

Our Ref: GM/LLO0/lec/PF/8777
 (Please reply to Banbury office)

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31st August 2012

Mr David Barber
 Development Policy Manager
 Development Services
 Warwick District Council
 Riverside House,
 Milverton Hill
 Leamington Spa
 CV32 5HQ

Dear Mr Barber

**TOWN AND COUNTRY PLANNING ACT 1990
 BISHOPS TACHBROOK APPLICATION FOR THE DESIGNATION OF A
 NEIGHBOURHOOD AREA**

On behalf of A C Lloyd Homes Limited and the Midlands Land Portfolio Ltd, I refer to the above and to the accompanying statement for Bishops Tachbrook Parish Council that states:

'that, in considering the development of a 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'.

Whilst we welcome the proposal for a Neighbourhood Plan by the Parish Council, I wish to raise an objection about the terms in which the application is made, and its timing in relation to the Local Plan. In short the expectations of the Parish Council are not consistent with the advice of the National Planning Policy Framework (The Framework) regarding Neighbourhood Plans.

Paragraphs 184 and 185 of The Framework are clear in setting out the basis upon which a neighbourhood Plan is to be prepared. They state:

184. 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.

185. *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.*

In my view, the advice above is clear. Adoption of a neighbourhood plan should follow on from an adopted Local Plan, particularly where the strategic development parameters have yet to be set as is the case in Warwick District. It is acknowledged that preparation of a Local Plan and Neighbourhood Plan can proceed in parallel but in this case the emerging Local Plan is at a very early stage and there are a number of key strategic issues in terms of the level and location of growth that need to be properly assessed.

In this context I attach a set of objections to the Warwick Local Plan recently submitted on behalf of my clients. As you can see there are a number of major objections to the strategic policies of the Local Plan that require resolution, including some that relate to the potential for strategic development to be accommodated within the Bishops Tachbrook Parish administrative area that is proposed to form the boundary of the Neighbourhood Plan.

Additionally, I am concerned about the sheer size of the area proposed to be included in the neighbourhood plan. It is apparent that the Parish Council is seeking to include the whole parish but the justification for this is not clear. The danger is that the Neighbourhood Plan would simply be a restatement of the adopted Local Plan policies and therefore of limited value.

I also note from the Parish Council's statement that the intention is to protect the rural character of the parish and only allow limited development that would serve purely the needs of the existing population. The evidence base that has been prepared by the District Councils indicates very clearly that the Parish Council's view is inconsistent with an appropriate strategy for the district. It appears therefore that by including the whole parish the Parish Council is attempting to protect the open space between the edge of the main towns and their village and therefore prejudice the outcome of the Local Plan. As can be seen from our representations on the Local Plan, the District Council's landscape assessment for the area south of Warwick demonstrates an urban extension involving my clients' land can be accommodated without harming the character of Bishops Tachbrook.

In this context, any proposals by the Parish Council to pursue a Neighbourhood Plan at this stage are considered to be premature having regard to the advice in The Framework.

I would be grateful if you can acknowledge receipt of this representation.

Continued.....

I wish to be involved in the future procedures relating to this application and therefore please can you keep me informed.

Yours sincerely

A handwritten signature in black ink, appearing to read 'G Mitchell', with a long horizontal flourish extending to the right.

G Mitchell

Enc: WDC Local Plan Reps

CC: Des Wynne
Midlands Land Portfolio Ltd