

Malmesbury Town Council

(ENGLAND'S OLDEST BOROUGH - CHARTER GRANTED 880)

Claire Mann
Town Clerk



Town Hall
Cross Hayes
Malmesbury
SN16 9BZ

Telephone: (01666) 822143
(01666) 823748
E-mail: tic@malmesbury.gov.uk

4th April 2022

MALMESBURY AREA NEIGHBOURHOOD PLAN STATEMENT OF MODIFICATION PROPOSALS

REGULATION 14 STATEMENT

1. This statement is made by Malmesbury Town Parish Council and behalf of Brokenborough and St. Paul Malmesbury Without Parish Councils (“the Qualifying Body”) pursuant to Regulation 14 (a) (v) of the Neighbourhood Planning (General) Regulations as amended by the Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations 2016 and 2017.

2. Regulation 14 (a) (v) applies to a proposal to modify an existing “made” neighbourhood plan. Before submitting the modification proposal to the local planning authority it requires the qualifying body to publicise:
“in relation to a modification proposal, a statement setting out whether or not the qualifying body consider that the modifications contained in the modification proposal are so significant or substantial as to change the nature of the neighbourhood development plan which the modification proposal would modify, giving reasons for why the qualifying body is of this opinion;”.

3. The Malmesbury Area Neighbourhood Plan made by Wiltshire Council on 15th February 2015. The Plan contains policies in relation to housing, education and local employment and economy. In order to update the plan, the qualifying body is proposing the following amendments to policies:

(Words & numbers deleted are struck through, words & numbers added are highlighted in yellow).

Policy 1:

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...

Proposed changes:

Policy 1:

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~~ 201 dwellings of mixed types and tenures and for an extension to Malmesbury CE School...

Malmesbury Town Council

(ENGLAND'S OLDEST BOROUGH - CHARTER GRANTED 880)

Claire Mann
Town Clerk



Town Hall
Cross Hayes
Malmesbury
SN16 9BZ

Telephone: (01666) 822143

(01666) 823748

E-mail: tic@malmesbury.gov.uk

Policy2:

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:

- a) there shall be provision for safe pedestrian links across the A429 to the Burton Hill House site;
- b) pedestrian safety on the roundabout shall be ensured;
- c) adequate car parking shall be provided.

Proposed Changes:

Policy2:

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 ~~50-56~~ mixed ~~cottage-type~~ dwellings, a ~~majority~~ **proportion** of which will be to permit independent living by elderly members of the community, subject to the following requirements:

- a) there shall be provision for safe pedestrian links across the A429 to the Burton Hill House site;
- b) pedestrian safety on the roundabout shall be ensured;
- c) adequate car parking shall be provided.

Land at Burton Hill to the east (site 11) is allocated for dwellings.

Policy 6:

The redundant Burnham House site is allocated for redevelopment to provide approximately 50 dwellings as the first choice for Extra Care Housing.

Proposed Changes:

~~Policy 6: The redundant Burnham House site is allocated for redevelopment to provide approximately 50 dwellings as the first choice for Extra Care Housing.~~ **Policy 6 is removed from the Neighbourhood Plan as the development of the Burnham Court site for 49 dwellings was successfully built in 2017 and so this policy is no longer required.**

Malmesbury Town Council

(ENGLAND'S OLDEST BOROUGH - CHARTER GRANTED 880)

Claire Mann
Town Clerk



Town Hall
Cross Hayes
Malmesbury
SN16 9BZ

Telephone: (01666) 822143
(01666) 823748
E-mail: tic@malmesbury.gov.uk

Proposed amendments to Policies 1, 2, and 6 seek to accurately increase the numbers for dwellings in the Neighbourhood Plan, as planning permission is granted and housing is master planned and constructed.

Policy 3:

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 order to preserve the rural character of the villages.

Proposed Changes:

Policy 3:

Housing development in each of the two designated small villages within the Plan Area (Milbourne and Corston) shall be on 'windfall' sites **outside the zone of influence around the North Meadow and Clattinger Farm SAC** and the number of dwellings should ideally not exceed single figures in order to preserve the rural character of the villages.

The proposed change to Policy 3 is to recognise the importance of the zone of influence on the designated plan area and even if the villages should only expand by infill in single figures. However we understand that the effect of this may be negligible and on further advice obtained by our Local Planning Authority, this amendment may not be required.

