

REPRESENTATIONS TO THE RADFORD SEMELE NEIGHBOURHOOD PLAN AUGUST 2020

SUBMISSION VERSION (REGULATION 15)

ON BEHALF OF TAYLOR WIMPEY

**Radford Semele Neighbourhood
Development Plan (Reg 15)**

**Regulation 16 Consultation:
Representations on behalf of
Taylor Wimpey**

August 2020

Document status

Version	Purpose of document	Authored by	Reviewed by	Approved by	Date
2	Radford Semele Neighbourhood Development Plan (Reg 15) Regulation 16 Consultation: Representations on behalf of Taylor Wimpey August 2020	Darren Oakley	Paul Hill	Paul Hill	18/08/20

This report was prepared by **RPS Consulting Services Ltd** ('RPS') within the terms of its engagement and in direct response to a scope of services. This report is strictly limited to the purpose and the facts and matters stated in it and does not apply directly or indirectly and must not be used for any other application, purpose, use or matter. In preparing the report, RPS may have relied upon information provided to it at the time by other parties. RPS accepts no responsibility as to the accuracy or completeness of information provided by those parties at the time of preparing the report. The report does not take into account any changes in information that may have occurred since the publication of the report. If the information relied upon is subsequently determined to be false, inaccurate or incomplete then it is possible that the observations and conclusions expressed in the report may have changed. RPS does not warrant the contents of this report and shall not assume any responsibility or liability for loss whatsoever to any third party caused by, related to or arising out of any use or reliance on the report howsoever. No part of this report, its attachments or appendices may be reproduced by any process without the written consent of RPS. All enquiries should be directed to RPS.

Contents

1	INTRODUCTION.....	ii
2	NATIONAL POLICY FRAMEWORK.....	iii
3	BASIC CONDITIONS STATEMENT	6
4	REPRESENTATIONS ON RADFORD SEMELE NP SUBMISSION VERSION.....	10
5	OTHER MATTERS	15
6	SUMMARY AND CONCLUSION	16

1 INTRODUCTION

1.1.1 These representations have been prepared by RPS Consulting Services Ltd ('RPS') on behalf of Taylor Wimpey ('TW') who have in interest the Radford Semele Neighbourhood Plan area ('RSNP'). The representations are in response to the Regulation 15 version of the Radford Semele Neighbourhood Plan ('RSDP') and also, where relevant, the supporting documentation submitted by Radford Semele Parish Council ('RSPC') and also Warwick District Council ('WDC'). The formal representations set out in this submission are prepared under Regulation 16 of the same regulations.

Structure of Report

1.1.2 This submission is structured to provide a specific response to those matters relevant to the Basic Conditions tests, with additional representations in support of those specific responses. Responses to all sections below represent the formal response of TW to RSPC.

1.1.3 The report structure is as follows:

- Chapter 1: Introduction, including structure of the submission;
- Chapter 2: National Policy Framework;
- Chapter 3: Representations on the Basic Conditions Test;
- Chapter 4: Representations on the RSDP Submission Document;
- Chapter 5: Other Matters (SEA Screening)
- Chapter 6: Summary and Conclusions

1.1.4 RPS briefly summarises the main policy context as a basis for the comments set out subsequently in this submission.

