

Malmesbury Area Neighbourhood Plan Review v0.5 13/09/2021

(Amendments are shown on revised Neighbourhood Plan)

1 Effectiveness

How are policies being applied to shape decisions

Policy	What Evidence	Achieving Plan Objective?	Consistent with NPPF/PPG																																														
<p>Malmesbury Area Neighbourhood Plan Housing Requirement 2006 to 2026</p> <table border="1"> <thead> <tr> <th rowspan="2">Area</th> <th rowspan="2">Requirement 2006-26</th> <th colspan="2">Housing already provided for</th> <th colspan="2">Housing to be identified</th> </tr> <tr> <th>Completions 2006-14</th> <th>Specific Permitted Sites</th> <th>Strategic sites</th> <th>Remaining to be identified</th> </tr> </thead> <tbody> <tr> <td>Malmesbury Town</td> <td>885</td> <td>483</td> <td>219**</td> <td>0</td> <td>183*</td> </tr> <tr> <td>Remainder</td> <td>510</td> <td>273</td> <td>86</td> <td>0</td> <td>151</td> </tr> <tr> <td>Community Area Total</td> <td>1395</td> <td>756</td> <td>333</td> <td>0</td> <td>306</td> </tr> </tbody> </table> <p><small>*270 dwellings allocated in the Neighbourhood Plan **includes 180 dwellings at Filands</small></p> <p><small>Source: Wiltshire Council Housing Land Supply Statement, published June 2014 excluding Malmesbury Neighbourhood Plan Allocations and corrected to allow for the double counting of East Cottage (8 dwellings)</small></p> <p><small>As can be seen, over all 78% of the minimum housing requirement has planning permission or has been built within the first eight years of the twenty-year period 2006-2026.</small></p>	Area	Requirement 2006-26	Housing already provided for		Housing to be identified		Completions 2006-14	Specific Permitted Sites	Strategic sites	Remaining to be identified	Malmesbury Town	885	483	219**	0	183*	Remainder	510	273	86	0	151	Community Area Total	1395	756	333	0	306	<p>Wiltshire Council's Updated Housing Requirement For Malmesbury From 2006 To 2019. (Figures from last 5 Year Land Supply Review 2019).</p> <table border="1"> <thead> <tr> <th rowspan="2">Area</th> <th rowspan="2">Requirement 2006-26</th> <th colspan="2">Housing already provided for</th> </tr> <tr> <th>Completions 2006-2019</th> <th>Permitted sites and allocations</th> </tr> </thead> <tbody> <tr> <td>Malmesbury Town</td> <td>885</td> <td>812</td> <td>176</td> </tr> <tr> <td>Remainder</td> <td>510</td> <td>402</td> <td>179</td> </tr> <tr> <td>Community Area Total</td> <td>1395</td> <td>1214</td> <td>355</td> </tr> </tbody> </table> <p>As may be seen from the table above, it is clear that Malmesbury's requirement until 2026 has been exceeded with permitted sites or those in the pipeline to be built:</p> <p>Requirement: 885</p>	Area	Requirement 2006-26	Housing already provided for		Completions 2006-2019	Permitted sites and allocations	Malmesbury Town	885	812	176	Remainder	510	402	179	Community Area Total	1395	1214	355	<p>YES</p> <p>Malmesbury Neighbourhood Plan is effective for delivering new housing until 2026. A new additional figure of 95 new dwellings to be built until 2036 in Malmesbury, has been suggested by Wiltshire Council as part of their Local Plan Review¹.</p> <p>However, this figure has already been exceeded by housing being built or in the pipeline.</p>	<p>YES</p>
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¹ Wiltshire Local Plan – Looking to the Future, Planning for Malmesbury, Wiltshire Council (Jan 2021) (Click here to open)

