Mrs K Mackie
2 Kyneton Way.
Kington St Michael.
Wilts. SN14 6RF.

[redacted]

REF. APP/Y3940/W/23/3334572.

Dear Sir/Madam.

As I have already requested that Planning Permission be refused for the building of 9 houses in or around the village. I feel very strongly that I should protest again.

As I said before the village school which already has two empty classrooms which have been in situe for 16 years, more children cannot be accommodated. Due to poor planning the school will have to try and squeeze more children into a small building from the Birds Marsh development plus the new homes. This is unexceptable.

The roads around the area of proposed development are also not suitable for more

traffic due to flooding and narrowness.
As a walker I tread the road from Kingston St Michael to Stanton St Quinton and wearing a high vis jacket I have to jump for my life at times.

[redacted] please think hard about giving permission for these new houses.

Yours sincerely

[redacted]

Weltje

Kington St. Michael

Chippenham

Wilts

SN14 6JF

The Planning Inspectorate

Room 3 O/P

Temple Quay House

The Square

Temple Quay

Bristol BS1 6PN

Friday 22nd March 2024

Your ref. Appeal number 3334572

Dear Sir/ Madam

Re. Appeal – refusal of permission in principle for the erection of 9 houses, land of Stanton Lane, Kington St. Michael, Chippenham, Wilts SN14 6JF. Appellant: Mrs. Brenda Morelli

We wish to make the following representations. We have lived in the village for more than 30 years and care a great deal about our village community and the character and setting of our village in open countryside. Our neighbours live adjacent to the proposed development site.

We objected strongly to the original planning application made to Wiltshire Council for permission in principle to erect 9 houses on this site. We were relieved when permission was refused.

We wish to sustain our objection through this appeals process for the following reasons.

The application proposal subject to this Appeal is clearly contrary to both national and local planning policy. The National Planning Policy Framework states that "the planning system should be genuinely plan led". The Wiltshire Core Strategy states that "if a development proposal does not accord with the Core Strategy it is deemed unsustainable and will not be supported" (WCS para. 47) and goes on to say "development should be restricted to within the Limits of Development other than in exceptional circumstances". Exceptional circumstances do not apply to this site.

The proposed development site is located outside of the defined settlement boundary of the village and in open countryside. The proposed development would constitute a narrow strip of ribbon development alongside Stanton Lane. Rather than rounding off the development boundary the proposed development would create an arbitrary and incongruous extrusion into open countryside. It would irreparably damage the strong, straight-forward and defensible settlement boundary along the east side of the village.

The proposal would also result in serious negative landscape impacts in open countryside. The slope of the field forms part of the stream valley with extensive across the site to open countryside beyond and views into the site from the valley below.

The village community actively want to lead and identify the most suitable site(s) for the required housing allocation for our village, including affordable housing, through the Neighbourhood Plan process. We do not want our Neighbourhood Plan to be pre-empted and negated by speculative proposals from land-owners/ developers who obviously have a vested interest in the outcome to their advantage rather than the community. The intention of the appellant is clear. Their planning consultants state in the opening paragraph of their letter dated 10th October 2023 in support of the planning application submitted to Wiltshire Council that they proffered land in this location for 30 houses in May 2022. It is reasonable therefore to speculate that the current proposal for 9 houses represents the thin end of a wedge that will then be argued will set a precedent for further development of this site. In our opinion there are more suitable sites to meet the housing requirements.

Finally there are also serious concerns about increased traffic on Stanton Lane which is very narrow with blind bends and few passing spaces. The surface and the verges are already deteriorating rapidly as existing traffic volumes are beyond carrying capacity. The lane is totally unsuitable for the increased traffic that will inevitably be generated by the proposed development if it goes ahead.

For all the above reasons, in our opinion this is a totally unsuitable site for development and we respectfully ask that this appeal is dismissed.

Yours sincerely

[redacted]

Philip Tolerton and Rose Tolerton

From: Pic Haywood [redacted]
Sent: 23 March 2024 13:42
To: West-1
Subject: REF PL/2023/08833

You don't often get email from [redacted]. Learn why this is important

REF PL/2023/08833
Inspectorate Ref: APP/Y3940/W/23/3334572
Appeal of refusal of permission in principle for the erection of 9 houses

Having read the appeal document set out by LPC (Trull), the comments on this appeal are as follows:

The Limits of Development (LoD) boundary. Much is made of the fact, by both Wiltshire Council and LPC (Trull), that the development site falls outside of this boundary and for LPC (Trull) this appears to be merely a 'rounding off' exercise, its proximity to the actual boundary is so close as to be almost in it, so where's the harm? It has already been acknowledged that available land within the village is not easily forth coming so one has to look outside. Well, in that case one must examine in more detail this actual location.

The PiP is for nine houses on a plot of land, most of which is not being used for this housing development. We don't yet know what the new houses will look like, or their orientation in respect to the existing houses or to each other. But if this PiP appeal is successful, one has to wonder how the remainder of the land will be used later on and again this brings us back to location.

The entrance to the development site is off a single track lane. Parking is not an issue with the actual development itself but access to and from it raises questions of congestion, ease of travel and safety. LPC (Trull) comments that a pavement is available right outside the entrance thereby making walking to the village centre very easy and negating the use of a car. But would the new owners of these houses make walking a priority? It's very likely that access to work by car is a very real possibility, given there's no adequate alternative public transport, and that most will be working outside of the village in neighbouring Chippenham, Swindon or Bristol, for example. It's also very likely that most homeowners would have more than one car. So that's at least 9 - 18 extra cars using the single track lane - in both directions. This particular lane is surprisingly popular as a cut through from village to village and is often used as a diversion route when there are problems on the main 429/350 roads. If you had to resort to choosing a location outside of the LoD, one that gives safer access to a more substantial existing road (an A or B road) surely that would be the way to go? Planners would be given the opportunity to incorporate safe access features, such as a roundabout, for instance and the extra traffic from a new development would be dispersed more quicky, away from the village centre – which is pretty congested at the best of times, the main thoroughfare itself reduced to a single track due to copious parking along one side.

LPC (Trull) also refers to an earlier planning application which was successful and without, seemingly, objections by the village people - and which is also outside of the LoD. This is a smaller plot of private land and as such is quite contained. There is no ability to expand. Three large executive houses have been built (and sold) and a new, clear access route has been developed to run from the plot to the road - Honey Knob Hill - which is somewhat wider than Stanton Lane and without so much street parking so thereby offering an easier access route. So, in terms of location, it is a site more suited to some development, in this case three houses.

Back to the location off Stanton Lane. LPC (Trull) refers to the economic benefits associated with the new housing, such as temporary construction spend and job creation, plus social benefits in helping to support local services and facilities. But these benefits aren't restricted to this exact site. If an alternative site was chosen instead, the benefits would still be the same. In terms of the disadvantages – LPC (Trull) dismisses the findings of a report, written on 26 October 2023, which highlights the physical, ecological and environmental details of the land itself and points out areas of trees, hedgerows and the wildlife that can be found there. LPC (Trull) finds that any potential harm has been greatly overexaggerated, especially where a hedge is highlighted as a defining feature. LPC (Trull) has been advised that this hedge is to be 'substantially cut back, as dictated by proper field margin management' which makes it sound as though it's an annual event. The hedge has now been cut, which is something of a unique experience in seventeen years.

It is appreciated that the village of KSM requires more housing but all things considered the location is key. New settlements have impacts. More footfall and activity, more movement of travel, more noise, etc, so Wiltshire Council was correct in identifying that this particular site is not fit for this purpose and it is hoped that the Planning Inspectorate agrees with that decision.

9 Kyneton Way
Kington St Michael
SN14 6RF

2nd March 2024

Inspectorate Reference: APP/Y3940/W/23/3334572

Dear Sir

We are writing to register our objections in relation to the appeal of the refusal of the following planning application.

PL/2023/08833 Permission in principle for erection of 9 houses.

Land off Stanton lane, Kington St Michael, Chippenham, Wiltshire.

The Localism Act 2011 focusses on the principle that decision making be passed to a more local level, from national or local government to local communities. Parish councils are mandated to produce, through a plan led process neighbourhood plans and development plans for their communities. Wiltshire Core Strategy and the Wiltshire Council Local Plan pre-submission draft 202-2038 supports this plan led process and provides clear strategic guidelines reinforced through the National Planning Policy Framework September 2023.

The parish council have had in place the neighbourhood plan steering committee who have, through considerable consultation and communication with its community are approaching schedule 15 and onto 16 in early 2024.

The planning application PL/2023/08833 by reason of its location outside of the defined settlement boundary and within open countryside would be contrary to the settlement, delivery and community area plans of the Wiltshire Core Strategy Core policies 1, 2 and 10 respectively.

The proposed application conflicts directly with Wiltshire Councils plan led approach to sustainable development.

When weighed against the National Policy Planning Framework the adverse impacts to the open countryside are permanent, character changing and non-compliant, and should be rejected.

Speculative developers and land owners who have no interest in meeting the needs of the community with no social housing, no affordable housing, poor design location which is primarily based on profit only and not the housing needs of the local communities.

The land in question is in open countryside and outside of the village defined settlement boundary and is on a slope of 1 in 3. Significant high voltage power distribution cables cross the area. Stanton Lane, through the government flood risk assessment mechanism, is classified as flood risk 2. Hence this proposal fails to meet National Planning Policy Framework 2023 section 2 Achieving sustainable development, section 9 Achieving sustainable transport, section 12 Achieving well designed places and section 15 Conserving and enhancing the natural environment.

The developer has totally preempted the Wiltshire Core Strategy relating to Core Policies 1 ,2 and 10 relating to settlement strategy, delivery strategy and the spatial strategy for the Chippenham community area.

The development contravenes the Human Rights Act Protocol 1 Article 1 – this article specifically looks to protect your right to enjoy your property peacefully. In the case of the residents of Stanton Lane, Kington Cottage, The Orchard and Kyneton Way whose family homes will be exposed to permanent negative landscape alterations and construction work. This clearly is an infringement of their human rights under protocol 1 article 1.

Seven planning applications precedents have been highlighted clearly stating in all cases that outline planning applications for dwellings outside of the settlement boundary and open countryside have been rejected.

In particular I ask you to reference PL/2023/04815 dated 21st September – Land at Kington Lane, Stanton St Quintin, Chippenham which was rejected on the same basis.

Planning application PL/2023/08833 makes no reference to noise assessment, ecological mitigation, dwelling design, refuse collection, transport issues, flooding risk, community consultation, social housings needs analysis, SHELAA assessment, meeting the needs of the community and hence should be rejected according to National Planning Policy Framework section 12 paragraph 126, 132 and 129.

I respectfully ask that receipt of my objections report is acknowledged and I ask for your support in rejecting this planning application.

Yours faithfully



R F & R E Tinsley

Anquila
Kyneton Way
Kington St Michael
Chippenham
Wilts SN14 6RF
February 29th 2024

Planning appeal APP/Y3940/W/3334572
Land of Stanton Lane, Kington St Michael, Chippenham SN14 6JQ
Original Permission in Principle No PL/2023/08833

Dear Sir or Madam

I endorse my original comments for OBJECTION to this proposed development.

This application was resolutely REFUSED on several Wiltshire Core Strategy policies which are in place with good reason.

Please accept my OBJECTION once again.

Yours sincerely
Sheila Rollit

[redacted]

From: Steve woodhead [redacted]
Sent: 24 March 2024 13:12
To: West-1
Subject: Objection Documents - APP/Y3940/W/23/3334572
Attachments: Risk Assessment Construction Access Feb 2024 - PL.2023.08833__ Kington St. Michael.pdf; PL.2023.08833 Land of Stanton Lane - 9 houses Appeal Objection__ Planning Inspectorate.pdf; PL.2023.08833.Objections Covering Letter Plannong__ Inspectorate.pdf; KSM NDP 1 Doc 15.3.24 (1).pdf

You don't often get email from [redacted] Learn why this is important

Hello

Please find attached the following documents in relation to my objection to the Planning Application PL/2023/08833 and subsequent appeal APP/Y3940/W/23/3334572.

1. PL/2023/08833 Objections covering letter Planning Inspectorate.

2. PL/2023/08833 Land of Stanton Lane - 9 houses Objections Report.

3. Risk Assessment Construction and Transport Access as part of the SHELAA process (Neighbourhood Plan Regulation 14) that found the land unsuitable.

4. Current Neighbourhood Plan Regulation 14, commenced in 2018 with October 2024 completion, with allocated SHELAA sites.

Please note that the Neighbourhood plan with its call for sites and evaluation /. allocation has not been issued to date and is anticipated to be in April 24, hence the names of the other sites have been omitted.

I would re-emphasis that I object to the appeal / planning application and would ask respectfully ask for a copy of the appeal decision.

Apologies for all the files !

Kind regards

Steve Woodhead

Essential Safety & Environmental Solutions LTD

ES&ES

"Take A Fresh Look At Safety"

07787 516715
info@esandesltd.co.uk

Construction and Transport Risk Assessment

Part of the SHELAA Assessment

Planning Application PL/2023/08833

At

Land on Stanton Lane

Kington St. Michael

February 2024

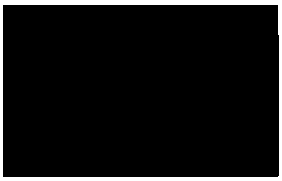
Risk Assessment Document Details

Table 1.0

DATE	VERSION NO.	Document Number	NATURE OF CHANGE	REVISED BY WHOM
24th Feb 2024	1	RA001/PL/2023/08833/SC	Initial document	Issued, by author

Approval

Risk assessment RA001/PL/2023/08833/SC has been approved by:



Stuart Cooke
MIIRSM, CertIOSH, SpDipEM, DipNEBOSH, MIFSM
Director
ES&ES Ltd
February 2024

Introduction

This Construction and Transport Risk Assessment has been prepared by Stuart Cooke Essential Safety & Environmental Solutions Ltd (ES&ES) Safety Consultants on behalf of the Kington St Michael Neighbourhood Planning Steering Committee to assess the risks and hazards that accompany the planning application for 9 houses on an existing agricultural field to the east of Kington St Michael.

Traffic data has been gathered based on a site inspection and vehicle observations over a one-day period at the field access points.

Whilst the document covers some of the detail that would be expected in a Construction and Traffic Management Plan, the main focus is the risk and hazards of the location through the implementation of the construction phase and the ongoing maintenance of the properties. References will be sought and applied where deemed applicable to quantify the risks and make associations with the relevant legal entities and/or governing bodies.

Health and Safety at Work Act 1974.
Management and Supervision of Contractors
CDM Construction (Design Management) 2015.
Highway Authority Guidelines.
Wiltshire Council Planning Documentation
DMRB (Design Manual for Roads and Bridges).

The proposed location is situated on Stanton Lane and has a development area of 0.49ha occupying approx. 3.1ha in total.

The development site is located in Wiltshire therefore the Highway Authority and the Planning Authority for the proposed development will be Wiltshire Council (WC).

Existing Site and Highways condition

- The proposed development site is comprised of three main access areas:
  - Access off Honey Knob Hill.
  - Access off Stanton Lane from Stanton St Quintin.
  - Access off the main High street.

Collision data has been obtained from the crash map website to determine the likelihood of road traffic accidents.

Proposed Development

The proposed development would comprise of 9 houses including supporting infrastructure such as access road, pavements, sewerage, power distribution and landscaping.

The development does not have an estimated construction period; however a period of 12 to 25 months would not be uncommon.

Once the build is complete regular maintenance of the infrastructure will be required, including refuse collection, sewerage removal and landscape maintenance.

Access Arrangements

Access to the site could be from three routes. Each route will be the subject of a thorough analysis and part of the site evaluation process.

Access route 1

Construction traffic and motor vehicles proceeding from Honey Knob Hill and entering the field using a farm gate into the construction site.

Access route 2

Construction traffic and motor vehicles would proceed along Stanton Lane from Stanton St Quintin and entering the field on the left-hand side using a farm gate into the construction site.

Access route 3

Construction traffic and motor vehicles proceeding from the main High Street and entering the field using a farm gate into the construction site.

The risk assessment in terms of likelihood and severity will be examined referring to the crash map data and any historical road traffic accidents relevant to the proposed access points.

Construction Compound

It is envisaged that a construction compound will be required for the duration of the proposed erection of the 9 houses from which day to day construction movements would be based, along with storage for site equipment and parking for construction staff.

The compound should be designed to accommodate the turning movement of articulated vehicles within the site to allow large vehicles to enter and leave the site in forward gear. Location of the site is to be determined however due to the length of construction and the potential number of construction workers the CDM Construction (Design and Management) regulations 2015 could apply with particular emphasis on sections 17, 27 and 31.

Area of concern	**Construction transport associated with the erection of 9 houses. Specifically, the High Street, lane junctions and access points into the field.**
Reference associated documents or meetings	SHELAA site assessment

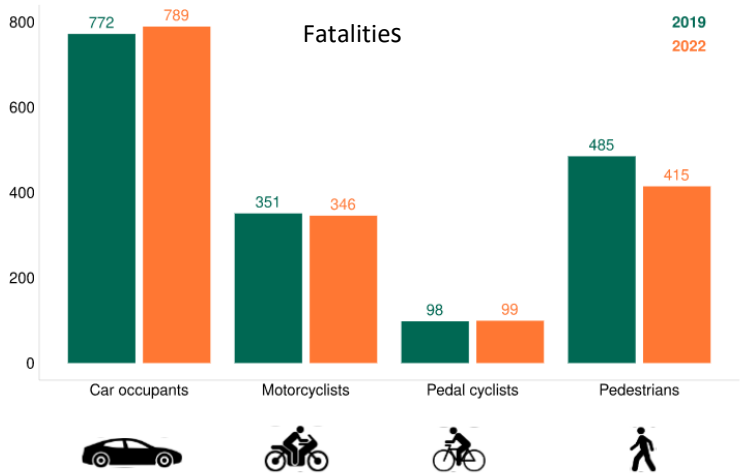
Why is Transport Risk Assessment being undertaken?

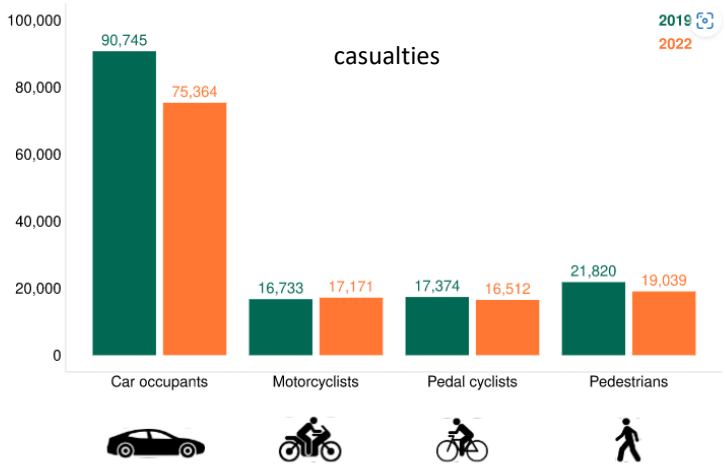
The proposed access routes into the construction site increases traffic activities, elevating the risk of:

- Significant risk to members of the public.
- Significant risk to those involved with enabling, and ongoing maintenance works associated with the maintenance of the development.
- Significant risk to other third-party persons who maybe undertaking normal workplace activities e.g. agricultural, delivery vehicles Inc. heavy and light goods vehicles.

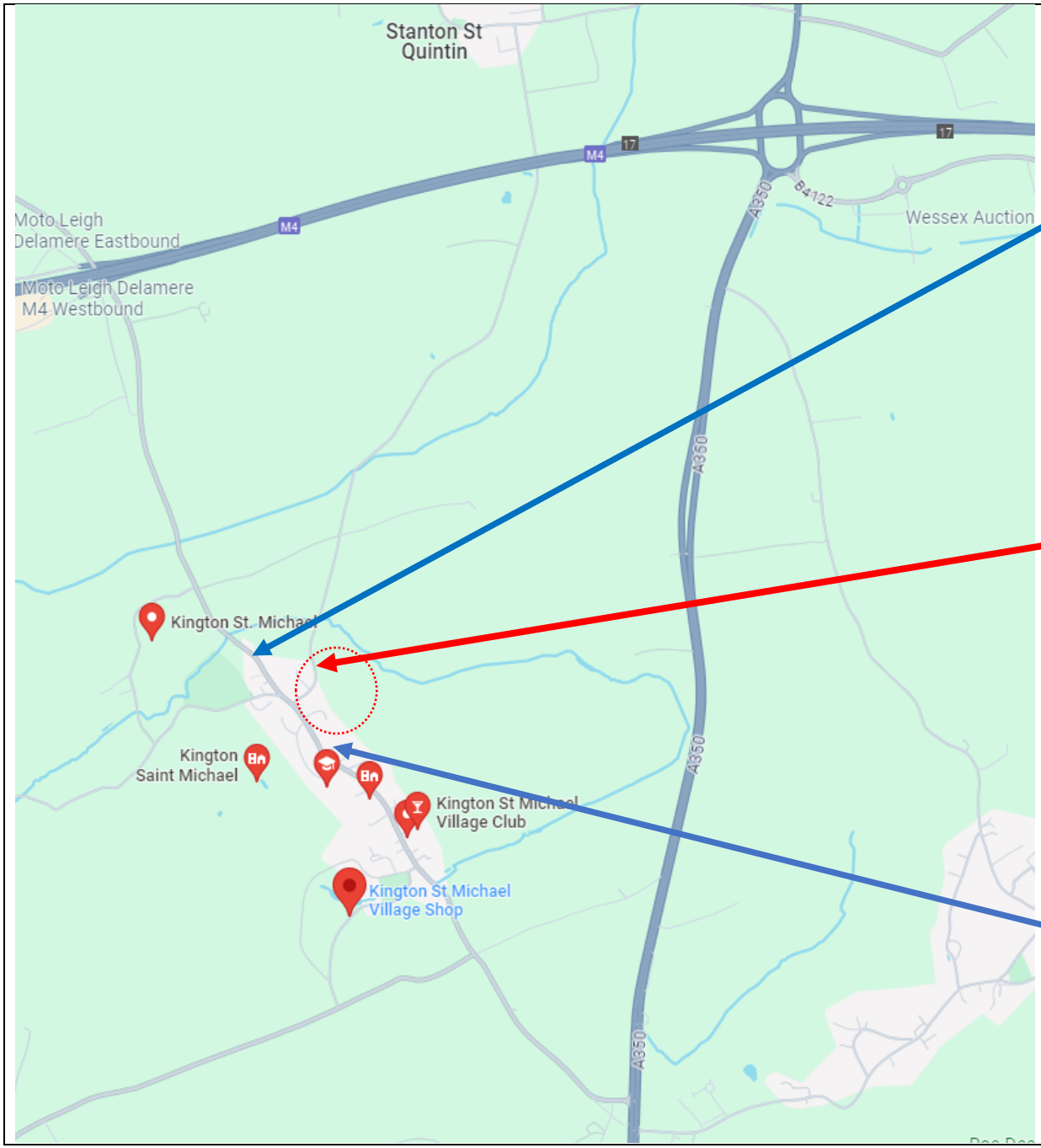
Rational

Reported road casualties in Great Britain year ending June 2023.





Figures from the Office of National Statistics.
Note figures may change with final casualties' figures release in September



Construction and Traffic Management.

Access point 1.

Hazard Identification.

RTA involving potentially single and multiple vehicles, pedestrians and cyclists.

Volume of traffic.

Honey Knob Hill and the lack of visibility approaching the village.

Construction and Traffic Management

Access Point 2

Hazard Identification

Condition of Stanton Lane, potholes and flooding.

Limited passing points on a single track lane.

Construction and Traffic Management.

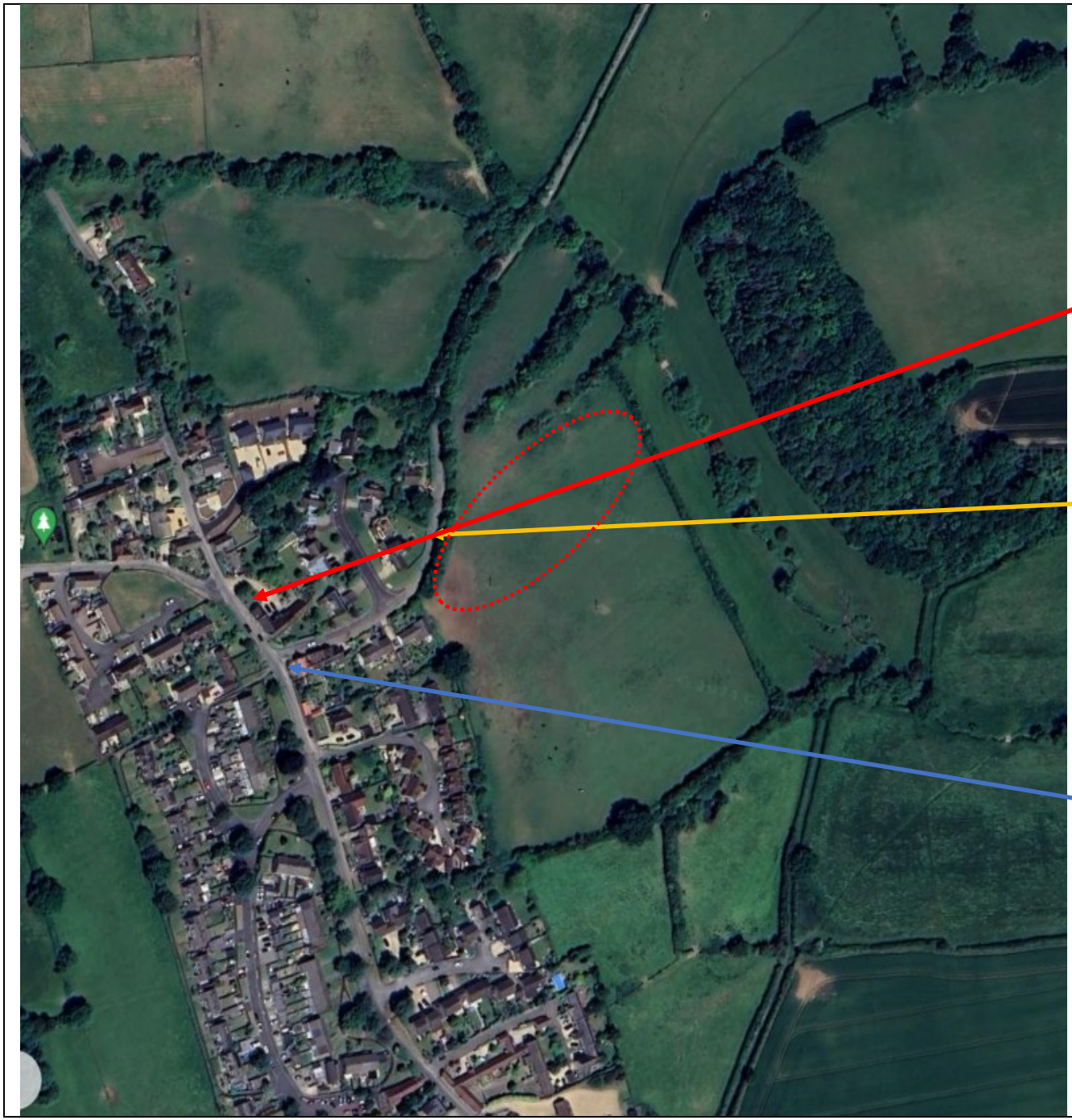
Access point 3.

Hazard Identification.

RTA involving potentially single and multiple vehicles, pedestrians and cyclists.

Visibility on the corner of Stanton Lane.

Volume of traffic entering the High Street.



The adjacent map illustrates the proposed development and the locational access points.

1. From Honey Knob Hill.
2. Stanton Lane.
3. From the High Street

There are three potential construction and transport traffic routes:

Access route 1 (Red)

Construction and transport traffic heading south from Leigh Delamare services could enter Honey Knob Hill and turn sharp left into Stanton Lane.

Access route 2 (Yellow)

Construction and transport traffic from the east, probably Stanton St Quintin, could traverse the single track lane and enter at the top of the hill. The agricultural field gate access would be on the left hand side.

Access route 3 (Blue)

Construction and transport traffic could proceed along the village High Street and turn immediate right into Stanton Lane. The agricultural field gate access would be directly in front.

The Hazard shown below gives clear evidence that using the public highway incorrectly is hazardous. Some of the casualty causation will be due to influences of weather e.g. snow, ice, strong winds, low sun. However, the majority will be due to driver error and the use of access points not designed for the proposed purpose

Location of Significant Hazards – Access Point 1. (Access from Honey Knob Hill)



The access point highlighted refers to vehicle traffic heading south into Honey Knob Hill to gain access to the construction site.

The picture on the left-hand side illustrates the blind bend that precedes the sharp left turn into the proposed construction site. No signage is in place highlighting hazards relating to pedestrians crossing and cyclists.

The village road that forms the High Street is a 40mph speed limit with considerable traffic from Leigh Delamare and the motorway services.

The proposed access point at Stanton Lane has two houses on each corner. The visibility from Honey Knob Hill is poor and compounded by motor vehicles parking on the left hand side of the road.

- Restricted road width due to parked vehicles
- Main village pavement crosses the entrance to Stanton Lane.
- Traffic from Leigh Delamare is considerable with HVG vehicles prominent.
- Construction traffic exiting Stanton Lane with limited visibility.
- Slow exit from Stanton Lane into fast moving traffic is a considerable risk.

The current access is for occasional vehicle movements and not designed for the construction vehicles that would be required in the development and consequently this may not conform to the ***CDM (Construction and Design Regulations) 2015.***

The Hazard shown below gives clear evidence that using the public highway incorrectly is hazardous. Some of the casualty causation will be due to influences of weather e.g. snow, ice, strong winds, low sun. However, the majority will be due to driver error and the use of access points not designed for the proposed purpose

Location of Significant Hazards – Access Point 1. (Access from Honey Knob Hill)



The access point illustrated represents the entrance to Stanton Lane once vehicles have made the turning from the main village road.

Access as previously shown is via a sharp left-hand manoeuvre with parked motor vehicles present on the left hand side of Stanton Lane.

The parked motor vehicles are situated 4.2m from the junction.

The parked motor vehicles force the incoming construction traffic to enter the opposite side of the lane. This is a significant hazard, since on coming vehicles from Stanton St Quintin will be using this side of the road and a head on collision could occur.

Visibility is extremely poor once the turning manoeuvre has been made as can be seen in the picture opposite.

HGV articulated vehicles require a significant turning circle and from the opposite picture it is unlikely that construction vehicles could make this manoeuvre consequently this would not conform to the ***CDM (Construction and Design Regulations) 2015.***

The Hazard shown below gives clear evidence that using the public highway incorrectly is hazardous. Some of the casualty causation will be due to influences of weather e.g. snow, ice, strong winds, low sun. However, the majority will be due to driver error and the use of access points not designed for the proposed purpose

Location of Significant Hazards – Access Point 1. (Access from Honey Knob Hill)



The access point highlighted refers to vehicle traffic entering Stanton Lane and the view that construction traffic would face once the turning manoeuvre has been made.

The parked motor vehicles (for residents in the cottages on the left hand side) make visibility extremely hazardous where parked vehicles obstruct incoming traffic and force vehicles into the opposite side of the road

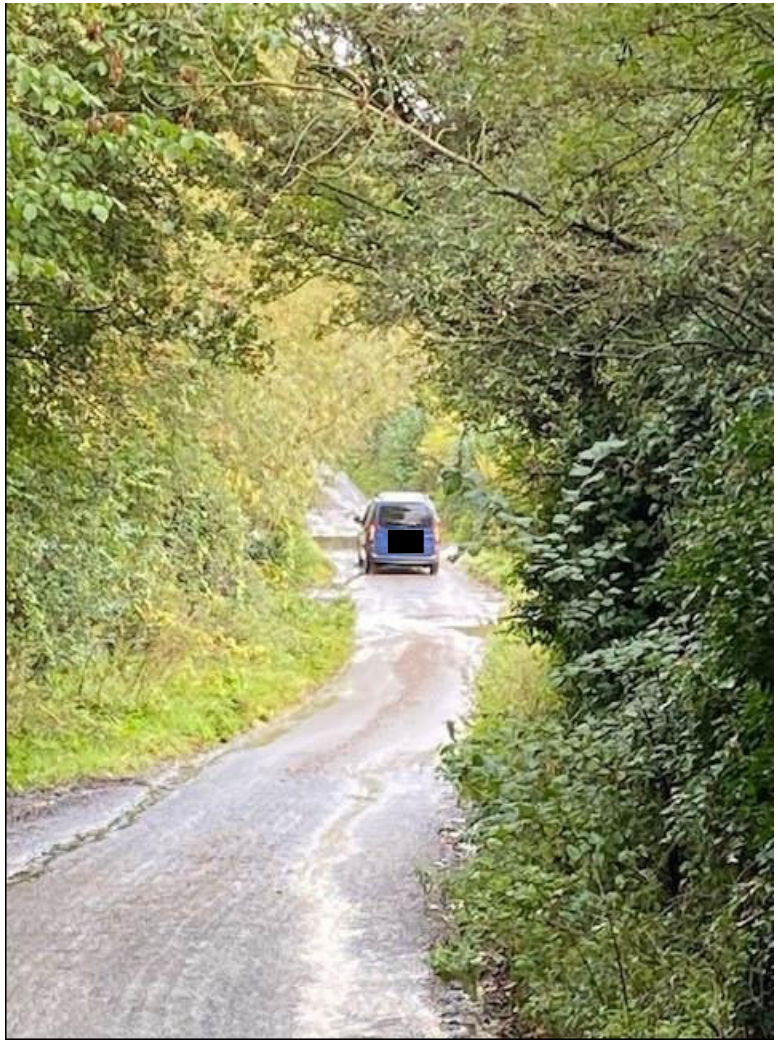
Forcing incoming motor vehicles and construction traffic into such a manoeuvre is very high and presents the hazard relating to a potential head on collision.

Head of collisions are extremely hazardous and due to the speed involved could result in serious injury or life threatening conditions:

- No safety designated splays illustrating parked cars.
- Severely limited space after making the turn manoeuvre.
- Pedestrians crossing the pavement to the cottages on the right hand side.
- Extremely poor visibility.
- Only 3.6m of space from the parked motor vehicles to the front door of the cottages.
- No street lighting along this stretch of Stanton lane.

