'When obstacles arise, you change your direction to reach your goal; you do not change your decision to get there'

Zig Ziglar

I write to object to the Planning Application PL/2023/11190 submitted by Mr Morgan Jones on behalf of Mr P Mayo.

I believe this to be a 'Trojan horse' application by using a proxy to try to circumvent the Appeal Decision, APP/Y3940/W/23/3315399, by the Planning Inspectorate to dismiss an appeal by JLS Building and Developments against the decision of Wiltshire Council to refuse PL/2022/05274.

However, it should be noted that the applicant constantly makes referrals to JLS Building and Developments, (planning reference number PL/2022/05274,) the previous applicant of the site in question.

1 It is a new Application, but many of the points raised in the current application relate to earlier 'Applications' by JLS and also to the Appeal Decision made by the Planning Inspectorate, dated 1st December 2022. It is therefore simply a revised smaller scale submission.
By referring to earlier Planning applications, the Applicant has permitted those objecting to the application to refer to 15/09469/REM, an earlier application by JLS Building and Developments in support of their objection to the current Planning Proposal.

2 The Application form has, I believe, a contradiction in the section regarding Trees and Hedges.
The Applicant, Mr Mayo, has indicated there are no trees or hedgerows on the site yet in the detail of the Planning Statement, reference is made to an adjacent row of trees and a hedgerow!
If an error has been made in the application form itself, how can we be sure there are not inconsistencies in the Planning Statement itself!
It is also noted that the name of the <u>owner of the land in question has been redacted</u>. The applicant is Mr P. Mayo, <u>apparently not the owner of the land!</u>
Who actually owns the land? JLS?

4 Reference point 2.0 of the Planning statement, suggests other than a fair representation of the site itself. The Photograph and location plan offer a carefully selected view of the site itself and out of context with the whole of Quemerford and the immediate countryside.

The location site is outside the settlement boundary and has not been allocated for residential development within the Wiltshire core strategy (Jan 2015). The development fails to meet any of the special circumstances for the creation of additional residential development in open countryside. The proposal would result in the urbanisation of open rural land and impose a detrimental impact on the local landscape.

With particular reference to the Calne Community Neighbourhood Plan, section (C) 'Protect and enhance the natural and built environment, countryside and landscape setting,' p22, quote,

'Protect the countryside from inappropriate development and ensure that the landscape character and local distinctiveness of our rural villages (Quemerford) and settlements are protected.'

In fact, it would change the distinctive appearance and visual elements contributing to the enjoyment of the area and do harm to its character.





We do not believe the application accords with this and should be refused.

5 Principles of Development, section5.3 of the application suggests that the location would support a small windfall housing proposal, in line with CCNP as long as it accords with WCS Core Policy 2. However, the NPPF, section 30, suggest,

` 'a neighbourhood plan takes precedence over existing non-strategic policies.'

We object to the application because:

The development fails to meet any of the special circumstances for the creation of additional residential development, WCS, para 6.48, and has not been identified as a 'windfall site'.

As the proposed development does not meet the criteria of the WCS, we object to the proposed development and therefore, the Planning Application should be refused.

6 The proposed site plan indicates a two-car provision. This is insufficient given the government's own forecast of households having two cars or more and has been increasing yearly. (National Travel Survey 2021.) The 2011 Census showed that car ownership in Calne is very high, 1.85 compared to the National average. The CCNP, para 87, There 'are particularly high car ownership levels even in comparison with those for the whole of Wiltshire which is itself high when compared nationally'. Encouraging more cars into Calne is not what is wanted and therefore the Application should be refused by the harm extra cars create to the traffic congestion and pollution levels in Calne.

The Private Road on which the two houses are planned does not permit routine parking other than on one's own property., (exceptional occasions permitted such as visitors or deliveries) The nearest off-road parking would be on the rather busy A4 causing further

congestion on this very busy road. In fact, the facilities in the plan do not give enough weight to residents or visitor parking. This is indicative of another ill thought development and should be refused.

7 The Planning Statement suggests there are no Landscape designations.

Calne is surrounded by a rich archaeology and therefore an archaeological assessment should be made together with a heritage statement. Detectorists are regularly observed in the surrounding area which is indicative of the area's archaeological history. As the applicant has made reference to a previous application; there was a comment, WC-22-08-242603, raised by Mr Tim Havard, Assistant County Archaeologist that: -

'No development shall commence within the area indicated by application PL/2022/05274 until an investigation is carried out.' This condition must still be applicable to PL/2023/11190.