	<p>Less Completions: 812 Less Permitted Sites: <u>176</u> Exceeded: 103</p> <p>The ‘remainder’ requirement, which is relevant for the parishes of Brokenborough and St. Paul’s Without Malmesbury, shows 71 more dwellings than the minimum requirement to 2026. Wiltshire Council also advise that the existing strategic role for small villages will continue. This limits development to meeting local needs by redevelopment or on infill plots.</p>	<p>There is no further requirement for Brokenborough and St Pauls Without Parishes to plan for housing to 2036, which should come forward through ‘windfall’ sites.</p>	
<p>Policy 1</p> <p>1.1.7. NP Page 17</p> <p>Land to the north west of Malmesbury, south of the Dyson Limited research and development facility and west of Malmesbury CE Primary School (sites 3A and 15) is allocated for approximately 170 dwellings of mixed types and tenures and for an extension to Malmesbury CE School, subject to the following requirements:</p> <p>a) The development shall be designed to be in keeping with the character of the historic town centre and the overall approach to build form, street layout and landscape and to minimise any visual impact on the setting of the town and the Cotswolds AONB.</p> <p>b) The site layout shall include provision for the construction of a new bridge suitable for pedestrians and cyclists across the River Avon to Park Road and for the provision of pedestrian and cycle links to Tetbury Hill and the town centre by way of the school access</p>	<p>16/06401/FUL</p> <p>Persimmon (Wessex) have confirmed that they anticipate building to start late 2021. We understand that this application will be decided shortly.</p> <p>See Wiltshire Council website for full planning details of the application, where the policy and other planning matters are and have been overseen by their Planning Dept.</p>	<p>YES BUT ALLOCATE ADDITIONAL HOUSING NUMBERS</p> <p>This policy remains effective, as it progressing to conclusion.</p> <p>Detailed design work has demonstrated that the site is capable of accommodating a larger number of dwellings. The Plan should therefore be amended to allocate the site for approximately 201 dwellings.</p> <p>Persimmon (Wessex) have advised they anticipate construction commencing later on in 2021.</p> <p>Criteria a) and b) are being addressed through the planning application process.</p>	<p>YES</p>

<p>and public footpath 'MALM 24'c) A comprehensive masterplan shall be submitted to the Local Planning Authority for approval which ensures a fully integrated and co-ordinated development.</p>			
<p>Policy 2</p> <p>1.1.7. NP Page 18</p> <p>Land at Burton Hill to the north (site 10), east (site 11) and south (site 6) of the Primary Health Centre is allocated for approximately 50 mixed cottage-type dwellings, a majority of which will be to permit independent living by elderly members of the community, subject to the following requirements:</p> <p>a) there shall be provision for safe pedestrian links across the A429 to the Burton Hill House site;</p> <p>b) pedestrian safety on the roundabout shall be ensured;</p> <p>c) adequate car parking shall be provided.</p>	<p>YES</p> <p>16/11603/OUT 19/07095/REM</p> <p>Agreed outline planning permission was made (16/11603/OUT), however the two main sites 10 and 11 are now being developed separately. Planning permission has been given for 27 dwellings (19/07095/REM) and it is anticipated that planning permission another 29 will be given in the near future.</p> <p>See files online at Wiltshire Council's website for full details, where the policy inc. a), b) and c) and other related planning matters are and have been overseen by Wiltshire Council's Planning Dept and addressed where appropriate through the planning process.</p>	<p>YES BUT ALLOCATE ADDITIONAL HOUSING NUMBERS</p> <p>This policy remains effective, as it is still progressing to conclusion.</p> <p>We have been advised of the likelihood of some building to be completed in 2022.</p> <p>The number of houses will exceed the approx. minimum in the Neighbourhood Plan of 50 dwellings and we understand some building likely to be completed in 2022.</p> <p>The Plan should therefore be amended to allocate the site for approximately 56 dwellings.</p> <p>Due to current access issues across site 6, alternative arrangements have been sought, but this has not affected the number of dwellings being built and may be resolved in the future.</p>	<p>YES</p>
<p>Policy 3</p> <p>1.2.1. NP Page 21</p> <p>Housing development in each of the two designated small villages within the Plan Area (Milbourne and Corston) shall be on 'windfall' sites and the number of dwellings should ideally not exceed single figures in</p>	<p>The 'remainder' housing requirement for the larger Malmesbury Area, (which is relevant for the parishes of Brokenborough and St. Paul's Without Malmesbury) calculated as at 2019 for the 5 Year Land Supply figures, shows 71 more dwellings were then built or in the pipeline, than the minimum</p>	<p>YES</p> <p>The Policy remains effective and is required for the rest of the plan period to ensure compliance with 'windfall development' and the retention of the</p>	<p>YES</p>

