



Appeal Decision

Inquiry held on 16-19 September 2014

Site visits made on 15 September 2014 and 1 October 2014

by Neil Pope BA (Hons) MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 4 November 2014

Appeal Ref: APP/T3725/A/14/2216200

Land to the south of Mallory Road, Bishop's Tachbrook, Warwickshire.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Barwood Development Securities Ltd against the decision of Warwick District Council (WDC).
 - The application Ref. W/13/1688, dated 2/12/13, was refused by notice dated 26/2/14.
 - The development proposed is residential development (Use Class C3) for up to 125 dwellings with construction of access from Mallory Road, areas of public open space, landscaping and associated works.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Other than the means of access, all other matters of detail have been reserved for subsequent consideration. I have treated the proposed layout plans as being illustrative only.
3. At the Inquiry, WDC conceded that there was inadequate justification for defending its concerns regarding the layout of the proposed scheme and its 'connectivity' with the existing settlement. WDC withdrew this aspect of its first reason for refusal, including the alleged conflict with policy DP1 of the adopted Warwick District Local Plan (LP). WDC also informed me that the appellant's planning obligation, prepared under the provisions of section 106 of the above Act, overcame its second reason for refusal.
4. WDC and the appellant agree that notwithstanding recent permissions for various housing developments there is less than a five year supply of deliverable housing sites in the district. Amongst other things, the Statement of Common Ground that has been agreed by WDC and the appellant states that there is a significant shortfall in housing land supply and, as a consequence, the presumption in favour of sustainable development is fully engaged and the approach to decision making is as set out in paragraph 14 of the National Planning Policy Framework ('the Framework'). WDC and the appellant also agree that in the absence of a five year supply of deliverable sites the policies in the LP for the supply of housing should not be considered up-to-date.
5. It was agreed by the appellant, WDC and the Parish Council (PC) as a Rule 6 party that the Inquiry should be closed in writing after the receipt of closing submissions. Accordingly, I closed the Inquiry on 24 September 2014.

Main Issue

6. Whether, in the absence of a five year supply of housing within the district, any adverse impacts of the proposed development, having particular regard to the effect upon: the character and appearance of the area, including the setting of the village of Bishop's Tachbrook and; the setting of the Grade II listed 17th century converted barn north-east of Hill Farmhouse, would significantly and demonstrably outweigh the benefits of the scheme.

Reasons

Planning Policy

7. The development plan includes the 'saved' policies of the LP which were adopted in 2007. The LP was intended to control the use and development of land over the period 1996-2011. The appeal site lies within a Rural Area.
8. My attention has been drawn to numerous LP policies. These include RAP1 (Directing New Housing). This restricts new residential development within 'Limited Growth Villages' such as Bishop's Tachbrook. The appeal site/scheme does not fall within any of the permitted categories of development. I concur with the appellant's planning consultant that the proposal conflicts with RAP1.
9. LP policy RAP1 relates to the supply of housing. As noted above, WDC is unable to demonstrate a five-year supply of deliverable housing sites. In such situations paragraph 49 of 'the Framework' states that relevant policies for the supply of housing should not be considered up-to-date. Paragraph 49 also states that housing applications should be considered in the context of the presumption in favour of sustainable development. I also note the provisions of paragraph 215 of 'the Framework' and the agreed position between WDC and the appellant that RAP1 should be afforded no weight in the determination of this appeal. Nevertheless, this policy remains part of the development plan.
10. I have also taken into account the other LP policies that have been referred to in the evidence. As this is an outline scheme, the most relevant policies to the determination of this appeal are DP3 (Natural and Historic Environment and Landscape), DP6 (Access), DP7 (Traffic Generation), SC11 (Affordable Housing), DAP4 (Protection of Listed Buildings) and RAP10 (Safeguarding Rural Roads). These lack the 'cost-benefit' analysis set out within 'the Framework', otherwise they are broadly consistent with section 11 (DP3), section 4 (DP6, DP7), section 6 (SC11), section 7 (RAP10) and section 12 (DAP4). I note WDC's argument that SC11 is also a 'housing supply' policy and is out-of-date.
11. In April 2014, WDC published the Warwick District Local Plan 2011-2029 Publication Draft (emerging LP). The Development Strategy includes releasing sites for housing on the edge of urban areas (policy DS4), an allowance for windfalls (policy DS7) and provision for 150 dwellings on land¹ immediately to the south east of the appeal site (policy DS11). Policy H1 permits housing within the 'Growth Village' of Bishop's Tachbrook as identified in the Plan and in the open countryside new housing is restricted. Policy HE1 protects statutory heritage assets and policy NE4 aims to protect significant landscape features.

