

NOTIFICATION OF DECISION REGARDING THE APPLICATION FOR DESIGNATION OF TISBURY AND WEST TISBURY NEIGHBOURHOOD AREA UNDER SECTION 61G OF THE TOWN AND COUNTRY PLANNING ACT 1990 AS AMENDED

APPLICANT:

Tisbury and West Tisbury Parish Councils

APPLICATION:

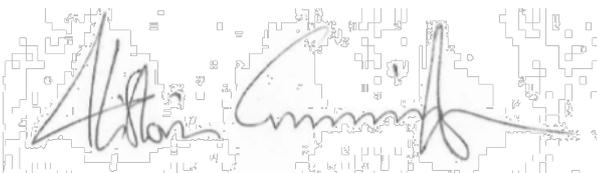
Application for the Designation of Tisbury and West Tisbury Neighbourhood Area

Pursuant to the Wiltshire Council constitution and in particular Paragraph 4(a) of Part 3B the Director for Economic Development and Planning within whose remit Spatial Planning falls is authorised to consider the area designation applications for Neighbourhood Plans and if appropriate approve applications.

DECISION:

The Designation of Tisbury and West Tisbury Neighbourhood Area is approved in accordance with section 61G of the Town and Country Planning Act 1990 as amended for the purposes of Neighbourhood Planning. The reasons for this decision are set out in the accompanying 'Neighbourhood Area Designation Application Report'.

Signed:



Alistair Cunningham
Director
Economic Development and Planning

Dated: 27/07/2015

WILTSHIRE COUNCIL

NEIGHBOURHOOD AREA DESIGNATION APPLICATION REPORT – OFFICERS DECISION ACTING UNDER DELEGATED POWERS

Date of application	28.04.2015
Date of decision	27.07.2015
Name of proposed designation	Tisbury and West Tisbury Neighbourhood Area
Community Area	Tisbury Community Area

1. INTRODUCTION

- 1.1 Pursuant to the Wiltshire Council constitution and in particular Paragraph 4(a) of Part 3B the Director for Economic Development and Planning within whose remit Spatial Planning falls is authorised to consider the area designation applications for Neighbourhood Plans and if appropriate approve applications.

2. BACKGROUND

- 2.1 The power to designate a Neighbourhood Area is exercisable under section 61G of the Town and Country Planning Act 1990. Under Regulation 5(1) of The Neighbourhood Planning (General) Regulations 2012 (which came into force on 6 April 2012) an area application has to include a map which identifies the area to which the application relates, a statement explaining why this area is considered appropriate to be designated as a neighbourhood area and a statement that the body making the application is a relevant body for the purposes of section 61G(2) of the 1990 Act.
- 2.2 Tisbury and West Tisbury Parish Councils form the 'relevant body' (for the purposes of section 61G (2) of the Town and Country Planning Act 1990) and submitted an application for the designation of Tisbury and West Tisbury Neighbourhood Area. The application is for the whole area of Tisbury and West Tisbury Parishes to be designated as a Neighbourhood Area for the purposes of Neighbourhood Planning and so satisfies section 61G(3) of the Act. The submission of the application complied with the regulations.
- 2.3 The Tisbury and West Tisbury Neighbourhood Planning Group has been set up to prepare the plan and is led by the Parish Council. The Group includes a cross section of community representatives that meet regularly to develop the draft plan.

3. PROCEDURE

- 3.1 Under section 61H of the 1990 Act whenever a local planning authority exercises powers under section 61G to designate an area as a neighbourhood area, consideration must be given to whether the authority should designate the area concerned as a business area. The designation of the specified area can only occur if the authority considers that the area is wholly or predominately business in nature [Section 61H (3)].
- 3.2 If the application for the Designation of this Neighbourhood Area is approved, then Regulation 7(1) of the Neighbourhood Planning (General) Regulation 2012 requires

the designation to be publicised. If the application is refused, reasons must be given under 61G(9) of the 1990 Act and Regulation 7(2) of the Regulations requires the decision to be publicised.