order to preserve the rural character of the villages.	requirement to 2026.	rural character of these villages.	
<p>Policy 4</p> <p>2.1.3 NP Page 24</p> <p>Planning applications for new housing, including conversions, must be tested against the current evidence of local demand and supply from sources including Wiltshire Council population forecasts, the Social Housing Register, the Strategic Housing Market Assessment and the most recent Neighbourhood Survey. Tables 2.1.1 and 2.1.2, above, are derived from this evidence.</p>	<p>Wiltshire Council Planning Dept has the responsibility to assess these criteria against any planning applications for new housing as part of the planning process. This policy which is explained in more detail in the MNP, remains relevant and effective.</p>	<p>YES</p> <p>The Policy remains effective and is required to be in place for the rest of the plan period.</p>	<p>YES</p>
<p>Policy 5</p> <p>2.1.3 NP Page 24</p> <p>Planning applications for new housing, including conversions, should be assessed against the demand net of cumulative consents given in the period, not the gross demand identified at the beginning of the period</p>	<p>Wiltshire Council Planning Dept has the responsibility to assess these criteria against any planning applications for new housing as part of the planning process. This policy which is explained in more detail in the MNP, remains relevant and effective</p>	<p>YES</p> <p>The Policy remains effective and is required to be in place for the rest of the plan period.</p>	<p>YES</p>

<p>Policy 6</p> <p>2.2.3 NP Page 27</p> <p>The redundant Burnham House site is allocated for redevelopment to provide approximately 50 dwellings as the first choice for Extra Care Housing.</p>	<p>15/08205/DEM 14/08832/FUL</p> <p>Burnham Court was built in 2017 and is run by Abbeyfield Society. 49 self-contained flats, comprising 41 two-bedroom homes and eight one-bedroom properties.</p>	<p>NO LONGER REQUIRED</p> <p>This policy has successfully delivered site specific assisted- living accommodation, built in 2017. Therefore, this policy and all references in the Neighbourhood Plan, should be removed or amended to reflect this position.</p>	<p>YES</p>
<p>Policy 7</p> <p>2.2.3 NP Page 27</p> <p>Planning permission will be granted for the development of dementia - specific accommodation on suitable new sites or by the extension of an existing care home or site of older people's housing.</p>	<p>The need for extra care for older people and those with dementia is increasing, especially as older people are living longer. It is crucial to facilitate new accommodations, when required and viable to meet this need, for example Burnham Court.</p>	<p>YES</p> <p>This policy remains effective and relevant for the rest of the Plan period to 2026.</p>	<p>YES</p>
<p>Policy 8</p> <p>2.2.3 NP Page 27</p> <p>All new accommodation for older people must be well connected with the town.</p>	<p>The need for extra care for older people and those with dementia is increasing, especially as older people are living longer. It is crucial to facilitate new accommodations, when required and viable. Any site must be well connected to the town to allow people to retain as much independence as possible and be able to access shops, library and other local places at the heart of the community.</p>	<p>YES</p> <p>This policy remains relevant and effective the rest of the Plan period to 2026.</p>	<p>YES</p>

<p>Policy 9</p> <p>2.2.3 NP Page 27</p> <p>All new housing for older people must be sustainable.</p>	<p>The need for extra care for older people and those with dementia is increasing, especially as older people are living longer. It is in line with Wiltshire Council's policy for their housing to be sustainable, see details in the MNP.</p>	<p>YES</p> <p>This policy remains relevant and effective the rest of the Plan period to 2026.</p>	<p>YES</p>
<p>Policy 10</p> <p>3.1.4.NP Page 32</p> <p>Policy 10: Planning permission will be granted for an additional supermarket only if the following four economic conditions are met:</p> <p>a) Within the long term, the development will enhance, and at no time damage, the economic vitality and viability of Malmesbury Town Centre and the Plan Area.</p> <p>b) Within the long term, the development will enhance, and at no time damage, the consumer choice available within Malmesbury Town Centre and the Plan Area.</p> <p>c) The development will not negatively impact existing, committed and planned public and private investment in Malmesbury Town Centre and the Plan Area.</p> <p>d) The nature of the development's S106 contributions into the Plan Area will be as specified in agreement with local organisations and / or the Malmesbury Neighbourhood Steering Group or its successor.</p>	<p>Malmesbury is a rural market town area with no current perceived need for any additional supermarkets, given the recent permission for a supermarket on the Malmesbury Garden Centre Site.</p> <p>The Policy remains relevant in the event a future application is put forward, because it is crucial that any new supermarket must not damage Malmesbury's local economy and must complement our High St offering.</p> <p>N.B. Additionally, it is noted that the Core Policy 13 'Spatial Strategy: Malmesbury Community Area' in the Wiltshire Core Strategy Page 120 and the Malmesbury Neighbourhood Plan Section 4.1 Page 38 onwards, describe Employment Land. The objective is to support light industrial usage at the available remainder of the Malmesbury Garden Centre Site.</p>	<p>YES</p> <p>This policy remains effective and is required until the end of the Plan period to 2026.</p>	<p>YES</p>

