



## **Meeting of West Dean Parish Council**

**Wednesday 16 September 2020 commenced at 7pm**

*Held by video conference (in order to protect the health and safety of councillors and members of the public during the COVID-19 pandemic)*

Present: Harry Urquhart (HU) – Chair, Jane Higgins (JH), Bill Seabrook (BS), Christine Warry (CW), Andy Francis (AF), David Sutton (DS), and Sarah Hurst (SH).

Others present: Melanie Camilleri (MC) – Clerk/RFO and Councillor Richard Britton (Alderbury and Whiteparish division)

**62/20**            **Apologies for Absence:** None

**63/20**            **Public Forum**

**64/20**            **Declarations of interest:** None

**65/20**            **The Minutes of the Extraordinary General Meeting of the Parish Council held on Tuesday 08 September 2020** were approved and signed.

**66/20**            **NDP: Guest speaker Alan Bannister**

Alan Bannister delivered an update on next steps. Key points: Reg 16 will be delivered to councillors by Mon 22 Sept with the view to consider and approve at meeting 21 Oct (05 Oct for WTPC). MC to issue final Reg 16 to TVBC by 30 Oct. FC thanked Alan for his continued hard work.

**67/20**            **Planning**

20/01903/FULLS: Glebe Farm, Rectory Hill, West Dean, Salisbury SP5 1JL

Proposal: Erection of dwelling and garages with annex, following removal of existing agricultural buildings (amended scheme to 19/00876/FULLS)

MC reported that on Monday 14 September West Tytherley, Frenchmoor & Buckholt Parish Council unanimously resolved to OBJECT to this application for the following reasons:-

Validity of the application: the plans submitted do not contain scale measurements nor do they have direct scale measurement comparisons to the previous scheme 19/00876. This is significant when assessing against planning policy on size and scale.

Size & Scale: Notwithstanding the above, based upon the line drawing comparisons presented on the plans, it would appear there is a 50% increase on the previous scheme 19/00876

Design: The applicant has confirmed the plans were drawn-up by his team without any sight whatsoever of the West Dean Village Design Statement; a key planning document in the application process. The buildings are not considered to align to the character of West Dean village; very much the opposite.

Use of land: This 9-acre piece of land was identified on a TVBC SHELLA. One large size residence is not in keeping with use of land nor has it been requested by the West Dean community. A number of people from the West Dean community have raised objections.

NDP: All of the above points are contained within the Joint West Dean/West Tytherley NDP. Additional points contained therein are the impact the building will have upon neighbours i.e. potentially overlooking and blocking out light.

The Councillors discussed the application and its plans with direct reference to National Planning Policy, TVBC Planning Policies, the Neighbourhood Development Plan, and the West Dean Design Statement.

BS proposed, seconded by DS and resolved unanimously to OBJECT for the reasons which will be set-out in a comprehensive document (following on in these Minutes) which MC will send to the TVBC Planning Officer.

**68/20**

**Finance**

- i) JH proposed seconded by AF and resolved unanimously to approve the Cash Flow Report and payments

**Bank balances**

Main Account (as at 19 Aug 2020): £427.44

Savings Account (as at 10 Aug 2020): £7,513.44

**Main Account**

Payee	Detail	Amount £	Method
M Camilleri	Clerk Salary + office space (Aug)	437.88	S/order
M Camilleri	Clerk Salary + office space (Sept)	437.88	S/order
Clive Francis	Grass cutting (August)	528.00	709
M Camilleri	Stamps	7.80	710
Total debit		<b>£1,080.54</b>	

Receipts	Detail	Amount £	Deposit Ref.
Lloyds	Transfer from Savings Account to main Account	7,000.00	
Total credit		<b>£7,000.00</b>	

- ii) JH proposed seconded by AF and resolved unanimously to sign new Standing Order for revised Clerk salary
- iii) Agreed to hold an EGM to consider Finance (current budget 2020/21 and draft budget 2021/22) on **Tuesday 06 October 2020 7:30pm**

**69/20**

**Website Accessibility**

Actions taken by Parish Council so that with effect from 22 Sept 2020 the website meets Accessibility Guidelines (*Website Content Accessibility Guidelines (WCAG) 2.1 AA rating*) with consideration to 'disproportionate burden'.