The Hazard shown below gives clear evidence that using the public highway incorrectly is hazardous. Some of the casualty causation will be due to influences of weather e.g. snow, ice, strong winds, low sun. However, the majority will be due to driver error and the use of access points not designed for the proposed purpose.

Location of Significant Hazards – Access Point 2. (Access from Stanton Lane)



The access point highlighted refers to vehicle traffic heading from Stanton St Quintin utilising Stanton Lane as a means of accessing the village of Kington St Michael.

Stanton lane is a national speed limit lane and is rated at 60mph. The road is a single track lane that provides access to Stanton St Quintin and the M4 junction 17.

The lane is very winding with significant areas of poor visibility and limited passing points. No overtaking is possible within Stanton lane and due to the curvature of the lane unsuitable for construction traffic.

The lane is used by agricultural vehicles to enter the agricultural fields from Stanton St Quintin to Kington St Michael.

- No pavements for walkers.
- Limited visibility due to the lane curvature.
- Limited passing points on the lane.
- Road width restricted to single vehicles.
- No external lighting along the lane.
- Overhanging tress make the lighting poor and visibility restricted.
- The road condition is variable with significantly poor areas.

The Hazard shown below gives clear evidence that using the public highway incorrectly is hazardous. Some of the casualty causation will be due to influences of weather e.g. snow, ice, strong winds, low sun. However, the majority will be due to driver error and the use of access points not designed for the proposed purpose.

Location of Significant Hazards – Access Point 2. (Access from Stanton Lane)





The access point highlighted refers to vehicle traffic heading from Stanton St Quintin utilising Stanton Lane as a means of accessing the village of Kington St Michael.

Stanton Lane is a national speed limit lane and is rated at 60mph. The road is a single track lane that provides access to Stanton St Quintin and the M4 junction 17.

The passing point illustrated is only one of five along the complete length of Stanton Lane. The condition of the passing points in particular those close to the proposed entrance to the development are in a very poor condition with uneven surfaces, potholes and evidence of surface water ingress.

At the top of the lane as it approaches the entrance to the development location a large raised drain is evident that extends 0.7m into the land and has a significant raised entrance.

- Drainage obstructions.
- Limited visibility due to the lane curvature.
- Limited passing points on the lane.
- Road width restricted to single vehicles.
- No external lighting along the lane.
- Overhanging tress make the lighting poor and visibility restricted.
- The road condition is variable with significant poor areas.

The Hazard shown below gives clear evidence that using the public highway incorrectly is hazardous. Some of the casualty causation will be due to influences of weather e.g. snow, ice, strong winds, low sun. However, the majority will be due to driver error and the use of access points not designed for the proposed purpose.

Location of Significant Hazards – Access Point 2. (Access from Stanton Lane)



The picture opposite highlights Stanton Lane at the bottom of the valley stream, adjacent to the development location.

The lane is a single track road with a 60 mph speed limit with limited passing spaces.

The section of lane shown opposite is flooding from the valley stream that cannot cope with the run off from the agricultural field that the proposed development is located.

No hedge gulley's are present to collect the run off from the agricultural field and consequently the overspill is collecting on the road causing significant flooding.

- No signage notifying of flood water.
- Access to and from the development location must pass through the flood area to gain access to Stanton St Quintin.
- There are no hedge gullies to collect the valley stream overflow.
- Only 2.7m of space is available for motor vehicle traffic due to the depth of the road either side of the centre of the road.
- No street lighting is present hence a significant hazard will be traversing the lane at night or early evening.
- Pedestrians will be at risk from oncoming traffic.

The Hazard shown below gives clear evidence that using the public highway incorrectly is hazardous. Some of the casualty causation will be due to influences of weather e.g. snow, ice, strong winds, low sun. However, the majority will be due to driver error and the use of access points not designed for the proposed purpose.

Location of Significant Hazards – Access Point 2 (Access from Stanton Lane)





The access point highlighted illustrates the non-standard DMRB kerb and agricultural field access for construction vehicle traffic entering the development site directly in line with Stanton Lane.

It is proposed that construction HGV's would turn into this non-standard slipway to gain access to the development location.

The condition of the lane surface entering the development field is poor with an uneven surface, significant water ingress, surrounded by mature hedges and trees.

The access point has two significant power and telecommunications poles adjacent to the field access and hedgerows. Whilst mitigations could be made, the access has numerous constraints.

- No kerb profile and design not to DMRB standards.
- Visibility from the right is very poor and the significant risk of RTA from traffic travelling from Stanton St Quintin.
- Road condition is poor due to farm vehicle usage.
- Evidence of water accumulation on the top portion of the development location in addition to a significant slope on the last portion of the location.

.

The Hazard shown below gives clear evidence that using the public highway incorrectly is hazardous. Some of the casualty causation will be due to influences of weather e.g. snow, ice, strong winds, low sun. However, the majority will be due to driver error and the use of access points not designed for the proposed purpose.

Location of Significant Hazards – Access Point 3. (Access from the main High Street)



The access point highlighted illustrates the construction traffic flow from the direction of the main street of the village. Vehicles would approach Stanton Lane and turn sharp right against oncoming traffic.

It is proposed that construction HGV's and motor vehicles would turn into the entrance to gain access to the proposed development location.

Visibility is slightly improved for vehicles turning left, back into the High Street.

The access point could be asked to accommodate heavy goods vehicles, potentially articulated. Whilst the turning could be made physically, the parked residents' vehicles would mean that the construction vehicles would have to manoeuvre onto the opposite side of the lane.

This is a significant risk in terms of head on collisions with vehicles coming from Stanton St Quinton.

- No street lighting.
- Road markings worn.
- Visibility turning right out of Stanton Lane travelling back to Leigh Delamare.
- Parked cars providing limiting visibility.

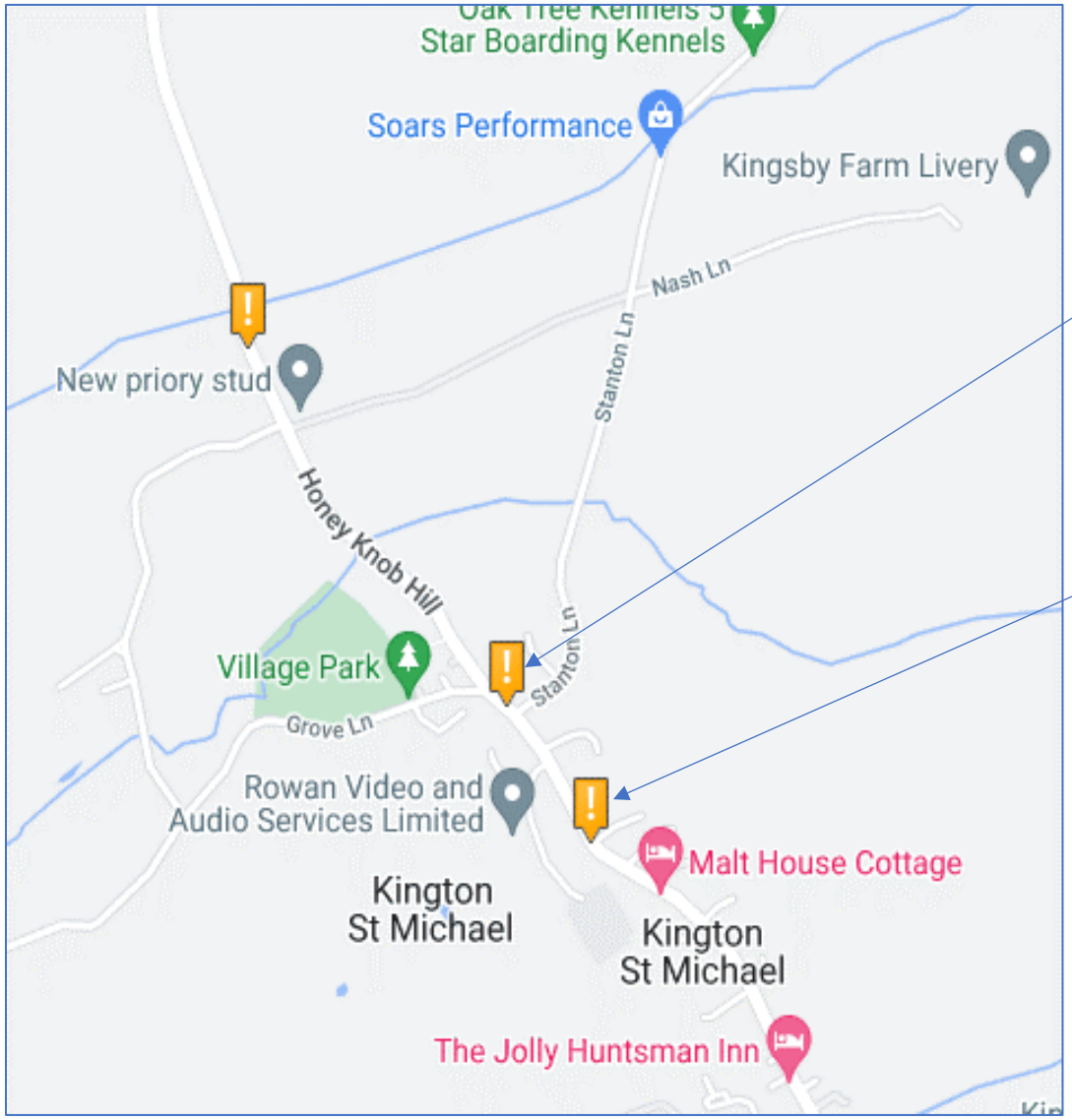
			6. Risk Level				8. Residual Risk				
2. SIGNIFICANT HAZARDS	4, HOW or WHY WILL THIS CAUSE A RISK?	5. EXISTING CONTROLS	LIKELIHOOD	SEVERITY	RISK	7. FURTHER ACTIONS REQUIRED	LIKELIHOOD	SEVERITY	RISK	9. WHO	9. WHEN
Access Point 1 Field access southbound from Leigh Delamare. Construction vehicles turning left into the field access at Stanton Lane. Re-entering the main street.	• Construction vehicles slowing at the approach to Stanton Lane. • Construction vehicles particularly AHG moving right into the outside lane of Stanton Lane to enable the trailer to have enough swing to make the entrance turning. • Risk of AHG vehicles suffering mechanical failure or losing loads during transit between the entrance to Stanton Lane and the field access point. Significant risk from debris or stranded vehicle. • Construction vehicles, backing up on the main high street whilst waiting to use Stanton Lane access. Increased risk from high speed vehicle impacts to slow moving or stationary construction vehicles. • Poor light levels particularly in adverse weather conditions, or dusk hours leading to obscured AHG movements. • Risk of vehicle to vehicle contacts resulting in major life changing injuries or having fatal consequences at the entrance to Stanton Lane. • Significant blind bend on the approach to Stanton Lane. • Parked cars on the entrance to Stanton Lane forcing construction vehicles to traverse to the other side of the lane, potentially meeting oncoming traffic.	• DMRB road carriageway markings in place. • Wiltshire Council road markings indicating parking location on Stanton Lane.	**5**	**5**	**25**	Consider the use of an alternative access point for construction traffic to remove the risk.	**1**	**1**	**1**	Developer & Local authorities	Before the enabling stages
						• Improve visibility on the corner of Stanton Lane. • Improve the road condition of Stanton Lane. • Restrict construction vehicles to non-articulated. • Restrict construction vehicles using the field access point to low traffic times e.g. 01.00 – 0.400am	**4**	**5**	**20**	Developer & Wiltshire Council	Before the enabling stages

			6. Risk Level				8. Residual Risk				
2. SIGNIFICANT HAZARDS	4, HOW or WHY WILL THIS CAUSE A RISK?	5. EXISTING CONTROLS	LIKELIHOOD	SEVERITY	RISK	7. FURTHER ACTIONS REQUIRED	LIKELIHOOD	SEVERITY	RISK	9. WHO	9. WHEN
Access Point 2 Field Access Eastbound on Stanton Lane from Stanton St Quintin. Construction vehicles turning left off Stanton Lane into the field access. Re-entering Stanton Lane.	• Construction vehicles slowing on Stanton Lane hill. • Construction vehicles particularly 16.5m AHG moving into the outside lane of Stanton Lane to enable the trailer to have enough swing to make the field entrance turning. • Risk of AHG vehicles suffering mechanical failure or losing loads during transit between Stanton lane and the field access point. Significant risk from debris or stranded vehicle. • Vegetation on verges obstructing driver vision lines. • Over hanging trees causing shadows affecting driver vision. • Width and condition of the lane to HGVs, vegetation ingress affecting driver vision lines. • Flooding at the bottom of Stanton Lane. • Construction vehicles, backing up on Stanton Lane whilst waiting to use the field access. Increased risk from high speed vehicle impacts to slow moving or stationary project vehicles. • Poor light levels particularly in adverse weather conditions, or dusk hours leading to obscured AHG movements. • Risk vehicle to vehicle contacts resulting in major life changing injuries or having fatal consequences. • Possible face to face interactions when crossing and turning into the lane. • Risk of pedestrians and cyclists using the public access and lane not being seen, resulting in major life changing injuries or having fatal consequences.	• Local contractors manage vegetation on verges to improve visibility. • Local contractors manage tree maintenance on verges.	**5**	**5**	**25**	• Consider the use of an alternative access point for construction traffic to remove the risk	**1**	**1**	**1**	Developer & Local authorities	Before the enabling stages
						• Improve DMRB signs to indicate turning vehicles particularly AHG type. • Improve signs to indicate slow moving vehicles particularly AHG type. • **Alter the lane, to incorporate an additional DMRB compliant slipway lane for construction vehicles only.** Road marking to indicate construction vehicles only and left turn lane only. Include within improvement to top field access point by civil engineered consolidating ground with substrate and toppings to support vehicle movements in accordance with DMRB. • Restrict construction vehicles using the top filed access point to low traffic times e.g. 01.00 – 0.400, with traffic coordinator present.	**4**	**4**	**16**	Developer & Wiltshire Council	Before the enabling stages

			6. Risk Level				8. Residual Risk				
2. SIGNIFICANT HAZARDS	4, HOW or WHY WILL THIS CAUSE A RISK?	5. EXISTING CONTROLS	LIKELIHOOD	SEVERITY	RISK	7. FURTHER ACTIONS REQUIRED	LIKELIHOOD	SEVERITY	RISK	9. WHO	9. WHEN

Access Point 3
 	
Field access from the main High street. Construction vehicles turning right across the main road (50mph) into Stanton lane.
 	
Construction vehicles slowing, stopping, and turning.
 	
Oncoming village traffic from Leigh Delamare.
	• Construction vehicles slowing on the High street approach to Stanton lane.
	  • Construction vehicles particularly 16.5m AHG moving into the inside lane of Stanton lane to enable the trailer to have enough swing to make the field entrance turning.
	  • Risk of AHG vehicles suffering mechanical failure or losing loads during transit between Stanton lane and the field access point. Significant risk from debris or stranded vehicle.
	  • Possible vehicle to vehicle contacts when delivery vehicles slowing or turning at Stanton lane.
	  • Possible face to face interactions when crossing and turning into the lane. Resulting in blocked carriageway or reversing manoeuvres required.
	  • Increase in village main High street traffic volumes.
	• Risk of pedestrians and cyclists using the public access and lane not being seen, resulting in major life changing injuries or having fatal consequences.
		• DMRB road markings in place but continually dilapidated due to the amount of traffic.
		• DMRB signs to indicate road speed
			5	**4**	**20**	• Use an alternative access point for construction traffic to remove the risk	**1**	**1**	**1**	Developer & Local authorities	Before the enabling stages

						• Provide additional DMRB signage to highlight parked vehicles on Stanton Lane. • Improve the condition of the Stanton Lane to the field access by investigating new lane drainage, repairing damaged road surface. • Improve the main High street signs and road markings to indicate slow and turning vehicles. • Install traffic lights to aid vehicles turning. • Support/information signage to be installed on the High street.	**4**	**4**	**16**	Developer & Wiltshire Council	Before the enabling stages



The collision crash data shown adjacent is in relation to access points 1-3, previously described and evaluated in relation to HGV construction vehicles and transport that are proposing to gain entry and exit from the development site on Stanton Lane.

Access onto Stanton Lane has shown a road traffic accident. No details are available but indications that the nature of the parked car for residents of the adjacent cottages could be the root cause.

The main High street has seen a significant increase in traffic volume and this has been corroborated by the neighbourhood plan steering committee.

A road traffic accident (minor) was recorded in this area.

Supporting information

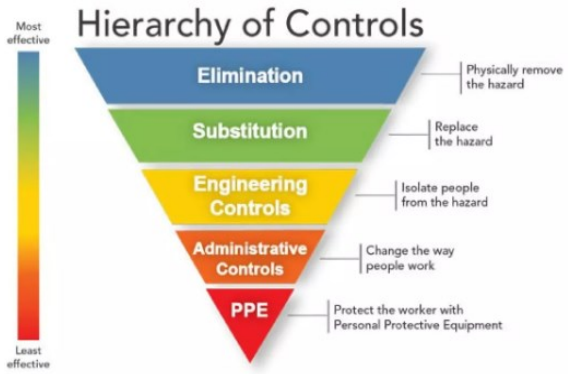
The Health & Safety Executive (HSE) have stated that using the public highway for work purposes is one of the biggest causes of reportable accidents. In addition, the condition of vehicles, load security within vehicles and poor communication of transport activities resulted in major injuries or fatalities.
Extract from HSE presentation relating to transport incidents:

Why do incidents occur?

HSE

- Fatal and serious injury incidents are rarely 'one-off' events.
- Usually they are the result of a 'perfect storm' of events.
- A failure to adequately assess and control the risks is a primary contributor to most incidents.
- In transport there is also often confusion over responsibility, and failure to communicate information.
- Condition of equipment is also a contributory factor.
- Time pressures, stress, and a culture of 'getting the job done' can increase the risk of a minor problem developing into a serious incident.

The HSE also stipulate that persons using or working on the public highway must follow the hierarchical methodology to reduce risks:



Risk Assessment Matrix and Score Table

Impact/Significance Score						
	5	Special (5)	High (10)	Very High (15)	Very High (20)	Extreme (25)
	4	Low (4)	Medium (8)	High (12)	Very High (16)	Very High (20)
	3	Low (3)	Medium (6)	High (9)	High (12)	Very High (15)
	2	Very Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
	1	Very Low (1)	Very Low (2)	Low (3)	Low (4)	Special (5)
		1	2	3	4	5
		Likelihood Score				

Rating	Rating Scale	General	Percent Probability	Environment
Very Unlikely / Rare	1	This will probably never happen / recur	< 1 %	Less than once in 100 years
Unlikely	2	Do not expect it to happen but it is possible it may do so and might happen or reoccur occasionally	1 – 10 %	Less than once in 10 years
Common / Possible	3	Will probably happen or recur, but it is not a persisting issue	11 – 55 %	Typically once a year
Likely / Frequent	4	Will undoubtedly happen / recur, possibly frequently	56 – 80 %	Greater than once, but less than 10 times a year
Almost Certain / Continual	5	Frequent re-occurrence, possibly continual	> 80 %	Greater than 10 times a year

Impact (Score)	
Very Low (1-2)	Desired state with very low risk, the objective is to reduce the risk associated with all hazards to this zone.
Low (3-4)	Risk is considered broadly acceptable although there may still be some potential for further reduction of risk. E.g., a trailing cable across a path in a seldom used cellar may be scored a 4 (2x2) due to the unlikely event of a minor injury (tripping and spraining an ankle). However, by rerouting the cable around the perimeter the risk is removed altogether. In regulatory terms such as *"Best Available Technique"* (BAT), *"As Low as Reasonably Practicable" (ALARP)* and "*Best Practicable Means"* (BPM) relate to the resultant risk being in this zone.
Special (5)	This score is achieved with either a critical risk at a very low frequency or when an almost certain event has a negligible impact. Neither are ideal scenarios, and the risk should be reduced further. This may not be reasonably practicable or achievably with current best practice. <u>Important</u> If an identified risk is left with this score and not able to currently be reduced further, then a narrative explaining why the activity should continue must be given in the risk assessment and the risk communicated to affected parties.
Medium (6 - 8)	Increased level of risk, further control measures implemented within 6 months. The existing risk must be communicated to affected parties
High (9 - 12)	Increasing level of risk, further controls need to be identified and appropriate measures implemented within 3 months. The existing risk must be communicated to affected parties
Very High (15-20)	High level of risk, the activity must be kept to a minimum until further appropriate control measures have been identified and implemented. To be actioned within 1 week. The existing risk must be communicated to affected parties.
Extreme (25)	Activity must be stopped immediately and not restarted until controls to reduce the risk are implemented

The following regulations are specific to ensure the safety of the people working on the construction site and ensure that traffic routes into and exiting the development site are organised so far as is practicable to ensure construction workers and pedestrians (which can either be people using public footpaths or car vehicle owners) are protected.

Safe places of construction work

17.—(1) There must, so far as is reasonably practicable, be suitable and sufficient safe access to and egress from—

(a)every construction site to every other place provided for the use of any person whilst at work; and

(b)every place construction work is being carried out to every other place to which workers have access within a construction site.

(2) A construction site must be, so far as is reasonably practicable, made and kept safe for, and without risks to, the health of a person at work there.

(3) Action must be taken to ensure, so far as is reasonably practicable, that no person uses access to or egress from or gains access to any construction site which does not comply with the requirements of paragraph (1) or (2).

(4) A construction site must, so far as is reasonably practicable, have sufficient working space and be arranged so that it is suitable for any person who is working or who is likely to work there, taking account of any necessary work equipment likely to be used there.

Traffic routes

27.*(1) A construction site must be organized in such a way that, so far as is reasonably practicable, pedestrians and vehicles can move without risks to health or safety.*

(2) Traffic routes must be suitable for the persons or vehicles using them, sufficient in number, in suitable positions and of sufficient size.

(3) A traffic route does not satisfy paragraph (2) unless suitable and sufficient steps are taken to ensure that—

(a)pedestrians or vehicles may use it without causing danger to the health or safety of persons near it;

(b)any door or gate for pedestrians which leads onto a traffic route is sufficiently separated from that traffic route to enable pedestrians to see any approaching vehicle or plant from a place of safety;

(c)there is sufficient separation between vehicles and pedestrians to ensure safety or, where this is not reasonably practicable—

(i)other means for the protection of pedestrians are provided; and

(ii)effective arrangements are used for warning any person liable to be crushed or trapped by any vehicle of its approach;

(d)any loading bay has at least one exit for the exclusive use of pedestrians; and

(e)where it is unsafe for pedestrians to use a gate intended primarily for vehicles, at least one door for pedestrians is provided in the immediate vicinity of the gate, is clearly marked and is kept free from obstruction.

or safety of a person on a construction site, a sufficient number of suitable emergency routes and exits must be provided to enable any person to reach a place of safety quickly in the event of danger.

(2) The matters in regulation 30(2) must be taken into account when making provision under paragraph (1).

(3) An emergency route or exit must lead as directly as possible to an identified safe area.

(4) An emergency route or exit and any traffic route giving access to it must be kept clear and free from obstruction and, where necessary, provided with emergency lighting so that it may be used at any time.

(5) Each emergency route or exit must be indicated by suitable signs.

After compiling the data and information, corelating against a quantifiable risk assessment process used within the HSE environment it is probable that access routes 1-3 may not comply with regulations 17, 27 and 31 of The Construction (Design and Management) Regulations 2015.

Conclusion

Hazard Analysis in relation to Access point 1 – From Honey Knob Hill

This refers to the potential access point into the development and could consist of construction traffic in the form of HGVs, potentially articulated 16.5m vehicles and motor vehicles moving southbound along Honey Knob Hill and turning sharp left into Stanton Lane and the field access point.

Construction HGVs in addition to 16.5m articulated vehicles or private motor vehicles when leaving the construction site and returning onto Stanton Lane, whilst trying to merge into moving traffic on Honey Knob Hill via a none standard DMRB drop kerb field access is a significant hazard.

There is no means of gaining speed to enter the lane from the field in addition to soil debris contaminating the roads. The hazards associated with this manoeuvre would be classified as having a high likelihood of a significant road traffic accident from the blind bend on the right hand side.

The risk assessment and hazard analysis clearly show that this route is classified as high risk.

Hazard Analysis in relation to Access point 2 – Stanton Lane

This refers to the potential access point into the agricultural field on the east side of Stanton Lane and could consist of construction traffic in the form of fixed bed HGV's and articulated vehicles moving along Stanton Lane from Stanton St Quintin and turning sharp left into the field access point.

Construction HGVs in the form of 16.5m articulated or rigid entering the construction site would have to navigate Stanton Lane with limited passing points. The hill at the stop of Stanton Lane has three blind bends and the field access is only visible once vehicles are past the electrical power poles on the left hand side. Access for vehicles into the field would be a sharp left turn via a none standard DMRB drop kerb farm access, this would be classified as a significant hazard.

There is no crawl lane, slip road or means of gaining speed to re enter Stanton Lane. The hazards associated with this manoeuvre would be classified as having a high likelihood of a significant road traffic accident. Since this is not a DMBR road design and essentially a field access. Articulated vehicles would have to be cleaned to prevent soil, mud and detritus from being deposited onto Stanton Lane and Honey Knob Hill and hence causing a hazard and possible road traffic accident.

Hazard Analysis in relation to Access point 3 – From Kington St Michael High street

This refers to the proposed access point into the agricultural field on the south side of the village and could consist of construction traffic in the form of HGV's and articulated vehicles travelling into the village of Kington St Michael, along the main High Street and turning right into Stanton Lane.

Crash Map Collision data refers to an accident at the corner of Stanton Lane with the main High Street.

Construction vehicles comprising of articulated and fixed bed would turn right at the corner of Stanton Lane in order to gain access to the field site entrance. Due to the parked cars on the left hand side of Stanton Lane significant hazards present themselves at this junction.

In conclusion the development location at Stanton Lane, solely from a hazard and risk analysis, generates significant concerns with regard to the likelihood and severity of road traffic accidents or incidents involving HGV construction vehicles, private vehicles, vulnerable pedestrians, school children and cyclists within three separate access points for the development location.

Of particular concern is the use of field access gates with non-standard DMRB access off a village lane with articulated heavy good vehicles. The risks identified are classified as high with a significant likelihood of a road traffic accident or incident. Access back onto the lane is classified as high due to speed implications relating to slow moving articulated heavy goods vehicles entering village traffic with poor visibility.

Equally, fire emergency access is severely restricted due to the location of the development. In the event of an emergency no risk assessment has been considered or documented to date.

After compiling the data and information, corelating against a quantifiable risk assessment process used within the HSE environment it is evident that both access routes would not comply with regulations 17, 27 and 31 of The Construction (Design and Management) Regulations 2015, and as such would be at risk of not complying with the Health and Safety at Work 1974.

Consequently, even with mitigation factors, the three proposed access points have been quantifiably risk assessed as high risk with a high probability of a road traffic incident.

Report: Land on Stanton Lane.
Permission in principle for the erection of 9 houses.
Planning Application PL/2023/08833.

Objections to the above planning application appeal – Permission in Principle.

Date: 23rd March 2024

Index

Executive summary. 1

Background. 2

Kington St Michael Conservation Village 3

Location of the land 4

Objections based on the Planning in Principle Criteria 5
Location, Land Use and Amount of development

1. Housing Land Supply and Changes to the National Planning Policy Framework (NPPF December 2023 paragraphs 76 and 77).
2. Wiltshire Core Strategy 2015 -2026.
3. National Planning Policy Framework revised Dec 2023.
4. Kington St Michael Neighborhood Plan.
   Regulation 14 and 15 consultation draft dated March 2024
   and alignment with NPPF paragraph 48.
5. Independent SHELAA assessment on Land off Stanton Lane, Construction and Transport Risk Assessment.
6. Amount of Development.
7. Wiltshire Council Local Plan Pre-Submission Draft 2020-2038 regulation 19
8. Planning Application PL/2023/04815, PL/2021/09013, PL/2022/08155
9. Location of site access – Health and safety risk assessment
10. Flooding risk on Stanton Land
11. Electrical Power Distribution issues.
12. Human Rights Act.
13. Precedents – Examples of permission in principle applications outside of settlement boundaries within open countryside - rejections.

Conclusion. 6

Land on Stanton Lane – Permission in principle for the erection of 9 houses

1. Executive Summary

This report details the implications, risks and effects of the appeal relating to planning application PL/2023/08833 permission in principle for the erection of 9 houses within the conservation village of Kington St Michael. The information gathered in this objection report has been used in conjunction with all relevant and historical planning applications and respectfully highlights significant contraventions of Local Government, Parish Council and National Planning regulations/guidelines December 2023, the Wiltshire Core Policy and Wiltshire Council Local Plan Pre-submission 2020-2038 regulation 19.
I respectfully request that the Planning Secretary reject the appeal for permission in principle.

The issue of sustainable housing and the needs of our local community are a serious issue for everyone and local residents in particular, however this application I believe is in contravention to the Wiltshire Core Strategy, Core Policies 1 ,2 10, 50, 51,57and 62 and considerable weight we ask be given to this.
In addition, we maintain that the appeal is in contravention to the revised National Planning Policy Framework December 2023 paragraphs 76 and 77 in particular paragraphs 8,11,111,130,134,174 and 180.
National planning Policy Framework revised December 2023 paragraph 48 provides weight can be given to emerging plans. The Kington St Michael Neighbourhood Plan process is at regulation 14 entering into 15 in April 2024 with an established timeline for completion and site housing proposals through the SHELAA process to meet the needs of the village by location and amount of development and we respectfully ask that weight be given to our significant progress and for this appeal to be rejected.

2. Background

The appeal is for the erection of 9 houses in an open area of countryside that is also outside of the settlement boundary of the conservation village of Kington St Michael.

The original submission (which was rejected by the Planning Officer in November 2023) is a permission in principle and focusses on LOCATION, LAND USE and AMOUNT OF DEVELOPMENT with references to the Kington St Michael Parish delivering the housing requirements of the Wiltshire Council Core Strategy through the original 5YHLS, which has since been superseded.
The village of Kington St Michael, identified as a large village, has been identified to deliver an indicative 34 houses for the needs of our community in the form of 1 and 2 bedroom houses with social housing to help the community.
The Parish Council, since 2018, have been leading a plan lead process through the Kington St Michael Neighbourhood Plan Steering Committee who have diligently worked to a schedule 14 position and potential 15 in April 2024 with a planned submission to Wiltshire Council in September 2024 in addition to a SHELAA assessed village housing plan for sustainable housing.

The National Planning Policy Framework paragraph 48 states that weight can be given to emerging plans, according we respectfully ask that the current stage Neighbourhood Plan which reflects considerable work including SHEELA assessments is given some weight in rejecting this appeal.

This is a speculative and pre-emptive application/appeal in trying to bypass the Kington St Michael Neighbourhood plan and hence the Localism Act 2011 for our village and we maintain conflicts directly with Wiltshire Core Strategy Core Policy 1 - Settlement Strategy, Core Policy 2 - Delivery strategy and Core Policy 10 - Spatial Strategy and we ask respectfully ask that this appeal is rejected.

3. Kington St Michael Conservation Village

- History

The village of Kington St Michael was originally called Kington and was first recorded in a Saxon document in 934 AD. The street village pattern dates back to the 12th century with many of the houses (in particular 77, 78, 75 Kington St Michael) having key historical locations. The Manor House was built in 1860 along with the school and schoolhouse and is one of the very few in the country to be retained once they ceased to be used for educational purposes.

- Listed Buildings and Almshouses

  The village and its 45 listed buildings <u>both within and outside the conservation area</u> are mentioned in the Doomsday book as being worth 30 shillings containing a mill held by the Church at Glastonbury. The Parish finally become known as Kington St Michael in 1280. Many of the village cottages were used as public houses, blacksmiths and breweries with the Almshouses being held for sheep markets.

  Whilst a number of buildings do not meet the 'special' benchmark for grade I and II listing, their heritage value has the potential to place them in the category of *'Buildings of Local Interest – non-designated heritage assets.*

- Kington St Michael is situated approx. 3 miles to the north west of Chippenham and is a small, friendly and thriving village with in excess of 700 inhabitants.

- The Kington St Michael Neighborhood Plan Regulation 14 Consultation Draft describes a vision for the village over the next 25 years as one where 'our natural environment and beautiful countryside will continue to be one of our most prized assets'.

- Location Heritage

  The village of Kington St Michael has a rich heritage which contributes to its distinctive character and the quality of resident's everyday life. The protection of our local heritage assets is a priority for local people.

  The conservation area is, in law an area of special architectural and historic interest. *Planning authorities are legally required to pay special attention to conserving and enhancing the character of conservation areas. Any proposed development which conflicts with this objective should usually expect to be refused*. The Red Barn solar farm proposal will be shown in the forthcoming information to directly and uncontrivable diminish the character, heritage and beauty of our landscape and village.

  The Historic Environment Record (HER) for Kington St Michael provides a wealth of information on the Parish's historic environment, and should be referred to where proposals have the potential to effect heritage assets.

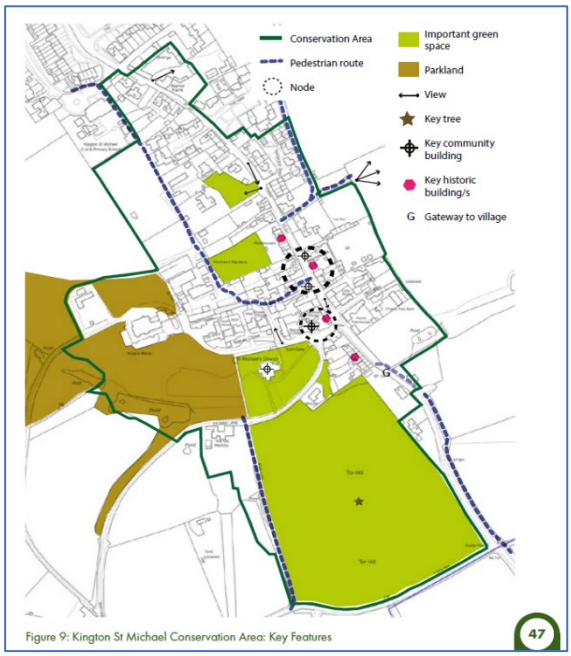


Figure 9: Kington St Michael Conservation Area: Key Features

4. Location Details of the land on Stanton Lane



1. The proposed field has an area of approx. 0.46ha and is classified by the developer as open countryside and is outside the Kington St Michael parish settlement area.