¹ In August 2014 WDC granted outline planning permission for up to 150 dwellings on this site (Ref. W/14/0689). The scheme includes provision for affordable housing (40%), a new drop-off and turning area for the school and financial contributions for, amongst other things, education, highways, healthcare, sports facilities and libraries.

12. Although there has been some public consultation regarding the emerging LP it is likely to be many months before it is submitted for Examination. I agree with WDC and the appellant that this Plan can only be given limited weight.
13. In October 2011 the PC considered the possibility of preparing a Neighbourhood Plan (NP). Since that time there have been numerous meetings, discussions and community involvement in taking forward a NP for Bishop's Tachbrook. At its meeting on 18 September 2014 the PC agreed to adopt the draft policies in the NP and to proceed to the pre-submission publicity and consultation stage for this Plan. Policy H1 permits new housing on land immediately to the south east of the appeal site and policy H2 restricts proposals on the appeal site and other land outside the proposed settlement boundary. Policy RE2 also protects land outside the settlement boundary and policy RE3 seeks to protect and enhance the natural environment.
14. Whilst much work and progress has been made in preparing a draft NP there is still a long way to go before a referendum can be held and a Neighbourhood Plan or Order made. Nevertheless, given the extent of public engagement in the NP process I disagree with the appellant that no weight should be given to the draft NP. At this stage it should be given some, albeit very limited, weight.

Benefits

15. The appeal scheme would deliver a range of social, economic and environmental benefits. These include provision for market and affordable housing (40% of the proposed dwellings would be provided as affordable units in accordance with LP policy SC11). Amongst other things, this would add to the mix and choice of housing within the area and assist in addressing both the shortfall in housing land supply, as well as contributing towards meeting the needs of those who are unable to access the local housing market.
16. The development would also create employment during the construction phase (an employment and training strategy would be provided as part of the above noted planning obligation to promote local employment) and incoming residents would provide some support for local services and facilities. I note the contents of the Ministerial Statement of March 2011 'Planning for Growth'.
17. In addition, the proposal would include off-site highway improvements at the junction of Mallow Road and the A452. Areas of public open space would also be provided as part of the scheme for use by incoming residents and those already living in Bishop's Tachbrook. Landscape planting would be undertaken within the site and there would be the potential for a modest biodiversity gain.
18. I am circumspect about some of the other claimed benefits. These include the contributions towards healthcare, education and libraries. For these to be taken into account they must be fairly and reasonably related in scale and kind to the development. They have been sought to avoid incoming residents placing undue strain on existing infrastructure. Notwithstanding the appellant's assertions, there is no cogent evidence to demonstrate that such contributions would provide any meaningful benefits to the wider local community.
19. There is also nothing to show that there would be a direct connection between the payment of the New Homes Bonus and the proposed development. Moreover, the Government's 2013 Autumn Statement announced that consultation would take place to withhold payments where planning approvals

are made on appeal. The 'direction of travel' therefore indicates that the New Homes Bonus should not be treated as a benefit in appeals.

20. Notwithstanding my doubts in respect of some of the claimed benefits, overall, the range of benefits that would be derived from the appeal scheme can be given considerable weight.

