

# North Newnton Parish Council Extraordinary Meeting

Tuesday 20<sup>th</sup> August 2019 at 7.30 p.m.

## Minutes

Present: Chair of the meeting - Cllr Kate Boulter (KB) (Joint Vice Chair), Cllr David Brisker (DB) (Joint Vice Chair), Cllr Tom Ellen (TE) and Cllr Marcus Stoneham (MS)

In attendance: Gillian Tatum (GT) Clerk, 12 members of the public attended the meeting (included members of the North Newnton Neighbourhood Plan Steering Group and Consultant Jeff Bishop, Place Studio).

### The meeting started at 7.30pm

- 1 **Absence apologies and Declaration of interests** Apologies were received from Cllr Robert Chillcott (RC).  
Members are bound by the provisions of the Code of Conduct and are required to declare either personal or prejudicial interests. Cllr Tom Ellen declared a pecuniary interest and as such abstained from any vote within the meeting.
- 2 **Minutes of Parish Council Meeting 15<sup>th</sup> July 2019.** The minutes were signed by the chair as a true record.
- 3 **Adjournment. Welcome to the Public.**  
**Due to the specific nature of the meeting the Chair explained she would take questions from the public after item 4 (iv) following the presentation by the Consultant**
- 4 (i) Cllr KB welcomed everyone to this extraordinary meeting on the Draft North Newnton Neighbourhood Plan (NP).  
(ii) Cllr KB explained the background to the meeting came from the last Parish Council meeting which identified some contradictions and discrepancies in the NP and concerns on housing allocations (a member of the public had attended the last meeting and raised a query on this). Also the NP at that time was waiting to see if a SEA (strategic environmental assessment) was required. It had been resolved at the last Parish meeting to put work on hold until these issues could be discussed. She welcomed invited members of the Steering Group and Jeff Bishop (consultant supporting the NP from Place Studio) and hoped we could move forward from this position from this evening's meeting.  
(iii) Cllr KB summarised the questions previously submitted to the NP Steering Group for the benefit of the public [these are available from the Clerk]. These fell into 2 categories; a group of questions on calculations for the proposed number of houses and questions covering contradictions/gaps within the NP – omissions such as the proposed new development on the garage site at North Newnton, that it was hoped would be addressed in the next version of the Draft Plan.  
(iv) **Presentation by Jeff Bishop, Consultant Place Studio**

I'll just do a quick bit of background before getting into what I understand from the question set to be the key issues for this evening. Most people think that Neighbourhood Plans started afresh from the Localism Act of 2011 but that's not strictly true. They are a combination of practice and experience on two national

initiatives for rural areas, both of which I was involved with nationally because of my well-known and long term commitment to giving local people a greater voice in the planning system.

One was Design Statements produced by local communities – as is underway here - that a colleague and I invented. They were the first time anywhere in the world that local communities could produce statutory planning documents – so we proved that people could do such things. The other was Parish Plans, which also showed that communities could take positive and proactive approaches to the future of their own communities.

Neighbourhood Plans are very much a combination of lessons from those two initiatives, so very much something that I and my colleagues support. There are now over 1,000 NPs made and another 1,500 or so on their way. They enable communities to influence, for example, the design of new developments, issues of landscape and green networks, listed buildings, local listing of key features, permeable surfacing to drives and so forth.

They also enable communities to have a good level of control – not total control - over the protection of small, important Local Green Spaces and over what sort of development happens where. And that last issue appears to be the key one for you so I'll move on to that, aiming to answer most of the questions raised.

The national need for new housing suggests adding around 20-25% to our overall housing stock over the next 10 to 15 years. But, the national policy, and therefore that of Wiltshire, is to focus the majority of that in and around cities and larger towns – Chippenham and Salisbury (and also Swindon) for the Wiltshire area. Authorities like Wiltshire do lots of statistical work about overall needs but are rightly cautious about applying that to small rural parishes - so there is no specific target figure for your parish.

So, after focusing on larger towns, the other side of that national target is that rural communities might expect to provide not 25% extra but around perhaps 10% extra over the next years, your plan period. That's 20 or so in the case of NN parish. There is then one other specific aspect of housing needs – the need for affordable homes. And just to be clear, this is just one element of overall need. The study for NN suggested a need for 1 affordable new home over the plan period. Though it is important to remember that affordable homes can only be required on projects of 10 or more houses, so NN parish would have to develop at least 10 houses to satisfy that need.

That's where NPs come in. One main principle behind NPs was to give communities more control over development – stopping inappropriate style developments in inappropriate places. It was argued that giving communities some more control would lead to them being more open to development at a time when more housing is badly needed. This has proved to be true because, on average, rural NP groups are now taking on that social responsibility and allocating around 10% more than any formal or informal target, i.e. often 10% more than their target 10%. That is often because of other benefits – in one

case of ours a community got new playing fields and a pavilion, in another case they got a complete new doctors' surgery building. To pull this together, NPs usually start, as in NN, with a check on possible sites and a parish-wide Call for Sites – because developments can only take place on land that owners are happy to offer.

