



WEST DEAN  
Parish Council

Minutes of the extraordinary Parish Council meeting held on  
Monday 17<sup>th</sup> June 2024 at 20:00 at King George's Hall, West Dean.

COUNCIL MEMBERS

|                         | In Attendance | Apologies | Absent |
|-------------------------|---------------|-----------|--------|
| Councillor Higgins      | ✓             |           |        |
| Councillor J Camilleri  | ✓             |           |        |
| Councillor Seabrooke    | ✓             |           |        |
| Councillor M Camilleri  |               | ✓         |        |
| Councillor N Hiddleston |               | ✓         |        |
| Vacancy                 |               |           |        |
| Vacancy                 |               |           |        |

West Tytherley Parish Councillors:

|                     | In Attendance | Apologies | Absent |
|---------------------|---------------|-----------|--------|
| Councillor Urquhart | ✓             |           |        |
| Councillor Down     | ✓             |           |        |
| Councillor James    | ✓             |           |        |
| Councillor Collier  | ✓             |           |        |
| Councillor Collyer  |               | ✓         |        |

Also, in attendance:

Amanda Owen – Clerk & 2 members of the public.

|       |  |
|-------|--|
| 76/24 | <p><b>To receive Chair's opening remarks.</b></p> <p>Councillor Higgins welcomed everyone to the meeting and advised following a meeting with Paul Goodman of Test Valley Borough Council a joint meeting between West Dean Parish Council and West Tytherley Parish Council was mutually agreed to discuss the S106 agreement.</p>  |
| 77/24 | <p><b>To receive and accept apologies for absence.</b></p> <p>Apologies were <b>RECEIVED</b> and <b>ACCEPTED</b> from Councillor Hiddleston &amp; Councillor M Camillieri.<br/>Apologies were <b>RECEIVED</b> and <b>ACCEPTED</b> from West Tytherley Parish Councillor Collyer.</p>   |
| 78/24 | <p><b>Public Forum.</b></p> <p>None.</p>   |
| 79/24 | <p><b>What do we want from S106 for the community:</b></p> <p><b>a. Environmental plan "Green Area"</b></p> <ul style="list-style-type: none"><li>- To remain as a green space that is going to be gifted either to West Dean Parish Council or West Tytherley Parish Council upon completion of development by the Developer.</li><li>- Want to ensure the land is made safe, clearing any remnants of the farming activity</li><li>- New planting and wildlife landscaping.</li><li>- Footpath to the East to be cleared. Eastern boundary to be confirmed and defined.</li><li>- Vision for the Green Space as an educational area, habitat for dormice, bats &amp; coppicing.</li><li>- Green Space to be managed by the Management Company. Funding for maintenance sought from Management Company.</li></ul> <p><b>b. Rectory Hill footpath</b></p> <ul style="list-style-type: none"><li>- It was noted that it will be called the 'Rectory Hill permissive pathway', Land Owners permission has already been sought.</li></ul> |

|              |   |
|--------------|---|
|              | <p>- The developer is requested to install the pathway, including gates with a one-off contribution of £1000 to West Dean Parish Council to assist towards maintenance upon completion.</p> <p><b>c. Yellow areas maintenance</b><br/>Yellow &amp; blue areas – The developer would like to retain ownership of these areas to obtain nitrogen credits. Due to this they have agreed that no development, or farming, can happen for a period of 30 years on that land. To maximise biodiversity the developers plan to plant trees in the area.</p> <p><b>d. Footpath maintenance</b><br/>Move western half of pathway from Orchard to travel along the southern boundary to join access road, noted that the pathway does not need to continue to the gate. Noted that the footpath will remain as permissive.</p>  |
| <b>80/24</b> | <p><b>Management company.</b></p> <p><b>a. Formation not for profit/limited by shares</b><br/>West Dean Parish Council &amp; West Tytherley Parish Council are willing to take on responsibility to create a Management Company by forming a not for profit / limited by share company. The Management Company would have representations from both Parish Councils and Glebe Farm residents.<br/>If a Management Company could not be formed, it can be passed to an existing Management Company. The Developer contract with the home owners will state that there is a management fee.</p> <p><b>b. Duties and responsibilities</b><br/>Utilities<br/>Maintenance contracts – green land &amp; sewage treatments</p> <p><b>c. Funding</b><br/><b>M&amp;A – modifications to government supplied templates</b></p> <ul style="list-style-type: none"> <li>• <b>Membership</b></li> <li>• <b>Limits on TUPE</b></li> <li>• <b>Governance</b></li> </ul> <p><b>d. Assets</b></p>  |
| <b>81/24</b> | <p><b>Eligibility area for affordable housing.</b><br/>It is noted that West Dean &amp; West Tytherley Parish Councils may not have a deciding vote in this allocation. The priority will be decided by the Housing Department at Test Valley Borough Council who operate a priority scheme, starting with a local connection and recorded on the Housing register.</p> <p><b>a. Primary area</b></p> <p><b>b. Secondary area</b></p> <p><b>c. Tertiary area</b></p>  |
| <b>82/24</b> | <p><b>Land ownership.</b></p> <p><b>a. West Tytherley Parish Council or West Dean Parish Council</b><br/>The Land Ownership will be decided by the Developer upon completion.</p> <p><b>b. Freehold liabilities</b><br/>Whomever the developer decides, the selected Parish Council will have to confirm they are content to pay the associated costs. Noting that there would be shared responsibilities (eg. The Recreation Ground at West Dean) the costs could potentially be shared.</p> <p><b>c. Covenants attached to land</b><br/>The development has to show an increase in biodiversity after completion.<br/>If a surplus of Biodiversity net gain is achieved, funds will be awarded to the Parishes and saved in to trust to enhance environmental projects in the areas of West Dean and West Tytherley Parish Council, or a potential of a 50 / 50 split between Parishes and the Developer.<br/>The biodiversity net gain is measured by the Environment Agency before development and after development.</p> |

