

Christian Malford Neighbourhood Plan
Independent Examiner's Clarification Note
General Policy clarification

Policy CP2 – I can see the differing viewpoints of the Parish Council and of Wiltshire Council as the land owner (ID reference 16).

From what date has the Parish Council maintained the proposed Local Green Space?
Since the original lease of the land to the Parish Council (around 2012)

What was the additional significance of the Community Asset Transfer in March 2016?
This transferred ownership of the land to the Parish Council. The Parish Council is now in direct control of the Community Projects and management of the land. Previously it had to seek agreement from Wiltshire Council to do anything on Malford Meadow.

Do the current arrangements run until the end of the Plan period?
Malford Meadow remains in the ownership of the Parish Council indefinitely. There are clauses in the Transfer Agreement that dictate the process to be followed if, in the unlikely event, that in the future the Parish Council decided that it wanted to dispose of Malford Meadow.

Wiltshire Council is fully aware that the Plan does not support any development on Malford Meadow and that the Parish Council would strongly oppose any planning applications from them. As part of the Transfer of ownership however the Parish Council agreed to do nothing on the Eastern End of the Meadow that would impede any future planning application from Wiltshire Council. It is thought unlikely that there will be any future planning application from Wiltshire Council due to the relative remoteness of the site from the centre of the village, its access issues and the presence of footings from an old manor house that are believed to be buried there. Wiltshire Council retained an interest in this area because it is adjacent to a small development of council houses that they built in the 1950's.

We do, however, acknowledge that policy CP2 runs counter to the legal agreement made by the Community Asset Transfer, and that as a result the Policy will need to be redrafted to exclude the area reserved in the Transfer document. Proposed changes are shown at the end of this document.

Policy CP3 – Relating the final paragraph of the supporting text to the policy is it the intention to redevelop the village hall roughly on its existing footprint with the land to the east being used as an extended car park?

Yes, but see below:

Is the Parish Council satisfied that the policy can be delivered within the Plan period?
The issue of the Village Hall is perhaps the most problematic of all the policies for the Parish. Without going into detail, various options have been explored with little or no success. As a result, policy CP3 was written in the absence of any viable alternative. This option is not actually feasible because funding for the redevelopment is not available.

Since submission of the draft NP potential solutions have been explored as Wiltshire Council has suggested the concept of 'enabling development', granting of planning consent for a small development in exchange for some land and some funds to be used to support the construction of the replacement Village Hall. The NP and VH teams are engaged in establishing a satisfactory solution. Any subsequent modifications to the plan to accommodate the requirements for the Village Hall re-development will maintain the principles of

- a. Consisting of no more than 12 properties, and is based on an existing development in the same road.*
- b. The development runs along a main thoroughfare and offers countryside views for the occupiers*
- c. The development is a logical extension of the development boundary*

The option on the table would require an additional Housing Policy (HS0) detailed at the end of this document.

This proposal meets with the approval of the Village Hall Committee, and is expected to be supported by the Villagers for the following reasons:

- 1. A site beyond the Rising Sun on Station Road came second in popularity in the Questionnaire, behind site HS1 but ahead of all other sites.*
- 2. The proposal involves the retention of the Village Hall on its existing site, which was the option supported by the vast majority of the Villagers in the Questionnaire.*
- 3. An option of enabling development on a site off The Nurseries was discussed at a very well attended meeting of the Village last month and over 80% were vehemently against this approach.*

It is also expected that the land owner would find this proposal of interest.

In the event of agreement being reached with the landowner, this proposal would be realised within the next 5 years, so well within the lifetime of the plan.

The question is whether this proposal should be incorporated into the plan before it is put the Referendum, or whether a subsequent amendment should be made after the details of the proposal have been firmed up and agreement has been reached with the landowner.

We appreciate that this is a significant change to the Draft Neighbourhood Plan, but in the interests of the Community, it is the best possible approach. Guidance on how best to achieve this end would be much appreciated.

The changes to the NP that would be required are attached to this document.

Policy HE1 – I can see the supporting text with this policy and its thought process. Has the policy been assessed to the extent that it has regard to national policy as set out in paragraphs 126-141 of the NPPF?

The plan has been informed by extensive and detailed discussions with Wiltshire Council's Conservation Officer and has been reviewed by Historic England. You will have noted that in addition to identifying and discussing Listed Buildings and Scheduled Ancient Monuments, the Plan also describes undesignated assets, constructed prior to 1915, and requires that these are taken into consideration. We believe that the plan is fully compliant with Paras 126-141 of the NPF, and this is enshrined in Policy HE1.

