**Planning Committee Report – March 2024**

**Current Consultations**

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| **Application Number** | **Address** | **Details** | **Consultation Expiry**  |
| 23/03453/FUL | Land To The North Of Red Horse Close Middle Tysoe Warwick | Custom and Self-build dwelling including new pedestrian and vehicular access, garage, stables and landscaping scheme | 07/03/2024 |
| **Description** The application is for a six-bedroom, 2.5 storey dwelling with three dormer windows to front elevation. A single story extension will form an L-shaped footprint. The main house would be constructed in stone with stone cills and headers and Welsh slate roof. A two storey garage block includes triple car port with external staircase to home office above, again with 3 dormer windows to front and conservation rooflights to rear, constructed in Hornton Stone with horizontal oak cladding.A single story stable block comprising two stables, feed room, tack room and workshop and with walls of horizontal oak cladding under a slate roofA robust landscape buffer would run along the nothern edge of the site.**Recommendation – Objection**The Planning Group recommends Tysoe Parish Council strongly objects to this development, as it did to the five previous applications for housing development which have been refused on this site, two of which have been dismissed at appeal:

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|  **Date** | **Application**  | **Description**  | **Decision**  |
| 26/04/2016 | 16/01370/FUL  | Proposed erection of one dwelling and associated works  | Refusal  |
| 08/05/2018  | 18/01316/FUL  | Full application to replace existing detached dwelling with four terraced cottages and construct new detached dwelling on adjacent land to north of Lower Grounds.  | Refusal/Appeal Dismissed  |
| 12/11/2018   | 18/03330/FUL  | Proposed development for the erection of 5 dwellings   | Refusal/Appeal Dismissed |
| 13/04/2022  | 22/01164/OUT  | Outline Application for the construction of one single self-build / custom-build dwelling, including alterations to access.  | Refusal  |
| 03/10/2022   | 22/02910/FUL  | Proposed dwelling self-build passivhaus including upgraded access  | Refusal  |

 **Objection is for the following planning reasons:**This site lies within the designated Settlement Gap, which forms an important and highly visible green break between Lower and Middle Tysoe and where Self-build and Custom Housing is not identified as an appropriate form of development.  The introduction of such a large-scale dwelling and associated outbuildings, in such a prominent position within the open field, would cause significant harm to the rural landscape characteristics by the erosion of this important strategic gap.  The extensive landscaping, especially the ‘robust landscape buffer’ along the northern boundary of the site, would also not retain the historic, spacious, open character of the landscape.  In addition, the Settlement Gap is a relatively small one, and the proposal will erode a significant proportion of it.  The proposal therefore contravenes Tysoe NDP Natural Environment Policy 6, as the scale, massing and height of the development would result in the integrity of the separation being undermined, as described in paragraph 8.7.0.3.  It is also inconsistent with CS.5 and CS.9 as it is not sensitive to its setting.The site lies outside the Built-Up Area Boundary (BUAB) between the two settlements of Lower and Middle Tysoe and so the development contravenes Tysoe NDP Housing Policy 1, CS.15 and AS.10 as it does not meet any of the acceptable circumstances for housing in the open countryside. We disagree with the applicant that weight given to the conflict with these polices should be limited because the proposal is close to the BUAB, and agree with the appeal decision for Application 18/03330/FUL which stated the site functions as an important ‘green bulwark’ helping to protect the distinctive open and verdant countryside of the area.  The proposal is also not consistent with CS.11, being contrary to the adopted Cotswold National Landscape Management Plan 2023-2025 CE3.1 which requires development to protect the settlement pattern.The proposal is not being brought forward as a local needs scheme so the applicant’s local connections would seem irrelevant.  However, we note the applicant does not appear to have a ‘local connection’ to the parish, applying the criteria in the Development Requirements SPD Part S. The proposal does not have the support of the local community, nor does it respond to an identified need as there is no identified need for a house of this scale in Tysoe’s most recent housing needs survey.We do not agree with the applicant that the ‘Tilted Balance’ should be applied.  In the case of Paul Newman v SSHCLG [2021], The Court of Appeal agreed with the High Court that in a case involving a housing application: “there is no need to restrict the concept of relevance to policies that are specifically targeted at the type of development under consideration’  Consequently, the tilted balance should not be triggered merely because a development plan is silent on a particular type of development; The Core Strategy, Tysoe NDP and emerging Site Allocation Plan have a number of policies that are ‘relevant’ for the determination of this application and so the tilted planning balance should not be triggered.  There are many sites within the BUAB which would be suitable for self-build housing.Even if the ‘tilted balance’ were to be applied, NPPF 2023, which apples to applications made on or after 20th December 2023, states that in situations where it does apply to applications involving the provision of housing,*‘the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, provided the following apply:**a) the neighbourhood plan became part of the development plan five years or less before the date on which the decision is made; and**b) the neighbourhood plan contains policies and allocations to meet its identified housing requirement.'*Which they both do here.  **The modest benefit of delivering one Self-Build and Custom dwelling does not outweigh the harm this proposal will cause by virtue of its location, siting, prominence and scale, nor the harm ofallowing development that conflicts with the Tysoe NDP*.***  |
| Make no representation. |  | Object  |  | Date Decision made |  |
| Support the application.  |  | No Objection  |  | Who will represent the PC at committee? |  |

