

This document now contains Tysoe Parish Council's (TPC's) responses to Stratford District Council's (SDC's) representations on our Submission Version of the Neighbourhood Plan (NDP or Plan). Our comments are in the right-hand column. SDC's representations were received four months after the consultation period ended. This four month hiatus has caused considerable difficulty and loss of confidence in SDC's planning policy process by residents of Tysoe.

Tysoe Neighbourhood Development Plan

Submission Neighbourhood Plan Regulation 16 Consultation (Neighbourhood Planning (General) Regulations, 2012)

Appendix 1 - Comments from Stratford-on-Avon District Council

Suggested new text underlined deleted text ~~struckthrough~~

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General comment	Paragraph numbering is rather convoluted and could be simplified.	We believe the numbering is sufficiently understandable and allows for identifying specific passages of text.
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'...	We have avoided abbreviations on purpose so as not to confuse the reader.
General Comment	It is not clear why the text and pictures do not extend across the entire page.	We believe the layout makes for easier reading of the document.
p.4 – List of Maps	Title of Map 9 should read: 'Valued Landscapes and Views' to be consistent with the remainder of the Plan.	Agreed
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'].	Agreed.
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.	Agreed. Map will be updated so that this consented site appears as a commitment rather than an allocation.

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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.	Agreed Figures will be updated.
p.18, Map 7	The list of associated facilities are on p.57 of the Plan, not p.55 as specified in the heading.	Agreed, Plan will be amended.
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.	Agreed, reference should be to 6.2.0.2 on p29. Plan will be amended.
p.19, para 3.3.3	The title 'Younger Generation' would be better placed on p.20 with the associated text.	Agreed, Plan will be amended.
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.	Para 4.1.0.5 refers to the BUAB dissecting a number of residential <u>plots</u> not gardens. We have attempted to justify this to SDC but without having visited the sites in question it is difficult to see how they might understand. The plots in question are large paddock-type areas of un-developed land which could only very generally be described as "garden". We have drawn the BUAB in a way which would exclude land which we believe would be inappropriate to develop. We will study the alternative BUAB being suggested by SDC to determine whether this might give a better solution.

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p.24, para 4.1.0.6	<p>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...”.</p> <p>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.</p> <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</p>	<p>We believe that there is a great deal of misunderstanding on the matter of the inclusion of Lower Tysoe within a BUAB. Lower Tysoe has been included within the Tysoe LSV with its own BUAB since the first pre-submission Plan in May 2017 and was extensively discussed between SDC officers (Matthew Neal and others) and Councillor Roache. The same proposal was included in a second pre-submission Plan in July 2018 and was again subject to extensive discussion. The inclusion of Lower Tysoe in its own BUAB has been a consistent theme throughout the last two years’ history of the Plan. The two pre-submission Plans together generated over 330 comments from residents with only a very small proportion of those comments raising any objection to the Lower Tysoe proposal. There are approximately 90 residents of Lower Tysoe on the Electoral Roll for Tysoe and less than 30 have raised objections (although they have been very vociferous). Residents of Upper and Middle Tysoe who have submitted comments have either ignored the issue or agreed with the proposal to include Lower Tysoe. There have been 138 specific opportunities for residents to raise objections to this proposal and with the exception of the vociferous voices of the Lower Tysoe Environment Action Group (an informal group of 25 or so Lower Tysoe residents) no serious objections have been received. The continual and vociferous objections raised by this small group of Lower Tysoe residents represents a small minority view in the village and as such the Parish</p>

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	our position and would “continue on that basis”.	Council believe that the Plan as currently drafted represents the majority view of not only the entire village but also of Lower Tysoe itself. In its comments on the July 2018 pre-submission Plan SDC stated <i>“SDC generally comfortable with the justification for including Lower Tysoe within the BUAB for Tysoe,”</i> We have not changed the rationale since that version of the Plan. SDC have proposed an alternative BUAB for Lower Tysoe which splits the proposed BUAB into two components thus avoiding the inclusion of a significant parcel of undeveloped land. TPC are willing to amend the NDP to include this BUAB if the Examiner believes it is an improvement.
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.	Para 6.4.0.1 p32 explains that the reserve site at Herberts Farm could be developed without jeopardising the existence of the farm. It would require the removal of the current farm buildings to a site some 100m or so further west on the existing farm site. The farm would continue to be a “village centre farm”.
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.	The paragraph heading is actually “The built environment and <u>surroundings</u> ” We believe that it is impossible to separate many of the historical aspects of the village from their surroundings, in particular the very rich examples of ridge and furrow. We will consider qualifying the statement by saying that owners of land with examples of R&F will be encouraged to maintain that historic feature.

