

AGENDA SUPPLEMENT (2)

Meeting: Western Area Planning Committee

Place: Online Meeting

Date: Wednesday 17 June 2020

Time: 3.00 pm

The Agenda for the above meeting was published on 9 June 2020. Additional documents are now available and are attached to this Agenda Supplement.

Please direct any enquiries on this Agenda to Jessica Croman, of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line 01225 718262 or email jessica.croman@wiltshire.gov.uk

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5 **Public Participation** *(Pages 3 - 36)*

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Wiltshire Council

Western Area Planning Committee

17 June 2020

Public Statements Summary

In accordance with the procedure for the meeting as detailed in the agenda, for each item up to three statements in objection and up to three statements in support of an application will be read out at the meeting by the Democratic Services Officer. Statements should be no more than up to three minutes each. Statements on behalf of a relevant Parish Council will also be read out, for up to four minutes.

Statements to be read out by the Democratic Services Officer will be in order of submission.

Item 7a - Application to Register Land Known as 'Great Lees Field' Off Pound Lane, Semington, as a Town or Village

Item 7b – 19/09800/FUL - 12A Frome Road, Bradford On Avon, Wiltshire BA15 1LE

Item 7c - 20/00059/FUL Bishop's Folly, No. 2 Ireland, North Bradley, BA14 9RW

Item 7d - 19/12153/VAR McDonald's Restaurant 235 Bradley Road Trowbridge BA14 0AZ

Item 7e - 19/10471/FUL 3 A Church Lane Limpley Stoke BA2 7GH

Ref	Item and Application	Participant(s)	Objection/ Support	Read Out at Meeting
1	Item 7a – 'Great Lees Feld'	Dr William Scott	Support	Yes
2	Item 7a – 'Great Lees Feld'	William Stuart-Bruges	Support	Yes
3	Item 7a – 'Great Lees Feld'	Peter Smith, Vice-Chairman, Semington Parish Council		Yes
Ref	Item and Application	Participant(s)	Objection/ Support	Read Out at Meeting
1	Item 7b – 19/09800/FUL	Michael Simpson	Object	Yes
2	Item 7b – 19/09800/FUL	Meryl Phillips	Object	Yes
3	Item 7b – 19/09800/FUL	Tim Mellor	Support	Yes
4	Item 7b – 19/09800/FUL	Tara Maizonnier (Agent)	Support	Yes
5	Item 7b – 19/09800/FUL	BoA Parish Council	Object	Yes
Ref	Item and Application	Participant(s)	Objection/ Support	Read Out at Meeting
1	Item 7c - 20/00059/FUL	Emma Brown	Object	Yes
2	Item 7c - 20/00059/FUL	Mr & Mrs Hawketts	Support	Yes
	Item 7c - 20/00059/FUL	North Bradley Parish Council	Object	Yes

Ref	Item and Application	Participant(s)	Objection/ Support	Read Out at Meeting
1	Item 7d - 19/12153/VAR	Ian and Jane Robinson	Object	Yes
Ref	Item and Application	Participant(s)	Objection/ Support	Read Out at Meeting
1	Item 7e - 19/10471/FUL	Nick Brindley	Object	Yes
2	Item 7e - 19/10471/FUL	Chris Beaver - Agent	Support	Yes
3	Item 7e - 19/10471/FUL	Francis Firmstone, Limpley Stoke Parish Council	Object	Yes

Wiltshire Council

Western Area Planning Committee

17 June 2020

Item 7a - Application to Register Land Known as 'Great Lees Field' Off Pound Lane, Semington, as a Town or Village

Public Statement 1 – SUPPORT – Dr William Scott

Thank you Mr Chairman.

I am speaking on behalf of the Friends of Great Lees Field.

This is the group of Semington villagers that made the application for the field to be granted village green status.

We've studied Mr Webster's report in detail and we have three points to make in relation to the decision you're faced with today.

The first is that we understand that you will likely decide to accept the recommendation made in the report. We don't intend to try to persuade you that you should not do so.

The second is that we'll not be making any attempt to overturn the decision you reach as we have always said that we'd accept the outcome of the inquiry process.

The third point is to say that, despite all this, we and many villagers are very disappointed by one aspect of the public inquiry process. The rest of our statement refers to this point.

You will have seen from paragraphs 52 to 58 of the report that, midway through the inquiry, and with the assistance of our legal teams, an agreement was reached between ourselves and the landowners.

We'd reached agreement in principle that we would withdraw the application in exchange for the landowners granting a right of way around the perimeter of the field, with permissive access to the rest of the field outside the growing season.

There would also be a new pedestrian (and dog) access to the field from Pound Lane.

This agreement solved the problem we faced as it would give villagers a legal right to use the field for recreation, and it protected the landowners' right to develop the field at some point in the future.

Jointly, our legal teams asked Wiltshire Council for an adjournment in order to work out the fine details of the agreement.

This was turned down by officers on “public interest” grounds, although it was never clear who the public was whose interests were being protected.

We say this because we consulted all 66 households who were party to our original application and none objected to our strategy.

