Minutes of the Tysoe Parish Council Meeting

Held on Monday 20th July 2015 at 7.15pm

Present: Cllrs Allen, Sinclair, Collier, Cressman, Howles, Littlewood, Locke & Risk

In attendance: DC Dalla Mura

Apologies: CC Seccombe

Public: 6

Minutes from the meeting held on the 14th July 2015 were agreed and signed.

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| 1. **Welcome to the meeting given by the Chair, Cllr Allen.**   Cllr Allen welcomed all members of the public. | **Action/Date** |
| 1. **Declaration of interest**   The Chair reminded councillors of the need to declare any interests in any agenda items. |  |
| 1. **Informal Public Participation**   A member of the public raised the issue of blocked drains. Cllr Allen said that this was not a Parish Council matter and that they would need to raise the issue with either Orbit Housing or Severn Trent. DC Dalla Mura said that he would see if there was anything he could do.  A member of the public had been advised that the conservation officer has recommended that their planning application in Lower Tysoe be refused. The Conservation Officer wishes to retain the isolation of the existing farm house. The applicant has therefore been advised that the application will go to Planning Committee and they would like to ask if someone from the Parish Council would give support at this meeting. The meeting is on Wednesday 12th August. DC Dalla Mura said that he would be away but that he would be happy to write a letter for the resident. Cllr Risk said that he would be able to attend from the Parish Council. |  |
| 1. **Neighbourhood Planning**   Cllr Allen introduced Matthew Neale from Stratford District Council who has responsibility for liaising with Parish Councils and other groups to assist in the successfully delivery of Neighbourhood Plans.  Matthew Neale said that he was going to answer the 6 questions that had been forwarded to him. See attached notes supplied by Matthew Neale.  Cllr Allen then invited questions from the Councillors. Cllr Risk has received questions from some Councillors and so commenced by asking if Matthew could explain why ranking sites was not helpful? The problem is trying to understand the nuances between the different scores. Looking at sites from their basic characteristics is more helpful, eg is it in AONB, Conservation area etc. Cllr Risk asked if you could do a favoured list of sites? Matthew responded that you could do a traffic light system.  Cllr Risk then said that Matthew had advised that we do not have a built up area boundary can you explain what this is? From historic documents they are a way of showing of where it would be appropriate for a development and where it is not.  Matthew showed a map of what he felt could be a built up area boundary but stated that this was just a suggestion. Matthew further advised that Tysoe needed to be very careful because the existing plan boundary would take in a lot of agricultural land.  A question was raised regarding Neighbourhood Development Orders (NDO). Matthew advised that NDOs are hard work and that they tended to be run in parallel with the Neighbourhood Plans. The site allocation plan gives a little bit more ownership on where planning will go. There will be more evidence at committee that you have the evidence base as to where community lead development should take place.  What would be the effect of the Neighbourhood plan once it has gone through a referendum where 50% vote in favour but the turnout is low? Matthew advised that as long as 50% or more have voted yes the turnout does not matter.  Cllr Locke asked for confirmation that Tysoe’s housing allocation to comply with Core strategy is now 55 and when does the clock start? Matthew responded that it runs from 2011 until 2031 and the figure of 55 should not change now.  Cllr Collier asked a question regarding the need to meet our affordable homes we need 5 developments of 11 houses. John Gordon may be able to provide much better advice on this. There is no minimum or maximum of affordable housing.  Cllr Allen then opened it up to the public.  A Member of the public said that the site allocation process was aimed at non-strategic sites and asked if the SHLAA sites classed as strategic sites. Matthew stated that the SHLAA sites are not and but this would be a fantastic starting point for the evidence base.  Any development outside the area of the Local Service Village does not count towards the housing target.  A resident asked why was Lower Tysoe not included in the LSV development area? Matthew stated that this was for the Neighbourhood Plan to decide. Lower Tysoe had not been included historically because it was separate and quite a distance from the main village and so it was not included but that it could be.  A Neighbourhood Plan needs to be evidence based and should not show where development should not take place rather than where it should be? Matthew responded that he is here to assist and confirmed that Neighbourhood plans have to be positive, so in other words where the houses will be built.  A member of the public asked if two or three developers come in and satisfy the need for 55 houses would this mean we can defer more development? Matthew advised that once the plan is going through examination you will have much more clout against speculative developers.  There was then a debate about how many places there were currently at the school? The capacity is 260 pupils. If the capacity was less than 209 places the Local Service Village would drop down to a lower housing a lower allocation. It is therefore important that an eye if kept on the numbers for the evidence base.  Member of the public said that adding up the various things that were mentioned it looks like it would take a year to get the plan adopted? Matthew said that without a calculator and a diary it was hard to say the exact timescales. Matthew did however, confirm that until the policies have been examined the Neighbourhood Plan would carry very little weight.    If Lower Tysoe is included in the LSV would the 6 dwellings that have already been approved count towards the overall total. Matthew said that you should always consider the evidence before making any decision.  Cllr Allen then thanked Matthew Neale on behalf of the Parish Council and Members of the public.  Update from Cllr Risk and Chris Butchart – Cllr Risk said that the main updating had been in anticipation of Matthew attending the Parish Council meeting. There had been a separate meeting with Matthew and following that and this evening’s meeting there are some key decisions, following Matthew’s advice, that need to be made.  The Neighbourhood Planning Group believe that until the decision as to whether we are going with allocated sites or Neighbourhood Development orders has been made there was little point in developing the Neighbourhood Plan to version 3. Chris Butchart said that it was clear from Matthew and his colleagues that they favour allocation of sites.  Cllr Allen said that he believes that the best way forward is to have a public meeting even though this is not the best time of year to go for such a meeting. Chris said that once the decision is made if it is to go for allocated sites then there is a lot of work to be undertaken.  Cllr Risk said that would the best way forward be for a meeting with the Parish Council and the Neighbourhood Planning Group to keep things moving forward with a view to a public meeting a week before the next Parish Council meeting.  A debate took place as to timings for the meeting and what needs to happen in terms of getting ready for such a meeting. The next Neighbourhood Planning Group Steering meeting is on Monday 27th July 7.15 pm and as many of the Steering Group and Parish Councillors as possible were encouraged to attend.    It was agreed to hold a public meeting on Monday 28th September and the Clerk was asked to book the village Hall. | Clerk |
