

Malmesbury Town Council

Minutes of the **Planning & Environment Committee Meeting**
Held in Malmesbury Town Hall on **Tuesday 25th July 2023** at 7.00pm.

Present: Cllrs P Exton (Chair), R.P. Jones, R Sanderson, J Slade, E Whatton

Also present: Lisa Dent (Dep Town Clerk)

- PE/23/110 To receive Declarations of Interest in accordance with the Council's Code of Conduct**
None received.
- PE/23/111 To receive apologies for absence**
Apologies received and accepted for L Wood and C Ritchie
- PE/23/112 To receive Public Questions in respect of items on this agenda**
None received.
- PE/23/113 To adopt the minutes of Tuesday 4th July 2023**
The Minutes were adopted and signed as a correct record.
- PE/23/114 To receive the income and expenditure report**
The report showing NIL transactions was noted.
- PE/23/115 To note the LHFIFG report**
The report was reviewed and noted.
- PE/23/116 To receive an update on Waitrose Steps**
At the last meeting Waitrose representatives had declared they had no obligation to maintain the steps and they are exploring the option of removing the steps and making good the bank area. They are currently reviewing costings and there will be a further meeting arranged. It was noted there has been recent damage to the handrail which has made the steps accessible and Waitrose will be informed of this as a health and safety issue.
- PE/23/117 Planning applications received since previous meeting**
PL/2023/04813 – 5 Outer Silk Mills, Malmesbury, SN16 9LP
It was resolved that the committee has **no objection** to the application.
PL/2023/05536 – 123 White Lion Park, Malmesbury, SN16 0QR
It was resolved that the committee has **no objection** to the application.
PL/2023/05447 – Towers Cottage, 14 Ingram Street, Malmesbury, SN16 9BX
It was resolved that the committee has **no objection** to the application.
PL/2023/05512 – The Nuttery, Blicks Hill, Malmesbury, SN16 9BA
Comment: Whilst we understand the need for the proposed treeworks, we would like to see replacement trees planted for those felled.

Malmesbury Town Council **objects** to this Reserved Matters application.

1. We acknowledge that permission has been given in principle of development at this site. We also recognise that some steps have been taken towards avoiding the overdevelopment of this site as the total number of houses proposed has been reduced to 23.
2. However, the proposals in the Reserved Matters application as it stands are not at the expected quality or detail to be considered suitable for approval. It shows significant signs of being rushed to meet the conditioned submission deadline. We are therefore surprised it has been accepted with so much important information missing, notably concerning surface water drainage and flood risk. We would ask that that acceptance of this application in its current partial form is reconsidered and the applicant advised that Condition 3 of the Conditions applied to the Outline Approval has not yet been achieved.
3. A key concern from the outset of this proposed development is that the road at the entrance to the site floods on a regular basis. A further significant flood event has happened since Outline permission was given (14th January 2023). Adequate detailed drainage plans for the development are therefore essential to ensure Condition 11 of the Conditions applied to the Outline Approval is met. There have been significant discussions between Malmesbury Town Council, Wiltshire Council and the Environment Agency on this since the Outline Permission was given. It will be recalled that Malmesbury Town Council engaged a flood expert during the Outline permission who raised serious concerns about the deliverability of economic drainage solutions at this location. It is of paramount importance this matter is dealt with transparently and that all consultees and interested parties can properly consider and comment on the applicant's proposals. There can be no confidence in the local community or at Wiltshire Council this development can be delivered promptly (the main reason for it succeeding) and as conditioned without this happening before the Reserved Matters decision. However, the applicant's proposals are not included (and have still not been submitted at the point we are making this submission). If our request in 2. is not accepted then the current consideration of the Reserved Matters application must be paused and the consultation period adequately extended from the point they are submitted so that the applicant's surface water drainage and flood risk proposals can be properly consulted and considered by all consultees.
4. We are not content that Highways matters at the entrance to the site are conditioned for later approval. Given the frequency and serious nature of flooding at the site entrance it is essential full highways works plans associated with this proposal are the subject of public scrutiny and consultation as part of the Reserved Matters application.
5. The movement of people through the site has not been fully considered or addressed. Foot and cycle traffic through the emergency access point could be significant, particularly for children travelling to and from schools following the installation of the Backbridge link and requires better pavement/ pedestrian provision with accessible movement between road and pavement following the natural flow of pedestrian (including children on scooters and bikes) through the development. This is not reflected in the proposed footpath and road treatments and further details must be provided. The comments by Highways must also be addressed as part of this application and not left for conditioning.
6. As highlighted by Urban Planning and the Climate Teams submissions, the proposed development is far from the standard we would wish to see in terms of materials proposed (for example wall and roof materials), plot layout (including parking spaces, bike storage, ev charging and solar requirements) and sustainability. It falls far short of the Design Requirements laid out in Malmesbury Neighbourhood Plan. These are such sufficiently serious shortfalls that new design proposals must be submitted and made the subject of public scrutiny and consultation before this application is decided. We are not content that these matters might be dealt with by conditioning.
7. We note the proposed development has 9 'affordable' houses. This does not achieve the Wiltshire Council's policy standard of 40% 'affordable' houses. We would also expect the affordable housing to be more evenly distributed across the development.
8. If it is indicated during the consideration process that our concerns will not be satisfactorily addressed we will request that this Reserved Matters application is called in.