2. The proposed field area for the proposed development is approx. 0.46ha.

3. The proposed field area occupies approx. 36% of the open countryside (of the total field in question).

4. The initial slope of the field is 1 in 2 but then extends to 1 in 3 for the remainder proposed area 0.21ha

5. The area at the end of the field (steepest slope) nearest the valley stream, floods due to the run off from the field.

6. Stanton Lane access road floods and is classified as Flood risk 2 (refer to flood section).

Location Details of the Land on Stanton Lane



5.1 Objections – Location

Housing Land Supply

The developer previously referred to the lack of a 5-year housing land supply as a key argument for building outside of the defined settlement boundary in undisputed open countryside.
Wiltshire Council's most recent Housing Land Supply Statement sets out the number of years supply against our local housing need = 4.59 years. It has been confirmed by Wiltshire Council Strategic Planning on the 6th March 2024 that this figure is a little higher due to the NPPF removing the need to apply a buffer to the authority that delivers housing sites.
As these figures exceed the four-year threshold, the planning balance is now level rather than tilted.
In other words, the changes to the NPPF mean that there is now a lower threshold in place for being able to justify the refusal of planning applications. This means that fewer 'speculative' residential planning applications are likely to be granted, until such time as the councils housing land supply dips below four years.
On this basis we respectfully ask that the argument for the appeal in relation to the 5-year housing land supply is given no weight.

At the Wiltshire Council Strategic Planning committee meeting on the 6th March 2024 at Trowbridge Council offices, three planning applications for land on open countryside and outside the settlement boundary were refused permission on this basis (these applications had not reached section 106 status).
PL2021/09013 – refused
PL/2021/03749 - refused
Pl/2022/08155 - refused

Furthermore, greater weight was given to the decision-making process and the Wiltshire Core Strategy.

We would respectfully ask the Planning Secretary to take this into consideration and reject the appeal.

National Planning Policy Framework sections 76 and 77

Maintaining supply and delivery

75. Strategic policies should include a trajectory illustrating the expected rate of housing delivery over the plan period, and all plans should consider whether it is appropriate to set out the anticipated rate of development for specific sites. Local planning authorities should monitor their deliverable land supply against their housing requirement, as set out in adopted strategic policies.

76. Local planning authorities are not required to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing for decision making purposes if the following criteria are met[40]:

    a) their adopted plan is less than five years old; and

    b) that adopted plan identified at least a five year supply of specific, deliverable sites at the time that its examination concluded.

77. In all other circumstances, local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide either a minimum of five years' worth of housing[41], or a minimum of four years' worth of housing if the provisions in paragraph 226 apply. The supply should be demonstrated against either the housing requirement set out in adopted strategic policies, or against the local housing need where the strategic policies are more than five years old[42]. Where there has been significant under delivery of housing over the previous three years[43], the supply of specific deliverable sites should in addition include a buffer of 20% (moved forward from later in the plan period).

On the 19th December 2023 the UK government issued a revised National Planning Policy Framework (NPPF). This new NPPF (subject to minor revision on 20th December) proposed key changes that immediately impacted Wiltshire councils statuary planning decision making function.

Paragraph 77 which is applicable to Wiltshire Council.

'or a minimum of four-year worth of housing if the provisions in paragraph 226 apply'

Paragraph 226 which is applicable to Wiltshire Council.

'local planning authorities will only be required to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of four years of housing'

The current Wiltshire council position is 4.59 years of housing supply.

The need for 'speculative' residential planning applications, that are by nature of their location in open countryside and outside of defined settlement boundaries will not be required.

Neighbourhood Plans

The emphasis on letting the Neighbourhood Plan process form the basis for meeting the housing needs is a further change in NPPF paragraph 14.
The changes focus on situations where planning applications for housing are determined in areas that have neighbourhood plans in place (less than 5 years old)
Section 5.4 of this objection report highlights the significant progress that the Neighbourhood Steering committee on behalf of the Parish Council have made since 2018.
We have produced a 57-page Neighbourhood plan regulation 14 draft that encompasses the needs of our village through consultation with our residents.
We have identified through the call for land process potential sites to meet the villages housing needs and these have been independently assessed by PLACE studio consultancy using the SHELAA process.
In April 2024 we will be allocating land for development and entering into regulation 15, with regulation 16 following on 30th September2024.
We respectfully ask that the plan led neighbourhood plan is allowed to progress and be the basis for the housing needs in our village.

Impact on current planning applications and appeals

We respectfully ask the Planning Secretary that due to the new material changes in the National Planning Policy Framework December 2023 relating to housing land supply is a significant material consideration and hence considerable weight is given to this change.
Planning applications and appeals already considered but where decisions have yet to be issued (section 106) agreement may or will be referred back to the LPA due to the significant impact of the changes and as such we respectfully ask the Planning Secretary that this will have a significant material consideration to the appeal and that on this basis the appeal is rejected, and that the village of Kington St Michael be 'plan led' through the Neighbourhood Plan process in operation since 2018.

5.2 Location Contravenes Wiltshire Core Policies 1, 2 and 10.

Core Policy 1 Settlement Strategy

Development outside the settlement boundary will be strictly controlled. Relaxation of the boundaries will only be supported where it has been formally reviewed through a subsequent DPD or a community-led neighbourhood plan, which includes a review of the settlement boundary to identify new developable land to help meet the housing and employment needs of that community

Planning application PL/2023/08833 and its appeal is in direct conflict with Core Policy 1. The application has been made without any reference, consultation, communication with either the Parish Council, Parish Council Neighbourhood Plan Steering committee or residents of the village. This application looks to bypass the plan led strategy of Wiltshire Council core strategy.

Core Strategy 2 Delivery Strategy

At Large Villages settlement boundaries are retained and development will predominantly take the form of small housing and employment sites within the settlement boundaries, sites for development in line with the area strategies will be identified through subsequent site allocations and by local communities to identify sites through lead neighbourhood planning.

Planning application pl/2023/08833 and its appeal is in direct conflict with Core Policy 2. The application is outside of the settlement boundary of the village as acknowledged in the letter from LPC planning consultants. Furthermore, the proposal is in open countryside and directly against the Neighbourhood Plan draft regulation 14 entering into 15.

Core Strategy 10 Spatial Strategy for the Chippenham Area

The Spatial Strategy: Chippenham Community Area

Development in the Chippenham Community Area should be in accordance with the Settlement Strategy set out in Core Policy 1.

Principle Settlements:	*Chippenham*
Large Villages:	*Christian Malford, Hullavington, Kington St Michael, Sutton Benger and Yatton Keynell*
Small Villages:	*Biddestone, Burton, Grittleton, Kington Langley, Langley Burrell, Lower Stanton St Quintin, Nettleton, Stanton St Quintin and Upper Seagry*

2. The capacity to provide a mix of house types, for both market and affordable housing alongside the timely delivery of the facilities and infrastructure necessary to serve them;
3. Offers wider transport benefits for the existing community has safe and convenient access to the local and primary road network and is capable of redressing transport impacts, including impacts affecting the attractiveness of the town centre
4. Improves accessibility by alternatives to the private car to the town centre, railway station, schools and colleges and employment
5. Has an acceptable landscape impact upon the countryside and the settings to Chippenham and surrounding settlements, improves biodiversity and access and enjoyment to the countryside
6. Avoids all areas of flood risk (therefore within zone 1) and surface water management reduces the risk of flooding elsewhere

Planning application Pl/2023/08833 contravenes Core Policy 10 since the area in question has a significant impact upon the countryside, does not improve biodiversity and has potentially unsafe access in an already high-volume high street.

5.2 Location Contravenes Wiltshire Core Policy 50 - Biodiversity and Geodiversity.

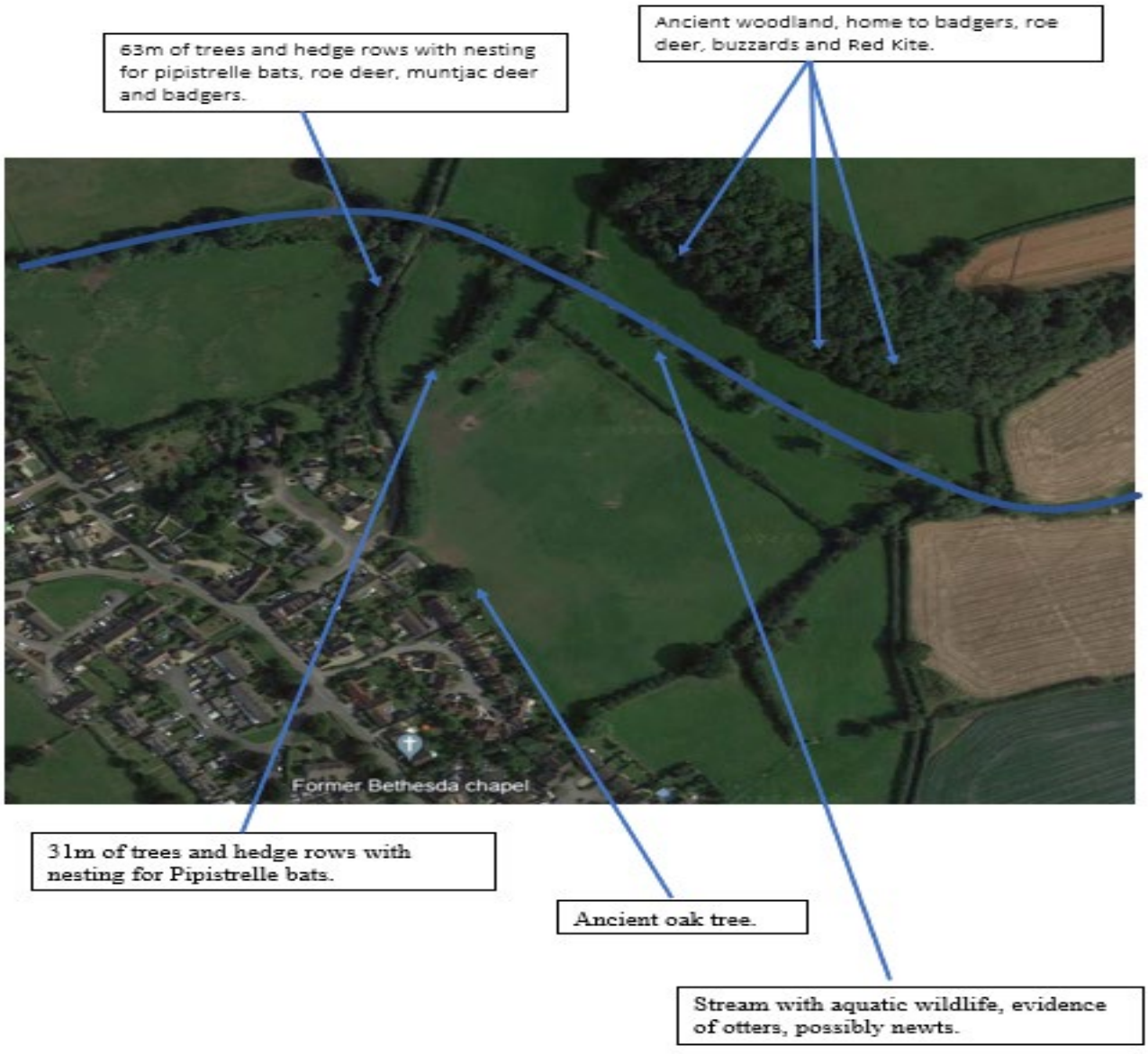
Development proposals must demonstrate how they protect features of nature conservation and geological value as part of the design rationale. There is an expectation that such features shall be retained, buffered and managed favourable.

Planning application PL/2023/08833 does not state by way of its location any biodiversity and ecological enhancement net gain in its submission for the erection of 9 houses outside of the village settlement boundary.

Whilst mitigation could be applied, the planning application has made no effort to describe how the open countryside will be protected and how biodiversity and geodiversity can be enhanced.

It is anticipated that significant disruption will occur within the ecological environment due to civil engineering construction, drainage issues, flooding mitigation, hedge and tree habitat removal.

- Vehicle ingress into the proposed site from Stanton Lane and the impact on the watercourses from construction 'run off' will seriously disrupt habitat and nesting area.
- The stream at the northern edge of the proposed area may contain Great Crested Newts – no 200m buffer has proposed. In addition, the 440volt high voltage power cable will be required to be moved or modified by the DNA.
- Sky larks have been seen to inhabit the fields, hedges and woodland adjacent to the proposed housing development.
- Various species of bats inhabit the woodland, hedges and tree line adjacent to the proposed housing.
- Deer roam freely within the landscape and open countryside.
- Badgers sets have been previously disturbed and their habitat in the wooded area and hedgerow will be further disrupted.



5.2 Location Contravenes Wiltshire Core Policy 51 – Landscape

Sections 6.79 and 6.8 are extremely clear on seeking to protect, conserve and enhance Wiltshire's distinctive landscape character.
Our village Neighbourhood Plan Regulation 14 Consultation Draft, which is fundamentally aligned to the Wiltshire Core Strategy and Wiltshire Council Local Plan 2020-2038 regulation 19 clearly states that '*The rural landscape setting of Kington St Michael will be protected. Any proposal for development which, by reason of their scale, siting and design, would affect the landscape setting as described in Wiltshire Landscape Character Assessment and Kington St Michael Community Design Statement, musty demonstrate how the landscape setting will be protected and enhanced'*.

The Core Policy 51 makes clear reference to *The European Landscape Convention which promotes landscape protection, management and planning, and applies to all landscapes, towns and villages, as well as open countryside.* However, the principle pressure on the landscape arising from the proposed development is a clear erosion of our villages separate identity, character and views of the open countryside by the nature of planning application PL2023/08833.



Nodal view from the resident of No2 Stanton Lane



Nodal view from the resident of Kyneton Cottage

5.2 Location Contravenes Wiltshire Core Policy 57 – Ensuring High Quality Design and Place Shaping

Key points that conflict with the appeal:

Core Policy 57

Ensuring high quality design and place shaping

A high standard of design is required in all new developments, including extensions, alterations, and changes of use of existing buildings. Development is expected to create a strong sense of place through drawing on the local context and being complementary to the locality. Applications for new development must be accompanied by appropriate information to demonstrate how the proposal will make a positive contribution to the character of Wiltshire through:

i. enhancing local distinctiveness by responding to the value of the natural and historic environment, relating positively to its landscape setting and the existing pattern of development and responding to local topography by ensuring that important views into, within and out of the site are to be retained and enhanced

ii. the retention and enhancement of existing important landscaping and natural features, (e.g. trees, hedges, banks and watercourses), in order to take opportunities to enhance biodiversity, create wildlife and recreational corridors, effectively integrate the development into its setting and to justify and mitigate against any losses that may occur through the development

iii. responding positively to the existing townscape and landscape features in terms of building layouts, built form, height, mass, scale, building line, plot size, elevational design, materials, streetscape and rooflines to effectively integrate the building into its setting

iv. being sympathetic to and conserving historic buildings and historic landscapes

Planning application PL/2023/08833 contravenes Core Policy 57 since by the nature its location does not enhance the villages local distinctiveness, its landscape setting or that important views within and out of the site are retained and enhanced.

The retention and enhancement of existing landscaping and natural features (e.g. trees, hedges, watercourses are not met by this appeal and no mitigation against losses through this development are justified and we ask that this appeal is respectfully rejected.

5.2 Location Contravenes Wiltshire Core Policy 62 – Development impacts on the transport network.

This policy states that all new developments are required to assess the transport issues related to that development. Where a development will have significant transport implications, the council will require a transport assessment to be prepared and submitted alongside a planning in accordance with national guidelines.

The proposed access into the development can be from three independent directions.



The picture above illustrates the access into the proposed housing development situated within open countryside outside of the parish defined settlement boundary. The access is a farm gate at a width of 2.4m width. The trees on both sides of the access would have to be removed and hence effecting the ecological environment. A significant land slope provides access into the field. Stanton Lane already provides access to Stanton St Quintin and the M4 via junction 17.



5.2 Location Contravenes Wiltshire Core Policy 62 – Development impacts on the transport network.

The adjacent picture illustrates the second potential access and exit from the proposed housing development. Stanton Lane has in recent years become a common thoroughfare for traffic coming from and into Stanton St Quintin.

Since this provides quick access to the M4 and Cirencester via the A350.

The lane adjacent is severely narrow, consists of three blind bends with a portion of the lane that floods and is classified through the government website as a flood risk.

Raised drainage pipes are located hazardously in the only passing area nn the lane.

No footpaths are situated in this lane and hence an increase in vehicle traffic would be expected.

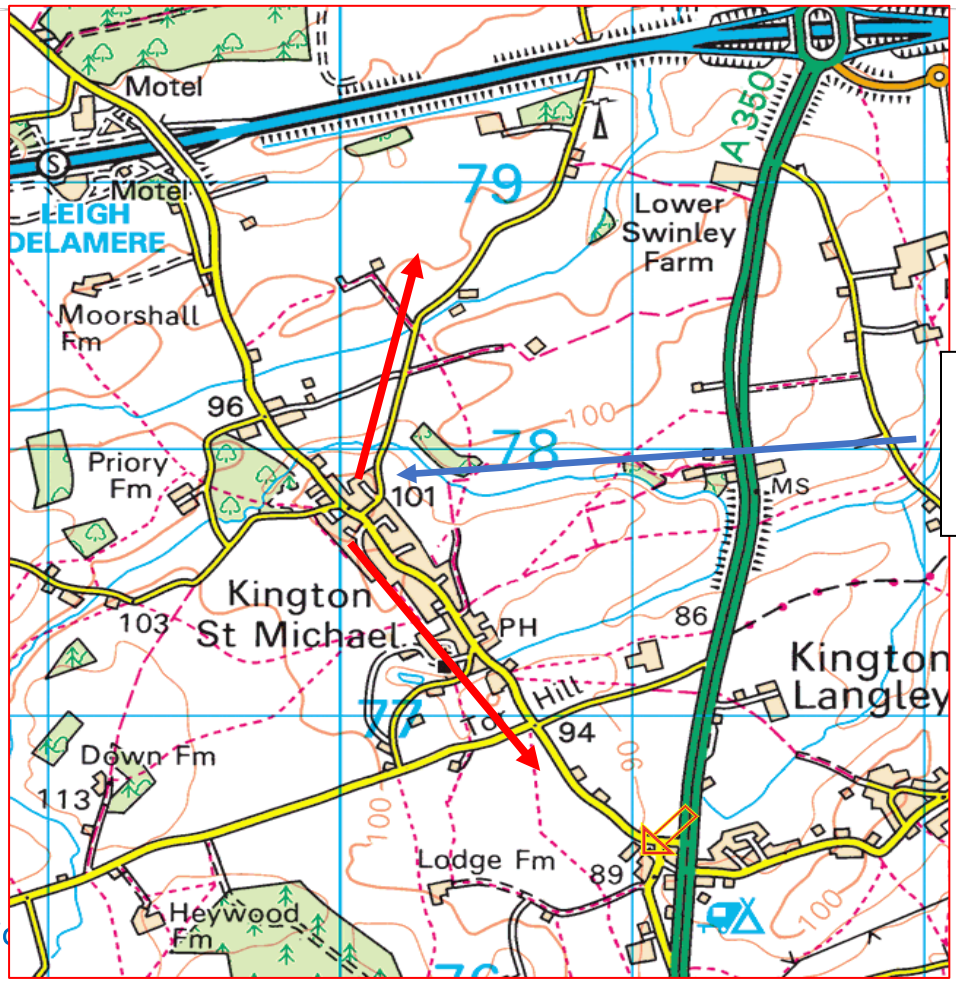
Core Policy 62

Development impacts on the transport network

Developments should provide appropriate mitigating measures to offset any adverse impacts on the transport network at both the construction and operational stages.

Proposals for new development should not be accessed directly from the national primary route network outside built-up areas, unless an over-riding need can be demonstrated.

The application and appeal are in relation to 9 houses situated in rural countryside outside the settlement boundary. It is entirely feasible to assume that the owners would have to travel to their place of work and that motor vehicles would be required. There is only one bus service No 92 that goes only to Chippenham.
The use of Stanton Lane to gain access to Stanton St Quintin and then to the M4 is a 'cut through' issue. The condition of Stanton Lane is deteriorating rapidly due to vehicles using this to gain access to the M4.
Alternatively, motor vehicles from this development would add more traffic to an already congested village high street and onto Tor Hill cross road (a crossroad already the scene of a significant RTA on the 23rd October 2023.
The location of the development is in contrary to Core Policy 64 since due to its location, no mitigating measures have been made to offset the substantial increase in traffic and construction stages of the development.



Area of land - Planning application PL/2023/08833 comprising of 9 houses in open countryside.

5.3 Locati

84. Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:

a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;

b) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;

c) the development would re-use redundant or disused buildings and enhance its immediate setting;

d) the development would involve the subdivision of an existing residential building; or

e) the design is of exceptional quality, in that it:

- is truly outstanding, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and
- would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.

1. The planning application contravenes National Planning Policy Framework section 84 since the location of the 9 houses is in the open countryside and outside of the village settlement boundary.

2. The erection of 9 houses will not be for the use of rural workers

3. The erection of 9 houses has no correlation to any heritage asset or part of any development to secure the future of heritage assets.

4. The field in question has no redundant or disused buildings as part of the housing proposal.

5. The field in question has no residential properties on the land and hence no subdivision is applicable

6. Whilst no design parameters or specifications have been submitted as part of this planning application since it is a planning in principle submission. It would be reasonable to determine that the housing would not be classified as outstanding, raise standards of design or be sensitive to the defining characteristics of the village.

The application fails to meet the criteria for section 84 of the National Planning Policy Framework and we would respectfully ask the Planning secretary to reject this appeal.

5.2 Location Contravenes National Planning Policy Framework Section 12 Achieving Well-designed Places.

- Paragraph 131 states that

The creation of high quality, beautiful and sustainable places is fundamental to what the planning and development process should achieve.
Neighbourhood planning groups can play an important part in identifying the special qualities of each area and explaining how this should be reflected in the development.

- Paragraph 135 states that

a) Will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development.
b) Visually attractive as a result of good layout and appropriate and effective landscaping.
f) create places that are safe, inclusive and accessible and which promote health and wellbeing.

- Paragraph 137 states that

Applications that can demonstrate early, proactive and effective engagement with the community should be looked at favourably. This has not been done at either community, Parish Council or Neighbourhood Steering Group level.

- Paragraph 139 states that

The Development that is not well designed should be refused.

The planning application PL2023/08833 is not well designed but expedient to bypass the plan led process for sustainable development in the village of Kington St Michael and directly contravenes, by nature of its location, the National Planning Policy Framework section 12 paragraphs 131, 135, 137 and 139 on the following criteria points.

1. The Kington St Michael Neighbourhood Plan steering group are responsible for delivering the neighbourhood plan for the village and have made significant progress with the current submission at regulation 14. The Steering group have commissioned Place Studios to help with moving the plan led process to schedule 15 in April 2024.
   This process is fully in line with the Wilshire Core Strategy, Wiltshire Council Local Plan 2020-2038 regulation 19 and National Planning Policy Framework December 2023.

2. The planning application is within open countryside and outside of the village settlement boundary and would be classified as permanent with no demonstrable visual attractiveness, effective landscaping and due to the issue with Stanton Lane potentially unsafe for access.

3. The planning application has been made with absolutely no interaction with the Parish Council, Parish Council Neighbourhood Plan Steering committee or residents affected by the housing development.

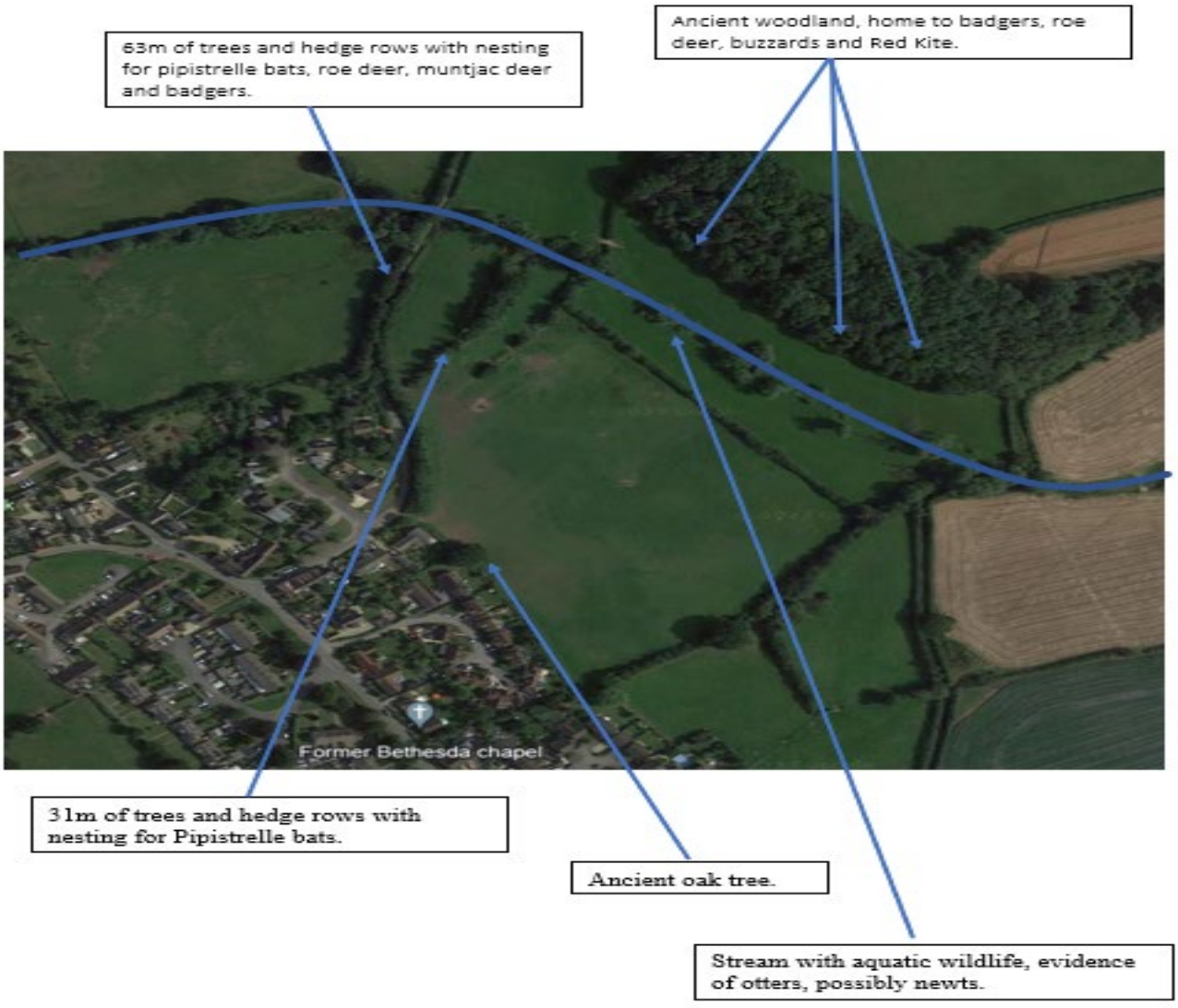
4. Due to the planning application location, within open countryside, no detail has been submitted with regard to ecological or geo diversity net gain, noise assessment, flood risk management due to the bottom of Stanton Lane being classified as flood risk 2.

5.3 Location Contravenes National Planning Policy Framework Section 15 - Conserving and Enhancing the natural environment

- *Paragraph 180 states that planning policies should contribute to and enhance the natural and local environment.*
  a) *Protecting and enhancing values landscape, sites of biodiversity or geological value.*
  b) *Recognizing the intrinsic character and beauty of the countryside.*
  c) *Preventing new and existing developments from contributing to, being put at unacceptable risk or adversely affected by unacceptable levels of noise pollution.*

- *Section 191 states that planning policies and decisions should also ensure that the new development is APPROPRIATE for its location considering the likely effects (including cumulative effects) of noise pollution* (this can also be light, dust and factors that affect mental health) *on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.*

  In doing this planning policies should:
  a) *Mitigate and reduce to a minimum potential adverse impact resulting from noise from the new development – and avoid noise giving rise to significant adverse impacts on health and quality of life.*
  b) *Identify and protect tranquil areas which have remained relatively undisturbed by noise and prized for their recreational value.*
  c) *Limit the effect of light pollution from artificial light.*



1. Planning application PL/2023/08833 - permission in principle with key reference to its LOCATION provides

absolutely no information, research or risk-based assessment on the ecological and biodiversity effects within the open countryside through the erection of 9 houses in the field.

2. The construction of the 9 houses on open countryside will have an inevitable effect on the habitat and nesting of birds and mammals that occupy the hedgerows, trees, streams and woodland within the area.

3. Due to its location in open countryside, no Ecological Assessment or supporting documentation has been prepared in the permission in principle planning application PL/2023/08833 in relation to the inevitable disturbance of noise, light and dust during construction, by way of its location.

4. No specific noise assessment has been made in relation to the permission in principle application. Considering the locality to residents in Stanton Lane and The Orchard this would be considered essential.

- The high voltage 440volt 3 phase overhead power cables and pylons will have to relocated. No assessment has been forthcoming on the impact of this relocation on the environment.

- The impact on 63m of hedgerow due to the proximity of the 9 houses has not be considered or mentioned in the application. The hedgerow is a local habitat for Muntjac and Roe deer, badgers and a multitude of birds.

- The field has a slope of 1 in 3. Consequently, the civil engineering requirements to provide level construction will be considerable. No assessment or mention has been made in the planning application on how the stream will not be contaminated with construction material.

- Planning application PL/2023/08833 has made no reference to any biodiversity net gain.



The picture above is of the landscape that the proposed application wishes to erect 9 houses within. This directly contravenes section 15 of the National Planning Policy Framework paragraph 180 relating to recognising the intrinsic character and beauty of the countryside.

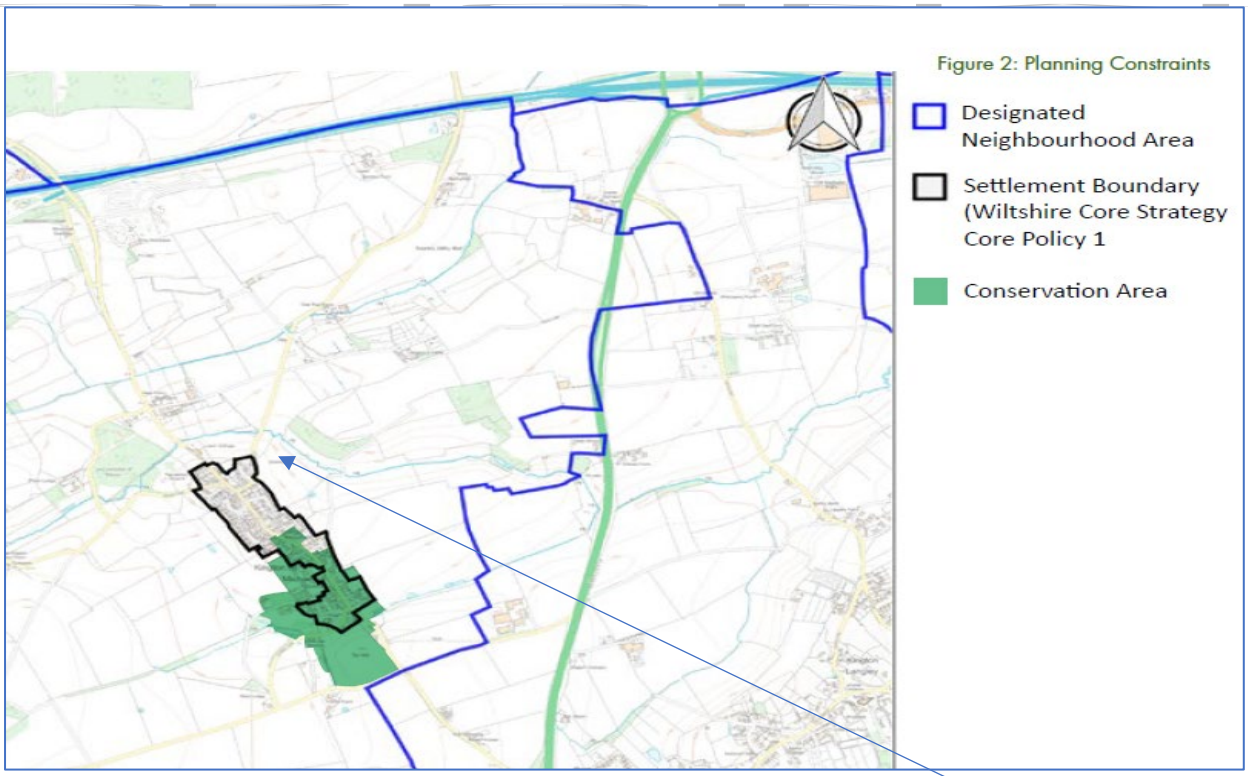
5.2 Kington St Michael Neighborhood Plan Regulation 14 Consultation Draft dated March 2023

Location – We ask that weight to be given to our Neigbourhood Plan regulation 14 draft that follows the Localism Act 2011 that reflects the needs of our village through a plan led approach since 2018.

It is accepted that the Kington Michael Neighbourhood has not been adopted however I would ask the Planning Secretary to take into account National Planning Policy Framework paragraph 48 in relation to our progress.

The Kington St Michael Neighbourhood Plan Regulation 14 Consultation Draft is in the final stages of Parish Council approval and was designated by Wiltshire Council as part of the Localism Act 2011 to allow local communities to shape new development and promote better land use in their communities by preparing a neighbourhood plan, effectively empowering our communities.
The Kington St Michael Neighbourhood Plan was developed with appropriate regard to NPPF (National Planning Framework) 2023 revised December 2023, Wiltshire Local Plan (Core Strategy) and compatible with the Human Rights Act.