SH has added an Accessibility Statement to the website. MC has supplied additional wording to SH who will add (providing AbilityNet guidance on how the user make their device easier to use if they have a disability and how they obtain information on the website in a different format).

Unanimously agreed that any further work at this present time is considered a disproportionate burden. Once workload permits, the website will be audited for compliance 'errors' using the web accessibility evaluation tool <https://wave.webaim.org/>

**70/20**

**Correspondence and AOB**

- BS expressed concern about the cracks appearing in the bridge. The last Wiltshire Council's Structural Engineer inspection and report was in April 2019, next due 2021. BS to send photos to MC to forward to Wiltshire Council with a view to bring forward the inspection.
- JH mentioned she'd review the Emergency Plan ready for the October Agenda. Cllr Britton mentioned the Community Safety Directory which can be found on the Area Board website.

**71/20**

**Next Parish Council Meeting**

If agreed, the date of the next West Dean Parish Council Meeting will be held on **Wednesday 21 October 2020 at 7:00pm** by video conference.

Being no further business, HU closed the meeting at 20:23pm

**DRAFT MINUTES TO BE SIGNED AT THE NEXT MEETING OF THE PARISH**



WEST DEAN  
Parish Council

# 20/01903/FULLS

## PLANNING APPLICATION REVIEW

WEST DEAN PARISH COUNCIL

# Review of Planning Applications: 19/00876/FULLS and subsequent 20/01903/FULLS

## Planning Principles

The Parish Council has completed an examination of Planning Applications: 19/00876/FULLS and 20/01903/FULLS. It has been carried out within an important planning framework namely *West Tytherley, West Dean, Frenchmoor and Buckholt Neighbourhood Plan (NDP)*

The NDP, although new, in terms of community planning and development is the product of many months of extensive work with landowners and residents from both West Dean and West Tytherley. The views and requirements contained within the NDP have been established by an extensive survey and is currently at the Regulation 16 stage. Because of Covid-19 the formal Examination and Referendum have been postponed by the government. Adoption by both local Councils, Wiltshire and Test Valley, will follow in due course.

The NDP systems and practice procedures have guided and informed the community's evaluation and conclusions about the current planning application and also the existing approved application at Glebe farm (19/00876/FULLS)

West Tytherley Parish Council had advised Test Valley Borough Council (TVBC) of it's views and objections to **19/00876/FULLS** before it's subsequent approval; despite the acknowledgement by the Planning Officer that it was against the Village Design Statement already adopted by TVBC.

## Localism Act 2011 – Neighbourhood Planning

*“Instead of local people being told what to do, the Government thinks that local communities should have genuine opportunities to influence the future of the places where they live. The Act introduces a new right for communities to draw up a neighbourhood plan. Neighbourhood planning will allow communities, both residents, employees and business, to come together through a local parish council or neighbourhood forum and say where they think new houses, businesses and shops should go – and what they should look like.*

*These plans can be very simple and concise or go into considerable detail where people want. Local communities will be able to use neighbourhood planning to grant full or outline planning permission in areas where they most want to see new homes and businesses, making it easier and quicker for development to go ahead.*

*Provided a neighbourhood development plan or order is in line with national planning policy, with the strategic vision for the wider area set by the local authority, and with other legal requirements, local people will be able to vote on it in a referendum.*

*If the plan is approved by a majority of those who vote, then the local authority will bring it into force. Local planning authorities will be required to provide technical advice and support as neighbourhoods draw up their proposals. The Government is funding sources of help and advice for communities. This will help people take advantage of the opportunity to exercise influence over decisions that make a big difference to their lives.”*

The Localism Act 2011 states that it is not a legal requirement but a right, which local communities can elect to use. Alongside this right is a responsibility that Local Authorities have for reviewing their own settlement boundaries either through Neighbourhood plans or through the Local plans. Once the Neighbourhood plan has been produced and legally adopted, then the obligation to review the settlement boundary is satisfied and a further review is not needed.