| 1. **Action from Previous Minutes**   **Wall by the Church –** Cllr Locke advised informing everyone how to deal with this matter, the residents solicitors had advised Stratford District Council that the Parish Council owned the wall. There is now an arrangement to speak to the owners solicitors tomorrow and the WALC solicitor next week.  **Traffic in Sandpits Lane** – Cllr Cressman advised that this was about the Baker’s bus that has been using Sandpits Lane. Cllr Cressman had spoken to the company about this and will check in the new term that the bus is not using the route.  **Village Playground** – Cllr Cressman advised that a meeting had taken place and the quotes had been considered. They had concluded that in addition to the cost the longevity of the equipment was a major consideration. Cllr Littlewood asked if the selected play equipment meets all the necessary legal health and safety requirements. This was confirmed. Cllr Allen stated that the skateboard ramp was to be removed as this was not being used and the high cost of maintaining it. Remove the current see-saw and replace with smaller see-saw, a wooden tractor and a basket swing. The fencing will need to be provided as a result of further fund raising. This is very much phase 1 and we would like to add more equipment at a later date. Cllr Howles asked about the layout particularly in relation to the basketball hoop. Cllr Howles said that whilst the fence has been fixed it would be good if the basketball hoop could be turned in a different direction.  The Playground Project proposals were proposed by Cllr Collier and seconded by Cllr Howles.  **Drains by the centre of the village & Playing Field** – This all seems to be rectified to just monitor this going forward.  **Bus Shelter –** Cllr Littlewood has looked into this and spoken to Warwickshire County Council and the previous District Councillor. All agreed that it is a good idea but that there had been no funding available. The bus is an important life line that is particularly relevant for the elderly and school children. Two main places where bus shelters could be sited opposite Oxhill Road by Middleton Close and the second place opposite the post office on the village green where there is already a footpath established. The other advantage to this is that it is on land owned by the Parish Council.  Cllr Littlewood said that there may be money available but the Parish Council needs to apply for it. Bus shelter prices range from £1k to £30k. If you went with the previous suggestion the shelter was £5,000 plus the concrete pad at about £1,500. Cllr Allen said that given it has been sometime since this proposal had been considered by the public perhaps an article should be placed into the Tysoe Record asking residents what they think of the proposed sites. This action was agreed  **Village Mini Bus** – Cllr Howles advised that there was good news on this. The dedicated team that had been looking after the mini bus had managed to get it up and running again but we need to think that this is probably its final year. Cllr Howles will continue to look at how this could be replaced.  **State of village roads/white lines etc** – Cllr Littlewood had nothing to report at this stage and asked if this could be carried forward to the next meeting.  **Notice board** – Cllr Howles has had a conversation with a supplier who could do the notice board for £1200 with safety glass on one side. Varnished and in sustainable hardwood if it is maintained annually it should last for a very long time. Cllr Locke had received quotes from other suppliers. Cllr Collier asked whether the glass would degrade over time.  The Parish Council had agreed a budget of £1300 and it was agreed that Cllr Locke and Howles should discuss the final details and agree the supplier. | Cllr Locke  Cllr Littlewood  Cllr Howles  Cllr Littlewood |
| 1. **New Matters**   **Open Surgeries –** Cllr Cressman said that a number of people do not find the timings of the Parish Council meetings particularly helpful. Cllr Cressman suggested that it would be a good idea if once a month for about an hour a member of the Parish Council visit the tea room and be there to listen to any issues that people want to raise. The Parish Council agreed with this. Suggest that we start this in September. Cllr Cressman will liaise with the tea room, fix dates and then advertise.  **Electricity Supply –** Cllr Allen was looking at the various ways of reducing the electricity costs and he has now gone to the suppliers. There are quite considerable costs involved in switching the lights off between certain hours. Cllr Allen will send the figures to the Clerk so that the cost benefit of this proposal can be assessed to consider how many years it would take for the costs involved to be recouped.  **Reimbursement for Parish Council Training** – Cllr Allen said that all councillors give a lot of their own time and do a lot for the Parish and that the training is well worth while but that these costs should be met by the Parish funds. The cost of the course if £45.00. Councillors unanimously agreed that these costs should be met | Cllr Cressman  Cllr Allen/Clerk |
| 1. **Planning Applications**   **15/01359/OUT – Land off Badgers Lane, Lower Tysoe** – Erection of 3 dwellings – Planning permission refused. |  |
| 1. **Councillors’ reports and items for future agenda**   Cllr Collier asked for parking to go on to the next agenda.  Cllr Locke reported that the work on the Millennium stone had been agreed and that the work was in hand.  Cllr Littlewood raised the issue of parking along by the Church and the school. This will be raised as part of the general parking issues.  Cllr Allen asked that all Councillors pass on as much detail as possible to the Clerk on any agenda item they are either reporting on or putting forward. This will allow Councillors time to prepare for meetings and hopefully cut down on meeting time. |  |
| 1. **Closure of the meeting** – 21.27pm   Next ordinary meeting will be held on Monday 7th September 2015. **Please send any agenda items to the Clerk by Friday28th August 2015.** |  |
| 1. **Personnel Matters –** The payment of the Clerk’s wages and HMRC payment for July 2015 were agreed. |  |