Policy HP2 – I can see the supporting text in relation to the issue of adding a second storey to bungalows. Has this part of the policy been tested with estate agents and others involved in the local housing market?

No, this policy has not been formally ‘tested’ with estate agents or others involved in the housing market, and we are unclear how that could reasonably be done, and to what end. One of the members of the Neighbourhood Development Plan Committee was a retired Estate Agent with extensive experience in Surrey and Hampshire, and this policy was driven by him. The policy has been widely publicised, and the Parish Council has consistently opposed applications to add second storeys to bungalows, although in most instances such objections have been overruled by the Planning Authority.

Is it the intention that this part of the policy would apply to the conversion of existing loft spaces to liveable accommodation in addition to more substantial proposals that would physically convert a bungalow into a two-storey house?

The policy opposes loft conversions that make single storey residences desirable to families who are spoilt for choice locally in any event and which takes away suitable accommodation for the elderly and infirm which is in very short supply. The NP has been articulated in this way in order to change the housing mix. Loft conversions perpetuate the current situation. In estate agent speak a chalet bungalow is a house that was a bungalow and now has a loft conversion.

Policy D1

Does the Parish Council consider that the policy has sufficient clarity to be applied consistently by Wiltshire Council?

Does the policy provide sufficient guidance for developers?

This policy is underpinned by Wiltshire Core Policy 57. We believe that the rubric in 10.1 outlines the key features of the policy – Innovative Design, Linear Development, Streetscapes that encourage traffic calming, Density of development that responds positively to the environmental quality of Christian Malford.

We would be prepared to expand on this Policy to add greater clarity and increased guidance if you identify the need to do so.

Policy HSP1

How realistic will it be for the six sites to be developed in the two phases set out in the policy?

We know that the owners of HS1 have made numerous attempts to obtain planning consent, which has to date been refused by Wiltshire Council on the grounds that it is outside the Settlement Area. Once the NP is made we would expect to see HS1 developed within a couple of years.

We know that the owners of HS2 are very keen to progress with its development and have plans ready to submit as soon as the NP is made.

The owners of HS3 have expressed less of a sense of urgency than their neighbours in HS2, but we would expect them to follow on soon after HS2 has been developed.

The plans for the plots in Phase 2 are less well developed, but we would expect HS4 to be the first of the three plots in Phase 2 to be developed. HS5 and HS6 are more in the category of 'land banks'.

Will the phasing approach as proposed boost significantly the supply of housing land in the Plan area (NPPF paragraph 47)?

Phase 1 will add 16 dwellings to the supply of housing land in the Parish. This represents a 6% increase on the 271 dwellings in the Parish, and a 15% increase on the 107 dwellings within the Settlement Area. If our plan for the development of the Village Hall goes ahead, this would increase the realistic supply of housing land to 28, which represents a 10% increase in the Parish and a 26% increase within the Village. This can certainly be considered to be a significant boost to the supply of housing land in the Plan area, and is also in excess of the numbers asked of the Parish by the Wiltshire Housing Plan.

Phase 2, which is more uncertain, would add a further 14 dwellings.

Policies SSHS1-6

Are the sub components criteria to the six policies rather than policies in their own rights?

These policies are intended to provide greater detail, building on the site identification made by Policy HSP1. It was considered more appropriate to make site specific policies rather than overarching policies, because the peculiarities of each site required subtle differences to each policy. Note that Policy HSP1 as currently shown contains an error which relates to the version which had included overarching policies. The statement :

"The following Sites HS1 to HS6 are allocated to provide housing and are expected to provide new dwellings according to Housing Policies HP1 to HP6"

should have read:

"The following Sites HS1 to HS6 are allocated to provide housing and are expected to provide new dwellings according to Housing Policies HP1 and HP2"

In addition the introduction to section 11.5 Development site details which reads:

"Description of the considerations for the development sites is provided in this section with summary details tabulated in Appendix D cross referenced to site specific housing policies HP1-HP6. These policies are additional to, and subordinate to, the overarching housing policies HP1 and HP2"

should have read:

"Description of the considerations for the development sites is provided in this section with summary details tabulated in Appendix D cross referenced to site specific housing policies SSHS1-SSHS6. These policies are additional to, and subordinate to, the overarching housing policies HP1 and HP2"

What process has been followed to identify the maximum delivery on each of the sites?

The numbers have been informed by feedback from Wiltshire Planners, the Conservation Officer, members of the local community and practical considerations as assessed by members of the Committee.