We regret that a local process that established positive lines of communications, and turned antagonism into co-operation, was rejected by officers who had no understanding of matters on the ground.

We also regret the additional costs that were needlessly incurred by ourselves, the landowners, and by Wiltshire Council taxpayers.

We hope that a review of such processes can be put in place.
Thank you.

William Scott

On behalf of the Friends of Great Lees Field

Wiltshire Council

Western Area Planning Committee

17 June 2020

Item 7a - Application to Register Land Known as 'Great Lees Field' Off Pound Lane, Semington, as a Town or Village

Public Statement 2 – SUPPORT – William Stuart-Bruges

Committee Meeting on 17th June 2020, in support of the Officer's Report in item 7a, recommending acceptance of the Inspector's Report and rejection of the Application to register Great Lees Field Semington as a Town and Village Green).

Mr Chairman, Ladies and Gentlemen,

My nephew and I hold this land in Trust for several members of our family. We currently farm the land ourselves - maize, winter wheat and rape.

This Village Green Application has had to be defended by us privately. The process has taken nearly 4 years and has been very time-consuming, costly and stressful for us.

We have always wanted to make sure that the village should benefit from any future development of this site, part of which was given for Council Housing in the 1950s.

We look forward to future discussions, in good faith, with the Applicants in conjunction with Semington Parish Council.

We would like to thank your Rights of Way and Countryside Department staff for the thoroughly professional way in which they have conducted this matter.

The Inspector's decision is very clear, well-reasoned and firmly based in the facts presented to him. There would seem to be no reason for you to disagree with any of his findings. We hope, therefore, that you will accept and endorse them.

Thank you.

William Stuart-Bruges

Wiltshire Council

Western Area Planning Committee

17 June 2020

Item 7a - Application to Register Land Known as 'Great Lees Field' Off Pound Lane, Semington, as a Town or Village

Public Statement 3 – Peter Smith, Vice-Chairman Semington PC

Mr Chairman,

I am writing on behalf of the Semington Parish Council.

Prior to the village green application, members of the council were aware that Great Lees Field had been used extensively for recreation by people living in the village. This is borne out by Mr Webster's findings.

For this reason, the Parish Council supported the application along with over 100 parishioners.

What emerged during the enquiry was that high number of villagers used the perimeter of the field for walking and dog walking.

An agreement was reached in principle by both applicants and objectors which recognised this perimeter usage. Under this agreement, a right of way would be granted around the perimeter of the field, with access from Pound Lane, and the village green application would be withdrawn. This was a commonsense solution which was supported by parishioners.

Although your officers felt unable to support what villagers and the objectors wanted, the Parish Council hopes very much that the spirit of this compromise can be carried forward by applicants and objectors.

Thank you.

Peter Smith, Vice-Chairman, Semington Parish Council

**Wiltshire Council
Western Area Planning Committee**

17 June 2020

**Item 7b – 19/09800/FUL - 12A Frome Road, Bradford On Avon, Wiltshire BA15
1LE**

Demolition of an existing dwelling and outbuilding and erection of 5 residential dwellings with alterations to the existing boundary wall to accommodate a widened vehicular access.

Public Statement 1 – OBJECTION – Michael Simpson

Dear Planning Committee,

I write to object in the strongest possible terms to the above proposal, Application No 19/09800/ FUL.

My house stands twenty feet below some of the intended works, namely two of the houses, the expanded road with a turning point and the development of gardens and a pond. The east wall gable end of my building and the wall adjoining my courtyard to the south both form bulwarks (without buttresses) to the land and steep slopes to be developed. It should be made very clear here that this high wall supports and holds back hundreds and hundreds of tons of earth. It is also the back wall of my living room!

I am seriously concerned regarding the stability of the ground, the disturbance caused with the amount of excavation work with heavy machinery that needs to be done for the houses, the pond garden, the access road and its new water and sewer pipes not to mention the disturbance caused by the removal of several mature trees with deep roots.

All this considered, it seems to me that the work will directly threaten the stability of my walls, either by land slippage or egress of water from the road's pipes or the pond. In either case, the damage to my property would be extensive.

Added to this, there is the threat of continuous traffic noise along the wall boundary and directly above my head in an area that has been for thirty years a haven of peace and tranquility. It would also destroy any sense of privacy with people able to peer over the wall and look down into a very private courtyard.

I am also very concerned about the very increased traffic movements into an area already made busy by parents delivering and collecting their children from the fitzmaurice school. This, i believe will create an ongoing danger to children once the development is both underway and completed. In an already condensed area this development will require large plant machinery and constant lorry deliveries for some time.

Taking all these points into consideration, i sincerely hope the committee will understand and support this objection and throw out what is an essentially a destructive and impractical idea.

Yours Sincerely

Michael Simpson

**Wiltshire Council
Western Area Planning Committee**

17 June 2020

**Item 7b – 19/09800/FUL - 12A Frome Road, Bradford On Avon, Wiltshire BA15
1LE**

Demolition of an existing dwelling and outbuilding and erection of 5 residential dwellings with alterations to the existing boundary wall to accommodate a widened vehicular access.