Malmesbury Town Council strongly objects to this application.

We join St Paul's and Malmesbury Without Parish Council (the Parish) in our extreme disappointment that in the face of the cogent arguments presented in WC's response to Miller Homes' pre-application request last year, the company has chosen to pursue a proposal for a substantial residential development on these two parcels of land in the open countryside that are clearly not supported in the plan led decision making process.

In the context of the Malmesbury Neighbourhood Plan, local involvement in place making and previous planning permissions in and around Malmesbury that will deliver significantly more houses than required in the current and Local Plan to 2026 and draft Local Plan to 2038, it is a speculative development of the worst kind.

Our objections include and add to the Parish's objections:

1. The site is in the open countryside outside of any defined settlement and is not allocated for development of any kind, especially not that proposed.
2. The proposal in this location is in direct conflict with the development strategy of the plan defined by policies CP1 CP2 and CP13 of the Wiltshire Core Strategy. Milbourne is designated as a 'small village' where development will be limited to infill within the existing built area. The proposed development is not of a form that would fit within one of the exception policies of the plan in this open countryside location.
3. Malmesbury and the Malmesbury Community Area has already substantially exceeded indicative housing requirements for the current plan period and over provided to address housing shortfalls in the wider Wiltshire area.
4. The current shortfall in the county's housing supply is limited and is improving and likely to improve further in the short term - WC's delivery record is significant at 141% of the target - in no small part because of the significant permissions already given in Malmesbury to meet the modest county wide shortfall.
5. There is therefore no overriding requirement to release and support further development at Malmesbury and in this Community Area.
6. Moreover in the emerging Wiltshire Local Plan to 2038, the section on the Malmesbury neighbourhood area identifies a housing requirement (2020 to 2038) of just 35 houses before inclusion of outline permissions more recently given for two large developments at Filands for over 140 houses. There is no local plan led requirement for this additional large development.
7. Any neighbourhood area requirement that does emerge from the emerging Wiltshire Local Plan to 2038 should be considered in combination with other evidence of local needs as determined by the neighbourhood planning group and can be delivered over one or more iterations of the neighbourhood plan during this plan period.
8. There is no evidence from any existing site assessments in and around Malmesbury that in the unlikely event a further large scale development is required before 2038 this site would be preferred. Indeed, it is explicitly not preferred in the contingency elements of the emerging Wiltshire Local Plan to 2038.
9. The rural landscape boundary of Malmesbury is an important part of its overall historical setting and the location of this proposed development opposite open land inside the town boundary would cut across and block one of the important angles allowing this relationship to be appreciated and enjoyed. The proposed development would undermine the functioning of the conservation area it borders and the open space it protects within the town boundary.
10. The proposed development would clearly be an incongruous addition to the village of Milbourne and would not accord with existing Core Policy 57 i. and Core Policy 57 ii.
11. Further, the proposal would critically undermine the existing character and distinctiveness of Milbourne in relation to Malmesbury and the boundary of Malmesbury in relation to its rural surrounding and the local hamlets and villages around it.