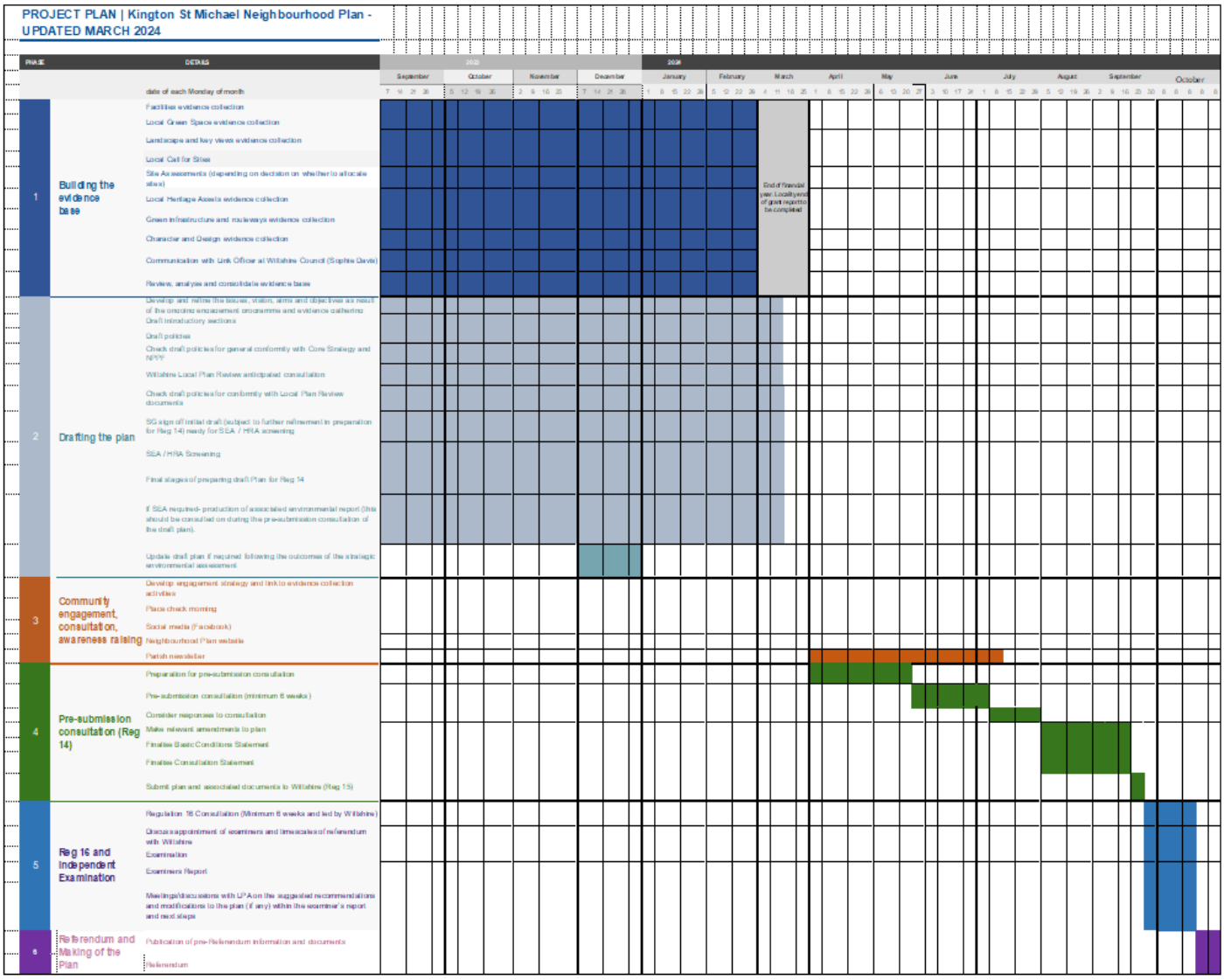
Whilst the Plan has not been formally approved there has been substantive village consultation over a number of years.
Process plan to date by year:
2018 – Prevision survey by residents
2019 - Neighbourhood plan open day
2020 – Consultation on village assets
2021 - Neighbourhood plan stall at fun day, village fair
2022 - Evidence gathering, call for land and input to village website and newsletter
2023 - Formal regulation 14 consultation draft – approved by KSM village council
2023 - Nov Formal regulation 14 – Conclusion of evidence-based assessment



Planning application PL/2023/08833 is outside of the Kington St Michael settlement boundary.

Kington St Michael Neighbourhood Plan Regulation 14 Consultation Draft dated March 2023

Implementation timeline



Key Dates:

1. Neigbourhood Plan – SHEELA assessment of all sites 27th March 2024
2. Formal allocation of sites to the Neighbourhood plan 30th March 2024
3. Pre-submission consultation (minimum 6 weeks) Regulation 15 2nd June 2024
4. Regulation 15 submission to Wiltshire Council 30th September 2024
5. Regulation 16 Independent Examination 23rd October 2024

Key Aims from the Kington St Michael Neighbourhood Plan Regulation 14 Consultation Draft -March 2023

AIM 2 - TO PROTECT AND STRENGTHEN OUR VALUED COMMUNITY FACILTIES AND COMMUNITY LIFE

*'The beautiful rural surroundings of the village should be protected and enhanced' – **not met by the PL/2023/0883 since the development is in open countryside and outside the defined settlement boundary.***



AIM 3 – OUR DISTINCTIVE VILLAGE

*'The historic core, locally valued heritage and distinctive character of the village should be protected, and any new development should respect our valued assets.'- **not met by the PL/2023/0883 since the development is in open countryside and outside the defined settlement boundary.***



AIM 3 – OUR GREEN ENVIROMENT

*'KSM5 – The rural landscape setting of Kington St Michael will be protected. Any proposal for development which, by reason of their scale, siting and design, would affect the landscape setting as described in Wiltshire Landscape Character Assessment and Kington St Michael Community Design Statement, musty demonstrate how the landscape setting will be protected and enhanced' - **not met by the PL/2023/0883 since the development is in open countryside and outside the defined settlement boundary***



AIM 4 – PROTECTING THE OPEN COUNTRYSIDE

'Any development in the Neighbourhood area should ensure the rural landscape character of the village, immediately surrounded by long standing farmland, is respected and enhanced'

- – *not met by the PL/2023/0883 since the development is in open countryside and outside the defined settlement boundary.*



AIM 5 – TO ENSURE THAT ANY NEW HOUSING DEVELOPMENT WITHIN THE PARISH HELPS TO MEET THE EVIDENCED LOCAL HOUSING NEED

The Localism Act 2011 focusses on the principle that decision making be passed to a more local level, from national or local government to local communities. Parish councils are mandated to produce, through a plan lead process neighbourhood plans and development plans for their communities. Wiltshire Core Strategy and the Wiltshire Council Local Plan pre-submission draft 202-2038 supports this plan led process and provides clear strategic guidelines reinforced through the National Policy Framework December 2023.
The parish council have had in place the neighbourhood plan steering committee who have, through considerable consultation and communication with its community are approaching schedule 15 and 16.
The planning application PL/2023/08833 by reason of its location outside of the defined settlement boundary and within open countryside would be contrary to the settlement, delivery and community area plans of the Wiltshire Core Strategy.
The proposed application conflicts directly with the councils plan led approach to sustainable development.
When weighed against the National Policy Planning Framework the adverse impacts to the open countryside are permanent, character changing and non-compliant, and should be rejected.

AIM 6 – GETTING AROUND, ACTIVE TRAVEL AND PUBLIC TRASPORT

*Access from Stanton Lane is clearly unsafe with a non DMRB access point, no public footpath, the road has a stream running down the 1 in 3 slope and the bottom of Stanton Lane being flood risk 2 - **not met by PL/2023/0883***



Series of blind bends on single track lane.



Passing point on Stanton Lane that floods with exposed drainage.



Stanton Lane condition with flood erosion on the rhs and flood risk 2 from the stream.

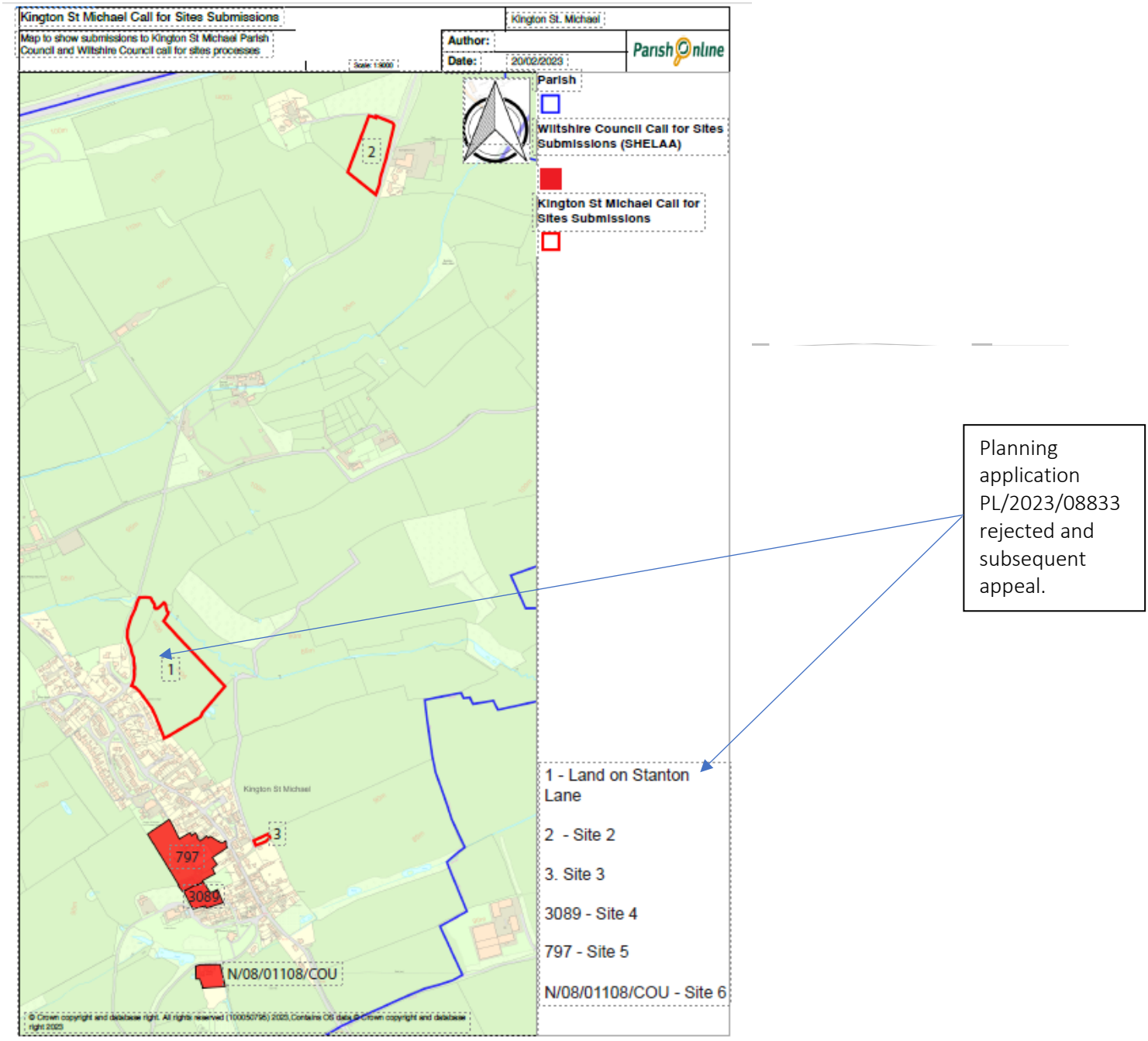
5.5 Location – Independent SHELAA (Strategic Housing and Economic Land Availability Assessment)

Since 2018, and as part of the Neighbourhood plan development, PLACE Studio, who are well established and an independent consultancy who actively work with villages in producing neighbourhood plans, have been employed by Kington St Michael Parish Council to work with the village Neighbourhood Plan steering committee to produce the plan, development statement and SHELAA potential housing development.

The latest assessment of the housing requirements in the parish came through the Rural Housing Requirements 2023 paper from Wiltshire Council as evidence for the emerging Local Plan, currently at regulation 19.
This reconfirmed the earlier target of 38 houses, reduced to 34 after 4 completions.
The housing needs study prepared in 2019/2020 provided guidance that the need for the village for two bed and one bedroom homes and social housing.

Planning application PL/2023/08833 does not allow for any, much needed social housing for our village.

The Wiltshire Council and local call for sites generated a total of 6 sites and a further 2 in 2024. The land on Stanton Lane formed part of the 6 which were subsequently evaluated against the SHELAA assessment criteria.



SHELAA Site Evaluation for the Land on Stanton Lane

On the 12th November PLACE studio conducted an independent on-site SHELAA assessment of all the sites including Site 1 – Land on Stanton Lane that subsequently became PL/2021/ 08833 planning application and appeal.

SITE ASSESSMENT
CALL FOR SITES: SITE 1: STANTON LANE

1. SITE DETAILS

Site reference/name	Land at Stanton Lane
Site Address/location	Stanton Lane, Kington St. Michael, SN14 6JQ
Gross site area	3.19 ha, 0.49ha of development
SHELAA reference	Site 1
Existing land use	Agriculture grade 3 , grassland
Land use being considered	Housing
Development capacity	Suggested as 30-35 houses
Site ID source	Submission during Call for Sites
Planning history	2023. Permission in principle for erection of 9 No Houses, application PL/2023/08833, refused.
Neighbouring uses	Agricultural land to north, east and south east. Housing to west and south west.



5

2. ASSESSMENT OF SUITABILITY

Within/adjacent to areas with statutory designations?	No. SSSI Impact Risk Zone – but not relevant to residential proposals.
Within/adjacent to areas with non-statutory designations?	No
Wholly or partly within Flood Zones 2 and 3?	A very small part of the site on its north east perimeter is in Zone 2, small parts in Zone 3.
At risk of surface water flooding?	Very low risk means that this area has a chance of flooding of less than 0.1% each year.
Grade 1, 2 or 3a agricultural land?	Shown as Grade 3 (provisional) on Parish Online.
Including areas with priority species or wildlife-rich habitats?	Possible. But deciduous woodland to the north east which is a priority habitat.
Mainly or wholly in an Air Quality Management Area?	No
Topography of site?	Sloping down from the western boundary.
Existing or potential vehicle access?	Potential access off Stanton Lane almost opposite The Orchard, currently a gate entrance. Other access options possible. *Highways Department opinion would be required.*
Pedestrian access?	Currently poor – pavement on opposite side of road up to opposite the gate above. None on the site side of Stanton Lane.
Cycle access?	Potentially dangerous on very narrow road
Any Public Rights of Way across site?	No
Any Tree Preservation Orders on site?	None recorded.
Any veteran/ancient trees on site or adjacent?	None recorded.
Any other significant trees on site or adjacent?	Small area of historic woodland just beyond north east of site boundary.
Potential ground contamination?	Not known. none anticipated.
Power or pipelines across the site?	Yes, from close to no.1 Stanton Lane to top corner of site.
Would development result in loss of social, amenity, community value?	No

ACCESSIBILITY	

Known legal/ownership issues?	None known
Likely time frame for availability?	Potentially immediately

4. ASSESSMENT OF VIABILITY

Likely liability for abnormal costs?	No

5. CONCLUSIONS

Expected development capacity?	Suggested capacity from the local Call for Sites information of 30-35 across 3.19ha is extremely low unless only part of the site were to be developed. A more standard planning policy density would suggest around 100. (It is unclear whether all or only a part of the site is proposed for development but see above for recent application for 9 houses.)
Likely timeframe for development?	Medium term
Overall rating?	Unsuitable
Summary	Potential to contribute to affordable housing need. But: • In open countryside. • Outside settlement boundary. • Limited access, potentially unsafe • Remote from key services. • Very damaging to the settlement character and on the landscape. **This is not a suitable site.**

The SHELAA assessment looks at key criteria Availability, Suitability and Achievability
In addition, a Transport and Construction and risk assessment was conducted to determine the safety implications of using this agricultural land for housing.
The latest information on sites to be allocated is shown below, with further work being done by the Neighbourhood Steering committee.

Site Reference	Location	Site Size	No of potential dwellings	Suitability	Availability	Achievability	Overall Assessment
x	XXXXXX	3.2ha	31	Yes	Yes	Yes	Allocate
4	XXXXXX	0.38ha	12	Possible	Yes	Yes	Allocate
3	XXXXXX	0.1ha	1	Yes	Yes	Yes	Allocate
5	XXXXXX	1.05ha	TBC	Possible	Yes	Yes	Potentially Deliverable
6	XXXXXX	0.37ha	17	No	Yes	No	Not Deliverable
2	XXXXXX	1.4ha	N/A	No	Yes	No	Not Deliverable
1	Land on Stanton Lane	3.19ha /0.49ha	9	No	Yes	No	Not Deliverable

5.6 Amount of Development

In 2018 planning application PL/2021/08203 was approved after being reduced to 3 houses from 5 due to overdevelopment.



In 2018 Planning application 18/01692/OUT consisted of 3 properties (reduced from 5) and occupies an area of 0.315ha. The location is on Honey Knob Hill and was previously a rear garden and NOT in open countryside and outside the settlement development boundary which is the case for this appeal.
The planning officer clearly stated that the revised settlement boundary clearly excludes the application site from the village framework making the application in principle unacceptable and contrary to the adopted Core Strategy.
The application was approved because the Core Strategy was not at an advanced stage and not afforded considerable weight however the Wiltshire Core Strategy is now fully developed and hence should be afforded considerable weight and we ask that the appeal is rejected on this basis.



The area opposite illustrates the area of land in open countryside and outside of the defined settlement boundary for the village.
The area in the planning application PL/2023/0833 is approx. 0.49ha, the lower part of the area is on a 1 in 3 slope that falls away to the valley stream.
The application is for 9 houses, and < 10 therefore no social housing which was a part of the Rural Housing Requirement 2023 as evidenced in the emerging Local Plan.
The application for 9 houses, car parking and infrastructure within 0.49ha is 63% more than allowed in 2018 for 3 houses, this we maintain is over development and an excessive amount of development and we ask for the appeal to be rejected.

The rural edge of the village settlement boundary

5.7 Location Contravenes Wiltshire Council Local Plan Regulation 19 - Policy 82 Housing in the Countryside.

Policy 82

Housing in the Countryside

Proposals for housing development outside of the defined settlement boundaries and outside of the built areas of Small Villages, on land that is not allocated in the development plan or subject to an exceptions policy will not be supported, unless it meets one of the following criteria:

i. The proposal would deliver onsite housing to accommodate employees that are essential for the viable operation of a rural business[16]. In such circumstances, applicants will be expected to submit clear evidence to show:
   - the functional need for permanent onsite accommodation, including an assessment of alternative options at nearby settlements and/or as part of existing onsite accommodation;
   - that the enterprise will remain financially viable for the foreseeable future, to justify the development of permanent accommodation.

ii. The proposal would enable a viable and sensitive alternative use of a heritage asset in a manner which secures its protection and longevity, and retains the characteristics for which it is valued as a heritage asset.

iii. The proposal is for the conversion or re-use of a disused building in the countryside. In such circumstances, evidence will be required to show that the building is structurally sound and capable of conversion without major rebuilding, and that the development would enhance the character of the original building. [17] and its setting.

iv. When the development would entail the replacement or subdivision of an existing residential dwelling, provided that the scale and design of the development is appropriate, having regard to the local landscape and design context.

In all cases, it must be demonstrated that safe and suitable access to the site is achievable for all users; that appropriate opportunities to promote sustainable transport modes have been considered; and that any adverse impacts on the transport network can be acceptably mitigated.

Planning application PL/2023/08833 directly contravenes this clear draft policy for the following quantifiable reasons:

- The permission in principle planning application has bypassed the Kington St Michael Neighborhood plan process and the work done by the steering committee in progressing the plan to regulation 14.
  In effect also bypassing the Localism Act 2011 and putting forward a speculative development that in no way considers the needs of the community.

- Does not deliver on site housing to accommodate employees with no evidenced based submission.

- Does not enable a viable and sensitive alternative for the use of a heritage asset which secures its protection since the development is within the open countryside.

- Does not involve the conversion or re-use of disused buildings in the countryside.

- Does not entail the replacement or subdivision of an existing residential dwellings

- The field in question is outside of the defined settlement boundary with access that is not suitable due to flooding risk, road condition and excess traffic on Stanton Lane where planning application PL/2023/04815 was rejected for these reasons in September 2023.

5.8 Location Planning Application PL/2023/04815

Land at Kington Lane, Stanton St Quintin, Chippenham

The construction of 12 dwellings, including 5 affordable housing units and associated infrastructure.

Refused full planning permission on 21th September 2023

Wiltshire Council

The Town and Country Planning Act 1990

Refusal of Outline Planning Permission (Some Matters Reserved)

Application Reference Number: PL/2023/04815

Decision Date: 21 September 2023

Applicant:	Mr and Mrs Bailey c/o agent, SN7 7PN
Particulars of Development:	The construction of 12 dwellings, including 5 affordable housing units, and associated infrastructure.
At:	Land at Kington Lane, Stanton St Quintin, Chippenham, Wiltshire, SN14 6DF

In accordance with paragraph 38 of the National Planning Policy Framework (NPPF), this planning application has been processed in a proactive way. However, due to technical objections or the proposal's failure to comply with the development plan and/or the NPPF as a matter of principle, the local planning authority has had no alternative other than to refuse planning permission.

In pursuance of their powers under the above Act, the Council hereby REFUSE TO GRANT PERMISSION for the development referred to in the above application and plans submitted by you, for the following reason(s):

Refusal Reason(s): (4)

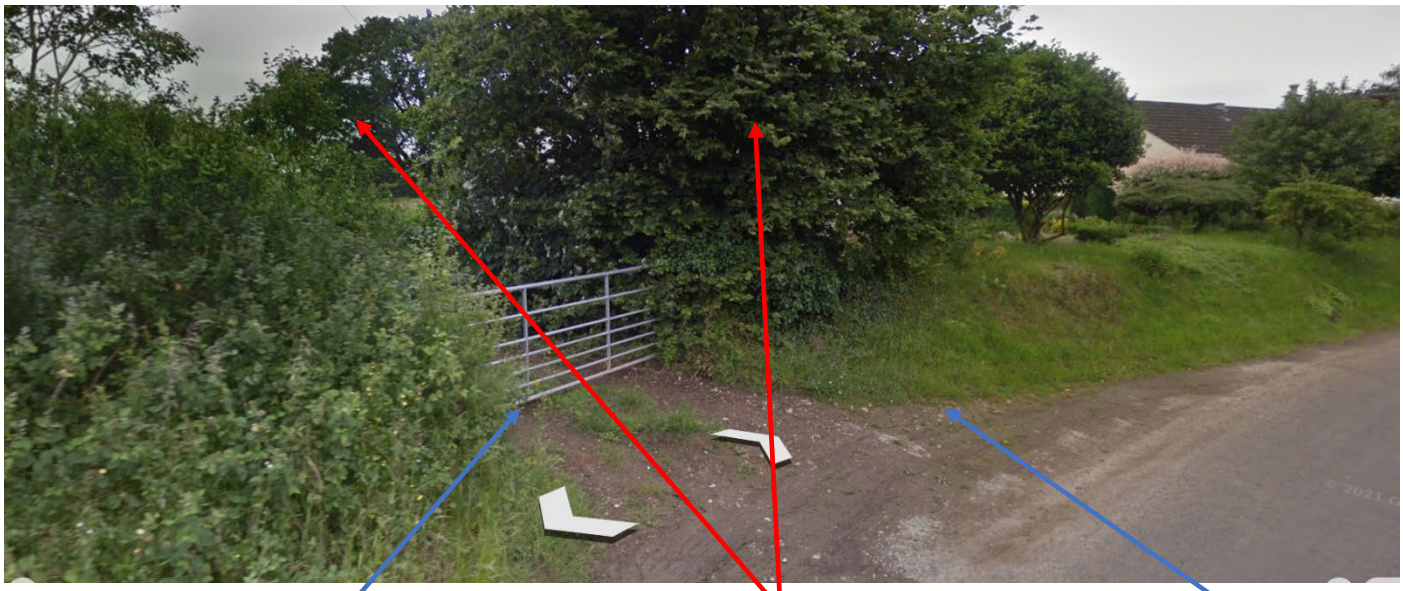
1 The proposed development, by reason of its location outside of any defined settlement boundary within the open countryside, would be contrary to the settlement, delivery and community area strategies of the Wiltshire Core Strategy. The proposed development is deemed to be unsustainable as it would conflict with the Council's plan-led approach to sustainable development and is unacceptable in principle.

The presumption in favour of sustainable development has been applied to the assessment of the proposal; however, it is considered that the adverse impacts of granting outline planning permission would significantly and demonstrably outweigh the benefits, when assessed against the National Planning Policy Framework and policies in the local development plan as a whole. Therefore, the proposal would not constitute sustainable development and would conflict with the principle aim of the National Planning Policy Framework which is to be genuinely plan-led.

2 The proposed development, by reason of its location in the open countryside, will result in a permanent change in the character and use of the site and immediate area that fails to integrate effectively into its surroundings. The development would harm the visual appearance and prevailing rural character in this edge of settlement context. It is not considered that the massing of the proposal would integrate effectively into the immediate setting and would have a harmful impact upon local landscape character. The proposal fails to comply with Core Policies 51 (ii and iii) and 57 (i, ii, iii & vi) of the Wiltshire Core Strategy (Jan 2015) and paragraph 130 of the National Planning Policy Framework (Sept 2023).

Extracts from the planning application pl/2023/04815 at Kington Lane and the key rational for rejection relating to outside of the village settlement boundary and in open countryside bypassing the Wiltshire Council Core Strategy core policy 1, 2, 10 ,51 and 57 and relating to plan led development approach.

5.9 Location - Construction Site Access



Farm gate into open countryside, 2.1m wide.

Mature oak tree, elm and beech providing habitat for pipistrelle bats and birds.

No DMRB designed access with no public pavement. Slope from the lane into the field. Surface being agricultural soil.

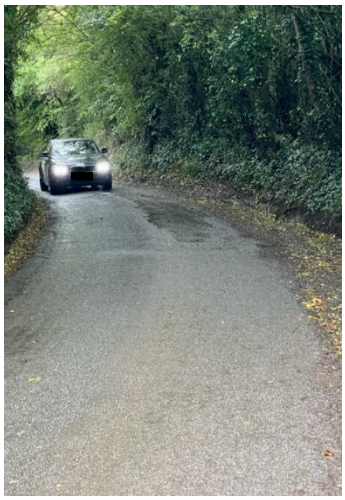
- Planning application PL/2023/08833 which relates to the permission in principle to erect 9 houses in open countryside will look to gain access via a farm gate shown above. Furthermore, this access has been described previously by the developer as 'in fill' development. The development can be clearly seen from the above picture as an incursion into open countryside utilising farm ingress, spurred off a soil track, from a small village lane from a busy high street.
- It is completely incorrect to describe this as 'in fill' development and we ask that the appeal is rejected.

- Stanton Lane has in recent years become a common thoroughfare for traffic entering from and into Stanton St Quintin. Since this provides quick access to the M4 and Cirencester via the A350. The lane adjacent to the proposed erection of 9 houses is severely narrow, consists of three blind bends with a portion of the lane that floods.

- The significant stream at the bottom of the lane regularly floods and creates further safety hazards for vehicles.







Location - Condition on Stanton Lane



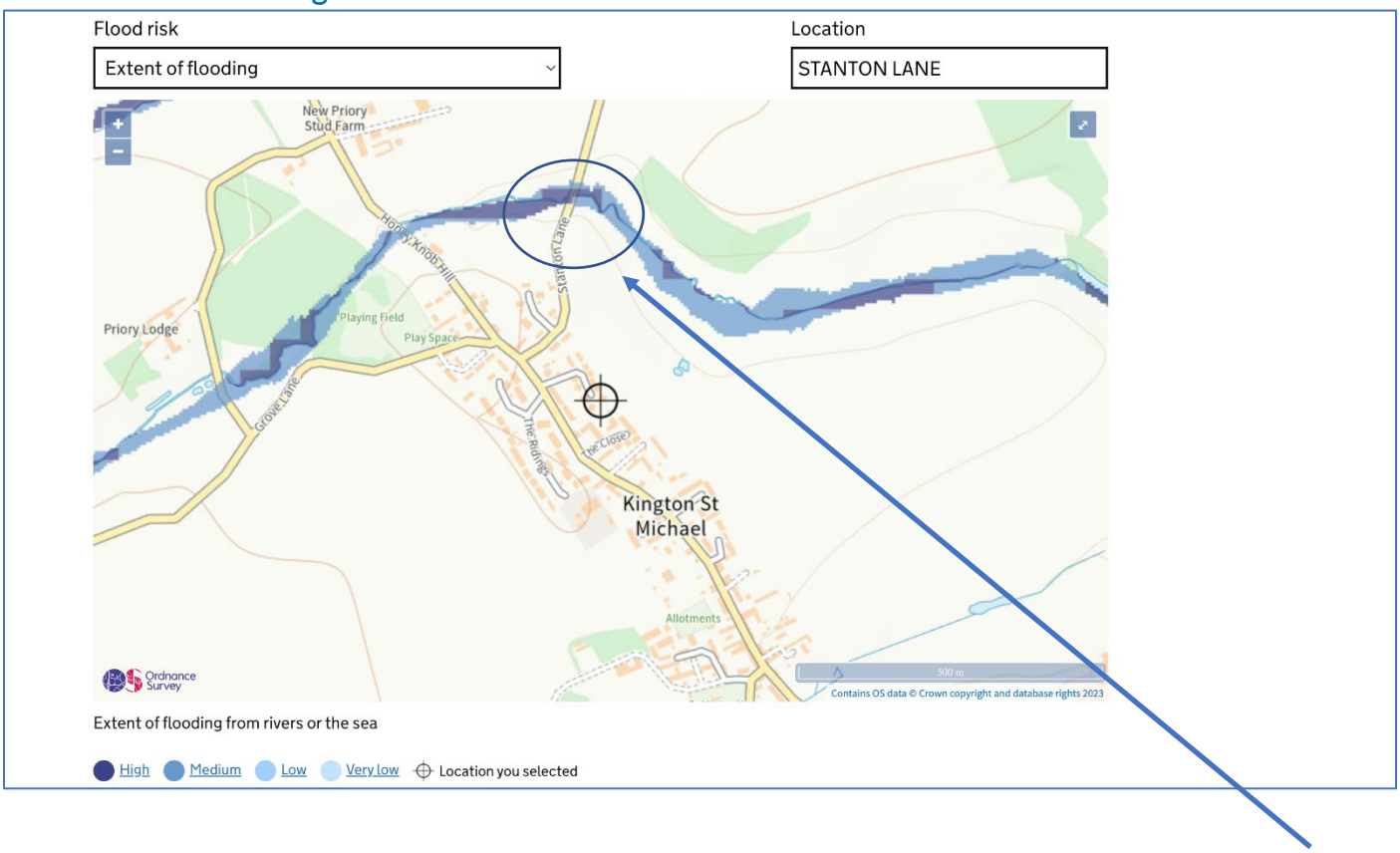
Access to the proposed 9 house development will be along Stanton Lane.
Stanton Lane is approx. 2.6m at its widest point and consists of three blind corners with substantive over hanging trees and foliage that inhibits visibility and is especially hazardous in the evening.
Since the lane is only wide enough for one vehicle significant erosion on the side of the lane is evident.
No footpath or public right of way is in place and all access must be through road transport.
The lane is used as a significant cut through for traffic accessing Stanton St Quintin and junction 17 on the M4.
Consequently, it is in poor repair.





There are only two rural passing points on this section of Stanton Lane. The passing point at the top of the lane is where the housing development is being proposed.
The picture on the left hand illustrates the condition of the passing point with exposed open drainage, erosion of the road and bank due to flood water flowing down the slope into the stream at the bottom of Stanton Lane.
This also illustrates the effect of 'run off' from the field being proposed for the 9 houses.
The slope of 1 in 3 is significant and during wet weather just as Stanton Lane floods and transfers rainwater to the stream, the field does the same hence the stream floods.
Stanton lane is totally unsuitable for any further vehicle traffic. It is used as a cut through to Stanton St Quintin and the M4 and will become more hazardous as more vehicles use the lane.

5.10 Location - Flooding risk on Stanton Lane



- Planning application PL/2023/08833 which consists of 9 residential dwellings is within a field outside of the settlement boundary and in open countryside. The field has a slope of 1 in 3 that drains into a significant valley stream as shown above. The flooding is further exacerbated by the run off rainwater from the field.

- The stream which crosses Stanton Lane regularly floods and is classified as flood risk 2 using the UK Government flood classification website.

- No public footpaths are in the area and hence access back to the village must be back up Stanton Lane. During wet weather either side of the lane floods making access to the village by car only.

  The picture below was taken on 23rd October 2023 and illustrates the condition of the land that is being proposed for 9 houses.



View from the rear garden of No2



Commencement of Stanton Lane flooding. The road surface, being a country lane, has significant erosion. The rough passing point is being filled with flood water that cascades down the lane during wet weather.

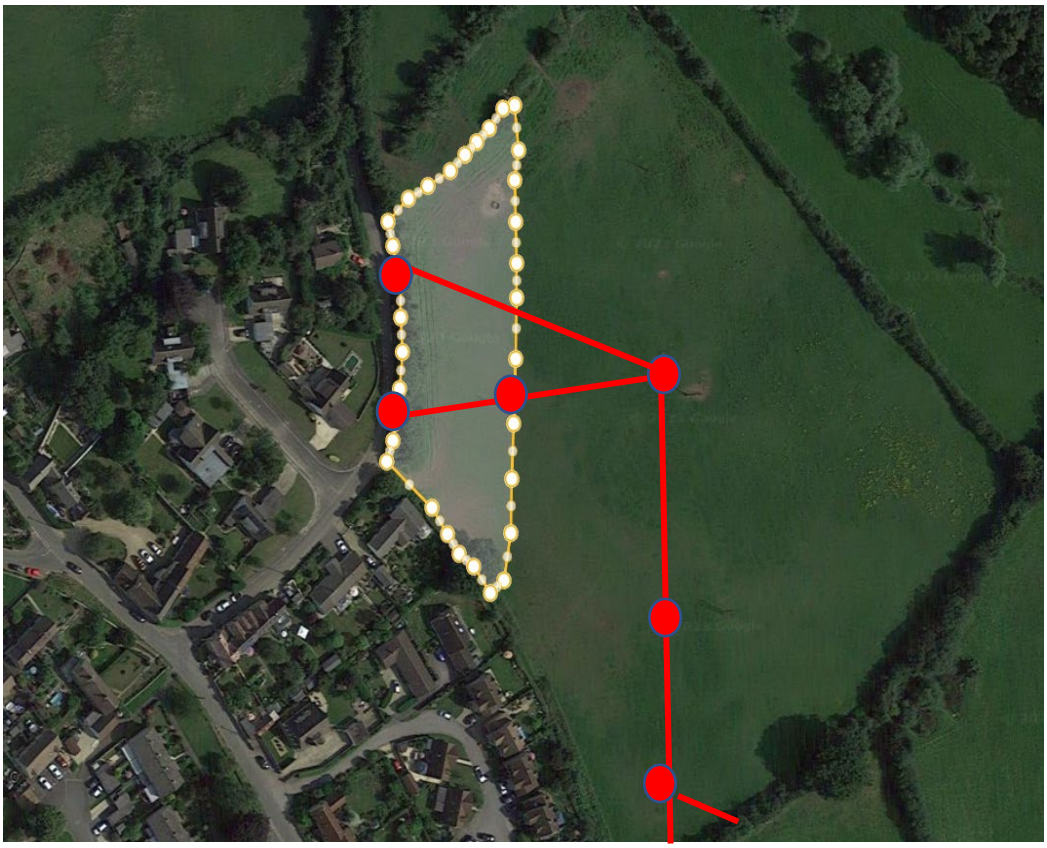


The exit from Stanton Lane has started to flood from the significant valley stream.

