

Application to Register Land as Town or Village Green - Southwick Court Fields, Southwick and North Bradley  
Appendix 9 - Applicant's and Cllr G Hill's Comments on Objection

**From:** [Norman Swanney](#)  
**Sent:** 05 April 2022 14:33  
**To:** [Green, Janice](#)  
**Subject:** Re: Application to Register Land as Town or Village Green - Southwick Court Fields No.2020/02TVG  
**Attachments:** [Objection response and correction \[final\]-min.pdf](#)  
[Field-Years-Map update April 2022.pdf](#)

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Dear Janice Green

Thank you for forwarding this material and giving me the opportunity of dealing with the matters contained in the statement of objection.

My response is attached (first enclosure).

In reply to Clarke Willmott's dismissive comment over the '20 year' issue (paragraph 4.1 of the Objection), I have asked a selection of neighbours to state exactly how many years they have used the fields and have been familiar with the lack of restrictions on access. This additional information is contained in the second enclosure.

I hope this submission will be helpful in your further consideration of this vital application and would be most grateful to know what the process is from here and when there might be a decision on this matter.

Would you kindly acknowledge receipt of this response?

Regards

Norman Swanney

■ Balmoral Road

Trowbridge

BA14 C ■

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**From:** Green, Janice [janice.green@wiltshire.gov.uk](mailto:janice.green@wiltshire.gov.uk)  
**Sent:** 22 February 2022 14:26  
**To:** ■  
**Subject:** Application to Register Land as Town or Village Green - Southwick Court Fields

Dear Mr Swanney,

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**Commons Act 2006 – Sections 15(1) & (2)**

**Application to Register Land as Town or Village Green – Southwick Court Fields, Southwick and North Bradley**

**Application no.2020/02TVG**

Further to the close of the formal objection period, following notice of the above-mentioned application to register land known as Southwick Court Fields, Southwick and North Bradley, as a town

or village green, on 31<sup>st</sup> January 2022, I am writing to advise you that Wiltshire Council, as the Registration Authority, are in receipt of one objection.

Under regulation 6(3) of “The Commons (Registration of Town or Village Greens) (Interim Arrangements) (England) Regulations 2007”, the Registration Authority are required to send to the applicant a copy of every written statement in objection to the application which it receives before the date on which it proceeds to the further consideration of the application and under regulation 6(4), the Registration Authority must not reject the application without giving the applicant a reasonable opportunity of dealing with the matters contained in any statement of objection.

In order to comply with the regulations, please find enclosed the following correspondence for your attention:

	<b>Correspondence (Objection)</b>	<b>Date</b>
1	Clarke Willmott for The Honourable Mrs S M Rhys	16/12/2021

For completeness I have also included copies of other representations made regarding the application:

	<b>Representations</b>	<b>Date</b>			<b>Representations</b>	<b>Date</b>
1	P Allsop	13/12/2021		12	J & B Keltie	12/12/2021
2	T Allsop	12/12/2021		13	North Bradley Parish Council	04/01/2022 & 14/01/2022
3	H Chamulewicz	12/12/2021		14	M Noutch	12/12/2021
4	J Dennis	19/12/2021		15	M & J Oliver	14/12/2021
5	M Dennis	19/12/2021		16	Savills on behalf of Waddeton Park Ltd	09/11/2021
6	P & S Elphick	10/12/2021		17	Southwick Parish Council	16/12/2021 & 20/01/2022
7	D Goodship	17/12/2021		18	M & L Stevens	13/12/2021
8	C Hill	14/12/2021		19	N & A Swanney	13/12/2021
9	Cllr G Hill	15/12/2021		20	Cllr D Vigar	15/12/2021
10	R Hunt	17/12/2021		21	M & G Whiffen	10/12/2021
11	B Jones	12/12/2021		22	S & P Willcox	12/12/2021

If you would like to make any comments regarding the objections, or indeed any of the representations attached, I would be very grateful if you could forward them to me in writing, not later than 5:00pm on Wednesday 6<sup>th</sup> April 2022.