Policy SSHS1

In HS1d does the 'building closest to the entrance to the village' mean the house that would be on the eastern boundary of the proposed housing site?

Yes. This policy statement was included at the request of the Conservation Officer

Would the combined effect of HS1a-d be that the development would be single plot in depth?

Yes. This was also in response to consultation with the Conservation Officer.

Required changes to the NP to accommodate the correct status of Malford Meadow and the Village Hall proposal:

Note that we believe that it is essential to incorporate the Village Hall proposal into the NP rather than see this proposal go forward after the NP has been made, since if this was to happen, it could be considered to set a precedent and weaken policies which are intended to retain the character of the Parish, whilst still providing a significant boost to the supply of housing land.

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Section 5: Community and Well-Being Policies

Goal Aims/Objectives

- To protect and enhance green spaces in the village.
- To preserve important village assets.
- To retain a close connection with the farming community.



MAP 4: Christian Malford Community Facilities.

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Malford Meadow

Malford Meadow is a 'Pocket Park' of 4.5 hectares (11 acres) of communal amenity available to all village residents for use as a community meadow and where the protection of wildlife is a priority. The western end of the Meadow is the former site of Malford Manor, mentioned in the Domesday Book, and a site of archaeological interest. The Meadow is managed through a rolling 10-year Habitat Management Plan and Ecological Baseline, updated every 5 years, with inputs from professional residents: an environmentalist, a conservationist and an agronomist. Bench seats and picnic tables have been installed at various locations in the Meadow with information boards at each entrance. The Meadow is a tranquil environment that is well used by the whole community including the adjacent schools and dog walkers. A Community Orchard is being established and a wildflower pocket area is planned. In 2014 an area was allocated for 14 allotment plots which became fully productive in 2015.

Under the terms of the Transfer of Ownership from Wiltshire Council to Christian Malford Parish Council, Wiltshire Council have reserved the right to develop the part of Malford Meadow to the west of the Primary School for affordable housing use (marked in pink on Map 4). This reserved area being described as 'Green Land' in the Deed of Transfer (TP) and excluded from the area designated as 'Community Use Land' in the Malford Meadow Transfer Document (TP1) under Clause 12.1.3. We have an obligation (TP1 Clause 12.9.2(b)) to "prevent any impact on the future development of the Property....".

However, under TP1 Clause 12.1.14, this area can "be kept as public open space consisting of meadowland with recreational areas and occasional tree planting on the periphery", until such time as the Transferor is granted Planning Permission for development of the Green Land (TP1 Clause 12.11.5)

For the avoidance of doubt, the Neighbourhood Plan considers this site to be inappropriate for housing, and will strongly oppose any development plans on this site.



FIG3: Malford Meadow information board

Policy CP2 - Malford Meadow

Malford Meadow, shown on Map 4 (excluding the area marked in pink), is identified as Designated Local Green Space and will be protected from development.

Section 11: Housing Sites Policies

Goal Aims/Objectives

- To identify the location of future developments.

The Plan has identified one site on the North side of Lye Common adjacent to the Settlement Area boundary and five sites within the 30mph zone of Main Road (B4069) that are outside of the current Settlement Area. A site to the south of the Rising Sun, adjacent to the Settlement Area, has been identified as suitable for development conditional on land being made available to extend the existing site of the Village Hall and funding being provide to make a major contribution towards the construction of a replacement Village Hall on the existing site.

Lye Common will be a linear development along Lye Common Road. The site to the south of the Rising Sun will be a linear development along Station Road. The other sites will be a mixture of linear development along Main Road or a small cul-de-sac or courtyard development with entrances off Main Road.