5.11 Location - Electrical Power Distribution Constraint



Electrical power distribution pylons and high voltage 440v 3 phase power cables intersect the proposed field where the 9 houses have been proposed. The picture above illustrates the height of the pylon and the 440v three phase high voltage power cables intersecting the field.



The adjacent diagram illustrates the path of the high voltage three phase 440-volt power distribution cables. The three cables commence at the southern portion of the field and then via five pylons exits the field at the point where the planning application is proposing entry into the housing development.

5.12. Location effecting the Human Rights Act

The Human Rights Act 1998 sets out the fundamental rights and freedoms that everyone in the UK is entitled to. It incorporates the rights set out in the European Convention on Human Rights (ECHR) into domestic British law. The Human Rights Act came into force in the UK in October 2000.

Within the Human Rights Act Protocol 1 Article 1 specifically looks to protect your right to enjoy your property peacefully.

The view below illustrates the area in white where the planning application PL2023/08833 will be situated in relation to the residents of The Orchard, Stanton Lane and Kington Cottage.
The poor design layout effectively dominates their family environment on two sides. Whilst trees are present in summer, during winter at a time of most isolation the housing development will dominate their property.

Key Facts that contravene Protocol 1 Article 1.

- No buffer zone has been proposed or will be adequate to shield the residents of Kington St Michael from both the construction and the installation of 9 houses and hence the application is poor in design.
- The residents of The Orchard, Stanton Lane, Kyneton Lane and The Close will be exposed to civil engineering and construction works.
- The residents of Stanton Lane and The Orchard will be exposed to more urban traffic, delivery vehicles and people using this lane as a cut through to the M4 or Cirencester via the A350.
- Relocation of high voltage 440v 3 phase power cables will be required.
- Lights from the 9 house dwellings can be seen by the residents of The Orchard, Stanton Lane including Kington Cottage.



5.13 Location Legal Precedents

Planning Application PL/2021/09013 6TH March 2024
Land west of Westbury Road, Warminster
Rejected

Planning Application PL/2021/03749 6TH March 2024
Land at Glenmore Farm, The Ham, Westbury
Rejected

Planning Application PL/2022/08155 6TH March 2024
Land to the west of Symington Road, Melksham,
Rejected

Planning application PL22/03064/OUT 6TH October 2023
Outline planning application for two dwellings and associated dwellings
Land opposite Hanwell Green within open countryside
Rejected

Planning Application PL22/22/03064/OUT 28th September 2022
Outline planning permission for two dwellings in farmland from converted dwellings in open countryside
Rejected

Planning Application PL/2023/04815 21st September 2023
Construction of 12 dwellings in open countryside
Stanton St Quintin
Rejected

Planning Application 21/02132/61002 21st December 2021
Outline planning permission for 2 dwellings at the Old Coach House Tosside, in open countryside
Craven District Local Plan
Rejected

Planning Application 19/01378/OUT 4th September 2020
Outline planning permission for 19 dwellings in open countryside
Milton Keynes Council
Land east of Olney Road, Laverton
Rejected

Planning Application 21/00069/OUT 21st May 2021
Outline planning permission for the erection of new dwellings outside of the settlement boundary
Land at Eastham, South Worcestershire
Rejected

Planning Application 23/00321/OUT 23st March 2023
Outline planning permission for the erection of 45 new dwellings outside of the settlement boundary
Land West of Maypole Road, Heybridge, Essex
Rejected

Conclusions

- The developer, in their appeal, previously referred to the lack of a 5-year housing land supply as a key argument for building outside of the defined settlement boundary in undisputed open countryside.
  Wiltshire Council's most recent Housing Land Supply Statement sets out the number of years supply against our local housing need = 4.59 years. It has been confirmed by Wiltshire Council Strategic Planning on the 6th March 2024 that this figure is a little higher due to the NPPF removing the need to apply a buffer to the authority that delivers housing sites.
  As these figures exceed the four-year threshold, the planning balance is now level rather than tilted.
  In other words, the changes to the NPPF mean that there is now a lower threshold in place for being able to justify the refusal of planning applications. This means that fewer 'speculative' residential planning applications are likely to be granted, until such time as the councils housing land supply dips below four years.
  On this basis we respectfully ask that the argument for the appeal in relation to the 5-year housing land supply is given no weight.

- At the Wiltshire Council Strategic Planning committee meeting on the 6th March 2024 at Trowbridge Council offices, three planning applications for land on open countryside and outside the settlement boundary were refused permission on this basis (these applications had not reached section 106 status).
  PL2021/09013 – refused.
  PL/2021/03749 – refused.
  Pl/2022/08155 – refused.

- Furthermore, significant weight was given to the decision-making process and the Wiltshire Core Strategy. We would respectfully ask the Planning Secretary to take this into consideration and reject the appeal.

- We respectfully ask the Planning Secretary to give significant and considerable weight to the Wiltshire Core Strategy since this is the adopted and embedded strategy for the county. The appeal directly contravenes the following core policies:

  Core Policy 1 Settlement Strategy

  Development outside the settlement boundary will be strictly controlled. Relaxation of the boundaries will only be supported where it has been formally reviewed through a subsequent DPD or a community-led neighbourhood plan, which includes a review of the settlement boundary to identify new developable land to help meet the housing and employment needs of that community

  Core Strategy 2 Delivery Strategy

  At Large Villages settlement boundaries are retained and development will predominantly take the form of small housing and employment sites within the settlement boundaries, sites for development in line with the area strategies will be identified through subsequent site allocations and by local communities to identify sites through lead neighbourhood planning.

  Core Strategy 10 Spatial Strategy for the Chippenham Area

  2. The capacity to provide a mix of house types, for both market and affordable housing alongside the timely delivery of the facilities and infrastructure necessary to serve them;
  3. Offers wider transport benefits for the existing community has safe and convenient access to the local and primary road network and is capable of redressing transport impacts, including impacts affecting the attractiveness of the town centre
  4. Improves accessibility by alternatives to the private car to the town centre, railway station, schools and colleges and employment
  5. Has an acceptable landscape impact upon the countryside and the settings to Chippenham and surrounding settlements, improves biodiversity and access and enjoyment to the countryside

- We respectfully ask the Planning Secretary that due to the new material changes in the National Planning Policy Framework December 2023 relating to housing land supply paragraphs 76 and in particular for Wiltshire Council Planning 77 that significant material consideration and hence considerable weight we ask is given to this change.
  Planning applications and appeals already considered but where decisions have yet to be issued (section 106 agreement) may or will be referred back to the LPA due to the significant impact of the changes and as such we respectfully ask the Planning Secretary that this will have a significant material consideration to the appeal and that on this basis the appeal is rejected, and that the village of Kington St Michael be 'plan led' through the Neighbourhood Plan process in operation since 2018.

- It is accepted that the Kington Michael Neighbourhood has not been adopted however we would ask the Planning Secretary to take into account National Planning Policy Framework paragraph 48 in relation to our current plan and give some weight to our progress since 2019.

- The Kington St Michael Neighbourhood Plan Regulation 14 Consultation Draft is in the final stages of Parish Council approval and was designated by Wiltshire Council as part of the Localism Act 2011 to allow local communities to shape new development and promote better land use in their communities by preparing a neighbourhood plan, effectively empowering our communities.
  The Kington St Michael Neighbourhood Plan was developed with appropriate regard to NPPF (National Planning Framework) 2023 revised December 2023, Wiltshire Local Plan (Core Strategy) and compatible with the Human Rights Act.
  Whilst the Plan has not been formally approved there has been substantive village consultation over a number of years.
  Process plan to date by year:
  2018 – Prevision survey by residents
  2019 - Neighbourhood plan open day
  2020 – Consultation on village assets
  2021 - Neighbourhood plan stall at fun day, village fair
  2022 - Evidence gathering, call for land and input to village website and newsletter
  2023 - Formal regulation 14 consultation draft – approved by KSM village council including SHEELA land assessment.
  2023 - Nov Formal regulation 14 – Conclusion of evidence-based assessment

  Key Dates in 2024:

- Neigbourhood Plan – SHELAA assessment of all sites 27th March 2024
- Formal allocation of sites to the Neighbourhood plan 30th March 2024
- Pre-submission consultation (minimum 6 weeks) Regulation 15 2nd June 2024
- Regulation 15 submission to Wiltshire Council 30th September 2024
- Regulation 16 Independent Examination 23rd October 2024

- Since 2018, and as part of the Neighbourhood plan development, PLACE Studio, who are well established and independent consultancy who actively work with villages in producing neighbourhood plans, have been employed by Kington St Michael Parish Council to work with the village Neighbourhood Plan steering committee to produce the plan, development statement and SHELAA potential housing development.

  The latest assessment of the housing requirements in the parish came through the Rural Housing Requirements 2023 paper from Wiltshire Council as evidence for the emerging Local Plan, currently at regulation 19.
  This reconfirmed the target of 38 houses, reduced to 34 after 4 completions.
  The housing needs study prepared in 2019/2020 provided guidance that the need for the village for two bed and one bedroom homes and social housing.
  Planning application PL/2023/08833 does not allow for any, much needed social housing for our village.

- The Wiltshire Council and local call for sites generated a total of 6 sites and a further 2 in 2024. The land on Stanton Lane formed part of the 6 which were subsequently evaluated against the SHELAA assessment criteria The Land off Stanton Lane was independently assessed by PLACE studio consultants against the SHELAA criteria and Wiltshire Core Strategy and NPPF.
  The land was assessed as unsuitable and unviable due to:
  - Over developed
  - Outside the settlement boundary
  - Within open countryside
  - Very damaging to the settlement character and landscape
  - Potentially unsafe access transport and construction (refer to Construction and Transport risk assessment)
  - Remote from key services

- In 2024 the Kington St Michael Neighbourhood Plan will allocate land through the SHELAA assessment process to meet the needs of the village.

- The land on Stanton Lane for the proposed housing development is in open countryside and outside of the defined settlement boundary for the village.
  The area in the planning application PL/2023/0833 is approx. 0.49ha, the lower part of the area is on a 1 in 3 slope that falls away to the valley stream.
  The application is for 9 houses, and < 10 therefore no social housing which was a part of the Rural Housing Requirement 2023 as evidenced in the emerging Local Plan.
  The application for 9 houses, car parking and infrastructure within 0.49ha is 63% more than allowed in 2018 for 3 houses, this we maintain is over development and an excessive amount of development and we respectfully ask for the appeal to be rejected.

- By way of the site's location, significant high voltage power distribution cables cross the area. Stanton Lane through the government flood risk assessment mechanism is classified as flood risk 2. Hence, we believe this proposal fails to meet National Planning Policy Framework December 2023.
  Section 2 Achieving sustainable development.
  Section 9 Achieving sustainable transport
  Section 12 Achieving well designed places
  Section 15 Conserving and enhancing the natural environment.

- We believe that the location of the site contravenes the Human Rights Act Protocol 1 Article 1 – this article specifically looks to protect your right to enjoy your property peacefully. In the case of the residents of Stanton Lane, Kington Cottage, The Orchard and Kyneton Way whose family homes will be exposed to permanent negative landscape alterations and construction work. We believe that this could be an infringement of their human rights under protocol 1 article 1.

- Ten planning applications precedents have been highlighted clearly stating in all cases that outline planning applications for dwellings outside of the settlement boundary and open countryside have been rejected. Whilst each application should be looked at in respect of its own merits, a common and sustained weighting against building in open countryside and outside a settlement boundary is evident, and we respectfully ask that this appeal is rejected.

References

1. Health and Safety at Work Act 1974.
2. Wiltshire Council Plan Pre submission draft 2020-2038
3 Wiltshire Council Core Strategy adopted January 2015
4. Planning Application PL/2023/04815
5 Kington St Micahel Neighbourhood Plan Regulation 14 Consultation Draft March 2024
6. DMRB - Design and Management Roads and Bridges
7. National Planning Policy Framework revised Dec 2023

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Stephen Woodhead
5 Kyneton Way
Kington St Michael
Chippenham
Wiltshire
SN14 6RF
[redacted]

21ST March 2024

Planning Inspectorate,
Room 3c,
Temple Quay House,
2 The Square,
Bristol.
BS1 6PN.

Inspectorate Reference APP/Y3940/W/23/3334572

I am writing to register my objections in relation to the following planning application appeal.

PL/2023/08833 Permission in principle for the erection of 9 houses.

Land on Stanton lane, Kington St Michael, Chippenham, Wiltshire.

My name is Stephen Woodhead and I have been a resident of the conservation village of Kington St Michael for the last 35 years. Recently I have volunteered for, and been accepted by the Kington St Michael Parish Council to be a member of the Neighbourhood Plan Steering Committee and to work towards the final stages of our Neighbourhood Plan specifically looking at the feasibility to introduce more affordable housing into the village.

The National Planning Policy Framework change from a 5-year housing land supply requirement to a 4 year one took effect on the 19th December 2023. In the original planning application submission PL/2023/08833 the developer referred several times to the lack of a 5-year housing land supply as a key argument for building outside of the defined village settlement boundary in undisputed open countryside. This lack of a 5-year housing land supply is referred again in the appeal submission page 16 paragraph 5.15.

Wiltshire Council's most recent Housing Land Supply Statement sets out the number of years supply against our local housing need = 4.59 years. It has been confirmed by Wiltshire Council Strategic Planning on the 6th March that this figure is a little higher due to the NPPF removing the need to apply a buffer to the authority that delivers housing sites.

As these figures exceed the four-year threshold, the planning balance is now level rather than tilted.

In other words, the changes to the NPPF mean that there is now a lower threshold in place for being able to justify the refusal of planning applications. This means that fewer 'speculative' residential

planning applications are likely to be granted, until such time as the councils housing land supply dips below four years.

On this basis I respectfully ask that the argument for the appeal in relation to the 5-year housing land supply is given no weight.

At the Wiltshire Council Strategic Planning committee meeting on the 6th March at Trowbridge Council offices, three planning applications for land on open countryside and outside the settlement boundary were refused permission on this basis (these applications had not reached section 106 status).

PL2021/09013 – refused.

PL/2021/03749 – refused.

Pl/2022/08155 – refused.

Furthermore, greater weight was given to the decision-making process and the Wiltshire Core Strategy. I would respectfully ask the Planning Secretary to take this into consideration and reject the appeal.

We respectfully ask the Planning Secretary to give significant and considerable weight to the Wiltshire Core Strategy since this is the adopted and embedded strategy for the county. The appeal directly contravenes the following core policies:

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Development outside the settlement boundary will be strictly controlled. Relaxation of the boundaries will only be supported where it has been formally reviewed through a subsequent DPD or a community-led neighbourhood plan, which includes a review of the settlement boundary to identify new developable land to help meet the housing and employment needs of that community

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4. Improves accessibility by alternatives to the private car to the town centre, railway station, schools and colleges and employment

5. Has an acceptable landscape impact upon the countryside and the settings to Chippenham and surrounding settlements, improves biodiversity and access and enjoyment to the countryside

We respectfully ask the Planning Secretary that due to the new material changes in the National Planning Policy Framework December 2023 relating to housing land supply paragraphs 76 and in particular for Wiltshire Council Planning 77 is a significant material consideration and hence considerable weight we ask is given to this change.

Planning applications and appeals already considered but where decisions have yet to be issued (section 106 agreement) may or will be referred back to the LPA due to the significant impact of the changes and as such we respectfully ask the Planning Secretary that this will have a significant material consideration to the appeal and that on this basis the appeal is rejected, and that the village of Kington St Michael be 'plan led' through the Neighbourhood Plan process in operation since 2018!

It is accepted that the Kington Michael Neighbourhood has not been adopted however we would ask the Planning Secretary to take into account National Planning Policy Framework paragraph 48 in relation to our current plan and give some weight to our progress since 2019.

The Kington St Michael Neighbourhood Plan Regulation 14 Consultation Draft is in the final stages of full approval and was designated by Wiltshire Council as part of the Localism Act 2011 to allow local communities to shape new development and promote better land use in their communities by preparing a neighbourhood plan, effectively empowering our communities.

The Kington St Michael Neighbourhood Plan was developed with appropriate regard to NPPF (National Planning Framework) 2023 revised December 2023, Wiltshire Core Strategy and fully compatible with the Human Rights Act.

Whilst the Plan has not been formally approved there has been substantive village consultation over a number of years.

Process plan to date by year:

2019 – Prevision survey by residents

2019 - Neighbourhood plan open day

2020 – Consultation on village assets

2021 - Neighbourhood plan stall at fun day, village fair

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Regulation 15 submission to Wiltshire Council	30th September 2024
Regulation 16 Independent Examination	23rd October 2024

Since 2018, and as part of the Neighbourhood plan development, PLACE Studio, who are a well-established and independent consultancy who actively work with villages in producing neighbourhood plans, have been employed by Kington St Michael Parish Council to work with the village Neighbourhood Plan steering committee to produce the plan, development statement and SHELAA potential housing development.

The latest assessment of the housing requirements in the parish came through the Rural Housing Requirements 2023 paper from Wiltshire Council as evidence for the emerging Local Plan, currently at regulation 19.

This reconfirmed as earlier target of 38 houses, reduced to 34 after 4 completions.

The housing needs study prepared in 2019/2020 provided guidance that the need in our village is for two bed and one bedroom homes and social housing.

Planning application PL/2023/08833 does not allow for any, much needed social housing for our village.

The Wiltshire Council and local call for sites generated a total of 6 sites and a further 2 in 2024. The land on Stanton Lane formed part of the 6 which were subsequently evaluated against the SHELAA assessment criteria

The Land off Stanton Lane was independently assessed by PLACE studio consultants against the SHELAA criteria and Wiltshire Core Strategy and National Planning Policy Framework Dec 2023.

In addition a Construction and Transport risk assessment was conducted on the site.

The land was assessed as unsuitable and unviable due to:

- Over developed.
- Outside the settlement boundary.
- Within open countryside.
- Very damaging to the settlement character and landscape.
- Potentially unsafe access for transport and construction.
- Remote from key services.

In 2024 the Kington St Michael Neighbourhood Plan will allocate land through the SHELAA assessment process to meet the needs of the village. The land on Stanton Lane for the proposed housing development is in open countryside and outside of the defined settlement boundary for the village.

The area in the planning application PL/2023/0833 is approx. 0.49ha, the lower part of the area is on a 1 in 3 slope that falls away to the valley stream.

The application and appeal are for 9 houses. Less than 10 does not require social housing to be included which was a part of the Rural Housing Requirement 2023 as evidenced in the emerging Local Plan. The application for 9 houses, car parking and infrastructure within 0.49ha is 63% more than allowed in 2018 for 3 houses on Honey Knob Hill development PL/2021/08203, this we maintain is over development and we respectfully ask for the appeal to be rejected.

By way of the site's location, significant high voltage power distribution cables cross the area. Stanton Lane through the government flood risk assessment mechanism is classified as flood risk 2. Hence, we believe this proposal fails to meet National Planning Policy Framework December 2023.

Section 2 Achieving sustainable development.

Section 9 Achieving sustainable transport

Section 12 Achieving well designed places

Section 15 Conserving and enhancing the natural environment.

We believe that the location of the site contravenes the Human Rights Act Protocol 1 Article 1 – this article specifically looks to protect your right to enjoy your property peacefully. In the case of the elderly residents of Stanton Lane, Kington Cottage, The Orchard and Kyneton Way whose family homes will be exposed to permanent negative landscape alterations and construction work. We believe that this could be an infringement of their human rights under protocol 1 article 1.

Ten planning applications precedents have been highlighted clearly stating in all cases that outline planning applications for dwellings outside of the settlement boundary and open countryside have been rejected. Whilst each application should be looked at in respect of its own merits, a common and sustained weighting against building in open countryside and outside a settlement boundary is clearly evident, and we respectfully ask that this appeal is rejected and that the Neighbourhood Plan is the vehicle for meeting the housings needs of our village through a plan led approach in keeping with the Wiltshire Core Strategy.

Your Sincerely

Stephen Woodhead



KINGTON ST. MICHAEL NEIGHBOURHOOD PLAN

PART 1

2024-2038

Pre-Submission Draft Plan for Regulation 14 Consultation

WORKING DRAFT VERSION w/b 11.3.23

This document has been prepared by the Kington St Michael Parish Neighbourhood Plan Steering Group on behalf of the community of Kington St Michael Parish and the Parish Council.

This is the pre-submission draft of the Neighbourhood Plan for Regulation 14 consultation and together with its associated documentation is to be used for its intended purpose only.

This document is Part 1 of the Kington St Michael Parish Neighbourhood Plan.
Part 2 is the Kington St Michael Parish Community Design Statement

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This document was produced by the Neighbourhood Plan Steering Group with assistance from the team at Place Studio

place

www.placestudio.com

Place Studio is a community planning and design consultancy which seeks to enable local communities to harness their local knowledge and objectives to produce sound and robust planning and design documents.

FOREWORD

Kington St Michael is a warm and welcoming community in a beautiful setting which benefits from – a popular school, a recreation ground, a lovely church, a village hall, a great village pub, a community shop and a cafe. We have much to be proud of and we should aim to protect these elements of our natural and built environment which provide Kington St Michael with its distinctive character. However we also need to harness the potential of our community's setting and amenities so that it continues to thrive. Striking the balance between these two objectives is at the heart of the Neighbourhood Plan.

The Neighbourhood Plan has been developed by the people of Kington St Michael for the people of Kington St Michael. The process of developing the Plan has been invaluable in establishing an understanding of what we as a community want and need, particularly in respect of future development. Just as importantly the Neighbourhood Plan has legal standing which provides us with greater control over any future development in Kington St Michael. The plan is therefore both the blueprint for the future of our Parish and the means of ensuring that the blueprint is respected.

Developing a Neighbourhood Plan is a complex and intensive process. It demands the reconciliation of the views and needs of the community with both the requirements of national planning policy and regulations as well as Wiltshire Council's evolving strategy. This document is therefore the culmination of a huge amount of work and dedication and thanks are due to all those involved.

1. The Neighbourhood Plan Steering Group.John Hall, Gay Sealy, Will Roe, Steve Woodhead , Phil Tolerton and past members John Newton, Claire Marlow, Chris Thrift and Mathew Morris.
2. County Councillor Howard Greenman who initially recommended that a Neighbourhood Plan be developed and who has been encouraging and supportive throughout the process.
3. Sophie Davies and her colleagues at Wiltshire Council for providing guidance and on developing the plan and navigating through the process.
4. Place Studio, whose input has been invaluable.

Gerry Gamble
Chairman Kington, St Michael Parish Council

CONTENTS

1	Introduction	5
2	Planning Context	10
3	Kington St Michael Parish – Key Features, Issues and Opportunities	15
4	Vision and Aims	18
5	Planning Policies	19
6	Using and Reviewing the Neighbourhood Plan	52
	Appendix 1Kington St Michael Pre-application Engagement Protocol	
	Appendix 2 Evidence Base List	

POLICY LIST

Draft Policy KSM1: Protecting the Open Countryside
Draft Policy KSM2: Rural Landscape Setting and Locally Valued Views
Draft Policy KSM3: Locally Distinctive, High Quality Design
Draft Policy KSM4: Local Heritage
Draft Policy KSM5: Local Green Space
Draft Policy KSM6: Green and Blue Infrastructure, Natural Environment
Draft Policy KSM7: Natural Flood Management
Draft Policy KSM8: Sustainable Design and Climate Change Resiliance
Draft Policy KSM9: Local Renewable and Low Carbon Energy Generation
Draft Policy KSM10: Protecting Kington St Michael's Community Facilities
Draft Policy KSM11: Protecting Local Employment
Draft Policy KSM12: Supporting Working from Home
Draft Policy KSM13: Getting Around and Active Travel

LIST OF MAPS AND FIGURES

Figure 1: Kington St Michael Parish Designated Neighbourhood Area
Figure 2: Planning Constraints
Figure 3: Submitted Sites
Figure 4: Kington St Michael Settlement Boundary
Figure 5: Locally Valued Views
Figure 6: Kington St Michael Conservation Area: Key Features
Figure 7: Local Green Spaces
Figure 8a: Green and Blue Infrastructure Assets (Parish Wide)
Figure8b: Green and Blue Infrastructure Assets (Village Inset)
Figure 9: Risk of Surface Water Flooding
Figure 10: Community Facilities in Kington St Michael
Figure 11: Public Rights of Way Network

1. INTRODUCTION

1.1 Those that live or work here in Kington St Michael value its community spirit, great facilities, rural character and natural environment. As we look ahead to the future, we need to take a proactive approach to protecting our valued assets whilst addressing the challenges of climate change and the need for homes and jobs in our village.

1.2 This document is the Regulation 14 consultation draft version of the Kington St Michael Neighbourhood Plan (also referred to as 'the Plan') and it is one of the tools we have to shape the future of our Parish. It builds on the views of the community and on research undertaken by local representatives, and presents a vision for our area looking ahead to 2038.

1.3 The Neighbourhood Plan is being produced by a group of local representatives from the local community, on behalf of the Parish Council, with support from our appointed Planning Consultants Place Studio and officers in Wiltshire Council.

WHAT IS A NEIGHBOURHOOD PLAN?

1.4 The Localism Act 2011[1] introduced new rights and powers to allow local communities to shape new development and promote better land use in their community by preparing Neighbourhood Plans. The aim of the legislation is to empower local communities to use the planning system to promote appropriate and sustainable development in their area.

1.5 Neighbourhood Plans must meet some legal requirements as specified by law: they must have appropriate regard to national policy in the form of the National Planning Policy Framework 2023[2] (NPPF); must contribute to the achievement of sustainable development; must be in general conformity with the strategic policies in the Wiltshire Local Plan; must be compatible with human rights requirements, and must be compatible with EU obligations (the latter remain in place for the time being).

1.6 The Neighbourhood Planning Regulations set out a number of formal steps that must be taken in preparing this Neighbourhood Plan, including formal consultation (this draft document is one of the required formal stages), examination and a parish referendum to approve it. Once adopted – the formal term is 'made' - the Neighbourhood Plan becomes part of the Wiltshire Development Plan and forms the basis for determining planning applications in Kington St Michael Parish.

1.7 The Neighbourhood Plan provides a significant opportunity for local people to influence planning decisions, as planning applications are determined 'in accordance with the Development Plan unless material considerations indicate otherwise'[3].

[1]https://assets.publishing.service.gov.uk/government/uploads/system/.../1896534.pdf
[2]https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1182995/NPPF_Sept_23.pdf

[3]Compulsory Purchase Act 2004 Section 38 (6).

WHAT ARE THE STEPS IN THE PLAN MAKING PROCESS?

- Defining the Neighbourhood Plan Area
- Preparing the Plan
- **Formal 6 week Regulation 14 pre-submission consultation (WE ARE HERE)**
- Make changes and revisions in response to the consultation
- Submit to Wiltshire Council
- Formal 6 week consultation (Regulation 16)
- Examination
- Referendum
- Legal Force

WHY PRODUCE A NEIGHBOURHOOD PLAN FOR KINGTON ST MICHAEL PARISH?

1.8 A Neighbourhood Plan for Kington St Michael Parish will give those who live and work here a positive and proactive format to influence planning and development decisions.

1.9 Neighbourhood planning gives communities direct power to develop a shared vision for their area. Therefore, each stage of the Kington St Michael Parish Neighbourhood Plan process to date has aimed to build a clear understanding of local community views together with locally produced evidence all set within the context of national and Wiltshire Council planning policy. The Plan is an opportunity to add truly local detail to the planning policy context. The Neighbourhood Plan brings together these elements to inform a local approach to development over the coming years.





NEIGHBOURHOOD PLAN AREA

1.10 Kington St Michael Parish was designated by Wiltshire Council as a Neighbourhood Area for the purposes of creating a Neighbourhood Plan on 2nd September 2015 under the Localism Act 2011. The Neighbourhood Plan area follows the Parish Council boundary as shown on Figure 1.

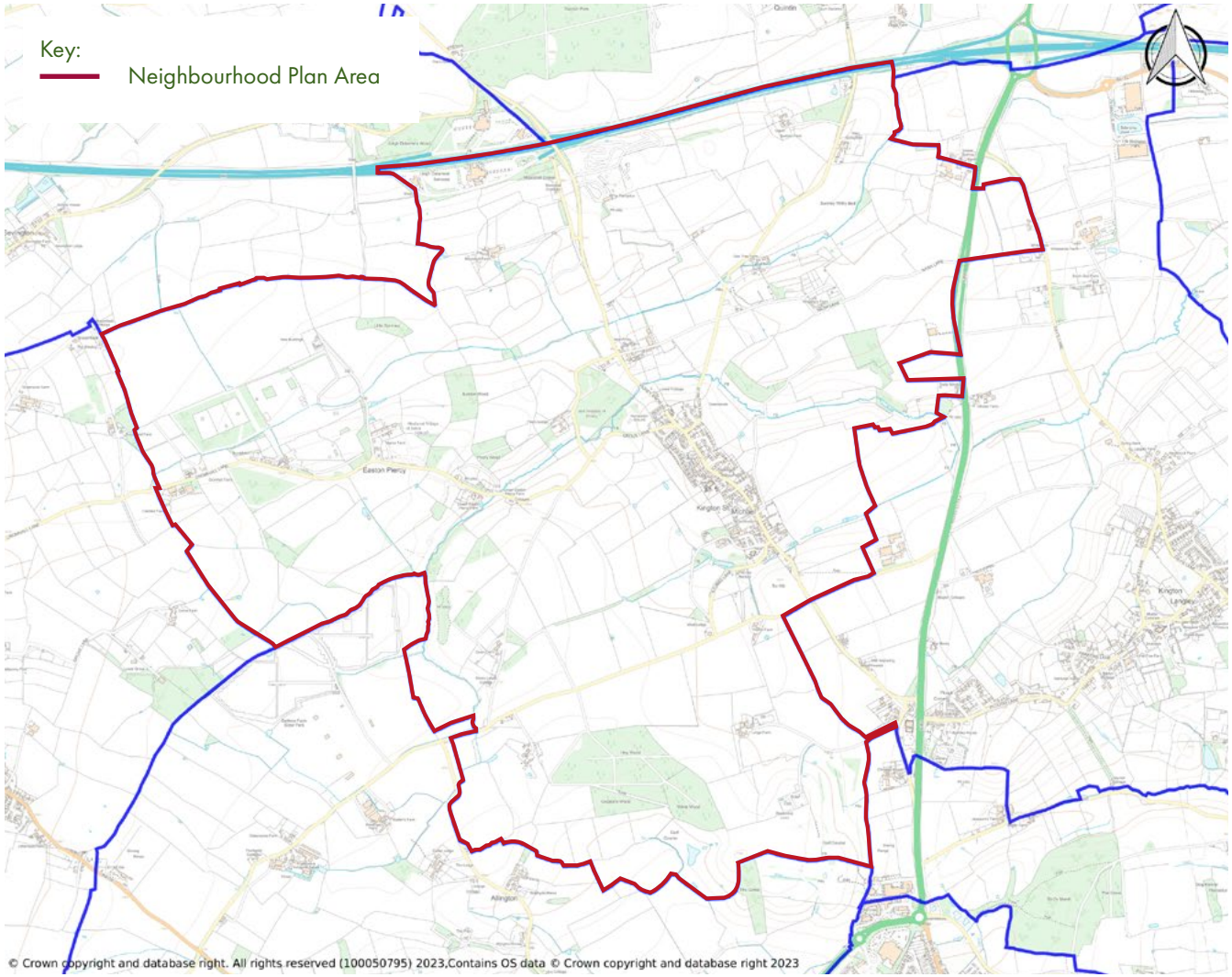


Figure 1: Kington St Michael Parish Designated Neighbourhood Area

HOW WILL THIS PLAN REFLECT THE VIEWS OF OUR COMMUNITY?

1.11 The Neighbourhood Plan is being prepared by local volunteers supported by the Parish Council and specialist consultants. Care has been taken to build up a clear picture and evidence base of local issues, ambitions and opportunities.

1.12 The evidence is made up of two elements:

- The views of local communities
- Local fact-finding and research evidence

1.13 In order to ensure that this Plan is a 'shared vision' amongst the community, a range of community engagement activities were undertaken over the period of time that we are producing the Neighbourhood Plan. To date, this has included:

- A 'Pre-Vision' survey on likes, dislikes and priorities for residents (2019)
- Neighbourhood Plan Open Day at the Kington Club (2019)
- 'Placecheck' online consultation to identify assets in the village (2020)
- Neighbourhood Plan Stall at Kington St Michael Summer Fair (2021)
- Regular updates on Neighbourhood Plan evidence gathering and progress on the Kington St Michael Parish Council website and in the local newsletter (2020-22)
- Formal Regulation 14 consultation (2022) – this is the Regulation 14 version of the Neighbourhood Plan!

1.14 A full account of the informal consultation undertaken in developing the draft Plan will be recorded in the Consultation Statement, the draft of which will be available on the Parish Council website (www.kingtonstmichael.com).

1.15 The vision, aims and policies that are set out in this Plan come directly from the views and opinions gathered through consultation and through work to generate local evidence.

THIS IS A DRAFT DOCUMENT AND WE NEED YOUR COMMENTS!

1.16 Building on all the work that has been done to date, this draft Plan is now at a stage where people who live and work in Kington St Michael Parish, as well as those who play a role in the future of the parish, can give us feedback and input.