4. CONSIDERATION AS TO WHETHER OR NOT TO DESIGNATE

- 4.1 In determining the application for the designation as a Neighbourhood Area regard must be had to the desirability of designating the whole area.
- 4.2 The issue is whether or not the specified area is an 'appropriate area to be designated as a Neighbourhood Area'.
- 4.3 The fact that the designation of the Tisbury and West Tisbury Neighbourhood Area would allow a Neighbourhood Plan to be prepared does not form part of the determination of this application.

5. REASONING FOR DESIGNATION

- 5.1 The proposed area for designation includes the whole of Tisbury and West Tisbury parish and is considered appropriate. Tisbury and West Tisbury share transport facilities, commercial facilities and Tisbury's vibrant High Street, whilst valuing the proximity of the rural landscape and therefore the two parish councils feel that the strategy introduced at the time of the TisVis parish plan of sharing planning objectives and goals should be continued.
- 5.2 The designation of Tisbury and West Tisbury as a Neighbourhood Area will enable the Neighbourhood Plan to look to guiding development in line with the Wiltshire Core Strategy and ensure it is carried out in a sensitive way taking account of Tisbury's existing character and landscape qualities, situated as it is in the Area of Outstanding Natural Beauty. The parishes aim to be reflective in their decisions, to enhance Tisbury so that surrounding communities can understand the benefits for all. The Neighbourhood Plan will also aim to follow up on the principles identified in the Parish Plan 'TisVis'. The Neighbourhood Plan will challenge residents to consider whether or not those original outcomes are still relevant or whether they are now superseded by new issues.
- 5.3 The specified area falls completely within the Council's area.
- 5.4 The application for designation as a Neighbourhood Area was publicised for a period of 6 weeks and 2 days from 9am Tuesday 5th May until 5pm Wednesday 17th June 2015.
- 5.5 In total 3 responses were made within the consultation period. The representations received are set out in Appendix 1. The comments from The National Farmers Union are in support of the Neighbourhood Area Designation. There were comments submitted on behalf of the MOD which were to ask to be consulted if or when proposed development in the area exceeds 45.7m above ground level within the meteorological safeguarding zone surrounding Dean Hill at West Dean. The final comments received were submitted by Mr Pope raising concerns ranging from housing

to jobs. He was also concerned that the ideas put forward by the parish council wouldn't mirror that of the community.

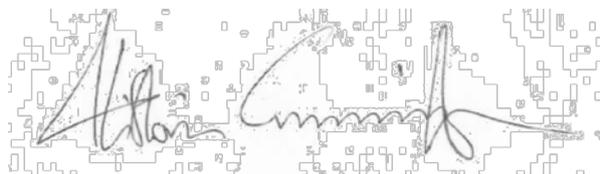
- 5.6 All representations received were taken into account, in the decision making process for the designation of this Neighbourhood Area. The proposed Tisbury and West Tisbury Neighbourhood Area is coherent, consistent and appropriate in planning terms.

6 CONCLUSION

- 6.1 The report above and the results of the consultation with the public lend support to the designation. It is considered that the specified area [Tisbury and West Tisbury parishes] is an 'appropriate area' upon which to base a subsequent Neighbourhood Plan.
- 6.2 All representations received through the consultation have been taken into account.
- 6.3 The specified area is not entirely or predominantly business in nature and so it is inappropriate to designate it as a business area.
- 6.4 It is also considered that it is not desirable that only part of such parish areas be designated as this could lead to fragmented approach within those areas.
- 6.5 The specified area without modification should be designated as a Neighbourhood Area for the reasons set out in the application. The area includes the built area for which they are planning and will enable the Neighbourhood Plan to address a range of issues including identifying and allocating appropriate levels of non strategic development.
- 6.6 A copy of this report will be sent to the constituent qualifying bodies and the Tisbury and West Tisbury Neighbourhood Planning Group.

7 DECISION

- 7.1 **The Designation of Tisbury and West Tisbury Neighbourhood Area is made** in accordance with section 61G of the Town and Country Planning Act 1990 as amended for the purposes of Neighbourhood Planning.