Yours sincerely,

Janice Green  
Senior Definitive Map Officer  
Rights of Way and Countryside  
Wiltshire Council  
County Hall  
Trowbridge

BA14 8JN

**Wiltshire Council**

The logo for Wiltshire Council, featuring the text "Wiltshire Council" in a bold, green, sans-serif font. Below the text is a decorative horizontal line composed of small green dashes.

Telephone: Internal 13345 External: +44 (0)1225 713345

Email: [janice.green@wiltshire.gov.uk](mailto:janice.green@wiltshire.gov.uk)

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In order to address many of the assumptions made within the letter of Objection it appears to be logical to address salient points with direct reference to the Objection itself. This will be completed with a summary.

## **1**

### **Introduction**

#### 1.3

This assumption is unnecessary and unfounded. It stands as a matter of record that the application is for a section of the land unaffected by the current planning application or allocation of WHSAP site H2,6. Additionally:

1. The validity of the Planning application on the allocation site has already been questioned by Thrings solicitors and is a matter of public record (found within the consultation portal at [Planning Application: 20/00379/OUT \(wiltshire.gov.uk\)](https://www.wiltshire.gov.uk/planning-application/20/00379/OUT) (17/2/20)). In this light any application covering the entirety of the site was perfectly valid and may well prove a trigger event in and of itself should the legality of the Allocation and associated paperwork be judged in Court.
2. Furthermore, the matter of a Planning application on adjacent land to the Village Green application has no bearing whatsoever on the current request made under section 15 of the Act. This is an assumption framed as fact by the Objector.

## **2**

### **Standard of proof and quality of evidence**

#### 2.2

In this case the consequences and impacts on the owner are so minimal as to be unquantifiable. The section of the land has not been in agricultural use since the middle of 2020, has been designated as informal recreation land in documents submitted in support of the inclusion of the land as a WHSAP allocation (see appendix a) and has not been in a condition to support cattle grazing since that time (appendix b)). Furthermore, the land, whilst outside the Allocation, has been designated within the Outline application for the site as not requiring a change of use (as determined in the WHSAP Examination Library). Therefore the status quo is to be maintained by this application given that, should the land revert to agricultural use as observed for the past 20 years and more, no alteration to access or behaviour would be required.

## **3**

### **Occurrence of Trigger events and variation of application**

#### 3.1

As described above, the Planning Application has had its legal validity questioned on a variety of grounds. These grounds have not been answered or addressed. Any trigger event would be subject to the confirmation of the legality and correctness of the Outline Planning Application being examined and adjudged to be legal and correct. As this has not occurred to this date this

argument is spurious. This understanding is confirmed in section 5.10 of the Objection when it states, in reference to “the Northern part of the land”, that “This area of land is subject to a trigger event”. This clarifies and confirms that the trigger event would apply solely to the Northern part of the land which lies outside the current scope of this acknowledged and approved Town and Village Green Application.

3.2

None of the land included in the Application impinges in any way shape or form on the WHSAP allocation. There is no element of the application which has anything but a positive impact on the allocation, supporting as it does declarations made in the Outline Planning Application, the amended DAS and existing Wiltshire Council Policy.

3.3

This is incorrect. The application as reviewed and validated by Wiltshire Council Mapping and Legal Officers is for the Southern part of the site only. The objection falls on this point.

3.4

All representations made during the consideration of the application were submitted specifically in reference to the Southern part of the land currently standing as an active Town and Village green Application. Earlier submissions only reinforce the access to the entire site which has been, and continues to be, fully open for public use. The assumption that the responses relate to the Northern part of the land is made without any evidence or justification. Clearly long-time users of the land have been aware of where they were in relation to the cardinal points of the compass. The presentation of fair assumption is without evidence or foundation.

## **4**

### **20 years use**

It must be noted at this point that the application for the land as marked on the submission validated by Wiltshire Council Officers need only be submitted by *one* individual. The presentation of additional sworn statements only serves to add validity to the applicant and illustrate the quantity of use of the identified site. Any comment seeking to undermine the presented Application by a criticism of these additional voices is irrelevant to the consideration of the application.