Public Statement 2 – OBJECTION – Meryl Phillips

I am writing as the daughter of Dr and Mrs Tees who live in the adjacent property, at 12b Frome Road.

This page summarises our serious concerns and objections to the above Planning Application.

Firstly the Planning Officer's Committee Report (dated 4th March) does not represent an even-handed view of the situation (our email outlining the omissions dated 24th March refers). In particular, the omission in their Report of the word "about" in the Highways Officer's Statement (see below) is very misleading.

Our principal concerns are as follows;

1. There is no acceptable solution for bin collection. The proposal is clearly not in accordance with Wiltshire Council distance guidelines and could cause further safety issues due to the large number of bins on the pavement.

2. Due to the narrowness of site and the restricted 2.8 meter wide "pinch point" access, there is a lack of turning capability for anything larger than a car or small van. This will mean that during development all entering lorries and larger wheelbase vans will have to reverse out through the 5 meter long pinch point, the access driveway in front of 12b Frome Road, across the pavement and onto the Frome Road in front of the school gates. Once the development has been completed this dangerous situation of reversing vehicles will continue for service vehicles and delivery lorries because the narrow 2.8m pinch point will remain as the only access.

This will result in a considerable risk to the safety of children, pedestrians and local residents in both the short and long term.

In the Highways report this gap is said to, " *just about* [my italics] meet the absolute minimum width for an actual fire appliance to fit through". The use of the phrase "just about" implies that this is very marginal and may not meet the absolute

minimum at all times. A more qualified and definitive statement would have addressed the consequent serious implications for safety. The current proposal does not address these concerns.

3. The school has worked with the local Council to create the Fitzmaurice Primary School Travel plan which already expresses existing concerns for safe pedestrian access for pupils and residents. In the School's objection they have also referred to the need for uninterrupted emergency access for ambulances, the increased congestion and parking both during and after construction, and the impact on the safety of children and residents.

4. There is no alternative pedestrian or vehicular access to and from the site. Were a vehicle to get stuck in the pinch point (this is reasonably likely with wing mirrors not being usable on large lorries) or hit the protruding gas pipe for 12b Frome Road there would be no access to or escape from the houses. This could lead to a serious emergency with no alternate way in or out of the site.

5. No provision or mitigation has been made to ensure unrestricted, safe passage and access for emergency vehicles for my elderly parents in 12b Frome Road. The need for unloading of construction materials outside the pinch point (due to vehicles not being able to transit the pinch point), for lorry deliveries (eg for grocery or mail order delivery) once the site becomes residential, and the extensive work needed on the access driveway to 12b for new mains and waste water drainage, will result in many occasions when the driveway is impassable and my parents could effectively be trapped.

Whilst we agree that the site at 12a Frome Road needs to be developed in some way, it seems to us that this current proposal represents a significant overdevelopment of a restricted site leading to a very stressed situation, in particular as a consequence of no turning possibilities for construction vehicles and lorry deliveries in the future. There is already a challenging traffic and parking situation outside the school gates and this proposed development would only further accentuate this.

Mrs M J Phillips

12th June 2020

**Wiltshire Council
Western Area Planning Committee**

17 June 2020

**Item 7b – 19/09800/FUL - 12A Frome Road, Bradford On Avon, Wiltshire BA15
1LE**

Demolition of an existing dwelling and outbuilding and erection of 5 residential dwellings with alterations to the existing boundary wall to accommodate a widened vehicular access.

Public Statement 3 – SUPPORT – Tim Mellor

Councillors, thank you for your time this afternoon.

My name is Tim Mellor and along with my wife and my business partner Peter Cavill, we are the owners, investors and site managers for this proposed scheme.

We are a small family business, based in Bath, known as 'Avonvale Developments'. Our overall ethos is to create high quality homes that our prospective residents will be proud to live in. We employ a large number of local tradesmen, small businesses and consultancies and are very proud of the working arrangements and employment opportunities that we have created. We hope to have the opportunity to continue and expand these, particularly given the difficult times that many people and businesses are facing both now and in the future as a result of the Covid-19 pandemic.

We have worked very hard over the last 18 months to create a well considered scheme that will complement the surrounding area of Bradford-on-Avon. We chose to work with Coombes Everitt Architects on the project, who are an award winning practice based in Cheltenham, as they have a breadth of experience in preparing outstanding designs for small sites like this. We are very pleased to note that the Council's Conservation Officer is supportive of the proposed design.

We fully understand the sensitivities of the site and the concerns initially raised by Fitzmaurice primary school, Tiddlywinks nursery as well as some local residents. During the last few months, we have liaised with the headteacher and deputy head of the school along with the owner of the nursery. As part of these discussions, we have looked to provide solutions to address the concerns of the school regarding the safety of school children during construction. We have prepared an initial Construction and Traffic Management Plan. This was presented to the school and they took the opportunity to input into this document. This engagement has also given the school a chance to get to know Peter and I and to understand how we operate.