**Tysoe Parish Council Meeting 20 July 2015**

**Notes in response to questions forwarded by Cllr. Risk**

1. *Please provide a review of main options for delivery of housing development in Tysoe to meet LSV obligation (e.g. NDO’s, Allocated Sites, SDC Allocated Sites). Include current LSV obligation for Tysoe, net of housing developments completed and/or approved since 2011. Advise if Lower Tysoe currently included in LSV for purpose of calculation of meeting LSV obligation.*

Firstly, LSV figures relate to individual settlements only, not the wider parish. We define the LSV2 settlement of Tysoe as Upper and Middle only and therefore excludes Lower Tysoe.

The Net housing figures as of 31 March 2015 were:

• Built 2011-2015 = 3

• Committed = 26

LSV2 “requirement” = 84 (based on revised figures following CS examination)

This leaves a Tysoe ‘to-find’ figure = 55

At present, the NDP has Policy H1-P1 which states it is to “Prioritise site allocation using the NDP evidence base” but does not then have a supplementary Policy looking to allocate individual sites.

Policy H1-P2 states that NDOs will be used for sites of 10 or more dwellings.

Basically, the housing delivery options for Tysoe would comprise the following:

* Neighbourhood Development Orders (NDOs)
* Allocated sites promoted through the NDP
* Land promoted through the District Council’s Site Allocations Plan (SAP)

2. *Main benefits, drawbacks and implications for each option.*

NDO approach

The main concern with NDO approach is whether it provides sufficient certainty that sites would actually be brought forward and ultimately developed. However, it may be that NDO approach coupled with reserve sites could work.

The over-arching concern is the danger that the production of the Plan could become too process-driven. All parties shouldn’t lose sight of the fact that one of the key outcomes should be a Plan that meets the housing and associated community development needs of the local community!