The comments within this section of the objection are ill-founded and without any basis in fact. The Objection should therefore be summarily rejected in this particular.

4.1

Submissions from residents sworn and countersigned by a solicitor are contained within the original application. These specify “over 20 years”. This objection is groundless.

4.2 This is the document referred to in 4.1 and meets the criteria for evidence as published. It leaves no room for doubt about the minimum period of 20 years.

## 5

### Lawful sports and pastimes

#### 5.5

The statement contained within the Objection is incorrect in both assertion and fact.

- The determination of the nature of the land is contained within the references in appendix a) as submitted in evidence *in support* of the land being allocated for development.
- As explained elsewhere the land has fallen out of use for agriculture as illustrated photographically in Appendix b).
- As explained elsewhere the grazing of cattle was spread across *at least* six discrete fields in the ownership of the landowner. The small section in question of this Application was never closed to any form of access and was utilised minimally throughout the time when agriculture was in place as a source of winter fodder.

The location of the Village Green application was therefore never out of bounds, nor restricted by any signage or activity or even practically placed out of use with the exception of the two part-days when mowing and then baling took place. Even on those days it was just a case of avoiding the progress of the tractor and not related to any formal or informal exclusion.

#### 5.8-9

Camping has and does take place. The fact that the landowner is ignorant of this is not the fault of the Applicant, or a weakness in the Application. In this case it can be presumed that the children in question would want to be as far away from adult censure as possible as evidenced by the bottles and cans which are cleared by the users of the field and that the Southern portion of the field, as applied for, is the preferred location. If cattle were present this activity could not take place and serves to support the comments made above.

#### 5.10

The presumption that these activities take place in the Northern part of the land, outside of the Village Green application area is just that, an assumption, which is not borne out factually in any way. Interestingly, in relation to objections raised in 3.2 there is a clear recognition that the trigger event applies only *to the Northern part of the land*. This makes much of the statement of opposition self-contradictory.

#### 5.12

The hang glider/parawing is probably misnamed. The flying device had rigid, framed, cloth covered wings and was powered with a single large fan situated behind the pilot. Landings and take-offs occurred regularly pre-Covid.

5.16

The idea that parents keep evidenced records of their children's play activities and locations and retains those records over a twenty-year period is fanciful. This is testing the sworn statements of families with unsupported assertions and assumptions.

5.18-19

The location for this is confirmed in statements presented in December 2021 referencing the Southern portion of the field, the Application site. The unrestricted act of foraging for berries indicates the Landowners consent and/or right by usage and supports the Application.

5.20-28

As evidenced by the trackways map and photo in appendix c), the designated footpaths are supplemented by a series of trackways and meander lines which cover the entirety of both the application site and the allocated portion of the land.

5.29

The photographs in appendix d) are related to land contained within the application and illustrated on the attached mapping. These appear to show the stopping up of access points. This would appear to run contrary to the point made within the Objection.

## **6**                    **Use as of right**

The lack of restrictions placed on any of the named activities, including berry-picking without specific permission from the landowner, but undisputed in the Objection, demonstrates one aspect of "as of right". There has never been any form of restriction placed nor permission sought for this activity. There is no evidence of any restriction ever having been placed on this foraging which has clearly taken place with the knowledge of the landowner. In order to be valid, the Objection must eliminate *all* such use to be valid. It has not and so loses any validity.

## **7**                    **Significant number of the inhabitants of any locality**

It is worth addressing points 7.1-7.7 globally.

Population numbers for Grove Ward are unnecessary and irrelevant. The nature of the Village Green application requires the applicant to identify a Community Area which the application will serve. The truth of this Application is that many visitors to the area in question travel to the vicinity for their recreation. This is partially as a result of good permeability into the field system in question via footpaths, trackways and bridle paths and partly due to the availability of parking adjacent to those aforementioned routes.