Alistair Cunningham
Associate Director
Economic Development and Planning Services

Dated: 27.07.15

Appendix 1: Responses submitted to Wiltshire Council during the consultation on the application for designation of Tisbury and West Tisbury Neighbourhood Area

Respondent	Comments
<i>Comments in support</i>	
<p>Ms Andi Witcombe (National Farmers Union)</p>	<p>The South West NFU welcomes the opportunity to comment on the Tisbury and West Tisbury Neighbourhood Area Application. The NFU represents approximately 50,000 Farmers and Growers nationally, 10,000 of these farm in the South West. In Wiltshire we represent 800 farmers and growers, including landowners and tenants, from all sectors and commodities. The NFU, and our members, recognise the importance of the Neighbourhood Plan and overall are supportive by the approach given. We are therefore supportive of this application to designate the Neighbourhood Area, but ask that the Parish take our following comments and key priorities into consideration when creating the full Tisbury and West Tisbury Neighbourhood Plan in the coming months:</p> <p>As you will be aware the farming community continues to face formidable challenges with increasing regulation, volatile markets and fluctuating farming returns. In response to these challenges farmers have had to consider the resources available to them and look at new ways of developing their businesses so that they can grow and remain competitive. This might include the need for modern agricultural buildings to meet regulations or to change the use of existing buildings in order to respond to changing market demand, for example. Our members in the Tisbury and West Tisbury Parish are no exception and given that the area is largely farmed it is clear that any form of Neighbourhood Plan must adequately address the issues and opportunities of farming. Our vision for the area is:</p> <p>Tisbury and West Tisbury Parish is a sustainable rural community that is underpinned by an innovative rural economy and thriving farming and food industry, which is profitable and supports viable livelihoods, underpins sustainable and healthier communities and enhances the environmental assets that are vital to the counties prosperity.</p> <p>For the farming community this vision is to be achieved by the following themes</p> <ol style="list-style-type: none"> 1. Strengthening our farming businesses to help them build profitability and respond to new opportunities 2. To create thriving localities that meets the needs of their communities, businesses and their environment. 3. Realising the value of the region's environmental assets <p>In addition we would see some of the key priorities for farms to include (not in order of priority):</p> <ol style="list-style-type: none"> 1. The ability for the next generation to take on management of farms and to support this through the provision of affordable housing to allow succession 2. Develop farming enterprises that can meet the challenges of food security through modernising and becoming more efficient 3. Diversifying farming enterprises to meet new opportunities such as, <i>inter alia</i> , business units or tourism 4. Developing renewable energy which meets the needs of the farm and are appropriate to the location and renewable resources available 5. Access to high-speed broadband. <p>Food production is a key priority for economic growth both nationally but also,</p>

	<p>importantly, in a rural area such as Tisbury and West Tisbury. In the Government white paper '<i>Local Growth: realising every place's potential</i>' the Coalition Government makes clear that the first priority " <i>is to return the nation's economy to health</i> ". This includes creating, "<i>the conditions that will help business and gets the economy growing</i> " and this includes the support for farming enterprises so vital to the rural economy and enabling them to remain viable through crop or livestock production, and also diversified enterprises. We would expect that any proposals for developing farms will take this into account.</p> <p>Diversification is in line with National Planning Policy Framework (NPPF) that provides that local authorities should support development that enables farmers to become more competitive and sustainable and diversify into new opportunities. A key message within the NPPF is the need for economic growth.</p> <p><i>"A positive planning system is essential, because without growth, a sustainable future cannot be achieved. Therefore, significant weight should be placed on the need to support economic growth through the planning system...the default answer to development proposals is yes "</i></p> <p>In the NPPF the government makes a number of very important statements related to this the development of renewable energy. Paragraphs 95 to 98 make a number key points including:</p> <p><i>'local planning authorities should recognise the responsibility on all communities to contribute to energy generation from renewable or low carbon sources'</i> (para 97); <i>'have a positive strategy to promote energy from renewable and low carbon sources'</i> which <i>'maximise renewable and low carbon energy sources'</i> . Renewable energy represents an important opportunity for farms to reduce their energy bills and also to create revenue that can help support farming activity. We understand that this can be a contentious issue within communities and are aware that early consultation with those that are either impacted or likely to gain is crucial.</p> <p>To help guide any work we have developed some principles which we believe will help Tisbury and West Tisbury Parish to shape activity in the area. These are:</p> <ul style="list-style-type: none"> • Farmers and landowners should always be consulted and listened to with regard to developing the area • Food security is a crucial issue for now and the future and any actions must ensure that we do not compromise our ability to feed ourselves • We should look to increase farm productivity and decrease impact on the environment • The achievement of sustainable development in rural areas through the integration of environmental, social and economic objectives • Meet the needs of a diverse rural population and ensure equality of opportunity. • Maintain and enhance the areas natural asset base • Support sustainable growth in the rural economy • Sustainable farming will support the wider community • Not one system of farming is the answer and all should be supported for maximum benefit to society and the environment • Encourage links between rural areas and urban centres. <p>Many thanks for the opportunity to respond to this consultation, we hope that these comments are helpful and will be taken into account before the Plan is finalised.</p>
General Comments	
Mrs L Dale (MOD)	Thank you for consulting the Ministry of Defence in relation to the above referenced neighbourhood plan.