In NN parish's case that generated 7 submissions, 2 in Bottlesford, 1 in Hilcott and 3 in NN – and one later in NN making 8 in total. One in Bottlesford could be ruled out immediately because it would have resulted in a loss of off-street parking and the one for a house at a farm would have been in 'open countryside' so not permissible. Assessments of the 1 in Bottlesford, the 1 in Hilcott and the small one in North Newton suggested that they were suitable for, respectively, 4 houses, 1 house and 1 or 2 houses. But these count as infill so would not be formally allocated in your plan. Infill schemes get picked up later at application stage, though your plan could suggest some key criteria, for example on design.

The three others in NN were assessed as having – if dealing with each site separately - certain limitations. The main limitations were raised by the Wiltshire Highways officers: The Rushall Road site should not proceed because it could not provide a safe pedestrian route to/from the bus stops. The Upavon Road site should not proceed because of road access problems close to bus stops and the roundabout. In addition, neither site on its own might provide the necessary 10 houses to deliver the affordable one. So it was suggested that these limitations could be addressed by treating all three sites as one. This would have the added benefits of more coherent overall design and access for all by mainly off-road footpath to the pub beyond the roundabout and to the bus stops. In summary, that conclusion about all three together is supported by Wiltshire planning officers and landscape officers, as well as the planning officer at the North Wessex Downs AONB.

Those three sites together total c.1.12 hectares. As always, following national guidance and procedures, the application of Wiltshire standards for housing density, would have produced a figure of almost 40 houses. To show you how daft this method gets, where we are working with the community in Colerne, their NP area includes all of RAF Colerne, soon up for release by the MoD. Using the Wiltshire figures, that land could accommodate 7,400 houses in a rural area! 40 houses on your sites would have been just as inappropriate in what is also a rural setting. That is something that can be challenged by the Neighbourhood Plan (and, importantly, that figure has never actually been proposed). The average density of all of the settlement of North Newton is 12 houses/hectare, though Woodbridge Close was built at almost double that - 23/hectare, a figure judged by the planning officer to be (quote) 'not excessive' – remember that for later. We are suggesting using the figure of 12/hectare which would produce a total of 14/15 houses on the three sites together. A Neighbourhood Plan Examiner may, however, query this density figure because of the national need to make the best use of green field land. If included in the Neighbourhood Plan, the allocation could include important criteria about density, locally distinctive

design, the necessary footpath and protection and improvement to the setting of the listed Woodbridge Inn.

It is then essential to consider what might happen without a NP or a plan without any site allocations. In our view, all the three NN sites I have talked about will be developed over the next few years, if only by default as a result of appeals if permission is refused (which it might not be). If that happens, they will be developed separately (though the two to the east would become one) and neither development would be big enough for the 10 houses necessary to deliver your affordable one - developers have a habit of trying to get away with 9! Without any sort of plan, there would be no real control over design, the footpath, the setting of the listed building and, of course, density – and certainly if permission is gained at appeal when issues such as design and even density just disappear. As part of this, the precedent from Woodbridge Close of development at 23 houses/hectare may get invoked. There is also one other issue that would tax the Examiner. The whole point of NPs is to give more weight to local community views but not at all costs. We are aware of NPs where community views have been the final arbiter of a choice between several sites when one or more would then proceed. But we do not know how an Examiner would treat a plan where the evidence showed a single site suitable for development but that was rejected by the immediate local community such that no development at all was then proposed. There is a definite risk to be addressed there. And one other point. If you choose not to allocate any housing, that need does not disappear, it is still there. So, as a matter of simple responsibility – and this is something that other NP plan groups have done - it seems reasonable that you should speak to surrounding PCs and to Pewsey and ask if they would be happy to take the housing some of you appear to not want. If so, and they agree, be sure to use that and be sure to provide the evidence for it if you do not allocate at all.

Now two final points.

- First, what you have seen to date about the NP is work in progress; there is a real opportunity to amend it.
- Secondly, our role in all this is as professional advisers, aiming to help you to produce a plan that will pass examination.

We are not the decision-makers, this would be your plan not ours, though we do have a responsibility to point out things that might make it a really good plan as well as those things that could prejudice your plan's success at examination.

## 5 **Questions following the presentation by members of the public**

**Q1 Why was the site (the large 3 triangular sites) in North Newton referred to as a Settlement Area? Why was it not development in open countryside?**

JB answer – The NP has the ability to amend the definition of a settlement area. Hilcott is a settlement (also defined as a village formally by Wiltshire Council), Bottlesford and North Newton are settlements. There are 3 small settlements in reality. It is up to the NP to argue, but that land forms part of North Newton and in his opinion not open countryside, but NP can make the argument.