Character and Appearance

21. The appeal site comprises 7.3 ha of pasture land and lies within National Character Area (NCA) 96 'Dunsmore and Feldon'. The profile of this NCA was updated by Natural England in 2013. Its key characteristics include: a predominantly quiet, rural landscape with gently undulating low hills; woodlands linked with landscaped parklands and hedgerow trees; mainly large fields; predominantly nucleated settlement pattern with a low density of isolated farmsteads and some field barns sitting within a landscape of piecemeal and planned enclosure of the open fields which extended from the villages over large parts of the area. Feldon means 'open cleared land'.
22. At the local level, the site forms part of the 'Feldon Parklands' Landscape Character Type (LCT), as defined in the 'Warwickshire Landscape Guidelines'. WDC adopted this as Supplementary Planning Guidance (SPG) in 1993. This somewhat dated SPG can be given limited weight in this appeal. The characteristic features of this LCT include: a large scale rolling topography with occasional steep scarp slopes; large woodlands often associated with rising ground; mature hedgerow and roadside oaks; large country houses set in mature parkland; a nucleated settlement pattern of small estate villages and; large isolated brick farmsteads. The site and neighbouring fields lie within an 'Enhancement Zone' where the intention is to conserve and enhance the overall structure and wooded character of the landscape.
23. As I saw during my visits, the appeal site forms part of the attractive countryside that surrounds the village of Bishop's Tachbrook. The unspoilt open qualities of the site and its pastoral character with established hedgerows and roadside trees make an important and pleasing contribution to the rural setting of this village. This can be appreciated from the public footpath (W106) that crosses the site. From here, charming views can be obtained across the Warwickshire countryside. These include distant views towards the landmark tower of the Collegiate Church of St. Mary in Warwick and a separate, closer view of the Grade II listed converted barn near Hill Farmhouse.
24. The rear elevations of some of the houses along Holt Avenue can be seen from W106. Some road traffic noise can also be heard. However, the appeal site is distinctly rural in character and appearance and abuts a village. It is not urbanised. This area of pasture has a very different character to some land that can be found around the edges of towns and cities. The site and surroundings exhibit and/or afford an appreciation of many of the key characteristics of NCA 96 and some of the above noted qualities of the LCT.
25. The absence of footways and lighting adjacent to the roadside boundary of the appeal site and the largely unbroken hedge and mature trees that are growing along the southern side of Mallory Road assists in maintaining an attractive and informal rural approach to the village from the west. (One of the Oak trees adjacent to the northern edge of the site is the subject of a Tree Preservation

- Order.) In glimpsed views from this road the site appears as an integral part of the countryside and the very pleasing rural surrounds to Bishop's Tachbrook.
26. Although not part of any designated landscape, it is evident from the representations that the appeal site is considered by many local residents and the PC to make a positive contribution to the landscape setting of the village. The appellant's Landscape Architect (LA) informed me that it forms part of a landscape that may have local value. I concur with LA who appeared on behalf of WDC that the site forms part of a valued landscape. In addition to LP policy DP3(c) which seeks to protect and enhance the landscape character of the area, paragraph 109 of 'the Framework' includes a requirement to protect and enhance valued landscapes. 'The Framework' also recognises the intrinsic character and beauty of the countryside. These are important considerations.
 27. The appellant has undertaken a detailed Landscape and Visual Impact Assessment (LVIA) in support of the proposal. Amongst other things, this LVIA identifies this part of the LCT as being of medium sensitivity. Whilst WDC has not undertaken a separate LVIA, as part of the evidence base to the emerging LP and prior to the submission of the scheme which is now the subject of this appeal, the LA who appeared on behalf of WDC undertook the 'Landscape Sensitivity Assessment for Critical Villages in Settlement Hierachy' (2013).
 28. Amongst other things, this 2013 report describes the appeal site and some adjoining land to the west as having a strong rural character which functions as part of the wider farmed landscape, providing a green buffer between the edge of the settlement and the A452. The existing settlement edge is described as "*very prominent*" and any further housing development "*would exacerbate this and erode the rural character of the zone and the setting of the listed building*". The appeal site and adjoining fields to the west are identified as having a high sensitivity to housing development. From all that is before me, including what I saw and heard during my visits, the site has a high sensitivity to housing.
 29. The proposed development could be designed to a good standard and the new housing would be located away from a ridge of high ground that runs through the southern part of the site. It would also be possible to site the buildings so as to avoid disturbing important tree roots. However, much of this 7.3 ha of pasture land would be occupied by houses, roads, driveways and new footways. This large new expanse of built development would intrude into the countryside to the west of the existing settlement and significantly erode the rural setting of the village. The attractive, unspoilt open attributes of the site, which are integral to the character of Bishop's Tachbrook, would be lost forever and replaced by an unmistakable suburban addition that would be wholly at odds with the pleasing qualities of this rural area.
 30. The section of W106 that crosses the appeal site would radically change in character. This unmade rural path which bisects the countryside would, in effect, become a suburban footway. From here, uninterrupted views of the Warwickshire countryside and an appreciation of key landscape qualities would be largely extinguished. In all likelihood, remaining views would provide only glimpses of the surrounding landscape. Even if the scheme was designed to include views of the tower of the Collegiate Church of St. Mary, from the appeal site, this local landmark would be experienced in the immediate context of the proposed development. This and the views from the proposed public open space would be a poor substitute for the existing unimpaired rural scene that is

