Dear Sir,

**Re: Backbridge Farm, Malmesbury 16/06401/FUL Persimmon Homes**

I wish to register my objection to this planning application.  I am in favour of a development on this site, however I have reservations about some parts of the application, which I believe should be resolved before planning approval is given.  Other local bodies such as the Malmesbury and St. Paul Without Residents’ Association have already submitted detailed objections and comments on the design, amenity, connectivity and other aspects of the development and I concur with these, so will not describe them again. However I believe it is important to emphasise that policies and principles in our Neighbourhood Plan have not been complied with, so I am adding my objections in detail on the following points:

**Principle of Neighbourhood Planning**

Whilst I am now objecting to this application in a personal capacity, I am a Town Councillor and represented Malmesbury Town Council on the Malmesbury Neighbourhood Steering Group who drew up our Neighbourhood Plan in response to local residents feedback and other expert guidance.

The Neighbourhood Plan was voted through in a three parish referendum as per the Government’s Localism Act and was the first Wiltshire. 90% of those who voted in the Referendum said YES to the Neighbourhood Plan. This means that Wiltshire Council and others must use this document when considering planning applications. There are some clear policies in the Neighbourhood Plan which do not appear to have been followed and these must be addressed.  To allow planning permission when an application does not conform to our Neighbourhood Plan will undermine our Plan and set unwanted local and national precedents.  The people of the Malmesbury Area used their democratic right under the Localism Act to define how the place where they live and work should grow. If the principles and policies in our Neighbourhood Plan are ignored then this is a fundamental threat to our democracy, Neighbourhood Plans throughout the country and Government.

**Housing Numbers**

Policy 1 (page 16) of the Neighbourhood Plan states  *“approximately 170 dwellings*”.  Whilst I am not against a very small increase in numbers, I object to another 61 dwellings being included for the following reasons:

1. The Merriam- Webster Dictionary defines approximate as *“almost correct or exact : close in value or amount but not precise”.* Therefore I do not believe 231 dwellings can in any way be defined as *”approximately 170 dwellings”.*
2. I object to the increased number also, because to allow such a major deviance from the Neighbourhood Plan will set a precedent for other developments and sites, principally in the Malmesbury Area, but also elsewhere. Essentially, this would be a precedent which could undermine the principle of Neighbourhood Planning throughout Wiltshire and the Country.
3. Our housing target for 2026, as laid down by Government and allocated in the Wiltshire Core Strategy , will be met in the next year or so. This will be around 9 years before the target date, so there is no need for extra housing. (See also Policy 5 Page 24 of the Neighbourhood Plan, which states that *“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”.)*
4. I do not believe that the hypothesis that more housing is needed in the shorter term because of the Dyson expansion. Projected growth of their workforce was taken into account during the preparation of the Neighbourhood Plan. The amount of staff working at Dyson will grow over a number of years and not all at once. A large amount of engineers do not wish to live locally, but in the larger towns nearby. This was evidenced through a travel survey of Dyson staff.  So, given these factors plus the large growth in development of other areas close by, such as Tetbury and the potential huge 2000 dwelling development near Kemble in the longer term - I just do not see any evidence of a requirement for extra housing in the Malmesbury Area.
5. It could be mooted that the land footprint is the same for the 231 dwellings as the “approximately 170 dwellings” and therefore should be allowed.  However 61 extra dwellings has a knock on effect on for Malmesbury’s infrastructure, such as school places, doctor’s surgery capacity, parking and town access, as well as the visual impact on the AONB which borders the site and so should not be supported.
6. John R. Mattocks, BSc DipTP MRTPI FRGS, the examiner of the Neighbourhood Plan in his report of August/ September 2015 called for an amendment to this site, in that 5 workshops should be taken out of the site as there is land already available for development nearby. It could be argued that this leaves room for more housing. He also stated *“The ‘approximate’ figure of 170 dwellings is no more than an estimate and is neither a minimum or maximum”*. Yet, in his comments he also mentions the concept that the design of the housing development should be a leading factor in the determination of numbers.   However, I believe for the overall picture this should be balanced with local infrastructural needs, the view to the AONB, the fact that we will be meeting our 2026 housing target nearly a decade early and also the avoidance of setting a precedent for other developments. Therefore I object to an increase as high as 61 dwellings, but I could understand the argument for a very small increase.

**Mixed Housing And Tenures**

I believe having the right kind of housing for our local population is fundamental to the sustainability of our Area. MNSG and Wiltshire Council carried out a ‘housing survey’ in the Malmesbury Area to identify the kind of housing available and asked residents what their future needs might be in 5 years time.  To put it succinctly, the results confirmed what many local people felt, which was a clear need for smaller units of housing in particular to meet the needs of our growing elderly population (and first time buyers must be considered). This was not the case for larger houses. The point being that housing type and tenure should be guided by local need. I therefore object to this application on the grounds that no clear evidence has been presented of an assessment of housing tenure, as per the Neighbourhood Plan Policy 4 Page 24 . “*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*”.  Part buy part rent and other affordable housing is covered by this section in the Neighbourhood Plan and requires clarification in the same way.