Overall, I would like to reiterate that during this project our highest priority would be the safety of the school and nursery children along with that of all local residents. Both Peter and I have elderly parents and primary school aged children, making us demographically well placed to appreciate these concerns and we hope you will see that we have worked to allay the potential issues raised. We also hope that the level of detail we have gone into during both the planning and pre-planning application demonstrates how thorough and conscientious we are. We would endeavour to continue our comprehensive approach during the construction phase and beyond.

Finally, we would like to reiterate that we have had no technical objections from any Statutory Consultees to the planning application and we therefore hope you can support your Planning Officer's recommendation to approve this application.

Thank you for your time.

17 June 2020

**Item 7b – 19/09800/FUL - 12A Frome Road, Bradford On Avon, Wiltshire BA15
1LE**

Demolition of an existing dwelling and outbuilding and erection of 5 residential dwellings with alterations to the existing boundary wall to accommodate a widened vehicular access.

Public Statement 4 – Tara Maizonnier (Agent)

I write on behalf of the Applicant, Avonvale Developments Ltd, in respect of the above planning application for the demolition of the existing dwelling and outbuilding at 12a Frome Road, Bradford on Avon and its replacement with 5 residential dwellings.

The planning application is now due to be heard at the Western Area Planning Committee on Wednesday 17 June, following the cancellation of the March Committee meeting due to the Covid-19 pandemic. Ahead of the meeting, I thought it would be useful to provide you with a refresher of the proposals and some additional clarification on matters raised by the Town Council, Bradford on Avon Preservation Society and some local residents.

As a starting point, we are pleased to note that your Officers have recommended the application for approval. This is accompanied by a comprehensive Officer's report which sets out why the proposed development is acceptable and in accordance with the policies of the development plan.

Avonvale Developments have worked hard over the last 18 months to develop a well-considered scheme that will complement the surrounding area. Detailed pre-application discussions were undertaken with Officers during 2019 before the submission of the planning application. As a result, we are pleased to note that there are no technical objections to the proposals from statutory consultees.

It is acknowledged that there is an objection from Bradford on Avon Town Council, dated 5 November 2019, which appears to primarily relate to concerns regarding the traffic movements generated by the proposals, and the potential consequential impact on the neighbouring Fitzmaurice Primary School. Concerns regarding parking provision and private amenity space have also been raised by the Town Council as well as some local residents.

In addition to the above, we note that the Bradford on Avon Preservation Trust has no objection to the principle of redevelopment at the site, although it has raised concerns in respect of the proposed design and height of the proposals and the potential impact on the Conservation Area. I therefore address these points below.

1. Construction Management and Traffic

Avonvale Developments fully understand the concerns raised and would like to take the opportunity to reiterate that the safety of school children is of the highest priority

for them. Since the time of the objection, Avonvale Developments has subsequently met with the Headteacher, deputy head and the owner of the children's centre in both January and March to discuss their concerns, as well as being in regular contact via email.

As part of those discussions, Avonvale Developments has prepared an initial Construction Management and Traffic Plan. This Plan will cover issues such as hours of construction and delivery times, including no deliveries to site during school pick-up and drop off-times; wheel washing facilities on site; erection and maintenance of any security measures at the site and details of areas for the loading, unloading, parking and turning of vehicles associated with the construction of the development. This has been shared and discussed with the School and they have been actively encouraged to assist with the annotation and amendment of these documents. Overall, we understand they are happy with this document and Avonvale's approach. To provide further comfort on this matter, we note Officers have also proposed that permission is granted subject to Condition 3 which states:

"No development shall commence on site until a construction management plan, detailing the timing of deliveries, the projected construction hours and erection of fences, the drainage arrangements during constructions hours and erection of fences... has been submitted to and approved in writing by the Local Planning Authority"

Overall, Avonvale Developments is therefore confident that there will be no issues of safety during construction for school children.

2. Parking Provision and Access

Two car parking spaces are provided for each dwelling and the Officer's report identifies that this meets the relevant criteria of the Wiltshire Car Parking Strategy. The Council's Highway Officer has also confirmed in their consultation response that the parking provision is acceptable.

The proposals include for widening the vehicular access to the site to over 5 metres and adding a continuous footway which will give pedestrians priority over vehicles helping to ensure pedestrian safety. The access proposals will also enable 2 cars to pass each other, which is currently not possible. It is worth noting that, as shown on the plan at page 2 of the planning officer's report, the access to the proposed development will be much wider than the access to the development immediately opposite, at Kennet Gardens.

It is noted that some local residents have raised concerns regarding the 'pinch point' of access within the site. The Officer's report and comments from the Highway Officer have responded to these concerns and it is not considered that this is a reasonable ground to refuse planning permission. Access for fire appliances is also controlled through the Building Regulations and appropriate measures will be implemented in line with those requirements.

Overall, the Council's Highway Officer has raised no objection to the proposals. Paragraph 109 of the National Planning Policy Framework (NPPF) states that

development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. In this case, the Highway Officer has not identified that the proposals would cause an unacceptable impact on highway safety.