**Q2 Concerned about the reference in the NP about a new potential footpath through any new development within the North Newton triangle area, he did**

not want this to prejudice the years of hard work to get a new footpath, championed by the Parish Council and which the first phase (section which is deemed dangerous to walk along the road) is due to start early November 2019.

JB answer – He agreed that this should not preclude the Parish footpath and must not prejudice this.

**Q3/Statement by Steering Group: Hilcott is a small village. North Newton & Bottlesford are not actually designated by Wiltshire Council officially as small villages with limited facilities. The NP has the ability to do this. The proposed Design Statement seeks to make the argument that our parish has 3 villages.**

6 **Questions from the Parish Council**

**Q1 Wanted some clarification please, on the need for homes in North Newton Parish – based on Wiltshire figures for the Community Area of Pewsey, however reluctant to apply these figures for small rural areas. There are no figures set? Is the current need for housing was zero? But in the presentation the figure of 10% had been used – why assumption applied?**

JB answer – Yes, the current need is zero. The NP is only draft and does not include any housing section in the NP, as Wiltshire is in the process of doing this, although frustrated as Wiltshire very late in publishing the figures.

**Q1 (continuing) The Core Strategy for the Pewsey area says 600 houses. 464 already built; 136 deficit. NP draft should acknowledge development already taken place in Woodbridge Close , 2 affordable houses plus a further 3 houses proposed on the garage site, so making the point that 13 have already been built in North Newton. Also questioning the mathematics, different densities hoping that the NP would take this into account?**

JB answer (continuing) - It's a draft document, yes will add in what's already been built. There is due a Local Plan review (supposed to come out last February). So another figure will be published, has no idea what that would be, but likely core strategy will have 47,000 houses for Wiltshire and some of these will be allocated for the Pewsey Community Area. He will assume an increase (although actually national figure has reduced by 22%). So basically using the 10% figure is following the norm – but acknowledges that there is not an exact figure to use at this time.

**Q2 Reference to Housing Survey March 2018. Key statistics 73% of respondents did not want more than 10 new houses across the whole NN Parish. Why was this not included in the NP? Also contradictions, the key objectives refer to the density of any housing should be similar to that in the immediate vicinity. The draft plan refers to similar density already 14/15 proposed, in his opinion that does not meet that objective. Should it not be 12 houses average out?**

JB Answer the site is 1.12 hectares which produces the figure of 14/15 houses.

**Q2 (continuing) – Should you not include the grass borders to be taken into account in the calculations?**

JB answer – Looking at the immediate neighbourhood to the triangle area in NN there is Woodbridge Close which has a high density (this was given permission by the planners) no space was left for a playing area, no green space left [even through there was a Section 106 agreement which Wiltshire Councillor Paul Oatway and the Parish Council are trying to get hold of the funds for this even though it was locked into this development area] the houses along Upavon road are larger and less dense (the garage proposed development is on a brownfield

sites and has no impact on density calculations). So mixed density housing around the proposed triangle site could in fact be vulnerable with any figure (in his professional opinion) below 14. The aim of a NP is to not have dense or inappropriate development – need the plan to get approved so this guidance can be applied. In an open market, a developer could try for an application for a greater number of houses say 23 per hectare, but he doesn't think this would be granted. But again on the flip side if you identified only 6/7 houses he believes this is too low. He thinks that the precedent set by the number granted in Woodbridge Close might have a bearing; 14/15 houses gives a pattern he believes closer to the overall "style" of housing density in the adjacent area (i.e./ a mixture of higher density Woodbridge Close and more spread out houses off Upavon road).

**Q3 What about the impact on Woodbridge Inn (listed) does this have a bearing?**

JB answer – When you look at the map the Inn looks quite a way away, the Heritage consultees would have a view (as it's a listed building) but you could design landscaping into the plan, in the immediate corner to screen. This might help argue reducing the number of houses to 12 to accommodate appropriate landscaping. Plus in the NP it was suggesting a new footpath to link the development to the Upavon road, bus stop and Inn which would take up some of the available land for development – again strengthening the argument for perhaps 12 houses.