evident from W106. The proposals would markedly detract from the amenity of the existing public right of way.

31. The proposed accesses along Mallory Road would compromise the integrity of the roadside hedge and result in views of the new housing estate and the enlarged settlement. This would erode the existing rural perception of the village when approaching from the west. This harm to the character of Mallory Road would be accentuated by the new roadside footway and other highway works, including street lighting. This would create a more formal 'introduction' to the settlement at the expense of the existing simple, pleasing approach.
32. From sections of footpath W105 and the A452 to the north west of the village there would be glimpsed views of the proposed development. The impact from these parts of the public realm would not on its own be sufficient to justify withholding permission. Nevertheless, the development would extend the western edge of the settlement and intrude into the open countryside. From these areas the proposals would diminish the quality of the rural surrounds.
33. At the appellant's request, I walked those sections of the public footpaths, bridleways and towpaths that run through or alongside the housing allocations in the emerging LP that I was asked to visit. Due to intervening trees, hedgerows and/or buildings, I was unable to see the tower of the Collegiate Church of St. Mary from most of these public rights of way. Moreover, in the very few instances where I could see the church tower the line of sight included existing housing estates. The experiences were very different to the one that is currently available from the section of W106 that passes through the appeal site. Even if dwellings are built on all of these other sites and disrupt public views of the church tower this would not overcome or address the loss of amenity that I have found in respect of the appeal scheme and W106.
34. During my visits I also saw the solar farm that is under construction to the north west of Bishop's Tachbrook. In all probability, the combination of distance, intervening vegetation and the likely height of the photovoltaic panels would ensure that this solar farm does not have any significant impact on the quality of views available from W106 where it passes through the appeal site.
35. From the above, the proposal would seriously harm the character and appearance of the area and spoil the countryside setting of Bishop's Tachbrook. It would conflict with LP policies DP3(c) and RAP10, emerging LP policy NE4 and national planning policy which is aimed at protecting and enhancing valued landscapes. This weighs very heavily against granting planning permission.
36. In seeking to boost significantly the supply of housing the emerging LP includes the release of some greenfield sites at designated Growth Villages and the loss of some countryside. The appellant has argued that this would result in some adverse impacts upon the character and appearance of the area and, when compared to the appeal scheme, the development of up to 150 houses on land to the south east would be no less harmful. Be that as it may, it is not for me to determine the most appropriate site for new housing.
37. As already noted, the release of this neighbouring land for housing has been selected as the preferred option for housing in the emerging LP and draft NP. This followed careful consideration of alternatives, including the appeal site. Unlike the proposal before me, the permitted scheme for up to 150 homes

accords with the emerging Development Strategy and policy H1. This approved scheme has also received the support of the PC.

38. This is not a situation where the local community is unwilling to accommodate an appropriate share of housing growth. The local support for housing on the neighbouring land cannot be ignored nor can the value the community attaches to the undeveloped attributes of the appeal site. Moreover, any landscape and visual harm arising from the permitted scheme would not be offset by the proposal before me. In combination, these two schemes would result in about a 36% increase in the number of dwellings in the village. This would be a very sizeable expansion of the settlement. The provision of so many new dwellings over the next few years could erode the identity of Bishop's Tachbrook as a compact rural settlement.

