

**17 June 2020**

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**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’*
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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

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**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.

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**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](http://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