**Tysoe Neighbourhood Plan – update for PC meeting 14th September, 2020**

Following its approval by the Parish Council on 21st July the revised Regulation 17a Plan was sent to the District Council.

On 2nd September (i.e. 6 weeks later) SDC gave us their comments on this revised Plan. These comprised 33 individual suggested amendments. Many were simply small corrections or suggested re-wording, however, some were more substantial.

You will see our response to the individual comments below and the covering email stating our reasons for not accepting a few of SDC’s suggestions. To date we have had no response from SDC.

It appears that SDC would like to make the Plan as anodyne as possible by taking out any text which they believe to be in any way controversial.

Whilst we would all like to get the Plan put to bed I don’t believe we should easily agree to ridding the Plan of contextual explanation or commentary especially on the three most important matters of a) why the Lower Tysoe BUAB proposal has been reversed; b) why we have had to align our housing mix policy with SDC’s; and c) to point out that the proposed Strategic Gap protects the setting of the listed church and school as well as giving protection against coalescence.

It is hoped that we can quickly reach agreement on the amendments so that the Plan can be put to a 6 week consultation. This consultation will be limited in scope to address only the Reserve Site policy and the Strategic Gap policy both of which are fully agreed with SDC.

See attachments below.

David Roache

For the Neighbourhood Plan Group

9th September, 2020

Appendix 1 – Response to SDC’s suggested amendments.

1. Contents - Community Assets - amend Policy 1 title to read "Community Facilities" to match the policy on p.57 of the Plan Agreed  
2. Maps - amend the title for map 8 to read "Policies Map" to match the map on p.30 We prefer to use “Proposals” as it has been used since 2018 in various iterations of the Plan.  
3. Para 1.1.0.4 appears to be in a different font to the remainder of the document Agreed, will amend  
4. Para 1.1.0.5 - in order to take account of the variances from the Examiner's report, please add the following text to the end of the para: "..., plus variations to the Examiner's modifications in relation to the Strategic Gap and Reserve Housing Sites policies." Agreed  
5. Para 2.0.0.4 - Remove final sentence referring to yields, in accordance with the Examiner's modification for Housing Policy 2. Will delete from 2.0.0.4 as it is covered in 6.3.0.4 – this seems to cover the Examiner’s comments in his para 7.35

6. Insert new para 2.0.0.7 "Within the context provided by the emerging Stratford-on-Avon District Site Allocations Plan (SAP), the Parish Council will assess the need or otherwise for a review of the Neighbourhood Plan once the SAP has been adopted". Suggest that we include your para as amended rather than be tied to a 12 month deadline which could result in us reviewing the Plan shortly after it goes to a referendum..  
7. Re-number para's 2.0.0.7 to 2.0.0.13, to take account of the new para 2.0.0.7. Agreed  
8. Para 3.3.1.2 needs to be removed or heavily revised. It was not in the submission version Plan and is factually incorrect in that it does not explain that planning consents in Lower Tysoe (except for the recent appeal decision at The Orchards) have been via CS Policy AS.10 (rural exception schemes) rather than market dwellings via CS Policy CS.15. It was the Independent Examiner that concluded the Lower Tysoe BUAB was non-compliant with the Basic Conditions. Suggest we re-draft para 3.3.1.2 as follows:

3.3.1.2 Despite the views expressed by the majority of parish residents during the

consultation on the Plan and submitted formally at Regulation 14 and 16 supporting

the view that “Tysoe” comprised the three settlements – Upper, Middle and Lower

Tysoe, it is not proposed to include Lower Tysoe within the Local Service Village

of Tysoe with its own BUAB. A proposal to include Lower Tysoe within the Local Service Village was not supported by either the Examiner or the District Council. Lower Tysoe will therefore continue to enjoy a different planning status from the rest of Tysoe as it is designated as an “other settlement” where a presumption against development exists.

Given that the elimination of the Lower Tysoe BUAB is a major change from the Reg16 submission Plan and is contrary to the majority of views expressed by residents we feel strongly that the change has to be put into context. Residents will not be concerned whether the houses granted permission in Lower Tysoe fell under AS10 or CS15.