Setting of the Listed Building

39. One of the Core Principles of 'the Framework' is to conserve heritage assets in a manner appropriate to their significance so that they can be enjoyed for their contribution to the quality of life of this and future generations. In determining planning applications, paragraph 131 of 'the Framework' includes a requirement for local planning authorities to take account of the desirability of sustaining and enhancing the significance of heritage assets.
40. Furthermore, paragraph 132 of 'the Framework' states that when considering the impact of a proposed development on the significance of a designated heritage asset great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Any harm or loss should require clear and convincing justification. There is also a duty² to have special regard to the desirability of preserving the setting of a listed building. This is reflected in LP policy DP4.
41. The appeal site forms part of the surrounds in which the Grade II listed converted barn near Hill Farm is experienced. The significance of this designated heritage asset lies primarily in its inherent architectural and historic qualities. As set out in the Glossary to 'the Framework', significance can also be derived from the setting of a heritage asset. Although there are intervening fields between the appeal site and this listed building, this 7.3 ha site is part of the rural landscape setting to this converted barn which has historical associations with the countryside.
42. The unspoilt open qualities of the site allow for a contextual appreciation of the listed building and views of some of the special architectural qualities of this heritage asset. Notwithstanding the residential scheme of conversion which has weakened the perceptual link between the listed building and the surrounding countryside, the appeal site makes a positive contribution to the significance of this asset.
43. Initially there appeared to be some contradiction in WDC's evidence regarding the impact upon the setting of this listed building, as well as some confusion on the appellant's side as to whether the proposals affected the setting of the converted barn. At the Inquiry both main parties agreed that the proposal would affect the setting of this building but would not harm its significance. I note that permission was not withheld on listed building grounds.

² Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990

44. However, I concur with the PC that the proposal would bring the settlement edge much closer to this heritage asset and result in some further loss of connection between this converted barn and its countryside setting. The ability to appreciate this listed building from the section of W106 that crosses the appeal site would also be restricted.
45. Instead of experiencing this designated asset from the open fields within the site it would be glimpsed from a new housing estate. The scheme would result in some limited harm to the setting of this building. This would conflict with the provisions of LP policy DP4 and emerging LP policy HE1. In the context of 'the Framework', this would amount to less than substantial harm³ to the significance of this designated heritage asset.
46. Following the ruling in Barnwell Manor Wind Energy Limited v East Northamptonshire District Council, English Heritage, the National Trust and the Secretary of State for Communities and Local Government [2014] EWCA Civ 137, considerable importance and weight should be given to the desirability of preserving the setting of a listed building when carrying out the planning balance. Less than substantial harm does not equate to a less than substantial planning objection. There is a presumption that preservation is desirable.

Other Matters

47. The proposed development would be at odds with policies H2, RE2 and RE3 of the draft NP and would undermine much work undertaken by the PC and the Neighbourhood Plan Action Group in formulating the NP. An approval would undoubtedly cause much concern and frustration in the local community.
48. I am not unsympathetic to the concerns of the PC and Neighbourhood Plans are an important part of the Government's reforms to the planning system and its localism agenda. However, as set out in the Government's Planning Practice Guidance, withholding planning permission on grounds of prematurity before the end of the local planning authority publicity period will seldom be justified.
49. The draft NP has yet to reach a stage where it can be given significant weight. It would be unsound to withhold permission on the basis of prematurity. I note that prematurity formed no part of WDC's case and the NPs in the other decisions⁴ drawn to my attention had reached a more advanced stage.
50. At the Inquiry some interested parties informed me that WDC's assessment of housing land supply was out of date. However, no cogent evidence was produced to justify taking a different stance to the position agreed by the appellant and WDC. Although this matter was raised several times, WDC maintained its position throughout the Inquiry.
51. There is also no cogent evidence to refute the findings in the detailed transport/highways assessment undertaken on behalf of the appellant. The proposals would not compromise highway safety interests or result in a harmful increase in congestion along the local road network. I note that neither WDC

³ In my opinion when 'the Framework' is read as a whole this triggers Footnote 9 of 'the Framework'. There is nothing with the Government's planning policies or its Planning Practice Guidance to state that Footnote 9 is limited to substantial harm. However, no counter to the appellant's argument on this matter was advanced at the Inquiry. As WDC was unconcerned by the effect upon the setting of the listed building and in the interests of procedural fairness I have retained the main issue that I identified when I opened the Inquiry.

