

Wiltshire Council

Strategic Planning Committee

27 May 2020

Item 7a – 19/11569/OUT – Land south of Filands, Malmesbury

Outline planning application (all matters reserved except means of access only in relation to a new point of access into the site) for residential development, including the construction of up to 71 dwellings, the creation of new vehicular access with footways and cycleways and ancillary road infrastructure, public open spaces, children's play area, landscape planting, surface water attenuation and associated infrastructure

Public Statement 1 – OBJECTION – Helen King

I would like to register my objection to the Gleeson Planning application 19/11569/OUT. For 71 houses to be built at Filands Malmesbury. I strongly feel that this planning application undermines the Malmesbury Neighbourhood Plan.

I believe the hearing of this application should be deferred to provide a proper opportunity to consider the situation.

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Public Statement 2 – OBJECTION – Andy Dawson, Jess and Ed Phillips, Jo English, Graeme Young, Hay and Simon Blake, Kay O'Neill

Note: This statement was independently submitted by each of the above persons

I/we have been advised that the planning application by Gleeson Limited for up to 71 houses at Filands – application 19/11569/OUT - is being considered by Wiltshire Council's Strategic Planning Committee on Wednesday 27 May 2020.

This application has been rejected before. The land sits outside of the areas agreed for housing development as set out in the Malmesbury Neighbourhood Plan and was strongly opposed by Malmesbury Town Council. Our Wiltshire Councillor had informed the planning team that he would require the application to be called before the Planning Committee for full debate and decision if the planning officers were recommending its approval. Consequently, I/we expected this application to be rejected by the Planning Committee.

However, we and our Wiltshire Councillor have just been told that because Wiltshire Council has failed to maintain a five-year supply of land for housing development across the county as a whole, officers believe and are reporting that they have no choice but to recommend this application is approved

As I/we have just heard this news, I/we ask that the Strategic Planning Committee hearing of this application scheduled for next week is deferred until there is a proper opportunity to consider this situation.

If the Planning Committee does go ahead and approves the application this will fundamentally undermine, not only our Malmesbury Neighbourhood Plan, but every other community's Neighbourhood Plan in Wiltshire, unless that plan is less than two years old. Such an approval destroys the whole point of Neighbourhood Planning.

Please accept this email as my/our formal objection, once again, to these plans.

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Public Statement 3 – OBJECTION – Roy Poulton

I have been advised that I can pass feedback to you on the planning application for development at Filands in Malmesbury (19/11569/OUT).

I would like to object on the following grounds:

1. The area was not designated within the bounds of the proposed Neighbourhood Plan.
2. Wiltshire has apparently not met its quota for provision of land for housing development and as a consequence this is being used to suggest this application must be approved without the typical local review process. I believe this sets an unfair precedent and could lead to further applications being pushed through without the support of the local community.
3. The proposal adds nothing to the local services or infrastructure but instead adds only a burden to the historic rural market town.

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Public Statement 4 – OBJECTION – Kevin Vyse

I would like to strongly object to the principle of a further 71 houses on Filands without full consultation with the Malmesbury Town Council as it falls outside the agreed Neighbourhood plan.

Once more we see rules being bent to satisfy a political expedient with no real thought for the resulting infrastructure that is required, not least the proposed school and additional Health care facilities.

Proper, considered, sustainable planning is required and indeed enshrined in the UN Sustainability Development Goals. How can rushed through planning in contravention of the local assessment and appraisal be considered.

Sadly, having spent too much time with building firms recently, I know they give little heed to the long term well being of communities and this should be one very important criteria for any Council or County to judge an application on, not just that we need to hit a politically motivated target.

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Public Statement 5 – OBJECTION – Elizabeth Morgan

I would like to object to the development of a further housing estate on Filands. I am a resident in Avenue De Gien and have been made aware (late into the process) of an appeal to build 71 house just off Filands. We have a triangle of 3 large estates in this vicinity already (Avenue De Gien being one, Reeds Farm/Webb's Way and the more recently developed Snell's Avenue and adjoining streets). One of the great aspects of living in a market town such as Malmesbury is the ability to be bordering on great countryside...this development will remove a large portion of this that is used by the majority of residents in the surrounding area with the public footpaths.



This development will just increase the feel of living in a large housing estate, on the edge of town with increased traffic presence as a result of the expansion of Dyson over the last few years, the Snell's Avenue estate and now this proposed further 71 houses.

The council are forgetting the charm of market towns such as Malmesbury for tourism is that they do not feel like large housing estates and as such the fact they have not met their Wiltshire quota, should not impact the lifestyle of the residents that have chosen Malmesbury as their place of residence nor the tourism they aim to attract.

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Public Statement 6 – OBJECTION – Melanie Harris

I write to you to express my deep concern over the proposed planning application for an additional 71 houses at Filands, Malmesbury. I wish to object to the application. I have listed my reasons below, in no particular order.

- 1) This goes against the approved Malmesbury neighbour plan which will be fundamentally undermined. This has a knock on impact, not only for our own plan but puts other plans at risk and simply means the whole point in a neighbourhood plan is pointless.
- 2) Impact on infrastructure, especially schools and the doctors surgery. The local primary school is oversubscribed this year, by a number of children. The numbers of disappointed parents will only increase, the Backbridge Farm application has been underway for a number of years with c200-270 houses being planned. As the council did not support the school vision to expand by a full form entry, there will simply be no room for large numbers of Malmesbury children in a Malmesbury school and we will see them being allocated school places in the surrounding villages. I am quite sure that the Backbridge farm and Filands developers will be using the close proximity of an “outstanding” school in their marketing materials to help sell houses. The reality will be that many, many children will not get a place over the forthcoming years.
- 3) In a related point, we will see increased traffic flow at peak times as children are commuting to local villages. This is not environmentally friendly, doesn't fit with a healthy walk to school and does not help the rising obesity problem in children. Already the UK has one of the highest rates of childhood obesity in Europe. Additionally finding suitable wrap around childcare, providers who operate in these villages or indeed can pick up/drop off will put added pressure of parents.
- 4) There is no opportunity for members of the public to address the committee verbally or to join in a debate. It feels that the current environment where people cannot meet is being taken advantage of to enable planning to be passed without due consideration and comment.
- 5) This application has been rejected previously.

