

Submission ID: S0B874BF2

At the Malmesbury Town Council meeting on 14th April 2026, responses have been prepared, to the responses from IGP and we attach these in a separate file.



MALMESBURY TOWN COUNCIL

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Malmesbury Town Council – Interested party reference LDSF-SP029

At the Malmesbury own Council meeting on 14th April 2026, responses have been prepared, to the responses from IGP as follows:-

MTC-001 – Description and DCO Process (Principle of Development & Consultation)

MTC's issue is *principled opposition* to the scale of the development and to aspects of the consultation process. The Applicant's response merely acknowledges the comment and states that they respond to specific concerns "below".

It does not address:

- Why opposition "in principle" is said to be outweighed.
- Why the DCO process is appropriate for this scale/location.
- Any flaws in consultation raised here.
- Procedural rather than substantive: no justification of need, alternatives, or site selection.
- Defers answers elsewhere, weakening transparency.
- Avoids engagement with democratic objection "in principle".

MTC-002 – Landscape, Visual Impact & Agricultural Land / Cotswolds National Landscape

The Applicant provides extensive references to ES chapters and mitigation measures.

- Agricultural land loss is acknowledged as "significant adverse" but dismissed as "temporary and reversible".
- Impacts on the Cotswolds National Landscape (CNL) are said to be "minimal" or "short-term".
- Temporary loss argument is weak: 40+ years is functionally permanent for communities and farming businesses.
- No meaningful engagement with:
 - Cumulative impacts.
 - The *scale* (11 sq miles) raised by MTC.
- Reliance on future mitigation (Year 15 maturation) without certainty of outcomes.
- Downplays statutory duty to *conserve and enhance* the National Landscape by reframing harm as "setting only".
- Visual receptors described as "small number" without clarifying sensitivity (e.g. iconic views, visitors).

MTC-003 – Consultation, Visual Impact, Glare & Noise

MTC raised exclusion of Malmesbury residents and lack of balanced information on visual impact, glare, and noise.

The Applicant response focuses almost entirely on noise modelling.

There is no explanation for:

- Why Malmesbury residents were omitted.
- How glare was assessed or communicated.
- Whether consultation boundaries were appropriate.

Fails to answer the core consultation fairness issue.
Technical noise assessment does not address trust, transparency, or democratic inclusion.
Assumes modelled compliance equals acceptability, ignoring lived experience.
Glare and visual impact concerns are not addressed in this response at all.

MTC-004 – Socio-Economics, Tourism, Recreation & Health

Tourism impacts are quantified (job losses, GVA percentages).
Health impacts are referenced via a separate ES chapter.
Focus is on *economic metrics* rather than experiential or place-based impacts.
Reductionist approach:
 Emotional wellbeing and sense of place are minimised.
 Tourism impacts framed as “statistically insignificant” rather than locally material.
Assumes recovery post-construction without evidence.
Operational-phase tourism losses (11 FTE) acknowledged but understated.
Health assessment limited to a 2 km study area, potentially excluding Malmesbury town itself.
No response to the cumulative effect of amenity loss plus construction disruption.

MTC-005 – Summary Objection & Call for Further Consultation

The Applicant asserts compliance with statutory consultation requirements.
Points to the Consultation Report and Examination process as safeguards.
Compliance ≠ adequacy: does not address *quality* or *fairness* of consultation.
Does not engage with Wiltshire Council’s call for supplementary consultation.
Leans on process defensiveness rather than reflecting on omissions or improvements.
Treats Examination as cure-all, despite consultation being front-loaded by design.

Overall Pattern of Weaknesses (Cross-Cutting) to MTCs response:

Heavy deflection to ES documents rather than direct answers.
Over-reliance on:
 Modelling
 Future mitigation
 Percentages that dilute local significance.
Consultation concerns repeatedly acknowledged but not remedied.
Community-level impacts reframed as technical or temporary.
Lack of clear balancing exercise between national policy benefits and local harm.

Planning Act 2008 – Adequacy of Consultation

Relevant test

Whether consultation was adequate, fair and meaningful, not merely legally compliant.

Weaknesses in the Applicant’s responses:

The Applicant relies almost exclusively on procedural compliance (“met statutory requirements”) and does not address exclusion of Malmesbury residents from consultation materials.

No explanation is given for:

 Why Malmesbury residents were excluded while residents outside the town boundary were included.
 How this omission affected the balance or quality of feedback.