⁴ APP/D3830/V/14/2211499 and APP/Y3940/A/13/2200503

- nor the Highway Authority raised highway objections to the scheme. The proposal accords with the provisions of LP policies DP6 and DP7.
52. The development would alter the rural outlook from some neighbouring properties, including some dwellings in Holt Avenue. This would erode the living conditions of some of those living alongside. However, the proposed dwellings could be sited and designed so as to avoid any overbearing impact or serious loss of amenity for neighbouring residents.
53. The proposal would accord with development plan policies relating, amongst other things, to parking, drainage, crime prevention, accessibility and archaeology. Whilst this weighs in favour of an approval it does not demonstrate that the scheme accords with the development plan when considered as a whole. As I have found above, there would be conflict with other policies relating to housing, the landscape and listed buildings.
54. I note the decision of the Secretary of State in respect of a housing scheme at Worsley, Manchester (Ref. APP/U4230/A/11/2157433). On balance, that scheme was found to represent sustainable development. However, no two sites are the same and the countryside and landscape at Worsley are likely to be very different to Bishop's Tachbrook. Each case must be determined on its own merits and this decision does not set a precedent that I must follow.
55. The appellant has argued that some of the financial contributions in the section 106 obligation are unnecessary and, in the case of healthcare, cannot lawfully be passed onto South Warwickshire NHS Foundation Trust. If this appeal was to be allowed it would be necessary to carefully consider the likely impact upon those services and facilities which incoming residents would be dependent. Due regard would also need to be given to paragraph 204 of 'the Framework' and Regulation 122 of the Community Infrastructure Regulations 2010. In the case of healthcare, it would also be necessary to consider whether or not any necessary contribution could be properly made. In this regard, I note the Closing Submissions by a QC in respect of an appeal in Stratford-upon-Avon and the subsequent findings of the Inspector (Ref. APP/J3720/A/13/2205108).

Planning Balance/Overall Conclusion

56. I have found that the proposal accords with some of the 'saved' policies in the development plan but conflicts with others. I note the ruling in R v Rochdale Metropolitan Borough Council ex parte Milne [2001] ENV.LR.22 that to accord with the development plan as a whole proposals do not have to accord with each and every policy. Whilst all 'saved' policies are of importance those aimed at directing the location of development and protecting the quality of the environment are at the heart of the objectives of the LP. I therefore find that the proposal would conflict with the overall thrust of the development plan.
57. Nevertheless, matters do not end there. WDC is unable to demonstrate a five year supply of deliverable housing sites and LP policy RAP1 is out-of-date. The conflict with this 'saved' policy is outweighed by the housing provisions of 'the Framework' and the need to boost significantly the supply of housing. However, the lack of a five year supply of housing does not override all other considerations and 'the Framework' also recognises the importance of protecting the quality of the environment.

58. The benefits of the scheme carry considerable weight. Whilst mindful of the ruling in the above noted Barnwell Manor case, if the planning balance only required the public benefits to be weighed with the harm to the setting of the listed building then this would outweigh the harm that I have identified to this heritage asset. However, I have also found that there would be serious harm to the character and appearance of the area. When this is also weighed in the balance I find that the totality of the harmful impacts significantly and demonstrably outweighs the benefits of the scheme. In the context of 'the Framework' as a whole, the proposal would perform poorly against the environmental dimension to sustainable development. I therefore conclude that the appeal should not succeed.