6) Planning should postpone any decision until the Backbridge Farm application is approved/completed. This development will provide a large number of homes in a location which is supported by the neighbourhood plan.

I would be grateful if you could pass on my objections to the relevant parties.

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Public Statement 7 – OBJECTION – Fran Vandelli

I am writing about the planning application by Gleeson Limited for up to 71 houses at Filands – application 19/11569/OUT.

I have been made aware that this application, although it has been refused already, is due to be heard at a Strategic Planning meeting, which will exclude reduce any opportunity for comment from the residents who live in the town and be affected by the plans, and will exclude from the discussion and debate, any planning members who actually know the town – a process which is politically expedient, in light of Wiltshire's failure to maintain a five year supply of land for housing development across the county as a whole.

Our Neighbourhood Plan, the first in Wiltshire, was drawn up in the knowledge of the topography of the town (including the water run off into the lower river areas of the town) and the capacity and potential of our infrastructure – we have a medieval road layout in the town centre that can't be expanded and all the schools in town are full to the extent that children are being conveyed out of town to attend school – even if their siblings attend school in the town!

The piece of land in question is outside the area designated for building in our Neighbourhood plan – a plan that is so effective and coherent that Malmesbury was not identified by Wiltshire's strategic housing plan, as a town requiring additional housing in the next cycle of planning. If the Planning Committee approves this application it will undermine our Neighbourhood Plan and set a precedent that will invalidate our and every other Neighbourhood Plan that is more than two years old, and not only in Wiltshire!

Given that the application is being considered at a Strategic Planning meeting scheduled for next week, and given that we have only just discovered Wiltshire's intention to expedite the process in this way, I am urging you to defer the Strategic Planning meeting until there is a proper opportunity to consider the situation, and time for our Wiltshire Councillor (who may only make one time limited verbal representation) to prepare thoroughly to address the meeting on our behalf.

6) Planning should postpone any decision until the Backbridge Farm application is approved/completed. This development will provide a large number of homes in a location which is supported by the neighbourhood plan.

I would be grateful if you could pass on my objections to the relevant parties.

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Public Statement 8 – OBJECTION – Susan Paget

I wish to register my strong objection to this application for the following reasons:

The application site is not one of the three sites recommended for residential development in the adopted Malmesbury Neighbourhood Plan (MNP), indeed in terms of its preference for development it fell well down the list of the 26 sites assessed during the process of preparing the MNP.

Its approval would create local feelings of democratic deficit and betrayal and injure Neighbourhood Planning and Localism both locally and nationally.

The delivery of this speculative proposal would contribute to over-development of Malmesbury and place an unacceptable and unplanned burden upon the local infrastructure, services and schooling.

There are no identified demands for additional housing above that already planned within the MNP.

The remaining two sites for residential development identified in the MNP are already progressing through the planning process and, once determined, will deliver well in excess of the minimum requirement of 885 houses between 2006 and 2026.

The principle of Neighbourhood Planning allows for local communities to determine where and what type of housing should be developed in their area. It is unacceptable for speculative applications such as this to attempt to subvert the Planning framework.

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Public Statement 9 – OBJECTION – Glyn and Linda Davies

It has come to our attention that this application may go before the Strategic Planning Committee next week, and there may be those who are minded not to oppose the application.

In our view it would be outrageous for this application to be consented at this time, without full and thorough public consultation, when the community has so many other things on its mind. This could only be seen as sneaking an application through, which is the sort of thing which brings Wiltshire Council, and local government in general, into disrepute.

We recognise the need for development of more housing in the North Wiltshire area. We are not opposed to development where it meets local needs, where the necessary environmental and public services have been considered, and properly provided for in advance and legally enshrined. It also needs to be structured towards to local demographic needs, and there has to be full public consultation and consensus. This proposal does not meet these criteria at this time.

We urge the Committee not to accept the application, but to defer it until we are out of the current pandemic situation, and it can be considered carefully with full public and community involvement.

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Public Statement 10 – OBJECTION – Paul Buckley

Absolutely sick of these rubbish ribbon developments that totally ignore our local planning. Our schools are full, this road is not suitable for yet another estate access and the town parking is overwhelmed.

We have had so many new homes along this road, time to call a halt. And I don't care about so called county quotas, that's just a stupid system developers love to exploit. Just a money tree, they build and walk away and leave everyone else to pick up the tab.

It's an issue that's actually got people here really fed up, Filand school site has had 3 estates put on it in around 15 years and there was a huge expansion of Dysons' site opposite. There has also been a greenfield build very recently next door to the school area and this new one is extending that. Then there was the pig ugly persimmons blockhouse near Dyson's gate. No school up there, no shops, no doctor and the Tetbury Hill Suffolk Arms pub nearby was demolished to make way for more housing.

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Public Statement 11 – OBJECTION – Nicholas Breakwell

As a resident of the Reeds Farm estate I would like to add my support to the attached statement from Malmesbury Town Council (Officer note: see Statement 1 template) in relation to the proposals for Filands. The proposals are outside of the areas agreed for development in the neighbourhood plan and as such the development should not be allowed to proceed.

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Public Statement 12 – OBJECTION – Gemma Waldron

I am highly concerned to discover that this application may go before the Strategic Planning Committee next week.

I feel that, without appropriate public consultation, it would be morally wrong for this application to be consented to while the community is focussed on helping each other through the immediate challenges of lockdown. This sets a dangerous precedent for local government to forego its usual transparency and push through an application which would otherwise draw much attention.

While I recognise the need for sufficient housing development to meet the needs of the local area, I urge the committee to defer the proposal until we have overcome the insecurity and uncertainty of the coronavirus pandemic, so that it may invite a full and fair public consultation and consensus.