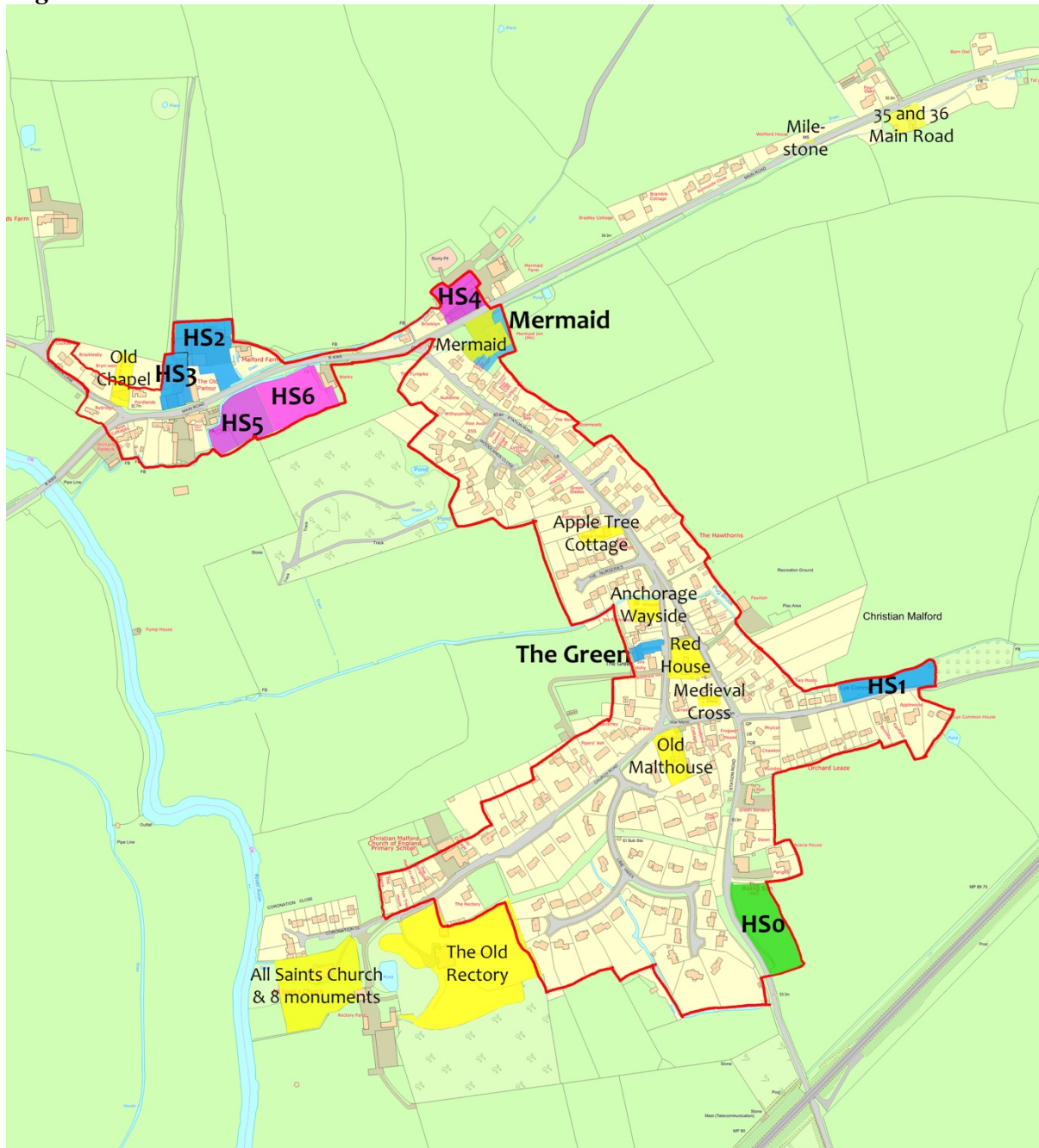
11.1 Site Allocation

Policy HSP 1 – Housing site allocation

The following Sites HS0 to HS6 are allocated to provide housing and are expected to provide new dwellings according to Housing Policies HP1 and HP2

Christian Malford NDP Ref	Site Location and likely timescale	Potential Number of Dwellings
HS0	Land to the south of the Rising Sun	12
HS1	PHASE ONE End of Lye Common – North Side	6
HS2	Redundant farm buildings adjacent to The Old Parlour	6
HS3	Redundant farm buildings adjacent to Fordlands	4
HS4	PHASE TWO Redundant farm buildings at Mermaid Farm	6
HS5	Land to the East of Malford Farmhouse	4
HS6	Land to the West of The Bakehouse	4

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MAP 10: Overview of all NDP sites (Blue: Phase 1; Pink: Phase 2) Heritage Assets in Yellow, revised SPA in red

11.5 Development Site Details

Description of the considerations for the development sites is provided in this section with summary details tabulated in Appendix D cross referenced to site specific housing policies SSHS1-SSHS6. These policies are additional to, and subordinate to, the overarching housing policies HP1 and HP2

Phase One

Site HSo – Land to the south of the Rising Sun

The land has been identified as a site suitable for a development similar in size and scale to the development at Roundwood View, also on Station Road, as per map 10a. Support for this development is conditional on the developers making over 1/3 acre of land to the

east of the Village Hall, and making a substantial contribution to the Village Hall fund to allow the Village Hall to be redeveloped on its existing site.



Map 10a. Site HS0

Site HS1 – Land at the End of Lye Common on the North Side

The Parish Questionnaire respondents.....