Neil Pope

Inspector

Richborough Estates

APPEARANCES

FOR THE LOCAL PLANNING AUTHORITY:

Mr T Leader of Counsel	Instructed by Ms C Gutteridge, Solicitor, Warwickshire County Council (WCC)
He called	
Mrs C Cox BA (Hons), DipLA, DipHS, CMLI	Landscape Architect, WCC
Mr S Sahota BSc (Hons), PGCert, MA, MRTPI	Development Management Team Leader, WDC

FOR THE APPELLANT:

Mr J Cahill QC (<i>assisted by Ms V Hutton</i>)	Instructed by Mrs F Marjoram, Bird Wilford and Sale Solicitors
He called	
Mr M Joffe PG, DipLA, CMLI	Principal Landscape Architect, The Environmental Dimension Partnership (EDP)
Mr A Crutchley BA (Hons), PGDip, IfA	Director and Team Leader, Archaeology and Heritage Team, EDP
Mr G Halman BSc, FRICS, MRTPI	Planning Partner, HOW Planning
<i>Mr S B Clyne LCP (DipSMS), Cert Ed, MAE spoke during the discussion in respect of the planning obligation</i>	<i>EFM Ltd</i>
<i>Mrs Marjoram spoke during the discussions in respect of the planning obligation and conditions</i>	

RULE 6 PARTY (Bishop's Tachbrook Parish Council)

Mr J Powell of Counsel	Instructed by Cllr R Bullen
He called	
Cllr R Bullen Dip.Arch, RIBA	Planning Lead, Bishop's Tachbrook Parish Council

INTERESTED PARTIES:

Mr D Taylor	Local resident
Mr M Drew	Local resident and member of Bishop's Tachbrook Neighbourhood Plan Action Group
Mr J Mackay	Local resident and Chair of the Warwick Society
<i>Mrs M Duffy (spoke during the discussion in respect of the planning obligation)</i>	<i>South Warwickshire NHS Foundation Trust</i>

DOCUMENTS SUBMITTED DURING THE INQUIRY SITTING DAYS:

Document 1	The appellant's opening statement
Document 2	WDC's opening statement
Document 3	List of recently granted housing schemes
Document 4	Decision and Report – APP/D3830/V/14/2211499
Document 5	Decision and Report – APP/Y3940/A/13/2200503
Document 6	Mr Drew's Statement
Document 7	Bundle of supplementary documents, plans and photographs to Cllr Bullen's proof, including a copy of the draft NP
Document 8	'Village Housing Options and Settlement Boundaries Consultation' WDC 2013
Document 9	LP policies DP3 and RAP10
Document 10	Minutes of PC meeting of 19/6/14
Document 11	Hurstpierpoint & Sayers Common Neighbourhood Plan
Document 12	List entry Grade II listed barn north east of Hill Farmhouse
Document 13	Summary of S106 obligations for the Bloor's housing scheme
Document 14	Plan of Bishop's Tachbrook Landscape Sensitivity to Housing Development
Document 15	Extracts from The Neighbourhood Planning (General) Regulations 2012
Document 16	Extracts from the Planning Practice Guidance
Document 17	Steps to making a Neighbourhood Plan (WDC notes)
Document 18	Bishop's Tachbrook Neighbourhood Plan Aims and Issues
Document 19	Draft representations of Mr Mackay
Document 20	Note from Mrs Cox – cumulative landscape impact
Document 21	Mr Crutchley's Statement and Appendix EDP2
Document 22	Plan showing location of oak tree subject to a TPO
Document 23	Section 106 Benefits
Document 24	Appellant's list of planning benefits
Document 25	Extracts from the LP
Document 26	Emerging LP
Document 27	Mrs Duffy's Statement
Document 28	Mr Clyne's Rebuttal and Appendices
Document 29	Notes from WDC regarding the S106 obligation
Document 30	Note of PC meeting on 18/9/14
Document 31	Representation from some unknown local residents
Document 32	Plans and photographs in respect of St. Mary's Church tower
Document 33	Steps to making a Neighbourhood Plan (Parish Council's notes)
Document 34	Addendum to Statement of Common Ground – bat roosts
Document 35	List of suggested planning conditions
Document 36	Additional note from WDC – S106 contributions (sports facilities)
Document 37	Completed S106 unilateral undertaking
Document 38	OS map showing location of proposed housing allocations and public rights of way
Document 39	Appendix 4 to Mr Joffe's proof

DOCUMENTS SUBMITTED AFTER THE INQUIRY SITTING DAYS:

Document 40	PC's closing submissions
Document 41	WDC's closing submissions
Document 42	Appellant's closing submissions
Document 43	Appellant's response to WDC's and PC's closing submissions