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9. Para 4.1.0.1 - delete the wording at the end of the para from "...and the setting of nearby listed buildings (to end)". It was not in the submission version NDP and is not the purpose of a Strategic Gap. CS Policy AS.10 is not relevant. Agreed  
10. Insert new para 4.1.0.3 - "Lower Tysoe is a hamlet which is separate from Middle and Upper Tysoe. Historically, it has never had a BUAB, meaning there has always been a presumption against most forms of development. This will remain the case through the Neighbourhood Plan." With the revised para 3.3.1.2 this proposed new para would be superfluous.  
11. Re-number para 4.1.0.3 as 4.1.0.4 and also delete the words "...and the low..." Will delete the words “...the low desity,”  
12. p.27, bullet point 4 of section 5.3 - the NDP does not include a policy or project to review Conservation Areas and as such, this point should be deleted. Agreed  
13. Map 8 - amend title to "Policies Map" See point 2 above, this map has been referred to as the Proposals Map since our pre-submission Plan in 2018 and whilst you have commented on the map you have not previously asked for it to be re-named.  
14.  BUAB - please see attached BUAB map for lawful curtilage alignment to the northwest boundary of Middle Tysoe (to land north of Church Farm Court). This takes account of the appeal decision for change of use of agricultural land to garden land and the NDP BUAB should replicate this alignment. Map will be amended  
15. Map 8 is too small. The scale of the map should be sufficient to ensure the built form covers as much of the page as possible, in order to be able to readily read the detail being displayed. The image in the Reg.17A version is smaller than the map in the submission version NDP. Please amend the map to make the settlements at least as large as the submission version. Map will be amended  
16. Housing Policy 2 - point 2 - delete "note" and replace with "paragraph 6.3.0.6" Agreed  
17. Could/should the two allocated sites have names that differentiate from each other? Could one be 'Parcel A' and the other 'Parcel B'? Without this, there will be no way of knowing which site is being referred to in the future... We believe that the sites are sufficiently differentiated by calling them Site 1 and Site 2 and no benefit would be gained by designating them Parcel A and Parcel B.  
18. Para 6.3.0.6 - add a space between "Site" and "1" on the third line. Agreed  
19. Para 6.4.0.1 - Would it be more accurate for the final sentence to state the existing farm buildings would be "...replaced elsewhere on the farm site" rather than "moved further back on the site", since this detail has yet to be determined? Agreed  
20. Housing Policy 4 - criterion b) delete "and" after the hyphen. Agreed  
21. Housing Policy 5 - replace "person" with "bedroom" in the final sentence. Agreed  
22. Para 6.6.0.5 - delete. It was not in the submission version NDP and is not appropriate to add now. Whilst it was not in the submission version of the Plan the fact that we have had to dilute the policy now requires us to add this supportive text in order to assuage residents’ concerns regarding the proliferation of large houses in the village.  
23. Para 8.1.0.2 - Remove from Section 8.1 and re-insert as para 9.2.0.3 in association with Built Environment Policy 1, as per submission version Plan. In your comments on our Reg 16 Plan you asked for this para to be relocated from Built to Natural Environment which is what we’ve done. We will leave it where it is.  
24. Para 8.2.0.1 - Add "Joseph" before "Ashby". Agreed  
25. Natural Environment Policy 2 - Turn policy into four separate paragraphs. Second para to start "Applications for new development...". Third para to start "Proposed lighting should...". Fourth para to start "Proposals which would result...". Agreed  
26. Para 8.3.0.1 - Spelling error "tranquillity" on third line; reference notes 23 and 24 should be swapped over (according to list on p.58 of NDP). Both agreed  
27. Para 8.5.0.1 - final para, third line - replace "with" with "within". Agreed  
28. Para 8.7.0.3 - delete new paragraph. Protection of the setting of listed buildings is beyond the remit of Strategic Gaps, which are designated to prevent coalescence. Protection of heritage assets is adequately covered by Built Environment Policy 1. To address your concerns we propose that we add the following words at the beginning of the para – “Although not specifically intended to, the strategic gap will also.........”  
29. Section 9.2 - re-insert para 9.2.0.2 (re: ridge and furrow) and re-number following paragraph. See point 23 above.  
30. Built Environment Policy 5 - First para, delete final sentence beginning "Particular importance..." Agreed.  
31. References (p.58): No's 5, 17 and 20 refer to the NPPF. This should relate to the 2019 version, not the original 2012 version. Agreed  
32. References: No.16 - delete reference to Roses Farm and close bracket after Herbert's Farm. Agreed.  
33. References: No's 23 and 24 - do they correspond with para 8.3.0.1? Agreed, see point 26 above.

Appendix 2 – covering email to Matthew Neal (SDC Officer)

Dear Matthew,

Please see attached our response to your suggested amendments of 2nd September.

It is important to recognise that the changes to our Reg 16 submission Plan now included in our Reg 17a Plan need to be put in some form of context for readers of the Plan most of whom are not experts on planning regulations and for who some of the changes may seem surprising given the level of public support for the original text in our Reg 16 Plan. We have tried to accommodate that requirement in our response to your suggestions.

You will see that we have agreed to the majority of your suggestions, however there are a couple of important issues where we are making alternative suggestions which take into account residents’ expectations.

1. Your point 8. We feel strongly that the reversal of our proposal to include Lower Tysoe in the Tysoe LSV has to be put in context. Our policy of including Lower Tysoe in the LSV, included in our Reg 16 Plan, enjoyed widespread support in the village. We believe our suggested re-draft of para 3.3.1.2 now provides some context and explanation for the reader and is also factually correct.
2. Your point 22. Again, we believe that the significant amendment of an important policy requires comment. Residents are rightly concerned about the proliferation of large houses in the village which the dilution of this policy does nothing to help. We feel it is helpful to assure residents that the PC will keep this matter at the forefront of the PC’s efforts to ensure that sufficient appropriate housing is developed in Tysoe.

We hope you can find a way of agreeing with our proposals so that we can make the amendments as quickly as possible and progress the Plan to consultation. We will need Liz Taylor’s services to make the changes to Map 8 and your help in expediting that would be much appreciated.

Kind regards,David