To summarise points raised within the meeting, Councillor Camilleri will draft and circulate an amended S106 document and circulate to both Parish Councils and Test Valley Borough Council.

There being no other business, the meeting closed at 21:09.



# WEST DEAN Parish Council

## Briefing Note – Glebe Farm S106

17<sup>th</sup> June 2024

### 1. Current Situation

The Glebe Farm development is awaiting the drafting of the S106 agreement by TVBC legal. Paul Goodman has held meetings with West Dean and West Tytherley parish councils on the 10<sup>th</sup> of June 2024 with a view to both parishes agreeing on certain points to be entered into the S106 agreement.



### 2. Issues to be decided

The following areas need to be agreed between West Dean and West Tytherley parish council for incusing to the S106 agreement.

#### 2.1. Footpaths

There will be two new footpaths:-

- 1) The footpath through Glebe Farm as shown on the plans. This will be a permissive path which will not be adopted by West Tytherley Parish Council.
- 2) Rectory Hill permissive pathway as detailed in plans submitted by West Dean Parish Council. This will be built by the developer at their cost as specified. Furthermore, the developer will pay £1,000 upon completion of the work to West Dean Parish Council as a contribution to maintenance.

## **2.2. Affordable Housing**

The regulations concerning the affordable housing will be determined by TVBC housing and parish council will be constrained by their policies. These are to be confirmed by Paul Goodman.

Given that we have any influence on the rules, we would like the following:-

- 1) Price 20% below market value, to be passed on if sold within 2 years
- 2) The units shall be sold on the basis that preference be given to individuals deemed to have a connection, as decided by West Dean Parish Council as follows:
  - West Dean village as defined in the Neighbourhood Development Plan (1-4 months),
  - Remaining NDP area (5-8 months),
  - Test Valley (9-12 months),
  - Thereafter unrestricted.

## **2.3. The Green Space**

As shown on the plan, the area shaded green will be an environmental/nature space and title handed to either West Dean or West Tytherley Parish Council. The developer will undertake the following work before handing over:

- Clear the old farmland waste pit and make safe
- New planting and wildlife landscaping in line with plans to be agreed
- Clear the footpath to the east of the area
- Provide access from the new footpath marked on the development

## **2.4. Yellow Space**

As shown on the plans, the yellow space to the north of the development will be restricted from any development for 30 years.

## **2.5. Blue Space**

This space is allocated as a drainage filed and prohibited from development.

## **2.6. Management Company**

A not-for-profit management company shall be established for the development, to which the owner of each plot shall be a party. The management company shall be charged with responsibility for upkeep of the footpaths and open spaces on the site. For these purposes, an annual maintenance fee equivalent to an annual equivalent to £700 per annum for plots 1-4, £1000 per annum for plots 5-6 and £1300 per annum for plots 7-10. The management fee shall subsequently be revised annually in line with the Consumer Prices Index as published by the Office of National Statistics.

## **2.7. Biodiversity Net Gain**

BNG will need to be at least 10% greater for Glebe Farm after the development, which is the responsibility of the developer, which will be achieved through a tree planting scheme on the Glebe Farm site. Should there be an excess BNG which is subsequently traded, the proceeds will be shared between the developer and a trust controlled by the parish council chosen to be the custodian of the green space. The trust will be used to fund various environmental projects in the West Dean area.