12. Neither would the proposed development be an obviously identified part of Malmesbury. It would be isolated by its location and sit as an urban island out of context in a rural setting and outside of any existing community.
13. The proposed vehicular ingress/egress traffic scheme is of grave concern. The A429 at this point has a 60mph speed restriction, and given the local experience of a similar traffic arrangement further south in the 30 mph section of the bypass by Waitrose, the council believes it would be extremely dangerous to replicate a similar scheme in this location. In addition the proposed improvements to the crossing of the A429 at Blicks Hill are totally inadequate.
14. While the proposed mitigation of providing a cycleway and footpath to connect to Malmesbury via Baskerville has some broader merit – the track by the by-pass is already well used – it only offers a long and circuitous route to Malmesbury town centre and comes nowhere near to delivering adequate or meaningful alternative access or connection to the town centre. The crossing at Blicks Hill will clearly be a preferred route, particularly in relation to school pedestrian and cycling access. The current development proposals must be considered as not integrated with Malmesbury or good enough.
15. Primary schooling in Malmesbury currently relies on children being allocated to the village school at Lea. While this remains the case the proposed development will increase traffic flows through Milbourne. If Malmesbury Primary School is expanded as proposed by the School the inadequate link between the proposed development and the town has extra weight.
16. The proposed development obviously fails many of the basic requirements of the Malmesbury Neighbourhood Plan, notably Tasks 8.1, 8.3, 8.4, 8.5, 8.19 and 8.12.
17. If there is a prospect this proposed application may be approved we would strongly support the ‘call in’ that has already been made.

PL/2023/05662 – St Johns Court, St Johns Street, Malmesbury

It was resolved that the committee has **no objection** to the application.

PL/2023/05589 – Old Brewery House, Malmesbury SN16 9AS

It was resolved that the committee has **no objection** to the application.

PL/2023/05868 – The Granary, Baskerville, Malmesbury, SN16 9BS

It was resolved that the committee has **no objection** to the application.

PL/2023/05584 – 2 Hitchings Close, Malmesbury SN16 9GT

It was resolved that the committee has **no objection** to the application.

PL/2023/05870 – 55 Bristol Street, Malmesbury SN16 9AZ

It was resolved that the committee has **no objection** to the application.

- PE/23/118 To resolve representation for/against application of insertion of new, up to date premises plan indicating licensed areas and including a new, extended function room area and courtyard area – The Old Bell Hotel**

It was resolved the committee has **no objection** to the updated plan.

- PE/23/119 To resolve participation in the Wiltshire Council consultation on a Draft Wiltshire Design Guide**

There is a template provided for responding and it was agreed the Deputy Town Clerk will forward this to Cllr Exton for completion..

- PE/23/120 To receive Highways Improvement Request form re Tetbury Hill**

The completed form was noted and it was agreed that this would be deferred to the next meeting to allow for further information to be provided by Cllr R Sanderson.

PE/23/121 To receive Highways Improvement Request form re signage at Burnivale adjacent to the Maltings

It was agreed that the completed form requesting the removal of the signage pole and bridleway sign should be submitted to LHFIG. Deputy Town Clerk has contacted the Maltings management company to request permission for the dog waste sign to be mounted under the Riverwalk sign and we await their response.

PE/23/122 To explore possible traffic calming measures to Gloucester Road (following confirmation of no further intervention in community speedwatch or police enforcement from recent traffic survey)

It was agreed Deputy Town Clerk would contact Wiltshire Council to ascertain the suitability of this area for community speedwatch and how this can be progressed.

**PE/23/123 To note: Update on Standing items
War Memorial Working Group**

No further progress at this stage.

Abbey Mill Bridge

Cllr Exton has contacted S Hind and R Chivers (Highways engineer). R Chivers has passed this request to the Bridges department and we await contact.

Market Cross

Survey has been undertaken and we await the report and recommendations from the surveyor.

St Aldhelms Bridge

Flood Alleviation meeting at Malmesbury Town Hall took place on Tuesday 11th July. With the finance being approved, the issue will go to consultation and it is hoped a start date of 2025 would be in order.

Wheeler Way

Defer to next meeting.

The meeting was closed at 8.27 p.m.