The number of residents in the nearby Ward has been estimated and used as "evidence" that numbers are exaggerated. If they are submitted to imply usage then no consideration has been made for footfall from other Wards such as Drynham or

Central, Villages such as North Bradley and Southwick, or the many who drive to the boundaries from not only the Town to reach the most accessible green infrastructure, but from as far as Frome.

Grove Ward is only identified as nearest conurbation and place of residence of Applicant as required in the Village Green Application. Should the Application be successful, there will be no restrictions for access based on postcode and the current use of the land will be maintained and protected in Law.

To address the repeated question of “evidence”, this footfall is claimed by the Applicant. The Opposer should find it simple to provide evidence to the contrary if these figures are false.

To apply a little perspective to the figures supplied within the Application:

If one takes a median daylight length of 12 hours, the number of people using the application site would have to reach the giddy heights of 25 people per hour. This would necessarily reduce during wintertime, plateau during spring and autumn, but increase exponentially in the summer months.

The estimate of 300 visits per day is therefore on the lower end of reasonable and, lacking any evidence to the contrary, must stand.

## Summary

There are a number of inescapable “elephants in the room” in relation to the submission of Opposition. There are conflicts in the internal logic.

- ***Either:***

- The Application is within the bounds of the Allocation.

- ***Or:***

- It is not (it is clearly and obviously not).

- ***Either:***

- The Application is designed to block the Allocation

- ***Or:***

- It is supporting the plans submitted within the Allocation. Since the Allocated site is to the North of this Application and the area of the Application has no bearing on services or access, and in fact maintains the repeated goal to retain the Application site without modification, it can in no way be seen to obstruct the Allocation in any form.

- The documents submitted to the WHSAP Examination in support of the Allocation clearly define the land as informal recreation space. If these documents are incorrect why was this not mentioned by either the landowner or the Agent for the landowner who was present at the Examination hearing? This gains significant weight when it is recognised that the documents referenced were submitted *in support* of the Allocation. The documents must therefore be correct.



- The plethora of assumptions made, in contradiction to the documents presented (for example the assumption that documents and statements presented after the notification period where the bounds of the site were clearly marked in all publicity) weakens the Opposition case. The function of the assumptions is to weaken the Application, not to contribute to the body of evidence presented. Their function is to confuse and conflate and undermine an accepted Application which has already been thoroughly examined and judged legal.
- The continued decision by a retained representative that evidence is false, inapplicable, weak, or failing, has to be seen in the light that these comments are made as **opinion**. The **fact** that this Application has been scrutinised, assessed, and amended when and where necessary by Officers and Legal teams whose role is to declare the validity of such Applications sets these comments in perspective. The lifespan of the Application has been extended as it was tested and tested again. The opinion of the representative should be balanced against the opinion and experience of the impartial arbiter.
- The fact unaddressed by this Objection is that the Application itself is supported by all of the elected bodies representing the people who have used, and wish to continue to use, the land as they have within living memory. Moreover, the Application respects the Allocation and supports the clear plan to retain the open aspect of the development. This is in line and supportive of Wiltshire Council Core Policy 29 which has been adopted to ensure the continued separation of North Bradley and Southwick villages and prevent their coalescence with the Town of Trowbridge.

No change to the use of this land is desired or suggested. Should the cattle return at some point in the future on the same basis as when the land *was* partly in agricultural use there shall be no impediment to that occurring. Historically, the multiple streams of use on the land have coexisted harmoniously. When speaking of evidence, there are no recorded instances of any restriction being placed on access or use of the land. If this evidence exists, I am sure that it will be provided to counter this argument.

## Appendix a)

### HIA description

#### Southwick Court, Trowbridge Description

3.14 The site comprises a large area of gently rolling agricultural land on the southern edge of Trowbridge. It is bounded on much of its northern edge by modern residential development. **It forms part of the relatively narrow green corridor** separating suburban Trowbridge from the outlying settlements of Southwick and North Bradley.

