**MINUTES OF THE MEETING OF THE EXTRAORDINARY MEETING OF SHILLINGSTONE PARISH COUNCIL HELD AT**

**7.00 PM ON THURSDAY 23rd NOVEMBER 2023 AT THE PORTMAN HALL SHILLINGSTONE**

**PRESENT**: Councillors R McNamara (Chairman), I Suter (Vice Chairman), M Barlow R Harwood, M Pomeroy, K Ridout, R White, T Sweeney, and the Clerk D Green.

In addition, there were approximately forty members of the public present

**1181. APOLOGIES FOR ABSENCE**

Cllr Leadbeater.

**1182. DECLARATIONS OF INTEREST AND REQUESTS FOR DISPENSATION**

None.

**1183. ISSUE UNDER CONSIDERATION**

The Chairman welcomed all to the Extraordinary meeting convened to discuss the sole topic of the planning application: **P/FUL/2023/05579.**

The Chairman noted that this was a proposal for the construction of 5 dwellings with associated access and a landscaping/parking scheme on land to the rear of Squirrels Leap and to the rear of the Old Ox in Shillingstone.

The Chairman noted that the developers, Montpellier Land & Developments, had not consulted the Parish Council prior to the submission of this application and had requested permission to provide a presentation of their scheme at this meeting.

The Parish Council had agreed that Mr Neville Smith-Daniels, representing Montpellier Land & Developments, would be permitted to talk through the proposals.

**1184. DEVELOPER PRESENTATION**

Mr. Neville Smith-Daniels (NSD) described Montpellier as a small building company committed to building quality homes on small sites in North & West Dorset, being very unlike large housebuilders Barratt or Persimmon.

NSD explained that units 1 & 2, behind Squirrels Leap, remain as per the previous application, as does unit 5 (formerly Plot 7) which uses part of the garden of Glentress but the built content had been reduced in scale from the earlier scheme by the removal of the 2 semi-detached houses nearest the Old Ox (previously units 3 & 4) and the replacement of these by a ‘wildflower meadow’. He described the properties as modest in scale: two cottages (units 1& 2) two semis (new units 3 & 4), and a bungalow (unit 5). All properties have at least two parking spaces, there are two visitor’s spaces and a parking bay for two vehicles near the pub, and ‘on street’ parking within the new road will be permitted.

NSD went on to explain that the tree scheme involves the removal of 7 trees including a sycamore and two ash trees (T10 & T11), which already have removal consent, and four additional trees; it is proposed to plant five new trees at other points within the site, though indicative planting proposals only have been provided at this stage given that conditions may subsequently be imposed by the planning authority.

NSD stated that there was a biodiversity net gain from the proposal and explained that this would be means of the planting of 173.5 metres of new hedgerow around much of the perimeter of the site and wildflower meadow; he mentioned that the scheme would also incorporate fruit trees, bee bricks, bat boxes and hedgehog fence access points. Dorset Council Natural Environment Team have already approved the biodiversity scheme. NDS made reference to another scheme built by the company at West Stafford which had involved a fruit tree planting programme, which had been well received

NSD stated the amended application had attempted to address the reasons given for refusal on appeal of the previous scheme for 7 houses: the appeal having been made for commercial reasons on the basis of non-determination noting that:

* the two semi-detached properties nearest the Old Ox had been removed from the scheme and been replaced by the ‘open space’
* additional car parking spaces had been added to address the issue of the partial loss of the parking area of Old Ox

NSD stated that the Neighbouhood Plan was only a ‘guide’ to development within the village and was not prescriptive. He described Shillingstone as one of the 18 larger villages mentioned in the Dorset Local Plan which is regarded as ‘sustainable’, with there being a presumption in favor of development under NPPF guidance.

NSD enquired as to how many people present actually lived in the village – the show of hands was virtually 100% - he then asked how many people had actually bult their own houses – 4 people indicated that they had. He stated that therefore that this demonstrated that there was a need for builders to provide new developments in order to provide housing as a general principle.