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| **Application Number** | **Address** | **Details** | **Consultation Expiry**  |
| 24/00345/FUL/24/00346/LBC | The Cottage Peacock Lane Tysoe Warwickshire CV35 0SG | Erection of detached garage with home office over and formation of new vehicular access  | 08/03/2024  |
| **Description** Planning permission for a similar proposal was granted in 2011 but has now, obviously, lapsed. The garage would be built in Hornton Stone with some timber cladding to match the exisiting cottage, roofed with reconstituted stone slates to match the existing cottage extension. An external staircase would be on the eastern elevation A Hornton stone boundary wall is also proposed.**Recommendation – Support, with conditions**There has been a longstanding problem of residents of The Cottage needing to park at the mouth of Peacock Lane, reducing visibility for those exiting and entering Peacock Lane by car, and for pedestrians crossing to the Doctor’s Surgery. This development would ensure greater safety for all residents, through the provision of a double garage and ample off-street parking, both for the residents of Peacock Cottage and any visitors. It would also provide a much safer environment for any children getting into or out of vehicles, making The Cottage far more suited to modern family living.Therefore, the planning group recommend supporting this proposal, subject to the following conditions,* Any highways conditions.
* Matching materials, with samples being sent to the for LPA inspection.
* A landscaping scheme to soften views of the external staircase from the Cotswold National Landscape.

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| Make no representation. |  | Object  |  | Date Decision made |  |
| Support the application.  |  | No Objection  |  | Who will represent the PC at committee? |  |

**Current Tree Consultations – None**

**Decisions Issued Since Last Tysoe Parish Council Meeting**

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| **Application Number** | **Address** | **Details** | **Tysoe Parish Council Comments** | **Target date for Decision**  | **Decision Date** | **Decision** |
| 23/02177/COUNTY/SDC/23CM011 | Sewage Works, Back Lane, Tysoe | Installation of one kiosk (motor control centre) at Sewage Treatment Works, West of Lower Tysoe, Warwickshire | No Objection, provided kiosk green and landscape strategy. | Not published | 08/02/2024  | Granted |
| 23/02679/FUL | Dinsdale Cottage Baldwins Lane Upper Tysoe Warwick CV35 0TX | Construction of a new vehicular entrance to dwelling house | No Objection | 29/11/2023 | 21/02/2024  | Planning Permission not required  |
| [23/01010/FUL](https://apps.stratford.gov.uk/eplanning/AppDetail.aspx?appkey=RSXVL0PMJIO00) | Land North of Somerton House Lower Tysoe Warwick CV35 0BZ | Construction of single, detached, self-build dwelling | Support, with conditions relating to materials, highways and lighting | 04/08/2023 | 22/02/2024  | Permission with conditions  |
| 23/02934/FUL | Byeways Main Street Middle Tysoe Tysoe Warwickshire CV35 0SW | Erection of summer house  | Objection | 25/12/2023  | 01/03/2024 | Refusal |
| 24/00279/AMD | Bungalow At Tysoe Vale Farm Tysoe Road Kineton Warwick CV35 0DY | Removal of external walls to introduce open log store – Non Material Amendment | No objection | 01/03/2024  | 01/03/2024  | Approval |
| 23/03179/FUL | Winchcombe Farm Shenington Road Upper Tysoe Warwickshire CV35 0TH | Change of use of two buildings from residential holiday let usage to residential usage ancillary to the main building. No changes to internal or external layout or appearance  | Objection | 23/01/2024  | 07/03/2024 | Refusal |

**Previous Consultations, still Pending Consideration**

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| **Application Number** | **Address** | **Details** | **Target date for decision**  |
| 24/00219/FUL | Byeways Main Street Middle Tysoe Tysoe Warwickshire CV35 0SW | Garage conversion into a garden office with new skylight window and replacement of existing door | 26/03/2024  |
| 23/03194/FUL | Woodside House Banbury Road Sunrising Hill Tysoe Warwickshire OX15 6HR | Alterations and extensions to dwelling, engineering works for creation of swimming pool, link to and erection of outbuilding providing garaging, ancillary accommodation including annex and stables (comprising 3 x stables, tack room, wash down area and feed/hay store), change of use of land to equestrian (private use), access track, and all associated works  | 27/02/2024 |
| 23/03019/FUL | 13 Avon Avenue Tysoe Warwickshire CV35 0SP | Construction of new garage, home office and home gym | 04/01/2024 |
| 22/02935/FUL | Land Adjacent to Hardwick Gorse Tysoe Road Kineton Warwick | Construction of anaerobic digestion facility, comprising silage clamps, digestor tanks, lagoons, administrative buildings, landscaping and access. | 03/01/2023  |
| 22/01806/FUL[22/01807/LBC](https://apps.stratford.gov.uk/eplanning/AppDetail.aspx?appkey=RDKSISPMG5Z00) | Home Farm Lower Tysoe Warwick CV35 0BZ | Residential development of redundant farm buildings, including listed stable, to 3 residential dwellings | 11/08/2022 |

**Appeals in progress**

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| **Application Number** | **Address** | **Details** | **Tysoe Parish Council Comments** | **SDC Decision**  | **Appeal Start Date**  | **Appeal Decision Date** | **Appeal Decision** |
| 23/02281/FUL | 1 Templar Close Lower Tysoe Warwick CV35 0GT | Erection of decking and fencing. | Objection | Refusal | 08/01/2024 |  |  |