

Tysoe Neighbourhood Development Plan

Basic Conditions Statement

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1. Introduction

- 1.1. This Basic Conditions Statement has been prepared to accompany the Tysoe Neighbourhood Development Plan (TNDP).

The Basic Conditions

- 1.2. Paragraph 8, sub-paragraph (2), of schedule 4B to the Town and Country Planning Act 1990 requires a Neighbourhood Development Plan to meet the following basic conditions:

- 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.

- 1.3. This Basic Conditions Statement addresses these requirements in four sections:

Section 2 Demonstrates conformity with the National Planning Policy Framework as revised in February 2019 (NPPF);

Section 3 Shows how the TNDP will contribute to sustainable development and the various designated heritage assets throughout the Neighbourhood Area;

Section 4 Demonstrates conformity with the strategic policies contained within the Stratford-on-Avon District Council (SDC) Core Strategy; and

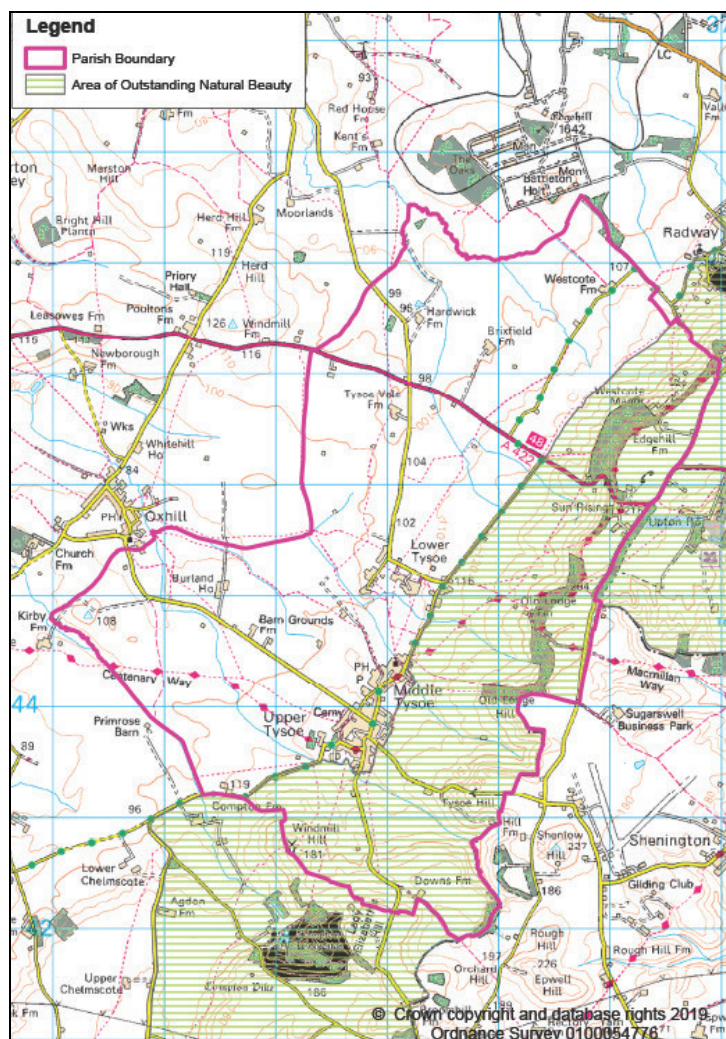
Section 5 Demonstrates compliance with the appropriate EU obligations.

The Qualifying Body

- 1.4. The TNDP is submitted by Tysoe Parish Council, who is the qualifying body as defined by the Localism Act 2011.

The Neighbourhood Area

- 1.5. The TNDP applies to the Parish of Tysoe which is within Stratford-on-Avon District. In accordance with Part 2 of the Regulations, SDC, as the local planning authority, publicised the Neighbourhood Area application from Tysoe Parish Council to designate their Parish for the purposes of producing a NDP and advertised it accordingly for the statutory period of 6 weeks.
- 1.6. The application was approved by the Cabinet of SDC on 10 February 2014 and consequently the Parish of Tysoe was designated as a Neighbourhood Area.
- 1.7. Tysoe Parish Council confirms that the TNDP:
 - Relates only to the Parish of Tysoe and to no other Neighbourhood Area(s); and
 - Is the only NDP within the designated area and no other NDP exists nor is in development for part or all of the designated area.
- 1.8. Tysoe is a village and a Parish in the county of Warwickshire. The Parish is predominately open countryside with the settlements of Lower, Middle and Upper Tysoe being located in the southern half of the Parish.