<p>Policy 11</p> <p>5.1.4 NP Page 43</p> <p>Land is allocated for the expansion of Malmesbury CE Primary School in conjunction with land proposed for housing on sites 3A and 15 (see Policy 1).</p>	<p>The expansion of Malmesbury CE Primary School has not yet been applied for. The planning application for the sites 3A and 15 is currently being decided.</p> <p>It is also worth noting that there has been expansion to the Primary School in Lea. This school has provided additional school places which we understand has met some demand in the area, especially from the eastern side of Malmesbury. However, more school places will be required to meet the demand from further housing development.</p> <p>This policy therefore remains very relevant and affective.</p>	<p>YES</p> <p>This policy remains effective and is required until the end of the Plan period to 2026.</p>	<p>YES</p>
<p>Policy 12</p> <p>5.1.4 NP Page 43</p> <p>Primary School expansion must be in step with the demand created by housing development.</p>	<p>There has been expansion to the Primary School in Lea, which has provided additional school places which we understand has met some demand in the area, especially on the eastern side of Malmesbury.</p> <p>However, because there are additional developments in the process of being built, it is crucial that school infrastructure is sufficient to meet local demand. As such this policy remains very relevant for the rest of the plan period until 2026.</p>	<p>YES</p> <p>The policy is still very relevant and effective given that more housing is being built in the Malmesbury and up to 2026.</p>	<p>YES</p>
<p>Policy 13</p> <p>6.1.4. NP Page 51</p> <p>The Neighbourhood Plan Design Guide as set out in Volume II of this Plan should be taken into consideration in all developments to ensure a high quality of design that respects the specific character of</p>	<p>This should continue to be used by Wiltshire Council as a reference to assess planning applications as part of the planning process and as such remains very relevant.</p>	<p>YES</p> <p>This policy is effective, relevant and still required. It is to be used as a guide by housebuilders and by Wiltshire Council Planning.</p>	<p>YES</p>

2 National legislation and policy

The Malmesbury Area Neighbourhood Plan remains relevant in terms of Government Policies and the NPPF, until such time as there are changes by Government to Planning Laws. (Refer to the recent White paper ‘Planning for the Future’).

Revisions to the National Planning Policy Framework have occurred since the plan was made. Neighbourhood planning features more extensively compared to the 2012 version operating at the time. In 2012 neighbourhoods were asked to “develop plans that support the strategic development needs set out in Local Plans, including policies for housing and economic development” (NPPF 2012 paragraph 14). It remains the case that neighbourhood plans “should support the delivery of strategic policies contained in local plans ...” (NPPF (2019), paragraph 13, and by allocating land for housing development the plan continues to support strategic development needs and strategic policies set out in the Wiltshire Core Strategy. The plan remains effective in this regard and consistent with national planning policy. Since 2012 a new NPPF Paragraph 14 goes on to give particular importance in certain situations to the adverse impact of allowing development that conflicts with the neighbourhood plan. This importance can however only be applied in planning decisions in certain circumstances, one of which is that the plan has been made within two years. This applies irrespective of whether a plan can be judged as continuing to be consistent with national planning policy or, as in the case of the MNP, whether its effectiveness remains equivalent to when first made. An update to the plan, having the plan remade, allows this position to be remedied, although other conditions need to be met and would also need to apply.

In the view of the Malmesbury Area Neighbourhood Plan Town and Parish Councils, the approach gives effect to the intention of the NPPF to give a status to a plan that is effective at supporting the strategic needs of the Local Plan and remains up to date and relevant.

