

Tysoe Neighbourhood Development Plan

Regulation 16 Representations: By Contributor

Key to Policy referencing in this schedule:

- H1 – Housing Policy 1 [Housing Growth]
- H2 – Housing Policy 2 [Site Allocations]
- H3 – Housing Policy 3 [Strategic Reserve]
- H4 – Housing Policy 4 [Rural Exception Housing]
- H5 – Housing Policy 5 [Market Housing Mix, including affordable housing]
- E1 – Employment Policy 1 [Protecting and Enhancing Local Employment Opportunities]
- E2 – Employment Policy 2 – Home Working and Live-Work Units]
- NE1 – Natural Environment Policy 1 [Cotswolds Area of Outstanding Natural Beauty]
- NE2 – Natural Environment Policy 2 [Tranquillity and Dark Skies]
- NE3 – Natural Environment Policy 3 [Flooding and Drainage]
- NE4 – Natural Environment Policy 4 [Designated Local Green Space]
- NE5 – Natural Environment Policy 5 [Valued Landscapes and Views]
- NE6 – Natural Environment Policy 6 [Protected Strategic Gap]
- NE7 – Natural Environment Policy 7 [Trees and Hedgerows]
- BE1 – Built Environment Policy 1 [Designated and Non-Designated Heritage Assets]
- BE2 – Built Environment Policy 2 [Responding to Local Character]
- BE3 – Built Environment Policy 3 [Energy Efficiency and Renewable Energy]

BE4 – Built Environment Policy 4 [Car Parking]

BE5 – Built Environment Policy 5 [Replacement Dwellings]

BE6 – Built Environment Policy 6 [Empty Homes and Redundant Agricultural Buildings]

CA1 – Community Assets Policy 1 [Community Assets]

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TYS.01	Sport England	General comment	<p>Thank you for consulting Sport England on the above neighbourhood plan.</p> <p>Government planning policy, within the National Planning Policy Framework (NPPF), identifies how the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Encouraging communities to become more physically active through walking, cycling, informal recreation and formal sport plays an important part in this process. Providing enough sports facilities of the right quality and type in the right places is vital to achieving this aim. This means that positive planning for sport, protection from the unnecessary loss of sports facilities, along with an integrated approach to providing new housing and employment land with community facilities is important.</p> <p>It is essential therefore that the neighbourhood plan reflects and complies with national planning policy for sport as set out in the NPPF with particular reference to Pars 96 and 97. It is also important to be aware of Sport England’s statutory consultee role in protecting playing fields and the presumption against the loss of playing field land. Sport England’s playing fields policy is set out in our Playing Fields Policy and Guidance document. http://www.sportengland.org/playingfieldspolicy</p> <p>Sport England provides guidance on developing planning policy for sport and further information can be found via the link below. Vital to the development and implementation of planning policy is the evidence base on which it is founded. http://www.sportengland.org/facilities-planning/planning-for-sport/forward-planning/</p>

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			<p>Sport England works with local authorities to ensure their Local Plan is underpinned by robust and up to date evidence. In line with Par 97 of the NPPF, this takes the form of assessments of need and strategies for indoor and outdoor sports facilities. A neighbourhood planning body should look to see if the relevant local authority has prepared a playing pitch strategy or other indoor/outdoor sports facility strategy. If it has then this could provide useful evidence for the neighbourhood plan and save the neighbourhood planning body time and resources gathering their own evidence. It is important that a neighbourhood plan reflects the recommendations and actions set out in any such strategies, including those which may specifically relate to the neighbourhood area, and that any local investment opportunities, such as the Community Infrastructure Levy, are utilised to support their delivery.</p> <p>Where such evidence does not already exist then relevant planning policies in a neighbourhood plan should be based on a proportionate assessment of the need for sporting provision in its area. Developed in consultation with the local sporting and wider community any assessment should be used to provide key recommendations and deliverable actions. These should set out what provision is required to ensure the current and future needs of the community for sport can be met and, in turn, be able to support the development and implementation of planning policies. Sport England’s guidance on assessing needs may help with such work. http://www.sportengland.org/planningtoolsandguidance</p> <p>If new or improved sports facilities are proposed Sport England recommend you ensure they are fit for purpose and designed in accordance with our design guidance notes. http://www.sportengland.org/facilities-planning/tools-guidance/design-and-cost-guidance/</p> <p>Any new housing developments will generate additional demand for sport. If existing sports facilities do not have the capacity to absorb the additional demand, then planning policies should look to ensure that new sports facilities, or improvements to existing sports facilities, are secured and delivered. Proposed actions to meet the demand should accord with any approved local plan or neighbourhood plan policy for social infrastructure, along with priorities resulting from any assessment of need, or set out in any playing pitch or other indoor and/or outdoor sports facility strategy that the local authority has in place.</p>

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			<p>In line with the Government's NPPF (including Section 8) and its Planning Practice Guidance (Health and wellbeing section), links below, consideration should also be given to how any new development, especially for new housing, will provide opportunities for people to lead healthy lifestyles and create healthy communities. Sport England's Active Design guidance can be used to help with this when developing planning policies and developing or assessing individual proposals.</p> <p>Active Design, which includes a model planning policy, provides ten principles to help ensure the design and layout of development encourages and promotes participation in sport and physical activity. The guidance, and its accompanying checklist, could also be used at the evidence gathering stage of developing a neighbourhood plan to help undertake an assessment of how the design and layout of the area currently enables people to lead active lifestyles and what could be improved.</p> <p>NPPF Section 8: https://www.gov.uk/guidance/national-planning-policy-framework/8-promoting-healthy-communities</p> <p>PPG Health and wellbeing section: https://www.gov.uk/guidance/health-and-wellbeing</p> <p>Sport England's Active Design Guidance: https://www.sportengland.org/activedesign</p> <p><i>(Please note: this response relates to Sport England's planning function only. It is not associated with our funding role or any grant application/award that may relate to the site.)</i></p>
TYS.02	Canal and River Trust	General comment	The plan is not within close proximity to our network and therefore the Canal and River Trust has no comment to make.
TYS.03	Highways England	General comment	Highways England is responsible for the operation and maintenance of the Strategic Road Network (SRN) in England. The network includes all major motorways and trunk roads in England. I can confirm that Highways England have no comments to make on this consultation as the area in question is quite some distance from the SRN.
TYS.04	Severn Trent Water	H2	Due to the small number of dwellings anticipated for the site allocations we expect the risk to be low, however we would encourage you to include a statement encouraging the use of SuDS and SuDS principles to manage Surface Water run-off. We would also recommend that the Drainage Hierarchy is included to direct surface water to natural outfall routes such as infiltration or the watercourse before

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		H3	<p>utilising sewers, as supported by Planning Practice Guidance Paragraph 80. Surface water should also not be permitted to connect to a foul sewer.</p> <p>We would like to note that Site 1 and Reserve Site 4 both have existing sewers crossing the site. We would recommend that developers contact Severn Trent Developer Services early to identify if there are any diversions or easement requirements.</p> <p>We are supportive of the need for reserve housing sites, Site 4 is preferable due to the position in the sewer network meaning that flows will not need to be discharged through the centre of the settlement to reach the Waste Water Treatment Works.</p>
TYS.05	Network Rail	General comment	Network Rail has no comments.
TYS.06	Natural England	General comment	Natural England does not have any specific comments on this draft neighbourhood plan.
TYS.07	Historic England	General comment	<p>Thank you for the invitation to comment on the Regulation 16 Neighbourhood Plan. Our earlier Regulation 14 comments remain entirely relevant. That is:</p> <p>“Historic England is supportive of both the content of the document and the vision and objectives set out in it. The emphasis on the conservation of heritage assets, local distinctiveness generally, and the protection of rural landscape character including ridge and furrow and important views is highly commendable”.</p> <p>We are also pleased to note that this iteration of the Plan provides policy protection for the Parishes rich resource of above and below ground archaeological remains.</p> <p>In conclusion, overall the plan reads as a well-considered, concise and fit for purpose document which we consider takes a suitably proportionate approach to the historic environment of the Parish. Beyond those observations we have no further substantive comments to make on what Historic England considers is a very good example of community led planning.</p>
TYS.08	The Coal Authority	General comment	Having reviewed your document, I confirm that we have no specific comments to make on it.
TYS.09	Wood, on behalf of National Grid	General comment	An assessment has been carried out with respect to National Grid’s electricity and gas transmission apparatus which includes high voltage electricity assets and high-pressure gas pipelines.

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			National Grid has identified that it has no record of such apparatus within the Neighbourhood Plan area.
TYS.10	Environment Agency	General comment	<p>We are broadly in support of the aims and objectives and wish to make the following in regards to fluvial flood risk:</p> <p>All development proposals should be located in Flood Zone 1. Development within Flood Zone 2 and 3 will only be acceptable when the Sequential Test and, where applicable, the Exception Test have been satisfied, as set out in the National Planning Policy Framework.</p> <p>We have also noted that there is no specific policy on climate change, we would support the NDP to incorporate a Climate Change policy to ensure all new development is climate resilient.</p> <p>We would like to see the inclusion of Ordinary Watercourses which run through the NDP included on Map 6 on Page 17 which highlights key interests in the Natural Environment and Biodiversity.</p> <p>In relation to the specific policies proposed, we wish to provide the following comments:</p> <p>H2 Currently the policy states that sites allocated for residential development will be expected to demonstrate 'suitable and sustainable drainage proposals.' We strongly recommend that this policy is expanded to consider the flood risk posed by the Ordinary Watercourse that run through the NDP area.</p> <p>NE3 The above policy discusses surface water drainage and states that development should incorporate SuDs to ensure runoff volume does not exceed a 1 in 100 year, six hour rainfall event.</p> <p>All developments should seek to control and discharge all surface water runoff generated on site during the 1 in 100 year plus climate change rainfall event. For Greenfield development sites, the surface water runoff generated as a result of the development should not exceed the Greenfield runoff rate. For Brownfield development sites, developers are expected to deliver a substantial reduction in the existing runoff rate, and where possible, reduce the runoff to the equivalent Greenfield rate.</p>

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			<p>We support the inclusion of point e) within the Natural Environment Policy 3 as identification of fluvial flood risk through hydraulic modelling is key to ensure that any new development is not at risk of flooding, both now and in the future, taking into account climate change.</p> <p>In addition, the flood risk policy should identify, where appropriate, what mitigation measures it considers necessary e.g. safeguarding specific land (after identification) for flood attenuation or natural flood risk management measures, to ensure that sites are safe and will not increase flood risk elsewhere and that opportunities to reduce flood risk downstream are identified.</p> <p>As a result, we recommend that the flood risk policy is expanded to cover this and take into account the impacts of climate change. This should support the strategic development needs as set out in Stratford-on-Avon District Council's Core Strategy 2011 to 2031 and in particular with regard to Policy CS.4 (Water Environment and Flood Risk).</p> <p>Consideration should be given to protect and enhance the river corridors of the Ordinary Watercourses that are located in the NDP area. Any development in the vicinity of an Ordinary Watercourse should consider the inclusion of the following mitigation measures;</p> <ul style="list-style-type: none"> • Ensuring all new development is in Flood Zone 1. Only if there is no viable/available land in Flood Zone 1 should other areas be considered using the Sequential Test approach. • Opportunities to reduce flood risk elsewhere by allocating flood storage areas or incorporating Natural Flood Risk Management measures. • Setting back development 8m from the watercourses to allow access for maintenance and restoring the natural floodplain. • Open up culverted watercourses and remove unnecessary obstructions. • Ensure all SuDs features are located outside of the 1 in 100 year plus climate change flood extent.
TYS.11	Local Resident	General comment	We object to Lower Tysoe having a BUAB; there is no good reason for doing so. Therefore, we do not support the Plan.
TYS.12	Local Resident	General comment	I reject the Neighbourhood Plan. Development should not fill-in the middle of the village, with hardly any green spaces in middle Tysoe and the traffic problems in the centre of the village.

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			<p>Allocated site 3 is a back land development and is on agricultural land a field that floods and supports newts from [illegible] ponds.</p> <p>It would also affect the open aspect of the Grade II listed building and the setting in an open space next to a Conservation Area (as refused by SDC Planners in the past – ref: 14/00446/FUL refers).</p>
TYS.13	Local Resident	General comment	<p>I reject the Planning part of the N.P.D [sic]. The Tysoe survey results 2014 show 86.5% disagree that the Plan should encourage new houses to be built on one large central site, such as site 3. One or two houses built on sites 1 and 2 and thirteen piled onto plot 3 this goes against the housing survey which is part of the N.P.D [sic].</p> <p>The strongest views were expressed when writing about the wildlife and natural environment. 90% said they wanted to protect the hedgerows, wild flowers, open spaces and views of open spaces within the village. Also mentioned were field systems, historic monuments and archaeological sites. Plot 3 was a virgin green field site until houses appeared at the southern end of the field, along with enormous barns for business use. However, the rest of the field remains intact along with the ponds on the western edge which have crested newts within them. This field, despite the disruption it has suffered at times, still supports all the species it always did. Mammals from fox, badgers, squirrels, muntjack, voles, bats of many sorts to birds too many to mention you will be pleased to hear and so many diverse insects, lots of types of bee, amphibians also newts of course, grass snake, frogs and toads and one unidentified lizard very small last year. These all come into my garden from this field as it is right next to it. The loss of this field would destroy all of the above.</p> <p>The S.E.A. report, page 25 – Ty03, Fig 2.6 – land sensitivity to housing. It is noted that site 3 has expanded somewhat to include the whole of the field in which plot 3 used to sit but more than that it includes land to the northwest of Aspens along our other hedge line where there is at present time a horse riding arena and grazing fields for horses. This would expand site 3 to 4 or 5 times the size it is now. I realise this diagram/map is to illustrate availability of medium sensitivity land for housing this to me means this plot expanded as it is will be used at some point for just that or else it would not be included. It is obvious to me that this site is to be used to dump as many houses as possible on so long as it only really affects a few people then everyone else will say nothing!</p>

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			<p>In the refusal of planning for 2 houses in this field 18.3.14 much was made of the loss of the field in the street scene. Also as its setting to the listed farmhouse. It said: The view of the field in the village is a rare distinctive feature which reinforces the local sense of history. It provides connection with all past economic activity which supported the village (the field was used for sheep being driven to market on foot to rest overnight). The site and context at the extremity of the historic settlement and form a transition with the countryside i.e. low density.</p> <p>I think this paragraph says it all. I have included a copy although you will have one available, of the refusal of 2014. I realise this was for 2 houses, but the field and all else is the same.</p> <p>P.S. Do not forget about the crested newts – I won't!</p> <p>[Planning application ref: 14/00446/FUL for change of use of field from agricultural to residential use and construction of two detached dwellings with garages was refused on 16 May 2014 for the following reason:</p> <p>“The proposed development is considered to have a detrimental impact on the Conservation Areas special interest due to the loss of the field as a feature in the street scene and as a setting to the listed farmhouse. Further, the proposed layout does not reflect the essential historic grain in the Conservation Area.</p> <p>The development would harm the setting of the listed farmstead and the loss of the field would harm the character of the street scene and the Conservation Area’s historic identity. The proposal neither preserves nor enhances the Area’s special historic or architectural character or appearance. The development is considered contrary to Policies PR.1, DEV.1, EF.13 and EF.14 of the District Local Plan Review and Paragraphs 56, 57 and 131-134 of the NPPF.”</p>

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TYS.14	Local Resident	H1	Support – This makes sense and is what most people would like, especially as it will prevent large scale speculative development from ruining the area. The Built-up Area Boundaries seem to strike a reasonable balance by allowing a small amount of development while at the same time allowing the village to expand in a gradual time-honoured way. It is good and only proper that Lower Tysoe should be drawn into the equation as part of the natural unity of the three hamlets.
		H2	Support – This is mostly infill and, when seen in relation to green spaces, the natural environment and the retention of the gap between Middle and Lower Tysoe, shows that the Plan has been thought out in an integrated way rather than piecemeal.
		H3	Support – It must be awkward to find suitable sites for this in Tysoe. The two selected are not wholly ideal but fit the bill. Any problems could be picked up in the usual planning process and sorted out at that stage. I like the fact that the owner of the Roses Farm site would consider building and managing affordable rented housing. This has much in its favour.
		H4	Support – The only problem here, as everywhere, is in finding a suitable funding authority to underwrite it. Including the scheme in the Plan leave the option open, and that is important.
		H5	Support – We have far too many 'executive' type houses in Tysoe. We need to balance the age profile of the community with small properties that are suited to both young families at the lower end of the pay spectrum, and the elderly who wish to remain here.
		E1	Support – Absolutely. We need to make sure that people can work from Tysoe or in Tysoe, limit commuting, keep Tysoe as a community and prevent it from becoming a dormer settlement for surrounding towns and London.
		E2	Support – For the same reasons stated for Employment Policy 1.
		NE1	Support – This is essential for retaining the village's character. Unfortunately, some planning decisions have not taken this into account in the past.

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		NE2	Support – Again, essential for maintaining the character of the village.
		NE3	Support – Flooding/drainage seems to be a bête noir in any planning application in Tysoe. It is good to have it flagged up as a factor to be taken into account.
		NE4	Support – As mentioned above in relation to new housing and the location of housing, the maintenance of green space has to be an integrated component of the village's expansion.
		NE5	Support – As noted above, making sure that features of the natural environment - in this case landscape views both in and out of the village - are retained after any development is essential for maintaining the village character.
		NE6	Support – Middle and Upper Tysoe lost their individuality through (ill-considered) development that joined the two together in early post-war years. Building between Middle and Lower Tysoe would coalesce the three, introduce unsightly ribbon development and destroy the surviving historic integrity.
		NE7	Support – Retention of the natural landscape and sustaining its biodiversity is an ecological necessity that needs to be considered in any development programme.
		BE1	Support – Maintaining the historic character of the village is an important factor to be taken into account, as demonstrated by the use of inappropriate materials on a recent development here. Tysoe has a distinctive style and several of its buildings are listed and have settings which should be preserved. Part of that setting is formed by the ridge and furrow fields that surround the villages and which were integral to the village activities in the Middle Ages. These have no legal designations and we should do our utmost to preserve them.
		BE2	Support – My comments in answers above argue my support for this.
		BE3	Support – Tysoe is a remote village which relies heavily on motor and heating fuels. We need to do all we can to reduce our carbon footprint.

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		BE4	Support – We can only control parking if we can reduce the amount of commuting which the Plan tries to do. Parking on verges is endemic in Tysoe and needs a major campaign to prevent.
		BE5	Support – This makes sense and would retain the character of the existing buildings.
		BE6	Support – Agreed, there are many redundant buildings that could be restored/converted. Subject to maintaining existing character they would go some way to increase new dwellings without detriment to their local historic environment.
		CA1	Support – Absolutely. These are all key elements of a thriving community and need to be supported to ensure Tysoe remains a centre in its own right rather than a dormer settlement for elsewhere. They give the place an identity.
TYS.15	Local Resident	Comment as a whole...	<p>I am a resident of Lower Tysoe and member of the Lower Tysoe Environmental Group (LTEG). I am concerned by the potential damage to the rural hamlet that will result from the creation of the BUAB around Lower Tysoe – which seems designed purely to allow the current properties planned and developed in Lower Tysoe to contribute to the notional target required to satisfy planning policy and to divert planning away from the main parts of the village which in truth have very little capacity to absorb further developments – let alone the affordable housing to which the NDP aspires. I have also been unhappy with the attitude and resentment and disdain which the NPG and Parish Council have shown against genuinely concerned residents of the Parish.</p> <p>Whilst many of the elements of the Neighbourhood plan are laudable I have reservations about the inclusion of Lower Tysoe in a BUAB.</p> <p>The NPG assert that the inclusion of Lower Tysoe into a BUAB would provide greater protection against unwanted development and even indicates that it would protect Lower Tysoe from rogue decisions within the Parish Council. The LTEG believe that the inclusion in the BUAB fundamentally reduces the protection against unwanted development by reversing the presumption AGAINST development that Lower Tysoe currently enjoys as ‘Other rural’. We categorically believe that Lower Tysoe would be LESS protected by inclusion in the BUAB.</p>

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			<p>We also believe that Stratford District Council perceive Lower Tysoe as a separate hamlet but need to bound by the local wishes of the NDP.</p> <p>There are many negative responses within Upper and Middle Tysoe against the reserved sites in the conservation area and the local housing element appears to be aspirational rather than firmly fixed. Lower Tysoe appears to have plenty of space to develop but by most measures the bulk of land in Lower Tysoe cannot be considered as suitable for sustainable development and none of the sites seek to address the affordable housing needs.</p> <p>As Lower Tysoe is approximately 40 properties and the Upper and middle Tysoe properties number around 360 – the LTEG fear that majority rule in Tysoe as a whole will prejudice against Lower Tysoe and it is this perceived majority that we are seeking to overcome.</p> <p>The LTEG are not against development per se and indeed a large number of properties have been developed in Lower Tysoe on an adhoc/local need/barn conversion basis. These are welcomed. It is the larger scale – 7 – 8 market / speculative developments that we are against – particularly as they do not address the fundamental need in TYSOE as a whole identified in the Neighbourhood plan for local affordable houses.</p> <p>Certain members of Lower Tysoe were also advised by NPG chair that the NDP could seek to control/minimise the number of houses within any development to 3 maximum – and this advice has since been admitted as wrong – and can be witnessed by the current planning application – for the Orchards 19/01529/FUL which having initially been refused on appeal – now seeks to build outside the proposed NDP BUAB – using the inspectors appeal decision as evidence.</p> <p>In many communications we have attempted to engage with the NPG to air our concerns but these have been unsuccessful in the limited forum of the public meeting. There is a totally spurious claim within the submission that the LTEG refused a meeting with the NPG. This is TOTALLY FALSE. The LTEG repeatedly attempted to organise meetings with the NPG and or Stratford District council via Parish council but the meeting was REFUSED by the NPG. The Parish council refused to engage with the LTEG on the grounds that we were not prepared to disclose our name – A sentiment spoken in open meeting</p>

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			<p>by an acting Councillor at the time. For the record we were happy to disclose our names but we were requested by the outgoing secretary of the Parish council that we should not do so because of the resulting workload it would create under GDPR – this fact did not appear to have been made public.</p> <p>Many of the comments directed at the LTEG have asserted that it is a group of self-serving individuals who live close to proposed sites and are working against the common good of the village as a whole.</p> <p>This is actually quite far from the truth. The LTEG consists of approximately 50% of the occupants of Lower Tysoe and spans the full length of the hamlet. It also encompasses a large number of residents who would stand to benefit from their properties being incorporated into the 'PRESUMPTION FOR DEVELOPMENT' BUAB but who purchased their properties in Lower Tysoe for the very reason it is open countryside and undeveloped.</p> <p>I therefore oppose the elements of the NDP which specifically relate to the creation of a BUAB around Lower Tysoe on the grounds of disagreement in principle with the proposal that this would create greater protection against development and the threat to the rural nature of the hamlet without any significant benefit for the village as a whole.</p>
TYS.16	Local Resident	Comments on the Plan as a whole.	<p><u>Abbreviations</u></p> <p>Neighbourhood Development Plan - NDP Neighbourhood Plan Group – NPG Built up Area Boundary – BUAB Local Service Village - LSV Stratford-upon-Avon District Council - SDC Parish Council - PC</p> <p><u>Introduction</u></p> <p>I have a number of concerns about the proposals related to housing in the draft Tysoe Neighbourhood Development Plan (NDP) and about the plan's development. In the main I will focus on the proposal for Lower Tysoe but some of my comments about the process of plan development are applicable to all</p>

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			<p>aspects.</p> <p>I'm a resident of the hamlet of Lower Tysoe and also Chair of the Lower Tysoe Local Environment Group (LTLEG). This is an informal group and its present aims are to coordinate, support, inform, add to and assist with individual Lower Tysoe residents' activities and concerns particularly about proposed developments and the impact on Lower Tysoe of any potential changes to its planning status.</p> <p>My main concern with regard to the NDP and Lower Tysoe is the proposed inclusion of the hamlet in the Local Service Village (LSV) of Tysoe. There are 3 strands associated with this:</p> <ol style="list-style-type: none"> 1. The impact that a change in planning status will have on the scale of development in Lower Tysoe 2. The robustness of the reasons given for changing the status of Lower Tysoe. 3. A lack of transparency during the plan's development. <p>I will also point out that the plan and associated documents contain inaccuracies with regard to Lower Tysoe and to the LTLEG and I shall address these at the end of the document.</p> <p>I also attach the document the LTLEG submitted as a response to the consultation on the Pre-Submission Neighbourhood Development Plan (Appendix 1). The response was informed by an experienced planning consultant, Peter Frampton BSc (Hons) TP MIRCS MRTPI, commissioned by a group of Lower Tysoe residents to provide an independent and expert view on the draft NDP's proposals and their potential effect on Lower Tysoe. The names of the 19 residents who submitted the comments have been redacted, but are available on request. They are residents who live in all parts of Lower Tysoe: Lane End, Badgers Lane, and adjoining various parts of Lower Tysoe Road.</p> <p>My own submission on the draft NDP can be found here: https://onedrive.live.com/?authkey=%21AF622BpsmQhubkE&cid=3483F06FD37D5DB7&id=3483F06FD37D5DB7%214194&parId=3483F06FD37D5DB7%213928&o=OneUp and the response to it is on page 59 of Appendix 7.2 Tysoe Neighbourhood Development Plan Pre-Submission Plan July 2018 Table of main public comments received and responses.</p>

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			<p data-bbox="891 308 2051 371">1. <u>The impact that a change in planning status will have on the scale of development in Lower Tysoe</u></p> <p data-bbox="846 416 2069 480">Lower Tysoe is a hamlet of approximately 40 houses and is not part of the Local Service Village (LSV) of Middle and Upper Tysoe (approximately 400 houses).</p> <p data-bbox="846 525 2056 660">The plan proposes to incorporate Lower Tysoe into the LSV and enclose it within its own Built up Area Boundary (BUAB). If a new BUAB is created the status of Lower Tysoe will be changed from '<i>presumption against development</i>' to '<i>presumption in favour of development</i>'. This is contrary to Stratford-upon-Avon District Council's (SDC's) current position and recommendation.</p> <p data-bbox="846 705 2078 841"><u>It is not development <i>per se</i> that concerns me but a loss of control of the scale and layout of individual developments if the planning status of the hamlet is changed.</u> Although the NPG claims that the plan is to 'Keep Tysoe Special' it disregards the special features of the hamlet of Lower Tysoe - its spaciousness and layout - which is derived from its historical agricultural infrastructure.</p> <p data-bbox="846 885 2078 1201">The basic structure of Lower Tysoe differs very little from that shown on the OS map of 1886. The majority of properties originated as farms/small holdings and several are still used for farming and/or keeping livestock. The majority of properties are within large plots and have open space at the front and rear. The layout of the built environment is basically linear with three clear lines of development. Lower Tysoe Road marks the boundary with the Cotswolds Area of Outstanding Natural Beauty (AONB), in which houses to the east of the road lie. Lower Tysoe is highly visible from the Edgehill escarpment to the east, and footpaths on the eastern, western and southern boundaries. The historical structure of Lower Tysoe has been maintained because of judicious planning decisions in the past. In my view the proposed change in the planning status of Lower Tysoe jeopardises these distinctive features.</p> <p data-bbox="846 1246 2078 1382">It is clear that development does occur in Lower Tysoe. In the Plan period (2011 – 2031) 11 houses have already been built or have planning permission, suggesting a 25% increase to date in the number of dwellings. However, recent developments have consisted of one or two houses and, in an exceptional circumstance, three.</p>

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			<p>I am not alone in my concern and it is clear that the residents of Lower Tysoe are concerned about proposed developments that are for more than a small number of houses per site. For example, there were 24 objections to an application for 7 houses (17/03634/FUL: The Orchards, Lower Tysoe Road, Lower Tysoe) and 16 letters of objection to a development of 5 houses (17/03730/FUL: Home Holdings, Lane End, Lower Tysoe). Both of these applications were precipitated by the first draft of the NDP. I would contend that in a hamlet of 40 houses, 24 objections expressing concern about the scale of developments do not indicate a minority view.</p> <p>Although the NDP states that it will limit development within the BUAB of Lower Tysoe I do not believe that the Parish Council/NDP has the power to do this. I elaborate on this in the following sections.</p> <p>2. <u>The robustness of the reasons given for changing the status of Lower Tysoe.</u></p> <p>The reasons given in the NDP for changing the status of Lower Tysoe are:</p> <div style="border: 1px solid black; padding: 5px;"> <p><i>3.3.1.2 The Steering Group has considered carefully whether Lower Tysoe should be given its own BUAB and is aware that not everyone in the village will be in agreement on this issue. However, the decision to give Lower Tysoe a BUAB has been made, in part, on the basis of the <u>evidence obtained in the 2014 residents' survey</u> where a large majority of respondents said Tysoe comprised the three settlements (see paragraph 6.1.0.2 below).</i></p> <p><i>The inclusion of Lower Tysoe in the Tysoe LSV will also bring into the total for the Tysoe LSV those <u>houses already built and those granted planning permission in Lower Tysoe</u> (some 11 dwellings since 2011).</i></p> <p><i>4.1.0.4 <u>Given that Lower Tysoe is inherently part of the larger village, that its residents share the facilities located in Middle Tysoe and that those facilities are really no further from Lower Tysoe than they are from Upper Tysoe, we believe that this is an entirely logical proposal.</u></i></p> </div>

Rep.No.	Name	Policy/Section	Representation																														
			<p><u>NDP: Evidence obtained in the 2014 residents' survey</u></p> <p>The question in the 2014 survey was not asked in the context of Lower Tysoe becoming part of the LSV (see below). It did not make respondents aware of any of the implications of changes to Lower Tysoe's planning status that might result from the NDP. The responses (below) are therefore not relevant and do not provide evidence to support the NDP proposal. Furthermore the outcome of the survey is not sufficient reason to make a major change to the planning status of the hamlet of Lower Tysoe.</p> <div style="border: 1px solid black; padding: 5px;"> <p>25 Planners take decisions based on local circumstances and opportunities. Our plan needs evidence of what you think about the locality.</p> <p>Do you think of Tysoe as... (please tick one)</p> <table border="1"> <thead> <tr> <th></th> <th>Count</th> <th>%</th> </tr> </thead> <tbody> <tr> <td>one village</td> <td>312</td> <td>78.0%</td> </tr> <tr> <td>two villages</td> <td>61</td> <td>15.3%</td> </tr> <tr> <td>three villages</td> <td>23</td> <td>5.8%</td> </tr> <tr> <td>no response</td> <td>4</td> <td>1.0%</td> </tr> </tbody> </table> <p>Indicate which of the following villages you consider as being part of our locality.</p> <table border="1"> <thead> <tr> <th></th> <th>Count</th> <th>%</th> </tr> </thead> <tbody> <tr> <td>Oxhill</td> <td>272</td> <td>62.7%</td> </tr> <tr> <td>Ratley</td> <td>24</td> <td>5.5%</td> </tr> <tr> <td>Radway</td> <td>37</td> <td>8.5%</td> </tr> <tr> <td>No opinion</td> <td>101</td> <td>23.3%</td> </tr> </tbody> </table> <p>Commentary</p> <p>A significant majority (78%) of respondents consider Tysoe to be one village.</p> <p>The majority of respondents (62.7%) also see the neighbouring village of Oxhill as part of Tysoe's locality.</p> <p>The results suggest Ratley and Radway are seen far less as part of the locality of Tysoe.</p> </div> <p><u>NDP: Inclusion of Lower Tysoe in the Tysoe LSV will also bring into the total for the Tysoe LSV those houses already built and those granted planning permission in Lower Tysoe</u></p> <p>It is my understanding that there is no 'target' that Tysoe has to achieve and that any houses built in Lower Tysoe would still 'count' in terms of Stratford District Council's (SDC) delivery of housing but that they would be a 'rural windfall' contribution - see response below to a question from a councillor to</p>		Count	%	one village	312	78.0%	two villages	61	15.3%	three villages	23	5.8%	no response	4	1.0%		Count	%	Oxhill	272	62.7%	Ratley	24	5.5%	Radway	37	8.5%	No opinion	101	23.3%
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Rep.No.	Name	Policy/Section	Representation
			<p>SDC in February 2018 (Appendix 2) – obtained through FOI:</p> <div data-bbox="846 341 2078 735" style="border: 1px solid black; padding: 5px;"> <p><i>'To respond to your queries: If a hamlet is part of the LSV does it have to have a BUAB? SDC is drafting BUABs for the LSVs to provide clarity in respect of the extent of the built-up area/physical confines. As such, if an area is to be considered within the LSV, it will need to be included within the BUAB. This includes separate hamlets. If a hamlet is part of the LSV but does not have a BUAB, do houses built in the hamlet contribute to the allocation for LSV as set out in the NP? See above. To clarify, only homes built within the LSV count towards the LSV 'requirement'. Homes built in the wider parish count towards the rural 'requirement'. If a hamlet is not part of the LSV, does not have a BUAB, is my understanding correct that any house built in the hamlet are 'windfall'? Such homes would be rural windfall (as above) but crucially, the policy position is different with there being a general presumption against development (with some minor exceptions) to development in these areas and Policy AS.10 would apply'.</i></p> </div> <p>Thus from SDC's perspective it would seem to me that it does not matter whether new housing is part of the LSV or not.</p> <p><u><i>NDP: Given that Lower Tysoe is inherently part of the larger village, that its residents share the facilities located in Middle Tysoe and that those facilities are really no further from Lower Tysoe than they are from Upper Tysoe, we believe that this is an entirely logical proposal.</i></u></p> <p>Lower Tysoe is part of the Parish of Tysoe. Services in Middle Tysoe are sustained because they are also used by residents of villages local to Tysoe Parish (e.g. Oxhill, Radway, Brailes, Shenington, Whatcote). Housing development in Lower Tysoe, even with a BUAB, would not make a significant difference to the vitality of the LSV to outweigh the harm caused to the distinct rural character of Lower Tysoe.</p> <p>The NDP also says:</p>

Rep.No.	Name	Policy/Section	Representation
			<p data-bbox="907 272 2063 411"><i>2.2.0.6 These village amenities are roughly equidistant from the northern edge of Lower Tysoe and the southern edge of Upper Tysoe with the church and school slightly closer to Lower Tysoe and the Post Office being closer to Upper Tysoe. Both of these settlements are connected to the village centre by road, footpaths and metalled pavement.</i></p> <p data-bbox="846 483 2042 544">I don't believe this to be accurate. The distances by <u>road or metalled pavement</u> that I have recorded with a measuring wheel are:</p> <ul data-bbox="896 592 2002 730" style="list-style-type: none"> • The southern edge of Upper Tysoe: Shop to Garden Cottage, Shipston Road – 864 metres • The southern edge of Upper Tysoe: House past Rose's Farm to shop – 818 metres • The northern edge of Lower Tysoe - 1744 metres • Far end of Lane End in Lower Tysoe - 1999 metres <p data-bbox="846 778 2051 874">Although there are footpaths across the fields that may provide a shorter route, they are not suitable for those who have limited mobility, or wish to reach the services in the dark or in inclement weather conditions.</p> <p data-bbox="846 922 2063 1166">The <u>closest</u> part of Lower Tysoe to the 'central services' is at the southern edge (Stoneythorpe), which is 824 metres from the shop by road or made-up pavement (using measuring wheel). Thus all of the 40 houses in Lower Tysoe, to the north, north-east and north-west of this southern edge, are in excess of 800 metres from these services by road or pavement. This is one of the key elements in determining whether housing development in a settlement is 'sustainable' (see Appendix 3: Accessibility to local facilities - Beyond 800m/10mins = RED). By Stratford District Council's (SDC) Core Strategy definition, Lower Tysoe is not considered 'sustainable'.</p> <p data-bbox="846 1209 1435 1238"><u>Will Lower Tysoe be better protected by a BUAB?</u></p> <p data-bbox="846 1281 2047 1377">The contention of the NPG is that Lower Tysoe will be better protected from development by being part of the LSV with its own BUAB. This is not my understanding as it currently has very good 'protection' under Policy AS.10. This policy has been cited by SDC Planning Officers in recent refusals</p>

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			<p>for planning applications in Lower Tysoe (Appendix 4).</p> <p>In addition, the response by John Careford (SDC) to a direct question by a Parish Councillor (email provided through FOI – Appendix 5) was as follows, suggesting that development will be more likely if the planning status of Lower Tysoe is changed:</p> <div data-bbox="846 485 2078 735" style="border: 1px solid black; padding: 5px;"> <p><i>'I was referring to the change in the planning policy status of Lower Tysoe; the current status being "all other settlement" and the policy approach being generally one of restraint to development (subject to a limited number of exceptions) compared to a new status of being part of "Tysoe Local Service Village" and the policy approach where small scale development being acceptable in principle. <u>To crudely put it another way, the implication would be that small scale development could be more likely as it would change from a starting position of "no" to a starting position of "yes, subject to design etc"</u>.</i></p> </div> <p>At present Upper and Middle Tysoe constitute the LSV of Tysoe and have a BUAB. Recent planning applications indicate that the Parish Council have little influence over the scale and type of development on sites put forward. For example:</p> <ul style="list-style-type: none"> • Application 12/00933/FUL - permission was granted for 4 bungalows on this site. Subsequently, permission was granted for 6 dwellings that replaced the 4 bungalows (14/00475/FUL). The Parish Council objected to this unsuccessfully. • Application 14/02029/FUL – permission was granted for 9 dwellings, some of which were affordable homes, on this site. Subsequently, (16/02684/FUL) – permission was granted for 10 dwellings on the site, none of which are affordable homes. Again the Parish Council objected to this unsuccessfully. <p>There is also a recent example in Little Kineton, which was included in the Kineton LSV, as is proposed for Lower Tysoe and the Tysoe LSV. The site, Walnut House, is an allocated site in the Kineton NDP – <i>residential development for approximately 10 dwellings</i>. Planning application 15/03064/OUT granted outline planning permission for the erection of 9 dwellings. Subsequently, planning application 17/01569/FUL sought an additional 5 dwellings. Kineton Parish Council fought hard to object to this</p>

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			<p>application for additional houses and the Objection was also supported by the District Councillor on the basis of over-development. However, SDC granted planning permission.</p> <p>The proposed BUAB around Lower Tysoe also allows for considerably more 'open space' than the BUAB drawn around Upper and Middle Tysoe, as pointed out by SDC in the response to the previous draft of the NDP:</p> <div data-bbox="846 520 2078 1026" style="border: 1px solid black; padding: 5px;"> <p>Tysoe Neighbourhood Development Plan Pre-Submission Neighbourhood Plan Regulation 14 Consultation (Neighbourhood Planning (General) Regulations, 2012) Appendix 1 - Comments from Stratford-on-Avon District Council</p> <p>P 30 – Map 8 - <i>the proposed boundary for Lower Tysoe includes large swathes of land that are clearly not developed. It is not very clear whether some of this land is actually residential in nature... some elements appear to be non-domestic. The NDP cannot advocate the severing some residential gardens in Middle and Upper Tysoe and then promote the inclusion of large areas of land within Lower Tysoe. This is not appropriate or acceptable. There does not appear to be any evidence for this approach and is unlikely to meet the Basic Conditions. If the boundary is to be tightly drawn, this strategy must relate to all parts of the village. There are a number of differences between the boundary proposed for Middle and Upper Tysoe in the NDP and the draft BUAB proposed by SDC. The main difference is inclusion of land relating to site allocations 2 and 3, which is accepted as being appropriate.</i></p> </div> <p>It is not clear how those who developed the NDP foresee development within that open space being limited, bearing in mind John Careford's comment above and the admission of the Chair of the NPG in an email to me (Appendix 6) that '<i>In retrospect I think we made an error in saying that we could limit the number of houses per site in Lower Tysoe to 3 or fewer. I don't believe that we have that power...</i>'.</p> <p>In the allocated site in Lower Tysoe (Site 1), the boundary of the BUAB divides a garden in an attempt to 'limit' the number of houses that might be built there (<i>NDP p31 Land to south of Orchards for approximately 3 dwellings</i>). It appears that the allocated land in Site 1 would take more than 3 houses as drawn. It has not been explained in the NDP (nor at public meetings) how it will be possible to</p>

