

## Appendix 1.6

### Summary of Applicant's Response to the Landowners' Objections to the Application

<p><b>Letter dated 17/11/2004 from Old Hollow &amp; Shreen Water Residents Association</b></p> <p>1. Ownership</p>	<p>The Applicant acknowledges Mr Burfitt's ownership but believes that by neglecting care of the land he acquiesced in the use of the land by the local residents. Plainly evident that residents cutting grass/making wildlife gardens so why did Mr Burfitt not stop them doing so.</p>
<p>2. Timescale</p>	<p>Mr Burfitt is not accurate in his dates and timescale.</p> <ul style="list-style-type: none"> <li>- Mere by-pass opened 1976 (not 1978)</li> <li>- No agricultural use after 1981 (Mr Burfitt says he farmed land until 1987)</li> </ul>
<p>3. Witnesses</p>	<p>Objectors' witnesses are either family or "consultants" who had been employed by Mr Parfitt and live outside the area</p>
<p>4. Activities</p>	<p>All activities described have at some time over the relevant period been practised, even though the land may not have been suitable for all activities at all times. Activities have changed with the land.</p>
<p>5. Planning Application</p>	<p>Village green rights not realised until after closing date for objections to planning application. Points out that notable village green applications have been made following planning submissions and have been successful.</p>
<p><b>Response to Statement of John Parfitt</b></p>	<ul style="list-style-type: none"> <li>- Mr Parfitt understates the amount of opposition to his planning application</li> <li>- Recreational use did not feature in objections to the planning application by members of the Association as local councillors advised the Association to stick to material planning considerations.</li> <li>- Significant that objectors who are not members did include recreational use.</li> <li>- They note that majority of the photos</li> </ul>

	<p>have been taken since Mr Parfitt barred access and make comments on a number of the photographs</p> <ul style="list-style-type: none"> <li>- Mrs Birch affirms she has flown a kite on the application land in the last few years</li> <li>- Wiltshire Wildlife have visited the application land &amp; found it 'rich in wildlife'</li> <li>- They believe the barbed wire fence is illegal – stranded on the wrong side of posts with barbs on bridleway side.</li> <li>- Use of the land was continuing at the date of the application and beyond</li> <li>- The witness statements Mr Parfitt claims should be disregarded should be included</li> <li>- The dates given for swede growing are incorrect</li> <li>- Land does not become overgrown overnight and as long as activities were possible at some time they qualify</li> <li>- The land is not so overgrown that it would deter a properly shod walker and Mr Parfitt seems to have had no difficulty taking photos.</li> </ul>
<p><b>Response to statement by Phillip Burfitt of 1 Old Hollow, Mere</b></p>	<ul style="list-style-type: none"> <li>- Mr Burfitt is confused over dates – the Mere by-pass was opened in 1976</li> <li>- Mr &amp; Mrs Sutton retired in 1981 and have not seen any crops grown on Peasehill since their retirement</li> <li>- Mrs Smith states there have been no crops on the land since she came to Mere in 1981. In 1981 she rented the application land for her horses – the land was not fenced so she used a temporary electric fence to contain the animals. She also rented Duchy land next to the application land from 1983 to 2004 and has not seen any crops on application land</li> <li>- Long standing residents of Old Hollow do not recall swedes being grown on the application land</li> <li>- The above suggests Mr Burfitt stopped farming the land in 1981 and from 1983 it was left unfenced and unattended</li> <li>- Various witnesses have reasserted</li> </ul>

	<p>that children have used the land for recreation and that the land has been used for dog-walking</p> <ul style="list-style-type: none"> <li>- No witness statements to back up Mr Burfitt's statement that he has spoken to them on the land and Mr Burfitt is confused over individuals</li> </ul>
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### **Other documents submitted by Applicant**

1. Annexure 1 – copy of e-mail to Salisbury District Council notifying them of submission of village green application
2. Annexure 2 - Western Area Committee 15/7/2004 – Schedule of Additional Correspondence including representation regarding Village Green Application
3. Annexure R1 – letter from Wiltshire Wildlife Trust to Salisbury District Council dated 22<sup>nd</sup> July 2004 stating that they found the application land to be rich in wildlife.
4. Annexure R2 – Agenda for meeting of Mere Parish Council on 12<sup>th</sup> May 2003 with proposal to ask Salisbury District Council to withdraw the application land from the housing policy boundary
5. Annexure R3 - Letter dated 24<sup>th</sup> August 2004 from English Nature Conservation Officer to Mrs A Howell, Hon.Sec. of the Applicant 's Association, concerning wildlife seen at Peasehill.
6. Copy e-mail and Plan