

**22 July 2020**

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**Item 7b – 19/10471/FUL: 3a Church Lane, Limpley Stoke, BA2 7GH**

**Public Statement 1 – Objection – Nick Brindley**

Planning Application 19/10471/FUL (3a Southernwood, Limpley Stoke) that were raised in our detailed statement submitted to the committee meeting held 22 July 2020.

Neighbourhood Plan and Infill development

- The application is in conflict to the Neighbourhood plan regarding a number of local objections and concerns that have been raised to date (aspects of which are highlighted within this summary).
- The application fails to meet the criteria of “infill development” as 2 new developments have been built on site in the last 4 years.

Visual impact upon the character of the surrounding area

- The application will have an impact on the setting of Grade II\* listed St Mary's church (As acknowledged by conservation officer)
- The proposal does not demonstrate substantial justification or public benefits to outweigh its impact on the setting of Grade II\* listed church.
- The application fails to demonstrate or adequately justify the impact the proposal will have on the semi-rural setting, the established existing hedge row and the sightlines to and from St Mary's Church along Middle Stoke.

Relationship to adjoining properties

- The application will have significant impact on neighbouring properties. It is acknowledged that in general guidance the proposal complies with accepted separation distances however, it is not felt the application sufficiently demonstrates any significant attempt to mitigate its impact on neighbouring properties, particularly in the context of the semi-rural setting.

Wildflower meadow

- The proposed development will contravene the conditions of the permission Granted in respect to 3A Church Lane, which itself is a mitigation measure to the impact of previous development.

- Recent site activity on the 'Wildflower Meadow' has clearly disturbed its residents; this might well be considered as testament to its success but please remain vigilant when you visit the site.
- Bath Asparagus can be found growing in the meadow. As the name suggests it is peculiar to the area south of Bath and it would be disappointing to threaten this habitat.

[Barred?] Grass Snake (Middle Stoke 12 July 2020)

The significant lack of support for this proposal, together with the clear facts laid out above, we urge you to refuse this application.

In the meantime, we wish to thank Members of the Committee for recognising the sensitivity of this application and the need for it to be afforded the time for a more considered and informed decision to be reached.

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  
Nick Lambert  
Laurna Lambert  
Clerk Davis  
Laura Llewellyn

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**Public Statement 2 – Support – Chris Beaver - Agent**

As you will have noted from your site visit, the application 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 confirmed the principle of development as acceptable on the basis the proposal comprises 'infill' residential development within a defined settlement boundary. This advice has been reconfirmed in the committee report.

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

Revised plans submitted in response to representations raised by near neighbours and the Parish Council further reduced the height and massing of the proposed dwellings. A window on the north elevation was removed to eliminate the potential for over-looking of 55 Middle Stoke which lies approximately 27m to the north.

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 sites are also separated by Church Lane. The relationship has been assessed by the Council's Conservation Officer who has concluded the setting of the Church will be preserved.

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.

Following representations raised in respect of the presence of Bath Asparagus made during the June committee meeting, the applicant instructed a specialist botanical survey. This confirmed the presence of 4 asparagus plants on part of the site

boundary that will remain undisturbed by the proposed development. Suitable protection measures will be put in place during the construction phase.

We submit that the proposals are fully compliant with applicable development plan policies, heritage and wildlife legislation and national planning policy.

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**Public Statement 3 – Support – Mr A Holdoway**

The Holdoway family has lived on the property in Church Lane since my father, Tom, bought the original Southernwood plot in 1963. I grew up here in the house which he built.

Following the deaths of my parents, I moved my own family to the house in 1991. It remained a family home until 2018 when we decided to downsize and build a new house suitable for retirement years: No. 3a which is located within the original three acre plot.

We had no wish to move from the village and we value the location and the environment. We have been in favour of the Neighbourhood Plan and actively supported its adoption. We believe our current planning application aligns with the plan, both in housing and social objectives for village revitalisation.

The southern area of the original plot, bounded by Middle Stoke and Church Lane, has been little used since 1963. The fencing has been maintained and the grass cut, yet I have always considered that a better use would be to provide new housing on the land to the east of the plot.

The proposal put to you is for a modest development of two three bed, semi-detached, cottages. I am conscious that, due to local land value, recently constructed property in the two villages is large in size, generally of high value and usually purpose built for an occupier. In this proposed development I had the freedom of choice.

The design team propose this pair of cottages with a rural village aesthetic and in natural stone. It is our intention to retain the two dwellings for long term private rental. I believe the dwellings will positively add to the housing stock of the village, and will enable an otherwise under-utilised area of surplus land to be beneficially developed whilst also offering a betterment to the existing sub-standard highway at the junction of Church Lane with Middle Stoke.

The last time that this issue of visibility was addressed, in 1970, was when Tom Holdoway lowered the level of the land on a substantial section of Church Lane to give improved sight lines. This was at the request of the parish council at the time and included the installation of iron estate fencing, rather than denser hedging.

On the basis that none of the statutory consultees have raised any objection to the proposal, the committee is respectfully requested to support its officer recommendation, and grant planning permission.

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**Public Statement 4 – OBJECTION – Francis Firmstone - 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