The Chairman then opened the session for questions and observations.

**1185. PUBLIC SESSION**

**EXTENT OF CONSULTATION**

A resident noted that Montpellier had not spent time consulting local people; they had made an unannounced visit in 2022 with regard to the previous scheme, to which the resident had responded by email and had not received any reply from the company until subsequently prompted. Furthermore, the resident said that the company had made comments on the planning portal stating that the scheme had received residents support, when in fact it had not received his support. The resident went on to say that he had zero confidence in the company to pay any attention to local concerns given that it had failed to engage with the local residents as required by Policy 3 of the Neighbourhood Plan. NSD said that his recollection of events differed from this but did not say why.

A resident described the plans as misleading, stating that they make it appear as though there is a substantive distance between the Old Stables and Unit 1, though in fact the back door of Unit 1 would only be about only 30-40 feet away. The same resident stated that the site was in a fact teeming with wildlife.

**WILDFLOWER MEADOW ACCESS & MANAGEMENT**

Several people said that the area designated as a wildflower meadow had been a vital facility for the public house, being used as a venue for weddings, BBQs, and Steam Up events and for overspill event parking The loss of parking following this area being ‘fenced off’ and lost to Old Ox had resulted in significant overspill parking on Blandford Road which had greatly contributed to road hazards at this point

The question was raised in relation the management of the wild flower meadow. NSD confirmed that this would be owned and managed by the residents via a management company. It would be subject to a twice-yearly basis grass cut. NSD confirmed that the space with be a private area and the general public would not have access to the wildflower meadow. There would be no access to this area from the Old Ox. The management company would be required to manage of the whole of the private road and site – including its boundaries, hedges and wildflower meadow.

A member of the public said that the reality was that the wildflower meadow was in fact a ‘plot in waiting’ and it was highly likely that this would be used for an additional new build at some stage. In the meantime, this would, in reality, be a private grassed area which may well be used as a ‘dumping ground’.

The question was asked whether there were any plans to offer the wildflower meadow to the Old Ox or to the community – NSD advised that there were not. The question was asked at to why the developers had not looked at other sites in the village. This was not addressed.

**FLOODING**

A concern was raised in relation to the impact of the proposed development on the existing flooding issues along Hine Town Lane because of the tarmacking of the road & footpath and likelihood of subsequent run off. NSD said that the development would use permeable tarmac and thought the use of soakaways would alleviate the problem. Several residents stated that soakaways did not actually work in Shillingstone. It was suggested that a gravel roadway should be installed; NSD said he didn’t think this would work. A resident pointed out that the publicly accessible surface water map clearly shows the problem along Hine Town Lane.

**SHILLINGSTONE NEIGHBOURHOOD PLAN**

It was noted that the Shillingstone Neighbourhood Plan provided for three dwellings and additional B & B facilities and that the three dwellings had in fact already been built.

It was noted that the NPPF (National Planning Policy Framework) requires dwellings to be well designed and the harm to a conservation area to be minimised. The Planning Inspector in arriving at the appeal refusal had noted the significant harm to the character of the area under the original scheme; it was also said that there is still significant harm to the character and setting of the Old Ox under the amended scheme, which is in conflict with policies 3, 4 and 11 of the Shillingstone Neighbourhood Plan and also in conflict with policies 5, 24 and 27 of the Local Plan.

NSD noted that point 21 of the Planning Inspectors appeal refusal noted that the two dwellings at Squirrels Leap would not adversely affect the Conservation Area. It was pointed out that the majority of the Planning inspector’s comments showed that there was moderate to significant harm to the Conservation area and that little had changed to alter that perception.

It was noted that any compensation payable because of the loss of grassland areas would accrue to Dorset Council and be of no direct benefit to the village, nor was there any s106 agreed infrastructure improvements or compensation payable to the Parish Council because of this development. NSD suggested that the community could qualify for the receipt of CIL (Community Infrastructure Levy) proceeds but could provide no assurance of this.