Tysoe Neighbourhood Area

- 1.9. Tysoe is a civil parish in the Stratford-on-Avon district, in the county of Warwickshire, England, approximately 11 miles southeast of Stratford upon Avon and 9 miles north-west of Banbury. The three main settlements in the parish, Upper, Middle and Lower Tysoe are on a hill, hence the respective village names. Upper and Middle Tysoe have now coalesced, whereas Lower Tysoe is still physically separated from Upper and Middle Tysoe by a small gap.

Plan Period

- 1.10. The TNDP states that the period it relates to is from 2011 until 2031. The period has been chosen to align with the dates of SDC's Core Strategy.

2. National Planning Policy Framework

- 2.1. The TNDP must have appropriate regard to national planning policy. The following section describes how the TNDP relates to the National Planning Policy Framework (NPPF) revised February 2019.

Sustainable Development

- 2.2. The central theme throughout the NPPF is the presumption in favour of sustainable development. In this context sustainable development is broadly defined internationally as meeting the needs of the present without compromising the ability of future generations to meet their own needs.
- 2.3. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives).

- an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and
- an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

- 2.4. Paragraph 9 of NPPF gives clear advice on how plans should contribute to these sustainability objectives:

“Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.”

- 2.5. Paragraph 13 states the role of neighbourhood plans in attaining sustainable development:

“Neighbourhood plans should support the delivery of strategic policies contained in local plans or spatial development strategies; and should shape and direct development that is outside of these strategic policies.”

2.6. Footnote 16 to paragraph 29 notes that:

“Neighbourhood plans must be in general conformity with the strategic policies contained in any development plan that covers their area.”

2.7. In addition to contributing to the district’s strategic development plan, Paragraph 69 adds that:

“Neighbourhood planning groups should also consider the opportunities for allocating small and medium-sized sites (of a size consistent with paragraph 68a) suitable for housing in their areas.”

2.8. Neighbourhood Plans can do more than just support or facilitate development. They also have a part to play in meeting other sustainability objectives of the NPPF. The NPPF chapters to which Tysoe’s plan contributes are:

- Delivering a sufficient supply of homes;
- Building a strong, competitive economy;
- Promoting healthy and safe communities;
- Promoting sustainable transport;
- Making effective use of land;
- Achieving well-designed places;
- Protecting Green Belt Land(in Tysoe’s case: Local Green Spaces);
- Meeting the challenge of climate change, flooding and coastal change;
- Conserving and enhancing the natural environment; and
- Conserving and enhancing the historic environment.

2.9. The tables below summarises how TNDP policies contribute to the sustainability objectives of NPPF:

Achieving sustainable development

Housing Policy 1 supports new development within the village boundary which is a considered to be a sustainable location. **Housing Policy 2** requires sites allocated for development in sustainable location to have suitable and sustainable drainage proposals. **Housing Policy 5** promotes a market housing mix for developments which incorporates percentage targets for affordable housing. **Employment Policies 1 and 2** encourage opportunities to increase local working and reduce the number of vehicle journeys. **Natural Environment Policies 2 and 7** seek to reinforce the existing ecological harmony between development and local wildlife. **Natural Environment Policy 3** requires new developments to incorporate Sustainable Drainage Systems (SuDS) wherever possible. **Built Environment Policy 3** promotes energy efficiency and renewable energy through support of proposal which comply with Home Quality Mark principles. **Built Environment Policy 6** supports proposals which bring empty homes or redundant agricultural buildings back into use. **Community Assets Policy 1** supports the improvement or enhancing of community assets - all of which help maintain the social, economic and environmental wellbeing of the community.