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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.	Amendment to para 10.1 p57 add to end of para "The Parish Council will utilise any contributions from developers to make improvements to these Community Assets on a case-by-case basis prioritised as to needs and condition of the assets"
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.	It was intended to indicate a maintenance of the rate of build of approximately 3 per year since 2011 (a simple average calculation) – see para 2.0.0.3 p7. We will amend the wording to read – ".....recent rate of house building which has been at an average of approximately 3 per year since 2011. This will support the needs of the community.....,built and historic environment."
Housing Policy 1 [p.29]	Last line should read: "...permitted under Core Strategy <u>Policy AS.10...</u> ".	Agreed, Plan will be amended to read "...under Core Strategy Policy AS10 which deals....."
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.	See extensive comments above. SDC's own planning officers, in determining application 19/01529/FUL (referred to above), concluded that Lower Tysoe was a sustainable settlement contrary to the rationale that has been used in SDC's Site Allocations Plan (SAP) which maintains that Lower Tysoe is a separate hamlet and is not sustainable. There seems to be a difference of view between the Planning Development officers and the Planning Policy officers. If indeed Lower Tysoe is an unsustainable hamlet (which we dispute) then 19/01529/FUL should not have been granted permission.

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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.	See comments above at p24, para 4.1.0.5. There are only two instances where the proposed BUAB for Lower Tysoe does not follow a field or other property boundary. We believe that in all other respects the BUAB around Lower Tysoe has been drawn using exactly the same principles as that around Upper and Middle Tysoe. The BUAB around Middle and Upper Tysoe is exactly the same as that included in SDC's SAP except where it encompasses our allocated site 3. As such we have used SDC's justification for that BUAB. We will consider re-drafting para 6.2.0.1 to make it clearer how the BUAB around Lower Tysoe is justified and to eliminate the word "largely" from the text. We will also consider SDC's proposal for a Lower Tysoe BUAB.
p.29, para 6.2.0.1	First line of text: amend to read "...using field boundaries and historical boundaries..."	Agreed, see above.
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.	Agreed
p.29, Section 6.2 [Explanatory text]	<p>1. Background Context</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</p>	The discussion of whether Lower Tysoe should be included in the Tysoe LSV with its own BUAB is one that has been running for a number of years. However, the pre-submission Plan of May 2017 is quite clear (although may not have used the prescribed words) – Lower Tysoe was regarded as part of the entire LSV of "Tysoe". On page 13 of that Plan the issue is discussed and it is clearly stated that Lower Tysoe was

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

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	<p>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 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</p>	<p>included after considerable consultation within the village.</p> <p>Tysoe Parish Council made it clear in the consultation on SDC's SAP that it disagreed with the view that Lower Tysoe was a separate hamlet. This reflected the views of residents expressed in the various consultations on the May 2017 Plan.</p> <p>As pointed out above, the recent determination of application 19/01529/FUL supported the view that Lower Tysoe was indeed a sustainable settlement. This had already been established in several planning applications granted in Lower Tysoe since 2011. Whilst this may differ with the view of SDC's Planning Policy officers as reflected in various iterations of their SAP it is the view of the overwhelming majority of Tysoe residents that the LSV of "Tysoe" comprises the three settlements – Upper, Middle and Lower Tysoe.</p> <p>It is unclear why SDC are persistent, forensic and voluminous is their opposition to a BUAB at Lower Tysoe. The Community have been asked through local consultation and will be asked to endorse the NDP at the forthcoming referendum. This is a local issue which SDC should respect.</p>