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Public Statement 13 – OBJECTION – Rosemarie Kozik

I am deeply saddened and angered to hear that the Wiltshire planning committee are considering recommending this planning application. It is outside of Malmesbury's neighbourhood plan, a plan which has allocated adequate space and housing as requested by the county/government. I fail to see why Malmesbury's plan should be completely ignored because the rest of Wiltshire have failed to build enough houses. The construction companies continue to fail to put forward plans that align with our neighbourhood plan and instead try and plan for whatever will give them the biggest profits regardless of whether it is good for the town.

When they don't get their way they use their copious funds to hire lawyers and attempt to bully councils into passing their applications. This is what they attempted to do the last time they came to court with this application and thankfully the judge called them out and found in the councils favour on every count.

Malmesbury has already had a number of planning applications for housing granted, in line with our neighbourhood plan and we are waiting for these plans to be finalised and built. It seems shortsighted to approve more housing when the impact on services and schools of those applications already granted has not been felt or assessed. As everybody is aware our primary schools are full and our secondary school is not far off that scenario. Our health care systems are also straining to cope, not to mention our roads and services.

This news has only just come to light so I would argue that the fairest course of action would be that the Strategic Planning committee hearing of this application scheduled for next week should be deferred until there is a proper opportunity to consider this situation and the full implications of it. If the Planning committee does go ahead and approves this application then not only ours but every community's Neighbourhood plan that was written over two years ago will be undermined and it will effectively destroy the whole point of Neighbourhood Planning.

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Public Statement 14 – OBJECTION – Deborah Clogg

I wish to object in the strongest possible terms to this application.

Malmesbury's Neighbourhood Plan was developed and approved by local residents and it reviewed various options for meeting the identified housing needs of the area. This site was not included for good reason, and the previous application was rejected by Wiltshire Council.

This is a land grab of green fields that is not necessary, given the existing housing plans in the pipeline (that are within the Neighbourhood Plan), and will be further intrusion into the rural surrounds of a small market town that does not have the infrastructure to support it.

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Public Statement 15 – OBJECTION – Charles Vernon

I understand that the planning officer is to recommend that this application be approved because Wiltshire is unable to provide 5 years supply of land for residential development. I wish to lodge my opposition to this for the following reasons:

1. Although the Neighbourhood Plan is more than 2 years old and therefore fails to meet all of the criteria under the NPPF's paragraph 14, it is set to deliver far more than the 261 new dwellings required.
2. Planning for the period beyond 2026 is beginning and by granting permission for more sites during the present period will increase the difficulty in meeting future needs.
3. The late publication of evidence showing Wiltshire does not have 5 years housing land supply is making a mockery of the democratic process (has it been included with the online documents relating to this application?).

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Public Statement 16 – OBJECTION – Mark White

I wish to object to this application in the strongest terms.

The application is outside of the Malmesbury Neighbourhood Plan and has already been rejected for that very reason. Approval would set an extremely concerning precedent and make all of the hard work that has gone into formulating the Malmesbury Neighbourhood Plan utterly pointless.

Myself and my fellow Malmesbury residents are extremely worried that this application might be sneezed through whilst we are unable to attend any planning meetings to voice our concerns.

Please ensure that the strength of feeling against this application is fully understood at tonight's meeting.

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Public Statement 17 – OBJECTION – Kathryn Trobe

It appears that this application may go before the Strategic Planning Committee next week. In my view it would be a failure of public duty and an outrage for this application to be consented without full public consultation. This is not only devious but immoral and would bring Wiltshire Council into disrepute.

I acknowledge that we need more housing in the North Wiltshire area and am not opposed to development where it meets local needs, where the necessary environmental and public services have been considered, and properly provided for in advance and legally enshrined. There has to be full public consultation and consensus. This proposal does not meet these criteria. We have already had one planning disaster on Filands and yet another would bring the council into disrepute. I therefore ask the Committee not to accept the application until all the above requirements have been met in full.

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Public Statement 18 – OBJECTION – Melissa Saunders

I would like to voice my concerns about the above application. As a mother of 2 young children we already find that the schools are overcrowded. The healthcare is over subscribed and 71 more houses on top of that would be detrimental without the extra provision of facilities.

My son has higher healthcare needs and we find it near impossible to obtain a doctors appointment for him when required. We find that in his school the overcrowding is causing issues with children being overlooked, some thrown out towards 'struggling' groups despite their abilities matching those of the class, just to 'thin' classes.

Another main issue is entrance to the new housing from the B4014. The road is fast and dangerous despite the 40mph limit. It is a bunch of accidents waiting to happen. The traffic from Dyson also adds to issues on this road. Should the supermarket proposed at the garden centre also go ahead that would increase the issues.

The homes that have recently been built on Filands, Filands View, are very well spread out, fit in with Malmesbury and provide great green space. Would this be replicated with these new homes? I'm sure residents of Filands View wouldn't want that impacted on by 71 homes crammed in next to them.

Malmesbury is a small town but there seems to be a constant need to create a large town population. When will this stop?

I strongly oppose this application

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Public Statement 19 – OBJECTION – Andrew Thompson

I wish to submit my objection to the above planning application being reconsidered by the committee on the 27/5/20.

I particularly object to the lack of consultation and debate with the local community and Town Council, given that this plan falls outside the Neighbourhood Plan for the area. It would be a gross breach of the whole principle of local consultation and Neighbourhood planning if this slipped through on a technicality regarding Wiltshire's overall 5 year housing supply.

I strongly urge the Strategic Planning Committee to postpone this meeting in order to undertake proper and meaningful consultation with the community that can then be taken account of.

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Public Statement 20 – OBJECTION – Richard Puddle

I can't even begin to explain how wrong this planning application is. Just NO. Please do not let this happen in Malmesbury.