The Applicant conflates Examination participation with consultation, despite these being legally and practically distinct stages.

Why this matters

Case law and Inspectorate practice are clear that minimum compliance does not cure a flawed consultation exercise.

A consultation that omits a materially affected settlement undermines:

 Legitimacy of the Environmental Statement baseline,
 Reliability of community impact conclusions,
 Confidence in the weighting of local adverse effects.

2. National Policy Statements (EN-1 / EN-3) – Planning Balance & Harm

Relevant test

Whether identified harms are properly assessed, recognised, and weighed in the planning balance.

Weaknesses

The Applicant repeatedly:

Acknowledges harm (significant adverse effects on BMV land, amenity, tourism)

Then relabels it as “temporary”, “small-scale”, or “not significant” without demonstrating *why* that weighting is justified.

The responses rely heavily on percentages at county or regional scale, which:

Dilute town-level impacts,

Conflict with the requirement to assess local significance.

Specific weaknesses

No transparent balancing exercise is shown between:

National energy benefits

Localised but severe landscape, amenity and economic harm.

The planning balance is asserted, not demonstrated.

3. Protection of Best and Most Versatile Agricultural Land

Relevant test

Whether loss of BMV land is:

Justified, minimized, demonstrably outweighed by benefits.

Weaknesses

Loss is acknowledged as “significant adverse”, yet:

Framed as acceptable purely because it is “temporary”.

No meaningful justification is provided for:

Site selection on high-quality agricultural land,

Why lower-grade land alternatives were not preferable.

Critical flaw

A 40-year operational period is treated as short-term, which conflicts with:

Farming cycles, land stewardship expectations, practical irreversibility for current land users.

4. Cotswolds National Landscape – Statutory Duty to “Conserve and Enhance”

Relevant test

Whether the scheme **conserves and enhances**, not merely avoids direct harm.

Weaknesses

Harm is downgraded by:

Treating impacts as affecting only the “setting” rather than the National Landscape itself.

Mitigation is relied upon to achieve compliance in the future (Year 15+), rather than at the point of consent.

“Beneficial effects” (paths, biodiversity) are used to offset:

Loss of tranquillity,

Industrialisation of views,

Perceived erosion of landscape character.

Why this is weak

Enhancement duties are positive obligations, not offsetting exercises.

Recreational infrastructure does not equate to landscape conservation.

5. Landscape & Visual Impact Assessment – Magnitude vs Sensitivity

Relevant test

Whether impacts are properly assessed in relation to sensitivity of receptors, not just number.

Weaknesses:

Repeated references to:

“small number of receptors”

“short-term adverse effects”

No proper consideration of:

Highly sensitive receptors (historic town, tourism economy, designated landscape),

Repeated, cumulative exposure over decades.

Key flaw

Visual harm is treated quantitatively rather than qualitatively; who is affected and why is not properly weighted.

6. Tourism & Socio-Economic Effects – Material Local Harm

Relevant test

Whether economic impacts are material at the local scale.

Weaknesses

Impacts are presented as:

- Statistically small at Wiltshire scale,
- Therefore acceptable.

This approach ignores:

- Tourism's disproportionate importance to Malmesbury,
- The reputational and experiential factors driving repeat visits.

Policy weakness

Jobs lost are counted, but quality of place, visitor perception, and long-term brand damage are not properly assessed.

7. Human Health & Wellbeing – Scope of Assessment

Relevant test

Whether all plausible health pathways have been considered.

Weaknesses

Health assessment limited to a 2 km study area, potentially excluding:

- Wider community impacts,
- Indirect mental health stressors.

Emotional wellbeing and anxiety are acknowledged but treated as non-material due to modelling outcomes.

Why this fails the test

- Modern planning practice increasingly recognises mental and emotional wellbeing as material considerations, especially for long-duration infrastructure.

8. Reliance on Future Mitigation & Management Plans

Relevant test

Whether mitigation is:

- Certain, Deliverable, Enforceable, Adequate to offset harm.

Weaknesses

Heavy reliance on outline plans (OLEMP, EPMS, OEMP) that:

- Defer critical detail post-consent,
- Reduce certainty for affected communities.

Mitigation success is assumed, not evidenced.

Examination concern

Harm is consented now, mitigation is promised later.

Executive Summary Weakness (Across All Tests)

The Applicant repeatedly:

- Acknowledges harm,
- Downplays its significance,
- Defers resolution to future mitigation,
- Frames compliance as acceptability.