2 NATIONAL POLICY FRAMEWORK

National Policy and Guidance on Neighbourhood Plans

- 2.1.1 This section highlights the key elements of national policy and practice guidance that the ‘Qualifying body’ (Radford Semele Parish Council) and the ‘Competent Authority’ (Warwick District Council) must have regard to in the preparation of the RSNP. This includes the requirement for appropriate evidence that can properly inform the preparation of policies in the neighbourhood plan, thus ensuring the plan has a sufficient evidential basis and that potential conflict between neighbourhood and local plan policies can be avoided. This also includes ensuring that the process of consultation and engagement has been effective allowing all parties to input into the process at the appropriate stages of plan production.
- 2.1.2 Paragraph 37 of the National Planning Policy Framework (NPPF) 2019 explains that:
- “Neighbourhood plans must meet certain ‘basic conditions’ and other legal requirements before they can come into force. These are tested through an independent examination before the neighbourhood plan may proceed to referendum.”*
- 2.1.3 The basic conditions are set out in Paragraph 8(2) of Schedule 4b of the Town and Country Planning Act 1990 (as amended) and supported by the Neighbourhood Plan chapter of the PPG. They are as follows:
- (2) *A draft order meets the basic conditions if—*
- (a) *having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the order;*
- (b) *having special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses, it is appropriate to make the order;*
- (c) *having special regard to the desirability of preserving or enhancing the character or appearance of any conservation area, it is appropriate to make the order;*
- (d) *the making of the order contributes to the achievement of sustainable development;*
- (e) *the making of the order is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area);*
- (f) *the making of the order does not breach, and is otherwise compatible with, EU obligations; and*
- (g) *prescribed conditions are met in relation to the order and prescribed matters have been complied with in connection with the proposal for the order.*
- 2.1.4 While it is often considered (by some) that the examination of Neighbourhood Plans embodies a “light touch” approach, the PPG makes clear that should not be case. It is important therefore that robust representations are made in respect of the process, which TW do here. There is significant guidance on what neighbourhood planning involves, the interaction between Neighbourhood Plans and strategic policies contained in extant and emerging development plans, and how the basic conditions can be met.
- 2.1.5 Paragraph 30 of the NPPF explains that,

“Once a neighbourhood plan has been brought into force, the policies it contains take precedence over existing non-strategic policies in a local plan covering the neighbourhood area, where they are in conflict; unless they are superseded by strategic or non-strategic policies that are adopted subsequently...”

- 2.1.6 Neighbourhood Plans are a powerful tool for development management purposes insofar they are not superseded by subsequent policies. It is important therefore that Neighbourhood Plans are carefully and coherently drafted to ensure that they do not prevent sustainable development, are consistent with existing development plan policies as well as national planning policy and guidance.
- 2.1.7 The interaction between the RSNP and the extant development plan¹ are important. The RSNP must be in general conformity with the strategic policies of the development plan. While neighbourhood plans should support the delivery of strategic policies set out in the development plan, national policy and guidance is very clear that they must not themselves contain strategic policies. That is the task for the local plan, which should set out clearly the strategic policies. The role of Neighbourhood Plans is to shape and direct development that is at the level below those of the strategic policies.
- 2.1.8 The NPPF (para 18) states that *“Policies to address non-strategic matters should be included in local plans that contain both strategic and non-strategic policies, and/or in local or neighbourhood plans that contain just non-strategic policies.”* (Emphasis added)
- 2.1.9 Furthermore, the NPPF (para 29) concludes, *“Neighbourhood plans should not promote less development than set out in the strategic policies for the area or undermine those strategic policies”*. RPS notes that the RSNP does not seek to allocate any additional sites for development, but the RSNP does propose to designate certain parcels of land for protection under the development plan.
- 2.1.10 In respect of proposed designations, the process of allocating or designating new parcels of land in the neighbourhood plan as a means to influence decision-making on those sites must be undertaken in the context of the relevant strategic policies in the higher order plan and also to ensure that conflicts between the two plans are kept to a minimum, as required in the PPG.

Sustainability Appraisal/Strategic Environmental Assessment

- 2.1.11 While there is no legal requirement for neighbourhood plans to have a SA, there may be instances where a neighbourhood plan is likely to have significant environmental effects, and so will require a strategic environmental assessment (“SEA”). It is acknowledged that whilst the BNDP does not seek to allocate development-led allocations, it does seek to designate certain sites in the pursuit of environmental planning objectives.
- 2.1.12 If likely significant (positive or negative) environmental effects are identified, an environmental report must be prepared as has been done here; one of the basic conditions that will be tested by the independent examiner is whether the making of the neighbourhood plan is compatible with European Union obligations (including under the Strategic Environmental Assessment Directive).²
- 2.1.13 The SA provides the vehicle through which the SEA can be carried out. As the PPG explains,

¹ For the purposes of the Basic Conditions, the Development Plan comprises the Warwick Local Plan (adopted Sept 2017)