3 Local Policy

The Malmesbury Area Neighbourhood Plan remains relevant in terms of Wiltshire Core Strategy policies until any changes are put forward as a result of a review of Wiltshire Council’s Local Plan or other policies. The MNP was prepared in general conformity with the Wiltshire Core Strategy and having satisfied this as a basic condition remains so until policies changes are put forward as a result of a review of Wiltshire Council’s Local Plan. The Wiltshire Core Strategy has been supplemented by the Wiltshire Housing Site Allocations Plan and Chippenham Site Allocations plan since the MNP was made.

The Wiltshire Housing Site Allocations Plan was adopted in 2020. No development proposals were suggested in the Malmesbury Area Neighbourhood Plan designated area, since indicative requirements for additional new homes over the plan period had been met already, a result reached with the support of the land allocated in the Malmesbury Area Neighbourhood Plan. Housing land supply has therefore been recently reviewed, when it was concluded that supply in the Malmesbury Area Neighbourhood Plan designated area did not need to be supplemented.

The Wiltshire Local Development Scheme proposes that a Local Plan Review with a plan period of 2016 to 2036 should be adopted in 2023. A pre submission draft of the plan should be published by the end of the year but from which point there is a lengthy examination period leading to formal adoption. The content of the draft plan is currently uncertain and after publication in draft may be subject to main modifications as part of this process.

The longer-term strategic context for the Malmesbury Area Neighbourhood Plan area is therefore unclear. The Wiltshire Local Plan Review will provide the strategic context for the Malmesbury Area Neighbourhood Plan when it is reviewed fully to look further ahead. Although Wiltshire Council suggested lower scales of growth for the Malmesbury Area Neighbourhood Plan designated area when it consulted on an emerging strategy at the beginning of 2021, it is not yet certain this might form part of the final plan. Consequently, it is not yet appropriate to embark on a full review of the Malmesbury Area Neighbourhood Plan. This will occur immediately on completing a limited update staying with the current strategic requirements.

Wiltshire Council consulted on an emerging spatial strategy that proposed a lower scale of growth for the Malmesbury Area Neighbourhood Plan area designation. In this context, growth is already committed in excess of both current and proposed strategic scales. There are several competing speculative housing proposals that would exceed it further. The local community continues to want to guide development recognising the need to support provision for strategic needs. This is the approach advocated by NPPF (See above). A limited update to the Malmesbury Area Neighbourhood Plan provides additional weight to preserving this objective. Once the strategic context is more certain a full review of the Malmesbury Area Neighbourhood Plan will then be capable of guiding and supporting strategic policies in the manner it did when first made and (as shown above) continues to do, through the effectiveness of its Joint Neighbourhood Plan Working Party of Town and Parish Councils.

4 Conclusions

The Malmesbury Neighbourhood Plan period runs until 2026 and has been reviewed to that end date. The reasons for this are:

- The Neighbourhood Plan must 'agree' with and run alongside the plan period for Wiltshire Council's 'Wiltshire Core Strategy' to 2026.
- Wiltshire Council's Local Plan is now currently under review to 2036 and has gone through first consultations, but as yet has not been adopted. Therefore, to be consistent with the reviewed Local Plan, the Malmesbury Neighbourhood Plan covering 2026 to 2036 will be reviewed alongside this emerging plan.
- Wiltshire Council has indicated in their consultation (ending March 2021) that Malmesbury Town, Brokenborough and St. Paul Without Parish Councils' likely requirement for additional housing until 2036 has already been exceeded and delivered. This is because it is either in the planning pipeline or has already been built.

Given that the policies of the Malmesbury Neighbourhood remain effective as described above, it has been agreed by the three Town and Parish Councils that the Malmesbury Area Neighbourhood Plan is currently relevant until the end of the plan period to 2026. It will continue to be reviewed regularly during the plan period and then also alongside the review of Wiltshire Councils Local Plan, covering the period until 2036.

This document has been prepared and agreed by the Joint Neighbourhood Plan Working Group of Malmesbury Town Council, which comprises of representatives of Malmesbury Town Council, Brokenborough Council and St Pauls Without Malmesbury Parish Council. 07/07/2021.