Plan making

Housing Policy 2 allocates development sites and **Housing Policy 3** allocates strategic reserve sites that enable residential development as required by SDC's Core Strategy strategic allocation for Tysoe's class of village and future planned growth.

Delivering a sufficient supply of homes

Housing Policy 2 designates development sites that enable residential development as required by SDC's Core Strategy strategic allocation for Tysoe's class of village. **Housing Policy 3** also allocates strategic reserve sites for the Neighbourhood Area which will be released if it is demonstrated that there is an identified housing need. **Housing Policy 4** supports community-led, small scale developments adjacent to the village's development boundary. **Built Environment Policy 6** supports proposals which bring empty homes or redundant agricultural buildings back into use.

Building a strong, competitive economy

Employment Policies 1 and 2 encourage opportunities protect and enhance local working and reduce the number of vehicle journeys including support for proposals that provide flexible space for home-based working or small scale, mix use live –work units.

Promoting healthy and safe communities

Natural Environment Policy 2 encourages measures to protect the dark skies environment rural tranquillity and minimise light pollution. **Natural Environment Policy 4** designates six Local Green Spaces, which include an allotment, formal sports and recreational spaces. **Community Assets Policy 1** supports proposals which enhance and improve existing community facilities and does not support their loss or partial loss unless it can be replaced or is no longer actively used. **Appendix 2 – Village Design Statement** suggests that all new development should make every effort to conform to Secure by Design principles.

Promoting sustainable transport

Employment Policies 1 and 2 encourage opportunities to protect and enhance local working and reduce the number of vehicle journeys including support for proposals that provide flexible space for home-based working or small scale, mix use live –work units.

Making effective use of land

Built Environment Policy 6 supports proposals which bring empty homes or redundant agricultural buildings back into use.

Achieving well-designed places

Housing Policy 2, Natural Environment Policy 7, Built Environment Policy 1, 2, 3 and 4 in conjunction with **Appendix 2 – Village Design Statement** detail how developments can be designed in a manner which respects heritage assets and is appropriate to the village character and its immediate setting. **Appendix 2 – Village Design Statement** also details guidance on how new development can be integrated sensitively through building materials, layout, landscaping and boundary treatments.

Protecting Green Belt land

Not applicable. There is no Green Belt designated land within the Neighbourhood Area.

Meeting the challenge of climate change, flooding and coastal change

Housing Policy 2 requires sites allocated for development to have suitable and sustainable drainage proposals. **Employment Policies 1 and 2** encourage opportunities protect and enhance local working and reduce the number of vehicle journeys including support for proposals that provide flexible space for home-based working or small scale, mix use live – work units. **Natural Environment Policies 2 and 7** seek to reinforce the existing ecological harmony between development and local wildlife. **Natural Environment Policy 3** requires new developments to incorporate Sustainable Drainage Systems (SuDS) wherever possible and require new developments to mitigate the effects of pluvial and fluvial flooding and mitigate the contribution of foul water on future flooding events. **Built Environment Policy 3** promotes energy efficiency and renewable energy through support of proposal which comply with Home Quality Mark principles. **Appendix 2 – Village Design Statement**, Infrastructure and Environment section provides guidelines on water collection to reduce surface water flooding and support for innovative designs which meet the demands for a low carbon economy.

Conserving and enhancing the natural environment

An Area of Outstanding Natural Beauty (AONB) borders Tysoe to the east. **Natural Environment Policy 1** requires planning proposals requiring permission to demonstrate measures that ensure protection of the special landscape and scenic beauty of the AONB with particular regard to the effect on the Valued Landscapes and Views identified in the plan. **Natural Environment Policy 2** seeks to protect and enhance the rural tranquillity and dark skies environment and minimise light pollution. **Natural Environment Policy 5** identifies eight valued landscapes and local vistas. **Natural Environment Policy 4** designates six Local Green Spaces. **Appendix 2 – Village Design Statement**, Landscape Guidelines section addresses the need to the preserve certain open areas which encourage a variety of wildlife and open aspects which form part of the landscape character. **Natural Environment Policy 7** supports proposals which retain existing and incorporate new sympathetic trees and hedgerows.