**Q4 How does the passing process for the NP work? Is it a referendum? Do you need to vote on the whole plan?**

Answer JB - There is a very specific process; everyone in the Parish has an opportunity to vote. A very open one question is put to all; something like; Do you agree to a North Newnton NP to be used in the future to determine planning in the future? Yes or No

**Q5 For clarity it was asked to run through the whole process to get to a referendum?**

Answer JB

- a) An independent Examiner is appointed (we can recommend 3 suggestions of names) under Reg 14 – 6 week stage. NP document is made available to all, it's sent to statutory consultees such as Environment Agency, Natural England, Wiltshire Planners, MOD, adjacent Parishes – all feedback is then received. We can then be asked to make changes to the Plan from the feedback received.
- b) Reg 16 – Wiltshire undertake this – a 6 week consultation period to all community. It is then decided from the nature of the comments received if the NP can proceed to the next stage.
- c) Wiltshire appoints an Independent Examiner. They will inspect area and the plan (and will receive written representations but no verbal contact). A report will be made – changes can be imposed on the Plan by the inspector. (There is an opportunity to challenge this).
- d) Finally the referendum stage

**Q6 To the Steering Group from the public, has anyone had dialogue with a developer?**

The Chair of the Steering Group confirmed she had written to all the owners of the sites identified in the NP inviting them to attend this meeting. JB stated that

it was actually positively encouraged in the guidance for NP to work with developers for the development of the plan. He highlighted that CIL (Community Infrastructure Levy) could be imposed on developers at a rate of 25% for Parish Funds if there is a NP, otherwise its 10% without one. He illustrated that if there were 14/15 houses, 30% affordable the 10 remaining would be subject to CIL giving approx. £100,000 for parish funds.

**Q7 Steering Group Member asking about the role of the NP? It is about control for settlement areas, can we remind parishioners about the Plan and the positive role that a NP can make, before we get to the referendum stage? Can we encourage people to engage and comment whether in favour or not?**

Answer JB Whilst in the referendum stage we can only ask parishioners to comment in favour or not, we can only encourage people to read it and vote on the whole plan. More explanation and engagement if required, needs to be done before the referendum stage is carried out.

**Q8 Land – Have any Planning permissions on the North Newnton triangle site been submitted in the past and refused?**

Answer JB – he had some details with him but recommended doing more research to make sure had captured all the applications. But he could confirm that applications on land bordering Upavon Road had been submitted in 1977, 82 and 83 and refused (but one of these minor application for new roofing). In 1983 9 detailed houses were refused off Rushall Road, again in 1977 1 and 9 houses refused in 1982 and a further application refused in 1983.

**Q9 Why is there such an emphasis on North Newnton sites and questions about this?**

Answer – All plots of land have been identified in the NP, however those in Bottlesford and Hilcott are “infill sites” as can only accommodate very small numbers of houses; 1 or at most possibly 4 at a site in Bottlesford. The largest site for houses identified and came forward by the developers is in North Newnton, known as “allocation sites” and has generated the most concerns.

7 **The Chair, Cllr KB summed up; issues had been about numbers, we now understood about the difference between infill sites and allocation sites, and some background on the sites identified in North Newnton. The worry had started with the large number of 35 stated in the Steering Group report at the last meeting (with no one there available to explain). Although the steering group had been working hard on the NP for a very long time, we also now had new Parish Councillors who rightly wanted to understand. The draft has a lot of valuable information and detail but also a lot of contradictions that have now started to be addressed.**

**It was suggested that the Steering Group should revisit the draft NP and make the amendments as discussed and highlighted, before we decide to apply for the funding to carry out an SEA.**

**JB explained that we now have 2 choices: the NP can be carried on including the identification of allocation sites and this would require a SEA and include the additional documents such as Heritage and Landscape assessments or the Plan can be carried forward without any allocations. The latter plan will not require a SEA. The Steering Group requested guidance as a lot more work would be required if sites allocation pursued.**

**A motion to continue with the NP for North Newnton was proposed by Cllr KB, DB seconded and voted on by all councillors present (Cllr TE abstained).**

A lot of information had been presented at the meeting, and a lot of questions had been asked. It was therefore apparent that no decision could be made yet as to how to proceed regarding allocation sites and so it was agreed that this would be continued at the next Parish Council meeting on the 9<sup>th</sup> September 2019.

ALL

ALL/VM

**Second motion** proposed by Cllr DB was to invite the nominated Steering Group Member, (Vicky Marshall volunteered), to become the non-voting representative to the Parish Council, seconded KB and agreed by all councillors present (Cllr TE abstained).

- 8 A written question, submitted by Parishioners who could not attend the meeting was highlighted by the Clerk. The detailed nature of the questions were however only relevant at a later planning stage if applications were ever to come forward. It was however noted that some issues on current BT issues for existing occupants on Park Road, North Newnton would be added to the agenda for the next meeting. **Action:** Clerk to put on Agenda for 09/09/19
- 9 Cllr KB thanked JB for his presentation and for answering the questions, and the Steering Group and to all the public for attending.
- 10 There were no Planning Applications for consideration

Clerk

**The meeting closed at 8.36 pm**

**Future Parish Council meetings 2019**

Monday 9<sup>th</sup> September 7.30pm

Monday 4<sup>th</sup> November 7.30pm

Monday 6<sup>th</sup> January 2020 7.30pm

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