3. Private Amenity Space

In respect of the concerns raised regarding private amenity space, the Officer's report identifies that this is not a sufficient ground to refuse planning permission. Whilst it is acknowledged that the private garden areas are not extensive, the proposals also provide an attractive area of communal open space to the east of the dwellings.

4. Impact on Neighbouring Amenity

The Officer's report confirms that there would be no issues of overlooking, overshadowing or overbearing issues that would warrant refusal of the application. The rear dormer windows have been designed to be at a high level and serve to provide light to the stairwell. The dormers are above head height and will provide no views of the children's centre's grounds.

5. Design and Impact on the Conservation Area

We understand that design is often a difficult and subjective matter, however the Council's Conservation Officer is supportive of the proposals stating in their consultation response:

"The proposed terrace would make a good use of the somewhat restrictive site...The design is modern but architecturally reflects historic details in the area, such as strong gables and stonework. The materials proposed seem to be of high quality – although I suggest a condition for samples should be imposed. Due to the site being close knit with surrounding buildings, the proposal would not result in a change in the pattern or grain of development and as such, along with the above points, there would be no harm to the character of the Conservation Area."

In terms of the building height, the ridge line does not exceed that of the highest section of the original existing dwelling, as shown on the elevation drawings. The overall height of the proposals will, therefore, not be dissimilar to the prevailing heights of built development within the area.

We have looked to demonstrate the high-quality nature of the proposals through the preparation of 3D Images. These are enclosed with this letter.

Conclusion

Overall, it has been identified in the Officer's report that the principle of development is acceptable and accords with the policies of the Wiltshire Core Strategy.

It is important to reiterate that the site constitutes previously developed (brownfield) land. The NPPF requires that 'substantial weight' is given to the value of using

suitable brownfield land within settlements for homes in decision making (Paragraph 118 c).

Paragraph 68 of the NPPF also identifies that local planning authorities should support the development of windfall sites, such as the application site, and that 'great weight' should be given to the benefits of using suitable sites within existing settlement for homes.

We would also like to take this opportunity to reiterate that the Government is now increasingly looking to the construction and development industry to support economic growth and recovery following the pandemic. The Ministry of Housing, Communities and Local Government (MHCLG) issued updated guidance in May which identifies the need to ensure that the planning system in England can 'play its full part' in the national and local economic recovery after the pandemic. The construction of new developments, such as the application proposals, therefore has an important role in contributing to this recovery.

Overall, there are no technical reasons that would warrant refusal of this application. It is therefore hoped that Members will follow the recommendation of your Officers and support this planning application. Should you require clarification on any matters ahead of the meeting, please do not hesitate to contact me.

Yours sincerely

Tara Maizonnier

Ridge and Partners

Encl.

17 June 2020

**Item 7b – 19/09800/FUL - 12A Frome Road, Bradford On Avon, Wiltshire BA15
1LE**

Demolition of an existing dwelling and outbuilding and erection of 5 residential dwellings with alterations to the existing boundary wall to accommodate a widened vehicular access.

Public Statement 5 – Bradford on Avon Parish Council

Comment following debate at TC Planning Committee meeting 05 November 2019:

Decision Refuse:

The site adjoins Fitzmaurice Primary School which has accommodation for some 300 children plus staff. The position and configuration of the access to the site introduces significant additional traffic movements only 20 metres from the school gates that represents an unacceptable risk to the children and other pedestrians. There is a 2.8 metre pinch point part way into the site and this together with inadequate on-site turning space will result in vehicles either reversing into or out of the access. This is also a serious safety hazard. The lack of on-site casual parking will add pressure onto the access road to the further detriment of highway safety. Refuse and other large vehicles waiting on the access road to serve additional dwellings, as proposed, is not acceptable.

This proposal fails to comply with Policy H1 of the Bradford on Avon Neighbourhood Plan which states that:

Proposals for infill development will be supported where they make a positive contribution to the town and are in keeping with their surroundings. Proposals for development within existing residential curtilages will be required to:

- compliment the scale and development pattern of the locality in which they are sited
- demonstrate that vehicular access and parking are adequate, safe and convenient
- provide private amenity space for existing and new dwellings
- not adversely affect the amenity of neighbouring properties
- ensure that adequate garden space to existing dwellings is retained in relation to setting and amenity

In this case vehicular access and parking are inadequate and unsafe.

There is inadequate private amenity space

The amenity of the school (and number 12 B Frome Road) are adversely affected

Thus the proposal represents significant overdevelopment of the site.

17 June 2020

Item 7c - 20/00059/FUL Bishop's Folly, No. 2 Ireland, North Bradley, BA14 9RW

Erection of two storey extension, double garage, alterations and associated access works.

Public Statement 1 – OBJECT – Emma Brown

This statement has been prepared by Mrs Emma Brown; I am resident of No.6 Ireland and have made representations to both the original application and the revised scheme in OBJECTION to the proposed development; I wish to reiterate my OBJECTION to the application to Members of the Planning Committee.