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

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	<p>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 sites for site allocations in the village (broad locations and list of potential allocated sites all focussed on Middle and Upper</p>	<p>We believe that NPPF, para 78 supports the view that development in areas immediately adjacent to the main centre of a village e.g. Lower Tysoe, is acceptable as it supports the facilities within Tysoe. The inclusion of Lower Tysoe within the confines of the LSV is an extension of this principle.</p> <p>This is accepted and understood. The principle has already been established by SDC in granting permission for development – see 19/01529/FUL which relied upon the view expressed by an inspector that the location was sustainable. The proposed BUAB allows for very limited development in Lower Tysoe (unless the proposed BUAB is ignored as in 19/01529/FUL)</p>

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	<p>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>	<p>The response to that question was a very significant majority (78%) agreeing that "Tysoe" comprised the three settlements.</p> <p>This statement demonstrates a lack of understanding of the sentiment in the village. Residents overwhelmingly understand "Tysoe" to mean the three settlements.</p> <p>This statement is incorrect. A detailed map was submitted as a separate leaf with the pre-submission Plan, printed on A3 to make it more legible. The BUAB as proposed on that map included Lower Tysoe. It was one contiguous BUAB encompassing all three settlements and the Strategic Gap. This was changed in the 2018 pre-submission Plan to separate the BUAB into two components as it appears on p30 of the submission Plan. It was therefore quite</p>

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	<p><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><u>2018 - Regulation 14 Consultation</u></p> <p>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>In its formal response to the consultation, as endorsed by Cabinet (8th October 2018), SDC commented:</p> <p><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><u>2019 - Regulation 16 Consultation</u></p> <p>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.</p>	<p>clear to all readers that in 2017 the proposal was to include Lower Tysoe in the LSV and within the BUAB.</p> <p>This matter was addressed in the Parish Council's response to SDC's comments on the 2018 pre-submission Plan and is also addressed in comments above (see response to comments p29, para 6.2.0.1)</p>

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	<p>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>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> <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</i></p>	<p>The Parish Council's contention has always been that its stance of including Lower Tysoe in the LSV has been overwhelmingly supported by village residents as evidenced in the vast number of comments received on both the 2017 and 2018 pre-submission Plans (over 330 in all). Only a very few residents of Lower Tysoe (mainly associated with the Lower Tysoe Environmental Action Group) have objected. These represent a minority of the 75+ eligible electors in Lower Tysoe and a tiny minority of the 980+ eligible electors in Tysoe as a whole. In addition to this "evidence" we refer also to the fact that SDC planning officers, in granting planning applications in Lower Tysoe, with and without the support of Tysoe PC, have acted as though Lower Tysoe is within the LSV where there is a presumption in favour of development.</p> <p>See later Inspector's comments on 17/03634/FUL which determined that the</p>

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	<p><i>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). 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</i></p>	<p>location was sustainable and was used in the subsequent justification for granting application 19/01529/FUL. SDC cannot have it both ways, they have used the fact that an Inspector has determined the site as sustainable in granting an application, they cannot continue to argue the opposite when discussing the acceptability of including Lower Tysoe in the LSV.</p> <p>We believe that local support has been demonstrated more than adequately by the very small number of objections in over 330 comments received on the two pre-submission Plans and the lack of objections, other than from the vociferous minority action group, during 138 separate occasions when residents have been given the opportunity to comment on the Plan.</p>

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	<p><i>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 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.</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> <p><u>4. Analysis of Submitted Evidence</u></p> <p>SDC has identified the following references seeking to justify the BUAB for Lower Tysoe within the submitted documentation:</p> <p><u>Consultation Statement</u></p> <p>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>We maintain that such "negative" representations are from a very small group of persistent objectors who are overwhelmingly non-representative of residents as a whole.</p>

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	<p>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>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>Paragraph 5.6 of the Consultation Statement relates to the principles of how the BUAB has been defined by the PC.</p> <p>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 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</p>	<p>Whilst this may be true it does not in any way justify the exclusion of Lower Tysoe. The fact that it has a lower housing density or an “open feel” or different character is not relevant. There are parts of Upper Tysoe that are very different from Middle Tysoe but there is no suggestion that either should be excluded from the LSV. Also, the “arbitrary” distance of 0.3km is far from conclusive evidence given that there are parts of Upper Tysoe which are further from the facilities of Middle Tysoe than are parts of Lower Tysoe. It should not be overlooked that residents of Lower Tysoe can easily access the facilities of Middle Tysoe by a well maintained pavement or maintained footpaths. Indeed families walk their children to the school in Middle Tysoe from Lower Tysoe.</p> <p>This issue has been addressed above in several places. If the Examiner believes that the BUAB proposed by SDC for Lower Tysoe is an improvement on the one that TPC are proposing and that it eliminates the criticism that the BUAB “crosses open land” then TPC will adopt that BUAB in the NDP.</p>