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Public Statement 21 – OBJECTION – Christine Eickelmann

Last night I learnt that Gleesen Ltd has applied for planning application for 71 houses on land south of Filands. I understand that next week this application may go before the Strategic Planning Committee. I would like to make the following points:

The timing

The Council has not undertaken the necessary full public consultation process. At this difficult time the usual channels of communication are not operating and residents have other priorities. Considering such an important and wide-reaching decision right now is unjust.

The process

We, as members of the public, will not be able to address members of the Strategic Planning Committee members verbally. This stifles debate and is undemocratic.

The implications

Given that Wiltshire Council has failed to maintain a five year supply of land for housing developments across the county, approving this application would be seen as top-down, heavy-handed interference in an approved process. The Malmesbury Neighbourhood Plan lays out the areas agreed for housing development. This land sits outside that area. Consequently Malmesbury Town Council objects to this application. Should the Strategic Planning Committee accept Gleesen's application, this would ride rough-shod over the whole Malmesbury Neighbourhood Plan - indeed, any neighbourhood plan in the county of Wiltshire. It may even set a bad example for poorly functioning Councils nationally.

I urge you to set a good example and defer hearing this application scheduled for next week until it can be considered properly - taking into account local needs, environmental factors, provision of public services, as well as all legal constraints.

Decisions like this application needs to have full public scrutiny. There needs to be consultation and consensus. Any decision which does not take this into account is unfair, unjust and undemocratic.

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Public Statement 22 – OBJECTION – David Small

I am having to spend time writing this objection this afternoon when I should be doing other things because I have only just got to hear about what appears to be a rushed planning application process. It seems that Gleeson Ltd has entered a new planning application for 71 houses at South Filands.

This appears to be going before the Strategic Planning Committee next week without the necessary process of public consultation in these difficult times. Members of the public will have no time for preparation and, as I understand it will not be allowed to make their representations to the Committee in person. Both these make the process undemocratic and unable to represent the wishes of the local community.

I understand also that the proposed plan is in contravention of the Local Neighbourhood Plan and to allow it to go forward would be to undercut the whole concept of 5 yearly neighbourhood planning across the county.

Also it appears that a reason it may be allowed to go ahead is that Wiltshire Council has failed to keep up its five year requirement to supply suitable land for housing. This should not be rectified by riding roughshod over the local neighbourhood plans.

Lastly, I am unclear to what extent the idea of additional housing has taken into account the need for additional, necessary social infrastructure and how far the effects on schools, medical and dental practices and local traffic have been considered.

I urge you to defer the application until such time as proper consultation can take place and the proper needs of the local community can be considered in relation to neighbourhood planning.

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Public Statement 23 – OBJECTION – Ros Bull

I understand that the above application is being considered on 27 May 2020 and that because Wiltshire Council has failed to maintain a 5 year supply of land for housing development across the county as a whole, officers believe and are reporting that they have no choice to recommend this application is approved.

I strongly object to this as the undermines the Malmesbury Neighbourhood plan and all Neighbourhood plans through out Wiltshire (unless under 2 years old).

What is the point of a democratic system - local residents deciding where the number of houses they are required to have and carrying out a referendum of all residents - if it can just be turned over. It makes a farce of the whole system. Obviously when it comes down to it, the opinions of local residents, and local knowledge count for nothing. In spite of the fact that Wiltshire Councillors should be working for residents and particularly those who spent a great number of their own hours putting together the Neighbourhood plan and consulting all residents of Malmesbury about the best options, it all counts for nothing. It is also unacceptable for applications such as this to attempt to subvert the democratic wishes of the local community.

An application by this company for the same site was rejected in 2016 and nothing has changed that should make this application any more acceptable - in fact, the 885 houses that Malmesbury was allocated to have and include in the Neighbourhood Plan has been surpassed and is in fact 1000; we do not need another 71 dwellings on top of this extra 115.

The delivery of a speculative proposal such as this would contribute to over-development of Malmesbury and place an unacceptable and unplanned burden upon the local infrastructure, services and schooling. The town cannot cope with any further housing; at the doctors surgery a wait of weeks is now commonplace, the town is constantly gridlocked with traffic, parking to access the towns facilities is usually impossible and the primary school is full

I repeat that I strongly object to the granting of this planning application if it is based on the error of Wiltshire County and for all of the reasons that it was dismissed in the first place.

Wiltshire Council

Strategic Planning Committee

27 May 2020

Item 7a – 19/11569/OUT – Land south of Filands, Malmesbury

Outline planning application (all matters reserved except means of access only in relation to a new point of access into the site) for residential development, including the construction of up to 71 dwellings, the creation of new vehicular access with footways and cycleways and ancillary road infrastructure, public open spaces, children's play area, landscape planting, surface water attenuation and associated infrastructure

Public Statement 24 – OBJECTION – Julie and Andrew Hazlehurst

We would like to register our objections to the building of 71 homes on land at Filands Malmesbury.

We have been residents of Malmesbury since 1995 and the town has grown considerably and it does not have the infrastructure for any more residents. The car parking in the town is inadequate, the schools are full as are the medical facilities.

We also understand it is not in line with the Neighborhood Plan as agreed by the town council and this is because Wiltshire Council has failed to maintain a five year supply of land for housing development. It rather destroys the point of a Neighborhood plan in the first place.

Wiltshire Council

Strategic Planning Committee

27 May 2020

Item 7a – 19/11569/OUT – Land south of Filands, Malmesbury

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Public Statement 25 – OBJECTION – Barry Dent – Malmesbury Civic Trust

Malmesbury Civic Trust objected to the proposal for more houses south of Filands (Copy below for information). Having received notification of the forthcoming meeting on 27th May and additional information from Malmesbury Town Council, we wish to comment as follows:

We understand that Wiltshire Council is minded to approve. This application, if granted, will not only run counter to the present Neighbourhood Plan for Malmesbury and district but will jeopardise housing allocation for the next, 2026/36 phase.

