



Winchester  
City Council

## **DRAFT** PORTFOLIO HOLDER DECISION NOTICE

### **PROPOSED INDIVIDUAL DECISION BY THE PORTFOLIO HOLDER FOR THE BUILT ENVIRONMENT**

#### **TOPIC - SWANMORE - VILLAGE DESIGN STATEMENT**

#### **PROCEDURAL INFORMATION**

The Access to Information Procedure Rules – Part 4, Section 22 of the Council's Constitution provides for a decision to be made by an individual member of Cabinet.

In accordance with the Procedure Rules, the Head of Legal Services (Interim), the Chief Executive and the Strategic Director: Resources are consulted together with Chairman and Vice Chairman of The Overview and Scrutiny Committee and any other relevant overview and scrutiny committee. In addition, all Members are notified.

If five or more Members from those informed so request, the Leader may require the matter to be referred to Cabinet for determination.

**If you wish to make representation on this proposed Decision please contact the relevant Portfolio Holder and the following Democratic Services Officer by 5.00pm on 15 February 2019**

#### **Contact Officers:**

**Case Officer:** Joan Ashton, [Jashton@winchester.gov.uk](mailto:Jashton@winchester.gov.uk)

**Democratic Services Officer:** Matthew Watson 01962 848 317  
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#### **SUMMARY**

A draft Village Design Statement (VDS) has been produced for Swanmore Parish. In order for this document to carry weight in the planning decision-making process it needs to be adopted by the City Council as a 'Supplementary Planning Document'. The procedures for adoption require formal consultation on draft Village Design Statements and this decision relates to the approval of the draft Swanmore VDS for consultation.

A substantial part of Swanmore Parish lies within the South Downs National Park. The VDS is intended to apply throughout the whole of the Parish. However, WCC can only conduct the formal consultation and adopt the final VDS insofar as it relates to the area within the planning remit of WCC. The wording of the resolution to adopt

the final VDS will make it clear that it only applies to that part of the Swanmore Parish that falls within WCC for the purposes of planning. The South Downs National Park Authority will have to conduct their own consultation and adoption procedures if they wish the VDS to apply within the area of the Parish that is within the National Park.

### **PROPOSED DECISION**

That the Portfolio Holder for Built Environment authorises the publication of the Draft Swanmore Village Design Statement for public consultation, in accordance with the relevant requirements of the Town & Country Planning (Local Planning) (England) Regulations 2012

### **REASON FOR THE PROPOSED DECISION AND OTHER ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

The City Council encourages the production of Village Design Statements and Neighbourhood Design Statements by local communities, so as to improve the quality of development in local areas and public involvement in the planning process. In order to carry weight in determining planning applications, such Statements need to be adopted by the City Council as Supplementary Planning Documents (SPDs). The Town & Country Planning (Local Planning) (England) Regulations 2012 set out various requirements which must be followed when producing and adopting SPD, including in relation to public consultation on draft proposals. Failure to meet these requirements could either prevent the City Council from adopting the Village Design Statement as SPD, or lead to its validity being challenged.

An alternative to formal adoption as SPD would be for the Council to informally adopt or endorse the VDS. However, an informally adopted document will be a less weighty material consideration in determining planning applications and appeals, as the formal adoption processes required of SPD would not have been followed and this approach is therefore not considered appropriate for Village Design Statements. As a VDS aims to influence planning applications and decisions by others, and to be a robust source of guidance for use, including in planning appeals, it needs to be subject to formal consultation and adopted as supplementary to planning policies in order to carry sufficient weight.

With adoption of Local Plan Parts 1 and 2, Swanmore Parish Council was keen to update the current VDS, which was originally adopted in April 2001. The new draft VDS refers to the Council's adopted High Quality Places SPD, together with the adopted Local Plan Parts 1 & 2 and the emerging policies of the South Downs National Park Local Plan. The VDS will supplement adopted planning policies, it also needs to be consistent with the guidance in the National Planning Policy Framework (NPPF). Consequently it is necessary for the VDS to be approved for consultation, and subject to a formal consultation process, and subsequently amended as necessary, before being adopted as SPD.

Therefore, Winchester City Council (WCC) and South Downs National Park Authority (SDNPA) officers have liaised with Swanmore Parish Council and advised on the draft VDS 'Guidelines to Developers', as it is these which will be adopted as SPD in due course.

Swanmore Parish Council have undertaken local consultation on the evolution of the draft VDS. A survey asking residents to prioritise key design aspects was carried out in March 2017 at the Annual Parish Assembly and was later distributed to every household in the parish, via the parish magazine. Information about the VDS was included on the parish website and further views sought via social media. A summary of the consultation process and the comments received is shown at Appendix D of the draft VDS.

Following the survey and further discussion with WCC officers, some minor amendments were made to the draft VDS and it has now been submitted to WCC for formal adoption within the WCC planning area.

The draft guidelines generally accord with, and supplement, the policies of the statutory Winchester District Local Plan Parts 1 & 2 and national planning policies as set out in the NPPF. It meets the various requirements for Supplementary Planning Documents, for example through the involvement of the community.

It is now necessary for the Council to undertake a period of formal consultation with statutory consultees, the public and other bodies who may be interested in the VDS. Planning Regulations require that SPDs have a four week consultation period prior to adoption. To allow for more time for responses over the half term period, it is proposed to increase this to six weeks beginning in early February 2019. Responses to the consultation along with the final version of the VDS to be adopted will be reported to Cabinet later in 2019.

### **RESOURCE IMPLICATIONS:**

Village and Neighbourhood Design Statements are eligible for funding from the Community Planning Budget, to date Swanmore Parish Council has not applied for this but are aware that this funding exists which could be used to assist with publication of the final version of the VDS.

### **DATA PROTECTION IMPACT ASSESSMENT**

None required

### **CONSULTATION UNDERTAKEN ON THE PROPOSED DECISION**

The draft VDS has been produced by, and in consultation with, the local community and officers from WCC and the SDNP. Ward Members and the Portfolio Holder for Built Environment have also been consulted.

All members will be consulted via the Portfolio Holder decision making process.

**FURTHER ALTERNATIVE OPTIONS CONSIDERED AND REJECTED  
FOLLOWING PUBLICATION OF THE DRAFT PORTFOLIO HOLDER DECISION  
NOTICE**

NONE

**DECLARATION OF INTERESTS BY THE DECISION MAKER OR A MEMBER OR  
OFFICER CONSULTED**

NONE

**DISPENSATION GRANTED BY THE STANDARDS COMMITTEE**

NOT APPLICABLE

Approved by: (signature)

Date of Decision

**Councillor BROOK – Portfolio Holder for THE BUILT ENVIRONMENT**

**APPENDICES:**

Appendix A - Swanmore draft VDS 2018