

Consultation Response to proposed amendments to Examiner's recommended modifications to submission document for Tysoe Neighbourhood Plan.

Mr Steve Taylor

1. General Comments in relation to the Examiner's Report:

The Parish Council have made a robust and compelling case for Lower Tysoe to be included as part of the combined Local Service Village and have proposed an appropriate BUAB accordingly. It appears that this logical and considered approach has been rejected by both the Examiner and Stratford District Council for reasons which are both dubious and unclear.

The rejection is spurious for the following reasons:

1. The adopted Core Strategy / Local Plan, in CS16 and elsewhere, classifies the whole of Tysoe as the LSV and does not demarcate its constituent parts – to be clear, it does not exclude Lower Tysoe.
2. Since the inception of the NPPF in 2012, reference to all approved planning permissions in the Tysoe LSV indicate that approximately 1/3rd of all applications have been approved in Lower Tysoe. It therefore follows that the two parties are effectively ignoring recent planning history by excluding Lower Tysoe from the referendum draft. Lower Tysoe has clearly been considered part of the village in planning terms since the introduction of the NPPF – in policy terms nothing has changed in the intervening period which would indicate that it should now be considered as an entirely separate settlement in open countryside.
3. Both parties have recently accepted the principle of detached BUABs in otherwise combined settlements, notably in Kineton (+ Little Kineton), Long Compton (+ The Hollows) and Mappleborough Green (three separated areas). Given the weight of evidence mentioned above and below, the same principle should apply to Lower Tysoe.
4. At every stage of public consultation on the draft NP, the residents of Tysoe have expressed the view that Lower Tysoe should be part of the combined LSV. This settled position has now been ignored by both parties in the latest draft. Residents of Tysoe who still wish to see the combined LSV forming part of the NP now have only one choice left open to them, and that is to vote against the NP in the forthcoming referendum.
5. The exclusion of Lower Tysoe is contrary to paragraph 78 of the NPPF, which states:
“Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby.”

6. Support for point 5 was provided by the planning Inspector (Mr Baugh-Jones) in his determination that The Orchards site in Lower Tysoe was sustainably located. Five new dwellings were subsequently approved by SDC just twelve months ago.

2. Comments in relation to proposed modifications to the referendum draft:

1. Accepting that Lower Tysoe is to be treated as any other settlement in open countryside, there is no longer any requirement for any sort of “strategic gap” – this would only be appropriate if Lower Tysoe was considered part of the village and had it’s own BUAB (as in the case of Little Kineton for example). In effect, there is no longer anything to separate, as everything outside the BUAB for Upper and Middle Tysoe is either open countryside or AONB, both of which are already protected.
2. Inclusion of the strategic gap as proposed would effectively sterilise the land outside the proposed BUAB. This would be contrary to the NPPF as it would prevent future generations from being able to live in the LSV in sustainable locations, close to local services. Specifically, the SHLAA sites to the north of Lower Grounds and to the rear of the new development at Meadow Lane are locationally ideal in terms of proximity to local services but would be permanently excluded from consideration in the future under the proposed modifications.

The land to the north of Lower Grounds forms part of TYO6 in the White Report 2012, a cornerstone in the evidence base for the Core Strategy, and is identified as suitable for housing. Given the paucity of reserve housing sites and the likelihood that lower delivery rates on the larger sites are likely to occur in future, it is plainly wrong to sterilise land as proposed in the modifications.

3. Sterilising the land as proposed would also be contrary to the emerging SAP policies which allow a quantum of building land for self-build projects adjacent to BUABs. Clearly this would not be possible in the areas described if an unnecessary “strategic gap” is arbitrarily imposed.