As the current plan is over 2 years old, it seems it can be overridden by Paragraph 14 of the NPPF. This is surely illogical, irresponsible and counter to natural justice: should a democratically accepted plan, which is being delivered satisfactorily, be abandoned to meet an arbitrary algorithm for overall housing needs elsewhere?

The present Covid 19 crisis makes communication slower between affected parties. We therefore strongly urge that any decision be deferred until proper consultation can be effected and the ramifications on local infrastructure assessed.

Malmesbury Civic Trust opposes this application.

It is virtually a repeat of 16/07288, which was refused. One factor in that refusal was that it was counter to the Malmesbury Neighbourhood Plan for developments 2016-2026.

The Neighbourhood Plan is now nearing the halfway point of its currency and its effect on local infrastructure has yet to be fully assessed. This is not the time to contemplate additional speculative developments.

The adjacent development, "Filands View", 15/05015 proposed land for a school lying to its east, and south of the new proposed site. What is to be the future of this?

Malmesbury is an ancient town with over two millennia of occupation. Its sustainable development in the 21st Century must take into account the topography, natural and man-made, which has shaped its present form. Piecemeal additions, such as the present application, do not help and must be refused.

When the 2026-2036 Neighbourhood Plan is devised, this site may be considered, amongst others, for housing or other required use. Or left as farmland. It is essential that short-term mistakes of the past be avoided and that a democratically accepted, holistic scheme take precedence over commercial gain.

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Public Statement 26 – OBJECTION – Rob Hemming

I'm appalled to hear that the Wiltshire planning committee are considering recommending this planning application, which is outside of our Neighbourhood Plan. This is not a case of nimbyism as Malmesbury have accepted the need for development within the town and to that end have worked extremely hard on producing our Neighbourhood Plan. This identifies adequate and suitable housing sites, as requested by the county/government, in a cohesive and appropriate manner which is sympathetic to protecting our ancient town. If other towns and communities have failed to do similar then that is down to them and I don't think Malmesbury should be punished for the failure of Wiltshire Council in providing suitable development sites across the county.

We have large areas which are in the plan on which construction could start but the construction companies seem to be dragging their feet to further their own agenda. Whilst they do this we're being put under further pressure by continual and opportunistic planning attempts, by the construction companies as they view Malmesbury as a prime site, where they can maximise their own profits. When these planning attempts are knocked back they resort to bullying tactics to force councils to accept their applications, by using their wealth of resource (money) to hire lawyers and experts to try to discredit and undermine our Neighbourhood Plan. This is what they attempted to do the last time this application came to court, but fortunately the judge found in the councils favour on every count.

There are already a number of planning applications for housing that have been granted, which are in line with our Neighbourhood Plan, and it would seem inappropriate to approve any more housing, outside of the Neighbourhood Plan, until we can assess the the impact of the current applications on our local services and schools. Currently our primary schools are full, our secondary school is nearly full and our health care services are struggling to cope.

As our Neighbourhood Plan points out Malmesbury has many constraints to development, it has ancient buildings, geography (rivers etc) which limit development, nature that needs protecting and borders an Area of Outstanding Natural Beauty. All of these were considered when the Neighbourhood Plan was drawn up. Any decision to go against the Neighbourhood Plan will render the plan useless and will set a dangerous and worrying precedent for any community that has invested time in drawing up a Neighbourhood Plan of their own.

The news of this application has only just come to light, which maybe another opportunistic move by the developer in the current climate, so I would urge that at the very least the Strategic Planning committee hearing of this application, scheduled for next week, should be deferred until there is a proper opportunity to consider this situation and the full implications of it.

I do not support this application in any way, as it is outside of our Neighbourhood Plan that the residents of Malmesbury democratically voted for and accepted, and if the planning committee meeting does go ahead I would strongly urge them to reject this application, otherwise not only ours but every community's Neighbourhood plan that was written over two years ago will be undermined and it will effectively destroy the whole point of Neighbourhood Planning and open the floodgates to disproportionate development in areas where construction companies can maximise their profits to the detriment of those communities who have to then live with the consequences.

Wiltshire Council

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Item 7a – 19/11569/OUT – Land south of Filands, Malmesbury

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Public Statement 27 – OBJECTION – Elaine Barber

As a resident of the Reeds Farm estate I would like to add my support to the attached statement from Malmesbury Town Council (Officer note, see statement 1) in relation to the proposals for Filands. I object because the proposals are outside of the areas agreed for development in the neighbourhood plan and as such the development should not be allowed to proceed.

Wiltshire Council

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Public Statement 28 – OBJECTION – Sarah Patton Briggs

I write to express objection to this application.

My reasons are:

- This application has been rejected before.
- The land sits outside of the areas agreed for housing development as set out in the Malmesbury Neighbourhood Plan.
- This application is strongly opposed by Malmesbury Town Council.

Approval of this application would undo the work that went into the Malmesbury Neighbourhood Plan. This could undermine many other Neighbourhood Plans across the county.

If the Planning Committee does go ahead and approves the application, that decision would fundamentally undermine not only our Malmesbury Neighbourhood Plan, but every other community's Neighbourhood Plan in Wiltshire, unless that plan is less than two years old.

Such an approval would destroy the whole point of Neighbourhood Planning. I beg that a more strategic overall approach is taken to any difficulty in the county meeting its obligations to allocate land for building new houses – rather than this site in Malmesbury being approved for development in a more short-term decision-making process.

Also, one impact of COVID-19 could be a glut of commercial property (if more employees will work from home in future), which would create opportunities to convert commercial sites into residential use.

Wiltshire Council

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Public Statement 29 – OBJECTION – Laura Morgan Forster

It has come to my attention that the planning application made by Gleeson Limited for up to 71 houses at Filands, Malmesbury (ref 19/11569/OUT) is being considered by Wiltshire Council's Strategic Planning Committee on Wednesday 27th May 2020.

