From: Gail Lewis
Sent: Tuesday, August 8, 2023 2:17 PM
To: Foster, Jemma <Jemma.Foster@wiltshire.gov.uk>
Subject: PL/2023/05253; 184 Melksham Lane

Dear Jemma,

I have been asked to respond to the letters of objection to the proposed change of use of land at 184 Melksham Lane by my Client, Mr Lopez, on who's behalf we submitted the application. My Client is clearly keen to address material planning considerations, however neither representation focuses on the content of the planning application.

The matters raised by Ms Baldy and Mr Sainsbury do not appear to be material considerations to the proposed development. Both respondents refer to the alleged uses of a mobile home on the site which is not occurring and has not been the subject of any enforcement action. Equally, the respondents appear to refer to the potential for future development which is not subject of the planning application before the Local Planning Authority.

The erection of a fence, not adjacent to a highway, under 2.0m is permitted development under Part 2 Class A of the GPDO and is not therefore part of the planning application. We are informed that our Client has right to pass and re-pass over the access as defined in title extract WT75940 (Ms Baldy's title) at all times and for all purposes. There is no exclusion relating to the grassed margin of the shared access, and we understand that Ms Baldy has not produced legal evidence of such an exclusion or limitation on our Client's rights of access, despite requests by Mr Lopez to do so.

Mr Sainsbury's representation does not appear to consider the planning merits, or otherwise, of the proposed change of use of the application site to ancillary garden space. The comments refer to historic allegations, applications and transactions that are not relevant to the proposals. Indeed, the content appears to be directed to the person of my Client rather than the material of the planning application. We trust that the content of the representations will not be weighed in the planning balance.

We would welcome the opportunity to discuss any relevant planning considerations with you, and conditions that you may wish to attach to a future planning permission.

We look forward to hearing from you in due course.

With best regards

Ben Pearce
Director