

Policy and Resources – 25th August 2021

Report - Agenda Item – Planning Appeals at Filands – Appointment of Working Party

1. Situation:

At its meeting on the 24th August Planning and Environment Committee, (P&E), considered the planning appeals being made by Bloor Homes for Land at Filands, Malmesbury, Wiltshire, SN16 9HZ and Land at Filands Road/Jenner Lane, Malmesbury, SN16 9JN – the ‘education use land’. It received and agreed the following Report and Proposals. Policy and Resources is asked to agree the establishment of the Working Party and funding allocation as agreed by P&R.

2. Report and Proposal Agreed by P&E:

Planning and Environment

Report - Agenda Item 5b – Planning Appeals APP/Y3940/W/21/3278256 and APP/Y3940/Q/21/3278923

1. Situation:

As a consequence of delays by WC in responding to the above applications Bloor is appealing to the Secretary of State for a determination of the applications. APP/Y3940/W/21/3278256 and APP/Y3940/Q/21/3278923. An inspector will consider the appeals in November 2021. The involvement of elected councillors in the decision making process is being by-passed. If these appeals are accepted there will be further significant housing development in Malmesbury contrary to the democratically accepted Malmesbury Neighbourhood Plan. In addition, land agreed to be available for education use as part of recent previous planning decisions will be lost to education use. Malmesbury Town Council has strongly objected to both these applications.

1.1 Malmesbury Town Council has been accepted as a Rule 6 participant in the appeal.

1.2 The deadline to make MTC’s submissions on these appeals is Tuesday the 14th

September 2021 with the following to be included (direct quotes):

1.2.1 As you are a Rule 6(6) party, you should send me a copy of your statement of case you intend to put forward at the inquiry. This is required by the provisions of Rule 6(6) of the appropriate Inquiries Procedure Rules. You must do this by 14 September 2021.

1.2.2 Your statement of case should: Give full details of the case you will be putting forward at the inquiry. You must provide documents, maps and plans, you intend to refer to or use in evidence. Please also include a list of any conditions or limitations you would agree to, if the appeal were to be allowed.

1.3 In order to make an informed and meaningful submission information is urgently required from Wiltshire Council.

1.4 To progress MTC’s response to the appeals, including information gathering and contact with Wiltshire Council, it would be appropriate to establish a Working Party.

1.5 The Working Party to include:

* Mayor

* Deputy Mayor and Chair of our Joint Malmesbury Neighbourhood Plan Working Party

* Chair of P&R

- * Chair of P&E
- * Vice Chair of P&E and Convenor of WALPA
- * Vice Chair of P&R and Wiltshire Councillor

In addition, if decided by the Working Party, the Working Party may include other members, including representatives from the parishes covered by the Malmesbury Neighbourhood Plan

1.6 This Working Party to be staffed by our acting Town Clerk and given delegated powers to run Malmesbury Town Council's response to and actions on this Appeal as outlined in 1.5, including enabling the Town Clerk to engage professional support within agreed limits.

2. Proposal:

2.1 To accept the above report and to agree the proposals in 1.4 to 1.7.

2.2 To progress these proposals with P&R so that they can be actioned.

2.3 To limit any financial expenditure on engaging any professional support agreed by the Working Party to a maximum of £5,000 without further approval of P&R.

3. Financial Implications:

If the Working Party requires professional support there will be a financial cost. Any engagement of professional support will be by the Acting Town Clerk.

3. Proposal

To accept the above Report and Proposals agreed at P&E unanimously on the 24th August 2021.

4. Financial Implications

If the Working Party requires professional support as contained within the Proposals there will be a financial cost. Any engagement of professional support will be by the Acting Town Clerk.

Cllr Campbell Ritchie
Vice Chair, Planning and Environment Committee
25th August 2021

Attachments:

Bloor Homes Statements of Case for each Appeal