Rep.No.	Name	Policy/Section	Representation
			<p>restrict development on that site and indeed on any sites were a BUAB for Lower Tysoe to be established. It is worth considering the current example of such a situation in Little Kineton (17/01569/FUL) as above.</p> <p>It appears, since it is clear that Lower Tysoe would be less well-protected as part of the LSV, that there must be a perceived benefit to Upper and Middle Tysoe of Lower Tysoe being part of the LSV. It can only be assumed that it is seen as a ‘safety valve’ to take a good proportion of the LSV’s future development (as implied in some of the comments in the response to the previous draft of the NDP Appendix 7.2) – which is likely to be disproportionate to Lower Tysoe’s current size (it has already had relatively more development than Upper and Middle Tysoe since 2011). However, as above, the evidence suggests that this is unnecessary as there is no ‘housing target’ for LSVs and any development in Lower Tysoe would contribute to SDC’s overall housing stock.</p> <p>It is also unclear what is meant in Section 4.1.0.2 of the NDP with regard to ‘windfall’ sites.</p> <div data-bbox="846 810 2076 1002" style="border: 1px solid black; padding: 5px;"> <p><i>4.1.0.2 The proposed Built-up Area Boundaries have been drawn around Lower, Middle and Upper Tysoe in order to define the built up area of the village and establish where development is acceptable in principle. In addition to the allocated sites, opportunities for new development within the Built-up Area Boundaries will be limited to ‘windfall’ sites determined on a case by case basis in accordance with the relevant development plan policies.</i></p> </div> <p>3. A lack of transparency during the plan’s development.</p> <p>I contend that the residents of Lower Tysoe (and the residents of Middle and Upper Tysoe) have not been properly informed or consulted about the major change in planning status that would occur were Lower Tysoe to become part of the LSV.</p> <p>Indeed residents of Lower Tysoe who attended a meeting in October 2016 in the house of the NPG Chair relied on inaccurate information (given to them by the NPG), when they were asked to express views on the changes proposed by the NPG. Prior to this meeting the NPG stated in writing that ‘It is</p>

Rep.No.	Name	Policy/Section	Representation
			<p><i>the recommendation of the new Neighbourhood Plan Steering Committee that Lower Tysoe should be included in the Local Service Village but with certain safeguards:The maximum number of units in any single new development within Lower Tysoe to be restricted to three.’ (Appendix 7). As already mentioned the NPG Chair subsequently admitted in an email to me that ‘In retrospect I think we made an error in saying that we could limit the number of houses per site in Lower Tysoe to 3 or fewer. I don’t believe that we have that power...’ (Appendix 6).</i></p> <p>Neither the NPG nor the Parish Council (PC) have made any attempt to correct the misinformation provided to those residents of Lower Tysoe in October 2016 by calling another meeting for them (and residents of Middle and Upper Tysoe) or to present to them in detail the pros and cons of being part of the LSV. I think this is a serious omission. A request by Lower Tysoe residents to the PC for more information/consultation and support for a meeting (Appendix 8) was not taken very seriously by the PC. We were referred to the Ward Member, Cllr Fielding; who obtained clarification on Lower Tysoe’s planning status from Stratford District Council (SDC) (John Careford) (Appendix 9) for which we were grateful, but which has not been disseminated more widely by the NPG or PC. An earlier email (9th February 2018) from John Careford to the Chairs of the PC and NPG (below) was later included in the ‘References’ of the previous draft of the NDP but again this was not highlighted in the main body of text of the previous draft and was not disseminated more widely until it became the subject of an FOI request by a resident of Lower Tysoe.</p> <div style="border: 1px solid black; padding: 5px;"> <p>Extract from mail 9th February 2018 from John Careford to David Roache, copied to Chris Saint, Cllr Sinclair, DC Feilding and the Clerk</p> <p><i>‘To summarise why SDC does not consider it appropriate to include Lower Tysoe within the BUAB, although I acknowledge a BUAB can have separate parts to it, Lower Tysoe is clearly a separate settlement some distance from Tysoe and lacking local facilities amenities (which are located in Tysoe). Including Lower Tysoe within the BUAB would represent a fundamental change to the status of the properties within Lower Tysoe. In planning policy terms, there is a general presumption against development and this is consistent with the objectives of the Core Strategy to preserve the rural character of the District. Including Lower Tysoe within the BUAB would establish a principle in favour of development. SDC also needs to apply its approach consistently across the District; if we were to include Lower Tysoe, then we would have to include other hamlets near to LSVs elsewhere. I am not</i></p> </div>

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			<p><i>sure what level of support there would be for that approach or arguably, how sustainable such an approach would actually be.</i></p> <p><i>Notwithstanding this, where there is local support for a different approach to planning than as set out by the District Council, then that is the very purpose of Localism and communities have the opportunity through the NDP process to implement that change. Thus, with respect, the ball is very much in the Parish Council's court. Whilst I am not suggesting that the NDP needs to have been 'made' before SDC will consider a different BUAB, it needs to have reached an advanced stage, providing certainty that both the contents of the NDP are final and that there is a degree of local support for the NDP. As outlined above, I consider Submission / Regulation 16 stage to be an advanced stage'.</i></p> <p>Another example of poorly managed consultation was the public consultation held for Tysoe residents in November 2016 in the Village Hall. Preferences which residents expressed about sites for development were made on the basis of a flawed exercise (placing pins on maps in an unsupervised way – Appendix 10), and inadequate information.</p> <p>Decisions taken by the NPG about the proposal to include Lower Tysoe in the LSV seem to have been pre-determined. This and other policies have not been the subject of open and respectful consultation, on the basis of full and accurate information being provided to the residents of Lower Tysoe, and the wider Parish of Tysoe. Surely it is reasonable that when a major change is proposed, residents should question this change, should ask for more information and should receive it. In his email to Matthew Neal (SDC) on 9th February 2018, the Chair of the NPG stated that <i>'we are now having to contend with a very vocal minority view which wishes to ignore the majority view in Tysoe and support the "isolated hamlet" view.'</i> (Appendix 11). How do the NPG know that this is the majority view? Do they have sufficient evidence? We are also considered to be troublemakers by the PC (e.g. Appendix 12 – first paragraph).</p> <p>On 24th April 2018, the Clerk of Tysoe Parish Council sent an email to Matthew Neal (SDC) on behalf of the Chair of the Parish Council to ask about the proposed inclusion of Lower Tysoe in the LSV (Appendix 13, obtained through FOI):</p>

Rep.No.	Name	Policy/Section	Representation
			<p>Dear Matthew</p> <p>Cllr Sinclair the Chair of the Parish Council has asked me to write to you regarding the inclusion or not of Lower Tysoe in the local service village (LSV).</p> <p>This matter continues to be debated within the community. Cllr Sinclair has three questions:</p> <p>If a referendum was held should the question of whether Lower Tysoe is included in the LSV or not be put just to the residents of Lower Tysoe or the entire Parish?</p> <p>Secondly do you think a referendum on this issue is a good idea and should it take place before or after the next 6 week public consultation?</p> <p>If a referendum is held how should this be conducted.</p> <p>Many thanks for your assistance</p> <p>The response from SDC was:</p> <p>We have taken advice from District Council's Head of Governance and Democracy. He raises concerns with the idea of a referendum. He is of the view that the best way forward is for the Parish Council to continue with the second Regulation 14 (pre-submission) consultation with the community as this would provide the best opportunity to explain explicitly the implications for including or not including a settlement boundary for Lower Tysoe within the NDP.</p> <p>This is because, for example, the consultation could include a specific question on whether to include a boundary for Lower Tysoe which would give the QB the same outcome as a potential referendum but with the added benefits of ensuring that the community (a) understands the issues at hand (through explanatory text) and (b) are themselves able to provide comments to the QB on the issue rather than a simple yes/no.</p> <p>The Parish Council could also vote specifically on the issue to ensure democratic accountability.</p> <p>I trust this is helpful.</p>

Rep.No.	Name	Policy/Section	Representation
			<p>There has been no specific question and no explicit presentation of the pros and cons of a change in Lower Tysoe’s planning status in the main body of the NDP despite a request for this by at least one Parish Councillor. Such information about the pros and cons was also not provided at consultation events.</p> <p>There have been questions from several quarters about the final referendum. Obviously, if the referendum is to include the residents of Upper, Middle and Lower Tysoe then residents of Lower Tysoe will have a relatively small voice. As expressed to me by another resident, it is analogous to the rest of Europe determining whether the UK should leave Europe or not! I personally feel that it should be up to the residents of the hamlet of Lower Tysoe to determine its future and not to the residents of the neighbouring village.</p> <p><u>Inaccuracies in the plan and in the responses to the plan</u></p> <p>There are some inaccuracies in the NPG responses to the previous draft (Tysoe NDP Appendix 7.2)</p> <div style="border: 1px solid black; padding: 5px;"> <p>Tysoe NDP Appendix 7.2 TYSOE NEIGHBOURHOOD DEVELOPMENT PLAN, Pre-Submission Plan July 2018 Table of main public comments received and responses p29: <i>‘Virtually the only objections raised against the inclusion of Lower Tysoe in the LSV have come from a small (circa 20) number of residents in Lower Tysoe who live adjacent to allocated Site 1’.</i> This is untrue; the residents objecting to the inclusion of Lower Tysoe in the LSV are distributed throughout the hamlet. The NPG should be well aware of this as an un-redacted letter from LTLEG was submitted during the consultation for the previous draft. Redacted version of letter attached as Appendix 1 – names can be provided on request.</p> </div>

Rep.No.	Name	Policy/Section	Representation
			<p>Tysoe NDP Appendix 7.2 TYSOE NEIGHBOURHOOD DEVELOPMENT PLAN, Pre-Submission Plan July 2018 Table of main public comments received and responses p29: <i>The LTLEG rejected the offer by the NPG to meet them to discuss this matter and have consistently avoided open debate on the subject.</i> This is untrue, none of us are aware of an offer of a meeting and would like to see the evidence that this was made. Indeed we sought a meeting ourselves (Appendix 8). This request was eventually part-fulfilled (through an invitation to John Careford to attend the October 2018 PC meeting) but only after the consultation period for the Pre-Submission Plan had ended and 6 months after our letter requesting a meeting was sent.</p> <p><u>Conclusion</u></p> <p>My overall view is that the evidence to support inclusion of Lower Tysoe in the Tysoe LSV is weak and that the decision to include Lower Tysoe in the LSV is irresponsible bearing in mind that the Parish Council has a 'duty of care' to all parts of the parish and that this duty of care should be in the context of the distinctive and individual characteristics of each part of the parish. I believe that Lower Tysoe should remain as a hamlet and not be part of the Tysoe LSV. I also believe that if its status is to be changed it should be the residents of Lower Tysoe who make that choice and not the whole parish.</p> <p>Appendix 1</p> <p>Response to consultation on the Pre-Submission Neighbourhood Plan ('NP') Lower Tysoe Local Environment Group</p> <p>This response is submitted on behalf of the undernoted residents of Lower Tysoe, working together as a group to provide detailed and informed comment on the NP, specifically as to how its proposals might affect Lower Tysoe.</p> <p>The response has been informed by an experienced planning consultant, Peter Frampton BSc (Hons) TP MIRCS MRTPI, commissioned by Lower Tysoe residents to provide an independent and expert view on</p>

Rep.No.	Name	Policy/Section	Representation
			<p>the draft NP’s proposals and their potential effect on Lower Tysoe.</p> <p>This response objects to those elements of the draft NP which propose that Lower Tysoe become part of the Local Service Village of Tysoe, with a ‘Built-Up Area Boundary’ (‘BUAB’) as defined by the NP, on the following grounds:</p> <ol style="list-style-type: none"> 1. They are contrary to NPPF and SDC Core Strategy Planning Policies; and 2. There have been material failures of due process in the consultation procedures in the preparation of the NP, as follows: <p>Achieving Sustainable Development – suggested BUAB for Lower Tysoe</p> <ol style="list-style-type: none"> 1. There are statutory ‘basic conditions’ which a Neighbourhood Plan (NP) must meet before it is submitted to a referendum. These include: <ol style="list-style-type: none"> a) having regard to the national policies and advice contained in guidance issued by the Secretary of State; b) the Plan contributes to the achievement of sustainable development; c) the Plan is in general conformity with the strategic policies contained in the development plan for the area. 2. The development plan for the area is the Stratford on Avon District (‘SDC’) Core Strategy. Policy CS1 Sustainable Development (Appendix 1) states <i>inter alia</i> that ‘<i>development should be located and designed so that it contributes towards the maintenance of sustainable communities in the District</i>’. The Development Strategy is provided by Policy CS15 Distribution of Development (Appendix 2). The Core Strategy states (5.1.1): <p><i>‘The NPPF expects development to be focused in the most sustainable locations in terms of availability of shops facilities and services as well as modes of transport other than the private car.’</i></p> 3. The Strategy is therefore to direct development to the most sustainable settlements, i.e. Stratford-upon-Avon; Main Rural Centres; New Settlements and Local Service Villages (LSVs).

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			<p>LSVs have been identified within the Core Strategy from a range of available services, namely:</p> <ul style="list-style-type: none"> - size of settlement - general store - primary school - public transport <p>4. The NP acknowledges that Lower Tysoe is a separate and distinct settlement to Upper and Middle Tysoe. Lower Tysoe possesses none of the services and facilities necessary for the designation of an LSV. Lower Tysoe is a freestanding hamlet in the open countryside. The objective to secure sustainable patterns of development is protected by the Core Strategy under policy AS10 Countryside and Villages (Appendix 3).</p> <p>5. A hamlet with no facilities does not become a sustainable settlement to accommodate housing growth simply on account of a desire by the NPG to spread the 'burden' of new housing across three settlements with the name Tysoe.</p> <p>6. The inclusion of a BUAB around Lower Tysoe is:</p> <ul style="list-style-type: none"> - inconsistent with national planning policy; - does not contribute to the achievement of sustainable development; - is not in general conformity with Policy CS1-Sustainable Development; - is not in general conformity with Policy CS15 Distribution of Development; <p>7. In the determination of a planning application for 5 houses at Lower Tysoe (17/03730/FUL) the SDC Planning Officer informed the Planning Committee that:</p> <p><i>'It has always been the opinion of officers that Lower Tysoe is not a sustainable location for new residential development'</i>.</p> <p>The Refusal of Planning Permission noted that <i>'the proposal was unacceptable in principle when assessed against the relevant policies within the Core Strategy'</i>.</p>

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			<p>8. This decision was issued in March 2018. Nothing has changed to suggest that the hamlet of Lower Tysoe now has access to services so as to become a sustainable location for new housing growth. Lower Tysoe remains a hamlet in the open countryside. New housing development would be overwhelmingly reliant upon the use of the private car for access to facilities and services. Lower Tysoe is poorly located to accommodate new housing growth. The proposal in the Neighbourhood Plan is not in general accordance with the underlying policy objectives of the Core Strategy.</p> <p>9. The SDC Planning Policy Officer confirmed in correspondence (9th February 2018) with Tysoe Parish Council that: <i>“Lower Tysoe is clearly a separate settlement some distance from Tysoe and lacking local facilities amenities (which are located in Tysoe). Including Lower Tysoe would represent a fundamental change to the status of the properties within Lower Tysoe. In planning policy terms, there is a general presumption against development and this is consistent with the objectives of the Core Strategy to preserve the rural character of the District. Including Lower Tysoe within the BUAB would establish a principle in favour of development. SDC also needs to apply its approach consistently across the District; if we were to include Lower Tysoe, then we would have to include other hamlets near to LSVs elsewhere. I am not sure what level of support there would be for that approach or arguably, how sustainable such an approach would be.”</i></p> <p>Defining a BUAB around the hamlet of Lower Tysoe would make a fundamental change to the settlement strategy of the District, undermining the long-established planning principle of focussing new growth to sustainable urban locations.</p> <p>Comments on Process, Evidence and Consultation</p> <p>The NPPF requires all development plans to be shaped by <i>‘early proportionate and effective engagement between plan makers and communities’</i> (NPPF 16). <i>‘Effective engagement’</i> requires:</p> <ul style="list-style-type: none"> – consultation with communities; – the consideration of the responses from a consultation exercise; – a reasoned response to the consultation in successive stages of plan-making. <p>The following examples evidence a failure to comply with the provisions and due process of the NPPF</p>

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			<p>for consultation with the community in preparing an NP: specifically (but not exclusively) in relation to the NP's proposal to include Lower Tysoe in the LSV of Tysoe, with its own BUAB.</p> <p>I. The NP refers (Page 19, para 3.3.1.2 & Page 29, 6.2.0.1) to <i>“the 2014 residents’ survey”</i> and <i>“the Plan questionnaire of August 2014”</i> as evidence in support of Housing Policy 1, designating a Built-Up Area Boundary for Lower Tysoe.</p> <p>a) The ‘Plan’ referred to was a draft NP prepared in 2014, preceding adoption by SDC of the Core Strategy. This 2014 draft was subsequently rejected by the PC and SDC in January 2016 (See Tysoe website, NP section, ‘documents’). The survey/questionnaire refers to that draft and its’ proposed policies. This draft and the questionnaire/survey which preceded it, are invalid and inappropriate as reliable evidence.</p> <p>b) The response to the 2014 questionnaire/survey quoted by the NP (as above) was in answer to the question: <i>“Do you think of Tysoe as one, two or three villages?”</i>. No context was provided to the question to relate it to residents’ views about the LSV of Tysoe; other than a statement preceding the question that <i>“Planners take decisions based on local circumstances and opportunities.”</i>. Tysoe is self-evidently one Parish, comprising one village (Upper and Middle Tysoe), with outlying hamlets, including Lower Tysoe. The response quoted (<i>“78% believed that Tysoe comprised all of the three villages”</i>) is not valid evidence of consultation with the community in support of the NP’s proposal.</p> <p>II. The NP offers no other direct evidence of consultation with residents to support the NP’s proposal for Lower Tysoe. However various assertions are made in the NP, in the Minutes of Public Meetings of the NPG, and in communications by the NPG with SDC that purport to constitute such evidence:</p> <p>a) A meeting of Lower Tysoe residents in October 2016 is referred to in the NPG/PC submission in June 2017 to SDC’s consultation on proposed BUABs. This meeting is also referred to in the References section of the NP as a ‘Local Service Village Meeting Survey’. In its’ submission to SDC the NPG/PC asserted that <i>“This (creation</i></p>

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			<p>of a BUAB for Lower Tysoe) <i>was the subject of a targeted public consultation which resolved that Lower Tysoe should have its own BUAB</i>".</p> <p>No such <i>'targeted public consultation'</i> was held, no <i>'resolution'</i> was put to residents or made at this meeting, and neither of these is evidenced.</p> <p>Residents who attended this meeting in October 2016 were not informed about the current planning status of Lower Tysoe (as above); were misinformed that if Lower Tysoe was to remain outside the LSV <i>"Lower Tysoe would have no clear 'protection' accorded to it by the NP which would potentially make it vulnerable to future development"</i>; and that the NP would provide that <i>"the maximum number of units in any single new development within Lower Tysoe to be restricted to three"</i>. Both these latter statements were materially incorrect and/or undeliverable. While the last of these statements was acknowledged as an error by the NPG in 2018 in an email response to a resident's enquiry, residents attending the meeting in October 2016 relied on these statements in giving their views about the LSV. They were not informed that these views would constitute a <i>'resolution'</i> about the LSV. This constitutes a material failure of transparency and due process of consultation.</p> <p>b) In correspondence with SDC Planning Policy Officer (9th February 2018), the NPG state that <i>"we have quite conclusive evidence that it is the wish of the majority of Tysoe (all three settlements) residents that Lower Tysoe be considered part of the greater village of Tysoe"</i>.</p> <p>This conclusion is inferred in the NP's assertions (Page 19, paras 3.3.1.1 and 3.3.1.2) that: <i>"The Plan reflects the thoughts and feelings of local people" and "the decision to give Lower Tysoe a BUAB in the pre-submission draft has been made..."</i>.</p> <p>There is no such <i>'conclusive evidence'</i>. At a public consultation in November 2016, before the first pre-submission draft NP was published, only 7 residents responded to state that <i>"Lower Tysoe belongs in the Local Service Village"</i>. (See 1st pre-submission draft NP, volume 2). There has been no other public consultation before or since November 2016 to determine residents' views on this (or any other NP related matter).</p>

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			<p>III. Meetings of the NPG were held in private from December 2016 to August 2017, in contravention of the NPG's Terms of Reference. Public Meetings of the NPG since then, up to and including the date of publication of the current draft NP, have limited residents' questions to one per meeting. No meaningful discussions on matters of proposed NP policy were permitted.</p> <p>IV. At the November 2016 consultation no information about the implications of such a change, (the proposed BUAB for Lower Tysoe and the implications for its planning status) was provided. Maps produced at the consultation showing proposed site allocations included 8 (out of a total of 16 for the whole Parish) in Lower Tysoe. Residents were invited to express a preference for sites for development without: any sight of the PC's consultant's site assessments; or any information about planning policy constraints on sites being proposed for development. Housing development on the scale proposed was stated, incorrectly, to be needed to meet SDC's 'target'. SDC had advised the NPG there was no 'target' at a meeting in August 2016. (see Tysoe website, NP section). The affixing of 'pins', provided by the NPG, by residents at this November consultation to indicate site preferences on a map of possible sites were not adequately supervised to prevent abuse of this methodology.</p> <p>The November 2016 consultation and the above NP's assertions were not based on sound or robust evidence of consultation with the community, were misleading of residents, and constituted a breach of transparency and due process such that this November 2016 consultation is unreliable as evidence.</p> <p>V. In communications with the PC Chair, c/o the Parish Clerk in April 2018, SDC's Head of Governance and Democracy stated, in relation to the NP's proposed policy for Lower Tysoe, that consultation on the draft <i>"could include a specific question on whether to include a boundary for Lower Tysoe ... with the added benefits of ensuring that the community (a) understands the issues at hand (though explanatory text), and (b) are themselves able to provide comments to the QB on the issue rather than a simple yes/no"</i> (i.e. in a Referendum). There is no such question and no explanatory text in the NP to enable the community to</p>

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			<p>understand the issues. This has prevented the community from making informed and reasoned comment on the NP's proposal for Lower Tysoe.</p> <p>The NP is considered to be flawed in its preparation and intent to identify a BUAB around the hamlet of Lower Tysoe. The NP should not proceed to submission version in the form as currently prepared.</p> <p>Conclusions</p> <p>These are the comments of the undernoted residents of Lower Tysoe to the pre-submission draft NP. We conclude that it would be entirely inappropriate to include Lower Tysoe in the LSV of Tysoe, with its own BUAB, in the Tysoe NP. It is contrary to NPPF, and SDC Core Strategy planning policies; would materially harm this distinct rural hamlet with little or no benefit; would not result in sustainable development; and would contravene other aims and policies of the NP (e.g. Natural Environment, Built Environment, Employment) which are regarded as very important by the wider community of the Parish of Tysoe.</p> <p>It is not supported by the community of residents of Lower Tysoe, contravening the intentions and provisions of the Localism Act.</p> <p>[N.B. Appendices 2 to 13 submitted with this representation are copies of paper documents. These have been included as a separate document to be read in conjunction with this schedule].</p>
TYS.17	Local Resident	Comments on the Plan as a whole.	<p><i>Comments on the Tysoe Neighbourhood Development Plan – its development and content</i></p> <p>Abbreviations:</p> <p>Lower Tysoe – LT Parish Council – PC Neighbourhood Development Plan - NDP Neighbourhood Plan Group – NPG Consultation Statement – C State</p>

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			<p>Core Strategy – CS Built up Area Boundary – BUAB Local Service Village - LSV</p> <p>Introduction</p> <p><i>Although I support some elements within the Plan, there are fundamental issues with which I disagree; I therefore challenge some of the proposals within it. These are:</i></p> <ul style="list-style-type: none"> • <i>The proposal that the hamlet of Lower Tysoe (LT) is brought within the LSV and a BUAB created.</i> • <i>Housing Policies 1, 2 and 3</i> <p><i>I comment also on the poor conduct of Tysoe Parish Council and the NPG during the Plan’s development.</i></p> <p>Opposing Lower Tysoe in the LSV and with a BUAB:</p> <p><i>The Tysoe Neighbourhood Development Plan proposes a fundamental change to the planning status of the hamlet of Lower Tysoe. This is a contentious issue and I challenge the process by which the Neighbourhood Planning Group resolved to include LT within the LSV and the evidence for doing so. I highlight failures in the procedure / process, critique the evidence submitted in the Plan. If LT were to have a BUAB, the historic environment of the hamlet is likely to be prejudiced. Importantly a change in the planning status from ‘presumption against development’ to ‘presumption in favour of development’ removes the controlled development the hamlet has enjoyed successfully for the past 50 years or so. It must reduce greatly the influence of residents and the Parish Council on future planning proposals in the hamlet; this is particularly so should a rural exception site in LT be brought forward. The change in status offers little protection of the hamlet’s historic environment irrespective of the nature of the development.</i></p>

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			<p><i>Inadequacies in Process / Consultation:</i></p> <p>Although the NPG engaged with LT residents (in a Group member’s private residence) in October 2016, incorrect information was provided to them. It was later acknowledged that housing numbers on a site cannot be controlled through the NDP. Residents were not adequately informed to enable them to challenge the views of the NPG and what the group was proposing; the meeting was informal and no minutes taken (C State, Appendix 2, Time Line of the Plan).</p> <p>Following aggressive planning applications (17/03730/FUL and 17/03634/FUL) in Lower Tysoe, residents became very concerned about the implications of the potential change in planning status. Since then the NPG and PC have deliberately avoided consultation with LT residents. This includes the rejection of a request by some LT residents to meet SDC to enable them to understand the implications of the proposed change of planning status (Appendix 1, Item 1) and the failure of the NPG to fulfil its own suggestion (Appendix 1, Item 2) and the recommendation of SDC (Appendix 1, Item 3). An attempt to address the latter can be found in comment 54 (C State, Appendix 7.2); responding, the NPG failed to grasp that residents of the Parish should have been invited to undertake the same exercise.</p> <p>This is contrary to the NPG’s claim that although a group LT residents were offered opportunities to discuss the proposal it was refused (C State, Appendix 7.2, paragraphs 51, 63 and 70). This statement is fictitious and as a resident of LT and a Parish Councillor at the time, I (and other residents) am not aware of any offer from the NPG to meet LT residents. This brings into question the credibility of the NPG; I challenge the NPG and PC to present evidence to justify the claim.</p> <p>Lower Tysoe residents commented extensively on the Pre-submission Draft Version 2 of the NDP. In the Consultation Statement, Appendix 7.2, comments 42, 44, 45, 47, 61, 63, 66, 67, 85 and 87 make objections to the BUAB for LT; many comment on the lack of consultation and transparency by the NPG and PC. In addition the Lower Tysoe Local Environment Group (LTLEG) makes similar comments and represents around 20 residents. It is disingenuous and quite wrong therefore for the NPG in responding to comment 70 to say – <i>Virtually the only objections raised against the inclusion of Lower Tysoe in the LSV have come from a small (circa 20 residents) number of residents in Lower Tysoe.</i> Ten more individual commentators write to oppose the plan’s proposed change in planning status for LT. Thus</p>

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			<p>representations from 30 residents is a significant number particularly as there are only 40 dwellings and approximately 90 residents in LT. Responses to the residents' comments repeat the sentiments in the Plan and fail to consolidate or strengthen the NPG's arguments. Hence they fail to win the support of residents.</p> <p>The NPG offers more fiction by its response to comment 51 in Consultation Statement, Appendix 7.2. It is quite wrong to say - <i>Virtually the only objections raised against the inclusion of Lower Tysoe in the LSV have come from a small (circa 20) number of residents in Lower Tysoe who live adjacent to allocated Site 1.</i> At the time of the objection, only 5 residents in this group live adjacent to Site 1; those (two) who were Parish Councillors at the time were not members of the LTLEG. Such a fictional statement brought into the Public Domain does nothing to re-enforce the credibility of the NPG.</p> <p>Furthermore, having attended some <i>NPG meetings in Public</i> I did not find them a consultative forum. This is contrary to the assertions of the NPG. The meetings did not afford residents the opportunity to debate issues with the Group and so it is not surprising that the meetings were poorly attended.</p> <p><i>Issues within the submission draft of NDP:</i></p> <p>Contrary to - <i>The purpose of all of these consultation channels has been to first determine the views of residents and other interested parties and then to validate the Plan's policies against these views and to incorporate residents' concerns in the Plan</i> (page 7 of the Consultation Statement) - it seems that proposals contained within the Plan are based largely on opinion of the NPG (and the PC) with selective, preferential and incomplete interpretations of some consultative responses. They are very short on fact. For example:</p> <p>3.3.1.2: <i>Village Survey in November 2014</i>; although the majority of residents that responded consider Upper, Middle and Lower Tysoe as one village (NDP Reference 13), this has little relevance to the inclusion of LT within the LSV. The question was not supported by an explanation of a BUAB and LSV or of the relationship between them and the implications for each settlement in the Parish.</p>

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			<p>Although it confirms that Tysoe is considered as three settlements the response does not determine that LT should be included in the LSV and have its own BUAB. It is convenient (and understandable) for the NPG to consider it so because it bolsters the housing supply for the LSV. Importantly however there is no housing target for the LSV.</p> <p>4.1.0.3: Whilst the hamlet of LT (as defined by SDC) has had <i>'presumption against development'</i>, the Parish Council has, with support of the Ward member, enabled new housing some of which has been for local need; recently unsightly redundant farm buildings have been eliminated and replaced with a very small housing development – points the NPG has chosen to ignore. As development is well controlled currently and historically (over 50 years) and with no significant harm to the natural, built and historic environment, there is no logical benefit in changing the planning and property status of LT as the plan proposes. This accords with SDC's considered opinion (Appendix 2). The implication that the Parish Council cannot be trusted to look after planning issues in LT is irrational and ignores a purpose of a body elected by its constituent parishioners.</p> <p>Furthermore, Section 5.5 of the Consultation Statement fails to convey the fact that development in the hamlet has been disproportionately greater than in either Middle or Upper Tysoe. To say that without a BUAB, LT would not be 'protected' is incorrect and invalid (see Planning Appeal APP/J3720/W/18/3213626). The statement is divisive. The points made in this paragraph are not substantiated and contradict the supposed benefits of a BUAB.</p> <p><i>Thus Housing Policy 1 is flawed and the proposed change in the Planning Status of LT brings no benefit to the hamlet.</i></p> <p>4.1.0.4: LT is a hamlet separate from Upper and Middle Tysoe. It is a constituent of the Parish. It is connected to the services in Middle Tysoe but not sustainably so according to SDC Core Strategy policies CS.1 (Sustainable Development), CS.15 (Distribution of Development) and SDC's SHLAA Site Evaluation criteria which regards distances from services of up to 400m as acceptable. Most of LT is more than 800m from the services, regarded as unacceptable. Residents using the unlit pavement have to walk or cycle up to 1.5 k. Other public rights of way to and from Middle/Upper Tysoe are over open countryside. Most residents rely on the car to access the facilities in Middle Tysoe.</p>

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			<p><i>The 'logical' proposal that Lower Tysoe should have a BUAB because its residents share facilities in Middle Tysoe is not credible evidence; the facilities are shared by residents of Oxhill, Radway, Shenington, Brailes and beyond and without them the shop and Post Office would not be sustainable or the village centre vibrant. With or without the Plan, the long term viability of the Primary School is in question. The school confirms that in the last year nobody has attended the school from any of the new houses recently built in the Parish of Tysoe (Appendix 3).</i></p> <p><i>Housing Policy 2 - Housing density & the BUAB :</i></p> <p>There is strong evidence to contradict the assertion of the of the NPG (response to comment 55, C State Appendix 7.2) that –</p> <p><i>It is the opinion of the Group that drawing Lower Tysoe into the Local Service Village and providing it with its own Built up Area Boundary will afford it greater protection that previously (Housing Policy 1). The Plan proposes that only three dwellings should be built there until 2031.</i></p> <p>The NPG is unwilling to accept that housing densities on allocated sites can exceed that proposed in the plan where the allocated land area allows. NPG responds to comment 57, Appendix 7.2 thus - <i>Site 1 to which the resident specifically alludes is a relatively large plot. It is the number of houses on the plot that is important here (in this case three houses) not the size of the plot. Application for a greater number of houses has already been turned down. The Plan cannot control what future planning applications may include regarding type of housing, but Housing Policy 5 indicates what the Parish Council will support (i.e. three houses). Once adopted, the Neighbourhood Development Plan will carry statutory weight being part of the Development Plan.</i></p> <p>The evidence from Consultation Statement Appendix 7.2, resident comments 53 and 57 – information from SDC pop in session about allocated sites and the Little Kinton development (Planning Ref 17/01569/FUL), contradicts the NPG's claim. The contradiction is further supported from the outcome of Appeal Reference APP / J3720 /W /18 / 3213626. The appeal was dismissed not for the number of houses (seven) proposed by the landowner of Site 1 (The Orchards), but because the layout was not acceptable. There is now another Planning Application (19/01529/FUL) for this site which seeks to build</p>

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			<p>five dwellings.</p> <p><i>Thus contrary to the assertions of the NPG, it is evident that a BUAB for LT will not afford greater protection and that housing densities within it cannot be controlled by the NDP's proposals.</i></p> <p><u>Other Matters</u></p> <p><i>Housing Policy 2 – Affordable Homes:</i></p> <p>Fundamental to the NDP is a requirement for Affordable Homes in the Parish; the Plan fails to meet this need; there is no guarantee that a developer will provide. The Plan is therefore incomplete.</p> <p>The Housing Needs Survey (C State, Appendix 5, October / November 2016) identified a requirement for a range of affordable homes. Unfortunately the NPG have been unable to secure a site or an agreement to fulfil this need. The owner of Sites 2 and 3 <i>has agreed to consider developing a scheme to provide affordable housing units</i> (NDP, Paragraph 6.3.0.6). Thus the Affordable Homes element is only an aspiration; this is a fundamental failing of the Plan.</p> <p><i>I submit that before the Plan advances, a site for Affordable Homes should be secured; at Referendum residents cannot be expected to vote on a Plan where there is an 'unknown' that is a fundamental element of it.</i></p> <p><i>Housing Policy 3 - Reserve Sites:</i></p> <p>A modest development with affordable housing on Site 22 (Oxhill Road) is less harmful to the Heritage Asset than the proposed Reserve Sites that lie within Conservation Areas.</p> <p>The NPG have proposed two Reserve Sites, each within a Conservation Area. It is not surprising therefore that the proposals have met with much opposition. The Consultation Statement, Appendix 7.2, shows 5 objections to Herberts Farm and around 30 to Roses Farm with only 4 in support of the latter.</p>

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			<p>The NPG and its Planning Consultant have chosen to dismiss Site 22 (Oxhill Road) which was subject to appeal (Ref: APP/J3720/A/14/2215276). The appeal was dismissed because the proposed development was too large and incongruous in a rural setting. Despite the ridge and furrow and the setting in relation to the Manor (the heritage asset), the Inspector reported that <i>the proposal would result in less than substantial harm to the heritage asset.</i></p> <p>At a PC meeting (7th August 2017) Strutt and Parker with Manor Oak discussed a modest development of 20 dwellings, including affordable homes, for Site 22. I suggest that the Heritage Asset would be little harmed by such a modest development and would outweigh the harm to the Conservation Areas in which the proposed Reserve Sites sit.</p> <p><i>I conclude that the NPG should re-visit the Reserve Site allocations and include Site 22 in its deliberations; the community deserves to be given sound reasons for the NPG's Reserve Site selection.</i></p> <p><i>Unacceptable Conduct of Tysoe Parish Council and the NPG:</i></p> <p>During the development of the NDP some residents have justifiably challenged the process by which it has been developed, the robustness of the evidence within it and other elements of the Plan. They have been vilified in public and in correspondence by the PC but particularly by the NPG.</p> <p>The PC and NPG have been most disrespectful when responding to those residents – breaching the standards of behaviour stipulated in the Code of Conduct for Councillors and Parish Councillors. It is inappropriate for me to disclose correspondence to which I was privy whilst a Parish Councillor. It may be that those residents affected choose to disclose the correspondence or comment on it.</p> <p>Nonetheless two Parish Councillors resigned because they considered the conduct of some Councillors and members of the NPG, endorsed by the majority of the Parish Council, to be wholly unacceptable (Appendix 4).</p>

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			<p>Despite the resignations, there was a further breach of the Code of Conduct by a Parish Councillor at the PC meeting on 4th March 2019. Following a complaint to the SDC Monitoring Officer an apology ensued.</p> <p>Summary Conclusions:</p> <p>There is no robust evidence to support:</p> <ul style="list-style-type: none"> • Lower Tysoe being part of the LSV with its own BUAB; the evidence I believe is not adequate to enable the Plan to pass independent examination • That a BUAB for Lower Tysoe offers better protection than its current status of <i>presumption against development</i> which accords with SDC's current position. • That through the Neighbourhood Plan housing density on allocated sites can be controlled • The Plan's ability to deliver affordable housing • The appropriateness of the selected Reserve Sites <p>The NPG's responses to many of the comments that challenge elements of the Tysoe Neighbourhood Development Plan reveal that it is driven more by emotion and dogma than rational argument. I conclude therefore that the Plan should be returned to a draft stage and the fundamental flaws that have been identified in this and previous consultations are resolved through more robust and polite engagement with the residents of the Parish.</p> <p><u>Appendix 1</u></p> <p><i>Examples of the deliberate failure to consult on a change of Planning Status of Lower Tysoe</i></p> <p><i>Item 1</i></p> <p><u>Parish Council meeting 9th April 2018:</u></p> <p>Request from a group of residents seeking information on the current status of Lower Tysoe, what is</p>

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			<p>proposed for it and the advantages and disadvantages in a change of status.</p> <p>This group sought help from the Parish Council to obtain the information listed in the Appendix; contrary to a note in the minutes (below) the group were content to declare in confidence to the Parish Council the names of members of the group (the Clerk advised them not to do so for Data Protection reasons) and to involve other stakeholders from the Parish who would be interested in meeting a representative from SDC.</p> <p>From the minute below) the Parish Council was unwilling to support this request although there is no record of a vote. It was suggested that it be passed to the NP Steering Group.</p> <p><u>From the minutes of the PC meeting 9th April (names have been redacted):</u></p> <p><i>Lower Tysoe Local Environment Group</i> – This had been circulated to all Councillors, a Cllr read out their views and opinions. Another Cllr quite sure they have good reasons but felt slightly uncomfortable in dealing with people that will not give their names. If there was going to be a meeting and we were going to invite members of SDC it would need to be for the whole of Tysoe not just a splinter group. Another Cllr said that he totally agreed with a Cllr’s comments but would add there are NPG meetings which they can attend and speak. Another Cllr asked if it had been raised at the last NPG Meeting. It had not.</p> <p>A Cllr asked the chair of the group if she was happy for the letter to be shared with the NPG. A Cllr said that there are some valid concerns within the letter.</p> <p>All that they want to do is have access to members of SDC without it being facilitated? The District Councillor (DC) said pass on the questions to him and he would forward it to SDC for comment. A Cllr said could John Careford to be invited along to the next NPG meeting. Another Cllr said that she felt it should go through the DC and that people should attend the NPG meetings. Another Cllr they should talk to the NPG and then it’s brought to the PC.</p> <p>From the minutes of the NP Steering Group Tuesday 1st May 2018 (that followed the 9th April PC</p>

Rep.No.	Name	Policy/Section	Representation
			<p>meeting) there is no record suggesting that the letter and its content was discussed.</p> <p>Item 2</p> <p>----- Forwarded message ----- From: <i>(name redacted)</i> Date: Wed, Oct 5, 2016 at 8:36 AM Subject: Re: Consultation regarding Lower Tysoe and LSV To: <i>(name redacted)</i></p> <p>Hi</p> <p>You can be assured that the Pros and Cons will be well stated to enable the residents of Lower Tysoe can arrive at their own conclusions. The Steering Committee has spent weeks studying the ramifications of the Neighbourhood Plan - we are simply giving a 'steer' as to what we believe is the right course of action for Tysoe as a whole.</p> <p>We are acting responsibly, with the interests of the whole village at heart. I think you should be aware, if you are not already, that this single issue (more than any other) successfully derailed the last attempt at producing a neighbourhood Plan and there is every likelihood that it could do so again.</p> <p>I think that you should trust us, as the appointed Neighbourhood Plan Steering Group, to present the cases for both sides of the debate. We will ensure that people can make up their own minds and reach their own conclusions without experiencing undue pressure from anyone.</p> <p>I look forward to seeing you on Friday.</p> <p>Kind regards</p>

Rep.No.	Name	Policy/Section	Representation
			<p>Item 3</p> <p><i>The reasons FOR and AGAINST Lower Tysoe as part of the Local Service Village</i></p> <p>In an e-mail exchange between the Parish Council and SDC), SDC advised that the consultation with the community would provide the best opportunity to explain explicitly the implications for including or not including a settlement boundary for Lower Tysoe within the NDP.</p> <p><i>Email correspondence with John Careford 27/4</i></p> <p>Dear [name redacted],</p> <p>Thank you for your email to Matthew.</p> <p>We have taken advice from District Council's Head of Governance and Democracy. He raises concerns with the idea of a referendum. He is of the view that the best way forward is for the Parish Council to continue with the second Regulation 14 (pre-submission) consultation with the community as this would provide the best opportunity to explain explicitly the implications for including or not including a settlement boundary for Lower Tysoe within the NDP.</p> <p>This is because, for example, the consultation could include a specific question on whether to include a boundary for Lower Tysoe which would give the QB the same outcome as a potential referendum but with the added benefits of ensuring that the community (a) understands the issues at hand (through explanatory text) and (b) are themselves able to provide comments to the QB on the issue rather than a simple yes/no.</p> <p>The Parish Council could also vote specifically on the issue to ensure democratic accountability.</p> <p>I trust this is helpful.</p> <p>Regards,</p>

Rep.No.	Name	Policy/Section	Representation
			<p>John Careford MRTPI Policy Manager (Planning & Housing) Policy Team, Stratford-on-Avon District Council 01789 260801</p> <p>-----Original Message----- From: <i>[name redacted]</i> Sent: 24 April 2018 15:10 To: Matthew Neal Cc: <i>[name redacted]</i> Subject: NDP and Lower Tysoe</p> <p>Dear Matthew</p> <p>The Parish Council has asked me to write to you regarding the inclusion or not of Lower Tysoe in the local service village (LSV).</p> <p>This matter continues to be debated within the community. has three questions:</p> <p>If a referendum was held should the question of whether Lower Tysoe is included in the LSV or not be put just to the residents of Lower Tysoe or the entire Parish?</p> <p>Secondly do you think a referendum on this issue is a good idea and should it take place before or after the next 6 week public consultation?</p> <p>If a referendum is held how this should be conducted.</p> <p>Many thanks for your assistance</p> <p>Kind regards</p>

Rep.No.	Name	Policy/Section	Representation
			<p><u>Appendix 2</u></p> <p><i>SDC's position and advice on the Planning Status of Lower Tysoe:</i></p> <p>SDC's position statement from John Careford is very clear and advises against the inclusion of Lower Tysoe in the LSV. It reads thus:</p> <p><i>To summarise why SDC does not consider it appropriate to include Lower Tysoe within the BUAB although I acknowledge a BUAB can have separate parts to it. Lower Tysoe is clearly a separate settlement some distance from Tysoe and lacking local facilities amenities (which are located in Tysoe). Including Lower Tysoe within the BUAB would represent a fundamental change to the status of the properties within Lower Tysoe. In planning policy terms there is a general presumption against development and this is consistent with the objectives of the Core Strategy to preserve the rural character of the District. Including Lower Tysoe within the BUAB would establish a principle in favour of development. SDC also needs to apply its approach consistently across the District; if we were to include Lower Tysoe then we would have to include other hamlets near to LSVs elsewhere. I am not sure what level of support there would be for that approach or arguably how sustainable such an approach would actually be.</i></p> <p>And in an e-mail from SDC to District Councillor Feilding:</p> <p><i>SDC is supportive of parishes taking the lead on BUABs through the NDP process where they are at an advanced stage of preparation. In respect of Tysoe it is the view of Officers that Lower Tysoe should not be included within the BUAB for the LSV; however we are happy to take a different view if such a view is being advanced through the NDP.</i></p> <p><u>Appendix 3</u></p> <p><i>The effect of new housing on pupil numbers at Tysoe CE Primary School</i></p>

Rep.No.	Name	Policy/Section	Representation
			<p><i>From: [e-mail address redacted] Sent: 17 December 2018 12:21:03 To: Name redacted Subject: Tysoe new housing</i></p> <p><i>Good Morning</i></p> <p><i>I am emailing to confirm that as a result of the houses built in the village this year, no further pupils have joined Tysoe CE Primary School.</i></p> <p><i>I would like to know if further planned housing developments will have any more affordable houses to attract young people and families into the area. This is essential to maintain the class structure of our school and its longer term future.</i></p> <p><i>Kind regards</i></p> <p><i>[Name redacted]</i></p> <p><i>Head of Federation Wellesbourne CE Primary and Nursery School</i></p> <p><u>Appendix 4</u></p> <p><i>The Conduct of Tysoe Parish Council and Parish Councillor's Resignation</i></p> <p><i>Kerry Finlayson Tysoe Parish Clerk</i></p> <p><i>19th December 2018</i></p> <p><i>Dear Kerry and Tysoe Parish Councillors</i></p>

Rep.No.	Name	Policy/Section	Representation
			<p><i>At the November meeting of the Parish Council, I expressed my concern over the conduct and workings of the Council. I presented examples; they are enclosed.</i></p> <p><i>At the time I said I was considering my position. Over the past few weeks I have done so. It is with regret that I have decided to resign from Tysoe Parish Council with immediate effect.</i></p> <p><i>For the avoidance of any doubt I can tell you that the e-mail to me from (name redacted) and copied to Councillors and the Neighbourhood Development Plan Group has had no bearing whatsoever on my decision.</i></p> <p><i>Yours sincerely</i></p> <p><i>[Name & address redacted]</i></p> <p><i>Cc Cllr John Feilding</i></p> <p><i>Considerations on the conduct of Tysoe Parish Council - Prepared October / November 2018</i></p> <p>Councillors (names redacted) reported their concerns about the conduct and workings of the Parish Council. For example:</p> <ul style="list-style-type: none"> • Councillors' agreement by majority to fail to record what was said in the June meeting – that two Councillors did not approve the draft plan; there was much effort and unreasonable angst with the help of WALC to have this corrected. It should be noted that members of the public who attended this meeting were shocked and surprised that initially this meeting had not been reported accurately. • The John Careford invitation – there was no discussion amongst the PC about this; why was he invited to attend once the Consultation had closed. Although we raised the query with fellow councillors none responded. • Roses Farm Leaflet – a statement about it was issued without the knowledge of some councillors.