I have been a member of the community at Ireland for 12 years and have enjoyed peaceful use of my property and garden which is located to north west of the application site. The close proximity of homes and gardens at Ireland means that any new development, if not carefully planned and considered, has the potential to cause harm to the amenity of the surrounding properties and the character of the hamlet.

The proposed extension and alterations to the existing dwelling at Bishop's Folly appear to be acceptable and will provide the Applicant's with improved accommodation and, externally will respect the character and appearance of the area. However, I wish to uphold my OBJECTION to the proposed two bay garage which the Applicants wish to situate on a separate parcel of land to the northeast of Bishop's Folly.

The garage is proposed to be located on land purchased by the Applicant's from No.1 Ireland in 2017; as noted in your Officer's report, the land is divorced from the residential curtilage of Bishop's Folly by a public Highway and PROW NBRA24. I have taken legal and planning advice which contradicts your Officer's assessment that the land is residential curtilage and therefore benefits from a principle in favour of residential development, enabling the erection of additional structures on the parcel of land.

Section 15 of the NPPF recognises the intrinsic value of the Natural Environment and at para.127 requires that decisions must ensure that new development is 'sympathetic to the local character and history, including the surrounding built environment and landscape setting'. Core Policy 51 of your Core Strategy accords with national policy; starting with the principle that landscape character must be protected at the very least, and where possible enhanced.

Notwithstanding the legal argument against development on this piece of land; erection of a domestic garage in this location represents an unwarranted, and unnecessary incursion into the open countryside through extension of the built form of Ireland, particularly given the clear opportunity to place a garage in the established curtilage of Bishop's Folly, southeast of the dwelling. The highway forms a clearly defined limit to the built form of Ireland; placing domestic outbuilding on the opposite side of the lane fails to protect the historic built form of the hamlet and degrades the boundary between development and the open countryside beyond.

Members are respectfully asked to support their policies and maintain protection of the countryside from urban sprawl. To achieve this I request that a motion is tabled that defers the grant of planning permission to Officers upon receipt of revised plans **DELETING THE GARAGE** on land outside of the residential curtilage of Bishop's Folly.

I would also urge Members to consider an additional condition removing permitted rights under Class E of Part 1 of the General Permitted Development Order to allow the local planning authority full scrutiny of any future applications which propose buildings within the curtilage of the dwelling, due to the complexity of the private ownership, public highway and Public Rights of Way at the property.

Thank you.

Emma

17 June 2020

Item 7c - 20/00059/FUL Bishop's Folly, No. 2 Ireland, North Bradley, BA14 9RW

Erection of two storey extension, double garage, alterations and associated access works.

Public Statement 2 – SUPPORT – Mr & Mrs Hawketts

The householder planning application before you seeks planning permission to extend an existing detached house and the erection of a new detached garage with associated highway improvement works.

The application was initially called-in to committee by Cllr Prickett. However, when the detail of the proposal was explained to Cllr Prickett his call-in request was rescinded.

The scheme to extend and modernise the home has been designed by an award-winning architect and will result in a more energy efficient and practical home for family occupation.

By way of background, the applicant purchased part of the established garden area of the neighbouring dwelling at No. 1 Ireland. The applicant proposes to erect a double garage and undertake surfacing and access works to create a functional turning head at the end of the adopted highway. This element of the proposals has full support of the owners of No.1 but has unfortunately been the subject of a persistent and vexatious objection from one near neighbour at No. 6.

The applicant has provided from the owner of No. 1 to confirm that the land upon which the garage is proposed is lawfully established residential curtilage.

The garage plot lies within the established area of the Ireland hamlet, and is contained by a mature hedgerow which separates it from agricultural land to the east. The site is not subject to any protected landscape or other restrictive designations.

The proposed garage lies over 30 metres from the east facing elevation of No6 and will not materially affect the living conditions of the objector.

The proposed turning head will improve highway safety for all users of the lane including: visitors; deliveries vehicles; and pedestrians using the public footpath. The proposal will also address an existing unsafe and awkward vehicular access to the existing property.

Surface water drainage from the new garage will be attenuated on site and will be released at the existing greenfield run off rate.

Two new window openings are proposed on the rear elevation of the house. One is a narrow high-level window on the ground floor to enhance natural light. A velux window is proposed at first floor level and will not overlook any neighbouring property.

The application has been supported by all technical consultees, including the highway authority.

The committee is respectfully requested to support its officer recommendation, and grant planning permission.

17 June 2020

Item 7c - 20/00059/FUL Bishop's Folly, No. 2 Ireland, North Bradley, BA14 9RW

Erection of two storey extension, double garage, alterations and associated access works.

Public Statement 3 – Object - North Bradley Parish Council

The PC wishes to 'speak' the statement that:

The Parish Council continues to object to the siting of the garage as per the original February response to the application for the following reasons:

- A previous application for a dwelling was refused in 1983 as it was considered an undesirable intensification of sporadic development and would create traffic congestion and access danger caused by increased use of the narrow lane
- The garage is not within the residential curtilage of the property and goes outside of the confines of the hamlet itself, within the "triangle" of land
- The garage is an over development on a limited area reducing public access.