² PPG Paragraph: 027 Reference ID: 11-027-20150209

“Sustainability appraisals incorporate the requirements of the Environmental Assessment of Plans and Programmes Regulations 2004 (commonly referred to as the ‘Strategic Environmental Assessment Regulations’), which implement the requirements of the European Directive 2001/42/EC (the ‘Strategic Environmental Assessment Directive’) on the assessment of the effects of certain plans and programmes on the environment. Sustainability appraisal ensures that potential environmental effects are given full consideration alongside social and economic issues.”³

- 2.1.14 In terms of consultation, a qualifying body must publicise the draft neighbourhood plan or Order for at least 6 weeks and consult any of the consultation bodies whose interests it considers may be affected by the draft plan. That was undertaken at Reg. 14 stage. There are also consultation requirements in relation to the SEA, set out at Reg. 13 the Environmental Assessment of Plans and Programmes Regulations 2004 (“the SEA Regulations”). The consultation should be for such length as will ensure that the consultation bodies and the public consultees are given an effective opportunity to express their opinion on the relevant documents.
- 2.1.15 There is of course a further stage of consultation following the submission of a NP to the LPA (see Regs. 16, 17, 23 and 24), the length of which, should ensure that the consultation bodies and the public consultees are given an effective opportunity to express their opinion on the relevant documents. There is no suggestion that the legal requirements concerning consultation have not been adhered to appropriately in the RSNP.

The Development Plan

- 2.2.1 As highlighted above⁴, the development plan for the purposes of the RSNP process comprise the Warwick Local Plan (WLP) 2011-2029, adopted September 2017. The strategic policies for the purposes of the basic conditions test are set out in this plan.
- 2.2.2 It is therefore noted that, on being made, the RSNP

³ Paragraph: 001 Reference ID: 11-001-20140306

⁴ Footnote 1

3 BASIC CONDITIONS STATEMENT

RSNP Regulation 15 Basic Conditions Statement

- 3.1.1 Alongside the RSNP Regulation 15 Version, BPC has submitted its Basic Condition Statement (BCS), as required by the neighbourhood plan regulations⁵ to explain how the proposed neighbourhood development plan meets the requirements of paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990.
- 3.1.2 For reference the Basic Conditions in the regulations are summarised below:
- (a) having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the order;*
 - (b) having special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses, it is appropriate to make the order;*
 - (c) having special regard to the desirability of preserving or enhancing the character or appearance of any conservation area, it is appropriate to make the order;*
 - (d) the making of the order contributes to the achievement of sustainable development;*
 - (e) the making of the order is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area);*
 - (f) the making of the order does not breach, and is otherwise compatible with, EU obligations;*
 - (g) prescribed conditions are met in relation to the order and prescribed matters have been complied with in connection with the proposal for the order.*
 - (g) prescribed conditions are met in relation to the order and prescribed matters have been complied with in connection with the proposal for the order*
- 3.1.3 RPS has reviewed the Basic Conditions Statement submitted by RSPC and sets out its representations in response below. References to other parts of these representations are included here, where relevant, to help support the matters raised under each respective condition.

Criteria (a) – Regard to national policies and advice;

- 3.2.1 The BCS sets out the parish's response in relation to how it claims to have met this basic conditions test (at section 3.1 and supporting Table 1 refers. RPS has some concerns with the RSNP as it contains a number of policies that do not pay appropriate regard to national policies and guidance and so fail against the criteria.

⁵ Section 15(1) of the Neighbourhood Planning Regulations 2012

Policy RS1 Securing a Suitable Mix of Housing Types, Tenures and Sizes in New Developments

- 3.2.2 RPS does not object to the principle of including this policy in the RSNP. However, RPS does object to the attempts to confer inappropriate weight to non-statutory guidance outside the development plan. This is specifically in relation to the second paragraph of the submitted policy, which states:

*“Applicants proposing new homes **must** show how they have considered and responded to guidance provided through the WDC Residential Design Guide, Secured by Design (SBD) and the Lifetime Homes Standard. New housing **must** seek to meet WDC’s Climate Emergency commitments.” (emphasis added)*

- 3.2.3 By seeking to apply the stated guidance and standards in such a rigid and prescriptive manner, the RSNP is attempting to introduce supplementary guidance (not part of the development plan) into the development plan. Such a move is contrary to the Framework and planning practice guidance⁶, which clearly defines supplementary planning documents as capable of being material considerations only and therefore it is not a requirement to consider any specific guidance supplementary to the development plan in principle.
- 3.2.4 On this basis, the policy fails criteria (a) of the basic conditions.