1.17 We need to hear what you think is good about the Neighbourhood Plan, what you think needs more work and if you think anything is missing. All comments will be reviewed and this draft will be appropriately updated to ensure it reflects the views of the community and takes proper account of key issues.

1.18 The consultation on this draft Neighbourhood Plan will run for 6 weeks between XXX insert dates when known

1.19 We will be making sure that people who live, work or carry out business in the area, are aware of the consultation through the following ways:

- Online: the draft Plan, evidence base reports and comments forms will be available to download from the dedicated webpage in the Parish Council website: https://www.kingtonstmichael.com/kingtonstmichael/neighbourhood_plan-6208.aspx
- Email: We will be emailing the Statutory Bodies that we must consult, including Wiltshire Council
- Hard Copies: You can view paper copies at the following locations: The Village Shop, The Jolly Huntsman pub, Kington St Michael Club and the Kington Cafe.

1.20 We will also be publicising the consultation via social media, posters and the local newsletter, and there will also be face to face events where possible – please check the website and local press for details.

1.21 Please submit your views to us via our online questionnaire, which you will find on our website. Visit our webpage: https://www.kingtonstmichael.com/kingtonstmichael/neighbourhood_plan-6208.aspx

1.22 If you know someone who does not have access to the internet but who would like to comment, you may be able to help them complete an online questionnaire, or they can request a paper copy of the questionnaire from the Parish Council.

1.23 Any questions you can John Hall, Tel No. 01249 750555 or contact john@catprintdesigns.com

2. PLANNING CONTEXT

2.1 As a planning document, this Neighbourhood Plan is required to operate within the context set out by the National Planning Policy Framework (December 2023, NPPF)[4] and the latest national Planning Practice Guidance[5].

2.2 National planning policy addresses a wide range of issues that are relevant to this Neighbourhood Plan. The overall aim is to deliver **sustainable development.**

What is Sustainable Development?

Sustainable development is commonly defined as meeting the needs of the present without compromising the ability of future generations to meet their own needs. This covers development in three main areas; social, economic and environmental issues.

WILTSHIRE COUNCIL

2.3 The Neighbourhood Plan must be in 'general conformity' with the strategic planning policies of Wiltshire Council. This means that our Plan should align with the general principles of Wiltshire Council's policies and provide a level of detail to enable locally responsive development to take place.

2.4 Wiltshire Council is currently reviewing the Wiltshire Core Strategy[6], which will be renamed the Wiltshire Local Plan. A review is necessary because the Government requires local planning authorities to revisit their Local Plans every five years and review as necessary. The Local Plan will set out an overall strategy for Wiltshire to meet housing, employment, leisure and other needs up to 2038, along with the infrastructure for transport, community facilities, as well as conservation and enhancement priorities for the built and natural environment.

2.5 Our Neighbourhood Plan is being developed in parallel with the emerging Wiltshire Local Plan. Our Neighbourhood Plan will run concurrently with the Wiltshire Local Plan time frame; covering the period until 2038. It is however still a draft document that must still progress through a number of required stages, so the Neighbourhood Plan also references the Core Strategy as the adopted and current Local Plan.

2.6 The Local Plan identifies Kington St Michael village as a 'Large Village', meaning it has a 'limited range of employment, services and facilities'. The village has a defined settlement boundary, within which proposals for sustainable development are supported in principle (see Figure 2). Proposals for new development outside of the settlement boundary will not be supported unless included in a community-led planning document, such as a Neighbourhood Plan.

2.7 The southern part of the village and the fields adjacent, including Tor Hill, are within the Kington St Michael Conservation Area (see Figure 2). Conservation Area status does not preclude development, but any development that comes forward within the Conservation Area must protect, conserve and where possible enhance the historic environment here.

[4]https://assets.publishing.service.gov.uk/media/65a11af7e8f5ec000f1f8c46/NPPF_December_2023.pdf
[5]https://www.gov.uk/government/collections/planning-practice-guidance
[6]https://www.wiltshire.gov.uk/media/372/Wiltshire-Core-Strategy-adopted-2015/pdf/Wcs.pdf?m=637099399373530000

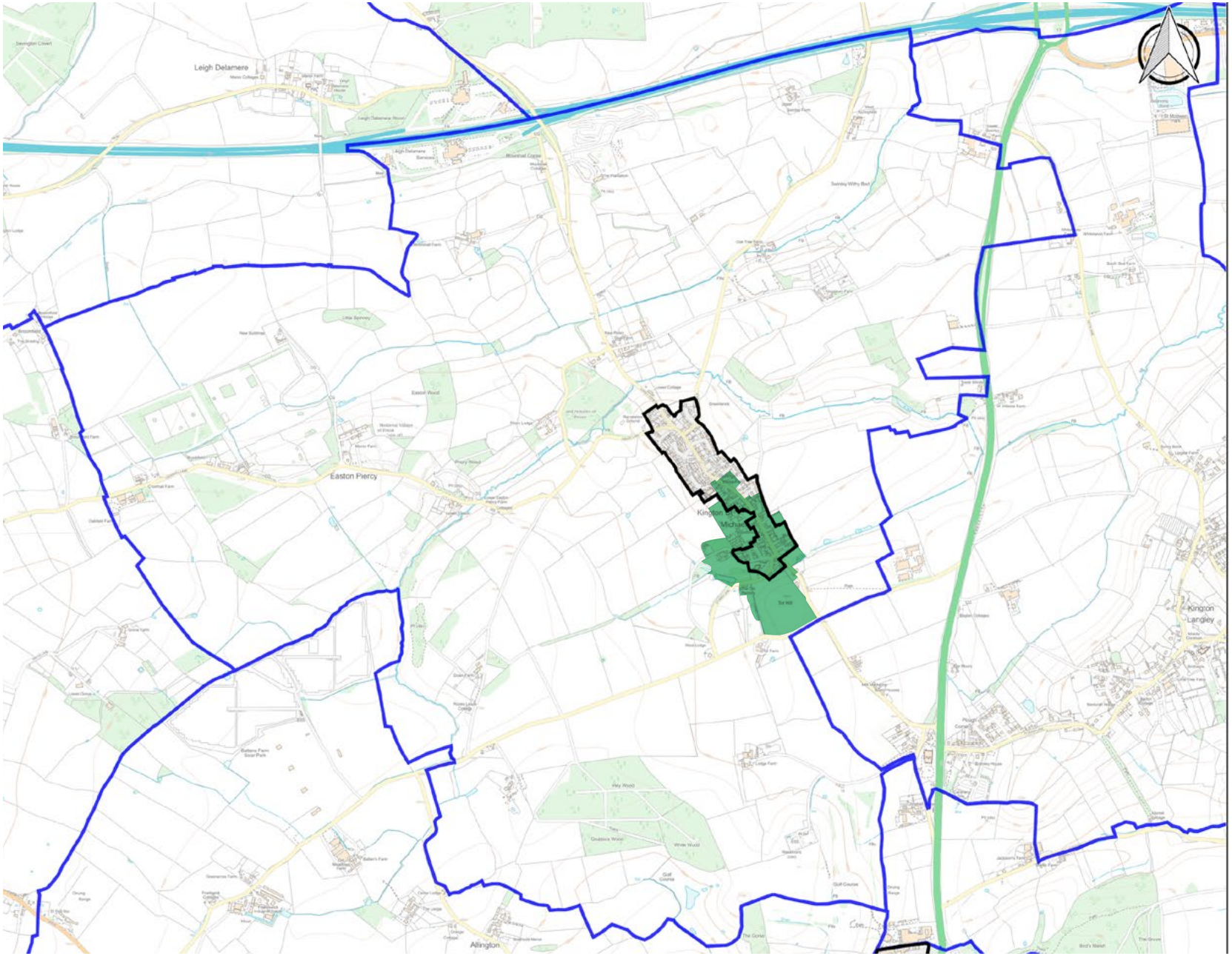


Figure 2: Planning Constraints

Parish Boundaries

Settlement Boundary (Wiltshire Core Strategy Core Policy 1

Conservation Area

2.8 In order to support the government's objective of significantly boosting the supply of homes across the country, the NPPF requires that Local Planning Authorities establish a local housing need figure.

2.9 Wiltshire Council's most recent document relating to local housing need in Kington St Michael[7] Parish identifies an indicative draft housing requirement of 38 homes to be delivered within the emerging timeframe of the emerging Local Plan (up to 2038). With recent builds, the target is now 34.

2.10 The Neighbourhood Plan policy framework includes a series of criteria-led policies and identifies specific locally important assets for protection and enhancement through development. A key aim of these planning policies is to protect the valued open space between Kington St Michael village and Chippenham, and ensure that the two remain distinct and separate from each other. As of March 2024, there is an intention to allocate housing sites that might meet the target of 31 houses as above, subject to the outcome of thorough,independent site assessments as explained in more detail on the following page.

KINGTON ST MICHAEL PARISH NEIGHBOURHOOD PLAN

2.11 Kington St Michael Parish Council, as the Neighbourhood Plan authority, will be responsible for maintaining and periodically revisiting the Plan to ensure its relevance and to monitor its delivery.

2.12 The Kington St Michael Neighbourhood Plan adds local detail to supplement national and local planning policies and ensures a locally responsive and positive community input into the planning system.

2.13 Once agreed at a referendum and officially 'made' (brought into legal force by the local planning authority), a neighbourhood plan attains the same legal status as the strategic (Wiltshire) Local Plan, and becomes part of the statutory development plan.

2.14 The Neighbourhood Plan is based on robust information and analysis of the local area; the 'Evidence Base' will be available in full on the Parish Council website (https://www.kingtonstmichael.com/kingtonstmichael/neighbourhood_plan-6208.aspx_). The evidence base was prepared by members of the community and the Steering Group together with Plan consultants, Place Studio. A full list of the evidence can be found in Appendix 2.

7https://www.wiltshire.gov.uk/media/12017/Rural-Housing-Requirements-2023/pdf/Rural_Housing_Requirements_2023.pdf?m=1695745988247

OUR APPROACH TO DEVELOPMENT

This section is Strictly Interim as of March 2024.

2.15 Kington St. Michael Parish Council, supported by their community, are keen to take a proactive role in managing future development in the parish, especially housing. To that end, this Plan is supported by a Housing Evidence Paper which outlines the target for new houses within the parish and relates this to an assessment of the potential development sites put forward through Wiltshire Council's SHELAA process and a local Call for Sites.

'Need'

2.16 The latest figures available to the Neighbourhood Plan Steering Group for Kington St. Michael Parish, adjusted in light of further developments now completed, suggest a target of 31 new houses (see p.12). That should include 3 two-bed affordable homes and 3 one-bed affordable homes homes on the basis of the Housing Needs Study of 2019.

Constraints

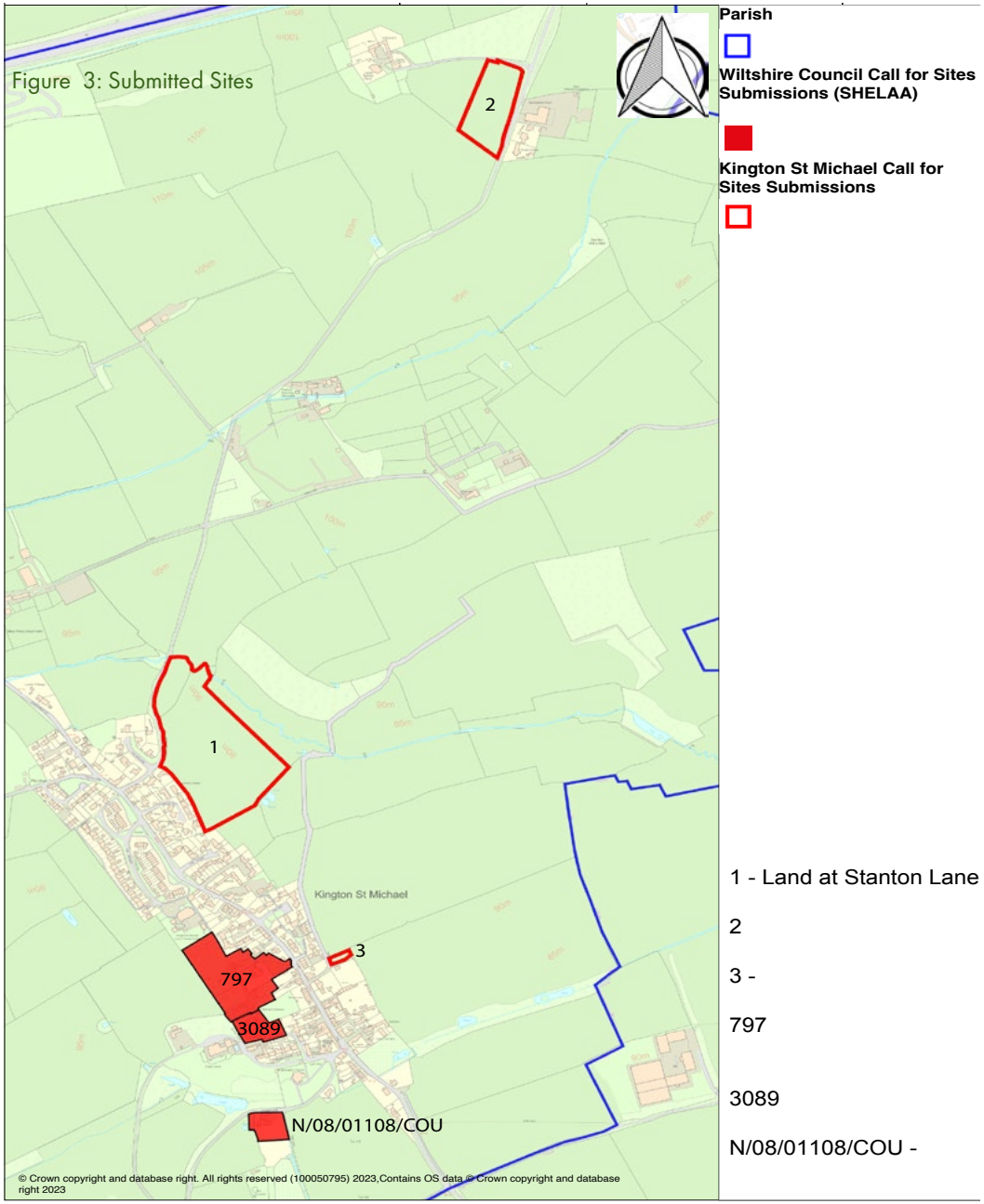
2.17 Wiltshire Council policy (in the Core Strategy but almost certain to be repeated in the forthcoming Local Plan) makes clear that development will not be supported in the Open Countryside that fully surrounds the main village, and the village also has a clearly established and recently reviewed Settlement Boundary. There is also a Conservation Area within Kington village which, while not preventing development, lays down stringent demands on what might happen where and especially how it is designed. Such factors create clear limits on where development might take place.

Sites (See map on the following page.)

2.18 The Wiltshire Council SHELAA process generated 3 potential sites. The two-stage local Call for Sites suggested a further
3 potential sites. Initial assessments (see Housing Evidence Paper) suggested that two of these sites might deliver no more than 4 houses. At that stage, the Steering Group recommended that the plan should not include any allocations.

2.19 Following further discussions between the Steering Group and the Parish Council, a further Call for Sites was undertaken. This generated 1 further potential site, making 7 in total.

2.20 A decision has now been taken to allocating development sites in the plan and that thorough, independent assessment is needed for all 7 sites, with the conclusions shared and discussed with Wiltshire Council officers. Subject to the outcome of that work, any sites which are assessed as suitable for development, perhaps subject to certain conditions, would be included for allocation in this plan. It is not currently considered likely that all the eventually supported sites would be able to deliver beyond the suggested 31 houses.



2.22

Site 1: This site, if developed, would irreparably damage what is an extremely clear and straightforward settlement boundary to the built east side of the main village. That would also have serious, negative landscape impacts. There are also serious concerns about pedestrian safety with a lack of easily accessed pavements. It is completely unsuitable.

Site 2: This site is clearly in 'open countryside' so completely unsuitable.

Site 3: This site abuts the settlement boundary and the Conservation Area boundary. Its development for the proposed '1 cottage' would have minimal impacts on the very distinct eastern boundary to the built area of the main village and also minimal impacts on the landscape. There is already vehicular access to properties along the lane but access to an additional property would have to be checked. Conditions could be added to any allocation about the building height and appropriate site boundaries to minimise any impacts.

Site 797: This site is effectively in two parts. The part to the west is a rectangular field, currently poorly used. It has a PROW along its eastern edge. Development would impact on very few houses to the east and not significantly on the landscape further west. Its development would make a natural addition to the built form of the main village. Much of the part of the site to the east is proposed in the Neighbourhood Plan to be a Local Green Space so could not be developed.

access.

Site 3089: This site is within both the settlement boundary and the Conservation Area boundary. It is currently both derelict and dangerous - vermin have been recorded and some structures appear unsafe – especially as there is a PROW through the site towards the east. Its development would have very little impact on surrounding properties. Vehicular access is difficult. Subject to owner agreement, this would have to be from the end of Manor Close by the current gate to The Manor. This is a private road and 6 houses have been developed along it fairly recently. Subject to final owner agreement and Highways agreement, and with conditions applied about design in the Conservation Area this site could be suitable for houses.

Site N/08/01108/COU: This site is outside the settlement boundary but inside the Conservation Area. The proposed area of the site is not clearly defined but it is all well screened by trees, bushes and fences, so development would have little if any landscape impact. It is remote from the main village and both vehicular and pedestrian access make it unsuitable for development.

Following full assessment of the available site and potentially suitable sites, an allocation may be made in this Neighbourhood Plan. This process is to be undertaken in spring 2024.

3. KINGTON ST MICHAEL PARISH – KEY FEATURES, ISSUES AND OPPORTUNITIES

3.1 Kington St Michael Parish is in north Wiltshire, situated to the north west of Chippenham. It is bounded by the M4 to the north, the A350 to the east and Yatton Keynell Parish to the west. To the south of the Parish lies Chippenham Without Parish.

3.2 The Neighbourhood Area comprises the village of Kington St Michael, the hamlet of Easton Piercy, and the rural open countryside that surrounds the two main areas of development.

3.3 Kington St Michael village is situated approximately 3 miles to the north west of Chippenham, and is a small, friendly and thriving village with approximately 700 inhabitants (2021 census). The village has a community run shop, a primary school, "The Jolly Huntsman" pub, a village hall, a social club, St Michael & All Angels parish church, Kington Café, and a recreation field (QE2 Millenium Field) overlooking the Nymph Hay Wood.

3.4 There are plenty of clubs and activities held in the village hall including preschool, pilates and WI.

3.5 The main road through our village is the C154. The Parish is linked to Malmesbury and Chippenham via the A350. Access to the M4 motorway (J17) is just over 2 miles north of the village, going west to Bath, Bristol & Cardiff and east to Swindon, Reading & London. Access to the M4 is also available via Leigh Delamere Services (just over a mile). The C154 is used by residents of villages to the north of Kington St Michael to access the A350, and generally as a cut through to the M4. The nearest railway station is in Chippenham, giving mainline access west to Bristol and east to London Paddington. There are also frequent bus coach services from Chippenham to London and Bath / Bristol.





A BRIEF HISTORY OF KINGTON MICHAEL

3.6 Documented history of the Parish dates back to 934. It is mentioned in the Doomsday Book as being worth 30 shillings containing a mill, held by Alwine for the Church at Glastonbury. After a number of name changes, the parish finally became known as Kington St Michael in about 1280, when the church was dedicated to St Michael and All Angels.
3.7 To date, Kington St Michael's more notable residents have been John Aubrey, born 1626 at Easton Piercy and John Britten born 1771 in the village. Isaac Lyte, possibly related to John Aubrey, and an Alderman of London, left £600 in his will for the construction of the Almshouses and allotments, which were founded in 1675 and are still in use to this day.

3.8 Many of the village cottages have had chequered careers including uses as public houses, breweries and blacksmiths. Throughout history, markets were held regularly in the village, having been granted a Royal Charter in 1266 to hold one every Tuesday, with an Annual Fair on 'the eve, the day, and the morrow of St Michael'. Sheep markets were held by the Almshouses where the road widens, and others in some of the smaller yards off the main street.

3.9 Kington St Michael is mentioned in Kilvert's Diaries in the nineteenth century. The Manor House had been home to a number of families over the years, was rebuilt about 1864 and finally became the home of the Prodgers family. Squire Prodgers was renowned for his size and spirit. He established the Old Village School for the benefit of the village, designed by the architect Oswald Brakespeare in 1903. This building with adjoining school house is now the Village Hall and community owned and operated shop.





KEY ISSUES AND OPPORTUNITIES

3.1 Drawing on all of the community input and research to date, the following have emerged as key issues and opportunities for our Neighbourhood Area:

- The village of Kington St Michael is, and should remain, separate to and distinct from Chippenham town.
- The climate emergency needs to be addressed at the Parish level – local resilience is important in the face of this global issue.
- The friendly and thriving community can only be maintained if a range of people – and particularly younger people - can afford to live in the village for the long term.
- The beautiful rural surroundings of the village should be protected and enhanced.
- Traffic issues in the village need to be addressed; particularly parking and accessibility problems and the speed and frequency of traffic (owing particularly to the proximity to the M4 and Leigh Delamere Service Station).
- The COVID-19 pandemic has shifted local working patterns; more people are working at home and spending more time in the village. There is opportunity to harness this to further support local facilities and enable people to spend more time and money within Kington St Michael.
- The historic core, locally valued heritage and distinctive character of the village should be protected, and any new development should respect our valued assets.





4. VISION AND AIMS

VISION

Looking ahead over the next 25 years, Kington St Michael will remain a friendly, caring and community-minded rural Parish supported by great facilities. Our natural environment and beautiful countryside will continue to be one of our most valued assets; it will be easily accessible from the Village whilst being protected and enhanced to support wildlife and biodiversity.

Kington St Michael Parish will remain distinct from Chippenham and other nearby settlements. The distinctive character of our Village's built environment and our locally valued heritage will continue to make a positive contribution to everyday life in the Parish.

Any future development will be sustainable, meet local needs, and support local younger people to live in the Parish. New homes will be integrated within the Village, and close to the facilities that are so important to the people that live here.

Our local economy will remain strong and diverse, and will have adapted to enable more local people to work flexibly and from home in the parish.

The Village will have a more pedestrian friendly environment, with reduced volume and speed of traffic. Kington St Michael Parish will have taken a variety of steps to locally address the climate crisis, including more home working, promoting increased opportunities for walking and cycling around the Parish.

AIMS

AIM 1. To ensure that this Plan contributes towards addressing the climate crisis locally.

AIM 2. To protect the valued open space between Kington St Michael village and Chippenham Town and ensure that the two remain distinct and separate from each other.

AIM 3. To protect and enhance our natural environment and biodiversity, whilst improving accessibility from the village into the surrounding countryside.

AIM 4. To ensure that any new development in the parish is in keeping with the distinctive character of Kington St Michael and protects and enhances our local heritage assets.

AIM 5. To ensure that any new housing development within the Parish helps to meet the evidenced local housing need.

AIM 6. To protect our valued community facilities and green spaces that contribute to community life.

AIM 7. To protect and improve the sustainable transport network in Kington St Michael, encouraging more people to travel by walking, cycling and other sustainable means.

AIM 8. To protect, strengthen and diversify our local economy.

AIM 9. To enable delivery of our Housing Need

5. PLANNING POLICIES

5.1 The planning policies included in the Plan will be used to help determine planning applications within Kington St Michael Parish (our Neighbourhood Plan Area). Government guidance sets out that a policy in a Neighbourhood Plan should be: "clear and unambiguous... It should be concise, precise and supported by appropriate evidence. It should be distinct to reflect and respond to the unique characteristics and planning context of the specific neighbourhood area for which it has been prepared" (Neighbourhood Planning Guidance Note 2014).

5.2 The following policies relate to the development and use of land in the designated Kington St Michael Parish Neighbourhood Area. They focus on specific planning matters that are of greatest interest to the local community.

5.3 There are many other policy matters that have been left to the Wiltshire Development Plan to cover. This has avoided unnecessary repetition of policies between the two plans, though they have a mutual, helpful interdependence.

5.4 Planning policies are shown within a box in bold text, to clearly distinguish them, as below:

POLICY NUMBER AND TITLE

Below the policy number and title is the policy text.

Before each policy is some supporting text that explains the purpose of the policy, how it will be applied and, where helpful / relevant, what evidence it draws upon and how the policy relates to other development plan policies.

5.5 The polices (as well as related practical projects) are presented on the following pages.

Our Planning Policies and the Climate Emergency

Our planning policies are drafted to support the delivery of sustainable development in Kington St Michael. It is only through truly sustainable development that the planning system can make a positive contribution towards addressing the global climate emergency. Our planning policies each therefore contribute positively towards addressing the climate emergency locally in Kington St Michael. Where relevant, throughout the Plan, we have included a short summary of how the policy does this – identified in a green box like this one.

PROTECTING THE OPEN COUNTRYSIDE

5.6 Ensuring that the village of Kington St Michael remains separate to, and distinct from, Chippenham town is a key priority for the community of Kington St Michael. Local residents value the beautiful rural surroundings of the village which should be protected. Any development in the Neighbourhood Area should ensure that the rural landscape character of the village, immediately surrounded by long-established farmland, is respected and enhanced.

5.7 The edge of Chippenham town lies approximately 1.5km south of Kington St Michael's settlement edge. Chippenham has grown significantly in recent decades, encroaching into its surrounding countryside. Whilst the emerging Local Plan identifies further significant development in the countryside to the east of Chippenham town (and so not directly between Kington St Michael and Chippenham), it is important that the rural and open countryside between Kington St Michael and Chippenham is maintained, ensuring the separation between the two.

5.8 The current Wiltshire Core Strategy, the emerging Wiltshire Local Plan and neighbouring parishes with Neighbourhood Plans including Langley Burrell, Bremhill, Calne and the Chippenham Neighbourhood Plan all acknowledge the importance of retaining separate identities for the rural settlements and landscape surrounding Chippenham. Policy KSM14 reinforces this for Kington St Michael.

5.9 Kington St Michael is classified as a 'large village' in the Wiltshire Core Strategy, acknowledging its role as a local service centre with key facilities. As a 'large village', Kington St Michael has a settlement boundary, which is drawn tightly around the existing built settlement – see Figure 10.

5.10 Wiltshire Core Strategy Core Policies 1 and 2 support in principle proposals for sustainable development within existing settlement boundaries. Draft Policy KSM14 seeks to support appropriate development within the settlement boundary and protect the open countryside, including and particularly that which plays a key role in the separation of Kington St Michael and Chippenham.

5.11 Wiltshire Core Strategy defines infill development as the filling of a small gap within the village that is only large enough for not more than a few dwellings, generally only one dwelling (paragraph 4.34 of the Wiltshire Core Strategy, 2015[8]).

5.12 Brownfield land is defined by the NPPF as land that has been 'previously developed'; this definition excludes agricultural or forestry buildings and gardens. Local planning authorities, including Wiltshire Council, are required to publish a brownfield land register for their area which sets out previously developed land that a local planning authority considers suitable for residential development. The most recent available Brownfield Land Register is from 2019, and is available on the Wiltshire Council website.

5.13 Whether a brownfield is considered 'suitable' will be decided by Wiltshire Planning officers, taking into account considerations such as biodiversity, highways and identified local needs.

5.14 The Kington St Michael Local Housing Needs Survey was produced in 2019, and provides information about the local affordable housing need within the Parish.

[8]https://www.wiltshire.gov.uk/media/372/Wiltshire-Core-Strategy-adopted-2015/pdf/Wcs.pdf?m=637099399373530000

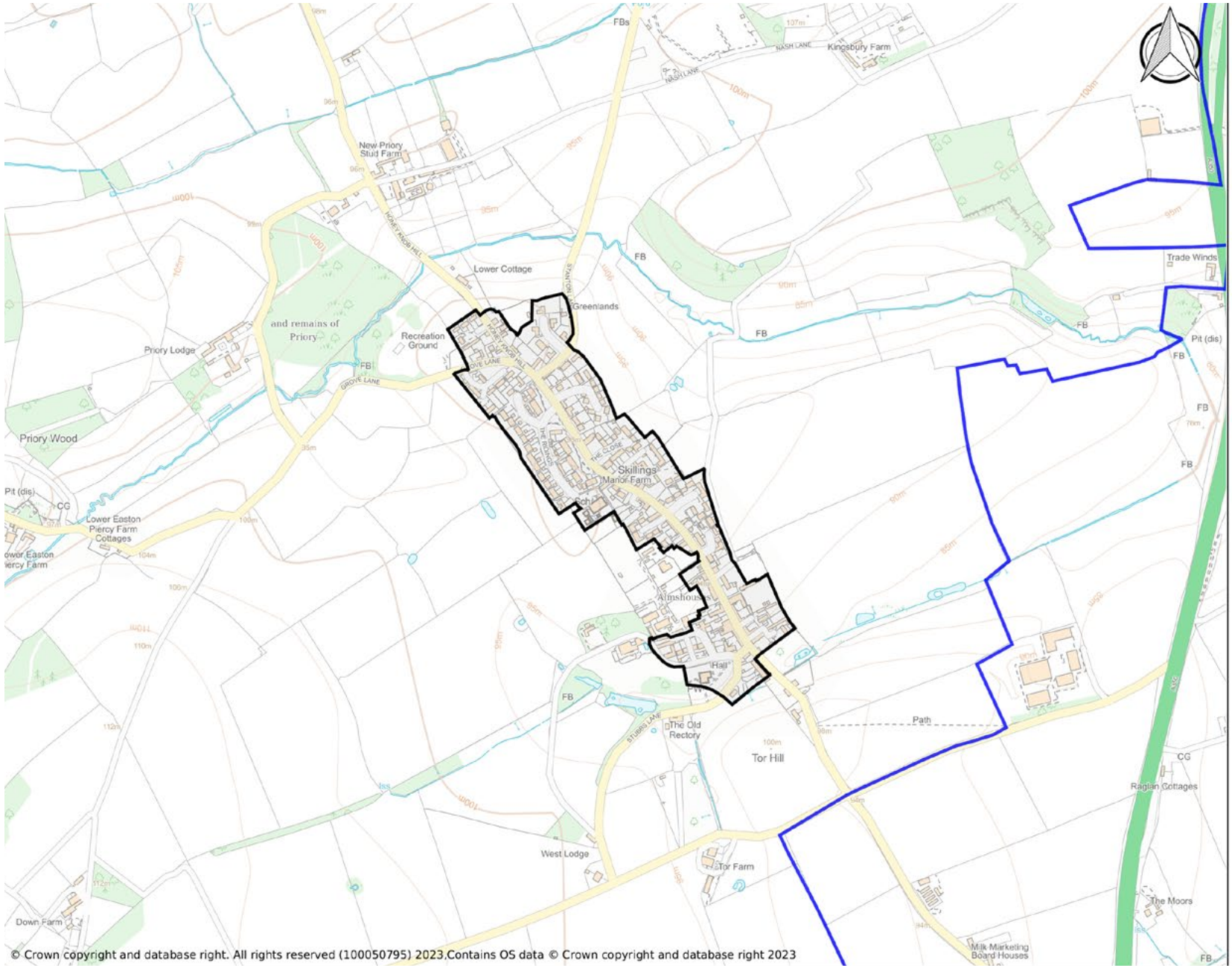


Figure 4: Kington St Michael Settlement Boundary

DRAFT POLICY KSM1: PROTECTING THE OPEN COUNTRYSIDE

1. A settlement boundary is designated through the Wiltshire Development Plan for the village of Kington St Michael as shown in Figure 3. Development will be supported inside this boundary where:

a. It is of scale appropriate to the location.
b. It does not cause a significant detriment to the residential amenity of any existing or neighbouring dwellings (e.g. through loss of privacy, or overshadowing);
c. it provides a safe means of access; and,
d. it conserves and enhances the parish's special historic, architectural and landscape character, having regard to the distinctive character of the village, with reference to the Kington St Michael Parish Community Design Statement.

2. Outside the Settlement Boundary, development proposals should accord with local and national policies for the countryside, and will be supported where it:

a. is a an allocation in the Neighbourhood Plan;
b. is a very small scale infill development of not more than one dwelling in the case of residential evelopment;
c. it conserves and enhances the parish's rural landscape character;
d. it does not cause a significant detriment to the residential amenity of any existing or neighbouring dwellings (e.g. through loss of privacy) or to the character of the locality;
e. involves the re-use of an appropriate redundant building;
f. is a small development ancillary to the use of an existing property or business; or
g. is a rural exception site.

Any development outside of the settlement boundary must maintain the visual separation between Kington St Michael and Chippenham and ensure that the rural landscape character of the area is protected or enhanced.

How does Draft Policy KSM14 contribute towards addressing the climate emergency in our Parish?

By supporting sustainable development within the settlement boundary, the policy contributes towards focussing development in the village of Kington St Michael, where most people's daily needs can be met within a short walk or cycle and the need to drive is reduced. This reduces carbon emissions from private vehicles.

RURAL LANDSCAPE SETTING AND LOCALLY VALUED VIEWS

5.14 Although the Parish is not covered by any landscape designations (such as Area of Outstanding Natural Beauty), its rural landscape setting is highly valued by the local community, and there is concern that any new development should ensure that the rural character of the village, which is immediately surrounded by long-established farmland, is protected.

5.15 The setting of Kington St Michael village within the surrounding landscape and open countryside is a key factor in shaping the distinctiveness of the Parish as a whole. The village has an interesting relationship with its landscape setting because, it is barely seen when approaching along any of the roads coming in. These dips act as important signifiers of the north and south entrance points to the village.

5.16 Tor Hill is a valued local landmark; views to and from this locally important landscape feature are particularly cherished by the local community. As well as views in and out of the village, views along the historic main road are vital to the character of the village. The Neighbourhood Plan Steering Group has prepared the Locally Valued Views Report, which identifies a number of specific views from within the Parish which are important to the local community.