Conserving and enhancing the historic environment

The Neighbourhood Area contains a number of listed buildings and two Conservation Areas. **Built Environment Policy 1** requires new developments to assess how they will impact any designated and non-designated local heritage assets. **Appendix 2 – Village Design Statement** details guidance on how new development can be integrated sensitively through building material, design and boundary treatment.

2.10. The table below provides a matrix of the TNDP policies against the relevant paragraphs of the NPPF:

Tysoe Neighbourhood Plan Policy ref.	NPPF Paragraph ref.
Housing	
Policy 1- Housing Growth	78, 79a & c
Policy 2 - Site Allocations	61, 63,
Policy 3 - Strategic Reserve	14, 73
Policy 4 - Rural Exception Housing	60, 63, 64d, 77, 79a & c
Policy 5 - Market Housing Mix (including affordable housing)	60 - 62
Economy and Infrastructure	
Policy 1 - Protecting and Enhancing Local Employment Opportunities	8a, 83d, 121a
Policy 2 - Home Working and Live-work units	8a, 83a, 118a
Natural Environment	
Policy 1 - The Cotswolds Area of Outstanding Natural Beauty	8c, 170a, b & d, 172
Policy 2 - Tranquility and Dark Skies	8c, 170a, b & d, 180
Policy 3 - Flooding and Drainage	8c, 20b & d, 148-150, 155, 156, 163, 165
Policy 4 - Designated Local Green Spaces	8c, 99-101
Policy 5 - Valued Landscapes and Views	8c, 170a & b
Policy 6 - Protected Strategic Gap	
Policy 7 - Trees and Hedgerows	8c, 20, 127, 171, 172, 174, 175
Built Environment	
Policy 1 - Designated and Non-Designated Heritage Assets	8c, 79b, 184, 185, 189, 190, 193—198
Policy 2 - Responding to Local Character	8b, 122d & e, 125-127, 130, 170a
Policy 3 - Energy Efficiency and Renewable Energy	8c, 20d, 150, 151, 154a
Policy 4 - Car Parking	8b, 102e, 105a, b & d
Policy 5 - Replacement Dwellings	118d
Policy 6 - Empty Homes and Redundant Agricultural Buildings	63, 79a & c, 118d
Community Assets	

Policy 1 - Community Assets	8b, 83d, 91a & c, 92, 96, 97, 121b
Appendix 1 - Village Design Statement	
Materials and Construction	28, 122d & e, 125-127, 130
Infrastructure and Environment	8b & c, 20, 91b, 95a, 127, 150, 151, 154a, 171, 172, 180

3. Delivering Sustainable Development

The key ways that the TNDP will contribute to the achievement of the NPPF's three overarching objectives of sustainable developments are:

3.1. Economic objective

- The TNDP policies seek to protect and enhance existing employment sites.
- The TNDP supports new employment sites and encourages local employment growth and opportunities where there is no conflict with Green Belt policy.
- It supports home-working and live-work units through the use of flexible design and incorporated internet connectivity.

3.2. Social objective

- The TNDP supports new housing development within the Village Boundary, on brownfield sites and garden land. It also supports the principle of rural exception housing.
- It encourages a well-designed and safe environment which will ensure the village continues to evolve in accordance with villagers' wishes.
- It protects and enhances local green spaces, footpath, bridleways and valued landscapes which support the community's health, social and cultural well-being.
- It encourages the protection of local social and recreational amenities and businesses which serve the current and future needs of the community.

3.3. Environmental objective

- It protects the valued countryside and AONB surrounding the village, including agricultural and horticultural land.
- It seeks a harmonious relationship between developments and the local flora and fauna.
- It ensures development within or near the Conservation Areas are undertaken with sensitivity and an awareness of their impact on the setting of the village's heritage assets.
- It notes the impact of flooding in the locality (which appears to be partly related to climate change) and requires all developments to mitigate any future contribution to this by minimising off-site run-off and incorporating sustainable drainage systems.
- It encourages new developments to make effective use of renewable energy and resource recycling.