	<p>The proposed area falls within the statutory meteorological safeguarding zone surrounding Dean Hill. Therefore, we would need to be consulted on any development exceeding 45.7m above ground level.</p>
<p>Mr J B Pope</p>	<p><u>Tisbury and West Tisbury Neighbourhood Plan.</u></p> <p>Will be great to have some idea as to what the two Tisbury Parish Councils have in mind for the neighbourhood plan, and whether their ideas are really representative of local residents or not. Yes there have been consultations and questionnaires and too, persons recruited to prepare a neighbourhood plan, but it was only very recently that I saw an open invitation for helpers. Somehow one is reminded of TisVis which tended to have newer volunteers joining en route, so altering the balance of our ad hoc work force. I am fearful lest the Parish Council itself given the opportunity co-opts too many members of the Tisbury Business Association as Parish Councillors so that it too, gets out of balance. Were not two recent co-options officers of the Tisbury Business Association?</p> <p><u>Which my Problem?</u> I am fearful of the conclusions of any committee, which doesn't recognise that</p> <p>TISBURY NEEDS EMPLOYMENT, NOT MORE SHOPS, OR UNAFFORDABLE HOUSING.</p> <p>If people do not have a job to go to, then all housing is unaffordable for them, as is the 'affordable housing' at Wyndham Place, bought by the Guinness Trust and let to tenants. Without Jobs Tisbury will maintain its current status as an abode for Commuters and Old Age Pensioners. In whose hands now, is much of that ex Council and MOD Housing, which seemingly is soon to be complemented by Housing Association property, under another Right to buy initiative.</p> <p>Because there is little employment in Tisbury, all too many of us have, or have had our being in Salisbury or Shaftesbury etc. if not further a field. If our children' schools and our work are at these locations, there was/is where many shop. 'Tis Bus' actually runs a bus to Tesco's in Shaftesbury, whilst a train, if one can afford the fare, gets one into Waitrose in either Gillingham or Salisbury, before any of us can manage either by car. Such are facts of life and possibly any Neighbourhood Plan should bear them in mind, rather than think wistfully of the shopping patterns of a bygone age. Tisbury's has more shops on the High Street than it can support.</p> <p>Even so there seems an opportunity for a corner shop in the area of the Hindon Lane/ Campus, which the Parish Council seemingly frowned on the idea for fear of it taking Trade away from the Village centre.</p> <p><u>BEATING THE BOUNDS.</u></p> <p>One may wonder why Tisbury has two Parish Councils, with two paid Parish Clerks, when there is but the one Village, and but one Parochial Church Council covering the Ecclesiastical Parishes of both Tisbury and West Tisbury. Living as I do on the Eastern Frontier of Tisbury Parish some two miles off the centre of Tisbury, one resents paying higher Community Charges than do those living in West Tisbury who are in the immediate vicinity of the Village Centre, persons whose housing benefits, from so much that we don't. When I came to live in SP36LY circa 35 years ago, we paid a lower Council Rate than did central Tisbury Parish. So far as I am concerned it would seem a good idea if Upper Chicksgrove, was reunited with Lower Chicksgrove and become a part of the Parish of Sutton Mandeville. Central Tisbury is at best a car ride away, at worst a £10 each way trip in a Taxi.</p> <p><u>West Tisbury</u> was undersubscribed by one councillor in May 2013, so it had no election. To this day I have not seen a post election list of West Tisbury Councillors, nor of their business interests. I did however discover their 'last man in' when giving her a lift back</p>

from Wilton, apparently a co-option. Very nice lady why though is she still under wraps?