Rep.No.	Name	Policy/Section	Representation
			<ul style="list-style-type: none"> • Speech to SDC on 8th October was not circulated to the Council beforehand; unfortunately it included a statement disrespectful to residents: There have been of course objections from small groups on narrow, self-interested topics and questions about the process we have followed and the transparency of that process. • Councillors not engaging fully or at all with PC issues – a recent example is the Scott’s Planning Application for stables – only four councillors took part in the e-mail debate that concluded the objection be sustained and defended at the Planning Meeting. <p><i>The Parish Council is the Qualifying Body for the Neighbourhood Development Plan and therefore has a responsibility to:</i></p> <ul style="list-style-type: none"> • Ensure the Council and the Parish are properly informed • Approve or otherwise statements and documents to be released into the public domain. <p>It seems it is not doing so and allowing the Steering Group to take the lead. Recent examples:</p> <ul style="list-style-type: none"> • <i>The Steering Group e-mailing the Parish Council suggesting that SDC have endorsed the plan to go to Regulation 16 and the Parish should know this – SDC have not endorsed the plan - this is misrepresentation of the facts. The Cabinet endorsed SDC’s comments on the Regulation 14 Plan and declared that it is now up to the Parish Council to decide how to progress.</i> • <i>The Steering group is assuming that the PC would want to review and approve the final document that responds to issues and queries from the Consultation – it is the PC’s duty to review and approve or otherwise.</i> <p>The Parish Council somehow needs to be seen to recover and retain its ownership and authority over the Plan; be reminded that in 2016 the Steering Group asked the Parish Council to take ownership of it.</p>

Rep.No.	Name	Policy/Section	Representation
			<p><i>PC Meeting 1st October 2018:</i></p> <p>Councillor (name redacted) considers that it was improper to invite a member of the public to join in a Parish Council agenda item labelled Confidential. This is particularly so because:</p> <ul style="list-style-type: none"> • The meeting had been closed to the public • The item concerned letters of a sensitive nature to residents • At least two Parish Councillors were members of the sub-committee that prepared the letters and could therefore respond to any queries about them. • The member of the public took part in the discussion on their content and sentiment. • Quite possibly in breach of the Code of Conduct and risks bringing the Council into disrepute. <p>This issue may be brought to the attention of SDC's Monitoring Officer.</p> <p>Furthermore the letters themselves may breach the Code of Conduct – specifically because they are disrespectful to the residents to who they were addressed. This was flagged and objected to by a councillor at this meeting prior to their approval by the rest of the PC. Did all the councillors actually read this correspondence?</p>
TYS.18	Local Resident	H1, H2 and H3	See full objection supplied [<i>listed below</i>].
		H5	The local school is at less than half capacity, therefore large family homes are required - 5% 4 bed+ houses is too low, the mix should be 10% 30% 30% 30%.
		NE1	View 6 is taken from private land and should be removed - it is also possibly one of the ugliest views of Tysoe, so why is it promoted as "cherished view"?
		NE3	d) should read "subject to viability"
		NE4	11. is not public land and has no public benefits and should be excluded.

Rep.No.	Name	Policy/Section	Representation
		NE5	View 6 is taken from private land and should be excluded. My driveway is NOT a public footpath. A full LVIA has been conducted concerning this approach view and the conclusion was that it would be improved by the development of stone houses on the periphery of the village adjacent to the Middleton Close housing estate at the bottom of Shenington Road. No view from the Epwell Road is included though one has been included in my full response (attached). This should be substituted for view 6.
		NE6	The strategic gap should be smaller and better defined (as per SDC's response) and should exclude the remaining part of TY06 in accordance with the SHLAA proposal No 1 and the conclusions of the 2012 White report.
		BE1	This rationale should be applied to the proposed designated sites and the proposed reserve sites.
		BE3	Subject to viability.
		BE6	Subject to part Q conversions schemes requiring prior notification.
		CA1	Note that many of the above will be dependent on the building of new houses - The draft does not identify sufficient allocated or reserve sites.
TYS.18	Local Resident	Comments on the Plan as a whole	<p>COMMENTS FOR SECOND PRE-SUBMISSION DRAFT TYSOE NEIGHBOURHOOD PLAN SEPT 2018 COMMENTS IN RED ON 2019 DRAFT -ALL PREVIOUS COMMENTS STILL APPLY AND HAVE NOT BE ADEQUATELY ADDRESSED.</p> <p>INTRODUCTION</p> <p>The first thing to point out is that the current version of the NP is vastly inferior to the previous version, which did at least attempt to identify a range of potential development allocations, the most popular of which has now been inexplicably discarded (despite being supported for an additional three dwellings by the Steering Group and the Parish Council as recently as February of this year). Official response below:</p>

Rep.No.	Name	Policy/Section	Representation
			<p>Parish Council Response: “The NPG consider the proposed site at Home Holdings to be suitable for the development of 3 houses in addition to the 2 already granted permission on the adjoining site”.</p> <p>What is the point of conducting any sort of public consultation when the results are going to be completely ignored?!</p> <p>The current pre-submission draft is no longer a pro-active Neighbourhood Development Plan, it has now morphed into a Neighbourhood NO Development Plan – vacuum-packing the village in a BUAB straight-jacket that actively prevents sustainable development to meet the present and future needs of the community. <u>It is therefore contrary to government guidance at the most basic level.</u> Both versions of the NPPF and specifically the 2018 version issued on 24th July, promote sustainable development. Such sustainable development would be disallowed where it conflicts with a made Neighbourhood Plan, but only where that NP meets the four tests of Paragraph 14. This draft does not meet one of those tests, namely paragraph 14b:</p> <p><i>14. In situations where the presumption (at paragraph 11d) applies to applications involving the provision of housing, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, provided all of the following apply⁸:</i></p> <p><i>a) the neighbourhood plan became part of the development plan two years or less before the date on which the decision is made;</i></p> <p><i>b) the neighbourhood plan contains policies and allocations to meet its identified housing requirement;</i></p> <p><i>c) the local planning authority has at least a three year supply of deliverable housing sites (against its five year housing supply requirement, including the appropriate buffer as set out in paragraph 73); and</i></p> <p><i>d) the local planning authority’s housing delivery was at least 45% of that required⁹ over the previous three years.</i></p> <p>The minimum housing requirement has been set out in the adopted Core Strategy since 2016:</p>

Rep.No.	Name	Policy/Section	Representation
			<p><i>A strategic allocation of approximately 2,000 homes is identified for the Local Service Villages. Policy CS.15 identifies four categories of Local Service Village, to which the following housing requirements apply:</i></p> <ul style="list-style-type: none"> • <i>Category 1 - approximately 450 homes in total, of which no more than around 25% should be provided in any individual settlement</i> • <i>Category 2 - approximately 700 homes in total, of which no more than around 12% should be provided in any individual settlement or 84 homes in Tysoe</i> <p>The CS.15 figure has been established as a <u>minimum and approximate</u> figure by numerous Inspectors on many occasions but most recently at an appeal at Gaydon on 16th July 2018 APP/J3720/W/18/3195979</p> <p>Allowing for previously approved development either completed, under construction or approved (but excluding windfall sites covered by a different policy), this leaves a significant shortfall below the minimum number specified above. This shortfall is not covered by the proposed allocations in the draft and therefore it is not compliant with 14b) or paragraph 29:</p> <p><i>29. Neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan. Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies.</i></p> <p>As above, the draft is not compliant with the 2018 NPPF on a number of levels and will be rejected by the NP Inspector unless it is re-drafted to include further housing allocations to meet the minimum shortfall figure.</p> <p>PROBLEMS ASSOCIATED WITH PROPOSED ALLOCATIONS OR RESERVED SITES</p> <p><u>SITE 1</u> - This site has had planning permission refused very recently – what is the justification for now</p>

Rep.No.	Name	Policy/Section	Representation
			<p>including it?</p> <p><u>SITE 3</u> - The site is adjacent to conservation area and listed buildings and land to the north has been refused planning permission. The boundaries of pink dotted land to the south do not reflect the boundaries associated with previous planning permissions. The site will be clearly visible from the village approaches from the west and would require the planting of an extensive buffer strip, cutting down the developable area significantly. Assuming the above constraints could be overcome, it would likely be developed for 5 executive houses at most and would provide no contribution to affordable housing either on or off-site.</p> <p><u>RESERVE SITE 4</u> - Access to the site is severely constrained. Provision of a 1.8m wide footway to the main road (as required by Highways in any future planning application) would be undeliverable without the purchase of third part land. The site is in conservation area. Development would severely impact the setting of listed buildings. There is no guarantee of deliverability in terms of ownership. Provision of a turning head for a 12m long bin lorry (the standard used by Highways and SDC) and the tracking associated with such a vehicle would prove difficult/impossible without extensive demolition within the conservation area.</p> <p><u>RESERVE SITE 5</u> - Site is in conservation area. The site is in AONB. The site is highly visible from elevated ground on the southern approaches to the village from the AONB where there is currently an attractive bucolic view of the setting of the village. The photo below demonstrates one of the existing views, which should be included in Policy 5 Valued Landscapes and Views:</p> <p>The photo has not been included because it clearly detracts from the steering committee’s favoured reserve site – apparently put forward by a favoured developer whose agent has engaged in inappropriate discussions with the NP in order to promote the site and have it included in the NP. No other such discussions have occurred with other developers.</p> <p>It is clear from the public responses generally that the two reserve sites promoted are not supported by</p>

Rep.No.	Name	Policy/Section	Representation
			<p>the community. Conversely, the most popular sites in the previous public consultation have been removed for consideration in this submission draft.</p> <p>A significant planted landscape buffer would be required to partially mitigate the development, this would severely constrain the developable land area, assuming all other constraints could be overcome.</p> <p>Provision of a minimum 1.8m wide footway down Epwell Road to the junction of Main Street would require the demolition of dry stone walls in conservation area impacting the setting of heritage assets. The alternative would be to retain the dry-stone walls in situ which would require the provision of a new PROW between the back of the wall and existing dwellings. The minimum width of a new PROW is 3m which may not be achievable and would introduce privacy /amenity/land ownership issues for occupants.</p> <p>There are better, immediately available sites (reserved or otherwise), with fewer planning constraints within the village (see examples below).</p> <p>MISCELLANEOUS TECHNICAL ISSUES</p> <p>I request that View 6 is removed from the draft as this photograph was taken from private land without my permission. The previous response to this issue is inadequate and I insist that the photo is removed for the following reasons:</p> <p>The photo has not been taken from a public footpath as suggested in the response notes. It has been taken from my private driveway which is not a public right of way.</p> <p>Leaving the photo in the document for the next 15 years may give the impression that the public can walk freely down my driveway – this is not something I wish to encourage, without express permission.</p> <p>The proposed built up- area boundary is inaccurate in a number of places especially where these are supposed to reflect pink dotted sites with planning permission:</p>

Rep.No.	Name	Policy/Section	Representation
			<p>1. Home Holdings Lower Tysoe – the boundary does not follow the approved red line boundary associated with the two planning permissions previously granted. As in other cases, the proposed new NP boundary should follow natural hedgerow boundaries on the ground, including historic and newly approved garden land, in line with guidance issued by SDC. SDC have raised concern about this issue in their own consultation responses criticising the NP for including some garden areas but not others. The boundaries must be applied consistently and not used as a tool to prevent further development, as the steering committee freely admit they are doing.</p> <p>2. Oxhill Road – the dotted area does not follow the previously approved red line boundaries.</p> <p>3. Land adjacent to Church Farm Court – the boundary should extend out to the public footpath to the north east. This has still not been corrected on the plan. The north east boundary to open fields extends around 20m further out to the public footpath, well beyond the boundary of Red Horse Close. Please refer to the block plan submitted and approved by SDC.</p> <p>SUGGESTED CHANGES</p> <p>In order to make the draft 2018 NPPF compliant, the draft should incorporate sufficient allocated sites to meet the minimum requirement of 84 dwellings, such sites should be immediately deliverable and have as few planning constraints as possible.</p> <p>A reserved site should be allocated, again with as few planning constraints as possible and readily available, that can potentially supply some on-site affordable housing, as provision for this is entirely absent in the current draft. Site 21, Land to the north of Shenington Road fulfills the criteria and could provide between 5 and 10 on-site, stone-built affordable housing units. Reference to withdrawn application 16/01026 as below:</p> <p><u>Change 1 - Site 21 Land north of Shenington Road.</u></p> <p>The evidence base for excluding this site is fundamentally flawed. The site has considerable local support based on the November 2016 site allocations consultation, has been rigorously tested through</p>

Rep.No.	Name	Policy/Section	Representation
			<p>the planning system and is immediately available. The evidence base should be amended for the following reasons:</p> <ol style="list-style-type: none"> 1. The field is a medium grade flat featureless arable field with almost no tree cover. It is in, and on the periphery, of the AONB, however it must be recognized the there is no planning policy at either national, regional or local level that bans development in the AONB. In order to qualify for support, it is incumbent on the applicant to demonstrate that any development proposed would be sympathetic and enhance the AONB as a result. The currently withdrawn application meets this requirement in detail under reference 16/01026/OUT. https://apps.stratford.gov.uk/eplanning/AppDetail.aspx?appkey=O4HWCXPMKM500 2. The evidence base states in red that there is a highway issue with the site and the 30mph zone would have to be extended. This is incorrect. The HA have considered the application in detail and have raised no objection to the scheme and have not recommended extension of the 30mph zone. 3. The landscape character assessment notes suggest the site is "recorded as being part of a cherished view by Tysoe residents" but offers no evidence to back up this assertion. In fact, the view into the village on the approaches from the AONB is visually harmful and represents the ugliest approach view of the village from any direction. <p>The detailed LVIA submitted with the application confirms that the development would have a positive benefit on the AONB and markedly improve this approach view of the village. The harm caused by this view is acknowledged in the White Report that forms part of the evidence base for the adopted Core Strategy. A link to the LVIA (highlighted as an essential requirement in the draft NP) is as follows: https://apps.stratford.gov.uk/EDMSEExternal/Fred/Index/16_01026_OUT# </p> <ol style="list-style-type: none"> 4. Previous flooding and drainage evidence is inaccurate. Consultation responses to the withdrawn application 16/01026/OUT, available on the Council website, confirm that there is no objection from either Severn Trent or WCC Flood Risk management. There is no drainage issue on this site as reference to the submitted FRA will confirm.

Rep.No.	Name	Policy/Section	Representation
			<p>5. The evidence base confirms that the site is within acceptable walking distance of the central services. There are no accessibility issues on this site. There are no objections from the County Ecologist and the full ecological survey concludes the site has no ecological value. The natural heritage notes should be green.</p> <p>Miscellaneous further reasons to support:</p> <p>Site 21 is the only <u>deliverable</u> site in the village capable of supplying on-site affordable housing.</p> <ul style="list-style-type: none"> • The site has no objections from the Council Landscape and Heritage officers who conclude: <i>“Overall, in my opinion the proposed development, based on the outline information currently available, would not cause harm to the Tysoe Conservation Area, or any of the Listed Buildings within the wider settlement, at a level which would trigger the relevant paragraphs of the NPPF.”</i> • The site has no objections from any other statutory consultee and had the support of planning officers, pending the demonstration of local support through the emerging NP. • Site 21 is vastly preferable on every conceivable planning ground to Site 5 on the Epwell Road (also partly within the AONB), where harm will result to the conservation area and two approach views to the village. Coupled with the access problems and questions on deliverability, it is apparent site 21 is superior and deliverable in every way. • The only reason this site was withdrawn from the planning system was that the PC refused to support it. It is perhaps the only site capable of providing on-site affordable housing – something the submission draft singularly fails to address. It should be included in the draft as a reserve site. • The submission draft gives no indication as to how or where the ring-fenced contribution of circa £400k resulting from the development currently under construction on land adjacent to Church Farm Court will be spent. No site specifically for affordable housing has been identified in the draft and alternative sites such as Shenington Road that could provide affordable housing have been struck out. This represents a significant weakness in the draft. <p>Change 2 – Re-introduce Home Holdings, Lower Tysoe.</p>

Rep.No.	Name	Policy/Section	Representation
			<p>As previously supported (see introduction above), this site has no demonstrable planning constraints in policy terms and is currently subject to an existing planning appeal where correspondence in the public domain clearly demonstrates that this is the case – see link below https://apps.stratford.gov.uk/eplanning/AppDetail.aspx?appkey=PCS7U5PM0KQ00</p> <p>The site is immediately available and will contribute towards the housing shortfall outlined above in this category 2 LSV. The application is in line with policy 2018 NPPF and all adopted local policy and reflects the Inspector Powy Jones decision (see below) which indicates the acceptability of development in Lower Tysoe.</p> <p>Change 3 – Include land to the north of Lower Grounds.</p> <p>The development constructed to the rear of Lower Grounds has formed a hard edge of built development. The site north of this could provide an opportunity to soften this hard edge by building a single traditional stone dwelling surrounded by large areas of tree planting on the north edge adjacent to the public footpath, which forms a natural boundary between the strategic gap/open countryside and a proposed softened edge to the built form of the village. A current appeal on this site can be viewed on the following link: https://apps.stratford.gov.uk/eplanning/AppDetail.aspx?appkey=PI309VPMGQ100</p> <p>The site had a good deal of support in the previous allocation consultation and the area of land forms part of TY06 in the White Report (also including Lower Grounds and the adjacent development site formerly known as Pendleton’s Field). The site is classified as low sensitivity and represents an opportunity for the NP to acknowledge the local support and shape a more satisfactory visual outcome for this important approach to the village.</p> <p>The site known as site 1 in the current SHLAA consultation is recognised by the district council as a possible site for 6 additional houses for delivery in 1-5 years. See link below: https://www.stratford.gov.uk/doc/207409/name/LSV2s.pdfhttps://www.stratford.gov.uk/doc/207409/name/LSV2s.pdf</p>

Rep.No.	Name	Policy/Section	Representation
			<p>As the site is immediately deliverable, the draft boundary should be re-drawn and the strategic gap modified accordingly to include this land as it will contribute to the housing shortfall as outlined above. This will result in only a small reduction (60m) of the strategic gap, currently around 400m long. SDC question the size and shape of the strategic gap in their response.</p> <p>“The community’s wish to have a strategic gap to prevent possible future coalescence is understood but it is unclear from the Map what parameters were used to inform the shape/size of the gap. For example why does the gap need to go beyond the southern edge of Lower Tysoe, but extend up the eastern side? Additionally, the gap does not follow natural boundaries (such as hedgerows) in some areas and appears to follow an arbitrary alignment without any explanation as to why. The boundary could be smaller and more precise and still perform the function the community desire”</p> <p>I am in agreement with the Council’s view on this. The site makes only a very small and limited contribution to the totality of the strategic gap, is markedly different in character (all the land beyond is ridge and furrow, in large open parcels, suitable for agricultural use), the site forms part of TY06 (the majority of which is now developed) in the White Report Landscape Assessment 2012, a significant document in the evidence base used to inform the Core Strategy. The site is bounded by hedgerows and footpaths/ bridle way on the northern and western boundaries with built development in the form of the road and Red Horse Close on the other two sides.</p> <p>I also suggests that views across the site from the road to open countryside are limited and thus the effect of these views being replaced by carefully landscaped development would be similarly limited and may indeed ameliorate the hard edge presented by the Red Horse Close development to a significant degree (please see perspective drawing supplied with the application/ appeal).</p> <p>Change 4 – The Orchards Lower Tysoe.</p> <p>Whilst this has been included as an allocated site, it does not (against SDC guidelines) include all the garden land to the northeast of the dwelling on the inside of the bend. As per SDC’s comments on the submission draft, to be consistent, this land should also be included in the BUAB.</p>

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			Similarly, Inspector Powys Jones included the entire development site submitted as part of appeal APP/J3720/W/18/3213626 as suitable for development in principle. The submission NP boundary seeks only to include part of the site. To comply with the Inspector's decision, the boundary should be altered to reflect the Inspector's decision and reflect the SDC guidelines above on both counts.
TYS.19	Strutt & Parker (on behalf of a local family)	Comments on the Plan as a whole	<p>I am writing on behalf of the [redacted] family, owners of land on the southern side of Oxhill Road in response to the consultation on the Submission Draft Tysoe Neighbourhood Development Plan (NDP).</p> <p>My client's land is identified as Site 16 in the Independent Site Assessment (evidence base for NDP) and as Site TYS.12 in the District Council's Strategic Housing Land Availability Assessment (SHLAA), revised 2019. [N.B. Plan of site included as separate pdf to accompany this schedule of comments].</p> <p>My client's comments on the Neighbourhood Plan are set out under the headings below. They object to a number of aspects of the NDP, particularly on the level of housing growth proposed and the site selection process. As such it is considered that the NDP would fail at examination because it is not in general conformity with the strategic policies contained in the development plan (the Core Strategy) and the evidence is not clear or robust to support the choices made and the approach taken.</p> <p>The level of housing growth proposed does not meet the housing requirement of the Core Strategy</p> <p>Policy CS.16 (Housing Development) of the Adopted Stratford-on-Avon Core Strategy sets the housing requirement for District. Provision is made for at least 14,600 additional homes, of which some 2,000 are to be allocated to Local Service Villages. Policy CS.15 (Distribution of Development) identifies four categories of Local Service Village. Tysoe, along with 10 other villages, is identified as a Category 2 village. The total housing requirement for Category 2 villages is approximately 700 homes, of which no more than 12% should be provided in any individual settlement (ie. 84 homes). Given two of the Category 2 villages are located in the West Midlands Green Belt and have very limited growth potential, then effectively the 700 homes will need to be met in the nine non Green Belt villages (ie. 78 homes per village).</p> <p>The NDP states at para 6.2.0.1, <i>'The Core Strategy requires villages to provide housing for planned</i></p>

Rep.No.	Name	Policy/Section	Representation
			<p><i>growth over the period to 2031. The Plan identifies sites where approximately 18 new houses could be built in addition to the 20 already given permission within the village.'</i></p> <p>The above indicates a level of growth of only 38 dwellings which is significantly less than required. Even if the two proposed reserve sites are added (21 dwellings), the total level of development proposed still does not meet the requirement set by the Core Strategy.</p> <p>There is further evidence that the Tysoe is not meeting its share when comparing the scale of housing allocations in neighbourhood plans of other Category 2 villages. For example, the 'made' Salford Priors Neighbourhood Plan allocates sites totalling 74 dwellings and the Brailes Neighbourhood Plan (which has just passed examination) allocates sites totalling 79 dwellings.</p> <p>The proposed housing allocations within the settlement boundary are unnecessary</p> <p>The Neighbourhood Plan proposes to allocate three small sites for residential development (Housing Policy 2) within the settlement boundary. These are:</p> <p>Site 1 – land south of Orchards (Lower Tysoe) for approx. 3 dwellings Site 2 – land west of Sandpits Road for approx. 2 dwellings Site 3 – land west of Sandpits Road for approx. 13 dwellings</p> <p>All three sites are located within the Built-Up Area Boundary as defined on Map 8 - Proposals map. Policy AS.10 of the Core Strategy states that small-scale schemes within the Built-Up Area Boundary of Local Service Villages are acceptable in principle. Given the principle is already established, the proposed allocations in NDP would seem somewhat redundant, particularly Sites 1 and 2 given their scale.</p> <p>The Neighbourhood Plan does not address the need to provide affordable housing in Tysoe</p> <p>The Housing Needs Survey (HNS) of 2016 carried out by the Neighbourhood Plan Group (NPG) provides evidence that there is a clear need and desire in the village for affordable housing. The Neighbourhood</p>

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			<p>Plan states at para 3.3.4, <i>'The Housing Needs Survey identified a need for 11 affordable dwellings for residents. There are a further 16 Tysoe families on the District Council's housing waiting list.'</i></p> <p>Affordable housing is identified as a key issue for residents of Tysoe and one of the aims of the NDP is to ensure that young people and families with roots in Tysoe can remain in the village. However, the policies within the Draft Plan do not address this key issue raised by the community.</p> <p>Only one of the proposed allocated sites (Site 3) is large enough to attract an affordable housing requirement. Policy CS.18 of the Core Strategy requires 35% affordable housing to be provided on site for developments proposing over 11 or more homes. Therefore, only 4 affordable homes would be provided from Site 3 if it were to come forward. Given the level of need for affordable housing in the village and the majority of residents are in favour of affordable housing, then the Plan is fundamentally failing to meet this need.</p> <p>In commenting on the Pre-Submission draft of the Neighbourhood Plan (Appendix 7.3), the District Council highlight the same and suggest that the Parish Council consider identifying a strategy that would be likely to more fully meet the extent of the identified need. There is no direct response from the NPG with respect to strategy. In reply to specific comments from the District Council on Site 3 the NPG state, 'Noted, discussions with owner have now taken place and agreement in principle to affordable scheme has been reached.' Where is the evidence to support this?</p> <p>The reserve sites are not suitable or deliverable</p> <p>The Independent Site Assessments contained in the Core Documents (APS Site Assessments dated December 2017, as amended June 2018) demonstrate that the two proposed reserve sites are neither suitable for development nor deliverable.</p> <p>The NDP states that <i>'There are few villages in the country which still have working farms at their heart.'</i> (paragraph 3.1.0.8), yet the NDP is proposing to allocate two such farms for housing – Herbert's and Roses Farms – despite the fact that there is a more suitable site for residential development available.</p>

Rep.No.	Name	Policy/Section	Representation
			<p data-bbox="842 272 1592 300"><u>Herbert's Farm - Site 4 (Site 9 in Independent Site Assessment)</u></p> <p data-bbox="842 344 2078 517">The site is a working farm within the historic core of the village very close to the parish church. It is within the Conservation Area and in close proximity to a number of listed buildings including a Grade I listed building. The Site Assessment states that the development of the site is likely to have a significant effect on these important designated heritage assets and that the allocation of this site is likely to have a high impact on built heritage.</p> <p data-bbox="842 561 2078 804">In relation to highways the Assessment states that the existing accesses onto Back Lane and Saddleton Street appear unsuitable due to their narrow width making the site heavily constrained by highways. Overall the development would appear to have a high impact on highway safety. Whilst Warwickshire County Council consider the site may be suitable in highway terms for a limited residential development, the Highways Authority recommends a Stage 1 Road Safety Audit (RSA) should be undertaken in the early stages of plan preparation (letter from WCC to Tysoe PC dated 15th May 2018). It does not appear this has been carried out from the evidence.</p> <p data-bbox="842 849 1966 911">The Site Assessment also notes that based on the evidence obtained from the flood maps, the development of the site has a potentially high impact on flood risk.</p> <p data-bbox="842 956 2011 1093">In relation to the overall suitability for allocation, the Assessment concludes the site is heavily constrained by poor access and proximity to heritage assets and that overall, having regard to the current housing commitments and the intention of the Neighbourhood Plan, the site provides low opportunity for development at this time.</p> <p data-bbox="842 1137 2078 1310">The District Council in commenting on the Pre-Submission Draft (Appendix 7.3) raises concern about the feasibility of a scheme at Herbert's Farm, given the significant site constraints, and suggests that the safeguarding of this site is carefully reviewed. The Neighbourhood Plan Group (NPG) response to these comments is the '<i>NPG believe that difficulties could be overcome but would be subject to planning review.</i>'</p> <p data-bbox="842 1355 2056 1380">Given the above independent site assessment and the comments of both the Highways Authority and</p>

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			<p>the District Council, there is no evidence to support the NPG's assumption that the site issues could be overcome.</p> <p><u>Roses Farm - Site 5 (Site 5 in Independent Site Assessment)</u></p> <p>Roses Farm is on the south eastern edge of Upper Tysoe, is situated within the Conservation Area and is immediately adjacent to the boundary of the Cotswolds Area of Outstanding Natural Beauty (AONB).</p> <p>In relation to accessibility the Site Assessment states that the site is approximately 730m away from most of the village's amenities predominantly without pavements. It notes the lack of footpaths connecting the site with the village school results in poor accessibility and that overall, the site currently has poor accessibility.</p> <p>Warwickshire County Council <u>disagrees</u> with the Assessment that there is reasonably good visibility in both directions either side of the Epwell Road entrance. The Highways Authority state that visibility does not appear to be achievable without crossing land, which is neither within the site ownership nor within the adopted highway. Furthermore, the Highways Authority highlight to the north a physical constraint to visibility of an existing stone wall is present. A number of local residents also raise concern about the suitability of Roses Farm from a highway safety perspective.</p> <p>The Assessment also notes the site lies within the Tysoe Conservation Area and contains pronounced ridge and furrow and unidentified earthworks. The development of the site may affect the heritage asset therefore the allocation of this site is likely to have a moderate impact on built heritage.</p> <p>In relation to the overall suitability for allocation, the Assessment concludes the site has moderate opportunity for development at this time. This conclusion seems optimistic given the Highways Authority's comments which must seriously jeopardise the potential deliverability of housing on this site.</p> <p>The site is considered not deliverable in the most recent SHLAA (Site TYS.7 – land east of Epwell Road). The SHLAA states that is to the rear of the historic part of the village and mostly within or adjacent to</p>

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			<p>the Conservation Area so development could not be mitigated effectively.</p> <p>The District Council in commenting on the Pre-Submission Draft notes that Site 5 is in an area of high landscape sensitivity (according to SDC's Landscape Sensitivity Study), partly within a Conservation Area and it would involve the loss of ridge and furrow which the Plan identifies as a feature that should be retained. The NPG response is that <i>'Loss would be relatively minor. Site is in a poorly maintained state. NPG believe that any loss would be outweighed by the gain to the Parish.'</i></p> <p>Given the above independent site assessment and the comments of both the Highways Authority and the District Council, there is no evidence to support the NPG's assumption that the site issues could be overcome.</p> <p>The assessment of land south of Oxhill Road is flawed because it is based on the incorrect site area</p> <p>The Independent Site Assessment for my client's land is based on the incorrect site area. The Assessment of Site 16 refers to an area of approximately 3 hectares and a potential site capacity of 54 dwellings. The site my client is proposing covers just over half this area – around 1.7 hectares with a potential site capacity of about 30 dwellings (see attached plan).</p> <p>In relation to the suitability for allocation, the Assessment notes a development of around 54 dwellings is unlikely to detract from the historical context of the village overall as this part of the village is characterised by more modern cul-de-sac development. It also notes that whilst the development would extend the built form into the countryside by adding a further block of development to the village edge, it would not necessarily conflict with the existing settlement pattern. This is in significant contrast to the two proposed reserved sites which are both located in the Conservation Area.</p> <p>The Assessment concludes however the <u>scale</u> of development envisaged is likely to weigh heavily against it and as concludes the site provides limited opportunity for development at this time.</p> <p>My client has made representations to the District Council's SHLAA explaining that the issues relating to previous (larger) proposals for this site, namely heritage and landscape, can be overcome by reducing</p>

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			<p>the size and location of the developable area and introducing landscape mitigation. As a result, the site is now considered likely to be deliverable in the SHLAA, revised 2019. The SHLAA states that a modest scale of development (30 dwellings) on the north-eastern part of the site would effectively minimise the impact on the setting of the village and features of historic importance.</p> <p>The site is not situated in the AONB or adjacent to it, unlike Roses Farm. It is at low risk for flooding, has no access issues, would have a low impact on natural heritage and would complement the existing settlement pattern. It is also worth highlighting that the Map 6 in the NDP incorrectly shows the site as a wildlife site. The land is not designated as a Local Wildlife Site and the Assessment of Site 16 states that being principally productive agricultural grazing land the site has low ecological value.</p> <p>It is clear that based on the correct site area, the land south of Oxhill Road is far less constrained than either the two proposed reserve sites and can deliver greater benefits in terms of affordable housing numbers, public open space and contributions to local infrastructure. A development of 30 dwellings would deliver the 11 affordable houses identified as needed in the HNS on a single site which is well related to the rest of the village.</p> <p>Conclusion</p> <p>It is demonstrated that the identification of reserve sites in the Submission Version of the Neighbourhood Plan is based on flawed assessments. My client's land has been incorrectly assessed against a much larger site area. When the correct site area is assessed then it becomes the best site in village for new housing including the delivery of much needed affordable housing which the NDP fails to address.</p> <p>Therefore the land south of Oxhill Road identified on the attached plan should be allocated for a residential development for around 30 dwellings in the Tysoe Neighbourhood Plan.</p> <p>It is understood that the District Council will be considering a draft of its Site Allocations Plan (SAP) at the Cabinet meeting on 15th July. The SAP will also be identifying reserve sites in Local Services Villages and as such could potentially identify such sites in Tysoe. If the SAP does indeed identify my client's</p>

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			<p>land, then this would further support the case for its allocation in the Neighbourhood Plan.</p> <p>My client reserves the right to make further comments next month on the Tysoe NDP in light of the publication of the draft SAP.</p>
TYS.19	Strutt and Parker (on behalf of a local Family)	Supplementary response following consideration of Site Allocations Plan consultation.	<p>Supplementary response on behalf of the owners of land south of Oxhill Road further to consideration of the Proposed Submission Site Allocations Plan at Cabinet meeting 15 July 2019.</p> <p>I am writing further to my letter of 24th June 2019 on behalf of the [name redacted] family, owners of land on the southern side of Oxhill Road in response to the consultation on the Submission Draft Tysoe Neighbourhood Development Plan (NDP).</p> <p>Whilst the consultation period on the Neighbourhood Plan formally closed on the 28th June, I reserved the right to make further comments in the light of the publication of the Proposed Submission Version of the Site Allocations Plan, which was considered by Cabinet at the meeting on 15th July.</p> <p><u>Further comments:</u></p> <p>The Site Allocations Plan (SAP) sets out further detail to the approach established in the adopted Core Strategy, one of the key elements being the identification of reserve sites for housing. The SAP identifies approximately 3,000 homes on reserve sites which are to be released in the event of an undersupply of housing or if the Council accepts that additional housing is required.</p> <p>The SAP identifies five reserve sites within Tysoe totalling some 96 dwellings. This is significantly more than envisaged in the Draft Neighbourhood Plan and as such supports my client's case that the level of housing growth currently proposed in the NDP does not meet the housing requirement of the Core Strategy or the identified need in the Parish.</p> <p>My client's land is identified as the largest reserve site in the village (Site B – South of Oxhill Road) with a capacity of 30 to 35 dwellings. This clearly supports the case for the identification of the site for housing in the Neighbourhood Plan.</p>