**School Extension**

Policy 1 states: *“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*.”

I have seen the comments from Malmesbury CE Primary School re the planning application on Wiltshire Council’s planning site and noted the applicants reference to ‘possible’ school extension. It appears that matters relating to this application have not been resolved between these two parties, although this forms an important part of the Neighbourhood Plan policy

I am not aware of the circumstances as to why this is, but in his independent report John R. Mattocks, BSc DipTP MRTPI FRGS, the examiner of the Neighbourhood Plan stated:

*3.33  I heard from the Chairman of the Governors of Malmesbury CE Primary School that there would be no difficulty in the shared use of part of the school access for pedestrian and cycle use, linking to point C . Potentially it would provide alternative access for the Tennis Club to avoid Tetbury Hill Gardens. The access could be fenced off to maintain security for schoolchildren. Access might also be gained by way of an existing public footpath ‘MALM 24’ to a point on the roundabout at the bottom of Tetbury Hill. The path also leads south across the river to the rear of the Co-op store (point A) and there is de-facto access along the service road on the south side of the Co-op leading to the football ground and boxing club.  In the longer term, should the football ground be re-located there  might be access along the north bank of the river from that point. Furthermore, I am assured there is no impediment to the construction of a new pedestrian bridge across the River Avon to Park Road for easy access to Malmesbury Secondary School.*

*3.34 From the evidence given on these matters I am satisfied that there is every possibility that the required pedestrian and cycle links would be secured through development. However, the links are so critical to the sustainability of the site that there should be a policy requirement for their provision which takes precedence over some of the other requirements set out on pages 18 and 19 of the plan.*

It must also be emphasised that the school extension and accesses are a key part of a much greater picture of development in the Malmesbury Area.  Policy No.1 was voted for by residents of three parishes, including parents who were previously consulted through the Neighbourhood Planning process. The Plan itself is now a legal embodiment of residents’ wish to see the school extended as well as the other development described in it.

This application for new housing should not be approved until the outstanding matters have been formally agreed between the applicant and Malmesbury Primary School to ensure the provision of the school extension, pathways, bridge and accesses.

**AONB**

Policy 1 (a) Page 17 of the Neighbourhood Plan states *“The development shall be designed... to minimise any visual impact on the setting of the town and the Cotswolds AONB”*.  Policy 1 (d ) Page 17 states the masterplan should *“Ensure that the existing hedgerows (including trees) will be the natural boundary of the new development. Ensure that as many of the existing hedgerows (including trees) as possible within the site are retained and allow enhancement and replacement where this is not possible;”*

I object to the development layout in that housing will be too close to the western edge of the site and could compromise the surrounds and views of the Cotswold AONB. (I understand that at the closest point the western edge of the site is around only 300m away from the AONB).

There are hedgerows on this site and bordering it which help maintain the rural nature of the area. There is also a stand of trees and hedge to the west of the site which form a partial visual screen between the development and the AONB.  I support the comments already made by the Cotswold AONB board representative, which are as follows:

*“The Board considers that the western hedge/tree line may therefore be vulnerable during and after construction to being damaged or purposefully cut back or removed altogether to allow views out of the development. A more significant gap should be designed into the whole western edge of the development, maintained if required as a narrow strip of public open space, to avoid future individual homeowners removing sections of hedgerows or trees. It is noted the numbers of dwellings exceed that in the Neighbourhood Plan, therefore if required specific dwellings close to the western boundary could simply be removed to create a more meaningful gap along the western edge.*

*The plans appear to show some of the highest 3 storey dwellings also being on the highest part of the site. The highest dwellings should be kept to the lower ground and further away from the edges of the development to avoid the development breaching the skyline or being visible from the AONB.”*

Additionally, the road access to the north could compromise the view of the AONB unless sympathetically planted and lighting kept to a minimum. Again, I support the comments already made by the Cotswold AONB board representative, which are as follows:

*“The extension of the proposed access road into the open countryside is unfortunate as this too brings development closer to the AONB. However, the effects of the access could be further mitigated if street lighting is avoided altogether until within the development; that a meaningful green corridor of native hedge and specimen trees is provided along its whole length; and the avenue of trees is removed, which may in itself become a more “urban” parkland feature when seen in the context of the historic native hedge lined field boundaries.”*

I note that Natural England have also recommended that Wiltshire Council officially consult with the Cotswold AONB because of these points.

The independent examination of the Malmesbury Area Neighbourhood Plan by John R. Mattocks, BSc DipTP MRTPI FRGS and his findings discuss this site in his report of August/ September 2014.  There are clear references as to how aspects of development of this site were considered and how that translated into the Malmesbury Area Neighbourhood Plan.  I do not believe this planning application is in accordance with our Neighbourhood Plan and so should be rejected as it stands now.

Yours faithfully,

Mrs. Kim Power