

Semington Neighbourhood Planning

Steering Group Meeting 17 Tuesday March 7th 2023

1930 to 2130 Village Hall Social Club and on-line



AGENDA

- 1 Welcome and apologies
- 2 Recording any declarations of interest in relation to the agenda
- 3 Approving the minutes of meeting 16 on February 8th – Paper 17.1 (pages 2 to 4)
- 4 Matters arising from the minutes and update on activities
 - a. Comment from David Way – Paper 17.1 (page 5)
 - b. Noting the latest Semington housing numbers – Paper 17.1 (page 6)
- 5 Updating the Green Space provision: reporting back from landowners – Paper 17.2 – separate file
- 6 Updating the parish employer and WFH surveys (report to be circulated by HT)
- 7 Planning for the April Consultation – Paper 17.3 – separate file
- 8 Agreeing a timeline and methodology for the release of the Aecom report to the public (including developers).
- 9 Considering the revised Parish Character statement – Paper 17.4 – separate file
- 10 Considering non-designated heritage assets in the parish – Paper 17.5 / 5a – separate files
- 11 Identifying business for the April 5th meeting

16.1

Those steering group members present, Sheralyn Milburn SM, Bill Scott BS, Peter Smith (Chair), Hugh Turnbull HT, Ian Williamson IW and Katie Lea (Place Studios). David Way attended for items 1 to 6.
Apologies: Vicky Bodman

16.2

There were no declarations of interest in relation to the agenda.

16.3/4

The minutes of steering group meeting 14 on December 14th were approved subject to the agreed re-draft of sections 15.9 and 15.11. These minutes will be corrected and re-circulated. **Action BS – completed**

The updated information set out in the minutes was noted.

16.5

The revised AECOM report on the suitability of sites for development was accepted. AECOM will be contacted.
Action BS – completed

16.6

At the start of the discussion about the April Consultation, there was a wide-ranging consideration of the Semington housing context. The Chair noted the following:

- Wiltshire Council does not have a 5-year housing land supply and looks unlikely to have one before the new local plan is agreed (late 2024). As such the village remains vulnerable to opportunistic and speculative development bids.
- The most recent consultation on the emerging Local Plan (January 2021) identified a baseline indicative housing requirement from Wiltshire Council of 35 homes for Semington for the period 2016-2036.
- By 1st April 2019, 25 homes had secured planning permission, and all will have been built by the end of 2023.
- Since 2019, 28 houses have received permission (26 outline; 2 full), bringing the total since 2016 to 53 (25 + 28). Thus, the indicative housing requirement (which is neither a target nor ceiling) of 35 has now been exceeded by 18. [a summary is attached to the minutes]
- The strategic planning committee is to consider the application for an additional 18 houses on the Newland Homes site on February 22nd and this comes with a recommendation for approval.
- Although the parish council will oppose this at the meeting – chiefly because the houses are to be built outwith the settlement boundary, it is likely that the village consultation on April 22nd will take place against a backdrop of even more houses being built in the village.
- A further planning application for 30 houses south of Pound Lane is also with Wiltshire Council and due to be determined this Spring. This is also likely to be put forward with a recommendation for approval.
- In this context, it is going to be hard to justify the building of even more houses as part of the neighbourhood plan.

In discussion, the following points were made:

- Neighbourhood plans do not have to allocate housing, although doing so brings safeguards.
- Sites should only be agreed if there are clear benefits to be had.
- The only site flagged green in the Aecom analysis proposes 40 houses being built, and this is 300% above the parish council's preferred limit of 10 houses.
- 40 houses is a low number to bring forward a nursery and a shop as part of the development. The viability of this is questioned.
- Any associated benefits accruing from the development would need to be considerable and would, ideally, need to be written into a S106 agreement so that the developer would be committed

- Any development of this site must be made dependent on the nursery / shop being provided, but because we have no agency with regard to the S106 agreement, this is not possible to guarantee.
- We do not have to preferentially advocate development of Site 4 (green-flagged by Aecom), nor do we have to propose as many as 40 properties on this site.
- We could have a policy about consultation about pre-Apps and S106 agreements although this might allow us only to request a role.
- Some of the sites assessed as amber by Aecom are currently planning applications. Can a site that is granted planning permission be allocated as part of a neighbourhood plan? **DW** agreed to investigate this – **completed**

[Para 14b of Section 2](#) of the current NPPF says this:

“In situations where the presumption (at [paragraph 11\(d\)](#)) applies 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 ... (b) *the neighbourhood plan contains policies and allocations to meet its identified housing requirement. ...*”

NB, how proposed changes to the NPPF would affect this are [set out here](#).

In the light of this, and given that Semington has met and exceeded indicative baseline number of houses as set out above, might it be argued that we meet the conditions even though we include no additional housing in the plan? **DW** agreed to investigate this. **KL** to discuss with **DW** – **completed**

As for the day itself, after discussion, it was agreed to make the consultation display as visual as possible, with only essential text. A decisions timeline will be produced and hard copies of the Aecom and landscape reports will be available, along with the character statement.

KL will create a first draft of: the timeline, display boards and other visuals by February 17th and forward these to all SG members. The SG will then meet to agree changes so that a revised set of docs are available for the March meeting. It was agreed that all of Aecom’s green / amber sites would be presented to the community for comment at the consultation – **on the agenda**

We will also write to the owners of Site 4 to ask about the viability of their plans for a shop and nursery.