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			<p>The SAP notes that the sites have been identified following a rigorous assessment of land parcels in the Strategic Housing Land Availability Assessment (SHLAA) and taking into account various technical evidence, including in relation to infrastructure capacity. All the sites that have been identified are deemed to be available, suitable and achievable. It is worth noting that the Roses Farm site identified in the Neighbourhood Plan, is <u>not</u> identified as a reserve site in the SAP. The site was considered not deliverable in the most recent SHLAA and therefore cannot be considered suitable for housing when assessed objectively.</p> <p>In conclusion, the publication of the Submission Version of the Site Allocations Plan, strongly supports the case for the allocation of the land south of Oxhill Road in the Tysoe Neighbourhood Plan for new housing including the delivery of the much needed affordable housing. As such my client urges the Neighbourhood Plan Group and Parish Council to reconsider their current strategy. This is because it is considered the NDP in its current draft form would fail at examination as it is neither in general conformity with the strategic policies contained in the Core Strategy (and detailed in the Site Allocations Plan) nor is the evidence provided clear or rigorous to support the choices made and approach taken.</p> <p>I trust the above will be taken into consideration in addition to my previous representation of 24th June.</p>
TYS.20	Local Residents	Comments on the Plan as a whole	<p>Recommendations & Request</p> <p>This Representation objects to key policies of the NDP, and challenges the integrity of the process and conduct of consultation with the community as a whole, and with groups and individuals in it.</p> <p>A Summary and full details of the reasons for our objections and challenge, with evidence, are provided in this document.</p> <p>For these reasons we respectfully recommend that the NDP is required to:</p> <ul style="list-style-type: none"> • undergo substantive revision to policies to ensure they meet Basic Conditions as detailed below

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			<ul style="list-style-type: none"> • undertake a further pre-submission draft that results in a clearer rationale, evidence and understanding of the vision and objectives of the Plan, and policies needed to achieve them • undertake a major review of and changes to the process of consultation to ensure that preparation of the NP is wholly transparent, honest and impartial; and is inclusive of and provides early and effective engagement with the community <p>We respectfully ask that in view of the controversial factors involved, acknowledged in the NP, the Examining Inspector considers conducting his Examination of the NDP in public. We express our willingness and interest to be examined and make representations at such a public hearing and/or to be represented at such a hearing by other residents of Lower Tysoe, whom we would nominate.</p> <p>Abbreviations used:</p> <p>Stratford District Council: SDC Tysoe Neighbourhood Development Plan: NP Tysoe Parish Council: PC Neighbourhood Plan Group: NPG National Planning Policy Framework: NPPF Stratford District Council Core Strategy: CS Local Service Village: LSV Built-Up area Boundary: BUAB</p> <p>Underlining added throughout.</p> <p>Summary of Comments</p> <p>1. The NP does not meet the Basic Conditions required by the Town & Country Planning Act 1990, that it must have regard to:</p> <ol style="list-style-type: none"> a. national policies and advice contained in guidance issued by the Secretary of State b. the desirability of preserving or enhancing the character or appearance of any conservation area c. contribute to the achievement of sustainable development

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			<p>d. general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area)</p> <p>2. NP Housing Policies 1 & 2 propose significant change to the planning status of the distinct rural hamlet settlement of Lower Tysoe: absorbing it into the LSV settlement of Tysoe (Middle & Upper), creating a BUAB for Lower Tysoe, and allocating a site (1) for development.</p> <p>In so far as they impact Lower Tysoe these NP Policies breach Basic Conditions: they do not have sufficient regard to NPPF para 7, 8, 9, 11, 13, 20(c & d), 35, 70, 125, 127, 153, 154, 170, 172, and 174; and SDC AS.10, CS.1, CS.2, CS.5, CS.6, CS.11, CS.15, & CS.16.</p> <p>In so far as they impact Lower Tysoe, NP Housing Policies 1 & 2 also conflict with the NP's Natural Environment Policies 1, 2, 5, and 7; and Built Environment Policy 2.</p> <p>This would result in material harm to the settlement of Lower Tysoe which outweighs any gain from NP policies intended to meet the economic, social and environmental objectives for the Parish as a whole, including those provided by NPPF para 78.</p> <p>This change would not meet the needs of the present without compromising the ability of future generations to meet their own needs. The adverse impact of this change would significantly and demonstrably outweigh the benefits.</p> <p>3. NP Housing Policy 3 proposes 'Strategic Reserve' sites allocated for development. These developments would not preserve or enhance the character or appearance of the Tysoe Conservation Area and/or AONB on which the 'Strategic Reserve' sites are located.</p> <p>Housing Policy 3 is in breach of NPPF para 7, 8, 11, 16, 20 d), 32, 117, 118, 125, 127, 170, 171, 172, 174 and 186; and AS.10, CS.1, CS.5, CS.6, CS.8, CS.9, and CS.11. It is also in breach of the NP's Employment Policy 1, Natural Environment Policies 1, 2, 3, 5 and 7; and Built Environment Policy 2.</p>

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			<p>4. The process of preparing the NP has breached Basic Conditions in so far as it has not met NPPF para 16 requirement and government guidelines that Plans should be prepared:</p> <ol style="list-style-type: none"> a. with the objective of contributing to the achievement of <u>sustainable</u> development b. positively, in a way that is aspirational but <u>deliverable</u> c. by early, proportionate & <u>effective</u> engagement between plan makers & communities <p>There has been inadequate consultation & misleading communication with residents; key policies have been pre-determined; there have been breaches of the Terms of Reference and Codes of Conduct by the NPG; and failings of adequate governance by the PC.</p> <p>Detail of Comments</p> <p>1) We are among the residents of Lower Tysoe who support the activities of The Lower Tysoe Local Environment Group. This is an informal body, with no formal ‘membership’, made up of Lower Tysoe residents who are interested in matters affecting the hamlet and its development.</p> <p>We were among those in this Group who made a ‘Group’ comment on the 2018 pre-submission NP draft. The document the Group submitted with its comments on the draft NP is attached to this document as Appendix 1. The names of residents who submitted the comments have been redacted, but are available on request. They are residents who live in all parts of Lower Tysoe: Lane End, Badgers Lane, and adjoining various parts of Lower Tysoe Road. These comments apply substantively to the Submission version of the NP.</p> <p>2) Our individual detailed comments on the 2018 pre-submission draft NP are shown as item 52, pages 29 et seq in Appendix 7.2 of the Consultation Statement, through the link provided. These comments apply substantively to the Submission version of the NP.</p> <p>3) The NPG have made responses to residents’ and other consultees’ comments in Appendix 7.2. We reject many of the claims of the NPG in this Appendix 7.2. of the Consultation Statement. Our comments on the NPG claims are given in Appendix 2 to this document.</p>

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			<p>4) Since publication of the 2017 pre-submission draft a number of planning applications have been made in Lower Tysoe. All applicants quote the draft NP’s proposal for a BUAB in Lower Tysoe as grounds for granting the applications. These are: (1) The Orchards 17/03634/FUL; (2) The Willows 18/00631/FUL; (3) Home Holdings 17/03730/FUL; Home Holdings 18/02303/FUL. All have been refused by SDC planning officers, principally on the grounds of planning policy. Appeals for (1) and (2) have been dismissed. Appeals for (3) and (4) are still being considered. These decisions are a material consideration to this NP.</p> <p>5) SDC commissioned Lepus Consulting to undertake a Strategic Environmental Screening Report. The Report was undertaken on the basis of information in the 2018 pre-submission draft. This draft included a statement (para 3.3.3.2) that “the decision to give Lower Tysoe a BUAB in the pre-submission draft has been made.” No such decision had been made. The evidence for such a <u>proposal</u> was, at best, questionable and not validated. It is not clear whether Lepus had been provided with other information from SDC about the planning status of Lower Tysoe, and the decisions made by SDC planning officers for proposed developments there, including the site commented on (allocated site 1) in the Report. This and other statements in the draft may have had the consequence that Lepus made assumptions about the sustainability of developments in Lower Tysoe which cannot be relied upon. We respectfully suggest that limited weight is attached to this Report, as applied to Lower Tysoe.</p> <p>6) We and other residents have had material concerns about the process of preparation, adequacy of consultation with the community, and conduct of the NPG and PC, for the NP. These concerns are detailed elsewhere in this document, including in the comment documents referred to in 1) and 2) above.</p> <p>Among these concerns have been the responses of the NPG and PC to those residents who have wished to raise valid and significant matters about this process and the way it has been conducted. Examples of emails and letters sent to residents by the NPG and PC are shown in Appendix 3 of this document. We suggest these communications evidence unacceptable and inappropriate conduct, <u>materially limiting effective engagement</u>.</p>

Rep.No.	Name	Policy/Section	Representation
			<p>Appendix 1</p> <p>Response to consultation on the Pre-Submission Neighbourhood Plan ('NP') - Lower Tysoe Local Environment Group</p> <p>This response is submitted on behalf of the undernoted residents of Lower Tysoe, working together as a group to provide detailed and informed comment on the NP, specifically as to how its proposals might affect Lower Tysoe.</p> <p>The response has been informed by an experienced planning consultant, Peter Frampton BSc (Hons) TP MIRCS MRTPI, commissioned by Lower Tysoe residents to provide an independent and expert view on the draft NP's proposals and their potential effect on Lower Tysoe.</p> <p>This response objects to those elements of the draft NP which propose that Lower Tysoe become part of the Local Service Village of Tysoe, with a 'Built-Up Area Boundary' ('BUAB') as defined by the NP, on the following grounds:</p> <ol style="list-style-type: none"> 1. They are contrary to NPPF and SDC Core Strategy Planning Policies; and 2. There have been material failures of due process in the consultation procedures in the preparation of the NP as follows: <p>Achieving Sustainable Development – suggested BUAB for Lower Tysoe</p> <ol style="list-style-type: none"> 1. There are statutory 'basic conditions' which a Neighbourhood Plan (NP) must meet before it is submitted to a referendum. These include: <ol style="list-style-type: none"> a) having regard to the national policies and advice contained in guidance issued by the Secretary of State; b) the Plan contributes to the achievement of sustainable development; c) the Plan is in general conformity with the strategic policies contained in the development plan for the area.

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			<p>2. The development plan for the area is the Stratford on Avon District ('SDC') Core Strategy. Policy CS1 Sustainable Development (Appendix 1) states inter alia that 'development should be located and designed so that it contributes towards the maintenance of sustainable communities in the District'. The Development Strategy is provided by Policy CS15 Distribution of Development (Appendix 2). The Core Strategy states (5.1.1):</p> <p><i>'The NPPF expects development to be focused in the most sustainable locations in terms of availability of shops facilities and services as well as modes of transport other than the private car.'</i></p> <p>3. The Strategy is therefore to direct development to the most sustainable settlements, i.e. Stratford-upon-Avon; Main Rural Centres; New Settlements and Local Service Villages (LSVs). LSVs have been identified within the Core Strategy from a range of available services, namely:</p> <ul style="list-style-type: none"> • size of settlement • general store • primary school • public transport <p>4. The NP acknowledges that Lower Tysoe is a separate and distinct settlement to Upper and Middle Tysoe. Lower Tysoe possesses none of the services and facilities necessary for the designation of an LSV. Lower Tysoe is a freestanding hamlet in the open countryside. The objective to secure sustainable patterns of development is protected by the Core Strategy under policy AS10 Countryside and Villages (Appendix 3).</p> <p>5. A hamlet with no facilities does not become a sustainable settlement to accommodate housing growth simply on account of a desire by the NPG to spread the 'burden' of new housing across three settlements with the name Tysoe.</p> <p>6. The inclusion of a BUAB around Lower Tysoe is:</p> <ul style="list-style-type: none"> • inconsistent with national planning policy; • does not contribute to the achievement of sustainable development; • is not in general conformity with Policy CS1-Sustainable Development;

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			<ul style="list-style-type: none"> • is not in general conformity with Policy CS15 Distribution of Development; <p>7. In the determination of a planning application for 5 houses at Lower Tysoe (17/03730/FUL) the SDC Planning Officer informed the Planning Committee that: <i>'It has always been the opinion of officers that Lower Tysoe is not a sustainable location for new residential development'</i>. The Refusal of Planning Permission noted that <i>'the proposal was unacceptable in principle when assessed against the relevant policies within the Core Strategy'</i>.</p> <p>8. This decision was issued in March 2018. Nothing has changed to suggest that the hamlet of Lower Tysoe now has access to services so as to become a sustainable location for new housing growth. Lower Tysoe remains a hamlet in the open countryside. New housing development would be overwhelmingly reliant upon the use of the private car for access to facilities and services. Lower Tysoe is poorly located to accommodate new housing growth. The proposal in the Neighbourhood Plan is not in general accordance with the underlying policy objectives of the Core Strategy.</p> <p>9. The SDC Planning Policy Officer confirmed in correspondence (9th February 2018) with Tysoe Parish Council that: <i>"Lower Tysoe is clearly a separate settlement some distance from Tysoe and lacking local facilities amenities (which are located in Tysoe). Including Lower Tysoe would represent a fundamental change to the status of the properties within Lower Tysoe. In planning policy terms, there is a general presumption against development and this is consistent with the objectives of the Core Strategy to preserve the rural character of the District. Including Lower Tysoe within the BUAB would establish a principle in favour of development. SDC also needs to apply its approach consistently across the District; if we were to include Lower Tysoe, then we would have to include other hamlets near to LSVs elsewhere. I am not sure what level of support there would be for that approach or arguably, how sustainable such an approach would be."</i></p> <p>Defining a BUAB around the hamlet of Lower Tysoe would make a fundamental change to the settlement strategy of the District, undermining the long-established planning principle of focussing new growth to sustainable urban locations.</p>

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			<p>Comments on Process, Evidence and Consultation</p> <p>The NPPF requires all development plans to be shaped by <i>‘early proportionate and effective engagement between plan makers and communities’</i> (NPPF 16). ‘Effective engagement’ requires:</p> <ul style="list-style-type: none"> • consultation with communities; • the consideration of the responses from a consultation exercise; • a reasoned response to the consultation in successive stages of plan-making. <p>The following examples evidence a failure to comply with the provisions and due process of the NPPF for consultation with the community in preparing an NP: specifically (but not exclusively) in relation to the NP’s proposal to include Lower Tysoe in the LSV of Tysoe, with its own BUAB.</p> <p>I. The NP refers (Page 19, para 3.3.1.2 & Page 29, 6.2.0.1) to <i>“the 2014 residents’ survey”</i> and <i>“the Plan questionnaire of August 2014”</i> as evidence in support of Housing Policy 1, designating a Built-Up Area Boundary for Lower Tysoe.</p> <p>a) The ‘Plan’ referred to was a draft NP prepared in 2014, preceding adoption by SDC of the Core Strategy. This 2014 draft was subsequently rejected by the PC and SDC in January 2016 (See Tysoe website, NP section, ‘documents’). The survey/questionnaire refers to that draft and its’ proposed policies. This draft and the questionnaire/survey which preceded it, are invalid and inappropriate as reliable evidence.</p> <p>b) The response to the 2014 questionnaire/survey quoted by the NP (as above) was in answer to the question: <i>“Do you think of Tysoe as one, two or three villages?”</i>. No context was provided to the question to relate it to residents’ views about the LSV of Tysoe; other than a statement preceding the question that <i>“Planners take decisions based on local circumstances and opportunities.”</i>. Tysoe is self-evidently one Parish, comprising one village (Upper and Middle Tysoe), with outlying hamlets, including Lower Tysoe. The response quoted (<i>“78% believed that Tysoe comprised all of the three villages”</i>) is not valid evidence of consultation with the community in support of the NP’s proposal.</p>

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			<p>II. The NP offers no other direct evidence of consultation with residents to support the NP's proposal for Lower Tysoe. However various assertions are made in the NP, in the Minutes of Public Meetings of the NPG, and in communications by the NPG with SDC that purport to constitute such evidence:</p> <p>a) A meeting of Lower Tysoe residents in October 2016 is referred to in the NPG/PC submission in June 2017 to SDC's consultation on proposed BUABs. This meeting is also referred to in the References section of the NP as a 'Local Service Village Meeting Survey'. In its' submission to SDC the NPG/PC asserted that <i>"This (creation of a BUAB for Lower Tysoe) was the subject of a targeted public consultation which resolved that Lower Tysoe should have its own BUAB"</i>.</p> <p>No such <i>'targeted public consultation'</i> was held, no <i>'resolution'</i> was put to residents or made at this meeting, and neither of these is evidenced.</p> <p>Residents who attended this meeting in October 2016 were not informed about the current planning status of Lower Tysoe (as above); were misinformed that if Lower Tysoe was to remain outside the LSV <i>"Lower Tysoe would have no clear 'protection' accorded to it by the NP which would potentially make it vulnerable to future development"</i>; and that the NP would provide that <i>"the maximum number of units in any single new development within Lower Tysoe to be restricted to three"</i>.</p> <p>Both these latter statements were materially incorrect and/or undeliverable. While the last of these statements was acknowledged as an error by the NPG in 2018 in an email response to a resident's enquiry, residents attending the meeting in October 2016 relied on these statements in giving their views about the LSV. They were not informed that these views would constitute a 'resolution' about the LSV. This constitutes a material failure of transparency and due process of consultation.</p> <p>b) In correspondence with SDC Planning Policy Officer (9th February 2018), the NPG state that <i>"we have quite conclusive evidence that it is the wish of the majority of Tysoe (all three settlements) residents that Lower Tysoe be considered part of the greater village of Tysoe"</i>.</p>

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			<p>This conclusion is inferred in the NP's assertions (Page 19, paras 3.3.1.1 and 3.3.1.2) that: <i>"The Plan reflects the thoughts and feelings of local people"</i> and <i>"the decision to give Lower Tysoe a BUAB in the pre-submission draft has been made..."</i>.</p> <p>There is no such 'conclusive evidence'. At a public consultation in November 2016, before the first pre-submission draft NP was published, only 7 residents responded to state that <i>"Lower Tysoe belongs in the Local Service Village"</i>. (See 1st pre-submission draft NP, volume 2). There has been no other public consultation before or since November 2016 to determine residents' views on this (or any other NP related matter).</p> <p>III. Meetings of the NPG were held in private from December 2016 to August 2017, in contravention of the NPG's Terms of Reference. Public Meetings of the NPG since then, up to and including the date of publication of the current draft NP, have limited residents' questions to one per meeting. No meaningful discussions on matters of proposed NP policy were permitted.</p> <p>IV. At the November 2016 consultation no information about the implications of such a change, (the proposed BUAB for Lower Tysoe and the implications for its planning status) was provided. Maps produced at the consultation showing proposed site allocations included 8 (out of a total of 16 for the whole Parish) in Lower Tysoe.</p> <p>Residents were invited to express a preference for sites for development without: any sight of the PC's consultant's site assessments; or any information about planning policy constraints on sites being proposed for development. Housing development on the scale proposed was stated, incorrectly, to be needed to meet SDC's 'target'. SDC had advised the NPG there was no 'target' at a meeting in August 2016. (See Tysoe website, NP section).</p> <p>The affixing of 'pins', provided by the NPG, by residents at this November consultation to indicate site preferences on a map of possible sites were not adequately supervised to prevent abuse of this methodology.</p>

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			<p>The November 2016 consultation and the above NP's assertions were not based on sound or robust evidence of consultation with the community, were misleading of residents, and constituted a breach of transparency and due process such that this November 2016 consultation is unreliable as evidence.</p> <p>V. In communications with the PC Chair, c/o the Parish Clerk in April 2018, SDC's Head of Governance and Democracy stated, in relation to the NP's proposed policy for Lower Tysoe, that consultation on the draft "<i>could include a specific question on whether to include a boundary for Lower Tysoe ... with the added benefits of ensuring that the community (a) <u>understands the issues at hand (though explanatory text)</u>, and (b) are themselves able to provide comments to the QB on the issue rather than a simple yes/no</i>" (i.e. in a Referendum).</p> <p>There is no such question and no explanatory text in the NP to enable the community to understand the issues. This has prevented the community from making informed and reasoned comment on the NP's proposal for Lower Tysoe.</p> <p>The NP is considered to be flawed in its preparation and intent to identify a BUAB around the hamlet of Lower Tysoe. The NP should not proceed to submission version in the form as currently prepared.</p> <p>Conclusions</p> <p>These are the comments of the undernoted residents of Lower Tysoe to the pre-submission draft NP. We conclude that it would be entirely inappropriate to include Lower Tysoe in the LSV of Tysoe, with its own BUAB, in the Tysoe NP. It is contrary to NPPF, and SDC Core Strategy planning policies; would materially harm this distinct rural hamlet with little or no benefit; would not result in sustainable development; and would contravene other aims and policies of the NP (e.g. Natural Environment, Built Environment, Employment) which are regarded as very important by the wider community of the Parish of Tysoe.</p> <p>It is not supported by the community of residents of Lower Tysoe, contravening the intentions and provisions of the Localism Act.</p>

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			<p>Note: Names of 19 residents of Lower Tysoe (redacted, disclosed in original). Residents live in all parts of Lower Tysoe.</p> <p>Appendix 2</p> <p>NPG responses to residents’ comments on 2018 pre-submission draft NP.</p> <p>These responses to the pre-submission draft of the NP provide the NPG’s claimed rationale and evidence for NP Policies; and claimed adequacy and integrity for the process of preparing the NP. They were not made available to residents until after submission of the Submission version of the NP to SDC.</p> <p>The PC ‘approved’ submission of the Consultation Statement, with the Submission version of the NP to SDC. These responses appear as Appendix 7.2 to the Consultation Statement.</p> <p>Residents’ comments in this Appendix 7.2 are ‘edited’. The edited versions are not necessarily reflective of the full meaning and context of the comments. A link to the full text of the comments is given in the Appendix.</p> <p>The following comments on the NPG responses in Appendix 7.2. NPG responses are shown in italics.</p> <p>1. NPG Claim (pages 19, 22 et seq):</p> <p><i>“Residents of Lower Tysoe enjoy easy access to the central services located in Middle Tysoe via well maintained footpaths, a newly resurfaced pavement or by a short distance on the road (by cycle or car).”</i></p> <p>Comment:</p> <ul style="list-style-type: none"> • This is not ‘easy’ access. All of Lower Tysoe (LT) is more than 500m from the services.

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			<ul style="list-style-type: none"> • Most residents using the unlit pavement have to walk/cycle up to 1.5 k. Other public rights of way to/from Middle/Upper Tysoe are over open countryside. • Most residents rely on the car to access services. This contravenes SDC Core Strategy policies CS.1 (Sustainable Development), CS.15 (Distribution of Development); and SDC’s SHLAA Site Evaluation criteria which regards distances from services of up to 400m as acceptable. • Most of LT is more than 800 m, up to 1.5 miles, from the services, regarded as unacceptable and unsustainable. <p>2. NPG Claim (pages 19,22 et seq):</p> <p><i>“The Group (NPG) sees Lower Tysoe as much part of the village as the other two settlements and this reflects the views of over 70% of the respondents in the 2014 survey.”</i></p> <p>Comment:</p> <ul style="list-style-type: none"> • LT is, and is acknowledged to be, a distinct <u>hamlet</u> settlement, separate from the <u>village</u> settlement of Tysoe. Both are part of the <u>Parish</u> of Tysoe. • Most residents would perhaps agree that we are all part of this wider Parish community. That is not what was asked in the Survey. NPG meeting notes of 30th June and 18th August 2014 (Tysoe website) evidence that <u>before the survey took place</u> the NPG were considering how to include Lower Tysoe in the LSV. • This question of LT’s status, in LSV or not, was still under discussion a year later – NPG Minutes of 17th August 2015. And again in 2016, when the decision was taken at 23rd August NPG meeting, despite PC objection, to send a letter to LT residents inviting them to a meeting. • This is reinforced by the Report produced by the NPG (Appendix 10.2 to Consultation Statement), immediately on taking office, in which the NPG (para 4) has ‘considered’ that a BUAB for Lower Tysoe is appropriate. • These all indicate a strong preference, pre-determination, <u>by the NPG</u> to include LT in the LSV: <u>before</u> consultation with the community, <u>without</u> adequate evidence, and <u>without</u> appropriate regard to NPPF and Core Strategy policies.

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			<p>3. NPG Claim (page 19,22 et seq):</p> <p><i>“Many other comments (not specified how many) question why Lower Tysoe should remain outside the village and be treated differently from Middle and Upper Tysoe”.</i></p> <p>Comment:</p> <ul style="list-style-type: none"> • LT <u>is</u> outside the (LSV) village, just as are other parts of the Parish. The LSV of Tysoe and its BUAB, Conservation Area, Local Green Spaces, ‘Strategic Gap’, Heritage Assets and their curtilage, areas of open countryside, are <u>all</u> treated differently for planning purposes, as is LT. • The key factors for LT are its character as a rural hamlet, remote from the LSV: SDC policies AS.10, CS.1, CS.15, & CS.16. • There is no attempt to quantify how many “other comments” there are with this question. Contrast this with specific numbers of comments given by those residents who oppose LT in the LSV (see 9 below). <p>4. NPG Claim (page 19,22 et seq):</p> <p><i>“The view that a BUAB in Lower Tysoe will be detrimental to planning there is unsupported.”</i></p> <p>Comment:</p> <ul style="list-style-type: none"> • The existing ‘general presumption against development’ (CS AS.10 & CS.15) must, by definition, be more limiting of development than the NPPF ‘presumption in favour of development’ which would follow if a BUAB is created. • This is supported by SDC Core Strategy policies, and planning decisions and Appeals in LT. That this existing planning ‘protection’ would be <u>lessened</u> by removal of this planning presumption (i.e. detrimental) has been repeatedly confirmed by the SDC Planning Policy Officer in correspondence with the NPG.

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			<p>5. NPG Claim (page 19,22 et seq):</p> <p><i>“Whilst the principle of development would be acceptable within the BUAB, the fact that the Boundary has been drawn in the way proposed would limit building opportunities to small infill or conversion schemes”.</i></p> <p>Comment:</p> <ul style="list-style-type: none"> • A BUAB would place some limit on development, to mitigate harm from development in LT. But see comments in 13, below. • There is no calculation in the NP of the how many houses there could be in LT, within the BUAB as drawn; nor what ‘in-fill’ or ‘conversion schemes’ could mean. • SDC have confirmed that applications for development within a BUAB cannot be controlled; or limited to allocated sites. • Critically, a BUAB may be altered (e.g. enlarged) in the future. Recent planning decisions and Appeals in other areas have been decided on the basis of whether a development is within the ‘physical confines’ of a settlement. • The current planning principle ‘presumption against development’ in LT, if changed by the creation of a BUAB, would be lost. [See also further comment on BUAB below]. <p>6. NPG Claim (pages 19,20):</p> <p><i>“Currently Lower Tysoe, being defined as a rural hamlet, enjoys a degree of protection from new building afforded by a presumption against development except in well-defined circumstances. It should be noted that this has not prevented some eleven houses being granted planning permission there since 2011. It is the opinion of the Group that drawing Lower Tysoe into the LSV and providing it with its own BUAB will afford it greater protection than (sic) previously. The Plan proposes that only 3 houses should be built there until 2031.”</i></p>

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			<p>Comment:</p> <ul style="list-style-type: none"> • The houses built in LT since 2011 have all, with 2 exceptions, been single dwellings for '<u>local needs/choice</u>', for local residents, not for '<u>market</u>' housing. Of the exceptions, 3 houses were approved on the site of redundant farm buildings in Lane End. The other was for 2 houses at Home Holdings. The planning officer recommended refusal of both, under the current planning 'presumption against development' policies (AS.10 and CS.15.) • That they were approved with PC & Ward Member support, and little or no LT resident objection, indicates there is some discretion for local approval for limited development in LT, in exceptional and specific circumstances. It does not indicate that the current planning policy principle is in need of a change which would lessen or remove this discretion and lessen the protection from inappropriate development that current SDC and NPPF planning policies provide. • While the NPG may propose in the NP that only 3 houses be developed until 2031, this gives no reassurance that this is what will happen. By being in the LSV, with a BUAB, market housing will be permitted in LT under the NPPF 'presumption in favour of development'; lessening, not adding, protection against development. The NPG's opinion is not supported. <p>7. NPG Claim (Page 20):</p> <p><i>"Three draft plans have been produced, each being informed by public comment as well as by meetings with local amenity groups and clubs, local landowners, and local businesses."</i></p> <p>Comment:</p> <ul style="list-style-type: none"> • In fact, <u>5</u> drafts have been produced: 2 (in 2014 and 2015) by the NPG that resigned in 2015; 2 (in 2017 and 2018) by the current NPG; and this Submission draft (2019). • There are no published notes or Minutes of meetings with the groups, landowners and local businesses mentioned, other than the Minutes of an NPG meeting attended by the Managing Agent for Compton Estates, after publication of the most recent (2018) pre-submission draft NP. Only 3 members of the public attended that meeting.

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			<ul style="list-style-type: none"> • Minutes of NPG/PC meetings attended by landowners provide little or no information about their proposals. Their comments at meetings were limited, as with other attendees at meetings, to 3 Minutes; and there is little or no public record of NPG/PC responses to these landowners. <p>8. NPG Claim (page 20)</p> <p><i>“The (NPG) Group meets formally on average monthly. These meetings have been open to the public and Minutes are posted on the village notice board and on the Parish website. A record covering consultations and meetings is held on a database.”</i></p> <p>Comment:</p> <ul style="list-style-type: none"> • Many of the NPG meetings since 2016 were, e.g. from February to August 2017, held in private. • If there is a ‘database’ of consultations and meetings (other than those on Tysoe website) it is not known what is in it, or how it can be accessed. • Documents about the NP shown on the Tysoe website were removed for several months during the consultation period for the 2nd pre-submission draft, and only restored after requests by a resident. • Requests for publication of Minutes or notes of other meetings, e.g. with the ‘independent’ planning Consultant contracted by the PC/NPG, have been refused by the PC and NPG. • The Terms of Reference for the NPG were not published for several months in 2018 and beginning of 2019; and were only published after persistent requests to the PC by a resident. • Several requests in 2018 and 2019 for details of the contract and/or basis of engagement and briefing of the independent planning consultant have been refused. It is not clear whether the consultant is truly ‘independent’, or has been acting under the (undisclosed) instructions of the NPG, to give effect to the NPG’s ‘view’ of what is required. <p>9. NPG Claim (page 29):</p> <p><i>“Virtually the only objections against the inclusion of Lower Tysoe in the LSV have come from a small (circa 20) number of residents in Lower Tysoe who live adjacent to allocated site 1.”</i></p>

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			<p>Comment:</p> <p>This is incorrect, and known to be incorrect, by the NPG and PC.</p> <ul style="list-style-type: none"> • 19 residents of Lower Tysoe made comment as a group on the 2018 2nd pre-submission draft, objecting to the inclusion of Lower Tysoe in the LSV, with a BUAB). • The group are residents from all areas of Lower Tysoe. They agreed to have their names appear in their comment document, evidencing the location of the households they represent. This document has been seen by the NPG and PC. • The group’s comments were informed with the advice of a reputable qualified planning consultant, employed by the group, also named in the document. The objections included that the NP’s proposal for Lower Tysoe breach Basic Conditions, being in conflict with SDC Core Strategy policies. • Other residents from Lower Tysoe (not in the group) made comment as individuals in objection to the NP’s proposal for Lower Tysoe. • With approximately 40 households in Lower Tysoe, those objecting to the NP’s proposals amount to in excess of 30% of those households; and a significant majority of those residents of Lower Tysoe who made comment on the NP draft. • See also 3 above. <p>10. NPG Claim (page 29):</p> <p><i>“The contention that residents were not aware of what they were voting for in the 2014 Plan questionnaire is misleading. Residents have consistently expressed the view that ‘Tysoe’ comprises the three settlements – Upper, Middle and Lower – see the many comments in this document supporting that view. The NPG maintain that this sentiment is best realised by the inclusion of Lower Tysoe in its own BUAB in the same way that Upper and Middle Tysoe are treated”.</i></p> <p>Comment:</p> <ul style="list-style-type: none"> • That there are 3 main settlements in the Parish of Tysoe is self-evident. That is all that the survey confirms. What is not self-evident is that the survey supports a change to the planning status of Lower

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			<p>Tysoe, a change which SDC and the NPG have confirmed would be significant. That this 'sentiment' should be translated into such a fundamental change on the basis of what the "NPG maintain" is wholly inappropriate.</p> <ul style="list-style-type: none"> • The NPG's proposal in the NP would <u>not</u> treat Lower Tysoe in the same way as the LSV of Middle and Upper Tysoe. <u>No such fundamental change to planning status is being proposed for Middle and Upper Tysoe.</u> <p>11. NPG Claim (page 44):</p> <p><i>"Within the boundary (BUAB) development will be supported by the PC but would have to be subject to the normal planning rules and constraints. Because the existing properties in Lower Tysoe are generally larger and sit on large plots, the Boundary necessarily dissects some plots in a very few places as the placing of large gardens inside the boundary would otherwise offer the potential for inappropriate medium-scale development. This will provide a better future safeguard against unwanted or speculative development than at present."</i></p> <p>Comment:</p> <ul style="list-style-type: none"> • The proposed BUAB <u>does not</u> treat Lower Tysoe <i>"in the same way that Upper and Middle Tysoe are treated"</i>. • The <i>'normal planning rules and constraints'</i> would <u>change</u>, to give a 'presumption in favour of development'. The NP, in this statement, acknowledges that Lower Tysoe is not the same as the LSV, in character and form, and wants to treat it differently, <u>not the same</u>. No such fundamental change is proposed for Middle and Upper Tysoe. • Further, the NPG states, <i>"the existing properties in Lower Tysoe are generally larger and sit on large plots"</i>. The proposed BUAB for Lower Tysoe would include these plots of 'large gardens.' <u>No such provision exists for Middle and Upper Tysoe.</u> • Inclusion of gardens is contrary to NPPF para 70: <i>"Plans should consider the case for setting out policies to resist inappropriate development of residential gardens for example where development would cause harm to the local area."</i>

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			<ul style="list-style-type: none"> • This ‘dissection’ of garden ground will not necessarily protect the whole area of garden ground from development, if within the BUAB. • Medium scale development in LT is already prevented by current planning policies. ‘Small-scale’ development in LT, proposed as ‘in-fill’ under the NP’s proposals, could include up to 10 houses on any one area within the BUAB; or even on the edge of the BUAB if the area is considered to be within the physical confines of the settlement. • The NPG’s claim that “<i>this (BUAB) will provide a better safeguard</i>” is not evidenced or supported by SDC, or the NPPF. A BUAB will permit ‘market’ development of houses in Lower Tysoe in a way and on a scale that current policies do not. <u>This would potentially cause material harm to the character and form of Lower Tysoe.</u> <p>12. NPG Claim (page 45):</p> <p><i>“It is the number of houses on the plot that is important here (in this case 3 houses) [Reference to NP Site 1, The Orchards, Lower Tysoe] not the size of the plot. Application for a greater number of houses has already been turned down. The Plan cannot control what future planning applications may include regarding type of housing, but Housing Policy 5 indicates what the Parish Council will support (i.e. 3 houses)”.</i></p> <p>Comment:</p> <ul style="list-style-type: none"> • The Orchards (Site 1) planning application, and Appeal, was for 7 houses. Nowhere in SDC’s refusal, nor the Inspector’s refusal of the Appeal (APP/J3720/W/18/3213626), is it stated that the grounds for refusal was the number of houses. • It was refused by SDC on the grounds of: planning policy (AS.10, CS.1 & CS.15); harm to the built character and landscape quality of the area (AS.10, CS.20 & CS.5); harm to neighbouring resident’s amenity (CS.9 & CS.20). The Planning Inspector’s decision to refuse (published 3rd May 2019) was on the grounds of: Harm of cul-de-sac layout and design to local character; lack of respect for local distinctiveness (CS.9).

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			<ul style="list-style-type: none"> • In the Appeal at ‘The Willows’ (APP/J3720/W/18/3218182), immediately opposite ‘The Orchards’ the Inspector considered that the location for the proposed development breached SDC CS policies, being unsustainably remote (>400m) from the LSV services. • Housing Policy 5 makes no provision for the number of houses that will be supported by the PC. In so far as this may be a mistype, and Housing Policy 2 was being referred to, the identification of allocated sites for development, with a number of houses considered suitable, does not of itself preclude further development of the site with more houses than this NP policy provides. <p>13. NPG Claim (page 31)</p> <p><i>“Whilst the change in status (to Lower Tysoe) may be regarded as fundamental, SDC have, in their comments to the proposal in the pre-submission Plan, expressed satisfaction with the rationale for including Lower Tysoe in the LSV.”</i></p> <p>Comment:</p> <ul style="list-style-type: none"> • SDC’s comments on the 2018 pre-submission Plan stated: <i>“SDC generally comfortable with the justification for including Lower Tysoe within the BUAB for Tysoe, although as set out below notes the BUAB needs to be drawn consistently”</i>. Note the word: ‘generally’. These comments by SDC are informal guidance, and provided before SDC became a consultee. SDC have relied on evidence provided by the NPG for LT’s inclusion in the LSV, with a BUAB. As noted above, the validity of the evidence for this is highly questionable. • SDC comment further: <i>“The proposed boundary for Lower Tysoe includes large swathes of land that are clearly not developed. It is not very clear whether some of this land is actually residential in nature...some elements appear to be non-domestic. The NDP cannot advocate the severing some residential gardens in Middle and Upper Tysoe and then promote the inclusion of large areas of land in Lower Tysoe. This is not appropriate or acceptable. There does not appear to be any evidence for this approach and is unlikely to meet Basic Conditions.”</i> • Further, SDC Policy Officers have stated in correspondence with the NPG (February 2018): <i>“To summarise why SDC does not consider it appropriate to include Lower Tysoe within the BUAB although I acknowledge a BUAB can have separate parts to it Lower Tysoe is clearly a separate settlement some</i>

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			<p><i>distance from Tysoe and lacking local facilities amenities (which are located in Tysoe). Including Lower Tysoe within the BUAB would represent a fundamental change to the status of the properties within Lower Tysoe. In planning policy terms there is a general presumption against development and this is consistent with the objectives of the Core Strategy to preserve the rural character of the District. Including Lower Tysoe within the BUAB would establish a principle in favour of development. SDC also needs to apply its approach consistently across the District; if we were to include Lower Tysoe then we would have to include other hamlets near to LSVs elsewhere. I am not sure what level of support there would be for that approach or arguably how sustainable such an approach would actually be.”</i></p> <ul style="list-style-type: none"> • These statements by SDC do not constitute “satisfaction with the rationale for including Lower Tysoe in the LSV.” <p>14. NPG Claim (page 31)</p> <p><i>“The NPG believe that small-scale development in Lower Tysoe meets the objectives of NPPF para 78 which states that ‘housing should be located where it will enhance or maintain the vitality of rural communities.”</i></p> <p>Comment:</p> <ul style="list-style-type: none"> • Small-scale development in Lower Tysoe is possible only where it satisfies the provisions of CS.15 and AS.10, for <u>sustainable</u> development. Para 78 of the NPPF goes on to state: “Where there are groups of smaller settlements, development in one village may support services in a village nearby.” Lower Tysoe is not a village, it is a hamlet. • There are no other villages within the designated Tysoe NP Parish area. There are other nearby villages and settlements outside the Tysoe Parish area, Oxhill, Radway, Shenington, Epwell, Ratley, Whatcote, which, like Lower Tysoe, support the services of the LSV of Tysoe, including through ‘windfall’ development. • Lower Tysoe has already had 11 houses built on this basis in the Plan period, supporting the LSV services, without the need for such a fundamental change to its planning status as the NP now proposes.