Policy RS2– Local Green Spaces

- 3.2.5 RPS notes the intention to adopt three open spaces in the area as Local Green Spaces (LGS) under Policy RS2. National policy relating to LGS is set out at paragraphs 99-101 of the Framework. The Framework allows local communities to identify and protect green areas of *particular importance to them*, provided they are consistent with the local planning of sustainable development, and should endure beyond the end of the plan period (para 99 refers, emphasis added). In particular, plans must identify sufficient land in suitable locations to meet identified development needs and the [LGS] designation should not be used in a way that undermines this aim of plan making⁷.
- 3.2.6 The criteria for assessing and identifying LGSs is set out at paragraph 100 of the Framework. Firstly, LGS must be in reasonably close proximity to the communities they serve. In addition, they should be demonstrably special, for example, by way of their beauty, historic significance; recreational value; tranquillity or richness of their wildlife.
- 3.2.7 It is important to highlight at the outset the reference to ‘for example’ included in the Framework in respect of LGSs. In this regard, the five factors listed in the last sentence above (and set out in point b. of paragraph 100 of the Framework), it is not a requirement to meet fully each and every criteria in all cases to justify a site as warranting LGS designation. The decision to propose an area of land as LGS will be based on a planning judgement, or local discretion⁸, informed by the assessment and any other relevant considerations.

⁶ Paragraph: 008 Reference ID: 61-008-20190315 Revision date: 15 03 2019

⁷ Paragraph: 007 Reference ID: 37-007-20140306 Revision date: 06 03 2014

⁸ Paragraph: 013 Reference ID: 37-013-20140306 Revision date: 06 03 2014

- 3.2.8 Finally, the Framework also states that an LGS should also be local in character; and not an extensive tract land. Once designated, these areas will be managed in ways consistent with green belt policy (paragraph 101 of the Framework refers).
- 3.2.9 In terms of the approach taken by RSPC in determining the spaces to propose as LGSs, this was informed by public engagement as part of the wider consultation on the emerging RSNP in which there was a local priority to identify green spaces highlighted by the local community following early consultation in September 2017 (Table 1, RSNP Consultation Statement refers).
- 3.2.10 It is noted that neither the Framework nor the Planning Practice Guidance (PPG) include any detailed methodology for conducting assessments of areas for potential LGS designation. Despite this, the RSNP does include details relating to the assessment work undertaken and the conclusions drawn which underpin the eventual choices made by RSPC as to the sites favoured from LGS designation (RSNP, Table A1a and A1c refers). The assessment has been based on local surveys of the areas using criteria and scoring matrices consistent with the criteria set out in the Framework referred to above. This, ultimately, determined a ranking of sites.
- 3.2.11 On this basis, the RSNP has followed a broadly logical process based on a proportionate evidence and having applied criteria consistent with paragraph 100 of the Framework. Consequently, RPS consider that Policy RS2 does not fail criteria (a) of the basic conditions.
- 3.2.12 Nonetheless, there are specific issues with the wording of the policy, which RPS addresses in the next chapter.

Criteria (d) – contributing to achieving sustainable development

- 3.2.13 RPS would merely point out that the Warwick Local Plan Inspector, in his report issued in September 2017, accepted that no additional site allocations were required at Radford Semele during the remainder of the current plan period (up to 2029) given previous commitments brought forward out with the plan making process. In this context, the RSNP does contribute to achieving sustainable development by seeking to guide development (subject to our concerns regarding specific policies set out elsewhere in these representations).
- 3.2.14 Furthermore, the identification of specific areas of restraint i.e. under Policy RS2 and RS12 do not, in our opinion, prevent future growth beyond the current plan period from being directed to Radford Semele as one the district's growth villages. This is a matter to be addressed once the local plan review commences.
- 3.2.15 In this context, RPS considers that the RSNP does not fail criteria (d) of the basic conditions test.