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17 June 2020

Item 7e - 19/10471/FUL 3 A Church Lane Limpley Stoke BA2 7GH

Erection of 2 No. dwellings and associated landscaping and access works (amended design).

Public Statement 1 – OBJECT – Nick Brindley

My name is Nick Brindley and together with a group of residents, have prepared the following statement in order to provide a succinct overview of our collective objections and what we consider to be the key points for your consideration.

We trust that Members of the Committee have managed to read through the 26 representation letters submitted, all which object to the proposals and clearly demonstrate the depth of feeling over this application. There is not a single letter in support of this application.

NEIGHBOURHOOD PLAN

Firstly, we should be reminded of the principles set out in the Freshford and Limpley Stoke Neighbourhood Plan, its purpose and the intended platform it provides;

- Give the local population a greater influence on land use planning in Freshford and Limpley Stoke
- Allow residents of Freshford and Limpley Stoke to determine the scale, pace and location of new developments
- Ensure that Freshford and Limpley Stoke remain vibrant communities whilst protecting the unique rural environment which defines the character of this area

IMPACT ON THE CHURCH, CHURCH LANE and MIDDLE STOKE

The Conservation Officer acknowledges that the application WILL have an impact on the setting of the Grade II* listed church but there is no convincing evidence and justification, within the application, that the proposals meet any of the following criteria;

- Paragraph 193 (NPPF) states that *‘when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation ... This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.’*

- Paragraph 194 states that *‘Any harm to, or loss of, the significance of a designated heritage asset, should require clear and convincing justification.’*
- Paragraph 196 states that *‘Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal ...’*

There is by no means any substantial representation to justify and demonstrate that the proposals make any sort of a positive contribution, or enhancement, to both the character of the church and its setting. The content of the Landscape and Visual Impact Appraisal (dated 19 Oct 2019) that accompanies the application lacks due analysis and offers only convenient conclusions; the ‘views’ included in the report fail to demonstrate the massing of the proposals in order to enable a more telling and accurate assessment to be made. The proposals fail to comply with Core Policies 57 and 58.

INFILL DEVELOPMENT

The proposals cannot be considered as infill development as 2 new dwellings have been infilled on site.

WILDFLOWER MEADOW

The proposed development site sits on a ‘wildflower meadow’ that was a mitigation measure approved for the previous consented house at 3A.

- The latest report states that the inclusion of the *‘wildflower meadow’* was *‘not explicit to the approval of the previous application’*; the approval documents include both the Landscape Plan and the Ecology Report that both make clear reference to the inclusion of a wildflower meadow as a key component of the mitigation strategy and is therefore, without any doubt, a material reason for refusing this application.
- Condition 4 was imposed to *‘ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features’* the condition also states that *‘... Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species ...’*
- Condition 5 was imposed to *‘mitigate and enhance biodiversity interests’*
-

If the present application is permitted it will contravene the conditions imposed on the permission granted in respect of 3A Church Lane.

All the concerns raised within the objections highlight the relevance and importance of a Neighbourhood Plan to provide guidance for what is, or is not, considered as acceptable and empowers local communities to express their concerns and for them to be heard.

We subsequently urge you to refuse this application.

Thank you

Nick Brindley

Joelle Feghali-Brindley

Elayne Richards

Catherine Mitchell

Howard Mitchell

Binny Lascelles

Sam Lascelles

Caroline Ford

Shaun Ascott

Jo Fairweather

Matt Fairweather

17 June 2020

Item 7e - 19/10471/FUL 3 A Church Lane Limpley Stoke BA2 7GH

Erection of 2 No. dwellings and associated landscaping and access works (amended design).

Public Statement 2 – SUPPORT – Chris Beaver (Agent)

The application before you seeks full planning permission for the erection of a pair of 3-bedroom semi-detached dwellings and associated landscaping works.

The application site comprises an area of land forming part of the residential curtilage of 3A Church Lane, a newly built dwelling occupied by the applicants.

The site lies within the defined ‘northern settlement’ in the Freshford and Limpley Stoke Neighbourhood Plan (2015) that allows infill residential development.

The proposals have been subject to an iterative process of pre-application engagement with Wiltshire Council. Pre-application advice recommended a change in orientation of the dwellings and confirmed the principle of development as acceptable on the basis the proposal comprises ‘infill’ residential development within a defined settlement boundary.

Following the initial planning application submission revised plans were submitted in April 2020 in response to representations raised by near neighbours and the Parish Council.

The height and mass of the proposed dwellings was reduced and slower growing (lower height) plant species included on the planting plan. A window on the north elevation was removed to eliminate over-looking of 55 Middle Stoke which lies approximately 27m to the north.

The proposed dwellings are designed in a traditional vernacular style and will be executed in high quality external materials.

The proposal will enhance the existing substandard junction of Middle Stoke and Church Lane by improving exit visibility to the west through a regrading of the verge and erection of new estate railings. This will improve safety for all users of the highway.