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	<p>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 would be between 900 metres and 1.6km from the 'village centre'. As such, this evidence appears to contradict the Parish Council's position</p>	<p>See comments above. Not only can residents of Lower Tysoe access the facilities in Middle Tysoe by metalled pavement, they actually do. Residents regularly walk from Lower Tysoe to Middle Tysoe as easily as residents of Upper Tysoe access Middle Tysoe.</p> <p>This is simply incorrect. Residents of Lower Tysoe regularly access the shops and particularly the school in Middle Tysoe by foot. An important issue such as this should not be determined by some arbitrary measure of distance or time – what is far more important is what actually happens in practise. Residents of Lower Tysoe rely on and access the facilities in Middle Tysoe in exactly the same way as all other Tysoe residents – there is simply no discernible difference.</p>

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	<p>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’</p>	<p>Again, this is incorrect.</p> <p>What has “been seen by SDC” is not entirely relevant, it is what actually pertains in reality that is relevant. The fact that SDC have considered Lower Tysoe to be “an all other settlement” is, again, not relevant. If the <i>status quo</i> does not reflect the reality of the situation then it is incorrect. Also, to say that it has been treated that way for planning purposes is incorrect – see 19/01529/FUL which relies on Lower Tysoe being a sustainable settlement.</p> <p>Incorrect – see 19/01529/FUL and 17/03634/FUL Inspector’s comments.</p>

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	<p>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> <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</p>	<p>The map referred to here was distributed to SDC and to residents as a separate A3 document and did indeed show an all encompassing BUAB around Lower, Middle and Upper Tysoe. As explained above, this was subsequently revised to the current proposal in the 2018 pre-submission Plan.</p> <p>All residents of Lower Tysoe were invited to a meeting in October 2016 to discuss the</p>

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	<p>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> <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</p>	<p>ramifications of inclusion in the Tysoe LSV. In an exit poll the majority of those attending were in favour of inclusion.</p> <p>Incorrect. The absence of specific evidence is not evidence of a lack of support. The "large" number of Lower Tysoe residents is very far from a majority of Lower Tysoe residents let alone "Tysoe" residents. The Parish Council feel justified in taking the lack of objections to the inclusion of Lower Tysoe in the Plan in its various iterations as evidence that the majority of those commenting had no problem with the inclusion. In fact many residents cannot understand why this is an issue at all.</p> <p>We think that SDC are arguing about "angels on pinheads" here. The fact that we did not mention "BUAB" is not relevant. Residents expressed the view, in layman's language, that "Tysoe" comprised the three settlements. To argue the opposite would not be justified.</p> <p>We disagree. Simply because the Parish Council and the majority of residents believe that Lower Tysoe should not be treated in any way</p>

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	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.	differently from the other two settlements and that this differs from SDC's view does not make it wrong or unjustifiable.
p.30, Map 8 [Proposals Map]	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 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.	This is addressed above. SDC have proposed a different BUAB for Lower Tysoe in their documents presented for approval by the Council and whilst the TPC does not believe that their proposed BUAB is an improvement on that proposed in the NDP they would be happy to amend the Plan to incorporate SDC's suggestion if the Examiner believed it was an improvement.
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.	We disagree with the BUAB as presented in the SAP. It does not include Lower Tysoe. The fact that the SAP includes a different BUAB does not make it acceptable or correct. Tysoe PC objected to this proposal in consultation. It is also stated in the SAP that where a made Plan includes a BUAB that is different from that included in the SAP the BUAB in the Plan will prevail.