Action BS/PS – **not yet done**

16.7

Comments from landowners about Green Space provision were considered. It was decided to re-consider these responses at the March meeting when all comments have been received. As two landowners have not yet commented, this issue will be considered again in March. It was agreed to chase responses if not received by the end of February. **Action BS** – **completed**

16.8

KL gave an update on progress with the parish character statement. On her advice, it was agreed to incorporate the statement within the neighbourhood plan. A revised statement will be circulated for consideration at the March meeting. **Action KL** – **on the agenda**

16.9

An update to the survey of parish businesses was welcomed and discussed. It was decided to continue with the survey for one more month. **Action All** – **on the agenda**

16.10

A report was made on progress made with a listing of non-designated heritage assets. This will be completed in time for the March meeting. **Action KL / BS** – **on the agenda**

Letters will be sent to the Toll House informing the owners of their property’s proposed listing as a non-designated heritage asset, and seeking any observations. A similar letter will be sent to the Canal & Rivers Trust. **Action KL / BS** – **completed**

16.11

Given that that the timeframe of the Wiltshire Local Plan Review [published at [Local Development Scheme - Wiltshire Council](#)] is now up to 2038 it was agreed to amend the Semington plan to the same date.

16.12

The next meeting is on Tuesday March 7th at 1930. The business will include:

- Planning for the April consultation
- Green Space feedback and decisions
- Changes to the parish character statement
- DW's feedback on housing developments
- The Semington business survey update

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Drafted February 9th 2023

With regards to allocating a housing site that already has planning permission – I am not aware of anything that says that a neighbourhood plan (NP) cannot allocate a site that already has planning permission. However, allocating such a site would be best if it was an outline planning application that had been permitted; that way the NP can still help shape the site layout and design and specific requirements for inclusion. If a site already has full planning permission I don't think it would be reasonable to allocate it and the NP examiner may ask what is the point in allocating such a site and request it be removed. It is noted that the current application PL/2022/01367 for 18 dwellings that we discussed is a full application and therefore if this did receive permission later this month I don't think it would be reasonable to allocate it in the NP. I mentioned that the Calne NP included a site that had planning permission – this was considered acceptable by the examiner but the part of the site that was allocated only benefited from outline permission at that time.

With regards to meeting criteria b) of NPPF para 14 – it is worth reading certain relevant parts of the [examiners report of the Melksham NP](#). He considers the 'contentious issue' of the plan not allocating any housing sites at the town due to the housing requirement already being met (pages 7-9). And also the allocation of a housing site at Whitley to meet an identified need, not to meet a requirement (pages 19-22). He was happy with the approach as long as the plan period was amended to 2026 in line with the Core Strategy. If the plan period had remained at 2030 it could be argued that the plan was not meeting a housing requirement.

NPPF para 14 criteria b) requires that '*the neighbourhood plan contains policies and allocations to meet its identified housing requirement*' – it is not clear from this whether a NP should still include a housing site(s) and policies if the identified housing requirement i.e. that in the Local Plan Review, has already been met, which is likely to be the case at Semington. I would advise the group to allocate at least one housing site, even if a small site, just to be safe and to show that the NP is being positive and proactive about housing provision. It is worth also looking at the inspector's report of the 'Land west of Semington Road' appeal (attached). See paras 8-19. He concludes at para 19 that the Melksham NP satisfies all aspects of NPPF para 14 and that '*the JMNP complies with Paragraph 14b) of the Framework with respect to the Development Plan as a whole.*' This conclusion is made considering that Melksham made no housing allocations at the town. But my advice would still be for the Semington NP to include at least one small housing allocation. This could be the 'sale' field for 40 or a smaller number of dwellings, or a different site. But if allocating the 'sale' field for less than 40 you'd be unlikely to get the shop and nursery as it must be barely viable even with 40.

Hope this is helpful. David.

David Way
Senior Planning Officer
Spatial Planning

Paper 17.1 (6) Semington House Builds 2016 to 2026

Year	#	Location	No. Houses	No. Affordable	Current Status
A. Baseline indicative housing requirement 2016-2036			35*		
2019	19/04362	Aiden's Field Farm	1	0	Built
2019	19/07938	Kendall Lane, St George's Road	24	6	Now building
B. TOTAL Completions (2016- 19) and Commitments (1st April 2019)			25		
2020	20/01306	West of Tennis Court	26	13	Outline PP
2020	20/02822	The Knapps / St George's Road	1	0	Built
2022	22/03673	Off the High Street	1	0	Full PP
2022	22/01367	South of St George's Road	18	5	Full PP
C. Total completions / commitments since 1st April 2019			46		
Overall total since 2016			71	24	
(B+C-A) Excess number compared to the baseline indicative**			36		
2022	22/09397	South of Pound Lane	30	10	Pending WC decision
Total possible builds			30	10	

- Houses built + being built + permissions + possible builds = 101 (34 affordable)
- No of Houses currently in the parish = 442

*The January 2021 document for the WC Local Plan Review, 'Empowering Rural Communities', details the Baseline Indicative Housing Requirement (2016 – 2036) at 35 and Completions and Commitments (up to the 1st April 2019) – 25. Which left a residual of **10**

This baseline indicative number provided by WC has been met and exceeded by **36** as at February 2023.

END of SNPSG Paper 17.1