In practice, the legislation urges local communities to participate in the allocation of sites for development within their area and to work alongside the planning authority to create new policies and schemes, which will benefit their communities.

From a local community standpoint, placing these responsibilities within the Neighbourhood planning system means that the community become the key decision makers when it comes to the approval of developments within their area. This policy applies specifically to “non-strategic” development within the neighbourhood. Where development is allocated as “strategic” then the balance of the decision-making swings to the Local Planning authority.

Given the stage at which the Neighbourhood plan currently stands and the postponement of the designation programme for Neighbourhood planning until 2021, there is an obvious risk that development decisions, by the Planning authority, could have a negative impact on the communities of West Dean and West Tytherley.

**In conclusion, because of the local and national impact of Coronavirus on everyday life, including Development Planning, as neighbourhood plans progress, great care is needed to avoid adverse development decisions. i.e. decisions that in the months ahead will prove to be a blockage to the emerging policies and plans of the Neighbourhood partnerships.**

*(Extracts from recent progress meetings between various local communities on Neighbourhood planning can be seen at the end of this report.)*

## Test Valley Adopted Local Plan 2011-2029

### Policy COM9 – Community Led Development (section 5.113 applies)

**5.113** *The Localism Act 2011 recognizes that communities should have opportunities to take responsibility for promoting residential development in order to help support local services and facilities. These proposals should be led by the parish council and could come forward through a Neighbourhood plan or Parish plan. Exceptionally interested parties can lead proposals provided that they can demonstrate that there has been extensive parish council and community involvement and the proposals are supported. The Council will support proposals initiated by the community provided they are justified and have local support. TVBC adopted plan - Policy COM9 – Community Led Development - provides the framework for considering development, which will meet community needs and help support facilities.*

*Community led development will be permitted if:*

- a) The proposal is supported by evidence that there is a need for the development to maintain or enhance the sustainability of the settlement through the delivery of community benefit and:*
- b) It is demonstrated that the community has been involved in the preparation of the proposal and:*
- c) It is demonstrated that the community supports the proposal and:*
- d) The proposal, if for residential development, helps meet the affordable housing need of the parish in accordance with the thresholds contained within policy **COM7** and local evidence and restrictions contained within policy **COM8**.*

**The view of West Dean Parish Council is that the criteria (a) to (d) above have not been met.**

### Policy COM 11 Existing Dwellings and Ancillary Domestic Buildings in the Countryside (sections 5.125 - 5.126 apply)

*In the countryside proposals for the extension of existing dwellings or the creation and extension of ancillary domestic buildings<sup>55</sup> will be permitted provided that:*

- a) it is not used for any other purpose other than the incidental enjoyment of the existing dwelling or as a residential annexe to the dwelling;*
- b) the size and design of the proposal would not be more visually intrusive in the landscape; and*
- c) the design of the proposal is in keeping with the existing dwelling.*

**5.126** *The size and design of the proposal should respect the existing dwelling and not result in the property becoming more visually intrusive in the countryside. The Council will consider the size of the proposal compared with the existing dwelling, the size of the resultant building and whether it would be out of scale with its plot. Extensions to existing ancillary domestic buildings will be assessed against similar criteria. Any domestic buildings should not be located or designed where they would be capable of severance from the original dwelling.*

**This is particularly relevant as the size of the new house and its annex layout fails to meet any of the 5.126 requirements. There is also concern that the owner could and might separate the annexes to create additional stand-alone housing units.**

## Policy COM 12 Replacement Dwellings in the Countryside (sections 5.129 - 5.130 apply)

**5.129** *The impact of a replacement dwelling is likely to increase with its size especially in relation to its impact on surroundings. For this reason, any planning applications for replacement dwellings which are more than 50% greater in volume (measured externally) than the original dwelling will normally be resisted. Exceptionally, where the replacement dwelling would not be more visually intrusive in the landscape than the original dwelling, permission may be granted for applications, which exceed a 50% increase.*