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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.	The map was produced for Tysoe PC by employees of SDC in large format (A0) and was reduced for inclusion in the Plan. We will consider how to include a map with higher resolution.
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.	The Strategic Gap boundary follows either marked field boundaries or footpaths. In one area only it takes an "arbitrary" line (the far south-west corner) in order to exclude a vulnerable and sensitive plot of land adjacent to the school and church. If it were smaller it would not follow those physical boundaries and would not be fit for purpose.
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 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.	Agreed. Examiner should refer to the map produced by SDC with their proposed BUAB for Lower Tysoe.
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]?	The map should be amended to show it as a site with planning permission granted.
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	We will carefully examine the BUAB around Middle and Upper Tysoe. The intent was for this to exactly replicate SDC's proposed BUAB except for the inclusion of site 3. Where the BUAB needs to be amended to include recent application grants we will do so.

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	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 <i>were</i> 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.	Agreed. We believe that there may be an error in the way that the allotments have been represented. The intent was to include all of the allotments but not the community orchard. The green area will be corrected to show the allotments correctly.
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.	Agreed, see comments above.
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.	The note will be amended as follows: “See para 6.3.0.6 regarding affordable housing on this site”

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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.	We will take out item c) from the Policy wording.
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.	Discussions with the owners, subsequent to the publishing of the Plan, now indicate that the number of affordable units could be as high as 10. Discussions are ongoing and the owner/developer has had early discussions with SDC planning officers.
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.	The additional text was included in response to SDC's comments on the Reg14 plan as follows: <i>It may be useful to make express provision for earlier release of reserve site in the event of a community-led housing scheme (falling within the scope of Housing Policy 4) coming forward. Would be preferable for final sentence to cross-reference criteria in CS. 16.</i> Are SDC now saying something different?
Housing Policy 3 [p.32]	The estimated capacity per site isn't stated, which makes reference to "development of up to 21 houses" questionable.	The Policy will be amended to read – "...for future residential development of approximately 8 houses on Site 4 and 13 houses on Site 5"
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.	The loss of any ridge and furrow on this site would be minimal if any. Whilst we are aware of the limitations of the site which presumably would be reviewed if any application was to come forward from the owners we continue to believe that it provides a suitable site for development. Refer to Site Assessment No 5

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Housing Policy 3 [p.32]	Concern is raised in relation to the feasibility of a scheme at Herberts Farm, given the significant site constraints.	Herberts Farm is a reserve site included by SDC in their SAP – site D, page 77. Are SDC saying this is non-viable?
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.”	Addressed above – see p25, para 4.4.0.1
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”.	SDC’s suggested wording is acceptable. We believe that the farm buildings could easily be accommodated slightly further back on the site. We again point out that this site is included in SDC’s SAP.
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)</p>	<p>The TPC would like to bring to the attention of the Examiner the general observations on the conduct of SDC in the neglect of the NDP between June 2019- October 2019 in lieu of their pursuit of their own SAP.</p> <p>Incorrect – site D in the SAP is our reserve site 4, site C in the SAP is largely our allocated site 3. The other sites identified in the SAP are not included in our NDP for very good reasons.</p> <p>We were specifically assured by John Careford (SDC Senior Planning Policy Officer) that if Tysoe’s NDP was made as is, including the reserve sites already identified in our NDP, then the other reserve sites identified in the SAP but not included in our NDP would fall away – this</p>

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	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.	assurance given at an SAP briefing meeting on 3 rd September 2019 and later confirmed by email correspondence with Cllr Roache.
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>	Agreed.
Housing Policy 4 [p.33]	Delete "and" at the end of criterion b) and add "; and" to the end of criterion c).	Agreed.
Housing Policy 5 [p.35]	Except for the first two sentences of the Policy, the remainder reads as explanatory text.	We think it is important that the policy wording identifies how the policy differs from CS19 and why.
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.	We refer to the granting of application 19/01529/FUL where 60% (i.e. 3 out of 5) of the houses were of 4 or more bedrooms as against the parameter in CS19 of 20% which would have resulted in one house of 4 bedrooms if it had been applied.
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).	Noted.
Housing Policy 5 [p.35]	No account seems to have been taken of the inter-relationship with Employment Policy 2.	Not sure what this means.
Employment Policy 1 [p.37]	The entire first paragraph of the policy reads as explanatory text.	Disagree. This policy has been re-worded since the Reg 14 version.