Criteria (e) - General conformity with the strategic policies contained in the development plan for the area

- 3.3.1 RPS notes that the RSNP does not seek to allocate any land at Radford Semele settlement in this current round of plan making up to 2029. This is due, in the main, to existing commitments already approved and being built out in the settlement, being considered sufficient through the adopted Local Plan process and a matter for future assessment under the future Warwick District Local Plan review process.
- 3.3.2 The key strategic policy of the development plan in this regard is Policy DS4 (Spatial Strategy) of the WLP, which seeks to direct growth to appropriate locations across the district. This policy is not considered in the Basic Conditions Statement but is clearly a relevant policy under this criterion.

RPS would therefore point out that the RSNP does not seek to apply a blanket restriction on development in Radford Semele. The RSNP seeks to establish a number of specific, discrete areas of restraint, including an Area of Separation to the west of the settlement, under Policy RS12, which is consistent with Policy DS4 (criterion d) and Policy NE4 (criterion i) of the WLP. Development therefore and can be brought forward of the appropriate type in appropriate locations.

- 3.3.3 Other policies, including Policy RS2 (Local Green Space) are in general conformity with the development plan, given the in-principle support for them in Policy HS3 of the WLP, subject to meeting the requirements of the Framework. It is important to note that the Council considers it appropriate for local people to determine what areas of open space are valuable to them through neighbourhood plans (paragraph 5.76 of the WLP refers). It follows that the designation of LGSs at the neighbourhood plan scale must, at least in principle, accord with the strategic objectives of the development plan, which themselves frame the strategic and non-strategic policies themselves.
- 3.3.4 On this basis, RPS considers that the RSNP does not fail criteria (e) of the basic condition test.
- 3.3.5 Nonetheless, RPS does have a number of specific comments to raise on individual policies, and these are dealt with in the next chapter.

4 REPRESENTATIONS ON RADFORD SEMELE NP SUBMISSION VERSION

General

- 4.1.1 RPS has a number of specific comments to make on a number of proposed policies in the RSNP as submitted. They cover those policies that RPS consider, if made, are likely to impact most on future development proposals in the Radford Semele Neighbourhood Plan area. These are set out below.
- 4.1.2 In overall terms, RPS consider that some of the policies are overly detailed and are potentially unhelpful as they seek to duplicate a number of strategic policies of the development plan or, conversely, are not detailed enough.

Housing

- 4.1.3 Whilst it is noted the RSNP does not propose any housing allocations, it is noted that the paragraph 4.4 states:

“The proposed new housing number up to the end of the plan period (2029) exceeds the allotted number in the Local Plan by 116 dwellings, “with a resultant increase of some 38% of the total dwellings in the village”. The RSNP will, therefore, not look to identify further sites or change the growth village envelope. These will remain unchanged and be used to manage any proposed housing growth to 2029...”

- 4.1.4 This statement is factually correct that the adopted Local Plan did not seek any additional housing allocations, principally given the level of housing that was already committed. However, the Warwick District Local Plan is to be reviewed and this review plan will be in place most likely well before the end of 2029. The above wording which indicates that Radford Semele has effectively closed the gates to any new development being brought through that Local Plan review process should be removed. Radford Semele is one of the Districts principal and most sustainable settlements, being outside the Green Belt with excellent accessibility to Warwick and Leamington. References to the village envelopes remaining unchanged to 2029 should therefore be omitted.
- 4.1.5 Furthermore, in this context, it is worth noting the very recent consultation issued by the Government on 6th August 2020 entitled, *Changes to the current planning system: Consultation on changes to planning policy and regulations*, which was published as part of a package of proposals for reform of the planning system in England set out in the *Planning for the Future White Paper*. These reforms are intended to streamline and modernise the planning process, improve outcomes on design and sustainability, reform developer contributions and ensure more land is available for development where it is needed.
- 4.1.6 Part of the Government’s proposed changes to national planning policy⁹ include the method by which housing need and requirements are calculated for each local planning authority area. This is with the intended purpose of delivering the Government’s aspiration for 300,000 additional new homes each year across the country. The proposed changes are significant to Warwick District,

⁹ Paragraphs 17 to 39 of *Changes to the current planning system: Consultation on changes to planning policy and regulations* detail the proposed changes to the standard methodology for calculating local housing need

and therefore Radford Semele neighbourhood plan area, which will see a substantial increase in housing need in the future compared to the level of growth planned for in the WDLP.