**5.130** *The proposal should not have a significant detrimental impact on its surroundings. Insensitive design or siting can have an adverse impact on the character of the countryside. In considering the design of a replacement dwelling, proposals should follow the principles of Policy E1 and E2 in achieving high quality development in the Borough. A replacement dwelling should be replaced on its original site or as close as possible unless relocating it elsewhere would result in a positive environmental benefit, including to the local landscape or amenity.*

**Provision of ancillary and domestic buildings in the countryside is included in the TVBC local plan and there are two sizeable units in the proposed redevelopment of the site. These units are self-contained and scheduled for use as guest accommodation and for staff. In terms of their impact on the site and locality they extend the visual impact on the locality and produce an adverse dispersion of the built development. This latter point is particularly relevant as the present annex layout could allow these units to operate as stand-alone accommodation units.**

## Policy COM 15 Infrastructure (sections 5.146 applies)

**5.146** *Some infrastructure can have an impact on the character and amenity of the area. The visual effect can be minimized through good design and landscaping. Smaller infrastructure which is more technical or operational in nature e.g. electricity sub stations, can be visually intrusive in layouts. The impact of these should be minimized by careful positioning and landscaping and their location identified at an early stage of the development.*

**Servicing the development would require a new foul water drainage system for the buildings and a system (SuDS) to deal with surface water and its disposal into the surrounding watercourses and ponds.**

**The application provides limited information and only describes the drainage as a sustainable one. Given the scale of the buildings and the landscaping, the potential use of ponds, the presence of set-aside areas information on site drainage scheme for a sustainable system (SuDS) and mains sewer should have been provided for scrutiny by the members and the parish councils.**



## National Planning Policy Framework

### Rural Housing (sections 77-79 applies)

*77. In rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs. Local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs and consider whether allowing some market housing on these sites would help to facilitate this.*

*78. To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlement development in one village may support services in a village nearby.*

*79. Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:*

*a) There is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;*

*b) The development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;*

*c) The development would reuse redundant or disused buildings and enhance its immediate setting;*

*d) The development would involve the subdivision of an existing residential dwelling; or*

*e) The design is of exceptional quality, in that it*

*- is truly outstanding or innovative, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and*

*- would significantly enhance its immediate setting and be sensitive to the defining characteristics of the local area.*

**This Application fails on ALL COUNTS to meet all criteria (a) to (e) above.**

## Making Effective Use of Land (Sections 117-121 apply) & Achieving Appropriate Densities (Sections 122-123 apply)

*123. Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities and ensure that developments make optimal use of the potential of each site. And:*

*“(c) Local planning authorities should refuse applications which they consider fail to make efficient use of land taking into account the policies in this Framework”*

**The location for the proposed residential development is Glebe Farm - a site which although agricultural in setting became a brown field site in 2019 when permission was granted for the removal of the agricultural buildings and the construction of a new family home for the landowners. The site does not appear to be recorded in the Brownfield register.**

**Land remediation was needed because as the original farming activities declined no alternative agricultural business or tenancy was available.**

**In common with other parts of the counties there is an anticipated shortage of land to meet both Housing and Neighbourhood planning needs. So, it is crucial that house-building planning decisions avoid homes being built at such low densities.**

## Achieving Well Designed Places (Sections 124-132 apply)

**The location of the site within the village of West Dean and its close proximity to the established conservation area and local homes calls for a design and layout that will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development. The buildings and landscaping should be synonymous with the village’s local character and history, including the surrounding built environment and landscape setting. The present design and layout fails to accomplish these objectives and although the choice of materials (Red brickwork and Slates) meets certain conservation aims of the West Dean Village Design Statement in themselves they fail to improve the quality of the design that has been put forward.**

**A redevelopment on this scale would be a dominant presence in the local landscape for the wrong reasons. It displays mass but offers little character, worthwhile architectural features or distinctiveness. Its plain repetitive elevations and average quality build do not, in the Parish Council’s opinion, justify it’s approval on such a valuable site.**

**The excessive use of land for this specific residential project cannot be justified when several local communities are looking for sites to meet their housing needs.**