**ROADS**

NSD stated that the new road would probably not be adopted by the Local Highways authority; effectively it would become a private estate road and would be managed by the residents’ management company. There would be a sinking fund to which all occupiers of the new dwellings would have to contribute in order to finance the long-term management of the road and other site costs.

A concern was raised concerning access for refuse lorries. NSD stated that the turning point was sufficient to allow for this and that there would not be a restriction of access to these vehicles even if the road was not adopted by the Local Authority. It was commented that in reality this would become an additional parking area.

NSD was asked if he was involved in the ‘Popes Field’ development plans and advised that he was not. The point was made that the scheme would inevitably be extended if and when the ‘Popes Field’ scheme was approved.

NSD was asked if the Highways authority had approved the new road access and stated that they had. The point was made that the exits from the new road would be hazardous there being approximately some estimated 14,600 annual movements into and out of the junction with the Blandford Road. This would be compounded by movements to and from the new dwellings on the other side of the Blandford Road at the Cobbles, on an already dangerous road.

The suggestion was made that the road should actually be controlled by Dorset Council in view of the obvious hazards. The Chairman noted that the recent parking issues arising from Fish & Chip evenings the Old Ox had made it very apparent that there were serious safety concerns near the Ox that must be considered by Dorset Highways planners.

**PERMISSIVE PATH**

NSD confirm that the permissive path runs in front of plots 1 & 2 and eventually connects to the footpath alongside Glentress. It was noted that at present there is a gate from the pub garden allowing children to walk directly to the Recreation Ground without crossing any roads, and the re-routed permissive path is actually interrupted by the development and would involve children needing to leave the pub garden, walk onto the main road and then down the new road to reach the footpath leading to the Recreation Ground. The Chairman noted that there are other developments in the village where parked cars are a hazard for children crossing estate roads.

**HOUSING TYPE**

The point was made that none of the planned dwellings would be affordable to local people and were of no local benefit. NDS declined to speculate in relation to what the properties would actually be valued at and said that the houses would be ‘priced to sell’. The Chairman noted that one of the supporting principles of the Neighbourhood Plan was that developments should support local people.

NSD was asked by Cllr White if he would be prepared to withdraw the application and consult with the community before submitting a new application. He advised that he would not be able to do for commercial reasons.

Cllr Suter noted that the Neighbourhood Plan was adopted following a referendum of the local community which involved considerable time, effort and expense. It is reasonable to conclude the Neighbourhood Plan provided a definitive designation of green spaces that should not be developed. The village nature of Shillingstone is not comparable to other sites in Dorset. The wildflower meadow proposed by this scheme is a token gesture, and resembles a ‘glass box’ that cannot be used.

NSD commented that the Council had raised objections to the Popes Field development. The Chairman noted that this was incorrect, the concern was that any developments on the Old Ox side of Blandford Road had to be very carefully considered in relation to the potential impact on road safety which is a matter of concern if children have to cross the Blandford Road in order to reach Shillingstone School. The Chairman noted that there is currently a traffic survey being conducted in an effort to assess and improve crossing this road.

The Chairman in summing up noted that Montpellier had clearly failed to engage with the community concerning this or the previous scheme. There had not been any community consultation with regard to the earlier scheme which appeared on the planning portal requiring a decision to be made without the community being given any opportunity to review what was being planned.

The Chairman commented that the Shillingstone Neighbourhood Plan was not just ‘a guide’, it was the villages plan, the consequence of a public referendum and it held that green spaces should be respected, protected and not developed. It was not a guide for anyone else to use as they pleased.

The Chairman said that all who have views in relation to the proposal should express these via the Planning portal in order that they can be considered by the planning authority.

**1186. DECISION**

The Parish Council voted **UNANIMOUSL**Y to **OBJECT** to the application. Suitable comments made to the planning authority.

There being no further business the meeting closed at 8.30 pm.