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			<ul style="list-style-type: none"> • Among the services needing support is the Primary school. It is not at all clear that the fall in the school pupil roll is the result of a shortage of housing. The school roll has fallen from 172 in 2012; to 139 in 2015; to 127 in 2017; and to 120 currently. <u>Despite</u> housing growth in Tysoe of 24 new houses in that period. Government funding for primary schools has fallen by approx. 8% over the period 2010 – 2018 (source: IFS). • Insofar as the provision of <u>affordable</u> housing might help support services, the NP does not deliver a Policy in which there is a credible commitment to deliverable affordable housing development, in a sustainable location, i.e. within acceptable distance from the services. One site in the LSV is being ‘seriously considered’, not assured to be deliverable. No other sites for affordable housing have been identified, including where a Rural Exception site might (sustainably) be located. Such a site in Lower Tysoe would not be sustainably located, being too remote from services and employment. <p><u>Appendix 3</u></p> <p>Extracts of Letters to Lower Tysoe (LT) residents from Chairs of NPG and PC</p> <p>1. Email letter from Chair of NPG to resident ‘A’, 11th October 2017 (copied to PC)</p> <p><i>“I will not address your numerous comments individually, suffice it to say that they are largely fatuous, ill-informed, incorrect and petty.”</i></p> <p><i>“You have a reputation in the village of fomenting discontent and I am not willing to allow you to cow and bully the NPG to resign, as you called for at the PC meeting. It is very clear to me and all others who come into contact with your narrow minded commentary that you have no interest whatsoever in the eventual outcome of the endeavours of the NPG, you are far more interested in whether the Group is abiding by the artificial strictures of a set of rules that you drew up.”</i></p> <p><i>“I would rather leave it to residents of the village to judge, in the end, whether the Plan we produce is satisfactory rather than bow to your very biased view of what is right and proper.”</i></p>

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			<p><i>"I refute every single petty criticism you have made in your 'Personal Notes'. If you could be bothered to attend any of the meetings in public you would find that residents are very willing and enthusiastic about engaging the NPG in discussions about what you describe as 'significant matters' which you allege have not been discussed or to which residents have not been invited to comment."</i></p> <p><i>"I will finish by giving you a piece of advice which I am sure you will ignore – if you cannot be more constructive about the work a group of well-meaning volunteers are doing to protect the village and environment that residents value then please keep your counsel and refrain from sharing your petty and small minded comments with people who have much more valuable things to do than to answer to such things."</i></p> <p>2. Letter from Chair of PC to resident 'A', 2nd October 2018</p> <p><i>"Whilst you may have concerns (ref. resident's letter to PC, 8th June 2018) about the process these are not really concerns that the public should take upon themselves. The District Council and the Inspector, both expert in their field, are responsible for that role."</i></p> <p><i>"The Inspector will only 'disallow' key policies and processes if he thinks that they are inadequately supported by evidence or are contrary to the NPPF or, perhaps, the Core Strategy."</i></p> <p><i>"It seems you have a rather incomplete understanding of the process of review and consultation."</i></p> <p><i>"You assert that your concerns are shared by 'many other residents'. If that is the case then they have certainly kept their concerns from the PC as we have heard of no other such concerns from residents." [see Appendix 1 of this document]</i></p> <p><i>"Residents cannot be part of the drafting process (of NP), nor can they dictate the process: this would result in drafting chaos. In public meetings discussion has to be limited to avoid individuals from dominating discussions."</i></p>

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			<p><i>“You assert that the Terms of Reference (for NPG) have not been adhered to. The Parish Council is entirely happy that they have been adhered to. The TOR could have been made public but we fail to see how this might have affected the content of the Plan”.</i></p> <p>3. Letter from Chair of PC to resident ‘B’, 2nd October 2018</p> <p><i>“You assert (ref. resident letter to PC of 11th June 2018) that there has been much antagonism generated by the proposal in the draft Plan to include Lower Tysoe in the LSV and the false impression that Lower Tysoe wishes to be disassociated with the rest of the village. We should say that this is not an impression that we have given. It may be an impression that residents of Middle and Upper Tysoe have gained from the debate. The NPG has argued that as an integral part of the village Lower Tysoe should be included in the LSV.”</i></p> <p><i>“A BUAB, once agreed within an approved Plan, we believe, provides a stronger protection than the reliance on a Parish Council making decisions from time to time that the residents of Lower Tysoe might or might not agree with.”</i></p> <p><i>“We don’t understand the distinction you draw between the PC ‘endorsing’ the draft Plan and the PC approving it for publication. The PC could not approve the Plan for publication if it did not endorse it.”</i></p> <p><i>“We hope that now you have had time to actually read the Plan and study the BUAB that you agree that the form of protection provided by this proposal is more permanent and less reliant on personal agendas of the PC than the status quo.”</i></p> <p>4. Email letter from Chair of NPG to resident ‘C’ 11th February 2018</p> <p><i>“The NPG are not going to enter into a continuous debate about Lower Tysoe. We are going to get on with the task of preparing the next draft. The next draft will assume that Lower Tysoe has its own BUAB as that is the best way to define where development will be supported, it is not dependent on a Parish Council or Ward Member making a decision with which residents of one part of Tysoe may agree or disagree.”</i></p>

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			<p data-bbox="842 304 2011 336"><i>"I would urge you to move on from this rather sterile debate and wait until you see the next draft."</i></p> <p data-bbox="842 379 927 411">Note 1</p> <p data-bbox="842 454 1832 486">Tysoe Neighbourhood Plan (NP) & Steering Committee (NPG) - KR Personal Notes</p> <p data-bbox="842 529 1688 561">I wish to raise matters of serious concern about the NP and its process.</p> <ul data-bbox="842 598 2078 1380" style="list-style-type: none"> <li data-bbox="842 598 2078 694">• (Name redacted) was not present at 4 meetings from October 2016 – December 2016. On that basis he is deemed to have resigned from the NPG, per the NPG Terms of Reference (TOR). His presence at meetings in 2017 was as a member of public, not as a member of the NPG. <li data-bbox="842 702 2078 766">• (Name redacted) is disclosed as a 'part-time member' of NPG in the Minutes of NPG in September 2017. There is no provision for this in TOR, and she may be deemed to have resigned. <li data-bbox="842 774 2078 949">• Apparently, (name redacted) and (name redacted) have resigned. There is no formal note in PC Minutes of this, nor even of (name redacted) being formally appointed. Any input by (name redacted) to the drafting of the NP and his presence on NPG appears invalid, except as a member of the public. What input did he have; and what opportunity was given to members of the public to contribute to this drafting? <li data-bbox="842 957 2078 1053">• (name redacted) appears to have resigned; (name redacted) role is uncertain. It is not clear who is now a member of the NPG; and as a result, whether NPG is itself still legally in existence, as quorate, per TOR. <li data-bbox="842 1061 2078 1157">• There is no record of PC approval of changes to membership of NPG, including nomination of (name redacted) to Chair; nor publication of current members of NPG on the community website or notice board. <li data-bbox="842 1165 2078 1197">• NPG (apparently) failed to have meetings between December 2016 and July 2017, in breach of TOR. <li data-bbox="842 1204 2078 1380">• There were 'Open' Public meetings in village hall and Methodist hall between December 2016 and June 2017. No Minutes of these meetings, a full accounting of what transpired or was said at the June meetings, and only limited record of the December meetings, has been published for residents. We have still not seen the full unedited resident feedback from these meetings. Withholding of this information constitutes a failure of transparency and openness.

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			<ul style="list-style-type: none"> • The Meeting of NPG on 20th September 2017 was not quorate, and is therefore illegal/invalid. • The NPG wish to have a 'standing' Agenda for meetings. Why? This is not acceptable for PC, or for NPG. • Neither at the NPG meeting of September 2017, nor at recent PC meetings, has the number of members and lack of quorum of NPG, and urgent need to add to the number of members, been raised. Why not? • A 'new proposals map' (apparently with new sites and/or built up area for housing planning) was put forward by NPG to PC, apparently for drafting purposes, at its meeting of 4th September & was 'approved' by PC. There has been no attempt to consult with Tysoe residents, even to invite comment or provide explanation on this map. On what basis was this prepared, and on what basis did the PC 'approve' this? • Significant matters affecting the village, e.g. the threat to the viability of the Primary school, what number of houses Tysoe must still build to conform to the SDC Core Strategy, the so-called 'protection' provided by the NP, the status of the LSV and the effect of these and other matters on the NP have not been discussed, nor effectively inviting of resident comment. <p>I consider that these matters constitute a dereliction of their public duty to residents by NPG and PC under the TOR and Nolan Principles under which these bodies are governed.</p> <p>Aside from its receipt being acknowledged, my note to the PC and NPG in June 2017*, in which I expressed serious reservations about these matters, has had no response whatsoever. I consider this to be highly disrespectful.</p> <p>I wish, again, to express my deep concerns about the process of this NP; specifically about the failure to consult openly and transparently with residents, lack of adherence to proper principles and provisions of governance, and the selective use of resident feedback to produce decisions about the preparation and drafting of the NP which are not properly founded.</p> <p>These have put the NP at risk of failure. There has been a serious waste of public resources, time and well-intentioned effort. I would like to know what the PC propose to do to remedy these failings, and to regain residents' confidence and engagement in a matter which affects us all. If it cannot produce</p>

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			<p>such proposals, I suggest that consideration needs to be given, at very least, to a call for the resignation of the NPG and PC Chairs, to allow a full and proper reassessment of the value and validity of the NP for Tysoe.</p> <p>2nd October 2017</p> <p>Tysoe Neighbourhood Development Plan (NP): Comments on Draft Pre-Consultation Document</p> <p>While the new draft NP is better presented and illustrated than its predecessor, it is fundamentally flawed. This is a direct consequence of the process of its production. Whatever merits it has are overwhelmed by these flaws.</p> <p>This draft NP, in my opinion;</p> <ul style="list-style-type: none"> • Makes and relies on serious misrepresentations about the purpose, process, content and outcome of ‘consultations’ with the community, not least in determining the ‘Local Service Village’. The claimed “possibility of engaging and enthusing residents” has been squandered; critical concerns belittled. • Gives no substance to an (ill-defined) ‘vision’ for the development of this Parish in the coming decades, or how it can be realised, other than in meaningless platitudes and vague undeliverable aspirations. • Overestimates the value and validity of the previous draft NP, hubristically inflating its authors. • Sets out that the key aim of the NP is “the identification of sites to meet our housing target set by Stratford on Avon District Council (‘SDC’); and only then, the draft states, “to meet the aspirations of the village for the future and to ensure that it remains vibrant and sustainable”. This is a fundamental misrepresentation of what an NP is intended to do, and what the residents of Tysoe clearly and unequivocally want it to do. The implied threats of what SDC may impose on Tysoe, are not credible, are controversial, and unchallenged. • Signally fails to provide coherent, credible, and deliverable (far less, ambitious or inspirational) proposals or policies, arrived at in consultation with the community, to meet residents’ aspirations and community needs. The draft fails to address, except in passing reference, the real and worrying future for a remote rural and agricultural community like Tysoe if it is not to become a suburban enclave for

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			<p>commuters to somewhere else. Instead the plan has been reduced to a cynical carve-up of land for housing.</p> <ul style="list-style-type: none"> • Has been arrived at by a process entirely at odds with the terms of reference approved for the steering committee. The committee appears to have bulldozed and manipulated both the Parish Council and the community; and has (with one or two commendable exceptions) paid only lip-service to its mandated consultative (as opposed to controlling) role. The Parish Council (PC), it appears, has not been willing or able to prevent this, nor to exercise effective critical oversight on our (residents) behalf. • Has, it appears, over-relied on one or two individuals on the steering committee, and/or the consultant employed by the PC, to ensure the open, transparent, effective, inclusive and consensual production of the content of the draft. This has not worked. The result is that this draft, in its aims, site allocations and policies, has not been arrived at openly, transparently, effectively, inclusively or consensually. It is largely a plan for Tysoe, not a plan by Tysoe; the creation of a cabal, not a community. • Relies on so-called 'evidence', much of which is nothing of the sort; but is instead the selective use of information, and misuse of survey results and comments, to justify a set of pre-determined outcomes. • Is lengthy, verbose, over-technical, and presumptive; and will almost certainly result in a minority of residents reading it in full, never mind understanding it and its implications. • Contains a statement that the NP is "empowering" (of) local people which: "has implications for the way the Parish Council operates". This is unexplained, and sinister. Especially when read with the following statement that: "there will be closer collaboration with the contacts and groups that have evolved through the Plan process." Are these the same 'contacts and groups' who have prepared this NP? By what right, and to whom will they be accountable? Who, exactly, is being 'empowered'? <p>My understanding of the proceedings at the public meeting on 1st June, acquired by hear-say rather than formal notice, is that comments on the content of the draft were forbidden, and limited to matters of 'process': timetable and bureaucratic box-ticking; rather than an opportunity for rigorous and constructive testing and questioning of how, why and what has gone into the making and content of this draft Plan. Why? What is so sensitive?</p>

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			<p>I was not and will not be able to attend the ‘consultation’ meetings, on 1st June, and 29th June. Even if I were to attend, I have little confidence that any contribution which I make will have any meaningful impact – many previous comments and suggestions have been ignored. There has been no public record of meetings, or disclosure of resident feedback, for over 6 months.</p> <p>Unless there is a radical re-think of how this NP is produced; and meaningful assurance that we can rely on it representing the real aims of residents, I will, regrettably, oppose and vote against it.</p> <p>22/06/17</p> <p>Note 2</p> <p>Tysoe Parish Councillors Tysoe Parish Council Tysoe 8th June 2018</p> <p>Dear Councillors,</p> <p>Tysoe Neighbourhood Plan (NP): Meeting of Parish Council 11th June 2018</p> <p>At your meeting on 11th June, you are being asked to review and, if appropriate, <i>endorse</i> the new Section 14 pre-submission draft of the NP, submitted by the Neighbourhood Plan Group (NPG).</p> <p>Residents may assume that an endorsement will mean that you have fully considered the consequences of the draft NP for the community’s social, economic and environmental interests. That you have considered a number of factors:</p> <ul style="list-style-type: none"> • what the draft NP proposes • the robustness of the evidence on which the content relies • <u>the integrity of the process by which these have been prepared</u>

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			<p>Whatever time, effort and cost has been spent on the NP to get it to this stage, residents would now need you to look objectively and critically at these factors, if the draft NP is to go to wider consultation, with your endorsement.</p> <p>As you know I and others have on a number of occasions raised and documented concerns about the process which has been followed in preparing this draft NP, and about the reliability of evidence for its proposals.</p> <p>While some of these concerns were addressed earlier this year (e.g. publication of Minutes of meetings, amended Terms of Reference, disclosure of material information such as comments and communications to/from SDC), <u>significant causes for concern remain</u>. I provide examples, noted below*.</p> <p>Should these matters not be remedied there is a real risk that key policies and the process of the NP may be effectively challenged by residents.</p> <p>If that were to happen these key policies may be disallowed by the Inspector; whose review and approval of the NP <u>and its process</u> is required before it goes to Referendum. Such an outcome could jeopardise the whole Plan.</p> <p>Councillors, I suggest that these concerns provide good reason why you do not endorse this draft NP, at this meeting. These are my concerns; but I have reason to believe they are the concerns of many other residents.</p> <p>They have seriously undermined confidence and trust. This is intended to be a Plan the community can feel part of, agree and support. Be proud of. That is not the case as things are.</p> <p>All of these matters are capable of being remedied. I respectfully request that you delay any endorsement until they have. If the procedural formalities allow, it would be preferable for you, at this</p>

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			<p>meeting, to 'note' the draft, without comment, and agree for its release for consultation to residents; but not to 'endorse it'.</p> <p>This would give you time to review the draft further, take account of residents' comments on it, and remedy the matters I refer to, before you take the much bigger step of committing to 'endorse' it. I hope you will feel able to agree to this approach, which would help restore confidence.</p> <p>Yours,</p> <p>[Name redacted]</p> <p>Examples of Concerns</p> <ul style="list-style-type: none"> • Information and communications critical to an understanding of proposed NP policies have been withheld from or misrepresented to residents. • Assertions have been made as the basis for key policies for which there is little or no valid evidence, but which are stated as 'fact'. These assertions include, but are not limited to, the claimed bases for the proposed change to Lower Tysoe's planning status, including it in the LSV, with its own BUAB; significantly lessening its planning protections. • Assertions on matters material to the NP which were made 'in error' have only been acknowledged late, and grudgingly, after the time for formal consultation had passed. We have been reliant for disclosure of these 'errors' on the diligence of individual residents' enquiries. • Minutes of Public meetings have omitted or inaccurately recorded what was said. This has effectively censored residents' comments and questions about the NP. • Open discussion on & contributions to the process of drafting the NP has been actively discouraged and/or unreasonably limited. Before this new version is published residents have virtually no idea what it will say. • There has been an openly hostile lack of respect to individual residents and community groups: abusive of their decisions, lawful rights, responsibilities and interests, where these do not accord with the views and pre-determined aims of the NPG.

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			<ul style="list-style-type: none"> • There has been a failure to present the options and rationale for proposed NP policies honestly, objectively and impartially. This has effectively disempowered residents from the ability to make informed comment and decisions about the NP. Decisions are made for residents, not by them. • The provisions of the Terms of Reference have not been adhered to, or enforced, in spirit or formal effect. The most recent version has still not been made public. This is an important document, to provide reassurance of proper governance over those acting on our behalf. • No attempt has been made to hold open discussions on, or assist residents in understanding, the 200+ comments on the last draft NP. Any discussions on these comments and how or whether they are to be accurately reflected in the new draft, have been held in private. • Debate on the NP has concentrated almost exclusively on the question of housing – sites, design and scale. The other purposes of an NP, social, economic and environmental, and the varied interests and needs of the residents of this remote rural Parish, have been more or less ignored. • The work of the Consultant hired by the NPG has been almost entirely absent from public scrutiny. We have no idea what brief he is working to. We rely completely on what the NPG Chair says the consultant’s advice is; and have no effective means of questioning or challenging this advice. • There has been inadequate attempt to engage the community effectively. The last major gatherings of residents were in June 2017. There is no record of what was said, despite many concerns being expressed. NPG public meetings unnecessarily and inappropriately limit residents’ contributions. • The only significant attempt to gather residents’ views before the most recent draft was published, was at the village hall consultation in November 2016 – over 18 months ago. There is good reason to consider that important elements of that consultation were flawed in its conduct and conclusions. As a result, comments on the draft NP that followed have questionable relevance or validity. • The last survey (other than the Housing Needs Survey) of residents’ opinions and views about Parish needs and aspirations for an NP, was in 2014; over 4 years ago, and in completely different circumstances than those facing us now. The survey’s findings can no longer be relied upon as credible evidence. • In place of this proper respectful engagement of the community: rumour, secretiveness, apathy, dishonesty, deceit, self-interest and hostility have been encouraged. These have fostered opposition and division in and among large sections of the community. This is counter to the Council’s own Code of Conduct. It is deeply sad and upsetting. And completely avoidable.

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			I am able and willing to provide specific examples and evidence for all of the above.
TYS.21	Gladman Developments	Comments on the Plan as a whole	<p>This letter provides the response of Gladman Developments (hereafter referred to as “Gladman”) to the current consultation held by Stratford-on-Avon District Council (SADC) in response to the submission version of the Tysoe Neighbourhood Plan (TNP) under Regulation 16 of the Neighbourhood Planning (General) Regulations 2012. This letter seeks to highlight the issues with the plan as currently presented and its relationship with national and local planning policy.</p> <p>Legal Requirements</p> <p>Before a neighbourhood plan can proceed to referendum it must be tested against a set of basic conditions set out in paragraph 8(2) of Schedule 4b of the Town and Country Planning Act 1990 (as amended). The basic conditions that the TNP must meet are as follows:</p> <p>(a) Having regard to national policies and advice contained in guidance issued by the Secretary of State, 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) The making of the neighbourhood plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017</p> <p>National Planning Policy Framework and Planning Practice Guidance</p> <p>On the 24th July 2018, the Ministry of Housing, Communities and Local Government published the revised National Planning Policy Framework (NPPF/the Framework). The first revision since 2012, it implemented 85 reforms announced through the Housing White Paper. This version of the NPPF was itself superseded on the 19th February 2019, with the latest version, largely only making alterations to the Government’s approach for the Appropriate Assessment as set out in Paragraph 177 of the NPPF.</p>

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			<p>Paragraph 214 of the 2019 NPPF sets out the transitional arrangements for the implementation of revised national planning policy. Paragraph 214 confirms that development plan documents submitted on or after the 24th January 2019 will be examined against the latest version of the NPPF. Given that the TNP was submitted for Examination after this date, the comments provided within this representation reflect the national policy requirements as set out in the NPPF2019.</p> <p>The NPPF (2019) sets out the Government’s planning policies for England and how these are expected to be applied. In doing so it sets out the requirements of the preparation of neighbourhood plans within which locally-prepared plans for housing and other development can be produced. Crucially, the changes to national policy reaffirms the Government’s commitment to ensuring up to date plans are in place which provide a positive vision for the areas which they are responsible for to address the housing, economic, social and environmental priorities to help shape future local communities for future generations. In particular, paragraph 13 states that:</p> <p><i>“The application of the presumption has implications for the way communities engage in neighbourhood planning. 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.”</i></p> <p>Paragraph 14 further states that:</p> <p><i>“In situations where the presumption (at paragraph 11d) applies to applications involving the provision of housing, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, provided all of the following apply:</i></p> <ul style="list-style-type: none"> <i>a. The neighbourhood plan became part of the development plan two years or less before the date on which the decision is made;</i> <i>b. The neighbourhood plan contains policies and allocations to meet its identified housing requirement;</i> <i>c. The local planning authority has at least a three-year supply of deliverable housing sites (against its five-year supply requirement, including the appropriate buffer as set out in paragraph 73); and</i> <i>d. The local planning authority’s housing delivery was at least 45% of that required over the previous three years.”</i>

Rep.No.	Name	Policy/Section	Representation
			<p>The NPPF (2019) also sets out how neighbourhood planning provides local communities with the power to develop a shared vision for their area in order to shape, direct and help deliver sustainable development needed to meet identified housing needs. Neighbourhood plans should not promote less development than set out in Local Plans and should not seek to undermine those strategic policies. Where the strategic policy making authority identifies a housing requirement for a neighbourhood area, the neighbourhood plan should seek to meet this figure in full as a minimum. Where it is not possible for a housing requirement figure to be provided i.e. where a neighbourhood plan has progressed before the adoption of a Local Plan, then the neighbourhood planning body should request an indicative figure to plan for and consider the latest evidence of housing need, population of the neighbourhood area and the most recently available planning strategy of the local planning authority.</p> <p>In order to proceed to referendum, the neighbourhood plan will need to be tested through independent examination in order to demonstrate that they are compliant with the basic conditions and other legal requirements before they can come into force. If the Examiner identifies that the neighbourhood plan does not meet the basic conditions as submitted, the plan may not be able to proceed to referendum.</p> <p>Planning Practice Guidance</p> <p>Following the publication of the NPPF (2018), the Government published updates to its Planning Practice Guidance (PPG) on 13th September 2018 with further updates being made in the intervening period. The updated PPG provides further clarity on how specific elements of the Framework should be interpreted when preparing neighbourhood plans.</p> <p>Although a draft neighbourhood plan must be in general conformity with the strategic policies of the adopted development plan, it is important for the neighbourhood plan to provide flexibility and consider the reasoning and evidence informing the emerging Local Plan which will be relevant to the consideration of the basic conditions against which a neighbourhood plan is tested against. For example, the neighbourhood planning body should take into consideration up-to-date housing needs evidence as this will be relevant to the question of whether a housing supply policy in a neighbourhood</p>

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			<p>plan contributes to the achievement of sustainable development. Where a neighbourhood plan is being brought forward before an up-to-date Local Plan is in place, the qualifying body and local planning authority should discuss and aim to agree the relationship between the policies in the emerging Neighbourhood Plan, the emerging Local Plan and the adopted Development Plan¹. This should be undertaken through a positive and proactive approach working collaboratively and based on shared evidence in order to minimise any potential conflicts which can arise and ensure that policies contained in the neighbourhood plan are not ultimately overridden by a new Local Plan.</p> <p>It is important the neighbourhood plan sets out a positive approach to development in their area by working in partnership with local planning authorities, landowners and developers to identify their housing need figure and identifying sufficient land to meet this requirement as a minimum. Furthermore, it is important that policies contained in the neighbourhood plan do not seek to prevent or stifle the ability of sustainable growth opportunities from coming forward.</p> <p>Relationship to Local Plans</p> <p>To meet the requirements of the Framework and the Neighbourhood Plan Basic Conditions, neighbourhood plans should be prepared to conform to the strategic policy requirements set out in the adopted Development Plan. The adopted Development Plan relevant to the preparation of the TNP is the Stratford-on-Avon Core Strategy, adopted on 11th July 2016.</p> <p>In the Core Strategy, Tysoe is designated as one of 10 Category 2 Local Service Villages (LSV). These facilities are required to deliver approximately 700 dwellings, of which no more than around 12% should be provided in any individual settlement.</p> <p>The Council is currently in the process of producing a Site Allocations Plan (SAP) which will identify additional sites for development to supplement the strategic sites identified by the Core Strategy. The SAP is still in its infancy, and as such, it is important that the TNP allows for flexibility and adaptability so it can positively respond to changes in circumstance which may arise over the duration of the plan period. This degree of flexibility is required to ensure that the TNP is capable of being effective over the</p>

Rep.No.	Name	Policy/Section	Representation
		H1	<p>duration of its plan period and not ultimately superseded by s38(5) of the Planning and Compulsory Purchase Act 2004, which states that:</p> <p><i>'if to any extent, a policy contained in a development plan for an area conflicts with another policy in the development plan the conflict must be resolved in favour of the policy which is contained in the last document to be adopted, approached, or published (as the case may be).'</i></p> <p>Tysoe Neighbourhood Plan</p> <p>This section highlights the key issues that Gladman would like to raise with regards to the content of the TNP as currently proposed. Gladman consider that some policies do not reflect the requirements of national policy and guidance, Gladman have therefore sought to recommend modifications to the Plan that should be explored through the examination process.</p> <p><u>Housing Policy 1 – Housing Growth</u></p> <p>Housing Policy 1 states that new development will be supported within the two built-up area boundaries. Outside the designated built-up area boundaries new housing will be strictly controlled and limited to rural exception sites, replacement dwellings, conversion of rural buildings and dwellings for agricultural workers.</p> <p>Gladman object to the use of settlement boundary policies, in circumstances such as this, which seek to protect the countryside for the sake of its intrinsic character. Such an approach would appear to be based on the old PPS7 approach to countryside protection, which took a restrictive stance to development in rural areas and only permitted certain types of development. The Framework is clear that development which is sustainable should go ahead without delay in accordance with the presumption in favour of sustainable development. In reality, the use of development limits or frameworks such as this creates a 'presumption against development' in all areas beyond an arbitrary line which will act to confine the physical growth of the settlement and would not be in accordance with the requirements of national policy and therefore in conflict with basic conditions (a) and (d).</p>

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			<p>Accordingly, Gladman consider that the above policy should be modified to allow for flexibility and it is considered that the TNP would be better served by a criteria-based approach consistent with the requirements of national policy and the following wording is put forward for consideration:</p> <p><i>“The neighbourhood plan will take a positive approach to new development that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. Development proposals that accord with the policies of the Development Plan and the Neighbourhood Plan will be supported particularly where they provide:</i></p> <ul style="list-style-type: none"> - <i>New homes including market and affordable housing; or</i> - <i>Opportunities for new business facilities through new or expanded premises; or</i> - <i>Infrastructure to ensure the continued vitality and viability of the neighbourhood area.</i> <p><i>Development proposals that are considered sustainable and well related to the existing settlement will be supported provided that the adverse impacts do not significantly and demonstrably outweigh the benefits of development.”</i></p> <p>Indeed, this approach was taken in the examination of the Godmanchester Neighbourhood Plan. Paragraph 4.12 of the Examiner’s Report states:</p> <p><i>“...Policy GMC1 should be modified to state that “Development ...shall be focused within or adjoining the settlement boundary as identified in the plan.” It should be made clear that any new development should be either infill or of a minor or moderate scale, so that the local distinctiveness of the settlement is not compromised. PM2 should be made to achieve this flexibility and ensure regard is had to the NPPF and the promotion of sustainable development. PM2 is also needed to ensure that the GNP will be in general conformity with the aims for new housing development in the Core Strategy and align with similar aims in the emerging Local Plan.”</i></p>

Rep.No.	Name	Policy/Section	Representation
		H2	<p><u>Housing Policy 2 – Site Allocations</u></p> <p>In principle, Gladman support the fact that the neighbourhood plan has identified three site allocations. However, it is noted that the supporting text states at paragraph 6.3.05 that “the three identified sites are all within the current envelope of the built environment of the village.” As such, sites situated in Tysoe’s existing built-up area boundary already benefit from a favourable presumption that planning permission will be granted in accordance with Housing Policy 1. Accordingly, they are not allocations in the true sense of the term.</p> <p>Furthermore, it is unclear how the Parish Council have derived a housing requirement figure and whether the sites identified will be sufficient to meet this need. Gladman consider that the Parish Council should have requested an indicative figure from the local planning authority to plan for as recommended by the PPG.</p> <p>Given the above, the Neighbourhood Plan may not be delivering housing at a scale required to meet local needs and may undermine the strategic requirement of the Core Strategy for the Category 2 LSV’s to deliver approximately 700 dwellings. This is made all the more likely for the restriction for each of the Category 2 LSV’s to take no more than around 12% of this 700.</p>
		H3	<p><u>Housing Policy 3 – Strategic Reserve</u></p> <p>The above policy supports the safeguarding of land at Herbert’s Farm and Roses Farm to provide a potential future residential development of up to 21 dwellings.</p> <p>Further to the concerns raised in response to Housing Policy 2 regarding the quantum of housing needed, as currently drafted Gladman submit that this policy is not effective and lacks clarity. It is not readily apparent how the delivery of these sites will be quantified or measured should there be an ‘identified housing need for their early release’.</p>

Rep.No.	Name	Policy/Section	Representation
		H4	<p><u>Housing Policy 4 – Rural Exception Housing</u></p> <p>In principle, Gladman support the inclusion of the above policy and the flexibility provided by the consideration of allowing an element of market housing if 100% affordable housing provision cannot be achieved viably.</p> <p>Notwithstanding this, this policy reinforces the need for flexibility to be provided in Housing Policy 1 given that the principle of market and affordable housing adjacent to the defined built-up-area boundaries is supported under Housing Policy 4.</p>
		H5	<p><u>Housing Policy 5 - Market Housing Mix (including affordable housing)</u></p> <p>In principle, Gladman support the inclusion of the above policy which seeks to provide a mix of housing types and tenures to meet the needs of the local community. However, the above policy is largely based on the housing mix contained in Policy CS.19 of the SADC Core Strategy. Paragraph 16(f) of the Framework is clear that:</p> <p>“Plans should...serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area (including policies in this Framework, where relevant).”</p> <p>It is important to note housing mix will inevitably change over a period of time and this policy should instead seek to secure a greater degree of flexibility going forward. As housing mix can change over time, there is a real risk that this policy will become outdated as new evidence of local need comes to light and the neighbourhood plan should contain suitable measures (i.e. if up-to-date evidence is provided) so that it can respond positively to changes in circumstance which may occur over the plan period.</p>
		NE1	<p><u>Natural Environment Policy 1 – The Cotswolds Area of Outstanding Natural Beauty</u></p> <p>Whilst recognising the importance of nationally protected designations, Gladman consider that the protection of the AONB is already adequately dealt with by the provisions of the adopted Development</p>

Rep.No.	Name	Policy/Section	Representation
		NE5	<p>Plan and National Policy requirements. Accordingly, the inclusion of the policy merely duplicates the protection afforded by these policies and should therefore be deleted.</p> <p><u>Natural Environment Policy 5 – Valued Landscapes and Views</u></p> <p>Whilst Gladman approve of the statement that development proposals should demonstrate how they integrate appropriately with their setting while considering or enhancing its character, Gladman would be opposed to the inclusion that important views and skylines should be safeguarded as this appears to be an onerous requirement that would relate to all views from the village.</p> <p>Gladman consider the above statement to be overly onerous and not in keeping with the requirements of national policy as it will prevent the delivery of sustainable development opportunities from coming forward. New development can often be delivered without resulting in the loss of openness, character or views considered to be important by the local community. Quite often the delivery of sustainable development proposals can enhance an existing landscape setting and provide new vistas and views to the surrounding area. This policy must allow a decision maker to come to a view as to whether particular location contains physical attributes that would ‘take it out of the ordinary’ rather than a blanket approach surrounding the settlement which may not have any landscape significance. An area’s pleasant sense of openness to open countryside cannot on its own amount to a landscape which should be protected. This reference should therefore be deleted from the policy wording.</p>
		NE6	<p><u>Natural Environment Policy 6 – Protected Strategic Gap</u></p> <p>The above policy seeks to designate a strategic gap between Middle Tysoe and Lower Tysoe in order to prevent coalescence. New development within the strategic gap will be restricted to the reuse of rural buildings, agricultural and forestry related development and other open land uses.</p> <p>Gladman consider the identification of the important gap to be a strategic issue and should be deleted. The PPG is clear that:</p>

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		BE4	<p>“blanket policies restricting housing development in some settlements and preventing other settlements from expanding should be avoided unless their use can be supported by robust evidence.”</p> <p>Gladman submit that new development can often be located in countryside gaps without leading to the physical or visual merging of settlements, eroding the sense of separation between them or resulting in the loss of openness and character. In such circumstances, we would question the purpose of this policy, particularly if it would prevent the development of otherwise sustainable and deliverable sites from coming forward to assist in delivering new sustainable development opportunities.</p> <p>Notwithstanding this, if this policy is to be retained then it should be justified by robust evidence and be modified so that it allows for a balancing exercise to be undertaken which assesses any harm to the visual or functional separation of settlements against the benefits of a proposal rather than a blanket restriction on many forms of development as is currently the case.</p> <p><u>Built Environment Policy 4 – Car Parking</u></p> <p>The above policy requires new dwellings to provide one off road parking space per bedroom and up to a maximum of three spaces as per SDC Development Requirements SPD. Whilst Gladman acknowledge the need to incorporate parking provision within development proposals it is unclear from the information provided why this policy requirement is being pursued. This element of the policy is considered too prescriptive as it may not allow for the most appropriate layout of schemes. Furthermore, the Parish Council are reminded that the Development Requirements SPD referred to within the policy wording simply provides guidance to developers and is not expected to be strictly adhered to as it has not undergone the same level of scrutiny as the adopted Development Plan. Reference to the SPD should therefore be deleted from the policy wording.</p> <p>Conclusions</p> <p>Gladman recognises the role of neighbourhood plans as a tool for local people to shape the development of their local community. However, it is clear from national guidance that these must be</p>

Rep.No.	Name	Policy/Section	Representation
			<p>consistent with national planning policy and the strategic requirements for the wider authority area. Through this consultation response, Gladman has sought to clarify the relation of the TNP as currently proposed with the requirements of national planning policy and the wider strategic policies for the wider area. Gladman consider that further modifications to the Plan and additional housing allocations are required to ensure that it allows for sufficient flexibility and so that it is conformity with basic conditions.</p>
TYS.22	Local Resident	Lower Tysoe BUAB [H1]	<p>I have completed my response to comment on the Neighbourhood Plan, however there was no opportunity to add in my opinion on the critical status of Lower Tysoe as a very separate entity, a Hamlet, separate from Middle and Upper Tysoe. My comment is as follows:</p> <p>Lower Tysoe</p> <p>Thank you for the opportunity to comment.</p> <p>First and foremost, I am opposed to the inclusion Lower Tysoe in the LTV within a BUAB. I also regret that my observation has been an ‘undertow’ of pressure and ill feeling from the Parish Council on those opposed to changes. I have absolutely no confidence in a fair hearing or level playing field on decisions should change occur, that is my personal view.</p> <p>I will stand by my conviction, that as a resident of Lower Tysoe I reject claims to its change of status. Lower Tysoe is a unique historic hamlet and not a village like Middle and Upper Tysoe, and it should remain so. To set out all the reasons is stating the obvious – much has been said already and walking the course it is very clear. Little has also been said in the report about risk and preparedness for flooding in the future. Lower Tysoe is low and wet. Look at the Environment Agency footprint, it has risks of flooding. Little has been said about the local farm environment, ecological impact and biodiversity – it has many unique features, again well reported.</p> <p>I am not opposed to controlled development in any way but have no wish to be drawn into new administration and development structures that by the very nature will not necessarily have the best interests of Lower Tysoe residents at heart.</p>

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			Thank you for all the good work that you do, it is much appreciated.
TYS.23	McLoughlin Planning, on behalf of Cameron Homes	Comments on the Plan as a whole	<p>Stratford-on-Avon District Council has published the Tysoe Neighbourhood Development Plan (Submission Version – March 2019) for the purposes of Regulation 16 Consultation under the Neighbourhood Planning (General) Regulations (as amended). McLoughlin Planning is instructed by Cameron Homes to make representations on that Plan in respect their land interests at Tysoe.</p> <p>Cameron Homes’ land interests lie to the north and west of New House Farm off Sandpits Road at Middle Tysoe. The land in question encompasses the proposed allocations labelled 2 and 3 on the proposals map (Map 8). The sites are predominantly flat with no significant changes in levels and the boundaries are formed by a combination of hedges, trees and post and rail fencing with a dry-stone wall to the frontage of the site.</p> <p>Cameron Homes are fully supportive of the Tysoe Neighbourhood Plan, including the proposed allocations. However, Cameron Homes have a number of observations, which are set out in this representation.</p> <p>Introduction</p> <p>Provision for Neighbourhood Planning is made through the Town and Country Planning Act (1990) (as amended), the Planning and Compulsory Purchase Act 2004 (as amended), the Localism Act 2011 and the Neighbourhood Planning (General) Regulations 2012.</p> <p>In addition, the Framework states that <i>‘neighbourhood planning provides a powerful set of tools for local people to ensure that they get the right types of development for their community.’</i> The Framework’s Planning Practice Guidance makes explicitly clear that <i>‘a policy in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence. It should be distinct to reflect and respond to the unique characteristics and planning context of the specific neighbourhood area for which it has been prepared.’</i></p>

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			<p>The emerging Neighbourhood Plan must therefore; i) accord with national policy and guidance; ii) clearly demonstrate the Plan and its emerging policies will help to achieve sustainable development; iii) be in general conformity with the strategic policies contained in the development plan; and, iv) adhere to EU Obligations and observe other basic conditions. In addition, in preparing this representation reference has also been given to guidance published on neighbourhood planning by Planning Aid England, the Local Government Association and the Planning Advisory Service.</p> <p>Allocations</p> <p>As set out above, Cameron Homes' land interest related to allocations 2 and 3 as shown on the proposals map (Land to the west of Sandpits Road). Site 2 is allocated for approximately 2 dwellings and site 3 is allocated for approximately 13 dwellings (approximately 15 in total). Cameron Homes supports the allocations, which are underpinned by robust evidence as demonstrated in the supporting evidence base. However, whilst the allocations are supported, Cameron Homes are concerned that the indicative housing numbers for both of the allocations underestimates their true capacity. From the site assessments, it appears that the potential capacity for each site has been based on a density multiplier of 15 dwellings per hectare, although there is no obvious justification for this.</p> <p>Earlier this year, a pre-application submission was submitted to the Council, which included a draft site layout. That layout demonstrated that 21 large dwellings could be comfortably accommodated across the two sites. In response to that pre-application submission, officers raised no overriding concerns in respect of the proposed design and layout. Following subsequent development of that scheme and in response to the requirement to provide smaller 2 and 3 bedroom properties, the latest iteration of the layout demonstrates that both sites can comfortably accommodate up to 27 dwellings.</p> <p>As set out in the Core Strategy, policy CS.15 identifies Tysoe (Upper and Middle) as a Category 2 Local Service Village (LSV) where there is support for new residential development within the development plan period from 2011 to 2031. Policy CS.16 of the Core Strategy identifies that no single Category 2 LSV should take on more than around 12% of the approximate total of the 700 dwellings to be accommodated within the category over the plan period. As set out in the Neighbourhood Development Plan, the Census data collected in 2011 showed 511 dwellings for the Parish of Tysoe. It</p>

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			<p>also sets out that since 2011 to 2018, 24 dwelling were built and a further 20 have been granted permission but not yet built. Given the number of dwellings built and committed, it is clear that Tysoe has the capacity to deliver more dwellings that what is being proposed without being in conflict within the numerical limits of policy CS.16.</p> <p>Built Up Area Boundary (BUAB)</p> <p>The decision to give Lower Tysoe its own BUAB is supported given that it is clear that the residents of Tysoe consider that Tysoe is comprised of Upper Tysoe, Middle Tysoe and Lower Tysoe. This would also potentially help deliver a few more dwellings over the Plan period through infilling where appropriate. It is also noted that by giving Lower Tysoe its own BUAB effectively brings it within the Tysoe LSV status. This would allow the 11 dwellings already built within Lower Tysoe to be included within the total housing numbers for the whole of Tysoe.</p> <p>Whilst Cameron Homes supports the proposed Lower Tysoe BUAB, the justification within the Plan should steer away from mentioning previously built dwellings. This would avoid any perception that the motivation for the BUAB was mainly to manipulate the housing requirement within the Plan. The BUAB also not be used solely as a tool to restrict development. This could be seen as being counter to the Governments objective to 'significantly boost the supply of housing'.</p> <p>Housing Mix</p> <p>Cameron Homes questions the appropriateness of the proposed housing mix included within Housing Policy 5 - Market Housing Mix (including affordable housing), which departs from the housing mix set out in the Core Strategy. Whilst the reasons for the deviations are noted, it is no longer consistent with the Core Strategy and therefore arguably not in general conformity with the strategic policies contained in the development plan.</p> <p>Consideration also needs to be given to how the housing mix is applied in practice given the relatively limited number of dwellings to be provided at the allocations. The viability of sites also needs to be considered in this context if smaller dwellings are insisted on.</p>