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Natural Environment Policy 1 [p.39]	Insert "planning" between "requiring" and "permission".	Agreed
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.	Agreed
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?	Will amend criterion e) to read – "they ensure that any part of a development that is close enough to a watercourse such that it could reasonably be assessed to pose a risk to that watercourse should be accompanied....."
Natural Environment Policy 3 [p.41]	Criterion e) second line – amend to read "modelling".	Agreed
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.	Agreed, see comments above. The Community Orchard site was removed in the Reg 16 Plan because the owner of the land did not want the site designated as LGS. He also owns the allotment site but is quite comfortable with its designation as LGS. We will amend the map to correctly show the allotment site.
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	The LGS documents should be in the appendices, we will check that they are included.

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	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.	
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.	The Policy title will be reworded to read "Valued Landscapes and Views relating to the Village and AONB" The words "and skylines visible" will be deleted.
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.	The OED definition of "impinge" is " <i>make an impact or have an effect on or to encroach on</i> " We believe it is obvious what this means.
Natural Environment Policy 6 [p.49]	Suggest first line of policy is amended to read " ...seen best <u>as defined</u> on Map 8..."	Agreed
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.	See comment above. We believe that ridge and furrow, when associated with areas which may be developed, is an asset to be preserved.
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> ".	Agreed.
Built Environment Policy 4 [p.54]	Second paragraph, suggest amending to read: "...three spaces as per SDC <u>Stratford-on-Avon District Council's adopted</u> Development Requirements SPD <u>Supplementary Planning Document</u> ."	Agreed

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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.	Disagree. We have numerous examples where cars habitually parked on green verges have been reported to the police and the problem rectified.
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 dwellings should...[to end]".	Agreed
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</p>	<p>Disagree. The policy relates to empty or redundant buildings whether they are agricultural or residential. The policy states that bringing such buildings back into use would be supported subject to a number of criteria. It is clear from the policy that "conversion" would be supported if the criteria were met. We will change the wording to read "...back into use or which convert redundant agricultural buildings to residential use will be supported and....."</p> <p>Disagree, the policy has very clear criteria which would have to be met in order for such conversion to be supported. Policy AS10 states: The following forms of development and uses in the countryside are acceptable in principle: Community (a) Small-scale schemes for housing, employment or community facilities to meet a need identified by a local community in a Parish Plan, Neighbourhood Plan or other form of local evidence, on land within or adjacent to a village. Residential (b) Small-scale housing schemes, including the redevelopment of buildings, within the Built-Up Area Boundary of a</p>

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	the District Council considers it does not meet the set requirements of the GDPO.	<p>Local Service Village (where defined), or otherwise within the physical confines, in accordance with Policy CS.15 Distribution of Development and Policy CS.16 Housing Development. (c) Conversion to a residential use of a building within the physical confines of a village. (d) Conversion to a residential use of a redundant or disused building in open countryside, constructed of brick or stone, that is listed or of local historic, architectural or other merit. In such cases, residential should be the only viable use and the building should be capable of conversion in a manner that is appropriate to its character and setting.</p> <p>We believe that this policy, containing the criteria it does, complies with AS10.</p> <p>We will delete the sentence "The conversion of agricultural buildings.....Permitted Development Rights."</p>
Built Environment Policy 6 [p.55]	Criterion a) has been drafted over two lines of text, but should be one sentence.	Agreed – we will correct the spacing.
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. The following assets which are of significance in maintaining the social, economic and environmental well-being of the community. All of them are accessible to, and are enjoyed by, the whole Parish community."	Agreed

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Community Assets Policy 1 [p.57]	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?	Both facilities have kitchen and meeting rooms that are made available for general use. The wording is correct.
Community Assets Policy 1 [p.57]	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.	Agreed. Final para of Policy 1 will read "Community Infrastructure Levy funds will be used to contribute towards the funding of Community Assets where appropriate. This will allow the Parish Council considerable freedom....."
Appendix 2 Village Design Statement	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.	The design statement is highly prescriptive on purpose following a number of planning determinations where wholly inappropriate designs (whilst possibly quite suitable in an urban environment) were given permission. We want there to be no excuse for inappropriate design.