In this respect, it’s worth reflecting firstly, on the likely overall scale of development for which provision needs to be made. The latest amendments to the Core Strategy would suggest that Tysoe should be making provision for about 84 homes (LSV Category 2: 700 x 12%) and deducting completions and commitments from this figure indicates a “to find” figure of 55 homes, unless the local community elect to make provision over and above this figure. This would suggest an affordable housing yield of approximately 19 homes.

Comparing the above figure to the findings of the 2012 local housing needs survey for Tysoe (5 households in need), it’s immediately apparent that purely local need should be more than capable of being met within the required level of development. Consequentially, such development will in practice be catering predominately for District-wide need.

This shouldn’t necessarily be seen as a “bad thing” because - at least insofar as the affordable housing is concerned - there is an opportunity to make provision for, say, incoming younger childless households and families with children to remedy the demographic imbalance that characterises many villages and thus contribute to its longer-term sustainability. This is likely to encompass many households who perhaps 20 or 30 years ago may have been able afford to buy the first home on the open market but who are now more or less excluded from the market by rising house prices.

The only qualification I would make in relation to the above statement relates to the size of sites and the question of affordable housing thresholds. The District Council are currently proposing a site size threshold of 11 or more homes above which the requirement for 35% on-site provision applies. Below this, there is either no requirement or at best a requirement only for financial contributions towards off-site provision. Thus it’s very important that only sites over this size threshold are allocated (by whatever mechanism).

In terms of process, the NDO process is identical to the entire NDP process, including the requirement for an examination and referendum. Therefore, a further issue rather than a concern is the length of time it would take to have NDO’s brought into force, especially if there is reliance on multiple NDO applications. This would create much more work for the NDP group over a sustained period of time, whereas site allocations within the NDP would tackle the issue of allocations at the same time as the rest of the NDP, thus reducing the time and effort for the NDP group to potentially meet the same ends.

Site allocations through the NDP

By allocating a number of sites through the NDP, the community retain control over the location and scale of development, if supported by appropriate evidence and appropriately worded policies.

Site Allocations Plan (SAP)

The Site Allocations Plan (SAP) will sit alongside the Core Strategy and form part of the statutory Development Plan for Stratford-on-Avon District. The Core Strategy only allocates strategic sites for development. As such, further sites are needed to meet the housing requirement. The SAP will identify these additional sites. It will also identify settlement boundaries.

It is important to understand that the purpose of the Site Allocations Plan is to identify specific non-strategic sites to meet the District wide Core Strategy housing requirements and to add flesh to the bones of the strategic allocations set out in the Core Strategy.

These sites will not necessarily be ones promoted by the local community and as such, in the absence of any sites being promoted through a NDP, may possibly be promoted for development within the Plan period, without the support of the local community.

3. *If ‘allocated sites’ chosen (rather than NDO), how can this be achieved? What are main criteria required?*

If the question is asking what criteria the NDP should use to identify allocations, then the work would start with the SHLAA suitability criteria (copy provided) to identify the site constraints and reach an initial conclusion about suitability and then do a more detailed site evaluation that seeks to maximise site assets and overcome site constraints to establish development principles (but there is no need to design an actual scheme). See ‘Concept Statements and Local Development Documents’ by The Countryside Agency (<http://www.plancoop.co.uk/1pdfs/Concept%20Statements.pdf>)

4. *How would SDC ‘Allocated sites’ for Tysoe differ in criteria for suitability from Sites allocated in the NP. [Note: There are very few sites in Tysoe for housing development which would not breach SDC Core Strategy and/or NPPF policies as ineligible for development. For example, damage to AONB or Conservation Area.]*

One would hope that SDC sites would not differ from NDP sites! In allocating sites, SDC would start with site suitability and then consider which suitable sites are then available and viable for development. Identifying allocations would also take account of technical evidence. The key issue is being able to demonstrate that allocated sites are actually deliverable (for example, having a commitment from the landowner of intention to sell).

Being in or adjacent to Conservation Area and AONB doesn’t make a site ineligible for development. Rather it sets a ‘higher bar’. Whilst some sites may not be suitable for development because of the contribution that the site makes to the setting of the Conservation Area or AONB, for sites that are deemed suitable, the effect of these designations may be to affect the layout, size of units, and capacity of the site, or at the very least the quality of the design rather than prevent development.

5. *If Tysoe’s NP changes to adopt different option for housing development than as in current draft, what would be the effect on the need for, and optimal form of, consultation with local community? Would a further Survey be required?*

Should it transpire that the NDP Group wish to explore the option of allocating sites within the NDP, there would be a need to go back a stage or two to begin the process set out at point 3 in terms of evidence base work to ascertain the number and locations of potential sites and their deliverability.

