

Note to Inspector in response to Mr Bunting query over land availability at H2.3 Elizabeth Way, Trowbridge

1. At the hearing session regarding site allocation H2.3, Mr Bunting in referring to the map in **Appendix 1** raised land ownership queries with regards to parts of the site allocation that he considered to be ‘unregistered, unavailable and uncertain land’ as follows:
 1. ‘Part of a garden definitely not available’;
 2. ‘(registered) – no sponsor’;
 3. ‘Persimmon Homes (Bowyer) Unregistered’; and
 4. ‘Wiltshire Council (community asset owners)’.

2. At the request of the Inspector, Wiltshire Council has considered each of these parcels of land and prepared the following response:
 1. No representations have been received to date during the consultation periods to indicate this was an error. Now identified, it is proposed that this parcel of land be removed from the proposed allocation. As a relatively small parcel of land the allocation can still be delivered without it being included;
 2. This piece of land is recorded in the ownership of Elizabeth Constance Kisielewski and Carolyn Josephine Parkinson (**Appendix 2 and 3**). Now identified, it is proposed that this parcel of land be removed from the proposed allocation. As a relatively small parcel of land the allocation can still be delivered without it being included;
 3. Persimmon Homes Wessex have confirmed that the land identified is held under option by Persimmon Homes and is available for development. While the title is unregistered the land is subject to an option agreement made 30 November 2005 between Lorna Robinson and Andrew Buchan Notman and Persimmon Homes Ltd (**Appendix 4** - letter from Persimmon Homes, location plan and a plan appended to the Option Agreement); and;
 4. The land is not the subject of an application for an Asset of Community Value. More importantly, while the definition of an asset of community value generally applies to buildings and can extend to land if the main use of that land has recently been or is presently used to further the social wellbeing or social interests of the local community this is not the case here. In the case of the Council’s land holding, this definition would not apply as the land has been and continues to be used for farming through a tenancy agreement.

Appendix 1: Map extract from submission by George Bunting EXAM.14

Appendix 2 and 3: Land Registry register and location plan for WT277842

Appendix 4: Letter from Persimmon Homes, location plan and a plan appended to the Option Agreement