#### Wiltshire Housing Site Allocations Plan Sustainability Appraisal Report Annex 1 A.9 Trowbridge Principal Settlement

##### Site context

Site size: 17.6ha      Site capacity: approximately 280 237 dwellings  
The site extends across approximately 17.6 hectares of open, agriculturally improved (pasture) grassland. It lies adjacent to the southern/south-western edge of Trowbridge, separated from residential stock through part of its length by the Lambrok Stream, mature Poplar trees and sporadic hedgerows. The site is bound to the east by mature hedgerows, highway verge and the A361 (Frome Road). Beyond the A361 to the west lies Southwick Country Park. **To the east/north-east of the site are a series of open fields used as pasture and informal recreation**, beyond which lie the A363; North Bradley; and the White Horse Business Park. To the south/south-west are open fields associated with Southwick Court and its Grade II\* Listed building complex, with Southwick village further to the south-west. A footpath runs through the site and links to Axe and Cleaver Lane to the east. P190

**The site comprises two large agricultural fields used for livestock grazing and informal recreation.** Development of the site would result in the permanent loss of agricultural land. There is no evidence of contamination issues and the land is not located within a Mineral Safeguarding Area/Waste Site Safeguarding Area. Overall the site option is considered to have a moderate adverse effect on this objective. P193

**The site comprises greenfield, agricultural land/informal open space** P196

**The site functions as a green infrastructure corridor.** The fields are large and open in character and exhibit a strong relationship with the Lambrok Stream (and its floodplain)/Southwick Court (Grade II\* Listed Farmstead). Mature hedgerows/Poplar trees provide a natural and logical boundary to the existing settlement edge of Trowbridge. In a wider sense, the site should be considered within the context of surrounding farmland and the Southwick Country Park which serve as buffer between the Town and village of Southwick. Development of the land would therefore alter the  
(sic, description incomplete) P201

In terms of historic landscape character, the site of medium sensitivity to change. The land exhibits surviving and legible post-Medieval water meadow features. **Such**

features are considered to be rare and are often significant contributors to local landscape character. P201

The land is currently greenfield and trafficked by walkers/dog walkers using the footpaths and fields for informal recreation. P201

protect and improve existing Public Rights of Way (PRoW) that cross the site. P205

## Appendix b)

### Out-of-use gates and fences

Westernmost stile with historically removed fencing (evidenced by muddy footway through missing fencing).



Blocked open gate at Bridleway entrance



Removed fence adjacent to Bridleway gate (Western boundary of Application)



Bridleway entrance illustrating inaccessible stile blocked by opened gate (usage evidenced by muddy trackway through permanently open gate with no evidence of access from stile)



## Appendix C

### Current footpaths and trackways

Whilst photographs exist taken from ground level, this is the clearest representation of the numerous paths and trackways in us at the current time.



Current footpath/trackways key:

Black	Principal circular path
Yellow	Secondary “internal” paths running either side of the remains of the fencing and the Southern perimeter.
Blue	Right is the path from the kissing gate, Left follows the high water line of the flood zone.
Orange	The principal North-South footpath.
Red	Blocked off pathway
Purple	Right access to bridleway, left access onwards to Southwick, North Bradley and Hoggington.
White	Dog walker route

**Appendix d)**

**Locations of pictures**



**Western stile with notice (marked a) on map)**



**Eastern gate from bridleway with notice on pillar (b) on map)**



**Central Southern stile with notice (marked c) on map)**





**The note of Objection states that:**

5.29 “The Application makes reference to the improvement of points of access to the Land (including the replacement of stiles with a kissing gate). ***It would be a criminal offence for the Owner to stop up the access points to the public rights of way.*** Therefore, the presence of the access points (including the carrying out of works to make the access points safe or more widely accessible) should be discounted.”

**Stopped up and locked Western footpath (d) on map)**



**Remains of torn notice on locked gate**



**Remains of notice showing detail of restriction of lawful access**



**Further locked gate preventing access along footpath (e) on map**



**Footpath sign indicating legal access through newly stopped up gate (f) on map)**



**Stopped up access from signed end of footpath**



We the undersigned wish to register our continued support for the **Village Green Application** on Southwick Court fields (ref. 2020/02TVG (Southwick Court Fields, Southwick and North Bradley Parishes).