I understand this application has been rejected before, in line with the Malmesbury Neighbourhood Plan, as the land sits outside of the areas agreed for housing development there, and was rejected by Malmesbury Town Council. And that our Wiltshire Councillor had informed the planning team that he would require the application to be called before the Planning Committee for full debate and decision if the planning officers were recommending its approval. Consequently, we were expecting this application to be rejected by the Planning Committee.

Now, because Wiltshire Council has failed to maintain a 5-year supply of land for housing development across the county as a whole, officers believe and are reporting that they have no choice but to recommend this application is approved.

I join the Town Council in pressing for the Strategic Planning Committee hearing of this application to be deferred until there is a proper opportunity to consider this situation.

If the Planning Committee does go ahead and approves the application this will fundamentally undermine, not only our Malmesbury Neighbourhood Plan, but every other community's Neighbourhood Plan in Wiltshire, unless that plan is less than two years old. This is incredibly disappointing and demotivating for a community that takes so much care of its members and their environment.

I hope you will reconsider the meeting for next week, as well as the approval itself.

Wiltshire Council

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Public Statement 30 – OBJECTION – Catherine White

I would like to object to the planning application put forward by Gleeson to build 71 new houses at Finland's on an area outside of that agreed for housing development in the Malmesbury Neighbourhood Plan.

To allow this to go ahead without the appropriate discussion and debate it deserves would undermine every neighbourhood plan in Wiltshire. A five year plan can't be just ignored after 2 years.

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Public Statement 31 – OBJECTION – Nick Peers-Dent

I was extremely surprised to find out in the last few days that this application is to be presented to the Strategic Planning Committee next week, and that the final day for any objection to be raised was 5pm today. I am further concerned that there are members of the committee who are inclined to let it pass even though there is huge opposition to it locally.

In my view it would be a very backhanded and anti-democratic act if this were to be consented to given the existing Neighbourhood Plan. This already has alternative sites that the community have carefully considered to be suitable for future housing development(s) and moving against this in such an underhand way will only discourage people from participating in local democracy and to have no faith in the council.

The Neighbourhood Plan formed by the people has recognised the need for more housing to meet local needs for mixed developments, but also considers the environmental and public services that our community requires. This proposal does not meet these criteria at this time. It would show Wiltshire Council in a very poor light if one of the first Neighbourhood Plans in the country was ignored, and I quote from your own website:

“Following an independent examination and a positive referendum result, Wiltshire Council decided on 25 February 2015 to formally 'make' the Malmesbury Neighbourhood Development Plan (the plan). The Malmesbury Neighbourhood Plan now forms part of the Development Plan for Wiltshire and the policies in the plan will be given full weight when assessing planning applications that affect land covered by the plan.”

(<http://www.wiltshire.gov.uk/planning-neighbourhood-made-plans>, Malmesbury dropdown selected, [accessed 21/05/2020])

I urge the committee to oppose this application or to postpone its consideration until the current national crisis is resolved or under control so that it can be debated democratically with community involvement.

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Public Statement 32 – OBJECTION – Michael Elam

I wish to register the **strongest objection** to yet another speculative application from Gleeson Limited for 'up to 71 houses to the south of the road 'Filands'.

I think it is particularly galling and unquestionably UNdemocratic that this application is being rushed through at a time of national crisis (Covid 19) without proper scrutiny.

As your Urban Design Officer has already pointed out, amongst other things, in his consultation response dated 14.01.2020:

The (previous) application was refused being in the open countryside on fields outside of the settlement boundary of Malmesbury and not a site allocated in the current Local Plan (Wiltshire Core Strategy) or in the adopted Malmesbury Neighbourhood Plan.

NOTHING HAS CHANGED

It appears that this speculative application is an attempt to ride roughshod over the democratic wishes of the local community. However I hope that the principle of Neighbourhood Planning which permits local communities to determine where and what type of housing should be provided in their area will be upheld, if it is not it will set a devastating precedent for the laudable principle of Neighbourhood Plans in Wiltshire and beyond.

Wiltshire Council

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Public Statement 33 – OBJECTION – Diana D’Arcy

I am writing to object strongly to the consideration of this application at next week’s Strategic Planning Committee.

All of the objections that were raised in 2016 when this application was previously rejected are still valid. To overturn that decision will not only ignore those objections, but will completely undermine the Malmesbury Neighbourhood Plan and indeed the whole neighbourhood planning process across the County.

There has been extensive building of new properties in Malmesbury over recent years and to penalise the Town because of planning failures elsewhere is both unfair and unjust.

It also looks ‘strange’ that the application is being rushed through in a way that bypasses normal process.

I therefore urge you to defer this decision so that the matter can be properly considered.

Wiltshire Council

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Public Statement 34 – OBJECTION – Matt and Catherine Aldridge

We would like to register our strong objection to the Application listed above. The application runs contrary to the Malmesbury Neighbourhood Plan and comes at a time when the town has seen a massive increase in housing without any increased provision of local services. As it stands it is extremely difficult to get appointments at the Doctors and this would only deteriorate further. We believe we were promised additional school facilities as part of the last large development and the town has seen nothing of the sort. This development would further increase pressure on already busy roads and environments with seemingly no consideration for safety of pedestrians and cyclists.

Its really disappointing that this has been brought forward again after the rejection last time. Nothing materially in Malmesbury has changed to encourage any idea that the result should not be the same. The town is under enormous pressure with parking and space and this application is most unwelcome.

Wiltshire Council

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Public Statement 35 – OBJECTION – Ruth Strange

I am writing to object to the above proposal to build yet more houses at Filands, Malmesbury.

Everyone knows that the last lot of houses built there should never have happened. I attended many meetings with regard to this. Malmesbury was badly let down. Many residents of long standing are still very annoyed.

All of these people do not wish to be ignored any longer. They have solid reasons why these 71 houses should not be built in that area.

Malmesbury is the oldest Borough in England. A beautiful, famously historic town loved by lots of people near and far. A place that they and I believe deserves far more respect than we are currently receiving.

I was born here 60 years ago and am very proud of Malmesbury's old buildings, the shops, the river valley, the green fields and it's people.