8 Paragraph 5.4 of the Planning Statement suggests market towns have potential for significant increase in jobs and homes. Paragraph 5.5 also suggest Calne is accessible by foot and has bus stops contributing to a reduction to the volume of traffic. Yet the Local Pre-Submission (Cabinet version) suggest significant housing growth has not been matched by employment growth envisaged. The proposed Site 4 in which Quemerford is included, suggests the site is too far, 2-3 kms, to be reasonable walking and, 'The nearest bus stops into Calne along the A4 are not very accessible'.

To catch a bus from this site into Calne is fraught with danger as one has to wait on the A4 itself with no safe haven. Bus drivers recommend walking down to the bus layby outside Quemerford Post Office.

Wiltshire Local Plan, Planning for Calne, PSP3 Sustainable Communities; 'The site, (Site 4,) as a whole, is not particularly well connected to the town centre given the distances and poor access to bus routes.' This is contrary to the suggestion made in paragraph 5.6 of the proposed Planning Statement, using the evidence of the Inspector's report, to support sustainability.

The evidence does not support the Application and should be rejected.

9 The Applicant makes a point of referring to the Inspectors Report and previous applications to the Council to support a case for the proposed development to be granted.

If these referrals are acceptable to the council, (given point 2 above) then, would this proposal lead to further development?

It will set a precedent for a further application to be made for development on land identified in a previous application PL/2022/05274 situated east on land adjacent to this current application.

If the Council are concerned about protecting the countryside, CCNP, then the Application should be refused as approving will definitely lead to a piecemeal development creating a parallel road to the A4 thus destroying the character of Quemerford.

This is yet another reason why we object to the Application.

10 Paragraph 5.14 suggests of significant 'backland' development and is a key characteristic of the local built environment within the context of the site.

Quemerford is largely a rural community with many houses facing the A4. As a consequence, the houses have large rear gardens which developers have exploited to create small scale developments. This is creeping urbanisation of open rural land, contrary to the Neighbourhood Plan. I have walked along the A4 and the footpath running parallel to the A4 and the scale of 'backland' development is limited, in proportion, given the length of linear development along the A4.

11 Calne Community Neighbourhood Plan P22, 'Protect the countryside from……are protected'.



The proposed site abuts the local countryside

There would be change in use from grassland to housing. Further housing here will impact the community who enjoy the open views which contribute to their wellbeing.

The Council has responsibilities under the Human Rights Act, in particular Protocol 1, Article 1. This states that a person has the right to peaceful enjoyment of all their possessions, which includes the home and other land. Additionally, Article 8 of the Human Rights Act states that a person has the substantive right to respect for their private and family life. In the case of Britton vs SOS the courts reappraised the purpose of the law and concluded that the protection of the countryside falls within the interests of Article 8. Private and family life therefore encompasses not only the home but also the surroundings. The residents, 273 and 275 would be overlooked by the development may find support in the Human Rights act, especially Article 8.

12 Impact on Highway and Pedestrian safety.

Despite Highways approval suggesting the entrance and exit of Common Farm is adequate, there is a restricted view of pedestrians walking along the A4 pavement. The Public footpath is popular with walkers but there is little signage to suggest there is a public footpath along Common Farm Road which has only a very short pavement off the A4.

Vehicles exiting Common Farm Road need to inch forward as a hedge partially obstructs the view. It is not unknown for one of the current residents to trim the hedge to facilitate a better view of oncoming traffic The speed limit is frequently abused and the Council have been asked via the local Councillor to encourage the Police to make spot checks and for the council to install a speed indicative sign, as is established outside Quemerford Post Office, on the A4 near to the private road leading to St Peter's church, but to no avail!

The Planning Application will add traffic and further impact the entrance to/from Common Farm with a potential for harm to pedestrians and should be a consideration by the Council to refuse the application.

13 Ecology.

Reference is made to NPPF to enhance bio diversity as described in an Ecological Appraisal by Malford Environmental Consulting.

A. Paragraph 5.33 suggest the developer will comply with WCS.
B. If the Planning committee are agreeable to previous Applications being referenced, then I refer to Planning application 15/09469/REM and quote;

'All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.'