4. General Conformity with Strategic Local Policy

- 4.1. The TNDP has been prepared with regard to national policies set out in the NPPF as outlined above. It must also be in general conformity with strategic policies of the local Development Plan.
- 4.2. The Development Plan for the Neighbourhood Area is the Stratford-on-Avon District Core Strategy 2011-2031, adopted July 2016.
- 4.3. Paragraph 13 of NPPF declares that Neighbourhood Plans should support the delivery of strategic policies contained in local plans or spatial development strategies; and should shape and direct development that is outside of these strategic policies.
- 4.4. The TNDP supports the delivery of the strategic policies of the Core Strategy, and contains no conflicts with these policies.
- 4.5. The TNDP builds on, adapts or otherwise makes use of selected Core Strategy policies to suit the local environment and economy of Tysoe.
- 4.6. The table below provides a matrix indicating the relationship between the TNDP policies and the SDC Core Strategy policies:

Tysoe Neighbourhood Plan Policy ref.	SDC Core Strategy Policy ref.
Housing	
Policy 1- Housing Growth	CS.15d, CS16, AS.10
Policy 2 - Site Allocations	CS16, AS.10
Policy 3 - Strategic Reserve	CS16, AS.10
Policy 4 - Rural Exception Housing	AS.10
Policy 5 - Market Housing Mix (including affordable housing)	CS.18, CS.19
Economy and Infrastructure	
Policy 1 - Protecting and Enhancing Local Employment Opportunities	CS.1, CS.22, CS23, AS.10
Policy 2 - Home Working and Live-work units	CS.1, CS.19, CS.22, CS23, AS.10
Natural Environment	
Policy 1 - The Cotswolds Area of Outstanding Natural Beauty	CS.5, CS.6, CS.7, CS.9, CS.11
Policy 2 - Tranquility and Dark Skies	CS.6, CS.9
Policy 3 - Flooding and Drainage	CS.2, CS.4, CS.7, CS.9

Policy 4 - Designated Local Green Spaces	CS.5, CS.6, CS.25
Policy 5 - Valued Landscapes and Views	CS.5, CS.6, CS.7, CS.9
Policy 6 - Protected Strategic Gap	CS.9
Policy 7 - Trees and Hedgerows	CS.5, CS.6, CS.9
Built Environment	
Policy 1 - Designated and Non-Designated Heritage Assets	CS.5, CS.8, CS.9, AS.10
Policy 2 - Responding to Local Character	CS.9, AS.10
Policy 3 - Energy Efficiency and Renewable Energy	CS.2, CS.3, CS.9
Policy 4 - Car Parking	CS.9, CS.26c
Policy 5 - Replacement Dwellings	CS.20c, AS.10
Policy 6 - Empty Homes and Redundant Agricultural Buildings	CS.20d, AS.10
Community Assets	
Policy 1 - Community Assets	AS.10, CS.25
Appendix 1 - Village Design Statement	
Materials and Construction	CS.8, CS.9
Infrastructure and Environment	CS.2, CS.3, CS.5, CS.6, CS.8, CS.9, CS.26c, AS.10

5. European Union Obligations

Strategic Environmental Assessment

- 5.1. A revised Strategic Environmental Assessment (SEA) screening exercise was undertaken by Lepus on behalf of Stratford-on-Avon District Council (SDC) in February 2019.
- 5.2. The screening exercise involved consultation with the statutory environmental bodies (Historic England, Natural England and the Environment Agency).
- 5.3. All three bodies have returned consultations and it was confirmed by SDC in a letter dated 27 February 2019 that a Strategic Environmental Assessment (SEA) is not required in respect of the TNDP.

Habitat Regulations Assessment

- 5.4. It is considered that a Habitat Regulations Assessment would not be required as long as the Neighbourhood Plan makes reference to or includes a link to the SDC Core Strategy's HRA.
- 5.5. It is considered that an Environmental Impact Assessment would not be required as the Neighbourhood Plan does not propose any projects which fall under the criteria set out in either Annex I or Annex II of the EIA Directive.

Human Rights

- 5.6. The TNDP has regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and complies with the Human Rights Act 1998.