5.17 Wiltshire Landscape Character Assessment (2005) identifies all of the Parish of Kington St. Michael as within the area of Landscape Character 'Type 16: Limestone Lowland'. Section 3 of the Kington St Michael Community Design Statement describes more about the landscape setting of the Village and Parish as a whole, and its particular key features. Also, see Part 2: The Kington St. Michael Parish Community Design Statement

DRAFT POLICY KSM2: RURAL LANDSCAPE SETTING AND LOCALLY VALUED VIEWS

The rural landscape setting of Kington St Michael will be protected. Any proposals for development which, by reason of their scale, siting or design, would affect the landscape setting as described in Wiltshire Landscape Character Assessment (2005 and any subsequent updates) and Kington St Michael Community Design Statement, must demonstrate how the landscape setting will be protected and where possible, enhanced.

Any development proposals that are likely to affect any of the views shown on Figure 4 and described in the Kington St Michael Locally Valued Views Report should assess the effect of the proposals on the view(s) and demonstrate how any adverse effects have been addressed.





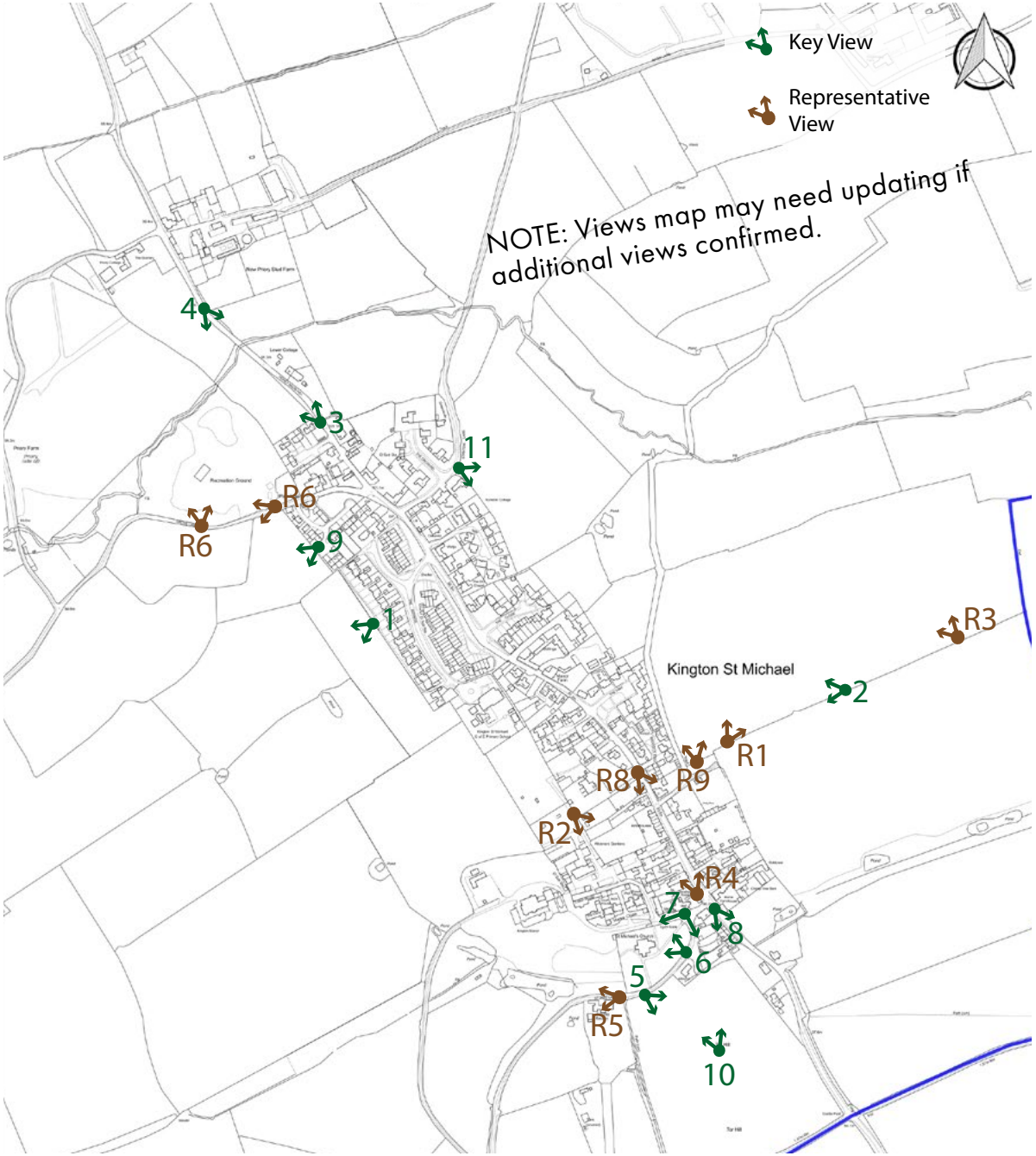


Figure 5: Locally Valued Views

LOCAL CHARACTER AND DISTINCTIVENESS

5.18 In 2019 the Government published a 'National Design Guide'[16] which highlights the importance of understanding and responding to local character. In early 2021 a National Model Design Code[17] was introduced as part of the government's planning practice guidance. It expands the National Design Guide and reflects the government's priorities and provides a common overarching framework for design.

5.19 The NPPF also underscores the importance of high quality design: "the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve."[18]

5.20 The NPPF sets out that "Neighbourhood planning groups can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development".[19]

5.21 An in-depth survey and analysis of the locally distinctive character and design of the built and natural environment is summarised in the Kington St Michael Parish Community Design Statement, which forms a key part of the evidence base for our Neighbourhood Plan.

5.22 The Community Design Statement draws on the work in the Kington St Michael Parish Plan (2007), which included the starting point for a Village Design Statement. As part of work on the Neighbourhood Plan, this has been updated and refreshed to be in line with the recent changes to government guidance on design that are outlined above.

5.23 The Kington St. Michael Parish Community Design Statement complements and informs our Neighbourhood Plan to the extent that it forms a full Part 2 of the Plan. The core of the document is a description and analysis of important and locally distinctive features of the village. It reflects local aspirations and sets out how the identified special qualities and locally distinctive characteristics should be reflected in any development proposals.

5.24 Kington St Michael has a rich and distinctive character. The village has an unusual settlement pattern in that it still reflects its origins as an agricultural community and linear settlement either side of the old road from Chippenham to Malmesbury. The 'historic core' of the village, which is predominantly within the Conservation Area, includes a wealth of buildings walled with the local version of Cotswold Stone traditionally used here (Oolitic Limestone).

5.25 The Design Statement should be used at the earliest possible stages of design and as part of early pre-application community engagement. The Parish Council has adopted the Kington St Michael Pre-Application Community Engagement Protocol, which is included in Appendix 2 and is intended to facilitate a structured approach to enable effective, positive and early involvement of the local community in outline and full planning applications addressing all aspects of a proposal.

[16]https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/962113/National_design_guide.pdf
[17]https://www.gov.uk/government/publications/national-model-design-code
[18]NPPF Paragraph 131
[19]NPPF Paragraph 132

DRAFT POLICY KSM3: LOCALLY DISTINCTIVE, HIGH QUALITY DESIGN

All new development should be of a high-quality design that respects the distinctive character of the locality.

In order to create high quality buildings and places, development proposals should respond positively and distinctively to the National Model Design Code and the Kington St Michael Community Design Statement as appropriate to their scale, nature and location.

Through the Pre-Application Communtiy Engagement Protocol, applicants of development proposals are encouraged to engage in early, proportionate, proactive and effective engagement with the community, particularly with regard to design issues.

How does Draft Policy KSM11 contribute towards addressing the climate emergency in our Parish?

The policy refers to the Kington St Michael Parish Community Design Statement and the National Model Design Code as key guidance documents.

Both of these documents include detailed guidance on many aspects of sustainable design, for example incorporating biodiversity, sustainable drainage, trees, electric vehicle charging facilities and cycle parking into development.

LOCAL HERITAGE

5.26 Kington St Michael has a rich heritage which contributes towards its distinctive character and the quality of residents' everyday life. The protection of our local heritage assets is a priority for local people.

5.27 Kington St Michael Conservation Area was designated as such in 1984. A Conservation Area is, in law, an area of special architectural and historic interest. Planning authorities are legally required to pay special attention to conserving or enhancing the character of Conservation Areas. Any proposed development which conflicts with this objective should usually expect to be refused.

5.28 In 2005, Wiltshire Council produced a brief 'Conservation Area Description' document. As part of the preparation of the Kington St Michael Neighbourhood Plan, the Neighbourhood Plan Steering Group (with assistance from consultants Place Studio) has undertaken a rapid assessment of the Conservation Area; identifying key locally valued features and qualities of the Conservation Area, and adding updates and local detail to the existing Description note. This detail is summarised in Part 2: The Kington St Michael Parish Community Design Statement and in Figure 5.

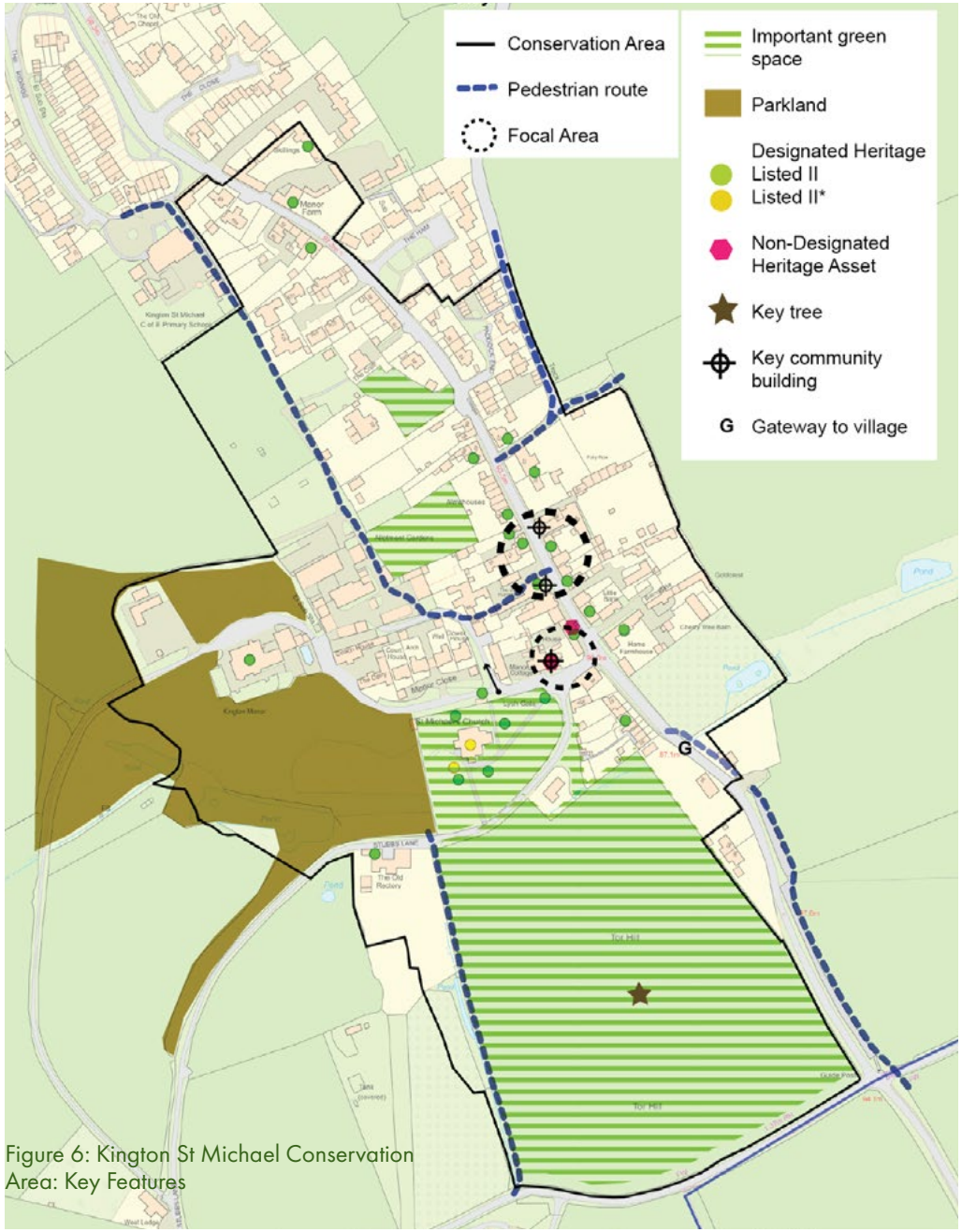


Figure 6: Kington St Michael Conservation Area: Key Features

5.29 Kington St Michael also has 45 Listed Buildings, both within and outside of the Conservation Area. The Historic Environment Record (HER) for Kington St Michael provides a wealth of information on the Parish's historic environment, and should be referred to by applicants where proposals have potential to impact on heritage assets or their setting. Much of the HER is available to view on the Know Your Place Wiltshire website.[28]

5.30 There are also a number of buildings and features within the parish that play a role in the collective heritage and identity of our community which even though they do not meet the 'special' benchmark for Grade I or II listing, are valued as part of our local heritage. Their heritage value has the potential to place them in the category of 'buildings of local interest', otherwise called 'non-designated heritage assets'.

5.31 Through consultation with the local community, the Steering Group has identified to date (more may be included at later dates) two clear non-designated heritage assets to include in the Neighbourhood Plan:

- Edward VII Post Box
- The Village Hall

More detail is included in the Kington St Michael Parish Community Design Statement.

DRAFT POLICY KSM4: LOCAL HERITAGE

1. Development in or affecting the setting of the Kington St Michael Village Conservation Area, will be supported where the development preserves or enhances the character of the Conservation Area.

2. Key characteristics are illustrated on Figure 6, and detailed in the Kington St Michael Community Design Statement, and the Kington St Michael Conservation Area Description (2005). Drawing on this material and site specific research, development should respect the historic, archaeological and architectural character of the area and buildings and structures within it, including but not exclusively, the positive characteristics which give the area its distinct character such as:

a. focal areas and street layout;
b. green spaces
c. key views (as show on figure 5)
d. scale and varied form of existing buildings;
e. materials and detailing;
f. Wider landscape setting; and
g. Non-designated heritage assets.

PRACTICAL PROJECTS

- Identify further Locally Valued Non-designated heritage assets.

[28] https://maps.bristol.gov.uk/kyp/?edition=wilts

GREEN SPACE

5.32 The Neighbourhood Plan proposes the designation of Local Green Spaces. The designation, introduced by the NPPF, allows communities to identify and protect green areas of particular importance to them. Paragraph 106 of the NPPF sets out when LGS designation can be used:

The LGS designation should only be used where the green space is:
a) in reasonably close proximity to the community it serves;
b) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and
c) local in character and is not an extensive tract of land.

5.33 Local Green Spaces do not have to be publicly accessible, and do not need to be in public ownership.

5.34 A number of the proposed Local Green Spaces in draft Policy KSM6, for example the recreation field and the allotments, hold a particular recreational community value due to how they are used. These green spaces are where limited development is supported, so long as it is in keeping with the existing use and community value of the space. For example, where planning permission is required, development to improve allotment facilities would be supported.

5.35 The Local Green Spaces identified in KSM6 are demonstrably special to the community for a variety of reasons. A full explanation of the methodology, evidence and justification to support the designation of the draft proposed Local Green Spaces is included in the Kington St Michael Local Green Spaces Report.

5.36 Only those spaces which meet the Local Green Space criteria above are proposed to be designated as such in KSM6. The Neighbourhood Plan Steering Group has also identified a wider network of undesignated green features and spaces which encompasses the spaces which do not fit the Local Green Space criteria and so cannot be included as Local Green Space. Policy KSM7 includes more information on this network of spaces.

5.37 Of particular note are the Recreation Field and the Pond Area, both shown as 'Valued Public Open Spaces' on Figure 7 on page 31. These spaces have been assessed to potentially meet the Local Green Space criteria outlined above. However, they are considered to be adequately protected from inappropriate development by way of their existing status:

- The Recreation Field is a QEII Field in Trust. In 2011 the Parish Council approved a Deed of Dedication for the field to become a QE2 Field in Trust, meaning that it will be protected as a public recreation facility in perpetuity.
- The Pond Area is a registered Village Green[10]. This means legislation protects it from being built upon (other than for the purpose of better enjoyment of the green) or from being made private, so that it remains a space open to everyone.

[10]https://www.gov.uk/guidance/town-and-village-greens-how-to-register

5.38 Policy KSM5 does not apply to the Valued Public Open spaces identified on Figure 7. These spaces are noted as part of the valued wider green and blue infrastructure network in Policy KSM5. Also see Part 2: The Kington St. Michael Parish Community Design Statement.

DRAFT POLICY KSM5: LOCAL GREEN SPACES

The Neighbourhood Plan designates the following locations as Local Green Space, as shown on Figure 7, and detailed in the Local Green Space Evidence Base Report.

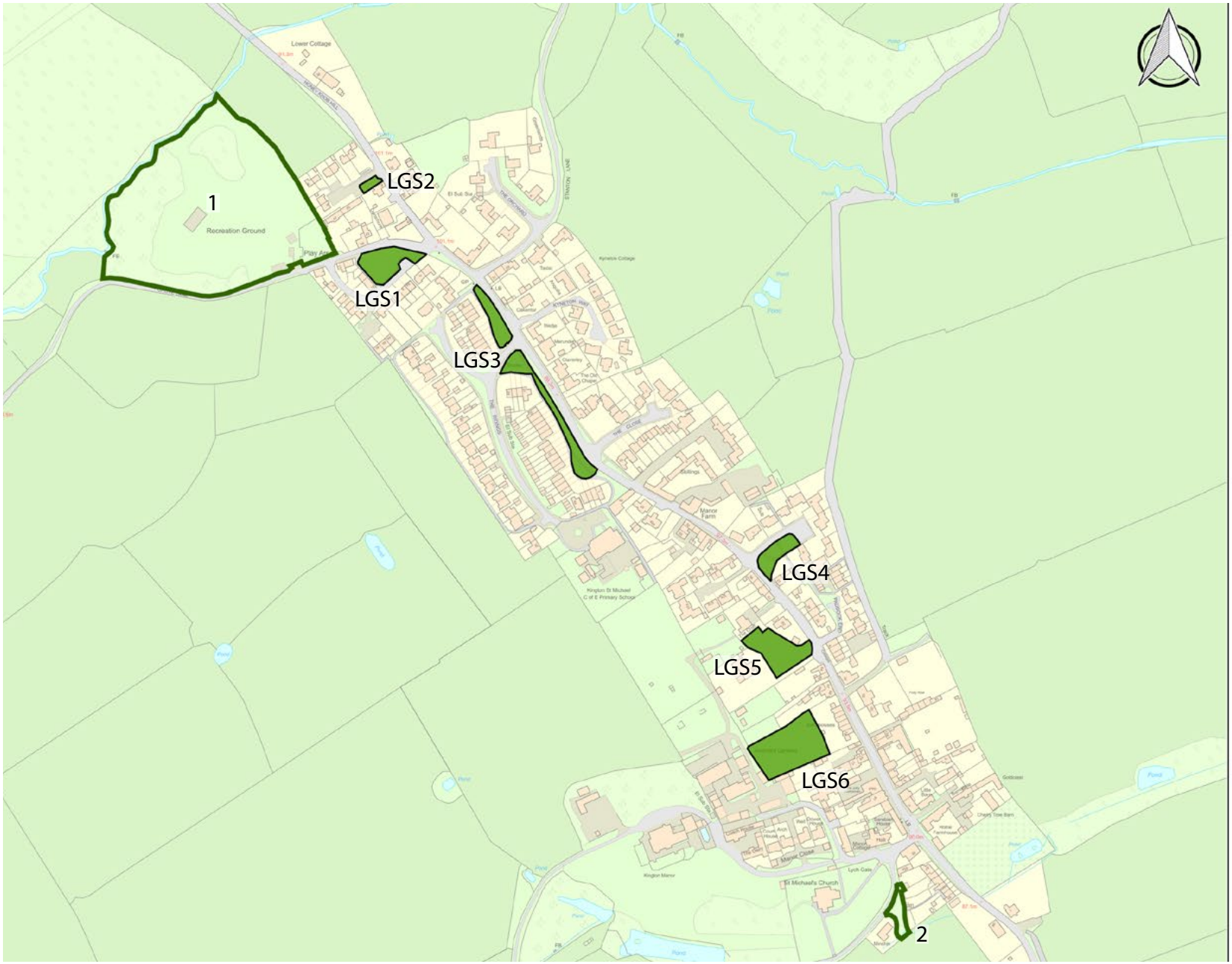
Proposed Local Green Space designations:

1. Honey Knob Hill
2. Town Close Green
3. Entrance to the Ridings
4. The Ham
5. Field opposite Rose Cottages
6. Allotments

These spaces will be protected from built development except for in exceptional circumstances and where the proposals enhance the existing use of the space, particularly regarding the characteristics that underpin designation.

How does this policy contribute towards addressing the climate emergency in our Parish?

Green spaces in our Parish are of paramount importance and they perform a range of functions in tackling the local impacts of climate change. One green space can have multiple positive functions, for example flood management, supporting biodiversity, space for trees to provide shade and cooling, and local food production. Protecting locally valued green spaces from development protects and maintains these valued functions.



Valued Public Open Space

1 Recreation Field
2 The Pond Area

Draft Proposed Local Green Space Designations

LGS1 Honey Knob Hill
LGS2 Town Close Green
LGS3 Entrance to The Ridings
LGS4 The Ham
LGS5 Field Opposite Rose Cottages
LGS6 Allotments

Figure 7: Local Green Spaces

GREEN AND BLUE INFRASTRUCTURE

5.39 Green infrastructure encompasses the network of multifunctional green areas and other natural features such as trees and verges, whilst blue infrastructure includes streams, rivers and storm water provision. The green and blue infrastructure network in Kington St Michael provides us with a wide range of benefits for nature, climate and community wellbeing.

5.39 Kington St Michael's local GBI network is made up of spaces and connections that provide multifunctional benefits for both the natural environment and for people. These benefits are also known as 'ecosystem services'. In Kington St Michael, our GBI and some of the ecosystem services that it provides includes:

- Intact ancient hedgerows that line the routes into the village from the north and the south, providing biodiversity value and a sense of place for those arriving at the village;
- Three areas of Ancient Woodland to the east and west of the village. Ancient Woodland is our richest land-based habitat for wildlife, and plays a key role in carbon storage. Fifty percent of the carbon in woods is stored in the soil and leaf litter. In ancient woodland this represents a huge carbon store that has been locked up for some time, making their preservation even more important.
- Nymph Hay Woodland, an important local woodland area used regularly by the community for recreation including walking and picnics. Valuable for the local community's mental and physical wellbeing.
- Important local trees, some of which are listed on the Ancient Tree Inventory, others which have been planted / sponsored by the Parish Council and local people to commemorate local people or events. These trees provide a number of ecosystem services including:
    - Improving local air quality; trees cut the level of airborne particulates and absorb nitrogen dioxide, sulphur dioxide and ozone
    - Contributing to our local sense of place and heritage
    - Providing links for pockets of wildlife and supporting biodiversity.

5.40 Kington St Michael's green and blue assets are part of a network of green and blue infrastructure that is important both locally and regionally. Figures 8a and 8b illustrate diagrammatically the key green and blue infrastructure in Kington St Michael to be protected and enhanced. More detail on the Parish's GBI can be found in the Kington St Michael Green and Blue Infrastructure Report.

5.41 By identifying Kington St Michael's Green and Blue Infrastructure network, the Neighbourhood Plan identifies the assets to protect, enhance and strengthen the links between.

5.42 This work can be supported through the Wiltshire Community Environment Toolkit (October 2021)[11]. The Wiltshire Community Environmental Toolkit has been developed in partnership with Natural England to allow communities to take the lead in defining and restoring biodiversity

[11] https://www.wiltshire.gov.uk/media/6584/Community-Environmental-Toolkit-March-2021/pdf/26_MARCH_Toolkit_WebMR.pdf?m=637576410403830000

in their community. Designed for use by community groups, local landowners, Parish and Town Councils, schools and youth groups it provides a structure for how local communities can better understand what they already have in terms of biodiverse habitats as well as how to plan for developing greater biodiversity and nature based carbon sequestration in the future. The Toolkit forms part of a suite of documents that Wiltshire Council is producing as part of the Green and Blue Infrastructure Strategy[12] – adopted in February 2022.

5.43 Kington St Michael's green and blue assets are part of a network of green and blue infrastructure that is important both locally and regionally. Figures 8a and 8b illustrate diagrammatically the key green and blue infrastructure in Kington St Michael to be protected and enhanced. More detail on the Parish's GBI can be found in the Kington St Michael Green and Blue Infrastructure Report.

5.44 By identifying Kington St Michael's Green and Blue Infrastructure network, the Neighbourhood Plan identifies the assets to protect, enhance and strengthen the links between.

5.45 This work can be supported through the Wiltshire Community Environment Toolkit (October 2021). The Wiltshire Community Environmental Toolkit has been developed in partnership with Natural England to allow communities to take the lead in defining and restoring biodiversity in their community. Designed for use by community groups, local landowners, Parish and Town Councils, schools and youth groups it provides a structure for how local communities can better understand what they already have in terms of biodiverse habitats as well as how to plan for developing greater biodiversity and nature based carbon sequestration in the future. The Toolkit forms part of a suite of documents that Wiltshire Council is producing as part of the Green and Blue Infrastructure Strategy – adopted in February 2022.

5.46 Building with Nature is a new framework of standards for delivering GBI. It is divided into three core themes: wellbeing, water and wildlife. The aim is to enable the delivery of high quality green infrastructure at each stage of the development process, from planning and design, through to long-term management and maintenance.

5.47 The NPPF states that all new developments require tree lined streets and the provision of trees or community orchards in public spaces (paragraph 131). It will be important to ensure enough room is provided for the establishment of trees in consultation with highways officers and tree officers, therefore application of the policy will require appropriate discussion and agreement with relevant officers in Wiltshire Council.

5.48 Kington St Michael is host to a range of wildlife sites and features, a number of which are shown on Figures 8a and 8b. This includes areas of Ancient Woodland, open green spaces, gardens and wildflower areas, some of which are detailed in the Kington St Michael Green and Blue Infrastructure Report.

[12] https://www.wiltshire.gov.uk/planning-bio-green-blue-infrastructure

DRAFT POLICY KSM6: NATURAL ENVIRONMENT

Development proposals must have an overall positive impact on the Parish's existing Green and Blue Infrastructure (GBI) network, its natural environment and resources.

This will be achieved through high quality design. Development proposals must provide for the protection, enhancement and maintenance of the natural environment by:

a. contributing towards the protection, management, enhancement and connectivity of Kington St Michael's existing Green and Blue Infrastructure network, as illustrated diagrammatically on Figures 8a and87b, and detailed in the Kington St Michael Green and Blue Infrastructure Report.
b. identifying the existing GBI within and around the site, and demonstrating how GBI has been incorporated into the proposal, with particular reference to the detail and objectives in the Kington St Michael GBI Report;
c. retaining features of biodiversity value, including but not limited to existing trees, woodland and hedgerows, including those shown on Figures 7a and 7b, and avoiding removal wherever possible. New tree planting, with the aim of increasing overall Tree Canopy coverage in Kington St Michael will be supported in appropriate locations.

Development proposals should not result in a net loss of biodiversity and are expected to deliver a net gain in biodiversity of at least 10%.

Development proposals that are accredited as meeting Building with Nature standards will be supported.

How does this policy contribute towards addressing the climate emergency in our Parish?

Looking after and strengthening our green and blue spaces, and the biodiversity within it has many benefits, for example:

- **Carbon capture**
- **Air quality improvement**
- **Flood risk management**
- **Opportunities for local food production**
- **Provision of shade and temperature regulation**

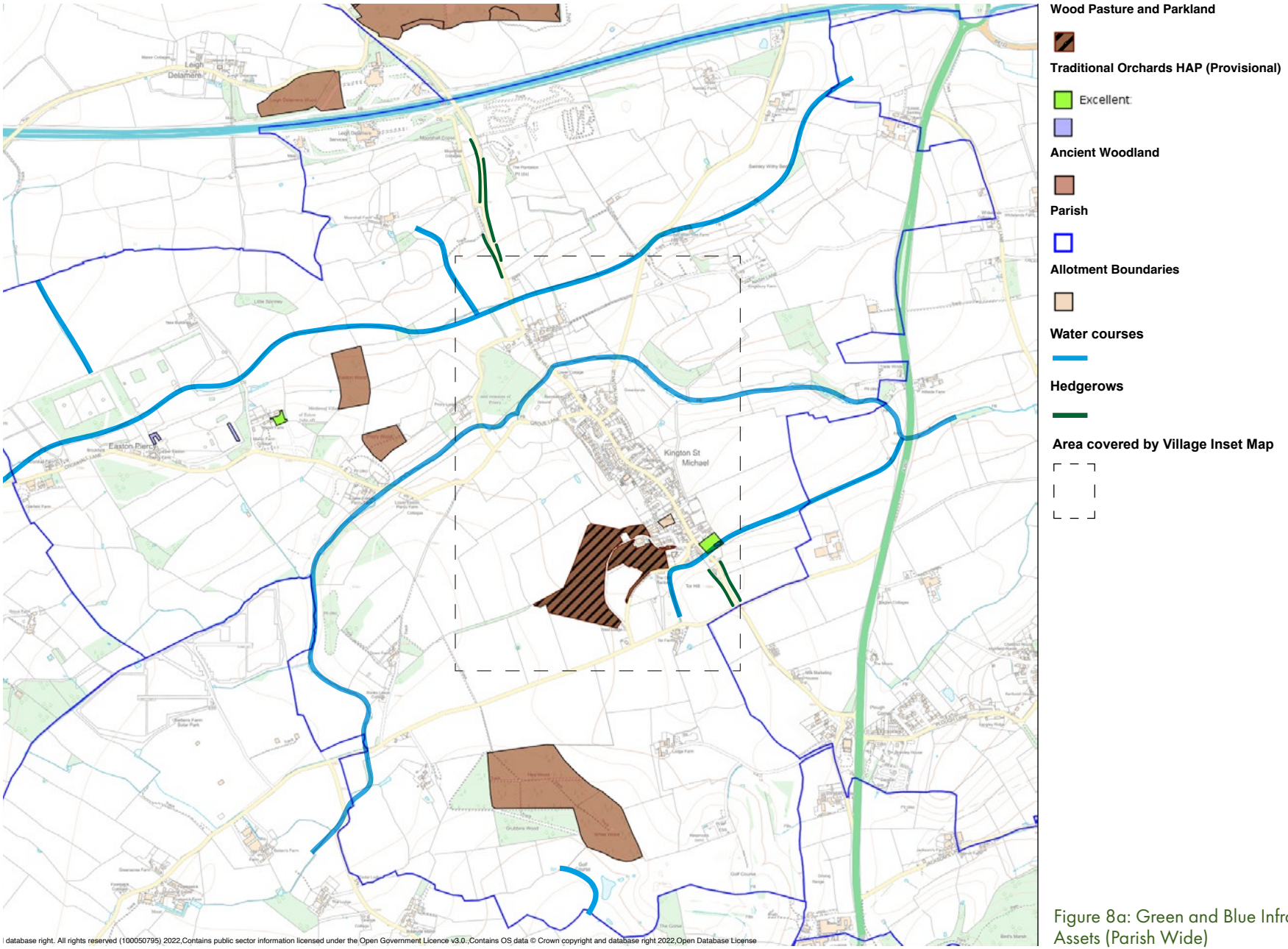


Figure 8a: Green and Blue Infrastructure Assets (Parish Wide)

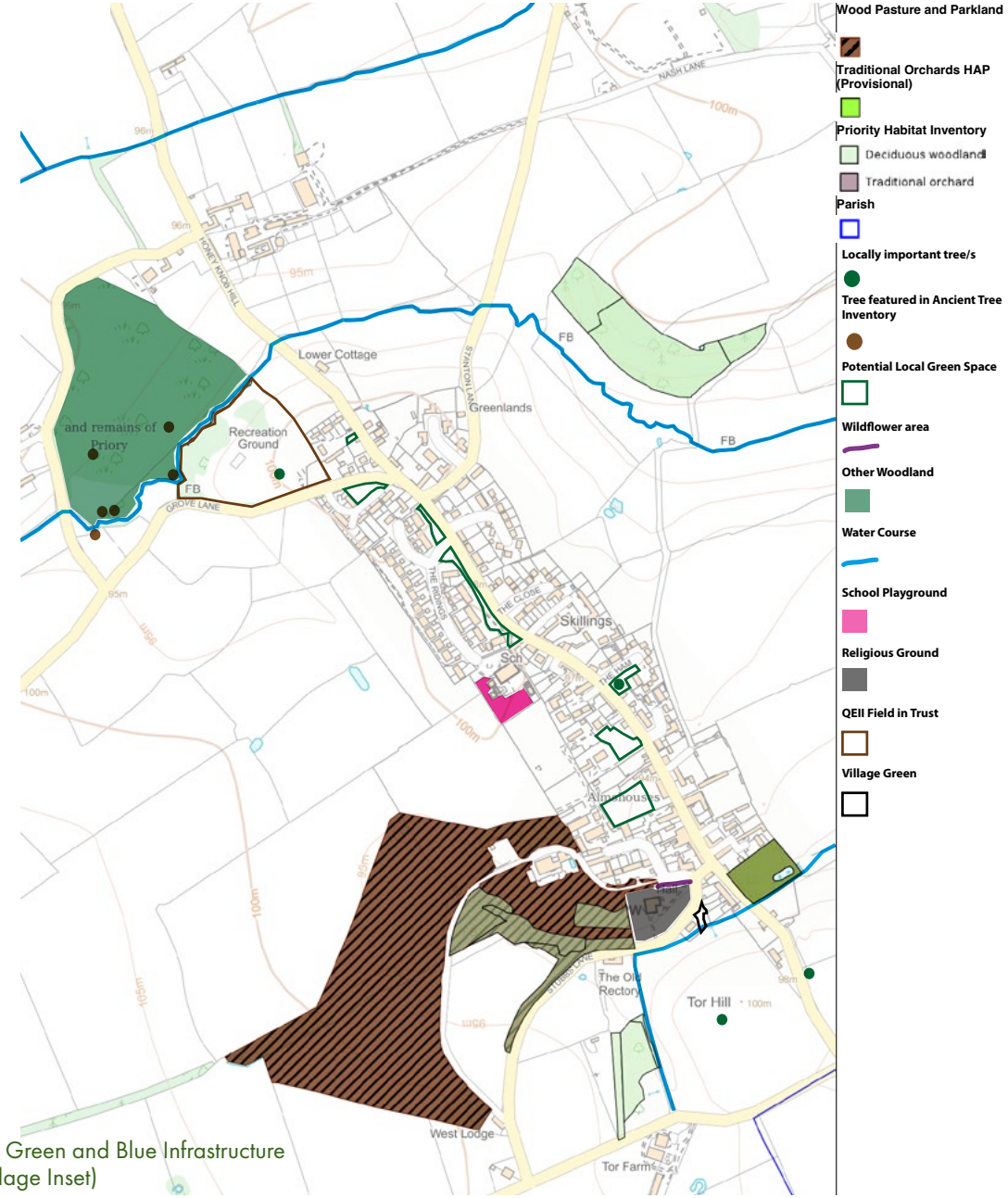


Figure 8b: Green and Blue Infrastructure Assets (Village Inset)





NATURAL FLOOD MANAGEMENT

5.49 There are two main streams that cross the Village east-west; one to the north that flows under Honey Knob Hill and borders the Recreation Field, and the second to the south running parallel with Stubbs Lane. The majority of areas of flood risk within the village are associated with the land near to these waterways, but there are also some areas at risk of flooding from surface water, particularly to the south of the village around Sevastopol Terrace. Fowlswick Lane can be subject to flooding from the adjacent fields, and there have been instances of flooding on Stanton Lane, associated with run-off from nearby agricultural activities. Official Environment Agency data on flood risk is shown on Figure 9.