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			<p>Affordable Housing</p> <p>A major benefit of increasing the housing numbers across the sites would be the resulting increase in affordable housing provision. The Plan identifies that affordability is problem within Tysoe. It states:</p> <p><i>'The increasing cost of rural housing means young adults who grew up in the village are finding it difficult, if not impossible, to live and start their own families in Tysoe because of the lack of affordable housing.</i></p> <p><i>'Young people are essential to the vibrancy and sustainability of the community. Yet those doing low paid but essential work, such as carers or farm works, find it hard to afford a home. We need to take action to encourage this sector of the community to stay in the village.'</i></p> <p>This acute lack of affordable housing is also highlighted in the Housing Needs Survey, which forms part of the evidence base for the Plan. The Housing Needs Survey identified a need for 11 affordable dwellings for residents. It also identified that there are a further 16 Tysoe families on the District Council's housing waiting list.</p> <p>A problem that is immediately apparent with the Plan is that due to the current number and size of the allocations, they will not deliver the level of affordable housing that is required. As highlighted by the District Council, only one of the three identified sites (Site 3) is large enough to trigger affordable housing as policy CS.18 only requires affordable housing provision on sites of 6 or more dwellings in this location. Consequently, as currently drafted, the Plan would only deliver 5 affordable dwellings and would therefore fail to meet one of the Plans objectives.</p> <p>Cameron Homes are committed to bringing forward allocations 2 and 3 in unison, thus delivering a single cohesive and comprehensive development that could potentially yield 9 or possibly 10 affordable dwellings depending on final numbers. This in itself would largely address all of the identified affordable housing need within Tysoe.</p>

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			<p>Reserve Sites</p> <p>The identification of reserve sites within the Plan is considered to be positive and proactive in that it recognises that the District Council’s housing target numbers in its Core Strategy will come under pressure before 2031. It shows that the Plan has been positively prepared and can respond to changing circumstances. However, Cameron Homes note the apparent reservations from both the District and Parish Councils regarding the reserve sites, largely in respect of their location within the Tysoe Conservation Area. By increasing the capacity of allocations 2 and 3 as set out previously, this could potentially reduce the pressure to release these sites in the future, thus ensuring that the character and appearance of the Conservation Area within Tysoe is preserved.</p> <p>Infrastructure</p> <p>The Plan makes clear that the planned development should include proposals that do not degrade the existing infrastructure. At paragraph 5.4, it states that the Plan will ensure that developer’s make financial contributions to the parish infrastructure projects – for example, the local health service, the school and community projects – and guide how that is spent. However, whilst the Plan contains a policy to protect community assets, there are no policies, which provide a mechanism for securing such financial contributions.</p> <p>Whilst Cameron Homes fully accept that existing infrastructure needs to be protected and supported, the Plan needs to be clearer on what may be requested by the Parish in terms of potential planning obligations arising from the allocations. In this context, Cameron Homes point out that the District Council has adopted its CIL charging schedule. All residential development at Tysoe will therefore be subject to a CIL rate of £150 per square metre.</p> <p>The Council’s Regulation 123 list contains a number of infrastructure types or projects that can be funded by CIL and includes education, primary, acute and community health care provision, libraries and community services investment and off-site indoor and outdoor sport investment/provision. In light of this, any future requests for supporting infrastructure needs to ensure that it fully satisfies Regulation 122 of the CIL Regulation and doesn’t result in perceived or actual ‘double dipping’.</p>

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			<p>In any event, once the Plan is ‘made’, the Parish will receive 25% of the total CIL receipts, which can be spent on various infrastructure projects within Tysoe. This will provide a significant benefit to Tysoe, which will only be realised through the delivery of residential development within the settlement. It is also the case that additional residential development at Tysoe will provide support for local service through an increased population, such as the village shop and pub for example.</p> <p>Viability</p> <p>Cameron Homes wish to stress that viability of sites needs to be carefully considered within the Plan. As noted by the District Council, it is important that the proposed sites should not be subject to such a scale of development obligations and policy burdens that their ability to be developed is viably threatened. This needs to be considered when imposing an upward limit. Whilst the Parish Council’s response is noted in respect of the perceived practical limitations to development within a relatively small community like Tysoe, as set out previously, it has been demonstrated that increased housing numbers can be satisfactorily accommodated within the proposed allocations (Sites 2 and 3).</p> <p>Local Green Spaces</p> <p>It is noted that the Plan contains a number of proposed Local Green Spaces and these are supported in principle. Cameron Homes would also like to point out that there is an area of land immediately to the north east of allocation 2, which is currently in the same ownership. The latest draft layouts prepared by Cameron Homes have shown how this land could be incorporated into any development scheme as public open space, which could provide a significant benefit to this part of Tysoe.</p> <p>Summary</p> <p>In summary, Cameron Homes fully supports the Plan, which is well-considered and should serve as a useful tool for managing future development within Tysoe subject to the observations made within this representation.</p>

Rep.No.	Name	Policy/Section	Representation
TYS.24	Local Resident	Comment on the Plan as a whole	<p>I wish to object to the validity of the Tysoe Neighbourhood Plan.</p> <p>Much as I am appreciative of the hours of work put into the plan, this is not and cannot be used as a reason to approve it.</p> <p>Many aspects of the plan I am reasonably happy with but there are some major issues with the lack of evidence, the lack of consultation and lack of transparency which are of grave concern.</p> <p>Sadly, many of these issues have been for some time continually flagged and expressed by residents and some Parish Councillors. It is very regrettable that the Neighbourhood Plan Group and Parish Council did little to resolve them. In fact their treatment of some residents throughout this process has been very improper and I would suggest contrary to their code of conduct.</p> <p>There has been considerable misinformation conveyed by the Neighbourhood Planning Group and the Parish Council but when pointed out, little if anything has been done to correct it publicly.</p> <p>I will address what I view as the two most important issues and flaws in the plan.</p> <ol style="list-style-type: none"> 1. There is no evidence to support Lower Tysoe, a hamlet and clearly separate from Upper and Middle Tysoe as being part of the LSV. <p>This concept emerged some time ago from the Neighbourhood Planning Group with little or no information and evidence to support it. It is also very hard to see through the little information in any of the meetings minutes how the idea even continued. There are statements on this matter in the plan which are clearly untrue. The evidence against is much stronger.</p> <p>In the 2014 questionnaire/survey, the question of “Do you think of Tysoe as one, two or three villages? Has been used as the primary and only evidence for Lower Tysoe to be included in the LSV. This is totally flawed. This an emotional not a practical question and has no context whatsoever. It would need to be followed up with another corresponding question or explanation. This matter has subsequently been questioned and flagged numerous times by residents and some Parish Councillors.</p>

Rep.No.	Name	Policy/Section	Representation
			<p>The NPG having made the decision that they were going to include Lower Tysoe into the LSV resulted in questions about the necessity of being clear to all the residents on the reasonings/evidence for this and particularly to the Lower Tysoe residents. For instance, please see the correspondence below between myself and the then Chair of the NPG. What was stated was never done:</p> <p><i>From: [Name Redacted]</i> <i>Date: Wed, Oct 5, 2016 at 8:36 AM</i> <i>Subject: Re: Consultation regarding Lower Tysoe and LSV</i> <i>To: [Name redacted]</i></p> <p><i>Hi [Name redacted]</i> <i>You can be assured that the Pros and Cons will be well stated to enable the residents of Lower Tysoe can arrive at their own conclusions. The Steering Committee has spent weeks studying the ramifications of the Neighbourhood Plan - we are simply giving a 'steer' as to what we believe is the right course of action for Tysoe as a whole.</i></p> <p><i>.....I think that you should trust us, as the appointed Neighbourhood Plan Steering Group, to present the cases for both sides of the debate. We will ensure that people can make up their own minds and reach their own conclusions without experiencing undue pressure from anyone.</i></p> <p><i>I look forward to seeing you on Friday.</i></p> <p><i>Kind regards.</i></p> <p><i>[Name redacted]</i></p> <p>This comes up again with this next piece of correspondence. Again none of the advice was acted on.</p>

Rep.No.	Name	Policy/Section	Representation
			<p>In an e-mail exchange between the Parish Council and SDC, SDC advised that the consultation with the community would provide the best opportunity to explain explicitly the implications for including or not including a settlement boundary for Lower Tysoe within the NDP.</p> <p><i>Email correspondence with John Careford 27/4</i></p> <p><i>Dear ,</i></p> <p><i>Thank you for your email to Matthew.</i></p> <p><i>We have taken advice from District Council's Head of Governance and Democracy. He raises concerns with the idea of a referendum. He is of the view that the best way forward is for the Parish Council to continue with the second Regulation 14 (pre-submission) consultation with the community as this would provide the best opportunity to explain explicitly the implications for including or not including a settlement boundary for Lower Tysoe within the NDP.</i></p> <p><i>This is because, for example, the consultation could include a specific question on whether to include a boundary for Lower Tysoe which would give the QB the same outcome as a potential referendum but with the added benefits of ensuring that the community (a) understands the issues at hand (through explanatory text) and (b) are themselves able to provide comments to the QB on the issue rather than a simple yes/no.</i></p> <p><i>The Parish Council could also vote specifically on the issue to ensure democratic accountability. I trust this is helpful.</i></p> <p><i>Regards,</i></p> <p>Lower Tysoe residents and some Parish Councillors were clearly uncomfortable about what was happening and with many planning applications coming up in Lower Tysoe, more information regarding the status of Lower Tysoe emerged. Shockingly this next piece of correspondence between Stratford</p>

Rep.No.	Name	Policy/Section	Representation
			<p>District Council and the chairs of both the Parish Council and Neighbourhood Plan Group only emerged through a FOI request from a resident.</p> <p>From John Careford SDC:</p> <p><i>“To summarise why SDC does not consider it appropriate to include Lower Tysoe within the BUAB although I acknowledge a BUAB can have separate parts to it Lower Tysoe is clearly a separate settlement some distance from Tysoe and lacking local facilities amenities (which are located in Tysoe). Including Lower Tysoe within the BUAB would represent a fundamental change to the status of the properties within Lower Tysoe. In planning policy terms there is a general presumption against development and this is consistent with the objectives of the Core Strategy to preserve the rural character of the District. Including Lower Tysoe within the BUAB would establish a principle in favour of development. SDC also needs to apply its approach consistently across the District; if we were to include Lower Tysoe then we would have to include other hamlets near to LSVs elsewhere. I am not sure what level of support there would be for that approach or arguably how sustainable such an approach would actually be.”</i></p> <p>The NPG/PC claimed that “This (creation of a BUAB for Lower Tysoe) was the subject of a targeted public consultation which resolved that Lower Tysoe should have its own BUAB”.</p> <p>There was no targeted public consultation and some Lower Tysoe residents and others who questioned and sought more information on the evidence and reasoning behind the NPG and PC’s actions regarding the status of Lower Tysoe were treated inappropriately and I would suggest contrary to the Parish Council Code Of Conduct. Improper and personal letters were sent out to residents, despite the disapproval of two Parish councillors. In protest to this and other issues regarding the lack of transparency by the PC and NPG regarding the Neighbourhood Plan, the two councillors resigned.</p> <p>To summarize, the current planning status of Lower Tysoe as a hamlet should not be changed as suggested in the Neighbourhood Plan because there has been a lack of evidence and lack of consultation by the PC and NPG to give this action any validity and the inclusion of a BUAB around Lower Tysoe is:</p>

Rep.No.	Name	Policy/Section	Representation
			<p>- inconsistent with national planning policy; - does not contribute to the achievement of sustainable development; - is not in general conformity with Policy CS1-Sustainable Development; - is not in general conformity with Policy CS15 Distribution of Development</p> <p>I also object to Housing Policy 2 – Affordable Homes</p> <p>Fundamental to the NDP is a requirement for affordable homes in the Parish. This was one of the main requests by the community in the Housing Needs Survey 2016:</p> <p><i>“Responses indicated that there is a clear appetite among residents to meet the need for affordable housing within the parish”.</i></p> <p>The Plan fails to meet this need. There is clearly no guarantee that a developer will provide this. The Plan is therefore incomplete and inadequate.</p>
TYS.25	Local Resident	H1	We need housing growth but I object to the unnecessary inclusion of Lower Tysoe having a Built-up Area Boundary. The neighbourhood plan states, "Formally recognizing that Lower Tysoe is part of the village of Tysoe and drawing a Built-up Area Boundary around it will mean that the principle of limited infill development may be acceptable as it is in Middle and Upper Tysoe." This is illogical because existing policy already allows for infill development in Lower Tysoe: Policy CS.15 Part F allows for "...small-scale community-led schemes..."
		H2	I object only to the inclusion of Site 1 Land to south of Orchards in Lower Tysoe for "approximately 3 dwellings". The site is not suitable for development. 3 dwellings is too dense and out of character for Lower Tysoe. "Approximately 3 dwellings" is too vague and could be exploited by a developer. The proposed vehicular entrance would constitute a danger on an already dangerous bit of road.
		H3	I support with the principle of strategic reserves but not the two choices: both sites appear to have severely limited access. Roses Farm is in an area susceptible to flooding.

Rep.No.	Name	Policy/Section	Representation
		H4	The principle is good but without identifying potential sites isn't this a bit like signing a blank cheque and an open invitation to unscrupulous developers?
		H5	Clear guidance on the design of 1 bed and 2 bed houses for retirement living should be included e.g. single storey, disability access, energy efficient/low cost to run.
		E1	The aim of increasing local working and reducing vehicle journeys is excellent. Why no mention of the accompanying requirement for decent broadband and mobile phone connections?
		E2	Why no mention of the accompanying requirement for decent broadband and mobile phone connections?
		NE1	Strongly support but how will this be enforced ref. Kendrick Homes and Loxton Developments?
		NE2	Strongly support but how will this be enforced ref. floodlighting at Orchard Farm Nursery in Lower Tysoe and the area around Tysoe Vale Farm? How will "excessive light pollution" be measured and by whom?
		NE3	Strongly support but the policy makes no reference to parts of Tysoe's susceptibility to flooding nor to the problem of Tysoe's storm drain system being largely Victorian or earlier and has not been sufficiently upgraded to cope with new housing, particularly since the war, and the sewage treatment plant reached capacity several years ago (may have been increased since then).
		NE4	Support but what force in law do Local Green Spaces have? They are a provision under the NPPF but that is not law.
		NE5	Who could object but it all sounds somewhat vague and how will it be enforced? Recent experience e.g. Kendrick Homes and Loxton Developments is not encouraging.

Rep.No.	Name	Policy/Section	Representation
		NE6	Support but concerned that "reuse of rural buildings" seems vague and liable to undesirable exploitation. Which rural buildings are referred to?
		NE7	Good idea but vague and who will enforce this?
		BE1	Support but recent history with Kendrick Homes and Loxton Developments is not encouraging.
		BE2	Support but: recent history with Kendrick Homes and Loxton Developments is not encouraging. Much greater priority than "may be considered" should be given to proposals that promote high levels of sustainability.
		BE3	Support but this policy should be much stronger than "encouraged" because currently it does not begin to reflect the climate emergency nor government priorities to combat climate change.
		BE4	The bit about protecting "Green Spaces and verges" should be a lot more specific. Are the "Green Spaces" referred to the same as "Local Green Spaces" - confusing?
		BE5	Support but it seems very vague.
		BE6	Makes sense in principle but who is going to judge the criteria stated, e.g "adverse effect", "an unacceptable impact" and "safe and satisfactory access" are terribly vague?
		CA1	Support but vague in parts and who is going to judge whether a facility, "is no longer valued or of use"?
TYS.25	Local resident [supplementary comments]	Additional comments on the Plan as a whole	<p><u>INTRODUCTION</u></p> <p>I have completed the online survey but there are some other important comments we wish to make that seem to be outside the scope of the survey.</p> <p><u>1. RECOGNITION OF THE HUGE TASK IN PREPARING THE PLAN</u></p>

Rep.No.	Name	Policy/Section	Representation
			<p>We acknowledge the vast amount of work done by Tysoe Parish Council to prepare the Tysoe Neighbourhood Development Plan, involving a lot of time, research and considerable examination of the evidence.</p> <p><u>2. SUPPORT FOR MUCH OF THE PLAN</u></p> <p>The plan sets out to do a good job for Tysoe and I support much of it. However, I have serious objections to some specific policies, particularly regarding Lower Tysoe, and I have explained these in the online survey. I also feel, as I stated in the survey response, there is a bit too much motherhood and apple pie in that some policies read like a wish list without clear strategies for implementation.</p> <p>I also have concerns about some aspects of the conduct of the parish council.</p> <p><u>3. THE WAY WE HAVE BEEN TREATED</u></p> <p>My family is very unhappy with the way we have been treated by Tysoe Parish Council.</p> <p>a) <u>Our Call for sites</u></p> <p>In October 2016, in line with the invitation from the parish council for possible sites, we submitted a Call for Sites pro-forma, which put forward an entirely reasonable and justifiable case for our site to be included in the draft neighbourhood plan for the purposes of one dwelling only for our use. In May 2017, without any discussion or prior notification we received three letters from Tysoe Parish Council – one dated 16th May 2017 addressed to “(names redacted) Greenacres Fm,” another dated 16th May 2017 addressed to “(names redacted) Greenacres”, followed by one dated 17th May 2017 addressed to, “Greenacres Farm” (no person named).</p> <p>The letter addressed to (name redacted) stated that, “<i>The purpose of this letter is to let you know that the Neighbourhood Development Plan has not currently allocated your site for residential development within the plan period. I must stress that this letter is by no mean an indication as to the suitability or acceptability of your land for development.</i>” There was no prior consultation and letter gave no</p>

Rep.No.	Name	Policy/Section	Representation
			<p>reasons, evidence or explanation for the site not being included but it did also say, <i>“The Parish Council and the Steering Group welcomes the opportunity to discuss this proposal with you as part of the formal consultation process.”</i></p> <p>The letter addressed to (names redacted) informed us that The Steering Group has identified spaces suitable as Local Green Space under the NPPF and that our site has been identified as a suitable Local Green Space. This proposal, effectively to requisition part of our property, came as a complete surprise to us because we had received no consultation or prior notification. As it turned out the proposal contravened almost every one of the NPPF guidelines.</p> <p>The third letter, addressed to Greenacres Farm, informed us that, <i>“Stratford-on-Avon District Council has listed you as a property with some commercial or similar activity.”</i> (The property ceased to be a farm in 1993.)</p> <p>Subsequently, the draft of the Tysoe Neighbourhood Plan was published in May 2017 and finally gave some reasons for our site not being included:</p> <ul style="list-style-type: none"> • It claimed, <i>“The site is in the Lower Tysoe green space.”</i> Not true. This was only a draft proposal at the time and was a proposal later shown to be faulty. • It claimed, <i>“The site is beyond an acceptable walking distance from the central [village] services.”</i> Bogus and contradictory. Extraordinarily, this is a complete contradiction of page 13 of the same draft plan, which says, <i>“...it [Lower Tysoe] is the same distance from central services as parts of Upper Tysoe...”</i> and goes on to recommend that Lower Tysoe be part of the Local Service Village. • The site assessment concluded that, <i>“The site is outside the building line.”</i> Not true. Lower Tysoe is outside the built-up area boundary and therefore has no building line. The policy for Lower Tysoe is in CS.15 Part F of the Stratford on Avon Core Strategy (not CS.15 Part D). <p>On 14th June 2017 we submitted a detailed response to the letters we had received from Tysoe Parish Council and to relevant sections of the May 2017 draft Tysoe Neighbourhood Plan. This submission objected to the omission of our site, pointed out the errors in draft plan, gave a robust justification for our Call for Sites and reiterated how it matched local and national policies.</p>

Rep.No.	Name	Policy/Section	Representation
			<p>Having taken professional advice on the matter, our submission also rebutted the proposal to include our site as a Local Green Space and pointed out the proposal contravened almost all the criteria given in the NPPF, something a little careful reading of the NPPF would have made clear in the first place.</p> <p>Finally, we stated in our submission that we looked forward to the promised discussion with Tysoe Parish Council. More than 18 months after the letters offering a discussion were received no such meeting had been offered nor any explanation nor apologies as to why it hadn't, despite reminders. It was hard to avoid the conclusion that this was dictation rather than consultation and runs counter to the requirement for the qualifying body to be, "inclusive and open" and to involve landowners in preparing the draft neighbourhood plan.</p> <p>b) <u>Cost to us</u></p> <p>Although we should not have had to do so, we incurred considerable consultancy fees for advice on the matter of Local Green Spaces. We also took advice from a solicitor who prepared a draft letter to Tysoe Parish Council.</p> <p>c) <u>Finally a discussion</u></p> <p>Following several requests and reminders of the offer of a discussion, the draft solicitor's letter plus a verbal appeal in public at a parish council meeting, a meeting finally took place on 5th December 2018. The meeting was cordial and quite helpful and significantly Tysoe Parish Council stated that we were overdue an apology for the way we had been treated and that we would receive one in writing.</p> <p>We have received no such apology.</p> <p>d) <u>Unnecessary distress</u></p> <p>Whilst accepting that those responsible for preparing the Tysoe Neighbourhood Plan were willing amateurs with limited resources, there is no excuse for such thoughtless behaviour that has caused us</p>

Rep.No.	Name	Policy/Section	Representation
			<p>great distress and worry and considerable cost in taking professional advice to sort out problems that were not of our making. In our case this involved our property and our livelihood.</p> <p><u>4. CONDUCT OF TYSOE PARISH COUNCIL</u></p> <p>a) <u>Insufficient consultation</u></p> <p>I do not consider there has been enough proper consultation throughout the preparation of the neighbourhood plan drafts.</p> <p>Yes, the box marked Consultation has been ticked but holding restrictive public meetings and allowing residents to make comments does not equate with proper consultation involving discussion, involvement and demonstration of evidence. The government’s guidance regarding “<i>Consulting on, and publicising, a neighbourhood plan or Order</i>” says:</p> <p>“A qualifying body should be inclusive and open in the preparation of its neighbourhood plan or Order and ensure that the wider community:</p> <ul style="list-style-type: none"> • <i>is kept fully informed of what is being propose</i> • <i>is able to make their views known throughout the process</i> • <i>has opportunities to be actively involved in shaping the emerging neighbourhood plan or Order</i> • <i>is made aware of how their views have informed the draft neighbourhood plan or Order.”</i> <p>It is significant to note that a number of residents made comments on the 1st draft about lack of consultation (e.g. Representation no. 127 point 9) while others said that identified sites must have the landowner’s permission and the parish council’s response at the top of page 4 was to agree.</p> <p>This is all unfortunate because the second neighbourhood plan group started out with the stated aim of being a lot more open, transparent and communicative than the previous group and they began so well but after a while they appeared to become more and more secretive.</p>

Rep.No.	Name	Policy/Section	Representation
			<p>In January 2018 the Tysoe Neighbourhood Plan Group published a document containing feedback from residents, official bodies and others to the May 2017 draft Tysoe Neighbourhood Plan, together with Tysoe Parish Council's responses. The parish council's response to our substantive two and a half page submission was a mere two and a half lines that restated the error the site is outside the proposed Development Boundary and going on to say that all proposed sites and proposed Green spaces are undergoing reassessment prior to redrafting the Plan. The response made no attempt to discuss or engage with our many and valid points.</p> <p>b) <u>Contravention of terms of reference</u></p> <p>The period between December 2016 and the publication in May 2017 of the draft Tysoe Neighbourhood Plan was a crucial period in the development of the draft Tysoe Neighbourhood Plan. Despite this, no public meetings of the Neighbourhood Plan Group were held. This is in contravention of Local Government Act 1972, which requires parish councils and their sub-committees to publish agendas, hold regular meetings in public and publish minutes. It is also in contravention of the Neighbourhood Plan Group's own 2016 Terms of Reference.</p> <p>A further contravention of the Terms of Reference was the failure to publish the names of those who were serving on the Neighbourhood Plan Group at the time.</p> <p>Taken together the situation made it impossible for us to know what was going on, who was proposing the policies and on what basis, or to whom we should speak. Furthermore, when public meetings were re-introduced in August 2017, questions on policy matters or specific sites were not permitted, only questions on process were allowed. Instead of the required openness and transparency this created the impression of policy matters being conducted under a veil of secrecy.</p> <p><u>5. CONCLUSION</u></p> <p>Please consider this in addition to my online survey submission.</p>

Rep.No.	Name	Policy/Section	Representation
TYS.26	Local resident	NE3	Support: The village has already witnessed two so-called "100 year events" in the last 22 years. Any increase in housing will inevitably exacerbate risk of flooding. This has to be the number one priority for SDC before deciding on further housing in the village in future core strategies.
		NE6	Object: Limited and judicious development between Middle and Lower Tysoe should be considered if the alternative is over-development in Upper and Middle Tysoe. [N.B. Supports all other policies in the Plan, but no text submitted to explain why].
TYS.27	Local resident	E2	Support: May be difficult to achieve.
		NE1	Support: The consultations have indicated how important the natural environment is to the village.
		NE2	Support: This is really important. Dark skies is a key part of the village environment and valued by the community. Light pollution from developments with excessive lighting more suitable to urban locations such as builders seem to automatically install is unacceptable in a rural environment.
		NE3	Support: Previous planning applications have underestimated the potential run off and subsequent flooding risk caused by their buildings.
		NE5	Support: The views and natural environment are key not only to residents but also to the many walkers and cyclists who visit the village.
		NE6	Support: Consultations have shown how the Gap is seen by residents as a key part of the village character. The loss of the equivalent gap between Middle and Upper Tysoe is much regretted.
		BE1	Support: This may be ambitious but the local vernacular is a key part of the village character.
	CA1	Support: The community play a key part in the vibrancy of the village cultural environment. [N.B. Supports all other policies in the Plan, but no text submitted to explain why].	

Rep.No.	Name	Policy/Section	Representation
TYS.28	Local resident	H3	Object: The Roses Farm site is right on the edge of the Area of Natural Outstanding Beauty. Development here would seriously impact on views across and from the ANOB, spoil the character of that small corner which has a listed building, and increase traffic on that part of Epwell Road which is narrow and near a dangerous bend. Herberts Farm is a farm in the centre of Tysoe. To use this site would contradict the ideals of the plan itself - to preserve Tysoe's unique character. It states "3.1.0.8 Farming is a constant of Tysoe village life. It is responsible for the agrarian landscape in which the village is set. There are few villages in the country which still have working farms at their heart".
		E2	Object: It will be difficult to build homes that are small and affordable if they have to include office space and extra car parking space as well.
		NE7	Object: In principle I agree, but would prefer the plan to specify native planting and include stronger protection of existing trees and hedgerows. [N.B. Supports all other policies in the Plan, but no text submitted to explain why].
TYS.29	Local resident	NE4	Support: Suggest that the wording of location 10 be amended to read 'Village Green and war memorial, Main Street'. The village green is an important historical site as a gathering place for the community. Also note that the village green extends to the grassed area on the other side of the road, opposite the shops. [N.B. Supports all other policies in the Plan, but no text submitted to explain why].
TYS.30	Local resident	E2	Support: My one concern is whether a crafty developer might build a 4-bed house with "flexible" commercial space and sell it as a 5/6 bed house.
		NE6	Object: Whilst I would currently like to see a strategic gap, future house building in Upper & Middle Tysoe could create unsustainable pressure and therefore the strategic gap between Middle & Lower Tysoe should not be permanently refused for limited planning purposes. [N.B. Supports all other policies in the Plan, but no text submitted to explain why].

Rep.No.	Name	Policy/Section	Representation
TYS.31	Local resident	H1	Support: The principles for the housing development in the NP are in keeping with the environment, needs and the AONB principles.
		H2	Fully Support. [N.B. Supports all other policies in the Plan, but no text submitted to explain why].
TYS.32	Local resident	H4	Support: Providing this remains within village boundary. [N.B. Supports all other policies in the Plan, but no text submitted to explain why].
TYS.33	Local resident	H5	Support: Affordable housing must give priority to personnel working in or very close to Tysoe. [N.B. Supports all other policies in the Plan, but no text submitted to explain why].
TYS.34	Local resident	Plan as a whole	No comments received via survey, although supports all policies in the Plan.
TYS.35	Local resident	NE1	Support: Whilst the Tysoe area does not contain any canals or navigable rivers, which are our main area of concern, we are happy to support in general terms this NDP to help protect the neighbourhood from poor and unwarranted development. [N.B. Supports all other policies in the Plan, but no text submitted to explain why].
TYS.36	Local resident	Plan as a whole	Supports all policies in the Plan but has not submitted any comments via the survey.
TYS.37	Local resident	H5	Support: Currently larger new homes are not selling. Smaller homes as identified in HNS are what are needed to improve the housing mix and give more local the opportunity to stay in the village and sustain local services. [N.B. Supports all other policies in the Plan, but no text submitted to explain why].
TYS.38	Local resident	NE1	Support: This includes protection of Rights of Way. Planning applications should include indication of any rights of way on the site, and requests for any diversion.
		NE5	Support: Protection of views from footpaths should be included.
		BE6	Support: Should include no adverse effect on rights of way.

Rep.No.	Name	Policy/Section	Representation
			[N.B. Supports policies H1, NE4, NE6 and NE7 in the Plan, but no text submitted to explain why].
TYS.39	Local resident	H5	Support: Tysoe needs smaller affordable houses to encourage young families to make their homes here.
		NE4	Support: It is very important to keep the Local Green Space, once it's gone it's gone for ever!!!! [N.B. Supports policies H1, H2, H3, H4, E1, NE1, NE2, NE3, NE5, NE6, NE7, BE1, BE2, BE3, BE4, BE6 and CA1 in the Plan, but no text submitted to explain why].
TYS.40	Local resident	H1	Support: More social housing. [N.B. Supports all other policies in the Plan, but no text submitted to explain why].
TYS.41	Local resident	H1	Support: More social housing is needed!!!
		H2	Support: Affordable housing.
		H4	Support: The need for more social housing for young people.
		NE1	Support: A fine example is the Red horse close development, which isn't in keeping with the area. [N.B. Supports all other policies in the Plan, except for Policy E2 to which they object. No text submitted to explain why].
TYS.42	Local resident	H1	Support: Tysoe needs more houses in order to continue to thrive and this policy makes it clear where houses should and shouldn't be built which the village was consulted on at events held in the village hall.
		H2	Support: This supports Tysoe continue to growth at the rate that it has in the past. It also limits the number of houses on each site but hopefully leads to much needed affordable housing.
		H3	Support: My understanding is that the Herbert's Farm would not go completely just move which is good. It would be a shame to lose a working farm from the village.

Rep.No.	Name	Policy/Section	Representation
		H4	Support: Everyone keeps saying that we need affordable houses and we do. Tysoe is a great place to live because of its diverse population and the only way to maintain this is with affordable houses.
		NE1	Support: This is so important given the unique nature of Tysoe.
		NE4	Support: I think having green spaces within the village is critical to maintain.
		NE6	Support: In order to preserve Lower Tysoe I believe this policy is critical. Lower Tysoe has had quite a number of new houses in recent year which again is a good thing to ensure that it is not just a "dormitory retirement hamlet".
		BE4	Support: Like all villages parking has become more and more of a challenge so anything that keeps vehicles off the highway is a good thing.
		CA1	Support: In order for Tysoe to be a vibrant village it is really important to maintain the community assets. The assets Tysoe has are not on used by the village it attracts people from the surrounding parishes.
			[N.B. Supports all other policies in the Plan, but no text submitted to explain why].
TYS.43	Local resident	H3	Object: Whilst acknowledging that overall the Neighbourhood Plan has been well thought out, I strongly object to the inclusion of Herbert's Farm and Roses Farm as reserve sites, both of which are in Conservation Areas. With regard to Roses Farm, Stratford Council itself stated in 2012 that (the Roses Site) "is open to views from the high point of Windmill Hill and the approach roads to the south. It is therefore highly inappropriate for housing development". It is also a long way from the school and village amenities. In short, it is the most inappropriate area of the whole village for development.
		H5	Support: We do not need more large (and expensive) houses.

Rep.No.	Name	Policy/Section	Representation
		NE6	<p>Object: The "strategic Gap" is an artefact which has actually no significance. This area should be designated for affordable housing, as it is within a reasonable distance of the school and village facilities. It is also safe for children to walk to school.</p> <p>[N.B. Supports all other policies in the Plan, but no text submitted to explain why].</p>
TYS.44	Local resident	H1	Support: Excellent way to limit housing growth to sustainable levels for the entire Tysoe village.
		H2	Support: Good sites which will not adversely affect current developments, minimising the potential for unwanted huge new estates.
		H3	Support: A good idea to have these sites, neither of which is ideal, but better than having a "free for all" for developers.
		H4	Support: We need more affordable housing. Getting some built is difficult, as builders want to make as much profit as possible. This scheme may get some built.
		H5	Support: The "mix" in Tysoe is currently wrong, making it a "retirement area" for the wealthy. We need more smaller houses in Tysoe, allowing a more divergent population.
		E2	Support: Tysoe is a village, and implementation of this policy will allow it to remain one.
		NE1	Support: Tysoe is a beautiful village. This policy will help it retain its beauty.
		NE2	Support: Again, this will ensure Tysoe maintains its natural charm.
		NE3	Support: All good policies to minimise flooding risks.
		NE4	Support: Green space is very relevant in village life. A good policy to maintain this facility.
		NE5	Support: Integration of any new development into the existing framework of Tysoe character, is important in the effort of maintaining the essence of this village.

Rep.No.	Name	Policy/Section	Representation
		NE7	Support: Again, a good plan to keeping Tysoe a special village.
		BE4	Support: Currently, on road parking is not a problem. Further development in Tysoe could produce a "Kinton" problem. (Kinton is a local village that has a MAJOR road parking problem. We must strive to prevent this. [N.B. Supports all other policies in the Plan, but no text submitted to explain why].
TYS.45	Local resident	H1	Object: The current independent and separate "Hamlet Status" of Lower Tysoe should remain unchanged.
		H2	Object: Not No 1.
		H4	Support: In the case of Lower Tysoe no, Lower Tysoe should remain separate from the Middle and Upper Tysoe planning schemes. It should remain subject to normal and existing DC planning controls. [N.B. Supports all other policies in the Plan, but no text submitted to explain why].
TYS.46	Local resident	H2	Object: In relation to site 3 the proposed plan Paragraph 4.2.0.1 states that housing should "ideally be in-fill developments" of which there are several in the village whereas Site3 is not in-filling. Assuming that the entrance/exit will be on Oxhill Rd./Sandpits Rd. with 13 properties there will be at least 26 extra cars plus delivery vehicles on 2 minor country roads, the latter already having damaged verges due to the width and an entrance or exit to this road would necessitate the destruction of an ancient wall . 13 properties would increase light pollution which would not reflect nor respect the local character There is severe flooding in this area after heavy rain and the soil may be contaminated.
		H4	Object: Any scheme should be for affordable/small bungalows only as there is no local demand for market housing as evident from the number new larger homes which have been on the market for some time.
		H5	Object: See previous paragraph.

Rep.No.	Name	Policy/Section	Representation
		NE1	Support: Site 3 is a corridor for wildlife particularly for several species of birds and there is evidence of a special species of newts. Before Wisteria House was built the builder had to make trenches to capture the newts for removal.
		NE2	Support: See previous Housing Policy re: light pollution.
		NE4	Support: Site 3 should also be a green space.
		NE5	Support: There have been several ribbon developments on the left of the road leaving the village towards Lower Tysoe which have impinged on views from the AONB and thus there could be a few more properties if needed. There should be no need for a strategic gap.
		NE6	Object: See previous paragraph. [N.B. Supports all other policies in the Plan, except for Policy H3 to which they object. No text submitted to explain why].
TYS.47	Local resident	H1	Object: Please see my previous comments which have not been adequately addressed, link below: https://1drv.ms/b/s!ArddfdNv8IM0oyTk7r2tBEHskRlw Also, my email to SDC Planning Policy, providing up to date evidence that the principle of development in Lower Tysoe has been firmly supported by The Planning Inspectorate in a decision dated 3rd May 2019, and with particular reference to the Home Holdings proposed site, this clarification supersedes the NP's previous response.
		H2	Object: Please see my previous comments which have not been adequately addressed, link below, https://1drv.ms/b/s!ArddfdNv8IM0oyTk7r2tBEHskRlw Also, my email to SDC Planning Policy, providing up to date evidence that the principle of development in Lower Tysoe has been firmly supported by The Planning Inspectorate in a decision dated 3rd May 2019, and with particular reference to the Home Holdings proposed site, this clarification supersedes the NP's previous response.
		H3	Object: These sites will pull additional traffic into constricted areas of the village, and will create long term problems.

Rep.No.	Name	Policy/Section	Representation
		H4	Support: The District Council should always have policies in place that lend support to the provision of housing for 'local' people.
		H5	Object: Large houses create huge and perpetual employment opportunities in their locality, therefore, to limit their provision to 5% limits local employment opportunities.
		E1	Object: A resident of a property and the Parish Council may not agree on what is "necessary". That should be a decision for the resident, therefore, I cannot support this policy.
		E2	Support: Design issues should not be overly proscriptive.
		NE1	Object: We should not seek to bind the hands of our successors because development can enhance a view [e.g. Tysoe Parish Church].
		NE2	Support: Makes sense.
		NE4	Object: Number 11 is Private Land, and it is totally inappropriate to remove the rights of a private landowner over their property. It should of course be open to the Parish to approach the owner of a privately owned parcel of land to purchase it at an open market value.
		NE5	Object: Development can be a good thing, and proposals should be allowed to come forward and be judged on their merits.
		NE6	Object: Development can be a good thing, and proposals should be allowed to come forward and be judged on their merits.
		BE1	Object: Development can be a good thing, and the Parish is littered with many varied designs and features. This policy, much of which is already defined by national planning policy, could discourage applicants from coming forward with proposals that should be judged on their merits, and not by local pressure groups.

Rep.No.	Name	Policy/Section	Representation
		CA1	Support: These assets should be self-financing as the pot of money available will never be large enough. The policy should be redrafted to emphasise the limitations of what will be made available. [N.B. Supports all other policies in the Plan, but no text submitted to explain why].
TYS.48	Local resident	H1	Object: These built up area boundaries are drawn too tightly and are designed to prevent sensible development. Our site is right by the school and is an obvious development site but is excluded.
		H2	Object: Our site to the rear of Church Farm Court has been excluded but is a obvious site. The District Councillor himself said that new housing should be close to the school when he spoke at our planning committee meeting Our site is one of the top 4 in the SHLAA consultation yet they have selected others for political reasons.
		H3	Object: These sites are not as deliverable as other sites.
		H4	Object: The built up area boundaries are too limited and exclude obvious and deliverable sites like ours.
		H5	Object: This is too inflexible and does not recognise that some sites would be better to have a higher proportion of a particular housing size or type. For example 2 bed bungalows. This would presume against such a scheme. Also nobody wants one bedroom units.
		NE5	Object: What is an important view or skyline is an incredibly subjective matter and this type of clause is generally used simply as a way of objecting to applications. It should be much more specific.
		NE6	Object: The idea of a strategic gap is a nonsense when Tysoe is one village and there is development all the way along the road between the two. They are trying to suggest they are two settlements which is not the case. It is being used in conjunction with an excessively tight built up area boundary to stop any development between Middle and Lower Tysoe when the land adjacent to the school is an obvious and deliverable site.
		NE7	Object: Whilst generally we support this the reality is that many hedges are in a poor state after years of cutting by machine rather than being properly cut and laid. So our hedges are made up of lots of

Rep.No.	Name	Policy/Section	Representation
			brambles and elder. The plan should encourage and support the improvement of hedges rather or their replanting rather than a misplaced focus on simply keeping what is there which is often used to object to planning applications.
		BE1	Object: This is excessively broad and subjective and restrictive and will simply be used to try and object to proposals. Rather than assuming that there will be archaeology everywhere it needs to be a “reasonable” approach. Repeated rounds of investigations add hugely to the costs of sites which feed through into the prices which have to be charged for houses. We had to do a £15000 investigation even though one had already been done once. That is £1500 extra on each house. They want affordable housing. It is important not to make it unviable.
		BE2	Object: While generally supportive we object to the last bit point D about views. This is highly subjective. Clearly any new building will obscure some “views across landscapes” so this will simply be used to object to all developments. It is not reasonable to object simply because the view across the landscape will be different when a development is built. Developments should be seen as an opportunity to enhance views. Many of the views into Tysoe are NOT very attractive and sympathetic development could improve them. The plan should give developers credit for this. Views being considered should only be from viewpoints where the public have permitted access. So public footpaths. Not from locations which are private property.
		BE3	Object: This is too prescriptive. These schemes change and are replaced over time. Today’s flavour of the month is out of fashion in five years. The plan should simply aim to encourage and recognise and give credit to high quality development schemes.
		BE4	Support: It was not long ago that SDC were limiting the amount of parking to encourage use if public transport. Clearly not applicable in Tysoe. The plan should also encourage and give credit to schemes where parking is out of site at the side or the back of houses to avoid parked cars being the dominant feature of the frontage view of new houses as is the case in so many schemes. In our Meadow Lane scheme we revised an existing scheme and had all the parking to the houses fronting Main Street at the back so the houses would have a traditional appearance for the village. No credit was given by the PCC for this significant improvement of course.