- 4.1.7 Based on calculations carried out by RPS using the new methodology, it is estimated that future housing need, district-wide, will be 910 dwellings per annum. This differs substantially from the WDLP, which only plans for 600 dwellings to meet its own needs using the previous approach for assessing housing need¹⁰ (representing a 50% increase). This is also before any consideration is given to addressing any cross-boundary strategic issues, including any unmet need continuing to emanate from its neighbours (i.e. Coventry), a matter dealt with in the adopted WDLP.
- 4.1.8 When comparing district-only need currently being planned for with that suggested under the new methodology, the increase is therefore significant and will likely require a step-change in planning and delivery of growth to meet the development needs of the area beyond 2029 (if not before). This will have implications for how growth is likely to be distributed across the District, with greater focus on the more sustainable locations outside the Green Belt, including Radford Semele. Consequently, RPS suggests that the RSNP should recognise this by including greater flexibility with respect to the treatment of the settlement boundary referred to above, in the context of the likely substantial increase in housing need in the area under the new system (as proposed).

Policy RS1: Securing a Suitable Mix of Housing

- 4.1.9 RPS acknowledges that this policy seeks to influence the mix, type and tenure of housing proposals brought forward the neighbourhood plan area. Nonetheless, RPS has two comments to make in response to this policy.
- 4.1.10 Firstly, RPS notes that the first paragraph of the policy seeks to establish, as a presumption, the use of the Parish Housing Needs Survey (latest version dated June 2017) as part of the evidence base that applicants should use in deriving the housing mix on their sites. Furthermore, applicant should also demonstrate that this survey has been ‘met’ as part of the application process.
- 4.1.11 RPS does not agree with this approach as it conflates and contradicts the intentions of the higher order policy (in this case Policy H4 of the WDLP). Policy H4 (Securing a Mix of housing), at page 72 of the WDLP, requires all residential schemes to include a mix of market housing that contributes a balance of house types and sizes ‘...in accordance with the latest Strategic Housing Market Assessment [SHMA]...’. In rural areas, the policy states that new developments may be informed by more local evidence in the form of ‘...an up to date village or parish needs assessment that is more appropriate indication of housing need...’ (criterion e. of Policy H4 refers). Policy H4 therefore intends for local parish need surveys to be applied in circumstances where the SHMA is not suitable and so these would be applied *instead of*, rather than *in addition to*, the use of information in the SHMA (as is the approach suggested in Policy RS1). RPS notes that the reasoned justification to Policy RS1 does not include any justification as to why the parish needs survey is more appropriate than the SHMA, as is required to be demonstrated under Policy H4.
- 4.1.12 Consequently, RPS suggests that either additional clarification is presented as to why the parish needs survey (itself now over three years old) is any more appropriate than the SHMA evidence base, or that the policy be modified to remove the reference to schemes having to meet the parish need survey as a matter of principle.

¹⁰ Warwick District Local Plan 2011-29, paragraph 2.18

- 4.1.13 Secondly, and consistent with the concerns raised under the basic conditions test (criterion a.), RPS does not support the approach in the second paragraph of Policy RS2 which would require applicants to respond to the WDC Residential Design Guide, Secured by Design (SBD) and Lifetimes Homes Standards as part of the planning application process. This would be by reference to the use of ‘...*must*...’ in the policy as drafted. This approach would risk elevating supplementary planning guidance to the status of policy, contrary to national policy which defines the function and role of supplementary guidance in the planning process.
- 4.1.14 RPS also notes a similar reference to the ‘WDC Climate Emergency Commitment’ also in the second paragraph of the policy. RPS notes that the WDLP makes no reference to the District Council’s position on this, nor does it set out any requirement that proposals should respond to any future broader corporate policy pledges relating to climate change, or any other. If the District Council wishes to adopt this as part of the wider development plan policy framework for their area in the future, then that should be argued through the local plan review against which neighbourhood plans would need to conform and respond to.
- 4.1.15 In light of this, RPS suggests that the word ‘...*must*...’ is deleted from the policy and replaced by ‘...*have regard to*...’ or other such similar wording more appropriate to this issue.