To the best of my knowledge this has not been carried out in the five years we have lived here, and therefore outside the 'four Year rule for compliance'.

The failure to comply with the Council's condition, REM/09469/REM may also give doubt as to the implementation of the Bio Diversity as proposed in the current application.

C. Ecology Appraisal

The most recent appraisal, suggests there is limited bio diversity. The report, I suggest, is presented in support of the application and not for the benefit of bio diversity.

As members of the Wiltshire Wildlife Trust, we monitor the wildlife around our house and the immediate fields. We have seen Grass Snakes, Lizards, Toads, Frogs, Newts and Stoat together with an abundance of bird species. There is a high number of grass snakes in the area as their favourite prey are frogs, toads and newts. (The Woodland Trust.) The Ecology report is full of detail but unfortunately not wholly accurate!

There are, during the summer months, an abundance of bats flying around adjacent houses and gardens suggesting a local roost. The Malford appraisal suggest there are bats away from the site. A thorough appraisal taken during the summer would have noted the bat species. A thorough survey by Wiltshire Bat Conservation Trust needs to be carried out.

The species of bird are common to farmland. Along the hedge there are roosting places for the regular birds including owls The report suggests the land in question is unsuitable for nesting birds. Oddly enough the land in question has, within the last few months, been regularly mown! No wonder it is unsuitable for nesting birds as they couldn't tolerate the disturbance!

The number of butterfly and moth species, (many on the verge of extinction across the UK), in the paddock are numerous as the field has supporting nectar sources for them, not mentioned in the report.

The numbers of species, flora and fauna are declining Nationally. Any Development will have an impact on local diversity. The proposed development is on a site which is part of local ecological network and as such does not meet Core Policy 50.

The Application should be rejected as it does not meet Core Policy 50

14 Housing Need

The Wiltshire Council Local Plan, 'Looking for the Future – Planning for Calne' paragraph 11 suggests when the number of houses built and in the pipeline is deducted, it leaves a further 360 homes to be accommodated up until 2036.

Paragraph 13, suggests, 'Needs for development should be met as far as possible on brownfield sites in order to help loss of greenfield land'.

Paragraph 5.46 of the submitted Planning statement is endeavouring to convince the council that two houses would not conflict, but contribute to council's longer-term growth. However, this reads as if two more chocolate biscuits will not harm! In fact, it will, for the reasons stated above.

In fact, all the documentation, concurrent and of Wiltshire's future housing needs do not declare the site in question to be a windfall site and that any further development of housing needs is met towards the north/ north east of the town.

We object to the Planning Application PL/2023/11190 as it contravenes the current Calne Development Plan and Settlement Boundary.

15 Wiltshire Council Examples

Using examples from various sites in Wiltshire to support the development should be ignored. It could be construed that the weighty Planning Statement does not offer significant reasons for the Development to be approved and needs the reliance of other Wiltshire examples to give weight to the Planning Proposal.

The proposed planning application is only relevant to Calne's Community Neighbourhood Plan and can only be judged by the requirement of policies therein and not by examples from other area Development Plans which are incompatible to CCNP.

Summary

The proposal does not meet the objectives of: -

Calne Community Neighbourhood Plan

Calne Strategic Plan

Calne Settlement boundary

Wiltshire Core Policies

Wiltshire Local Plan- Planning for Calne

National Planning Policy Framework

For the above reasons we wholeheartedly and strongly object to the Planning application

If planning is unfortunately granted the Council should consider using its powers to enforce controlled hours of operation and to ensure that consideration is given to how and where construction vehicles and staff would gain access to the site for unloading and parking without causing a hazard or incurring damage to the private road serving the current residents or inconveniencing neighbours: -

The council should ensure the following

1. The water pressure to 277,277A and 279 should not be adversely affected by the construction. There are currently problems with the pressure.
2. Construction work should not commence until 8am and cease at 6pm, observing Monday to Friday site operation only.
3. The noise and impact should be kept to a minimum, using electric tools where possible.
4. The bio diversity should be strictly monitored and enforced.
5. As this is a Private Road The owner should be responsible for all wear and tear and damage to the road and verges and should be reinstated to the condition existing before the start of works without cost to the current residents of Common Farm and houses277, 277A and 279.
6. A proper Waste Bin site should be created as the present system of blocking the pavement is unacceptable.