



APPENDIX NP2 HOUSING NEED SURVEY 2009

see file: Bishop's Tachbrook Neighbourhood Plan/Jan2016 regulation 15 submission/NP2 Housing Need Survey 2009.pdf

APPENDIX NP3 HOUSING NEED SURVEY 2014

see file: Bishop's Tachbrook Neighbourhood Plan/Jan2016 regulation 15 submission/NP3 Housing Need Survey 2014.pdf

APPENDIX NP4 AIMS & ISSUES STATEMENT

see file: Bishop's Tachbrook Neighbourhood Plan/Jan2016 regulation 15 submission/NP4 Aims & Issues Statement.pdf

APPENDIX NP5 OPTIONS FOR NEW HOUSING DEVELOPMENT – FSL CONSULTING AND URBAN VISON ENTERPRISE CIC

see file: Bishop's Tachbrook Neighbourhood Plan/Jan2016 regulation 15 submission/Jan2016 regulation 15 submission/NP5 BTNP Housing Site Assessments FINAL.pdf

APPENDIX NP6 PLANNING PRACTICE GUIDANCE FOR NEIGHBOURHOOD PLANNING

see file: Bishop's Tachbrook Neighbourhood Plan/Jan2016 regulation 15 submission/NP6 Neighbourhood Plan procedures and requirements from PPG.pdf

APPENDIX NP7 WARWICK DISTRICT COUNCIL VILLAGE HOUSING OPTIONS & SETTLEMENT BOUNDARY CONSULTATION

see file: Bishop's Tachbrook Neighbourhood Plan/Jan2016 regulation 15 submission/NP7 village housing options & settlement boundaries extract.pdf

APPENDIX NP8 BISHOP'S TACHBROOK PARISH LANDSCAPE STUDY

see file: Bishop's Tachbrook Neighbourhood Plan/Jan2016 regulation 15 submission/NP8 1 Landscape sensitivity BT01 to BT06.pdf; and

see file: Bishop's Tachbrook Neighbourhood Plan/Jan2016 regulation 15 submission/NP8 2 Landscape sensitivity BT07to BT16.pdf

APPENDIX NP9 APPEAL DECISION APP/T37252/A/14/2216200

see file: Bishop's Tachbrook Neighbourhood Plan/Jan2016 regulation 15 submission/NP9Appeal decision Land South of Mallory Road.pdf

APPENDIX NP10 PROTECTED VIEWS

see file: Bishop's Tachbrook Neighbourhood Plan/Jan2016 regulation 15 submission/NP10 Protected views.pdf

APPENDIX NP11 LOCAL GREENSPACE PLANS

see file: Bishop's Tachbrook Neighbourhood Plan/Jan2016 regulation 15 submission/NP11 LOCAL GREENSPACE PLANS.pdf

APPENDIX NP12 LOCAL PLAN EXAMINATION INSPECTORS LETTER 1/6/2015

see file: Bishop's Tachbrook Neighbourhood Plan/Jan2016 regulation 15 submission/NP12 Local Plan examination Inspectors letter.pdf

APPENDIX NP13 APPEAL DECISION, LAND OPPOSITE THE LEOPARD INN, OAKLEY WOOD ROAD, BISHOP'S TACHBROOK.

see file: Bishop's Tachbrook Neighbourhood Plan/Jan2016 regulation 15 submission/NP13 Appeal Decision Land opposite the Leopard Inn.pdf referred to in Background statement in para 4.2.2