My forebears would be so horrified at how the green fields have been ruined. Nature including trees have rights too. And it is time to stop building in the green belt.

A lot of work went into our Development Plan. Why is it being ignored? We have the right to choose where to, or not to build.

I would like to serve on the Town Council, but in the current Covid-19 circumstances the elections have been delayed.

So I am sending this email to vocalise how I and many other people feel.

There are so many reasons why this Planning Application is inappropriate. The land is prone to flooding, the increased traffic will be unbearable and more dangerous, we have fulfilled our quota of houses, it will be more noisy, the houses way too big, and they will also obliterate the marvellous views of our beautiful Abbey.

This is an area of outstanding natural beauty that needs preserving.

I am fortunate to be able to walk around Malmesbury every day, including Filands. And future generations deserve to be able to do that too. To enjoy the environment without having their lungs polluted or their hearing damaged by noisy vehicles.

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Public Statement 36 – OBJECTION – Malmesbury Town Council

Malmesbury Town Council continues to strongly object to this application.

In the very limited time available to us we have read the officer's report and we would like to make the following points.

1. If this application is passed by this Committee today it will fundamentally undermine, not only our Malmesbury Neighbourhood Plan, but every other community's Neighbourhood Plan in Wiltshire.
2. We appreciate this application and decision is difficult in the current circumstances but its potential impact is huge.

Our specific points are as follows:

1. The development is considered to be contrary to Core Policies 1, 2, & 13 of the WCS and the policies of the MNP and has been rejected before.
2. The MNP has and continues to meet the requirements of the NPPF, PPG and Wiltshire Core Strategy.
3. Specifically Core Policy 13 requires 885 houses should be built at Malmesbury. The latest housing land statement shows that 758 homes had been completed and there were 331 homes committed and deliverable by 2026. As such, Malmesbury is set to exceed the requirement by circa 23%.
4. This application has reached a threshold where it may be suitable for approval only because Wiltshire Council could not, at the 13th February 2020 and based on its 2019 Housing Delivery Test, demonstrate a 5-year supply of land for housing. We believe the relatively small difference between the current supply and a 5-year supply can – and must - be defended in comparison to the profound negative effect on Malmesbury's and other neighbourhood plans across Wiltshire should this application be given permission.
5. We must question the reliance on a single date point for land supply in the context of this application and decision making generally. As far as we are aware when this application was made there was a five-year land supply. We would therefore argue

that it is information at this point which is relevant. It might also be argued that a single point evaluation system of 5-year land supply could allow a developer or developers to 'game the system' by delaying already approved developments to create a shortfall in land supply and presumptions for planning approval.

6. An important point is that if Wiltshire can demonstrate a plan to regain the five-year supply figure this should be taken into account. Credit should also be given for the delivery of 149% of housing need in the last 3 years.

7. It is important to emphasise the officer's own statement that 'out of date' policies can have weight as determined by the decision maker. We would argue that in this case this weight must be significant.

8. In particular;

(i) Affordable housing: Malmesbury is delivering 123% of identified housing needs in the next 5 years.

(ii) Provision of housing to the open market to match demand: Malmesbury is delivering 123% of identified housing needs in the next 5 years.

(iii) Neighbourhood Plan Review: The Malmesbury Neighbourhood Plan was the first to be adopted in Wiltshire. It has commenced the formal process of periodic review with Wiltshire Council and is working under the guidance of Wiltshire Council in this process. It would be hugely unfair if, notwithstanding the very recent and particular provisions of Para 14 of the current NPPF, Malmesbury is penalised for being an early pioneer of neighbourhood planning and of operating within the rules and framework of the government led Neighbourhood Planning system.

(iv) The development of plans for future housing need: For the period until 2036 and the latest advice being received, albeit subject to confirmation by Wiltshire Council, is that potentially no additional houses will be required in the Malmesbury Neighbourhood Plan area.

(v) Impact on local infrastructure: We confirm that local nurseries and schools are full. Other local infrastructure is under huge pressure, for example the local leisure centre and health facilities.

(vi) Site characteristics:

(a) Heritage assessment: Malmesbury enjoys some of the most significant Saxon heritage in England, which includes this site.

(b) Climate Change and Transport Sustainability: The development is totally car dependent in respect of access to most services. There appears to be no link foot or cycle with the neighbouring Filands View development or to the centre of our town. There is no provision for bus access that we can see. There is no reference to the impact of increased Dyson traffic and the real difficulties now being encountered by residents of Filands View entering the B 4014 at peak times. Primary schooling will be in Lea, over 3 miles away. This all contradicts Wiltshire Councils policies on Climate Change.

In summary of these particular points, passing this application would not be effective bottom up policy shaping.

9. Conclusion:

(i) This committee has discretion to decide if any shortfall in the 5-year housing land supply is capable of being a material consideration.

(ii) The application is contrary to Core Policies 1, 2, & 13 of the WCS and the policies of the MNP, and Wiltshire Councils policies on Climate Change (CS 2 Section 6, Strategic Objective 2).

(iii) If this application is passed by this Committee today it will fundamentally undermine the principle of neighbourhood planning and bottom up shape placing not only in Malmesbury but in every other community in Wiltshire.

This application should be rejected.

Thank you for your consideration.

Campbell Ritchie

Mayor, Malmesbury Town Council

For and on behalf of Malmesbury Town Council

Wiltshire Council

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Public Statement 37 – OBJECTION – Stephen and Louise James

We wish to object to this application. Many new homes have been built in Malmesbury in the past few years, and Malmesbury is already likely to exceed the target for new housing set out in the Wiltshire Core Strategy, considering homes built and those already approved. This land is outside the approved development boundary in the local plan. Malmesbury is an ancient hill-top town, and this can only be fully appreciated by viewing it from a distance to see how it is situated in the landscape. The footpath adjacent to the site of this application provides just such a perspective, yet this view would be spoiled forever if this development is allowed to proceed.