New Policy

Policy 14:

Housing Needs in the Malmesbury Neighbourhood Plan Area will be met by:

-Existing planning permissions and plan allocations that have not yet been implemented.

-Small sites and infill within settlement boundaries.

-Exception and Community-led Schemes accordance with Core Policy 44

-Site allocations in the development plan

-There is general presumption against all other housing proposals outside the settlement boundary that would not represent sustainable development.

Malmesbury Town Council

(ENGLAND'S OLDEST BOROUGH - CHARTER GRANTED 880)

Claire Mann
Town Clerk



Town Hall
Cross Hayes
Malmesbury
SN16 9BZ

Telephone: (01666) 822143

(01666) 823748

E-mail: tic@malmesbury.gov.uk

The new Policy 14 seeks to clarify the position in respect of sites not allocated in the Neighbourhood Plan, but which are given planning permission.

National Planning Policy Framework Para 13 says (the Malmesbury Neighbourhood Plan) “should support the delivery of strategic policies contained in local plans ...”

That means supporting the amount of development that can take place in our area which is determined by a combination of Government and Wiltshire Council and is expressed in the Wiltshire Council Local Plan. The Malmesbury Neighbourhood Plan was prepared in general conformity with strategic policies contained in the Wiltshire Core Strategy (WCS) which has since been supplemented by the Wiltshire Housing Site Allocations Plan adopted in 2020 and Chippenham Site Allocations plan.

No additional housing proposals were suggested in the Malmesbury Neighbourhood Plan area, since indicative requirements for new homes over the plan period had been met already & exceeded, a result reached by land allocated in the Malmesbury Neighbourhood Plan. Housing land supply has therefore been reviewed since 2015, when it was concluded that supply in the Malmesbury Neighbourhood Plan designated area did not need to be supplemented. However, other housing development has continued to be permitted in the Malmesbury Neighbourhood Plan area and so it now well exceeds indicative requirements in the Wiltshire Core Strategy. Though a good measure of affordable homes makes inroads into meeting local needs, development scales are going well beyond what local service providers will have planned for - relying on the Wiltshire Core Strategy. In plain words, they are increasing strains on our already stretched local services (e.g.both Primary and Secondary School provision, nursery and pre-school provision, doctor' and dentists' surgeries, and other health providers and the like).

Ad hoc unplanned additional growth has not been and is not being co-ordinated and planned for in a comprehensive way and undermines both the assurance and the community's faith in a plan-led system. There is a need to restore our community's trust in their development plan. Inevitably this continues to be undermined each time a further housing proposal of more than a few infill houses is permitted.

Policy 14 helps to remedy this situation. The review of the Malmesbury Neighbourhood Plan 2022 content confirms that it remains true to the intention of the NPPF: that it is effective at supporting the strategic needs of the Local Plan and remains up to date and relevant, consistent with national policy and provides some certainty and a guarantee of sustainable development.

Malmesbury Town Council

(ENGLAND'S OLDEST BOROUGH - CHARTER GRANTED 880)

Claire Mann
Town Clerk



Town Hall
Cross Hayes
Malmesbury
SN16 9BZ

Telephone: (01666) 822143

(01666) 823748

E-mail: tic@malmesbury.gov.uk

5. The Qualifying Body considers that the modification proposals to housing numbers in Policies 1,2 and 6 are material but not substantial, given they are specific to sites already in the voted on and made Neighbourhood Plan and they have gained full planning permission.

The amendment to Policy 3 may not be required after consultation, on further advice obtained by our Local Planning Authority.

Policy 14 seeks to enhance the plan led approach to local expansion and to provide sufficient strategically planned infrastructure along with new housing. That is to be effective at supporting the strategic needs of the Local Planning Authority's Local Plan and so remain up to date and relevant, to be consistent with national policy and also to provide some certainty and guarantee of sustainable development.

We consider that the proposed modifications to the Neighbourhood Plan are material, but not so significant and substantial as to change the nature of the existing made Malmesbury Area Neighbourhood Plan.

Yours faithfully,

Kim Power

Councillor Mrs. Kim Power
Deputy Mayor of Malmesbury and Chair of the Joint Neighbourhood Plan Working Group