## West Dean Village Design Statement

In **2009** the West Dean Village Design Statement was produced and adopted by TVBC. Page 15 explains the village's recommended principles for development, in particular the following recommendations:

- *Developments of housing should be at a density appropriate to the site and its surroundings*
- *Developments should respect the fact that West Dean is one distinct community, which unusually is under the control of two Planning Authorities.*
- *Construction of substantially larger buildings to replace existing buildings which are demolished should be avoided where it would be more visually intrusive or out of scale and character with its setting and surroundings.*

## Planning Application - Supplementary Information

The 2019 application 19/00876/FULLS was an approval for a new five-bedroom family residence with a large annex (60sqmts) to be built after demolition and removal of unused derelict agricultural buildings and site remediation.

The application was complex as was the assessment of the planning policies and regulations. West Dean Parish Council & West Tytherley Parish Council did not support the application, although had an alternative development scheme of (5) homes been adopted by the authority it would have been of more value to the community and a better use of the land.

The present application 20/01903/FULLS is for a five+ bedroom family home with a floor area of approximately \*1137sqm (12,238sqft) on three levels and over three distinct buildings on a site area of 3.8 hectares (9.39 acres).

*(The Parish Council believe the footprint may have been amended)*

### Planning Application 20/01903/FULLS

The information in Box 5 of the application form states that work has not started. We believe there have been recent ground works and site clearance. If so this, we understand, would constitute commencement of works on the development.

Vehicle parking numbers are unclear. There are six dedicated car spaces in the garage unit and external spaces for approximately 10 over the site. This is an increase on the previous capacity. Box 9 states the vehicle numbers are the same i.e. 10 and there will be no change.

There is no information on the foul, waste, surface water drainage systems or water supplies. Given the lack of information on what service providers are likely to provide it is difficult to judge what impact the service systems will have on the development and its layout.

The applicant has received pre- application advice from Test Valley Planning Officer Mr Goodman on the 7<sup>th</sup> August. The Application submission was logged in on the 11 August. It would appear from the applicant's comment box that the planning officer accepts that a larger house on the site is acceptable in principle.

**The view of West Dean Parish council is that a very large single-family house is a poor choice and under-uses a potential residential site for the neighbourhood's housing needs.**

**Note:** West Dean Parish Council have not commented in this document on the implications of the existing Section 106 agreement for the present development proposals. We look forward to advice from Test Valley Borough Council on its future operation and status.

## Designation of Neighbourhood Area – West Dean & West Tytherley

Extract from the minutes of meetings between villages regarding joint planning work on neighbourhood development

***“Designation of a Neighbourhood Area West Tytherley, West Dean, Frenchmoor and Buckholt***

West Tytherley, Frenchmoor and Buckholt Parish Council in Test Valley and West Dean Parish Council in Wiltshire submitted a joint application for the designation of a Neighbourhood Area to cover the whole of the amended parish boundary as a result of the boundary review in 2018. This covers the parishes of West Tytherley, Frenchmoor, Buckholt and West Dean. This was subject to public consultation, which ran for six weeks from Thursday 13 February to Friday 27 March 2020. Test Valley Borough Council considered the application and have approved the designation on 1 April 2020. There were no responses received during the consultation. The designation of a Neighbourhood Area enables a Neighbourhood Plan to be prepared for the designated area. Wiltshire Council also approved the application in accordance with section 61G of the Town and Country Planning Act 1990 as amended for the purposes of Neighbourhood Planning.”

### Application Summary

In summary, the proposal with its extended domestic and leisure related accommodation coupled with substantial hard and soft landscaping areas result in a built area of nearly 10 acres of land being developed for one family home.

It is hard to see how the present scale and development layout can be described as making best use of a very scarce local land resource. The National Planning Policy Framework’s recommendation warrants close attention and implementation.

...“Local planning authorities should refuse applications which they consider fail to make efficient use of land taking into account the policies in this Framework”

(National Planning Policy Framework.)

<https://www.gov.uk/government/publications/national-planning-policy-framework--2>