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Public Statement 38 – OBJECTION – Jeremy Moore

Please add my name to the Malmesbury residents **opposing** this planning application by Gleeson Limited. I wish to register my support for the actions on Councillor Grant and the views of Malmesbury Town Council on this matter. The proposed urban creep will cause immediate harm and lead to negative consequences in the future. The application should not slip through on a technicality.

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Public Statement 39 – OBJECTION – Sarah McNeil

I have only just become aware of the above Application, so have been given insufficient time to read it in detail and fully consider it.

Just glancing through it, however, it is my opinion that If this application is approved, it will go against Malmesbury's Neighbourhood Plan. If given approval it would destroy the whole point of Neighbourhood Planning.

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Public Statement 40 – OBJECTION – Dr Lisa Tweedie

I am writing to express my dismay that Wiltshire Council are even thinking about disregarding our neighbourhood plan with regards to the new Gleeson Housing Plans at Filands.

The councillors and many many town residents fought hard to construct the plan and we all voted on it. Gleeson have twisted and turned at every opportunity to try and get these houses built. They have a large cheque book and employ top lawyers. If they win this they can literally do anything as has happened in Tetbury and other places locally. Our neighbourhood plan has protected us. If they want to build houses they need to build them where the plan specified and to the spec required. Building companies do not like town councils and residents having a say. They want to build whatever extracts the most profit. But we need sustainable planned growth that is has joined up thinking behind it.. That is what the neighbourhood plan proposes and it is a really good plan.

I personally was part of a two day planning workshop lead by the Orince's Trust. I also attended some of the neighbourhood plan steering Committee meetings as an observer (member of the public). And wrote the cycling part of the plan.

I will never forget the disgraceful way the slick lawyers behaved representing the construction companies at the hearing and how well our neighbourhood plan committee members Simon Killane, John Grundy et al stood up to them. It was like watching David and Goliath. And the judge felt the same. He roundly told off the lawyers and their paymasters for their behaviour and found in favour of our town councillors on every count.

I really think if we need to petition the home secretary again as a town then we should. Last time the petition got lost whilst the home Secretary was on holiday and that mistake which he apologised for hugely (I still have his colleagues letter that he sent to MMEB) resulted in the first lot of Gleeson houses (this was before the plan was finished) . I still have the letter that the Home Secretary's colleague wrote in lieu of him apologising for that complete mess. I am happy to send it too you if you wish. He wrote it to me as administrator of our local community facebook group which had been instrumental in leading discussions over the Neighbourhood plan. It is both apologetic and grateful for the huge amount of effort that the town had put in. I think I might forward this email to him.

Since the plan was finalised we have avoided all new building outside of the plan. I fail to see how when we have followed everything to the letter that the town should be punished because

a) the rest of Wiltshire has failed to build enough houses

b) the construction companies have not put forward appropriate plans that align with the neighbourhood plan. In other words they are wriggling out of formal legal commitments wherever they can.

Please Wiltshire Council if you disregard what is written in our plan then you put every other neighbourhood plan in Jeopardy. And this is exactly what the building companies want. We need neighbourhood planning to work so that we get better decisions and appropriate infrastructure.

We need to have appropriate housing built not just tiny houses with tiny gardens. We need mixed housing that will accommodate our elderly and our young people. We need housing with spaces that allow people to work from home. We need spaces for workshops so that people can build small businesses locally. We need cycling infrastructure. We need housing to be built within the confines of our local town on brownfield sites where possible. There is a large site already marked out for housing near Dyson as far as I can tell the developers have been very slow in putting forward proposals for this land or have continually ignored the neighbourhood plan in their planning and so the plans have had to be rejected.

Please do not side with Gleesons on this plan. It would mean that all the hard work that we put in as a community and it was a serious amount of work - will have been for nothing. Gleesons and the other building firms are clever. They wait and wait and try and try. The town council is a bunch of volunteers but we are strong and we really do care about this community. If you decide to take the easy and wrong decision here - I assure you it will be all over the press and social media within minutes. Please be sensible.

Now is not the time to take hasty decisions. Malmesbury has already suffered one of those (as referred to above) and we do not need more. We have memories like elephants in this town. And we do not suffer fools gladly.

**Dear Wiltshire Council all the best with you decision making
Please make the right one**

Wiltshire Council

Strategic Planning Committee

27 May 2020

Item 7a – 19/11569/OUT – Land south of Filands, Malmesbury

Outline planning application (all matters reserved except means of access only in relation to a new point of access into the site) for residential development, including the construction of up to 71 dwellings, the creation of new vehicular access with footways and cycleways and ancillary road infrastructure, public open spaces, children's play area, landscape planting, surface water attenuation and associated infrastructure

Public Statement 41– OBJECTION – Susan Poolman

I have been made aware of the current position regarding the above application and have seen a draft of the response from Malmesbury Council which I gather will be sent to you.

In the circumstances i strongly support the Council 's response and agree that this needs further scrutiny.

Wiltshire Council

Strategic Planning Committee

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Public Statement 42– OBJECTION – Pat and Dave Harvey

As a resident in Malmesbury of 49 plus years I have been materially involved with many community activities in Malmesbury, not least as an actively participating resident on the Princes Trust committee, which became our Neighbourhood Planning Committee and, as such, am deeply aware of the absolute need for foresight and careful planning of any development and its effect on the local environment and community.

Key consideration has to be given to local amenity, facilities, environment and employment.

Let me address these one by one:

Amenity – We are already over-stretched in the key areas of schooling, medical provision access and parking.

Facilities - Local facilities i.e. shops and services are inadequate.

Environment – once good is open to further degradation, not least winter flooding in areas already too overpopulated.

Employment - There is little local employment in the area and with Dyson redeploying to Hullavington, even less.

Such development will only increase unwanted traffic (usually only 1 per car) from Malmesbury to Swindon/ Chippenham/ Bristol etc.

I urge rejection of this application, as does my wife.