Rep.No.	Name	Policy/Section	Representation
		BE5	Support: Many existing dwellings in the village are not of any architectural merit are poorly designed for modern living, unsuitable for older people and hugely energy inefficient. The plan should actively encourage replacement of existing stock as a way to enhance the appearance of the village, make the housing more suitable functionally and more energy efficient. Possibly also creating more units of accommodation.
		BE6	Object: Generally support but why are they limiting significant modification or extension. It may be a building would be much better if it is modified or extended and provide additional units in a low impact way. The current council policy whereby existing barns can only be reused if they are 100% within the existing structure is daft and producing wierd buildings which look out of place and are functionally inefficient. Again most hedges need improvement. The focus should not always be on preserving what is there.
		CA1	Support: The plan needs to highlight that development is needed for family homes close to the primary school or it will close. It is operating at half capacity. It is perverse not to include the land we have directly adjacent to the school behind Church Farm Court as a suitable site. The only reason they have excluded this is because they hate the fact we are developing ten houses on the part of our site facing Main Street even though these conform to everything they state in the NPG. It is a site which has services, has access and could be delivered very shortly with a mix of houses including affordable small homes for local people with small children. Overall as a developer we feel that the Plan could be significantly improved so that it encourages suitable development where it is needed to the benefit of the village. It appears to have been primarily written to provide tools try and prevent development. There are lots of sites in Tysoe which could provide a few houses here and there which is what everyone wants. The Plan is far to prescriptive. What they will find by specifying the minimum number of sites is that they cannot be delivered. What is far more important is that the schemes are really high quality in terms of design and materials. That they LOOK GOOD. The Plan should allocate more sites and recognise that Tysoe is one village and see what landowners and developers come up with. [N.B. Supports all other policies in the Plan, but no text submitted to explain why].
TYS.49	Local resident	All policies.	Supports all policies in the Plan, but no text submitted to explain why.

Rep.No.	Name	Policy/Section	Representation
TYS.50	Local resident	H1	Object: It feels that the boundary has been set up to try and divide the different sections of Tysoe when actually we are one village not three.
		H2	Object: I feel the opening to site 3 if on the Oxhill road will be too close to the existing estate that is next to the opening of heritage field, the track down to site three is not wide enough for a two car access. The site entrance would be better if site two and three were combined and the entrance to both sites being from sandpits road. The site will potentially be developed at the same time and having the same entrance would give the site a better community feel like windmill way rather than two separate sites. One road in and one road out rather than two different roads. It would be less for the council to keep maintained. Residents would also find the site easier rather than wondering which site to go too.
		H3	Support: Will there be affordable housing that can be purchased rather than social housing?
		H5	Support: There is no need for any more 4+ bed houses there are housing for sale that are 4+ bed and they have been on the market for 6+months.
		E1	Support: If site 2+3 is approved for development the workshop that provides jobs to local people will end, the workshop also provides a service for the local area supplying handmade bespoke doors, windows and kitchens. So the reason for buying a house in Tysoe to be able to walk to work will be made redundant and my job would also be lost. And my environmental impact of the earth will increase by having to drive to a new place of work.
		NE1	Support: Ridge and furrow is an important part of Tysoe.
		NE2	Support: Dark skies are important but there are street lights that are not working, some Elderly residents having fallen over tripping up curbs because they couldn't see the pavements.
		NE3	Support: All toilets should work of a rainwater re-user and be as environmentally friendly as possible.

Rep.No.	Name	Policy/Section	Representation
		NE6	Object: This is just a way that Lower Tysoe can keep out development a of any type, when they should take responsibility for their share of the developments instead of Middle Tysoe take the overwhelming share of developments, Lower Tysoe have more money than any other part of Tysoe and they use this to push out developments they do not like. Tysoe is not three villages it is one village and Lower Tysoe need to understand that, if they do not want to be part of Tysoe they should be making their own neighbourhood plan.
		NE7	Support: Encourage as much wildlife as possible.
		BE1	Support: The history of Tysoe needs to be maintained for the future.
		BE2	Support: Although the recent developments by the school, next to church farm court and the development by Kendrick homes are both out of keeping with Tysoe and that is because the council made mistakes when it came to approving the planning more care needs to be taken when looking into the plans, and the council should not be allowed to take bribes, so that developers can get out of building affordable housing. [N.B. Supports all other policies in the Plan, but no text submitted to explain why].
TYS.51	Local resident	NE1	Support: The Parish Council should become more involved with the AONB Board.
		NE3	Support: SUDs create health and safety and ongoing maintenance problems. These should be taken into account when the new developments under the NP are being considered. [N.B. Supports all other policies in the Plan, but no text submitted to explain why].
TYS.52	Local resident	All policies.	Supports all other policies in the Plan, but no text submitted to explain why.
TYS.53	Local resident	H1	Object: The justification for including Lower Tysoe in the LSV and having a BUAB are based on assertions, not facts. Residents of Lower Tysoe have never been consulted as to whether or not there should be a BUAB. The pros and cons of the position have never been discussed in a public meeting. This policy is being imposed on the residents of Lower Tysoe. Evidence and independent advice has shown that it could be detrimental to Lower Tysoe to be in the LSV and to have a BUAB. There are no safeguards that could prevent developers building houses anywhere in Lower Tysoe within the BUAB.

Rep.No.	Name	Policy/Section	Representation
			<p>The NP might want to restrict development to 3 houses on Site No 1, but in fact there is room for more and there will be no way of preventing this from happening. Yes there was a meeting of a small sample of Lower Tysoe residents, before the first draft. At the end of this meeting there was a vote as to whether Lower Tysoe should be part of the LSV a BUAB was not mentioned. There was a small majority in favour of this, but this was on the basis of assurances that there would be safeguards on the number of houses on any one site, which we now know is not possible. The Parish Council response to a question on the 1st draft of the NP was: While some residents may have taken a vote on this, others did not and this question was not part of the questionnaire given to Lower Tysoe residents Feedback type: First consultation/ No.5 That first informal meeting is not one that should be relied on for such a fundamental change in the status of this hamlet.</p>
		H2	<p>Support: I may support this in theory, but I am concerned that in practice wherever there is a BUAB, houses can be built within this without regard to the views expressed in the Neighbourhood Plan. So a clever developer will apply and have approval for the allocated number and then just go back for approval for more houses and there will be nothing the village can do to prevent this.</p>
		H3	<p>Object: Herbert's Farm is not a suitable site for residential development. That part of Tysoe is already crowded and access is a problem. It's also near the school with all the attendant safety problems.</p>
		H4	<p>Support: It is a laudable aim. How is it to be enforced? What is small scale? It is subjective and pretty meaningless. An 'element of market housing may be included'; a clever developer would run rings around this wording. Having seen recent development in the village, unless wording is specific I despair of this NP actually having any bite and unscrupulous developers will still be able to manipulate the system to their advantage.</p>
		E1	<p>Support: The NP supports a dark skies policy. The problem with this policy lies in supporting 'extending existing employment sites,' because the fact is that businesses in rural areas often require highly intrusive 'security lighting'. Unless specifically stated that lighting for rural business should be low lighting and kept on a timer and sensor, the dark skies policy will be meaningless.</p>

Rep.No.	Name	Policy/Section	Representation
		E2	Object: I don't see how affordable homes can have offices as well as enough living space. Also, because much of the housing stock is old sometimes a decent sized extension would offer better accommodation which would be better insulated and cheaper to run than trying to convert an old house to be modern and energy efficient. Therefore d and c is too restrictive.
		NE1	Support: If only it can be made to stick.
		NE2	Support: The term 'where possible' should be removed. All lighting if it's amenity lighting should be on sensors and timers, no caveats. c) What would these exceptional circumstances be? The use of the words exceptional circumstances should be removed. Exceptional to one person is not always exceptional to another.
		NE3	Support: But there is a problem with sewage. There is not enough capacity in the village at the moment with the sewage works often overflowing and leaving unpleasant debris in the surrounding fields.
		NE5	'May need a formal landscape and visual impact statement' is meaningless. Developments will or will not impinge on the AONB, having a formal landscape and visual impact assessment won't change this.
		NE6	Support: Although I don't know how you can stop a farmer/landowner doing what he wants with his own land when it comes to decisions about its crop either forestry related or with the type of crop they would wish to grow. Again it's all wishful thinking without being enforceable.
		NE7	Support: Agree so long as this doesn't become a bureaucratic nightmare on home owners who have to get village approval for removing a shrub from their garden.
		BE1	Support: Permission should always be given for solar panels on listed buildings.
		CA1	Support: It's all very well to say the loss of these facilities will not be supported, but The Post Office, the Pub, and the village shop are privately run businesses with all the problems that are associated with

Rep.No.	Name	Policy/Section	Representation
			<p>running businesses that may or may not be used by the local community. One or all may go out of business, there is nothing the 'community' or the NP can do about it.</p> <p>[N.B. Supports all other policies in the Plan, but no text submitted to explain why].</p>
TYS.54	Local resident	H1	Support: Strongly support the provision of 'affordable housing' within the two built-up areas.
		NE2	Support: I wish that this policy were followed more closely with regards to an existing over use of night time lighting by one householder in Oxhill Road.
		NE5	Support: I am sure the residents of Barn farm dwellings off Sandpit Road would be keen to have their landscape safeguarded with regard to the plan to build houses on their west side.
		BE3	Support: Use of local stone is important to keep with the character and heritage of the village.
			[N.B. Supports all other policies in the Plan, but no text submitted to explain why].
TYS.55	Local resident	All policies.	Supports all policies in the Plan, but no text submitted to explain why.
TYS.56	Local resident	H1	Object: The inclusion of a second BUAB around Lower Tysoe appears to be contrary to the inhabitants and against the advice of the SDC to achieve democratic accountability. The question of whether Lower Tysoe is a separate hamlet is not important.
		H3	Object: The Housing Policy is a contradictory. A survey by SDC in 2012 states that [the Roses Site] "is open to views from the high point of Windmill Hill and approach roads to the South. It is therefore highly inappropriate for housing development". SDC also said "Development on this site would contravene policy, and therefore the site would not be considered to be suitable. There are 12,158 acres in the Tysoe Parish. There are dozens to the West and North that would suitable with better road systems that allow access to sites and dispersal of traffic. Also closer to the village amenities.
		H4	Object: This Policy encourages developers to play the "rural exception/affordable housing card" and will result in more four and five bedroom homes being built. Many schemes see affordable houses being squashed into a token area with nowhere to put rubbish bins except in front of the "affordable homes".

Rep.No.	Name	Policy/Section	Representation
		NE1	Support: The inclusion of historic farms Roses and Herberts is contrary to this policy.
		NE5	Support: The inclusion of historic farms, Roses and Herberts, as Reserve sites contradicts this.
		NE6	Object: Development to the North of the village means less traffic and would be nearer to the village amenities and school. Only affordable and retirement bungalows should be allowed though.
		BE1	Support: Again, appears to contradict proposal to include historic farms as Reserves.
		BE2	Support: Roughcast affordable homes should be allowed. Using local stone is too expensive for youngsters.
			[N.B. Supports all other policies in the Plan, but no text submitted to explain why].
TYS.57	Local resident	All policies	Supports all policies in the Plan, but no text submitted to explain why.
TYS.58	Local resident	H1	Support: Built up boundaries should be exactly as defined and should not extend existing building lines or try and incorporate open spaces / countryside as in the case of area 3.
		H2	Object: Area 3 is currently a field outside existing building lines and has no access to the main street (shops school, churches and other amenities) except via the Oxhill road involving an excessive walking distance for the elderly or young, necessitating in an increased traffic flow. Talks with the potential developers of site 3 are already indicating that this site will have in excess of 15 dwellings.
		H3	Object: Since the first proposals for a neighbourhood plan in 2010 over 40 houses have already been built in the Tysoe's with currently another 10 under construction. The majority of those built in the last 18 months remain unsold.
		H4	Support: The latest affordable housing built in the village were sold at over £200,000 indicating that with a 10% deposit it would require a household income exceeding £45k assuming a 4 times income multiplier for mortgages. Unlikely in this area.

Rep.No.	Name	Policy/Section	Representation
		H5	Object: Tysoe has little or no industry and as such does not attract young families (evidence being that the school is not fully subscribed) It has become a place where older people down size or retire to and therefore rather than consider the number of people the plan should consider the type of properties most appropriate. e.g. single storey.
		NE3	Support: Site 3 is a flood site and has at least 4 natural ponds which fill during periods of heavy rainfall. Trees planted in this area have all died with the exception of Willows as their roots have all rotted.
		BE1	Support: Building on site 3 will severely impact on the conservation area adjacent to the site.
		CA1	Support: All of these community facilities should be accessible by foot as there is very limited parking at any of them. (Parking on both sides of main street should be restricted as the street is narrow and vehicle speeds high. Excessive walking distances for young and old (over 3/4 mile) should not be considered.
			[N.B. Supports all other policies in the plan, except for NE6 which is objected to, but with no comments to explain why these views are held. The response did not indicate any preference for Policy E2].
TYS.59	Local resident	H1	Object: I see no justification for Lower Tysoe to be part of the Local Service Village. It has never been in the past and will increase the further development of what is a small hamlet separated from Middle Tysoe by farmland.
		H3	Object: Why do we need a reserve? There will be some windfall development.
		NE2	Support: Crime prevention and reduction should also be taken into account.
		NE6	Support: Lower Tysoe should NOT be part of the LSV.
		BE1	Support: We need to protect our Listed Buildings and historic landscape.
			[N.B. Supports all other policies in the Plan, except for H4 to which objection is raised. No comments submitted to explain why these views are held].

Rep.No.	Name	Policy/Section	Representation
TYS.60	Local resident	All policies	Supports all policies in the Plan, but no text submitted to explain why these views are held.
TYS.61	Local resident	H5	Support: Housing needs to meet the requirements of downsizing while staying in the village where someone may have lived all their lives, a need for bungalows or accessible rented properties, I am a life renter with no prospect of being able to purchase. [N.B. Supports all other policies in the Plan, but no text submitted to explain why these views are held].
TYS.62	Local resident	H1	Support: It is essential to preserve the character of Tysoe. So many local communities have lost the essence of their village i.e. Kinton, Wellesbourne. If we lose the open green space around Tysoe then we will never get it back. The strategic gap between Middle and Lower Tysoe is one such example. Space that is used by the whole community for walking. We have a duty to preserve it for the next generation.
		H2	Support: Appropriate small developments in keeping with the local architecture. We need to ensure poor quality developments such as Red Horse close do not happen again.
		H4	Object: We need to avoid development in areas such as the Strategic Gap, especially as a property developer already owns a large field with intention to develop the first opportunity behind Church Farm Court.
		H5	Support: We need smaller houses and bungalows to allow people to downsize and stay in the village to release larger houses to families keeping a good balance in the village.
		E1	Support: In the last 18 months I have set up a business and this has been well supported by local residents.
		NE6	Support: This is very important. The loss of space between upper and middle Tysoe is irreversible. Now is the time to preserve this space for the future. Stop unscrupulous developers ruining our space for profit. [N.B. Supports all other policies in the Plan, but no text submitted to explain why these views are held].

Rep.No.	Name	Policy/Section	Representation
TYS.63	Local resident	H1	Object: The significant areas of unspoilt countryside included within the BUAB for Lower Tysoe will enable much inappropriate development in this unspoilt countryside. The change to the planning status of Lower Tysoe from rural to a presumption that development will be permitted was not agreed by the community.
		H2	Object: These sites do not provide the type of housing identified by the local housing needs survey. we need affordable homes for the young and elderly not executive homes which is what has recently been developed and which is currently proposed.
		H3	Object: the community does not support the inclusion of these sites as strategic reserve. the comments on the pre-submission plan evidenced this and were supposed to be taken into account - they have not been and other much more appropriate sites for the strategic reserve - such as land next to Windmill Way off the Oxhill Road - have been ignored.
		H5	Support: However the development applications we see being made, approved and then sometimes amended tend towards being for a much greater proportion of larger homes than about. I don't believe that this is enforceable.
		E2	Object: For the size of property specified in the previous policies and the requirement for affordable homes this is not possible. It will be too expensive to create small new affordable homes which meet this policy.
		NE6	Support: However I am concerned that the introduction of a BUAB for Lower Tysoe will adversely affect this policy again an example of the plan having policies which are contradictory.
		BE1	Object: I do not believe that this policy is enforceable - we have seen many examples of plans being changed after initial constraints have been approved but retrospectively changes are granted which allow poor design to creep in. [N.B. Supports all other policies in the Plan, except for BE5 to which objection is raised. No comments submitted to explain why these views are held].

Rep.No.	Name	Policy/Section	Representation
TYS.64	Local resident	H1	<p>Object: I support the concept of a BUAB in Lower Tysoe in principle as there should be a designated BUAB around Lower Tysoe, however I strongly object to where the BUAB has been drawn for Lower Tysoe in the NDP, specifically where it relates to The Orchards Site 1. The BUAB as currently proposed cuts through the middle of the garden in two places effectively excluding two areas of one garden from being within the BUAB. The proposed lines do not follow any natural features but have been drawn through the middle of garden space. There is no rationale for drawing the boundary line in this position. The lines drawn are arbitrary. Furthermore there is no rationale as to why any part of the garden could be considered as part of the strategic gap between Middle and Lower Tysoe. The proposed BUAB does not comply with the Planning Guidance dated August 2016 issued by Stratford-on-Avon District Council in relation to defining BUABs. This guidance cross refers to Annexe 3 of the Local Plan Review adopted in July 2006 and states that included within the confines of a settlement are, inter alia: “areas of residential curtilage unless these areas are clearly paddocks more appropriately defined as ‘non-urban’”. The 2016 guidance states that “Neighbourhood Plan Steering Groups are advised to use these guidelines when defining BUABs in their plans”. The 2016 guidance reflects long established guidelines for defining BUABs used consistently over many years by Stratford-on-Avon District Council. These guidelines were used to define the BUABs for the Core Strategy Policies Maps for the Main Town of Stratford-upon-Avon and the Main Rural Centres. The purpose of the BUAB is to prevent development encroaching into the open countryside. No part of the garden within the boundary of The Orchards could be considered as open countryside, no part of the garden has the appearance of being part of the open countryside neither does it share the boundary with open countryside, no part of the garden is on the periphery of the settlement and no part of the garden is remotely near the gap between Lower and Middle Tysoe and therefore cannot be allocated as part of the strategic gap. The BUAB as currently drawn cuts across the centre of the southern garden and does not follow any boundary on the ground, even more astounding is that in the plan it is designated as being part of the strategic gap between Middle and Lower Tysoe. A hedge boundary (residential garden space both sides) in fact lies less than 20m to the West and is parallel to the inappropriately drawn BUAB line, following established practise it should be re-drawn along the hedge. In the mostly lawned garden to the north of The Orchards the proposed BUAB line is again drawn through the middle of the garden following no natural feature, following established practise it should be re-drawn along the northern boundary of the garden which is adjacent to Tysoe road. As per the 2016 planning guidance, the BUAB must be re-drawn to follow defined physical features such as roads, hedges, field</p>

Rep.No.	Name	Policy/Section	Representation
			boundaries and existing property lines. To leave the BUAB in the current position, splitting the garden of The Orchards into three, would be inconsistent with the approach taken in the Core Strategy and NDP for Stratford-upon-Avon and other NDP's.
		H2	Object: I object to the proposed site allocations as they provide insufficient development space to enable the villages of Tysoe to grow and remain sustainable. For the village school, nursery and football club to remain viable young families must be able to move into the village. Alarming the village school has changed from holding a waiting list for entrants in 2004 to being significantly under subscribed in 2018. Residential development provides funds for social housing which is also in short supply. The BUABs should be re-drawn to enable more development opportunity whilst still protecting the village from mass development.
		H3	During the many meetings and discussions on this topic over the last two years it appears unlikely that either of these options could ever be developed. The clear strategy of the Parish Council is to avoid development in the village at all costs and I suspect that the selection of these unworkable sites has been to further this strategy whilst appearing to offer a development opportunity.
		H4	Support: This policy is irrelevant as it is a clear strategy of the Parish Council and SDC to prevent where possible any development opportunities in the village or surrounding areas. When or if further opportunities arise this policy sets out four criteria designed to provide reason to reject any applicable application.
		H5	Object: As proposed 50% of future development would not be suitable for families with 2 or more children (i.e. less than 3 bedrooms). One and two bedroom houses are likely to be developed for elderly residents further biasing the age demographic towards retirees, this will not support sustainable growth for the village. The proposed mix also will not allow for rooms to be dedicated to office space to encourage working from home.
		E1	Object: A policy designed to grow employment within the area of the villages is needed rather than another policy seeking to limit development.

Rep.No.	Name	Policy/Section	Representation
		E2	Support: I support this policy however I see it to be in complete contradiction with the housing mix policy 5 which seeks to limit residential property size. This policy needs to state that in respect to policy 5, one bedroom in every new dwelling can be assumed to be allocated as an office space for home working.
		NE6	Object: The land to the west of Tysoe road identified as strategic gap between Lower and Middle Tysoe is unnecessary and actually should be recognised as an appropriate residential development site as it represents infill between the two built up areas of the same village. It is an ideal site for a mix of housing including much needed affordable housing.
		NE7	Support: The first seven words ("Existing trees and hedgerows should be retained") of this policy must be removed as it is not sensible or possible to enforce. This is another policy designed to prevent or restrict development unnecessarily. However any new development should be encouraged to plant new trees and hedgerows where sensible to do so. It should also be policy to plant new trees etc in other suitable existing areas of the village and not just focus on new developments.
		BE1	Object: The use of the term a heritage asset is intentionally vague and is clearly designed to provide a policy that gives the parish council justification to reject any further development in the village.
		BE2	Object: Yet another vague and poorly constructed policy designed purely to provide another source of reasons to reject further development applications. There is no clear definition as to what density and scale is in keeping or what is high quality native landscaping. It also does not define what does or does not impact the enjoyment of views or what exactly are key features.
		BE3	Support: I support this policy however the NDP has failed to deliver a plan to reduce the carbon footprint of the village as it stands today. The NDP should have been used as an opportunity to deliver community projects that would improve the environmental sustainability of the existing buildings in the villages as well as using HQM and other incentives to encourage new developments to have a carbon neutral energy requirement. Such a policy that purely aims to influence a minute number of new dwellings (18 in the next 10 years or so) relative to the energy efficiency or carbon footprint of all existing Tysoe village dwellings is a nonsense, particularly when you realise that the majority of existing

Rep.No.	Name	Policy/Section	Representation
			homes in the village are heated by oil boiler systems but could be supported to switch over to more environmentally friendly heating systems such as Ground Source Geothermal Heating. [N.B. Supports all other policies in the Plan, but no text submitted to explain why these views are held].
TYS.65	Local resident	H1	Support: I support the boundaries of the BUAB and believe they give the best balance between where housings can be built and protecting the surrounding countryside.
		H2	Support: This policy supports the right number of houses to enable Tysoe to grow sustainably.
		H3	Support: These sites are of the correct size and positioning to best allow additional housing if it is needed.
		H5	Support: This mix of housing gives the best option to enable Tysoe to have the correct house sizes to support the village.
		E1	Support: This policy offers good environmental protection whilst giving opportunities for Tysoe to support a jobs market.
		NE1	Support: It is essential that the natural environment is protected whilst allowing controlled development.
		NE4	Support: These Green spaces need protecting and this policy goes towards doing just that.
		BE2	Support: It is essential that as the size of the village increases it enhances the existing built environment. [N.B. Supports all other policies in the Plan, but no text submitted to explain why these views are held].
TYS.66	Local resident	H1	Object: Lower and Middle Tysoe have already met their targets under Stratford District's Local Plan; and yet the village is blanketed with active house building: none of which is affordable to our (meaning the majority of residents') children: who have therefore to move out of the village (a heart-breaking process that I have sadly witnessed several times). What I would really like to know is why the

Rep.No.	Name	Policy/Section	Representation
		H2	<p>Neighbourhood Plan that was proposed (and seen as a good idea by most inhabitants) has transmogrified into a Neighbourhood 'Development' Plan. Is it because those involved are keen on increasing the prices of the houses in Lower Tysoe; or simply wish to fill the pockets of our local property dealers (i.e. estate agents)? Also: it is claimed that the NDP involved a great deal of public/inhabitant consultation: it "reflects the views and aspirations of Tysoe Residents" you stat(ed). But, as most of this involved writing "disagreed" against the majority of responses (which obviously made the NDP committee, and especially its chair, uneasy), surely the opposite is the case? Why? [As my comments above are mostly questions, it seems to me that writing "disagreed" against them provides no sort of answer – in which case you have not only not 'listened' to me (as in all previous drafts); but have provided the politician's usual defective reply: which is obviously a case of failed linguistic logic. I would like real answers, please.]</p> <p>Object: There seems to be an absence of sustainability: a property which I would have hoped ran through the document like a glistening thread of gold. On The Bard of Tysoe's website (in February 2014), he explains that "Our victory at the [Gladman] planning hearing [on 8 January 2014] was led by a full-frontal charge of sustainability – and [the Neighbourhood Plan] could be our sole chance (until, perhaps, legislation catches up), as a group, to develop something with this as its lead objective. Couple this with a power-generating wind-turbine, or two, on Tysoe Hill, and Tysoe would become a shining, green beacon: generating profit for its residents, as well as power; and publicity (of the good kind) for a community that actually practises what it preaches." Why are there no specifications limiting air pollution: e.g. built-in electric car charging points; an absence of chimneys (unless emitting steam from condensing boilers), and the open hearths and wood-burning stoves that frequently accompany them? Why are you only interested in "sustainable drainage proposals"; and not sustainable methods of construction and heating? Where are the zero-carbon stipulations; the requirement for ground/air source heat pumps; the instructions to make all dwellings 'smart' and therefore energy-saving (especially as that 'smartness' requires LED bulbs throughout); the need for thorough insulation? Why no mention of green roofs; or roofs covered in solar slates/panels; and the inclusion of battery storage; as well as requiring EVs to be able to 'feedback' into the grid? Why are there no plans to render all three Tysoes contributors to that grid: with ridge-and-furrow fields protected by swathes of solar panels; accompanied by the installation of small- and large-scale windmills, etc.? [Again – as my comments above are mostly questions – it seems to me that writing "disagreed" against them provides</p>

Rep.No.	Name	Policy/Section	Representation
		H3	<p>no sort of answer – in which case you have not only not ‘listened’ to me (as in all previous drafts); but have provided the politician’s usual defective reply: which is obviously a case of failed linguistic logic. I would like real answers, please.]</p> <p>Object: Roses Farm is on the edge of the Cotswolds AONB; and its land frequently floods. Its development would add traffic flow to one of the most dangerous junctions (Epwell Road; Shipston Road; Main Street) in the village; and its residents would be entering Epwell Road at a bottleneck, and with very limited visibility. (Others living in Upper Tysoe will no doubt have rendered their objections in much more detail – especially as this extremely dumb suggestion seems to have emanated from Lower Tysoe!) Herberts Farm similarly makes no sense; and its development would cause yet more noisy and polluting mayhem around what was one of the (very) most beautiful areas of the village (centred on the school and church). The village is lucky to have so many working farms interwoven with its dwellings. To eradicate such land and buildings when farmers are struggling for survival also makes no sense – and does not help those young farmers looking for places to work. Lower and Middle Tysoe are rendered all the more interesting and valuable by the inclusion of these farms. They are at the beating, working heart of the village, and make the villages what they are (in an extremely positive way). They contribute strongly to our history, too. The imagination- and interest-devoid (well, let’s say it straight: darned ugly, and obviously thrown up in ten minutes by an apprentice architect using Autodesk’s much more capable programs) buildings recently dropped in front of Church Farm Court (the usual entry, since it connects to the main road, the A422) have despoiled what was a perfect rural view: the combination of a large, ancient and venerable building (the church) and sensitively-developed housing (Church Farm Court) on one side; a working farm on the other; all wrapped in a ruffled green blanket of ridge-and-furrow (a type of land which we are lucky to have in such quality and quantity – especially as, elsewhere, it is becoming an historical rarity). Why anyone would want to destroy these places is utterly beyond me. Especially when there is no need (as defined by the Local Plan). The only explanation is greed: which saddens me; and leaves me waiting for God’s responsive wrath.</p>
		H4	<p>Support: Although I think the desire for “affordable housing” is as realistic (and solid) as the fairies at the end of my garden – and pains my heart and mind – this appears to be one of the NDP’s rare semi-sensible suggestions (which is why I – just about – support it). However, I do not think we should be building outside the defined boundaries: as we should not be building ‘anywhere’ (see previous</p>

Rep.No.	Name	Policy/Section	Representation
			responses). And if recent examples (such as on Oxhill Road) of development are anything to go by, the word “affordable” has lost its true definition (along with the Government’s definition of 80% of rental prices...). Only those offspring of the very, very rich could afford its smallest dwellings. We therefore need better pricing limits before even the thought of such development crosses the mind.
		H5	Object: With one-bedroom properties on Main Street entering the market at over £200,000, the mathematics of this suggestion are built on false economies and shifting sands. (See also my previous answer.)
		E1	Object: Why I would agree with this in principle, it only appears to apply to those already well-moneyed... – a theme of the NDP that is beginning to raise its ugly head. (As I said in my previous answer: “the mathematics of this suggestion are built on false economies and shifting sands”.)
		E2	Support: However, please see previous answer....
		NE1	Object: Surely this clashes dead-on with the proposed developments of Roses and Herbert Farms? [Who wrote this *****?!? It is beginning to lose cohesion and sense.]
		NE2	Support: I have to support this: as The Bard of Tysoe proposed it in November 2014 (and I am his most fervent disciple!): “I have posted about Tysoe’s ‘rude interruption of sodium’ before; as well as describing my night-time peregrinations around the village: where ‘The pools of darkness, inbetween, highlight what a beautiful place we live in’. But I do accept, and understand, that, earlier in the night, there may be a need for street lamps – for example, where ‘continuity of lighting levels is important to pedestrians’ – although our neighbouring villages of Oxhill and Pillerton Priors manage without them (as did the village of Fovant, in Wiltshire, where I used to live: and where the nightly view of the Milky Way was so much more than compensation for the dark – but not consequently mean – streets).”
		NE3	Object: I would support this except for the omission of other forms of sustainability (see previous answer). Concentrating on SUDS is sensible in a village surrounded by springs and streams (as well as managed agricultural diversions); but it is a tiny, tiny slice of the environmentalist’s pie (and not a very tasty one).

Rep.No.	Name	Policy/Section	Representation
		NE4	Object: Why does it need designating? It is obvious what it is; and has survived for decades, and in some cases centuries, despite all the meddling of people who devise plans and the like (and who really should know better). Anyone who considers a development that impinges on it in any way – especially through visual harm – should be taken to the village boundary (which will be somewhere near Pillerton Priors and Wroxton, if this muddle of a plan is accepted...), and kicked well over it by the seat of his/her pants. (Either that, or we refurbish the village stocks.)
		NE5	Object: I would support this if it weren't several years too late (see my answer about the visual impact on the area surrounding St Mary's Church, for example). It is a token gesture; and feels like it has been included just so all the right words for approval are included. As a member of the Green party, I have to laugh at its last-minute clumsiness.
		NE6	Token gesture. Too late. Blah, blah, blah....
		NE7	Support: I would also add strategic planning to absorb more than just carbon: such as particulates (PM2.5 especially; but also PM10), and gases NOx and SOx. Air pollution is an invisible killer. We should therefore also be monitoring farms for ammonia, and metering for ozone [especially during hot summer months (whatever 'they' are...)]. It is not just fiddling with the soft/green environment that is crucial (the following statement obviously applying to the 'complete' NDP): bringing people into the picture (which seems bonkers and thoughtless when I am two-thirds of my way through the consultation (!)) must be compulsory. Children increasingly suffer from asthma and other respiratory problems; but, as well as pollen and allergies, we need to make sure they (and their parents, obviously) are aware of all the chemicals/particles listed above; and know how to ensure first-class protection is provided. To be honest, less roads travelled by diesel- (especially) and petrol-fuelled vehicles would contribute enormously to reducing such pollution... – but, as I wrote earlier, any thoughts of sustainability (which, for example, links fighting the climate crisis with reducing pollution) apparently flew out of the NDP's collective minds shortly after entering (perhaps): leaving no susceptible trace. We should therefore ensure that villagers are not driving to the pub/Bart's/school/nursery and back when they could walk. It is exactly two miles from the far end of Upper Tysoe to that of Lower Tysoe, following the crow along our public footpaths/rights of way; and many of our citizens already set a

Rep.No.	Name	Policy/Section	Representation
			<p>good example by using these regularly... – some saints, every day; some even aided by walking sticks. [We therefore need to ensure that all such routes are protected, as well; and that Upton and Compton Estates lead by setting a shining example – rather than setting barbed wire and electric fences across them (as ‘Spenny’ currently does). We can no longer rely on the council and its volunteers to monitor them... – a decade of Tory-imposed Austerity has ensured that what matters to those poor and weak (mentally, as well as physically) have been annihilated. I suggest, therefore, that the NDP committee members introduce themselves to these tiny green highways: therefore also “setting a shining example”, as well as establishing a routine that will greatly improve their health, as well as that of those who would (literally) follow them.]</p>
		BE1	<p>Support: Again I support. Again... it is far too late. The profanatory example of Red Horse Close (constructed from a box of leftover Lego) has, sadly, made any such rules unenforceable.</p>
		BE2	<p>Support: Again I support. Again... it is far too late. The profanatory example of Red Horse Close (constructed from a box of leftover Lego) has, sadly, made any such rules unenforceable.</p>
		BE3	<p>Support: Please see my earlier answer on heat pumps, etc.</p>
		BE4	<p>Object: Please see my earlier answer on EVs, EV chargers, etc. This idea is incredibly weak; not thought through properly (if at all); and not well-researched, either. It just appears to be a box-ticking exercise; and, like the rest of the NDP, it seems completely unaware of the rapidly-changing world that surrounds us. We can no longer live in a rural paradise where the huntin’ and shootin’ dogs bring our slippers to us, every evening; we pour ourselves a small Laphroaig or Grahams; whilst our lackeys garage our 1965 E-Type. Bluntly put, we should be dissuading people from car ownership. With the advance of EVs and self-driving cars, it is likely that people will rent ‘their’ cars by the hour or day. Such (let’s call them ‘BartCars’) will be attached to charging bollards that rise out of the edge of the pavement when needed; will be unlocked by mobile phone, or a chip embedded in our hands (usually between first finger and thumb) – at which point another automated BartCar will whift in noiseless, or the bollard will retreat once more into the pavement). I would hope that public transport (also electric; possibly driverless) would have improved mightily – having been nationalized under a Keir Starmer-led Labour/Green coalition – providing a flawless network throughout the country, connected – just on</p>

Rep.No.	Name	Policy/Section	Representation
		BE5	time (JIT) – to electric trains, trams, ferries, etc.. Who knows? We may also have flying taxis... – all electric, of course... – but these will only appear when demand equals capacity. Support: Please see my answer to Policy BE2.
		BE6	Support: Please see my answer to Policy BE2.
		CA1	Object: Community assets surely include the visual impact of the village: meaning complete views (as with the AONB) are also protected. The list above would therefore include the complete built and green environments; and should, in theory, be infinite. We cannot therefore cherry-pick whatever comes to the minds of a select few people. Why are the war memorials not listed; the stone seats and inscriptions; nor the village green? Why are the trees not listed? The absence of ashes will hurt at least as much as the absence of elms. Then, when the oak trees fall, what will we do? Can we impose on the Compton Estate the public enjoyment of the windmill? Can we impose on the Upton Estate the view of Tysoe Hangings; as well for the use of our resident buzzards? Can new infrastructure – such as BartCar bollards; the row of generating windmills lining the Edge Hills... – be thusly protected? And who decides, anyway? (I'll give you a clue: Every single villager!) Whose fine village is this, anyway...?
TYS.67	Local resident	BE4	Support: On-road parking is a problem in the village already, so this is very important. [N.B. Supports all other policies in the Plan, but no text submitted to explain why these views are held].
TYS.68	Local resident	All policies	Supports all policies in the Plan, but no text submitted to explain why these views are held.
TYS.69	Local resident	H1	Support: I applaud the plan for future housing development in the parish. Providing for a further 18 new dwellings in the Parish, along with the 20 already approved, strikes me as appropriate and sustainable. I strongly support the plan to draw a Built-up Area Boundary around Lower Tysoe and was pleased to see some support for this in a recent planning appeal decision in Lower Tysoe. It provides better protection for Lower Tysoe and better reflects the reality that Lower Tysoe is an integral and sustainable part of Tysoe proper.
		H2	Strongly support.

Rep.No.	Name	Policy/Section	Representation
		H3	Support: I think it appropriate too, to identify two reserve sites for development in case the District Council's housing target comes under pressure. In this instance, more houses may be targeted at Tysoe and we need to determine where they go.
		H4	I support this policy as there's an unmet need for affordable housing in the Parish.
		E2	Strongly support. Home-working is an increasing component of employment in the parish and is a more environmentally sustainable form of employment.
		NE2	Support: I am particularly in favour of a dark skies policy.
		NE4	Support: These are excellent proposals for designated local green spaces and will help to preserve green 'lungs' in the centre of the village.
		BE4	Support: On-street parking is starting to become a problem in the village. This helps alleviate the problem.
			[N.B. Supports all other policies in the Plan, but no text submitted to explain why these views are held].
TYS.70	Stratford-on-Avon District Council	General comment	Paragraph numbering throughout the Plan is rather convoluted and could be simplified.
		General comment	Policies could be given simpler numbering system to make it easier to quote in reports etc. For example, 'Housing Policy 1' could be 'H.1' and 'Natural Environment 2' could be 'NE.2'...
		General comment	It is not clear why the text and pictures do not extend across the entire page.
		p.4 – List of Maps	Title of Map 9 should read: 'Valued Landscapes and Views' to be consistent with the remainder of the Plan.
		p.7, para 2.0.0.3	Planning approval has recently been granted for 5 dwellings through application ref: 19/01529/FUL. Housing figures quoted will need to be updated, accordingly, as will the associated timeframe for permissions [i.e. 'late 2019' rather than 'end of 2018'].

Rep.No.	Name	Policy/Section	Representation
		p.7, para 2.0.0.4	Planning permission [19/01529/FUL refers] has been granted for 5 dwellings on site 1 as shown on the Proposals Map (Map 8 on p.30), one of the three sites being allocated for housing development through the NDP. This paragraph will need to be amended to take account of this planning permission.
		p.7, para 2.0.0.5	The housing figures quoted in this paragraph will also need to be amended to take account of planning permission ref: 19/01529/FUL.
		p.18, Map 7	The list of associated facilities are on p.57 of the Plan, not p.55 as specified in the heading.
		p.19, para 3.3.1.2	Refers to para 6.1.0.2, but this paragraph does not seem to exist. It may be referring to para 6.2.0.2? However, it also states this relevant paragraph is 'below', when it is actually listed on p.29 of the Plan – it would be beneficial to make this clear.
		p.19, para 3.3.3	The title 'Younger Generation' would be better placed on p.20 with the associated text.
		p.24, para 4.1.0.5	Refers to the BUABs dissecting large gardens in some instances. SDC are of the opinion that there is a lack of consistency with this rationale – gardens should either be included or not. There should be a clear methodology to indicate what land has been included or excluded from a BUAB, and why. This methodology appears to be missing.
		p.24, para 4.1.0.6	This paragraph includes the statement that "SDC have agreed to work with the PC to agree a suitable built-up area boundary for Tysoe, including Lower Tysoe...". This was an 'action' issued by Members following discussions on proposed BUABs to be included within the District Council's Site Allocations Plan (SAP) at a meeting of the Leader's Policy Advisory Group (LPAG) in October 2017. LPAG was a mechanism for District Councillors to provide officers with a steer on emerging policy matters. This 'action' from the minutes of the meeting was passed on to Parish Councillor David Roache by John Careford in an e-mail dated 9th Feb 2018. The 'action' is what is being quoted in this paragraph of the NDP.

