

St Paul Malmesbury Without Parish Council

Report #03.2

Acquisition of land adjacent to the Corston Local Nature Reserve (LNR)

1. Purpose of the report

- 1.1 To initiate a discussion within council to consider the benefits of attempting to acquire the land immediately north of the Corston LNR.

2. Background

- 2.1 The land in question is owned by Warden & Freeman and was the subject of a planning application (19/12002) for the erection of 4 dwellings in 2020. The proposal produced a great deal of local opposition with the major concerns the impact upon the adjacent LNR, its wildlife and pond, and also highway safety. Despite an officer recommendation for approval, the application was refused at the Northern Area Planning Committee on the 15th September 2020. The applicants appealed this decision which was dismissed by the Inspector on 21st February 2023.
- 2.2 Paragraph 22 of the Inspector's report states "Subject to suitably worded conditions, I have found no harm to the ecological value of the LNR. However, the proposal would result in harm to the rural character and appearance of the area. Harm to which I ascribe substantial weight since it would be long lasting. As such it would be contrary to the aims of the Framework to ensure development would be sympathetic to local character, including the surrounding built environment and landscape setting and to ensure decisions enhance the natural environment by recognising the intrinsic character and beauty of the countryside". The Inspector's dismissive views about the harm to the ecological value of the LNR from this development are worrying. The dismissal appears to be solely based on the harm to the rural character and appearance of the area.
- 2.3 If the present owners of this plot of land were willing to sell it to the council, then this would protect the longterm future of the LNR. With the ecological harm to the LNR apparently carrying little planning weight, future speculative development proposals might come forward that attempt to minimise the harm to the rural character and appearance of the area which would reduce the strength of the council's arguments to mount opposition.
- 2.4 The suggestion that the council attempt to purchase this plot of land came forward some months ago from the manager of the LNR volunteers, although this option has been spoken about informally between councillors since the Appeal decision. A suggestion was that initially the land could be left for natural processes to take place, letting it return to scrub and naturally regenerating trees. Initially the only financial outlay would be refurbishing the fencing where necessary and installing an access gate. In the longer term consideration could be given to increasing the size and facilities in the LNR. The manager has identified a government grant that seeks to support such initiatives.
- 2.5 A without prejudice informal approach has been made to an influential individual within Warden & Freeman to understand if the organisation has an appetite to sell the land. The response, not surprisingly, was non-committal but not immediately negative and intimated that if the council were to make a formal approach to purchase the land it would be considered at the organisation's most senior level.
- 2.6 The land in question is believed to be 1.67 acres - see diagram - and of poor agricultural quality. Initially there is likely to be a significant gap in the price expectation of the vendors and what the council would consider represents a reasonable price to secure the longterm future of this local community facility. However negotiations may be able to reach a mutually agreeable

outcome.

- 2.7 As previously stated this a first very tentative step to explore the desire of the council to proceed as suggested. Other issues that will need to be successfully navigated are, not least, an adequate consultation with our electorate in respect of a purchase of land as the Financial Regulations require, and acquiring sound professional advice and guidance at all necessary stages.

Cllr David Briggs
On behalf of the PWP
19.03.2024