Objectors are concerned about the setting of the listed Church. In this regard it is noted the separation distance between the southern gable end and the Church is

approximately 56m. The relationship between the Church and the proposal has been assessed by the Council's Conservation Officer who has concluded the setting of the Church will be preserved.

The objectors' assertion that the proposal will result in over-looking and loss of amenity are not considered to be well founded in planning terms. There is separation distance of 28m between the east elevation of the application proposal and the existing residential properties at 9 The Firs and 60 Middle Stoke. The revised plans have also reduced the height and massing of the proposed dwellings.

The application is supported by all technical consultees, including the Highway Authority, the Ecology Officer, and the Conservation Officer.

The committee is respectfully requested to support its officer recommendation, and grant planning permission.

17 June 2020

Item 7e - 19/10471/FUL 3 A Church Lane Limpley Stoke BA2 7GH

Erection of 2 No. dwellings and associated landscaping and access works (amended design).

Public Statement 3 – OBJECTION – Francis Firmstone, Vice Chairman of Limpley Stoke Parish Council.

My name is Francis Firmstone. I am Vice Chairman of Limpley Stoke Parish Council. I am also a property developer, so do not take the step of objecting to a planning application lightly.

I hope that the Members of the Planning Committee have read our detailed letter of objection to the proposed development. This statement represents an overview of what we consider to be key points.

We are generally supportive of developments in our village and indeed supported the original application in 2016 for 2 new houses on this site.

This application is however unacceptable for the following reasons:

1. The applicant states that this is infill development as it is 2 houses and that this is supported by Wiltshire CC and our Neighbourhood Plan. This would be the case were it not for the fact that 2 new houses have been granted consent and built on this land in the past 4 years.
2. The application before you for 2 dwellings is on land designated as a “wildflower meadow” by the applicant as part of the mitigation and landscaping strategy that enabled them to be granted planning permission in 2017 for 3a Church Lane. To allow building on land set aside for mitigation of a recent planning permission undermines the very system on which effective and sensitive planning is based. We did not object to the 2016 planning application as a result of the efforts made to mitigate the harm caused.
3. The application site is one of the most important pieces of open land in the village. It provides the link between the rural landscape of fields beyond the church with the beginning of the village on Middle Stoke. It forms a visual core of green that provides an open setting for the 11th century St Mary’s Church that allows it to be read in a semblance of its original context.
4. The applicants’ landscape consultant for the new house on Church Lane acknowledged and was at pains to emphasise the importance of the existing

hedge and the importance of the sightlines to the church, it's semi-rural setting and the views of it from Middle Stoke. These are now being ignored.

5. It will have a significant impact on neighbouring properties. We accept that in general guidance the proposal complies with accepted separation distances however, in the submissions for the earlier implemented applications significant attention was made of not impacting neighbouring properties. This minimised local objection at the time. The fact that this application has attracted over 25 letters of objection demonstrates the clear negative feeling about this application.

Further, we feel that the principles laid out in Neighbourhood planning statute should be more fully considered.

'Neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood and shape the development and growth of their local area... Neighbourhood planning provides a powerful set of tools for local people to plan for the types of development to meet their community's needs...' (www.gov.uk)

The Freshford and Limpley Stoke Neighbourhood Plan was the first cross-boundary plan and considered an exemplar of community engagement. It was built around the principles outlined above and has been, and will continue to be used, by both Parish Councils to provide support for well-considered planning applications. However, where that planning is not considered appropriate we hope that the principles of allowing local people real power in decisions that affect them directly will also be supported.

To conclude: this application is not infill development as that has already been done; it harms the setting of the Grade 2* listed St Mary's Church; damages the heart of the village; goes against undertakings provided in gaining planning permission in 2016/17; has a significant impact on neighbours; and goes against Wiltshire CCs' own Policy CP2, as well as the NPPF para 145.

Given the significant lack of support by the community in Limpley Stoke, the clear factors laid out above against this build continuing, and the intention behind our cross-boundary Freshford and Limpley Stoke Neighbourhood Plan, we ask that you refuse this extremely insensitive application and allow a community to continue to be engaged in its own development and that it's voice be heard.

Many thanks

Francis Firmstone
Vice Chair and Planning Lead,
Limpley Stoke Parish Council

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**Wiltshire Council
Western Area Planning Committee**

17 June 2020

**Item 7d - 19/12153/VAR McDonald's Restaurant 235 Bradley Road Trowbridge
BA14 0AZ**

*Variation of condition 3 of W/96/00587/FUL to modify the opening hours to 06:00-23:00
Monday to Saturday*

Public Statement 1 – OBJECTION - Ian and Jane Robinson

To whom it may concern

We (Ian and Jane Robinson) object to the above planning application for the following reasons:

- living directly opposite McDonald's we can clearly hear the traffic noise from their drive-through and car park. We feel that any extension to their opening hours before 0700 would create unreasonable noise at that early time.
- there is a tendency for those waiting at the drive-through to play loud music and also, occasionally, sound their horns. We feel this would be totally unacceptable at the proposed earlier opening time.

Yours faithfully,

Ian and Jane Robinson

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