We have used the land identified in the attached map **without stay or let** for the number of indicated below.

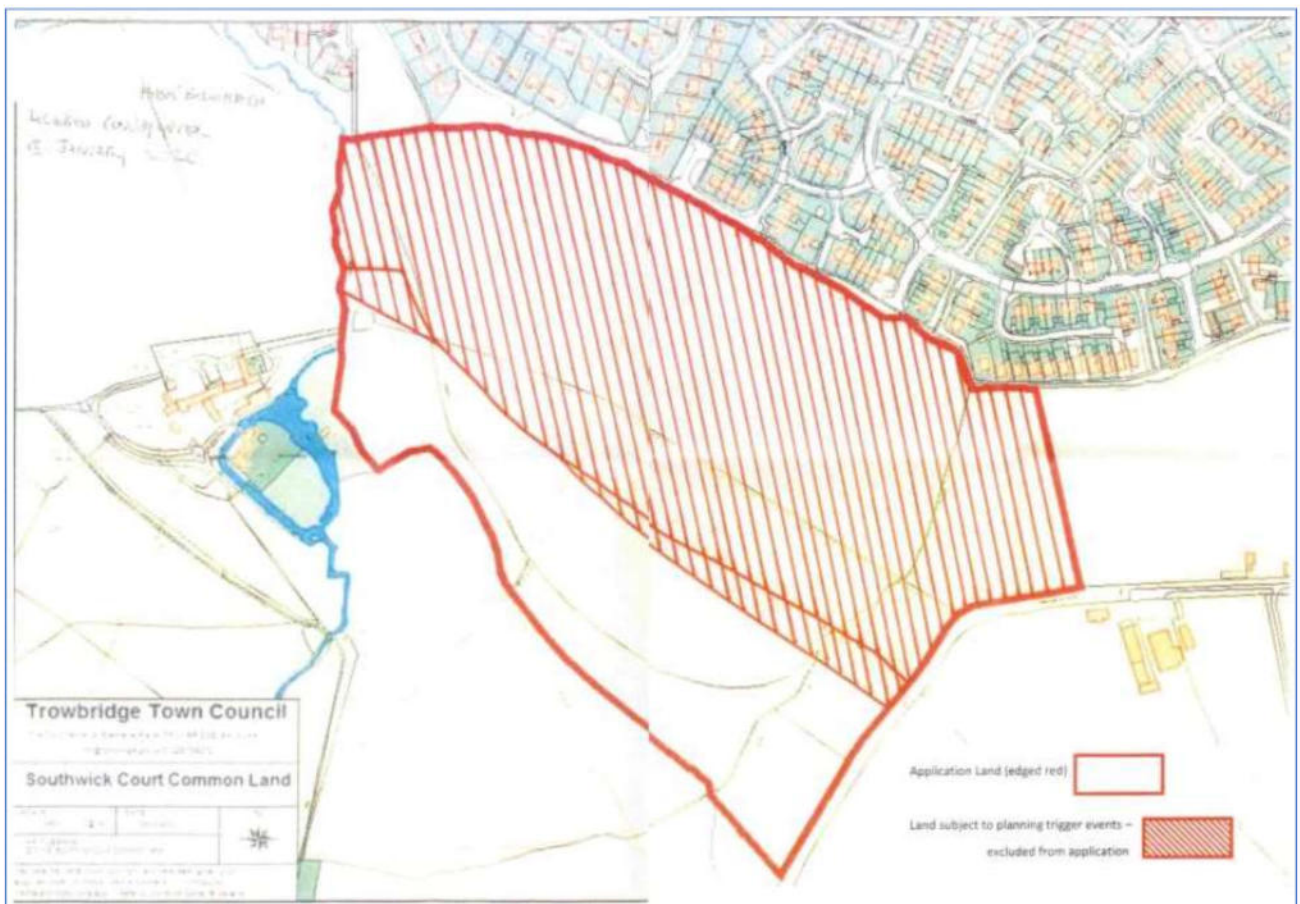
This access has not been restricted by any party. This includes not only the marked footpaths, and identified trackways.