Rep.No.	Name	Policy/Section	Representation
			<p>Despite the issuing of this action point, it can be confirmed that in the time since this meeting in 2017, SDC officers have not been contacted by the PC to agree a suitable built-up area boundary for Tysoe (including or excluding Lower Tysoe) and officers have not been contacted (nor have they offered) to provide any assistance in producing a BUAB for the village for specific use in the Tysoe NDP.</p> <p>Indeed, SDC officer's stance on the Tysoe BUAB situation was set out in e-mail correspondence in early April 2018 between Matthew Neal and Parish Cllr. Roache:</p> <p>"My colleagues and I have consistently stated that if the community want Lower Tysoe to be within a BUAB as set out in the NDP, SDC officers may not wish to object even though the BUAB that has been defined by the District Council through the SAP consultation process doesn't include Lower Tysoe. As with Little Kineton, that would reflect local preference. This is on the proviso that officers are content that due process has been followed and the proposed BUAB has been founded on appropriate evidence and produced in a logical manner".</p> <p>This was acknowledged by Cllr. Roache who confirmed he understood our position and would "continue on that basis".</p> <p>p.25, para 4.4.0.1 States that the village values and supports its farms. However, I note that one of the Reserve Sites in the NDP is a farm complex in the heart of the village. There appears to be a potential conflict/mixed message within the Plan in this regard.</p> <p>p.25, para 4.5.0.1 At Reg.14, SDC commented as follows: "Under the heading 'the built environment' the Plan talks about protecting the ridge and furrow surrounding the village. This should not be classified as 'built environment' and should be removed. As an aside, ridge and furrow is not protected and its loss through ploughing cannot be controlled or stopped through the planning regime". In the Reg.16 version NDP, the heading has been amended to include '...and surroundings' in an attempt to overcome this issue. However, SDC still consider any mention of ridge and furrow fields should be in the Natural Environment section, not Built Environment.</p>

Rep.No.	Name	Policy/Section	Representation
		p.28, para 5.4	First bullet point – The Plan doesn't provide any guidance on how developer contributions will be spent. This could usefully be included in Section 10.
		p.29, para 6.1.0.1	Query the use of the expression "... to maintain the recent rate of housing development ...". What is this 'rate', and how has it been calculated? It would be preferable to refer to shaping and directing the form of development to better meet the needs of the local community rather than focussing on a particular rate of development.
		Housing Policy 1 [p.29]	Last line should read: "...permitted under Core Strategy Policy AS.10...".
		Housing Policy 1 [p.29]	The policy refers to two built-up area boundaries within which new housing will be supported. One of these boundaries relates to Lower Tysoe. SDC has concerns over the evidence submitted to justify the inclusion of a boundary for Lower Tysoe. See SDC comments relating to Explanatory text paragraphs 6.2.0.1 and 6.2.0.2, below.
		p.29, para 6.2.0.1	Whilst the text has been modified from the Reg.14 version NDP, the text states that "boundaries have been drawn largely using fields and historical boundaries...". SDC has stated previously that the methodology and justification for the alignment of a settlement boundary should be clearly articulated and consistently used in order for the boundary to be accurate/fair and understood by all parties. Using words such as 'largely' to not suggest a consistent approach to considering land to be included or excluded from a settlement boundary. Where is the methodology underpinning the boundaries set out in the Plan? Where is the justification for the settlement boundaries being promoted through the Plan (particularly in respect of the BUAB created for Lower Tysoe)? These are critical to the assessment of the acceptability of the boundaries and should be included within the Plan in some detail. These appear to be missing.
		p.29, para 6.2.0.1	First line of text: amend to read "...using field boundaries and historical boundaries..."

Rep.No.	Name	Policy/Section	Representation
		p.29, para 6.2.0.1	Following the recent approval of planning application ref: 19/01529/FUL for 5 dwellings on site 1 (as shown on the Proposals Map on p.30 of the Plan), the final sentence of the paragraph will need to be updated to take account of the new housing figures.
		p.29, Section 6.2 [Explanatory text]	<p><u>1. Background Context</u></p> <p>Stratford-on-Avon is a large rural district with a dispersed settlement pattern comprising over a hundred parishes of small market towns and villages and hamlets of various sizes. Reflecting this geography, the Stratford-on-Avon Core Strategy (adopted July 2016)¹ sets out a strategy of dispersal in respect of meeting its housing requirement, establishing a ‘hierarchy’ of settlements; namely, Main Town, Main Rural Centres, new settlements, four categories of Local Service Villages (LSV) and lastly, all other settlements. Appendix 1 of the Core Strategy includes a methodology for categorising LSVs based on their size and range of specific services. The Core Strategy identifies Tysoe as a LSV2.</p> <p>Although the Core Strategy itself does not define Built-up Area Boundaries (BUABs) for LSVs, the expectation was that BUABs would be identified through either the accompanying Site Allocations Plan² (currently at pre-submission stage with adoption expected in summer 2020) or individual Neighbourhood Development Plans (NDPs) prepared by parish councils.</p> <p>As part of the preparation of the Site Allocations Plan, SDC defined and consulted parish councils on draft BUABs for the LSVs for a 6 week period in June/July 2017, prior to a full 6 week public consultation in February/March 2018. SDC’s BUAB for Tysoe maintained the status quo (established by previous iterations of the Local Plan) by drawing a BUAB round Upper and Middle Tysoe only, thereby designating Lower Tysoe (by default) as an ‘all other settlement’.</p> <p>It should be noted that Tysoe Parish Council submitted representations objecting to its BUAB for Tysoe, specifically the exclusion of Little Tysoe contrary to the emerging NDP. SDC’s view is that Lower Tysoe is a separate hamlet somewhat detached from the main village of Upper and Middle Tysoe. However, in defining its BUABs, in the spirit of localism, SDC has stated that it will be led by NDPs should they wish</p>

¹ Available at www.stratford.gov.uk/corestrategy

² Available at www.stratford.gov.uk/siteallocations

Rep.No.	Name	Policy/Section	Representation
			<p>to define an alternative BUAB through the NDP process where any NDP is sufficiently well-advanced i.e. has passed examination.</p> <p>Reflecting the historic character of villages, there are examples in the District of LSVs that comprise separate parts to their BUABs; they do not need to be a single entity (e.g. Mappleborough Green and Earlswood). It should also be noted that the 'made' Kineton NDP has included the outlying hamlet of Little Kineton as a separate part of its BUAB. The separation distance between Kineton and Little Kineton is approximately 0.3km.</p> <p>The identification of settlements is an important component of the Core Strategy Policies CS.15 and CS.16 which seek to direct new development to the more sustainable locations (in relative terms) and protect the wider countryside from development, save for a limited number of exceptions set out in Policy AS.10. In other words, the Core Strategy establishes that development within a BUAB is acceptable in principle.</p> <p>The LSVs as a whole are expected to deliver some 2,000 homes across the plan period 2011 to 2031. The Core Strategy is clear that only homes built within the identified LSVs will contribute to the LSV housing numbers; homes built in all other settlements or within the wider parish contribute to a residual housing number for the rural area.</p> <p>For the avoidance of doubt, the inclusion of Lower Tysoe within the BUAB for Tysoe would be a material change, which would for the first time establish the principle of development on land within Lower Tysoe.</p> <p><u>2. Chronology</u></p> <p><u>2014/15 – First Iteration of NDP</u></p> <p>The first iteration of the Tysoe Neighbourhood Plan was produced between 2014 and 2015 and was based on the results of a 2014 householder survey. The survey included a specific question on potential</p>

Rep.No.	Name	Policy/Section	Representation
			<p>sites for site allocations in the village (broad locations and list of potential allocated sites all focussed on Middle and Upper Tysoe). The survey also included the following question:</p> <p><i>“Planners take decisions based on local circumstances and opportunities. Our plan needs evidence on what you think about the locality. Do you think of Tysoe as: one village; two villages; three villages (please tick one)”.</i></p> <p>There were no other questions relating to matters such as potential built-up area boundaries (BUABs) or Reserve Housing Sites.</p> <p><u>2015</u></p> <p>In October 2015, the Parish Council minutes stated that:</p> <p><i>“In preparing the next draft of the Tysoe NDP, the Housing Policy section will take the approach of ‘Site Allocation’ to determine in which location(s) in the LSV of Tysoe new housing development(s) would be preferred”.</i></p> <p>There was no mention of the LSV being anything different to that recognised historically as Middle and Upper Tysoe or the creation of a BUAB for Lower Tysoe.</p> <p><u>2017 – Regulation 14 Consultation</u></p> <p>In summer 2017, the Parish Council carried out a 6 week consultation in accordance with Regulation 14 of the NDP Regulations. In respect of defining a BUAB, reference was made to a ‘Local Service Village Boundary’ which included Upper, Middle and Lower Tysoe. However, this boundary was not mapped; the only map in the entire Plan titled ‘Valued Landscapes’.</p> <p>In its formal response to the consultation, as endorsed by Cabinet (31st July 2017), SDC commented:</p>

Rep.No.	Name	Policy/Section	Representation
			<p data-bbox="842 272 2072 448"><i>“The map as produced in the NDP is of very poor quality and wholly illegible. As such, it is impossible to comment on the validity or appropriateness of the map and its contents. One specific concern that can be raised is the ‘Local Service Village’ boundary as shown on this map. This boundary does not correspond with any other boundaries as shown on the Proposals map and raises more confusion as to what the proposed LSV boundary actually is”.</i></p> <p data-bbox="842 488 1249 520"><u>2018 - Regulation 14 Consultation</u></p> <p data-bbox="842 560 2072 663">In the summer of 2018, the Parish Council embarked upon a second 6 week consultation in accordance with Regulation 14 of the NDP Regulations. A new Proposals map (Map 8) was included in this version of the Plan, clearly showing two distinct built-up area boundaries, including one for Lower Tysoe.</p> <p data-bbox="842 703 2072 735">In its formal response to the consultation, as endorsed by Cabinet (8th October 2018), SDC commented:</p> <p data-bbox="842 775 2072 1023"><i>“The proposed boundary for Lower Tysoe includes large swathes of land that are clearly not developed. It is not very clear whether some of this land is actually residential in nature... some elements appear to be non-domestic. The NDP cannot advocate the severing some residential gardens in Middle and Upper Tysoe and then promote the inclusion of large areas of land within Lower Tysoe. This is not appropriate or acceptable. There does not appear to be any evidence for this approach and is unlikely to meet the Basic Conditions. If the boundary is to be tightly drawn, this strategy must relate to all parts of the village”.</i></p> <p data-bbox="842 1062 1249 1094"><u>2019 - Regulation 16 Consultation</u></p> <p data-bbox="842 1134 2072 1270">There are a number of documents which need to be submitted at Regulation 15 to accompany the NDP through to Examination. These include a Basic Conditions Statement and Consultation Statement. The Parish Council must also set out the evidence/justification for their proposals by issuing a ‘Core Documents List’ with links to other background work substantiating their position.</p> <p data-bbox="842 1310 2072 1374">The only ‘associated document’ which the Parish Council refer to when documenting evidence for the inclusion of a BUAB for Lower Tysoe is the 2014 survey.</p>

Rep.No.	Name	Policy/Section	Representation
			<p>However, SDC has also found reference to how the BUAB has been defined within the submitted Consultation Statement (see below).</p> <p><u>3. Correspondence</u></p> <p>SDC’s position in respect of BUABs has been consistent and clear; it is for the NDP to adequately justify and evidence any BUAB. It has been made clear to the Parish Council that SDC would not include Lower Tysoe within the LSV (as confirmed by the draft BUAB set out in the Site Allocations Plan) however, in the spirit of Localism, SDC would not object to a BUAB for Lower Tysoe if this is the wish of the community, if it were based on sufficient evidence to warrant its inclusion and ultimately appropriate to pass Independent Examination. Since becoming aware of the desire to include Lower Tysoe within the BUAB, SDC has repeatedly requested evidential justification for this change. The following excerpts are from email correspondence between SDC Officers and the Chair of the Tysoe NDP Group.</p> <p><u>E-mail from John Careford (Policy Manager) 17th June 2016:</u></p> <p><i>“The Core Strategy does not define the ‘built-up’ areas of the LSVs – this is something that SDC will be doing through the Site Allocations Plan or the local community can do through the NDP.</i></p> <p><i>It is the informal opinion of SDC Officers that Lower Tysoe is outside of the Tysoe LSV and there was a recent appeal decision at Badgers Lane where the Inspector concluded that Lower Tysoe is physically and visually separate from the main part of the village. The appeal was dismissed on the grounds of it being an unsustainable location. However, if it can be adequately justified, the NDP could seek to identify Lower Tysoe as being part of the LSV” .</i></p> <p><u>E-mail from John Careford (Policy Manager) 9th February 2018:</u></p> <p><i>“To summarise why SDC does not consider it appropriate to include Lower Tysoe within the BUAB, although I acknowledge a BUAB can have separate parts to it, Lower Tysoe is clearly a separate settlement some distance from Tysoe and lacking local facilities amenities (which are located in Tysoe).</i></p>

Rep.No.	Name	Policy/Section	Representation
			<p><i>Including Lower Tysoe within the BUAB would represent a fundamental change to the status of the properties within Lower Tysoe.</i></p> <p><i>In planning policy terms, there is a general presumption against development and this is consistent with the objectives of the Core Strategy to preserve the rural character of the District. Including Lower Tysoe within the BUAB would establish a principle in favour of development. SDC also needs to apply its approach consistently across the District; if we were to include Lower Tysoe, then we would have to include other hamlets near to LSVs elsewhere. I am not sure what level of support there would be for that approach or arguably, how sustainable such an approach would actually be.</i></p> <p><i>Notwithstanding this, where there is local support for a different approach to planning than as set out by the District Council, then that is the very purpose of Localism and communities have the opportunity through the NDP process to implement that change. Thus, with respect, the ball is very much in the Parish Council's court. Whilst I am not suggesting that the NDP needs to have been 'made' before SDC will consider a different BUAB, it needs to have reached an advanced stage, providing certainty that both the contents of the NDP are final and that there is a degree of local support for the NDP. As outlined above, I consider Submission / Regulation 16 stage to be an advanced stage".</i></p> <p><u>E-mail from Matthew Neal (Policy Planner) 4th April 2018:</u></p> <p><i>"My colleagues and I have consistently stated that if the community want Lower Tysoe to be within a BUAB as set out in the NDP, SDC officers may not wish to object even though the BUAB that has been defined by the District Council through the SAP consultation process doesn't include Lower Tysoe. As with Little Kinton, that would reflect local preference. This is on the proviso that officers are content that due process has been followed and the proposed BUAB has been founded on appropriate evidence and produced in a logical manner.</i></p> <p><i>However, elected Members may take a different view when considering the Tysoe NDP and an Examiner may also conclude differently in response to representations made on the submitted Plan".</i></p>

Rep.No.	Name	Policy/Section	Representation
			<p data-bbox="842 272 1256 300"><u>4. Analysis of Submitted Evidence</u></p> <p data-bbox="842 344 2011 408">SDC has identified the following references seeking to justify the BUAB for Lower Tysoe within the submitted documentation:</p> <p data-bbox="842 453 1128 480"><u>Consultation Statement</u></p> <p data-bbox="842 525 2063 695">SDC is concerned that parishioners may not have understood the implications of their answer to the 2014 survey question re: Tysoe comprising 3 villages and the ‘in-principle’ acceptance of development within the boundary. There do not appear to be any subsequent questions specifically asking people’s thoughts on the creation of a BUAB or evidence of information informing people what such a proposal means.</p> <p data-bbox="842 740 2063 804">Page 12 of the Consultation Statement states that <i>“objectively, the only factor that makes Lower Tysoe any different from the rest of the village is a small tract of farmland between Middle and Lower Tysoe”</i>.</p> <p data-bbox="842 849 2074 1019">SDC does not agree with this statement; there is quite a significant swathe of agricultural land (a distance of approximately 0.3km) between the two settlements and there is a sense of leaving one settlement and entering the countryside before arriving at the next; a distinction reinforced by the ‘open feel’ of the intervening landscape and the different character and density of the built-up areas of the two settlements.</p> <p data-bbox="842 1064 1989 1128">Paragraph 5.6 of the Consultation Statement relates to the principles of how the BUAB has been defined by the PC.</p> <p data-bbox="842 1173 2074 1380">It states that “as far as possible”, the NDP has used the same principles for both BUABs by following “where it can”, physical features such as fences, ditches and property boundaries. It goes on to indicate that many of the properties in Lower Tysoe are large and have been constructed on large plots and to follow the curtilage of such properties would result in large tracts of domestic gardens or paddocks being open to development, which would be undesirable in the PC’s view. Paragraph 5.6 goes on to indicate that the BUAB for Lower Tysoe has been drawn as tightly as reasonably possible in order to</p>

Rep.No.	Name	Policy/Section	Representation
			<p>exclude large tracts of 'garden' which could be developed [it is not clear why the word 'garden' is in inverted commas].</p> <p>However, there does not appear to be an agreed or published methodology in the NDP or associated documentation indicating what land should or should not be included within the BUABs. There appears to be a real inconsistency of approach when determining where the BUAB should be positioned. Whilst section 5.6 of the Consultation Statement states the BUAB has been drawn tightly to remove paddocks (or other non-domestic land), the BUAB as indicated in the NDP on Map 8 actually includes a large parcel of land that is clearly not domestic in nature and should not be included within the boundary, according to their own explanation.</p> <p>It is SDC's view that the information provided is limited. It refers to instances where the boundary "<i>crosses open land</i>" in order to exclude "<i>large tracts of garden</i>". Whilst such an approach is perhaps understandable in the sense of wanting to keep the boundary tight around existing buildings, such an approach is difficult to apply consistently and would negatively impinge on the rights of householders to exercise any permitted development rights and benefit from improvements to their property. Indeed, the application appears to be arbitrary with some gardens within the BUAB and others without. In defining the BUABs in the Site Allocations Plan, SDC has included residential gardens with the exception of 'manor houses' with associated curtilages on the edge of settlements.</p> <p>Paragraph 6.2.0.2 (bullet point 3) refers to BUABs being within 'acceptable walking distances' to village services and states an average person should be able to walk 500 metres in 10 minutes. However, it does not explain what the Parish Council consider an acceptable walking distance to be. 'Manual for Streets' suggests that walkable neighbourhoods are 'typically characterised by having a range of facilities within 10 minutes walking distance of residential areas' with an approximate distance of 800 metres covered in 10 minutes.</p> <p>Taking the Manual for Streets data as a reasonable evidence base, approximately 90% of residential properties within Middle and Upper Tysoe would be located within 10 minutes walking distance of the main facilities/amenities available within the village whereas 0% of residential properties within Lower Tysoe would be located within 10 minutes of local amenities. The majority of dwellings in Lower Tysoe</p>

Rep.No.	Name	Policy/Section	Representation
			<p>would be between 900 metres and 1.6km from the 'village centre'. As such, this evidence appears to contradict the Parish Council's position for including Lower Tysoe within the BUAB.</p> <p>Section 5.5 of the Consultation Statement also indicates that the residents of Lower Tysoe have unencumbered access to amenities, equivalent to other Tysoe residents. Given the separation distances (discussed above), it is considered there is a distinct difference between Lower Tysoe and Middle/Upper Tysoe when considering access to local amenities.</p> <p>Section 5.5 of the Consultation Statement considers Lower Tysoe to be a "sustainable part of the village" and as such it would be "perverse to treat Lower Tysoe in any way differently from Upper and Middle Tysoe for planning purposes".</p> <p>However, there is no reasoning and explanation for this statement, particularly given the position up until now where Lower Tysoe has been seen by SDC to be an 'all other settlement' and not part of the LSV and therefore <i>has</i> been treated differently for planning purposes. Given this long-held position, it is not clear why the status quo would be perverse.</p> <p>Section 5.5 of the Consultation Statement indicates that 'many comments' were submitted by residents questioning why Upper and Middle Tysoe should 'carry the brunt of development for the village' and why Lower Tysoe remained 'protected'. The reason for this is simple: one of sustainability. This is borne out by the majority of recent planning decisions, including appeals.</p> <p><u>Consultation Statement Appendix 2</u></p> <p>Whilst the Consultation Statement has no 'signposts' to any other documentation submitted by the Parish Council at Regulation 15 stage that might provide any further evidence over and above that specifically quoted within the Consultation Statement itself, a search through the various Appendices listed within the 'Core Document List' supplied by the Parish Council led to the discovery of 'Consultation Statement Appendix 2', a 576 page file of documents relating to various aspects of the NDP process.</p>

Rep.No.	Name	Policy/Section	Representation
			<p>At p.268, a section entitled 'Public Consultations' provides a <i>"summary of feedback from the various public consultations"</i>, although it is not clear what subject matters it relates to.</p> <p>The first consultation referred to in the document was:</p> <ul style="list-style-type: none"> • <u>Public Consultation on 25th and 26th November 2016</u> <p>A display board showed 'a map of the proposed LSV boundary including Lower Tysoe'. A photograph of this map was included in the documentation and showed a continuous boundary drawn very loosely around Upper, Middle and Lower Tysoe including large swathes of agricultural land on all sides and in between the settlements. It was a poorly recreated version of this map that was included within the first Reg.14 version of the NDP and was heavily criticised by SDC, resulting in the requirement for a further Reg.14 consultation.</p> <p>The 'summary feedback' stated that <i>"adult consultations showed that most respondents in all three Tysoe's were in favour of Lower Tysoe becoming part of the Local Service Village"</i>.</p> <p>What consultations this statement is referring to is not explained. It is not clear what (if any) further questions were asked in relation to Lower Tysoe becoming part of the LSV in terms of the implications of such a decision. There is no record of the % of residents who replied or what % of respondents were in favour of this 'action'.</p> <ul style="list-style-type: none"> • <u>Lower Tysoe Consultation [no date recorded]</u> <p>Seemingly, this was a consultation held specifically for the residents of Lower Tysoe to express their views on whether or not Lower Tysoe should be part of the Local Service Village. Attendees were asked to complete a questionnaire, but none of the questions specifically related to the creation of a BUAB for Lower Tysoe or explained the implications for Lower Tysoe being included within the LSV.</p>

Rep.No.	Name	Policy/Section	Representation
		<p>p.30, Map 8 [Proposals Map]</p>	<p><u>6. Conclusion</u></p> <p>As set out above, officers have made it clear to the Parish Council that SDC would not object to a BUAB for Lower Tysoe, as long as it was based on local preference and sufficient evidence necessary to pass Independent Examination. Based on the evidence submitted with the NDP, SDC concludes that:</p> <ul style="list-style-type: none"> • From the third party representations submitted at Reg.16, there does not appear on the face of it to be a preference from parishioners for Lower Tysoe to be included within the LSV. However, it is clear that a large number of Lower Tysoe residents are opposed to the hamlet having a BUAB and being included within the LSV. • The question in the 2014 resident’s survey did not explicitly ask about a BUAB. The concern is that the survey question was not sufficiently detailed to ensure that residents understood the potential implications of indicating that they considered Tysoe to be “one village” (if, indeed the Parish Council intended to use this question as evidence for the creation of a BUAB for Lower Tysoe). There was a lack of additional/follow-up questions in the survey specifically relating to housing distribution, BUABs and the possibility of Lower Tysoe being included within the LSV of Tysoe • There is an absence of evidence put forward by the Parish Council in support of the BUAB for Lower Tysoe both in terms of the principle and its detailed alignment. <p>Based on the above, SDC has concerns relating to the limited level of evidence and justification set out in the NDP and associated documents in relation to the proposed BUAB for the village, but in particular the creation of a BUAB for Lower Tysoe.</p> <p>The proposed boundary for Lower Tysoe includes areas of land that are clearly not developed. It is not very clear whether some of this land is actually residential in nature, but certain large parcels appear to be non-domestic in nature. A methodology explaining what land is included or excluded does not appear to have been included in the NDP, which does not help explain what land has been included or excluded, and why. In the opinion of SDC, the NDP cannot advocate the severing some residential gardens in Middle and Upper Tysoe and then promote the inclusion of large areas of land within Lower</p>

Rep.No.	Name	Policy/Section	Representation
			Tysoe. There does not appear to be any evidence for this approach and as such is unlikely to meet the Basic Conditions. If the principle of a BUAB for Lower Tysoe is deemed by the Independent Examiner to be acceptable, the boundary should be tightly drawn in line with a consistent approach which must relate to all parts of the village, excluding all non-domestic land, for example.
		p.30, Map 8 [Proposals Map]	There are a number of differences between the boundary proposed for the village as set out in the NDP and the BUAB proposed by SDC through the Site Allocations Plan (SAP). The BUAB map listed in the SAP is included for consideration, along with the District Council's methodology for defining BUABs. The main difference is the absence of Lower Tysoe from the BUAB in the SAP, since SDC does not recognise Lower Tysoe as being part of the Local Service Village of Tysoe for the purposes of dispersal of development as advocated through the Core Strategy. The SAP has included a BUAB for villages where a NDP has not reached an 'advanced stage' (i.e. passed Examination) due to the fact that the policies in these NDPs and the associated evidence base for those policies have not yet been confirmed as being acceptable and may be subject to amendment.
		p.30, Map 8 [Proposals Map]	The map as produced in the NDP is not as crisp and clear as other maps in the document. Since this is (arguably) the most critical map in the Plan, it should be much better quality in terms of scale and clarity. Consideration should also be given to providing larger scale maps of the individual elements of the village in order that the detail (including the accurate alignment of the BUAB) can be shown at a scale that allows it to be clearly viewed and accurately assessed.
		p.30, Map 8 [Proposals Map]	The community's wish to have a strategic gap to prevent possible future coalescence is understood but it is unclear from the Map what parameters were used to inform the shape/size of the gap. For example why does the gap need to go beyond the southern edge of Lower Tysoe, but extend up the eastern side? Additionally, the gap does not follow natural boundaries (such as hedgerows) in some areas and appears to follow an arbitrary alignment without any explanation as to why. The boundary could be smaller and more precise and still perform the function the community desire.
		p.30, Map 8 [Proposals Map]	Should the Examiner consider it appropriate that Lower Tysoe has a BUAB of its own, the boundary proposed in the NDP would need to be amended to take account of the lawful residential curtilages associated with planning permission at Home Holdings [application number 16/02653/REM] and The

Rep.No.	Name	Policy/Section	Representation
			Orchards [application number 19/01529/FUL (which relates to allocated site 1)]. Maps showing the proposed changes are included as a separate document for consideration – to be read in conjunction with this schedule.
		p.30, Map 8 [Proposals Map]	Following the grant of planning permission on allocated site 1, does this site now need to be removed from the Plan/Proposals Map [see comments on Housing Policy 2]?
		p.30, Map 8 [Proposals Map]	The BUAB for Middle/Upper Tysoe should be amended to take account of lawful residential curtilages associated with planning permissions at Lower Grounds [application number 16/02684/FUL] and appeal decision relating to change of use of land to rear of 3 & 4 Red Horse Close [application number 18/01056/FUL] from agriculture to garden land. A map showing the proposed changes is included as a separate document for consideration – to be read in conjunction with this schedule.
		p.30, Map 8 [Proposals Map]	Site 9 (a proposed Local Green Space) relates to allotments off Shenington Road. However, the ‘triangle’ of land as shown on Map 8 does not appear to cover the entirety of the allotments, when viewed on google maps. Indeed, immediately to the south of the allotment is a community orchard which does not appear to have been mentioned or included by the Parish Council. Depending upon the exact extent of the LGS designation, the parameters of site 9 should be amended, accordingly. The entire allotment site and community orchard were included within the Reg.14 version NDP [listed as sites 9 and 10] and there is no obvious reason why the larger site previously suggested for designation has been reduced, and in doing so why the revised designation has been drawn to include some of the allotment site and exclude the remainder of the same allotment site.
		Housing Policy 2 [p.31]	Proposed Allocation Site 1 (in Lower Tysoe) now has planning permission through application ref: 19/01529/FUL. This needs to be acknowledged in this Policy and on Map 8. Should reference to site 1 be removed from the Plan, or should the policy be annotated to acknowledge the site has extant planning consent for 5 dwellings? Due to the number of dwellings approved on this site being different to the number being promoted through the NDP, any reference to the potential number of dwellings from all allocated sites within the Plan will need to be amended, accordingly.

Rep.No.	Name	Policy/Section	Representation
		Housing Policy 2 [p.31]	Allocated site 3 – new text “see note below regarding potential affordable housing scheme” has been added since Reg.14 stage. It is not at all clear what note is being referred to, or why this additional text has been included within the policy. Does this refer to para 6.3.0.6? If this is the case, and the text is deemed acceptable to remain, this should be made explicit.
		Housing Policy 2 [p.31]	Criterion c) refers to the creation of a footway access along Oxhill Road, which would relate to land in the highway, outside the development site. Since this relates to land not in the gift of a landowner and would relate to works under the jurisdiction of Warwickshire County Council as County Highway Authority, this additional wording (added since the Reg.14 consultation) may not be appropriate to include within the policy.
		Housing Policy 2 [p.31]	Only one of the three identified sites (Site 3) is large enough to attract an affordable housing requirement (probably for 4 homes plus financial contribution). This potential yield is significantly lower than the level of need evidenced (a total of 14 affordable homes). Concern is raised that this strategy will not meet the extent of identified need.
		Housing Policy 3 [p.32]	Since the second Reg.14 consultation, the following text has been added to the end of the final sentence of the policy: “...for example in the event of a community-led housing scheme (CS.16)”. This additional text means that the purpose of the Reserve Sites is not consistent with the purposes of releasing Reserve Sites as set out in the Core Strategy Policies CS.15 and CS.16, which leads to a concern over general conformity with the Core Strategy and compliance with the Basic Conditions.
		Housing Policy 3 [p.32]	The estimated capacity per site isn’t stated, which makes reference to “development of up to 21 houses” questionable.
		Housing Policy 3 [p.32]	It is worth noting that site 5 is in an area of high landscape sensitivity (according to SDC’s Landscape Sensitivity Study), is partly located within a Conservation Area and its development would involve the loss of ‘exceptional’ ridge and furrow which the NDP identifies elsewhere as an historic feature that should be retained. Concern is raised over inconsistency of approach in the NDP.

Rep.No.	Name	Policy/Section	Representation
		Housing Policy 3 [p.32]	Concern is raised in relation to the feasibility of a scheme at Herbert's Farm, given the significant site constraints.
		Housing Policy 3 [p.32]	The Reserve Sites appears to conflict with para 3.1.0.8 on page 12 "Farming is a constant of Tysoe village life. It is responsible for the agrarian landscape in which the village is set. There are few villages in the country which still have working farms at their heart."
		Housing Policy 3 [p.32]	In relation to the potential redevelopment of Herbert's Farm, should there be a 'link' within the policy to there being an acceptable new site elsewhere in the Parish for the relocation of the farmhouse and associated agricultural buildings to allow the continuation of the agricultural enterprise? Alternatively, a separate policy could be included, along the lines of: "The relocation of Herbert's farm including a new farmhouse and farm buildings will be supported in principle, subject to compliance with other policies in this Plan".
		Housing Policy 3 [p.32]	<p>SDC would like to bring the Examiner's attention to the Authority's Site Allocations Plan (SAP). The Regulation 19 consultation in accordance with the Town and Country Planning (Local Planning) (England) Regulations has recently ended. A link to the SAP and associated documentation is below:</p> <p>https://www.stratford.gov.uk/planning-building/site-allocations-plan.cfm</p> <p>Amongst other matters, the SAP is looking to identify Reserve Housing sites throughout the District that could be released should the Council's monitoring indicate that there is, or is likely to be, an undersupply of housing within the District by 2031. Annex 1 and the associated Reserve Housing Sites map on p.79 of the SAP indicate 5 no. sites which have been identified within the village of Tysoe. These differ from the Reserve Sites set out in the NDP.</p> <p>Paragraphs 1.2.1 and 1.2.2 of the SAP explains its relationship to Neighbourhood Plans. The SAP has included sites in villages where a NDP has not reached an 'advanced stage' (i.e. passed Examination) due to the fact that the policies in the NDP and the evidence base for those policies have not been confirmed as being acceptable and may be subject to amendment.</p>

Rep.No.	Name	Policy/Section	Representation
		Housing Policy 4 [p.33]	Whilst it is important that the Policy needs to make provision for a prioritising the allocation of properties to people with a qualifying local connection to Tysoe in the first instance, it is also essential that the developing housing association is able to allocate properties on the basis of a “cascade” system to other households in the wider area in the event that there are no applicants with a qualifying local connection to Tysoe. Nothing will get built unless such contingency arrangements are put in place, and the Policy needs to allow for this. Therefore, SDC recommend that the following wording should be added to the end of criterion d) <u>“...in the event there are no applicants with a qualifying local connection to Tysoe.”</u>
		Housing Policy 4 [p.33]	Delete “and” at the end of criterion b) and add “; and” to the end of criterion c).
		Housing Policy 5 [p.35]	Except for the first two sentences of the Policy, the remainder reads as explanatory text.
		Housing Policy 5 [p.35]	Whilst supporting the principle of this Policy, we would point out that it is important to be mindful of the implications of trying to apply percentages to the very low absolute number of homes likely to be involved.
		Housing Policy 5 [p.35]	We recommend that 2 bedroom dwellings should only be provided in the form of double or twin bedroom units (i.e. 2 bed 4 person dwellings).
		Housing Policy 5 [p.35]	No account seems to have been taken of the inter-relationship with Employment Policy 2.
		Employment Policy 1 [p.37]	The entire first paragraph of the policy reads as explanatory text.
		Natural Environment Policy 1 [p.39]	Insert “planning” between “requiring” and “permission”.

Rep.No.	Name	Policy/Section	Representation
		Natural Environment Policy 2 [p.40]	Criterion a) amend wording to read: “applications for new development should ensure <u>demonstrate</u> how the...” to make the sentence flow better from the opening paragraph of the policy.
		Natural Environment Policy 3 [p.41]	Criterion e) the phrase “within the vicinity” is too vague for decision making purposes. The Reg.14 version Plan specified “20 metres” but there was no evidence to confirm where this figure came from. The Environment Agency and DEFRA have specific requirements which must be adhered to through in such circumstances – is there a distance or more appropriate terminology that can be taken from such guidance?
		Natural Environment Policy 3 [p.41]	Criterion e) second line – amend to read “modelling”.
		Natural Environment Policy 4 [p.42]	Site 9 – Allotments at Shenington Road. This designation has changed since the Reg.14 version Plan. The site as indicated in the Reg.16 version Plan is much smaller than previously shown and seemingly severs part of the allotment site and also removes the entire Community Orchard from the designation. There is no explanation for this change, but it appears to be a deliberate change of stance by the PC, given that the Reg.14 version of the same Policy listed both the allotment and Community Orchard and included the entire allotment site and the orchard site in the associated Map 8. If there is a drafting error in the Policy or Map 8, this needs to be resolved.
		Natural Environment Policy 4 [p.42]	The individual LGS assessments are not included within the Plan, or listed as an appendix. There is nothing in the explanatory text to confirm that these parcels of land have been assessed against the criteria set out in paragraph 100 of the NPPF and there is nothing in the explanatory text to confirm that any such assessments can be read within the evidence base underpinning the NDP. Having searched the Core Documents List, there are LGS assessments listed under ‘Associated Documents’ but are seemingly ‘draft’ documents. It is considered the ‘final’ version LGS assessments should be included in the Plan as an Appendix, since it is an important evidence base underpinning the associated policy.

Rep.No.	Name	Policy/Section	Representation
		Natural Environment Policy 5 [p.44]	The policy title mentions 'landscapes' but the policy itself does not. The policy mentions 'skylines' but the policy title does not. The policy mentions the Cotswolds AONB but the policy title does not. It is considered the policy title and associated policy wording requires re-drafting to have a consistent approach.
		Natural Environment Policy 5 [p.44]	The final sentence of the policy refers to developments which "impinge upon" the AONB. It is not clear how this should be assessed or who would be in a position to say something does or doesn't 'impinge' upon the AONB. Concern that the wording is imprecise and difficult to assess consistently.
		Natural Environment Policy 6 [p.49]	Suggest first line of policy is amended to read "... seen best <u>as defined</u> on Map 8..."
		Built Environment [para 9.2.0.2]	It is not clear why a paragraph relating to ridge and furrow landscape is in the built environment section. It is suggested it would be better placed within the Natural Environment section.
		Built Environment Policy 2 [p.53]	Final paragraph, suggest amended wording as follows: "Proposals that do not positively contribute to local character will not be supported, although those that promote <u>Development which promotes</u> high levels of sustainability or are of innovative design (as noted at para 131 of the NPPF) may be viewed sympathetically <u>acceptable, subject to compliance with other policies in this Plan</u> ".
		Built Environment Policy 4 [p.54]	Second paragraph, suggest amending to read: "...three spaces as per SDC Stratford-on-Avon District Council's adopted <u>Development Requirements SPD Supplementary Planning Document</u> ."
		Built Environment Policy 4 [p.54]	The final paragraph of the policy is un-enforceable and it is not 'land-use' per se, therefore should be deleted.

Rep.No.	Name	Policy/Section	Representation
		Built Environment Policy 5 [p.55]	Final paragraph, suggest amending to read: "Proposals for replacement dwellings will be supported so long as they do not overcrowd or over develop the existing site and do not detract from the amenities on <u>cause unacceptable impact to the residential amenity of</u> neighbouring sites. As with new developments, replacement developments <u>dwellings</u> should...[to end]".
		Built Environment Policy 6 [p.55]	<p>As written, this seems to be a 'hybrid' policy, seemingly conflating two very different issues. It is suggested that the policy requires re-drafting to make it clearer what the policy is intending to achieve. Indeed, given the matters covered are two distinct issues [i.e. empty homes and re-use of agricultural buildings] it is suggested it should be two separate policies. As drafted, it is unclear if the policy is supporting the conversion of redundant agricultural buildings. This policy needs to carefully consider its definition of 'reuse'.</p> <p>As worded, the policy is encouraging all agricultural buildings to be brought back into any use. There is no restrictions on the use, the length of time the building was previously used for, materials used for the building and/or architectural merit. As worded, it would be possible to convert a redundant modern steel framed metal clad barn, which has not been used for a year, into a dwelling within the neighbourhood plan area – is this the intention of the policy? Presently, the policy is in direct conflict with Policy AS.10 of the Core Strategy and fails to meet the basic conditions test.</p> <p>It is unclear what is meant by the sentence "The conversion of agricultural buildings to residential use or proposals which seek to utilise unused spaces within or around such buildings will require Permitted Development Rights". A planning application either meets the requirements of the GDPO or it does not. It can become convoluted if the NDP supports Prior Notification Applications when the District Council considers it does not meet the set requirements of the GDPO.</p>
		Built Environment Policy 6 [p.55]	Criterion a) has been drafted over two lines of text, but should be one sentence.
		Community Assets Policy 1 [p.57]	Suggest amending the first paragraph of the policy as follows: "New community facilities will be encouraged providing they are compatible with existing neighbourhood use. Residents have identified the. <u>The</u> following assets which are of significance in maintaining

Rep.No.	Name	Policy/Section	Representation
		<p data-bbox="622 379 797 483">Community Assets Policy 1 [p.57]</p> <p data-bbox="622 563 797 667">Community Assets Policy 1 [p.57]</p> <p data-bbox="622 815 797 919">Appendix 2 Village Design Statement</p>	<p data-bbox="842 272 1995 336">the social, economic and environmental well-being of the community. All of them are accessible to, and are enjoyed by, the whole Parish community."</p> <p data-bbox="842 368 2078 528">Since the Reg.14 consultation on the pre-submission version of the NDP, criterion f) has been amended by adding 'meeting rooms and kitchen' to the asset. Additionally, criterion j) has been added to the list of assets, which also includes 'meeting room and kitchen'. Is this coincidence that the separate assets have similar features, or is it potentially duplication and therefore an editing error?</p> <p data-bbox="842 568 2069 775">The final paragraph has been amended since the Reg.14 consultation. Originally, the policy stated "Community assets will be supported...through the use of Community Infrastructure Levy...". The word "supported" has been replaced by "funded". However, this could be interpreted that all the assets listed in the policy will be entirely funded through CIL monies, which is unlikely to be the case. It is suggested the paragraph should be amended to be clearer if CIL monies would be used to support improvements or alterations to the assets, rather than funded in their entirety.</p> <p data-bbox="842 815 2063 991">Roof Construction: It is considered the wording of this section is too restrictive. Each application must be determined on its own merits, including viability and character. Furthermore, design and character is covered in other policies within the NDP and District's Core Strategy (2011-2031). As a result, specifications do not have to meet these stipulated requirements, if it is demonstrated that the design is of high merit and conveys to the character of the area.</p>