On the conclusion of this additional work, given its implications for the community as a whole and the necessary changes to the NDP as the delivery document, I consider a further round of community consultation would be required in order to gain community views and hopefully gain endorsement of the site allocations proposed.

I believe this additional community consultation would be essential to the overall NDP process in order to prove to the Independent Examiner of the NDP that the iterative process of Plan making had been acknowledged and properly administered, in order to meet the necessary Basic Conditions tests associated with the Examination of the NDP.

This would have implications for re-drafting of any subsequent documents necessary to be submitted for the formal submission consultation by SDC such as the Basic Conditions Statement and Consultations Statement, with the need to include the necessary additional processes necessary to cover the site allocations process.

6. *Recommendations for other factors, and policies, that MN has seen included in other NP’s for similar villages in size/character to Tysoe, that Tysoe’s NP might wish to consider [e.g. Employment, Transport, Traffic, Community Facilities, Heritage, ‘Green Space’, Conservation, Sustainability, Energy], and how these can best be identified, articulated, given effect, and made deliverable.*

I consider it would be worthwhile looking at the NDPs prepared by Long Compton and Kineton. Both have specific policies set out in their Plans for housing supply, including site allocations. They also cover topic areas such as promotion of small-scale employment sites; protection of heritage assets; minimising pollution; infrastructure improvements; protecting and promoting Local Green Spaces; highway safety and transport and landscape protection. Long Compton is located within the AONB and in terms of overall size, Tysoe sits somewhere between these two villages and as such, there may be issues covered by these plans which may be pertinent to Tysoe.

7. *Given the current status of Tysoe’s NP, what would Matthew estimate is realistic time-scale needed to allow it to reach a form that would be considered for formal submission for examination?*

This is a very difficult question to answer, in that it is almost impossible for me to put a timescale on the process of evidence gathering, re-drafting and consultation on an issue such as site-allocation work, especially when the responsibility for necessary work would be with the community and not have a direct District Council input. However, I would imagine that it would not be unreasonable to suggest that the new evidence base work would take a number of weeks. On top of that would be the requirement to re-consult the community on the proposal (6 weeks) and then the time to consider the comments and up-date the NDP and associated documentation in preparation for submission to SDC for formal consultation. Taking all this into account, I would estimate this could take upwards of 4 months, depending on volunteer hours available.

Evidence base work – 2 months

Consultation – 6 weeks

Re-drafting – 2 weeks

**Other Issues for Consideration covered at the end of the presentation:**

Appointment of Independent Examiner

At an appropriate point of preparation of the NDP (either just prior to, or at the same time as the formal submission of the Plan to SDC), the Qualifying Body (QB) and SDC will need to appoint an Independent Examiner for the NDP. This will be the responsibility of SDC to arrange and the contract with the successful Examiner will be with SDC. The process will involve the joint completion of an application form to be sent to the Neighbourhood Planning Independent Examiners Referral Service (NPIERS) in the first instance, with the details of 3 no. candidates being provided to the QB and SDC for consideration/agreement.

Strategic Environmental Assessment (SEA)

At formal consultation stage, the Tysoe NDP will need to be accompanied by a Strategic Environmental Assessment (SEA) or confirmation that a SEA is not required for the NDP. Therefore, once the final draft NDP is complete, SDC will be able to assist by carrying out a ‘screening opinion’ on the draft NDP in order to ascertain whether or not the content of the Plan would be of significant enough scale to warrant the commissioning of a SEA.

The subsequent report must be sent to the 3 statutory consultees for consideration (English Heritage, The Environment Agency and Natural England) for consideration. If it is concluded a SEA is not required, SDC will be able to issue a letter to this effect and this will end the SEA process. If, however, it is concluded a SEA is required, it will be the responsibility of the NDP group to commission the necessary SEA for submission with the NDP.

Formal submission

At the formal submission stage, alongside the draft NDP (plus and appendices), the following documents will need to be submitted in order for the submission to be accepted by SDC:

* SEA documentation (see above)
* Basic Conditions Statement
* Consultations Statement

The formal submission is very much like the pre-submission stage, in that it is a minimum 6 week consultation process, but in this instance the consultation is administered by SDC. Since the NDP will be examined against the current Local Plan, but will need to be in general conformity with the Core Strategy, the Basic Conditions Statement will need to compare the NDP policies with the NPPF, current Local Plan and the Core Strategy in order to show the Independent Examiner the ‘direction of travel’ for the Plan and it’s general conformity with national and local plan policy.