Access has been continuous including the occasional time that cattle have been present, prior to their withdrawal in 2020.

Name	Address	Number of YEARS familiar with the use of the fields
Lynda White	[REDACTED] Holyrood Close, Trowbridge, BA14 0 [REDACTED]	51
Robert Brice	[REDACTED] Church Fields Trowbridge BA14 0 [REDACTED]	50
David Goodship	[REDACTED] Sandringham Road, Trowbridge, BA14 0 [REDACTED]	49
Barbara Goodship	[REDACTED] Sandringham Road, Trowbridge, BA14 0 [REDACTED]	49
Mark Stevens	[REDACTED] Sandringham Road Trowbridge	45
Lin Stevens	[REDACTED] Sandringham Road Trowbridge	45
Stephen White	[REDACTED] Holyrood Close, Trowbridge, BA14 0 [REDACTED]	44
Norman Swanney	[REDACTED] Balmoral Road Trowbridge BA14 0 [REDACTED]	38
Ann Swanney	[REDACTED] Balmoral Road Trowbridge BA14 0 [REDACTED]	38
Emma Stevens	[REDACTED] Spring Meadows Trowbridge	35
Kevin Brice	[REDACTED] Church Fields Trowbridge BA14 0 [REDACTED]	35
Steve Willcox	[REDACTED] Sandringham Road, Trowbridge, BA14 0 [REDACTED]	35
Pam Willcox	[REDACTED] Sandringham Road, Trowbridge, BA14 0 [REDACTED]	35
Matthew Stevens	[REDACTED] Spring Meadows Trowbridge	30
Margaret A Whiffen	[REDACTED] Holyrood close BA14 0 [REDACTED]	26
Geoffrey K Whiffen	[REDACTED] Holyrood close BA14 0 [REDACTED]	26
Sally Walker	[REDACTED] The Poplars	23
Rachel Hunt	[REDACTED] Frome Road, Trowbridge BA14 0 [REDACTED]	23
Simon Hunt	[REDACTED] Frome Road, Trowbridge BA14 0 [REDACTED]	23
Abigail Hunt	[REDACTED] Frome Road, Trowbridge BA14 0 [REDACTED]	21

# VILLAGE GREEN APPLICATION SITE

Ref. 2020/02TVG



**From:** [Councillor Graham Hill](#)  
**Sent:** 05 April 2022 14:25  
**To:** [Green, Janice](#)  
**Cc:** [Norman Swanney](#)  
**Subject:** Application no.2020/02TVG  
**Attachments:** [Completed note of support.docx](#)

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Dear Janice (if I may?),

I have attached a further note of support making passing reference to the Note of Objection presented by the Solicitor for the Landowner.

I was passed a number of photographs showing different activities taking place on the site, but since none could be dated with any accuracy I felt it better not to muddy the waters. The wording of the Objection seemed to seek evidence which was ironclad, and, life being as it is, I doubt that any ironclad evidence datable to 20 years+ exists for any such application. My only real comment is that I might expect to see evidence to the contrary to conclusively prove that no such activity had taken place. That the Application should have descended into a “he said, she said” is regrettable especially in the light of the myriad assumptions made within the Objection.

I believe that Mr Swanney has approached things in great detail and will be submitting his own amendments shortly.

Thank you again for all of your professionalism and reliability.

If I can be of any assistance in this process please do not hesitate to contact me.


Thank you once again,

Warm regards

Graham

Trowbridge Town Council

Deputy Mayor





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Welcome to the home of Trowbridge Town Council

Councillor Graham Hill

**Town Councillor for Grove Ward**

**Trowbridge Town Council, The Civic Centre,**

**St Stephen's Place, Trowbridge. BA14**

P: 01225 765072

E: [graham.hill@trowbridge.gov.uk](mailto:graham.hill@trowbridge.gov.uk)



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To whom it may concern,

I would like to reiterate my support for this Application.