Policy RS2: Local Green Spaces

- 4.1.16 RPS notes the parish council’s intention to designate a number of open spaces in the neighbourhood plan area as ‘Local Green Space’ (LGS). The national planning policy framework sets out the criteria against which such proposals should be judged, which has been discussed briefly in the preceding chapter of this submission in the context of the basic conditions test. It must be noted at the outset that the WDLP specifically supports the principle of designating sites within the District as LGS (Policy HS3 refers).
- 4.1.17 RPS does, nonetheless, have some more specific comments to make on the approach and conclusions drawn on LGS in the RSNP, as submitted.
- 4.1.18 Policy RS2 seeks to designate three separate spaces as LGS, namely; RS2/1 Church Fields West and East (two sites divided by an access road to the church itself); RS2/2 Leigh Foss; and RS2/3 Angley Hole and Woods. These are illustrated on Policy Map 2 of the RSNP, with the justification for the LGS designations is set out at Appendix 1.
- 4.1.19 In broad terms, as stated previously, the assessment of sites summarised in Appendix 1 has considered the main criteria listed in the Framework at paragraphs 99-100. A consideration fundamental in justifying the designation of sites as LGS is whether such designations are consistent with local planning for sustainable in the area and whether they would undermine the ability of Councils to identify sufficient land in suitable locations to meet identified development need of the District¹¹. In this regard, the WDLP was only adopted less than three years ago (September 2017) and has identified sufficient land to meet the needs of the District and Radford Semele in the context of the current plan period (2011-2029). Consequently, the designation of these sites as LGS are unlikely to undermine the deliverability of the adopted development plan in Warwick given the scale of existing land supply, and so their exclusion from LGS designation would

¹¹ PPG Paragraph: 007 Reference ID: 37-007-20140306

not be material to meeting the development needs of the area. This is an important consideration when judging the purpose of designating these sites in this neighbourhood plan as LGS.

- 4.1.20 In relation to the sites specifically, each site has a number of features and characteristics under each criterion that, when taken together, act as a 'cumulative support' for their designation, rather than any single characteristic or feature, that make them 'demonstrably special and hold particular local significance' to the local community. This is part of the purpose of paragraph 100b of the Framework, which does not prescribe the factors that must be taken into account but recognises that each site will be different and have its own characteristics that warrant protection under the policy. These sites have been identified and set out in the RSNP according to the assessment work undertaken and they provide the Examiner with the local evidence of local community support for their designation in the RSNP.
- 4.1.21 Nonetheless, RPS notes that the policy wording does not set out any specific criteria against which any future development proposals would be judged. It is not sufficient simply to rely on national policy on Green Belt for determining planning applications. Consequently, RPS would suggest that RSPC prepare draft wording and submit this to the Examiner for their deliberation as part of the pre-referendum process.

Policy RS6 Conserving and Enhancing Radford Semele's Landscape Character (Policy Map 6)