A neighbourhood plan for the Tisbury area is one thing, but it has always bemused me that West Tisbury Parish Council wants to be consulted about so much else.

SURELY IF IT WISHES ITS VIEWS CONSIDERED, THE TWO PARISHES SHOULD AMALGAMATE.

Then if we had even a Two Ward Parish there would be no call, let alone need for twenty two Parish Councillors. I recall a West Tisbury Parish Councillor requesting to be heard ex officio by the District Council, concerning the Station Works site. Quite rightly he was told that as Station Works was not in West Tisbury, there was no reason for him to be heard, save as another member of the Public. Does West Tisbury still have a Parish Councillor for every fifty electors?

What then of the Neighbourhood Plan, and Station Works, (or works not as the case may be ?)

A while back under a European initiative there was that questionnaire distributed to every house in Tisbury, by 'TisVis' an ad hoc voluntary body chaired by Parish Councillor Mrs J. Amos. She and her fellow volunteers did a lot of running around, and after spending a sizable grant from Europe, topped up by the Tisbury Parish Council, the answers to the questions asked, were displayed as a Poster.

Those questions were formulated by persons who bothered to attend a consultation one Henley Regatta Saturday. I believe the precise meaning of the word 'adjacent', confused some into thinking that a then proposed development was to be on the 'Playing field' rather than on the Hindon Lane site. What the answers to the questionnaire did make very clear was that Tisbury wished for the Station Works Site, better known to most as the old Parmiter Site should be used solely as a place of employment. Not be used for housing.

When negotiating on the Hindon Lane Site, Messrs Fry had offered to purchase the Station Works at the price St.Modwyns had paid for it, and having bought it proposed carving the existing buildings into more viable units. The terms of that offer were not taken up. For a number of years since, the site owner has been trying to let bits and pieces to tenants. Does one gather that the rents requested have matched the amount of the capital outlay, rather than viable rents for Tisbury? Did one read that one of those tenants was no longer in business. Is it surprising that finding a tenant has been so difficult? Possibly the original purchase valuation was based on the belief that permission would be forthcoming for those sixty houses and small units, or which planning was requested.

At the time as now, Station works was not within the Village envelope. Another answer to the afore mentioned questionnaire revealed, that the Village did not wish house building 'Outside the Village Envelope'. I note the suggestion now is that Station Works should now be rezoned so as to be within it! I do not believe it should be so rezoned, **its just fine as it is, as too** the adjoined areas under separate ownership to the best of my belief. Tisbury is not in the business of rescuing the site owner from an apparent dilemma.

Station Works is the Jewel in Tisbury's Crown.

Rarely does a village such as ours, have such a site which could host employment for generations to come. One appreciates the road access might be better, but the rail line makes up for much. There was no call for the construction Work Units off Hindon Lane, nor is there for embryo businesses to squat in scattered farm buildings as they do, buildings which might better be developed as units of housing. Nor is there call for the creeping development at Chicks Grove Quarry, or it's like, for happily 'we' have Station Works to Hand, which too once had its own stone mason's yard . One innovative happening at Station Works, might be an access to the rail line for Network Rail, unless

of course that is too obvious an idea.

The powers that be made Fry's build small industrial units on the Hindon Lane site, thereby spoiling a fine residential area. There is talk of some being taken over by a business man, and being sublet. Who knows? What the Development could have done with was a **Corner Shop**. Unfortunately Tisbury Parish Council was not supportive of the suggestion. Was that because it would have taken trade from the High Street?

Hopefully Station Works and the amalgamation of the two Tisbury Parishes will not join the list of lost causes that Tisbury has been heir to.