As someone “namechecked” on several occasions within the note of objection, I would like to address one or two points made.

- The Application in no way interferes or hinders the allocation site of H2.6.
- The Application supports Wiltshire Council Policy with direct reference to CP29 (CP29 is a policy in the CS which protects the character and identity of Southwick and North Bradley as separate communities. Integral to this is the preservation of the undeveloped countryside that lies between them.), and also CP51 (detail below). The replacement of any land with unrestricted access being replaced by a higher quality and quantity of land. The Westernmost part of the allocation alone fits neither of these criteria.
- The note of Objection makes several unsupported and evidence-free assumptions and assertions and frames them as “reasonable and factual” but provides no evidence whatsoever to support those statements.
- The matter of evidence is repeatedly raised. There is no evidence to the contrary presented and yet the absence of documentary evidence two decades ago is presented as crucial to the Application. I would say that a member of the pre-Instagram generation would have difficulty recounting any particular day pre-Covid, whether three years or twenty years, let alone produce evidence to that effect.
- I believe that the Objection rests on the format of presentation within a Court of Law. In such circumstances the testimony of a witness of good character is given significant weight. I believe that this application has been supported by:
  - North Bradley Parish Council.
  - Southwick Parish Council.
  - Several current and former Town and County Councillors.
  - Former and current Mayors and Deputy Mayors.
  - One gentleman who served at many levels in the Council sphere from District to County and Town. Was deputy Mayor and Mayor on a number of occasions and was recently given the freedom of the County Town after over 40 years of service.

I would contend that these people are of good character and represent the constituents, residents and wishes of the surrounding area.

It would appear to me, as an untrained individual, that the weight of evidence provided by the solemn statements of residents has a great deal of validity insofar as they are notarised by a solicitor, scrutinised by the County Mapping Department and finally by County Solicitors. This would appear to suggest to me that the argument *against* rests on the evidence provided by the Objector. However, I stand ready to be corrected.



The compliance with, and support of, CP29 and CP51 need to be addressed and included in the consideration of this Application. The crux of the matter is that NO change to current free use, access, and possible future cattle grazing (if a return to mixed use happens) is proposed, and that the Application serves only to meet the requirements of policy whilst retaining unfettered use of the application site for residents and the local population as a whole. The landowner stands to lose nothing.

Finally, should this process continue beyond May of 2022 I can declare that I have enjoyed unrestricted use of the Application site for 20 years.

Graham Hill 5/4/22

### **Wiltshire Core Strategy CP51 – green infrastructure**

“If damage or loss of existing green infrastructure is unavoidable, the creation of new or replacement green infrastructure equal to or above its current value and quality, that maintains the integrity and functionality of the green infrastructure network, will be required. Proposals for major development should be accompanied by an audit of the existing green infrastructure within and around the site and a statement demonstrating how this will be retained and enhanced through the development process.”

- The Allocation site has three access points from the North along recognised footpaths with three exit points leading to a footpath network leading to North Bradley, Southwick, Hoggington, Standerwick and Wingfield. It is away from any vehicular traffic and therefore completely safe for children and pets. The proposed replacement, when access to mandated inaccessible buffers are removed, is far smaller, has a roadway and bridge over a flood zone within its bounds, and is adjacent to a major road. Furthermore, there are no functional links to neighbouring communities and the range of uses is restricted. Therefore, a larger safe space, of great utility is being substituted by a smaller, unsafe space with no connectivity or functionality.
- **And**, when referencing Policy **CP51** in response to the site selection process Natural England responded as follows:

“We are unaware of any such audits being undertaken since the Core Strategy was adopted, and our impression is that, compensatory provision has rarely, if ever, been made.”

and:

“...we are very concerned that the allocation of such sites will result in a loss of recreational amenity. As such, without confirmation that a robust approach will be taken to implementing NPPF paras 74 and 75 and CP51, we advise that the plan is unsound.”