- 4.1.22 RPS notes the inclusion of a policy relating to conserving and enhancing the parish's landscape character. The first sentence of the policy states that any new development '*...must protect, conserve and enhance the area's landscape character...*'. This is contrary to Policy NE4 of the WDLP, which only refers to '*important landscape features in accordance with the latest local and national guidance*' (criterion e. refers). Furthermore, such a prescriptive and blanket approach which treats all landscape features as having the same value, is also contrary to national policy (paragraph 170a refers) which refers to '*...protecting and enhancing valued landscapes in a manner commensurate with their statutory status and identified quality in the development plan...*'.
- 4.1.23 Consequently, RPS would suggest that the wording in the first sentence of Policy RS6 be modified to bring into line with adopted development plan and national policy dealing with landscape character and in particular, valued landscapes.
- 4.1.24 However, RPS consider the detailed assessment given to very specific views to be protected under the policy is appropriate as defined in Policy Map 6. This has followed the identification of eight Community Valued Views (CVVs) under this policy (Policy Map 6 refers) and the evidence base for these set out at Appendix 3 of the RSNP. This is the correct approach which has followed a careful on the ground assessment of views which are of value and are of particular importance to the community.
- 4.1.25 RPS is supportive of the approach, as these are judged by RSPC to represent 'valued landscapes' which the local consider worthy of maintaining in its present format (RSNP, Appendix 3 refers) which is an approach broadly consistent with the development plan and national policy.

Policy RS12: Area of Separation

- 4.1.26 RPS notes the inclusion of an area of separation (AoS) between Radford Semele settlement and Leamington Spa to the west of the parish (Policy Map 8 refers). RPS considers such an approach to be consistent with the spatial strategy of the adopted WDLP, which supports, '*...limiting*

development on sites that would lead to the coalescence of settlements to ensure settlement identity is retained... (Policy DS4, criterion d. refers).

- 4.1.27 The approach on AoS is also consistent with Policy NE4 of the WDLP, which requires all development to demonstrate that they ‘...guard against the potential for coalescence between settlements...’ (criterion i. refers).
- 4.1.28 These policies, when taken together, therefore provide an ‘in principle’ support, in spatial terms, for a more discrete and localised approach through the RSNP process which seeks to safeguard the separate identity of Radford Semele settlement and identified through Map 8.

5 OTHER MATTERS

- 5.1.1 RPS has also reviewed the accompanying documents submitted alongside the RSNP Submission Version. This includes the Strategic Environmental Assessment (SEA) Screening Opinion, updated June 2019 following responses from statutory consultees.
- 5.1.2 Having reviewed this document, RPS concurs with the findings and conclusions (Screening Opinion Outcome, page 10 refers) that a SEA is not required in support of the Radford Semele Neighbourhood Plan.

6 SUMMARY AND CONCLUSION

- 6.1.1 These representations have been prepared by RPS Consulting Services Ltd ('RPS') on behalf of Taylor Wimpey ('TW') who have in interest the Radford Semele Neighbourhood Plan area. The representations are in response to the Regulation 15 version of the Radford Semele Neighbourhood Plan ('RSNP') and also, where relevant, the supporting documentation submitted by Radford Semele Parish Council ('RSPC') and also Warwick District Council ('WDC').
- 6.1.2 As detailed in this submission, RPS has identified a number of deficiencies in the Radford Semele Neighbourhood Plan.
- 6.1.3 On the basis of the representations set out in this submission RPS contends that the RSNP (as submitted) fails the criteria under the Basic Conditions Test. These are presented in Chapter 3 of this submission. This is namely: *insufficient regard to national policies and advice (criteria a.) with respect to Policy RS1.*
- 6.1.4 A number of modifications are also sought in response to concerns raised in these representations on specific detail under various policies in the RSNP. These are presented in Chapter 4 of this submission. In summary, a number of policies are too prescriptive (RS1, RS6) whilst others are too vague lacking sufficient detail to be effective in judging planning applications (RS3). In addition, greater recognition should be given in the RSNP to the impending increase in housing need at the District-wide level under the Government's proposed changes to the standard methodology, which will start to bite once the WDLP review commences, most likely prior to 2029 (the end date of the RSNP).
- 6.1.5 On this basis, it is contended that the RSNP should not proceed to referendum in its current form, without incorporating the suggested modifications set out in this submission (or as proposed by the Examiner). RPS therefore recommends that the modifications suggested in this submission should be given due consideration by the Competent Authority and the Examiner as part of the next stage in the process of making the Radford Semele Neighbourhood Plan.
- 6.1.6 Should a Public Examination be considered appropriate by the Examiner to assess the representations, RPS would wish to be included as part of that process.