5.50 The National Planning Policy Framework and Planning Practice Guidance, together with the Wiltshire Core Strategy (Core Policy 67), highlight the importance of development taking place in areas at least risk of flooding where possible, as well as the need to manage the flow of surface rainwater.

5.51 Any new development has the potential to increase surface water flood risk. The National Planning Policy Framework sets out that new development should make use of opportunities to reduce the causes and effects of flooding, where appropriate through the use of natural flood management techniques.

5.52 The use of sustainable urban drainage systems (SUDS) is integral to any new development, alleviating flood risk through environmental solutions such as permeable paving, green roofs, retention ponds or green spaces.

5.53 When managing rainfall, the SUDS network should be designed to match natural drainage routes, infiltration rates and discharge rates as far as possible. Therefore the aim must be for water to be discharged as high up the drainage hierarchy[13] as possible:
into the ground (infiltration);

1. to a surface water body;
2. to a surface water sewer, highway drain, or another drainage system;
3. to a combined sewer.

DRAFT POLICY KSM7: NATURAL FLOOD MANAGEMENT

1. Natural flood management works to conserve and enhance the ecological flood storage value of the water environment, including watercourse corridors and catchments, are supported.

2. Where development proposals are in areas with known surface water flooding issues, they should include appropriate mitigation and construction methods, including where appropriate, contributions towards wider catchment projects.

3. Where appropriate to the scale of development, proposals should include provision of Sustainable Drainage Systems as part of the Natural Flood Management approach and wider Green Infrastructure networking.

[13]https://www.gov.uk/guidance/flood-risk-and-coastal-change

How does this policy contribute towards addressing the climate emergency in our Parish?

Change in rainfall levels is a significant impact of climate change in the UK. The UK Met Office predicts that in a business-as-usual scenario, Britain could experience a decrease in summer rainfall by up to 47%, and up to 35% more rain in winter by 2070. This means that we need to manage rainfall more effectively to ensure that flood risk is minimised in the winter whilst water can be conserved and used efficiently during the summer months. This policy encourages the use of natural flood management approaches to manage

PRACTICAL PROJECTS

- Provision and upkeep of benches in key areas and on key routes
- Supporting appropriate tree planting across the Parish
- Particular area of focus for this is the QEII Field

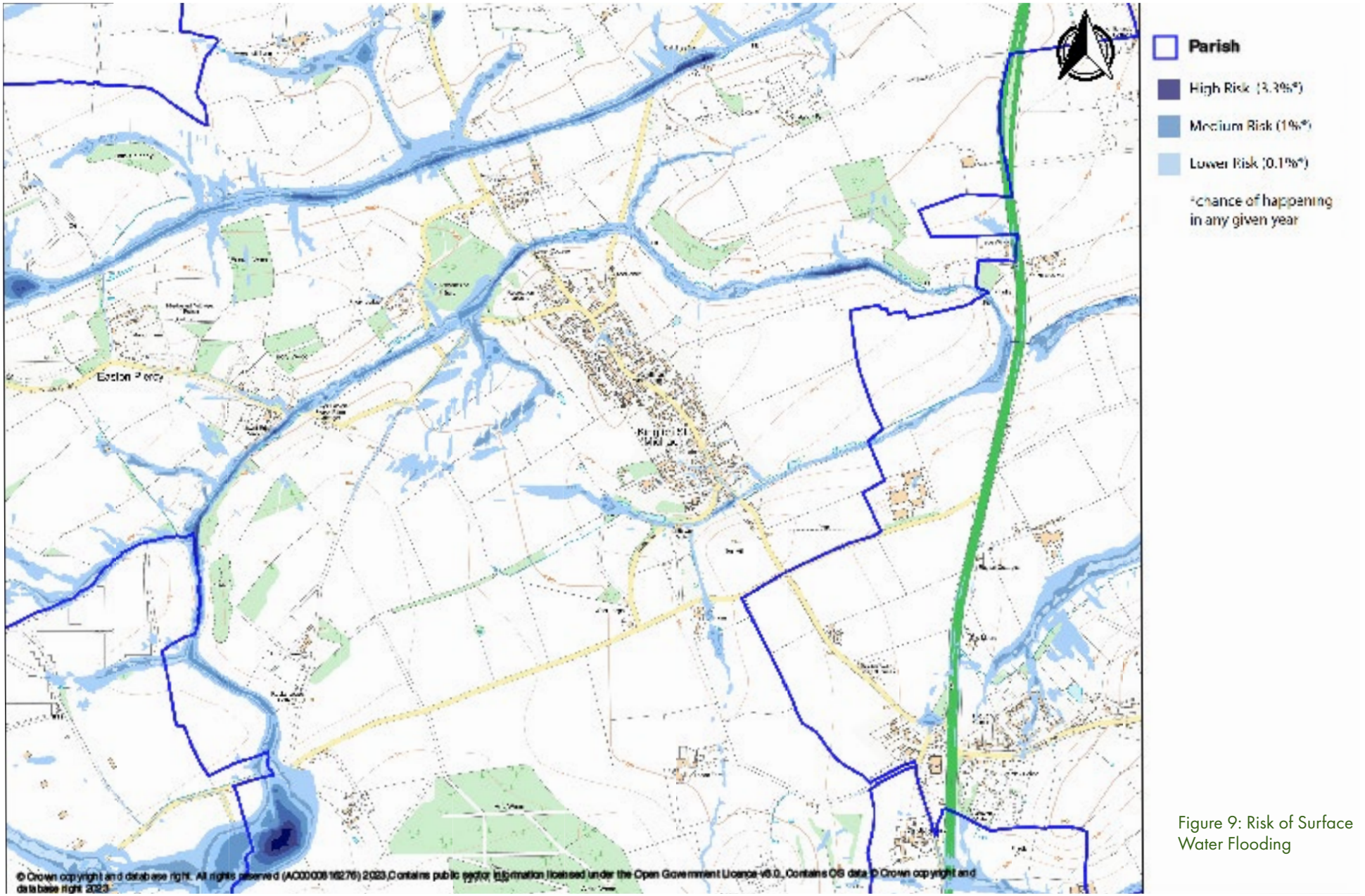


Figure 9: Risk of Surface Water Flooding

SUSTAINABLE DESIGN, CONSTRUCTION AND RETROFITTING

5.54 The Climate Change Act 2008 (2050 Target Amendment) Order 2019 commits the UK to a carbon emission reduction target of 100% by 2050 compared with a 1990 baseline. Recent reports illustrate how urgent it is that action is taken. Land use planning, and the Kington St Michael Neighbourhood Plan, has the potential to make a valuable contribution towards addressing climate change locally.

5.55 In July 2019, Wiltshire Council made a resolution to seek to make the county carbon neutral by 2030. A Global Warming and Climate Emergency Task Group was set up to gather evidence and come up with recommendations on achieving this. In 2022, Wiltshire Council adopted the Wiltshire Climate Strategy, which sets a framework for reducing emissions and becoming more resilient to the impacts of climate change over the next five years.

5.56 Whilst all of the aims and policies in the Neighbourhood Plan contribute towards addressing the climate emergency in Kington St Michael, draft policy KSM12 looks specifically at sustainable design, construction and retrofitting of our existing buildings to become more energy efficient.

5.57 Energy use in homes accounts for about 14% of UK greenhouse gas emissions. In Kington St Michael, carbon emissions from the use of energy in our homes accounts for 23% of our overall carbon emissions. In their 2019 report, 'UK Housing: Fit for the Future?' the Committee for Climate Change warns: 'we will not meet our targets for emissions reduction without near complete decarbonisation of the housing stock.'

5.58 Net Zero carbon buildings in operation are supported by three core principles: energy efficiency, low carbon heat and renewable energy. A key reference for this policy is the Net Zero Carbon Toolkit (2021). The toolkit was developed by Levitt Bernstein, Elementa, Passivhaus Trust and Etude commissioned by West Oxfordshire, Cotswold and Forest of Dean District Councils, funded by the LGA Housing Advisers Programme. It has been created for building professionals (developers, contractors, architects and engineers) and is also relevant to self -builders, planning officers and other housing professionals. The Toolkit is offered as a document that Local Authorities may use or adapt. Here it has been referenced in our policy as a technical reference document to support desicisons on Planning applications.

5.59 There are many historic buildings in Kington St Michael, many of which are listed buildings, and the sensitive retrofitting of these historic buildings is supported. Improving the energy efficiency of existing homes in the parish will contributing to tackling the climate crisis as well as keeping down energy bills in people's homes.

[20]https://www.legislation.gov.uk/ukdsi/2019/9780111187654
[21]https://www.ipcc.ch/
[22]https://www.wiltshire.gov.uk/media/8671/Wiltshire-Council-Climate-Strategy/pdf/Wiltshire_Council_Climate_Strategy_2022.pdf?m=637807788064400000
[23] https://www.theccc.org.uk/publication/uk-housing-fit-for-the-future/
[24]https://impact-tool.org.uk/footprint/footprint?regionId=E04011746&geography=parish&footprintType=consumption&scale=per-household
[25]https://www.nongasmap.org.uk/
[27] https://www.westoxon.gov.uk/media/2ddb125k/net-zero-carbon-toolkit.pdf

DRAFT POLICY KSM8: SUSTAINABLE DESIGN, CLIMATE CHANGE RESILIANCE

All development proposals, including retrofitting, must demonstrate, proportionately, how the development addresses climate change mitigation and adaptation through the on-site use of zero and/or low carbon technologies, sustainable design and construction, and low carbon materials.

Innovative approaches to the construction of low carbon homes which demonstrate sustainable use of resources and high energy efficiency levels, such as Passivhaus, are encouraged.

The retrofit of heritage properties/assets is encouraged, to generate renewable energy where appropriate, providing it safeguards historic characteristics and development is done with the engagement and permissions of relevant organisations (such as Historic England, who have produced guidance on this issue).

Both new build and refurbishment of existing homes should are encouraged to meet energy use targets as set out in the Net Zero Carbon Toolkit (2021) where viable.

How does this policy contribute towards addressing the climate emergency in our Parish?

We know that housing in Kington St Michael contributes towards more than 20% of carbon emissions in the parish.

This policy encourages sensitive retrofitting of our existing housing stock, as well as the implementation of the most energy efficient design and construction methods, to reduce energy usage and emissions.

LOCAL RENEWABLE AND LOW CARBON ENERGY GENERATION

5.60 As part of moving towards a low carbon future, Kington St Michael Neighbourhood Plan supports generation of zero or low carbon energy at the local level from sources such as geothermal or solar energy.

5.61 Government advice requires that 'the planning system should support the transition to a low carbon future in a changing climate. It should help to shape places in ways that contribute to radical reductions in greenhouse gas emissions... including (supporting) ...renewable and low carbon energy and associated infrastructure' (NPPF paragraph 152).

5.62 Although there currently no solar farms within the Parish, there is one close by in Chippenham Without. In 2022, planning permission was granted for a solar farm at Moorshall Farm / Bromfield Lodge, and the south eastern part of this site falls within Kington St Michael Parish. During the preparation of the Neighbourhood Plan, local people expressed concern that if there was any further solar farm development within the Parish in the future, it would be appropriately managed so as to avoid any potential negative impacts such as construction traffic and effect on the rural landscape. The NDP does not therefore include policies or proposals to encourage or guide the development of large scale solar generation facilities in the Parish.

5.63 The rural nature of the Parish is such that small scale individual schemes including solar generation could make a contribution to meeting future energy demands and reducing demand from external sources.

5.64 Micro-generation is the production of heat and power by individuals or communities – typically by renewable energy – enabling them to meet their own requirements at, or approaching, zero-carbon cost. As an approach, it has much to recommend it, both in terms of its energy efficiency – generation takes place at or very near to where the power is needed – and as a very effective direct means of reducing the household carbon footprint.

Micro-generation technologies include (but are not limited to):

- Air source heat pumps
- Ground source heat pumps
- Solar photo-voltaic Solar thermal hot water
- Wind turbines

[14] https://www.gov.uk/guidance/renewable-and-low-carbon-energy

DRAFT POLICY KSM9: LOCAL RENEWABLE AND LOW CARBON ENERGY GENERATION

1. Small scale, low impact micro generation proposals that would help to meet carbon reduction targets and promote energy self sufficiency wil be supported. Where planning permission is required, proposals for non commercial micro-generation schemes should demonstrate:

a. no adverse impact on the landscape, or built environment, especially the Conservation Area and listed buildings;
b. no adverse impact on residential amenity such as undue noise or disturbance; and,
c. no adverse impact on biodiversity.

2. Development proposals for community led renewable energy schemes in the Parish should be:

a. integrated so that the energy generated can be supplied directly to domestic homes, business and other buildings in the Parish; or
b. fully or partly owned by Kington St Michael residents, businesses or community associations, for the benefit of the local community with administrative and financial structures in place to deliver/manage the project and any income from it; and,
c. able to evidence community support.

How does this policy contribute towards addressing the climate emergency in our Parish?

With the UK aiming to reach net zero by 2050, a crucial part of the strategy is to transition to an electricity system with 100% zero-carbon generation and much of this is expected to come from renewable energy.

Encouraging increased renewable or low carbon energy generation in Kington St Michael is key to reducing our fossil fuel and greenhouse gas emissions.

PROTECTING OUR COMMUNITY FACILITIES

5.65 The sense of community in Kington St Michael Parish is highly valued by local residents and businesses. The thriving community is supported by a good range of facilities within the parish. The village has a community owned and operated shop, a primary school, "The Jolly Huntsman" pub, a village hall, a social club, St Michael & All Angels parish church, the QE2 Field, historic allotments and a cafe. There are plenty of clubs and activities held in the village hall including preschool and WI.

5.66 The NPPF defines community facilities as facilities such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship. Policies should plan positively for the provision of these services, to help promote healthy and safe communities, and guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs.

5.67 Wiltshire Council defines rural facilities and services as 'those that benefit the local community such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship' (Wiltshire Core Strategy, paragraph 6.71). There is a need to protect and encourage the development of rural services and facilities in Kington St Michael to ensure that the parish can continue to meet a number of the day to day needs of the community. Draft Policy KSM1 seeks to do this, by identifying what those rural services and facilities are in our Parish. Detail on Community Facilities in the Parish is included in the Kington St Michael Community Facilities Report.

DRAFT POLICY KSM10: PROTECTING KINGTON ST MICHAEL'S COMMUNITY FACILITIES

There will be a presumption in favour of safeguarding existing community facilities, as shown on Figure 10 and detailed in the Kington St Michael Community Facilities Report, against any proposals that would result in their loss. Proposals that could result in loss of any facility will only be supported where:

a. it can be demonstrated that it would not be economically viable, feasible or practicable to retain the building or site for use as a community facility; or,
b. adequate alternative provision exists within walking distance, or will be provided in an equally accessible location including by walking and cycling, within the catchment area of the facility.

How does this policy contribute towards addressing the climate emergency in our Parish?

Supporting our local community facilities reduces the need for local people to travel further afield for day-to-day activities like shopping and socialising. Cars are one of the biggest sources of carbon emissions. By protecting and encouraging use of our valued local amenities such as the Village Shop and cafe, we reduce the need for people to get in their cars to carry out their daily business, and promote the idea of a '20 minute neighbourhood', where most people's daily needs can be met within a short walk or cycle.

PRACTICAL PROJECTS

- Community Fund to investigate the purchase of the Jolly Huntsman

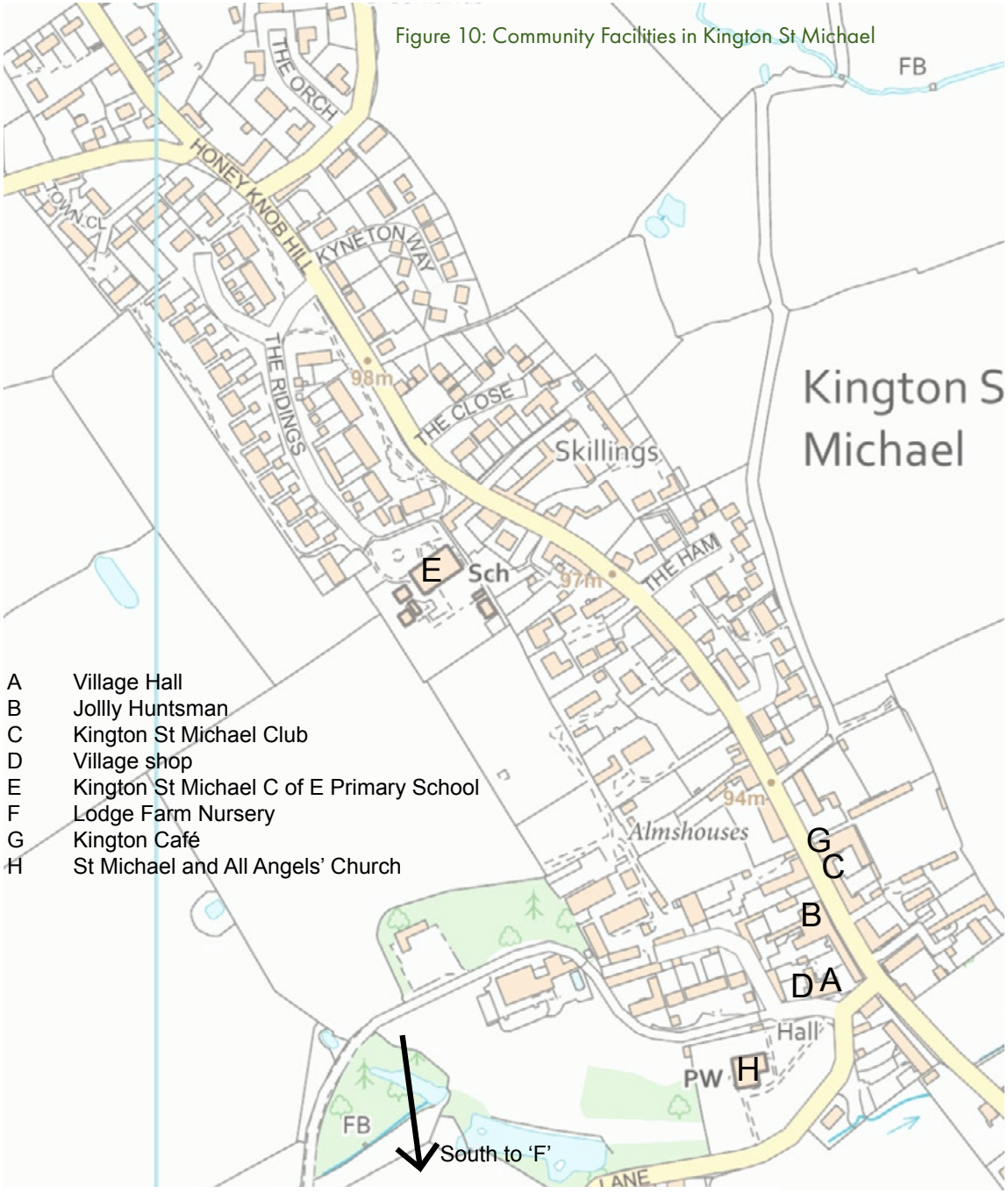


Figure 10: Community Facilities in Kington St Michael

A Village Hall
B Jollly Huntsman
C Kington St Michael Club
D Village shop
E Kington St Michael C of E Primary School
F Lodge Farm Nursery
G Kington Café
H St Michael and All Angels' Church

PROTECTING LOCAL EMPLOYMENT

5.68 During the second half of the last century, Kington St Michael was very much focused on an agricultural economy. Today however the situation is much more diverse. As demonstrated in the Kington St Michael Economy and Enterprise Report, Kington St Michael has a good number of local employment sites, operating largely across the agricultural, IT-related, hospitality and education sectors.

5.69 Other than the Motorway Services area, which attracts employees from a wide area, there is no dominant employer in the parish. The next largest employer is the village primary school, and the two nursery schools in the parish. There is also a community owned and principally volunteer run village shop which provides valuable top-up goods, supplementing supplies from local supermarkets and home delivery services.

5.70 There has been a consolidation of farms, with owners located within and outside of the parish owning one, or in many cases, more tracts of land within the Parish and elsewhere, providing economies of scale. Two farms now focus on livery services and there are also a limited number of small holdings.

5.71 For its size, the village is well served with hospitality facilities. Available accommodation ranges from a large one-star hotel located in the Leigh Delamere Westbound Services on the M4 at the north end of the parish, the village pub, several holiday rental cottages, and Bed & Breakfast accommodation. As well as the large selection of food outlets at the Motorway Services area, food and drink is also available at the centrally located cluster of the village pub, the café, and members club.

5.72 Draft Policy KSM2 seeks to retain existing employment uses within the parish, recognising their contribution towards quality of life for local people and the local economy.

DRAFT POLICY KSM11: PROTECTING LOCAL EMPLOYMENT

Existing business uses will be protected. Changes of use of existing business premises away from employment activity will only be supported where evidence can be produced to demonstrate that the existing use is no longer economically viable; i.e. that the site has been appropriately marketed at a reasonable price for at least one year for that or any other suitable employment or service trade use.

SUPPORTING WORKING FROM HOME

5.73 During the last twenty years the number of home-based enterprises in the parish has increased significantly, driven in part by the availability of broadband and mobile phone infrastructure. As well as the expected building and other general services; several entrepreneurs have established their own businesses offering IT services and e-commerce opportunities. These range from full to part time employment. These services are wide ranging, and include software development, consultancy, entertainment, and media. A number of these businesses have been established as limited companies, and others as sole traders. The employees per organisation within this sector tend to be usually one or two people. The increase in people working from home means that there is an increased need for 'commercial' space at home, such as space for a home office or garden office.

5.74 Whilst a majority of working residents commute out of the village, during the COVID-19 pandemic, the number of people working from home on a full-time basis increased significantly. This has been facilitated by the availability of high-speed broadband networks within the village, which local businesses value highly. Home working is anticipated to continue to be popular for many in the post pandemic environment. Whilst fibre-to-the-house broadband is now available to much of the village; the mobile phone network coverage is insufficient and needs strengthening, as several networks do not provide adequate coverage in many locations within the parish. This was identified as having a significant negative impact on local businesses in the Local Business Survey (see Economy and Enterprise Evidence Base Report). Draft policy KSM3 supports in principle development to improve communication networks within the parish.

5.75 Wiltshire Core Strategy Core Policy 1 identifies Kington St Michael as a large village within which development will be limited to improve employment opportunities. Draft Policy KSM3 seeks to support local economic activity in the parish by encouraging home working, with a view to further diversifying local employment opportunities.

DRAFT POLICY KS12: SUPPORTING WORKING FROM HOME

Insofar as planning permission is required, proposals that increase opportunities for residents to work from home (such as a home office for remote working) and/or to work from within the parish will be supported.

Where commercial space at residential properties is required, support will be given to proposals for small scale, proportionate residential extensions or modest conversions of existing buildings in the gardens of residential properties. Proposals should clearly demonstrate that the work area for its occupants:

a. is ancillary to the primary residential use
b. does not have an unacceptable impact on the amenities of residential properties in the immediate locality
c. incorporates measures to mitigate the impact of traffic generation (particularly along the main road), noise, light and odours.

Insofar as planning permission is required, measures which would improve internet efficiency and mobile phone connectivity will be supported.

How do Draft Policies KSM2 and KSM3 contribute towards addressing the climate emergency in our Parish?

Supporting local economic activity and employment opportunities in Kington St Michael reduces the need for local people to commute long distances for work. By protecting and diversifying local employment opportunities, we can encourage people to work within Kington St Michael, reducing car journeys and time spent on the road.

The increased number of people working from within the Parish will continue to support our local facilities and businesses, strengthening our local network and opportunities for people to carry out more of their day-to-day activities within Kington St Michael.

GETTING AROUND, ACTIVE TRAVEL AND PUBLIC TRANSPORT

CONTEXT

5.76 There are a great number of Public Rights of Way (PROW) within Kington St Michael Parish, all shown on Figure 11 on page 51. The PROW network in Kington St Michael is a key asset, providing recreation opportunities, linking key facilities within the village, as well as linking the village to the surrounding countryside and valued local landscape features such as Tor Hill. These links between the village and its rural surrounds are particularly highly valued by the local community.

5.77 Active travel - the term used for making journeys by being physically active, such as by walking and cycling - has many benefits. Whilst increased physical activity is good for our local community's health and wellbeing, the reduction in car journeys that comes with it contributes positively towards village safety and reducing our carbon footprint.

5.78 The Public Rights of Way network in Kington St Michael is intrinsically linked to our community's wellbeing and sense of place. Local group Women Out Walking regularly meet to walk the Parish's right of way network 'for the common purpose of a chat and a breath of fresh air'. Some historic routes within the Parish have names related to their historic use, such as 'the coffin path', which links Tor Hill to Kington Langley. During preparation of the Neighbourhood Plan, the community highlighted poor maintenance of some footpaths as a barrier to using them, as well as an opportunity to improve wayfinding signage to encourage people to walk more.

5.79 Whilst it is acknowledged that car travel will continue to be an important way in which people get about, particularly for journeys outside of the parish, there is a clear need to use more sustainable transport options. Within the village itself, parking and traffic volume and speed issues (particularly on the main road) have been highlighted as key local concerns which create conditions that are unfriendly to pedestrians and cyclists.

5.80 There is an aspiration not just to retain all local paths but to add to the network where appropriate, especially to link sections together. Any future development in Kington St Michael should relate directly or indirectly to these paths or add to or link them together.

5.81 Public transport connections with nearby settlements, especially between Kington St Michael and Chippenham are very important to local residents. Bus service number 92 connects the village with Chippenham, and currently runs hourly during the day time.

5.82 Wiltshire Core Strategy Core Policy 60 (Sustainable Transport) supports development in accessible locations that promotes sustainable transport alternatives to the use of the private car. Core Policy 60 uses the Sustainable Transport Hierarchy as a key indicator of sustainable transport options. Draft Policy KSM4 reflects this strategic aim and adds local detail.

DRAFT POLICY KSM13: GETTING AROUND AND ACTIVE TRAVEL

Applications for developments that are adjacent to Public Rights of Way as shown on Figure 4 will, where possible, ensure links to those routes are provided.

Development proposals or projects along the main road in Kington St Michael Village will only be supported if they contribute positively to the implementation of an improved environment for pedestrians and cyclists along the main road.

How does this policy contribute towards addressing the climate emergency in our Parish?

Transport is now the biggest carbon emitting sector in the UK[8]. By protecting and improving our active travel network, we can encourage more local people to walk and cycle where possible, cutting our carbon emissions and improving the health and wellbeing of our community.

PRACTICAL PROJECTS

Parking

- Consider options for acquiring land for public car park provision
- Support the provision of electric vehicle charging infrastructure in public places, for example in the Village Hall car park.

Traffic speed management

- Explore the potential for 20mph speed limit within the village

Local Footpath maintenance and improvement

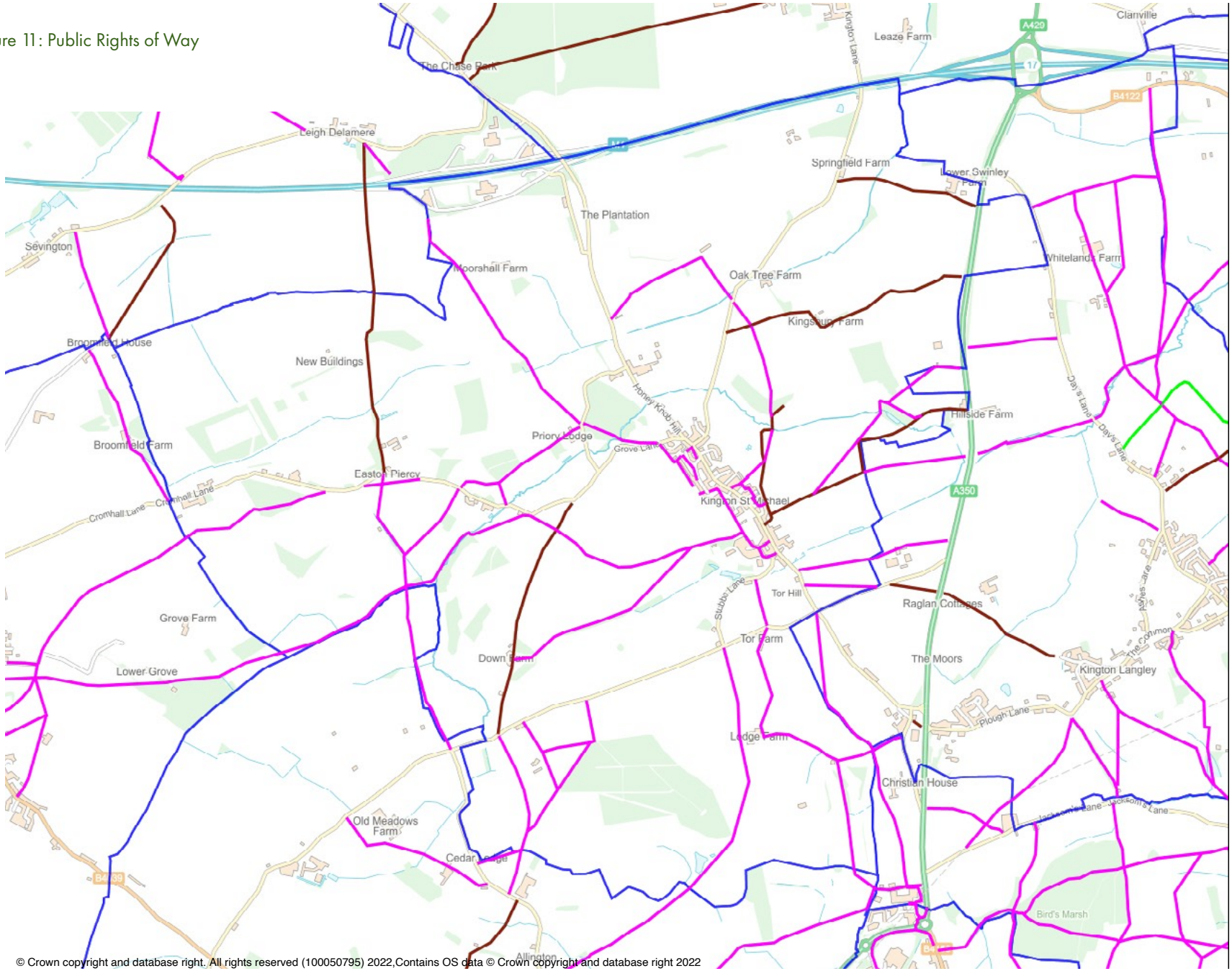
- Particular area of focus is the Tor Hill footpath and road crossing

Support for improvements to local facilities and services

- Provision of more local opportunities for sports
- Provision of better mobile phone reception
- Potential need for more allotments within the Village.

[8]https://www.gov.uk/government/statistics/transport-and-environment-statistics-autumn-2021/transport-and-environment-statistics-autumn-2021#greenhouse-gases-journey-emission-comparisons

Figure 11: Public Rights of Way



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6. USING AND REVIEWING THE NEIGHBOURHOOD PLAN

6.1 Once made, the Neighbourhood Plan becomes part of the statutory development plan, meaning that it will be used in the determination of planning applications within Kington St Michael Parish. The Parish Council will consider the content of the Neighbourhood Plan and refer to relevant parts when commenting on planning applications in the area.

6.2 Any new development will be monitored closely through the planning process to ensure that policies are adhered to. After the Plan is made, each Annual Parish Council Meeting will include an update to monitor the use of the Plan in the previous year by both the Parish Council and Wiltshire Council in terms of planning applications and environmental projects, together with the likely implementation and impact of the Plan for the forthcoming year. The Parish Council website will carry the annual reports on the Plan's use during its lifetime.

6.3 Responsibility for providing the leadership in the future for the Kington St Michael Parish Neighbourhood Plan will rest with Kington St Michael Parish Council.

6.4 There is no requirement to review or update a Neighbourhood Plan. However, policies in a Neighbourhood Plan may become out of date, for example if they conflict with policies in a local plan covering the neighbourhood area that is adopted after the making of the Neighbourhood Plan, or because of changed local circumstances or priorities. A Neighbourhood Plan can be updated in whole or in part.

APPENDIX 1 - KINGTON ST MICHAEL PRE-APPLICATION COMMUNITY ENGAGEMENT PROTOCOL

The aim of the Protocol is to do all that is possible so that new development in Kington St Michael helps to shape good quality places to live and work and as a means of working towards improved outcomes for the current and future communities. One particularly effective way of achieving this is through early, planned engagement with the community via the Parish Council.

Use of this Protocol is without prejudice to the eventual judgement of Kington St Michael Parish Council on the merits of any final application, even if a good engagement process has been agreed and followed.

Context

National Planning Policy and Guidance: The National Planning Policy Framework (2023) makes several mentions of the considerable value of pre-application involvement, for example in paragraph 39:

"Early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality pre-application discussion enables better coordination between public and private resources and improved outcomes for the community."

The Planning Practice Guidance Note Design: process and tools (2019) also highlights the importance and benefits of early engagement:

"Communities can effectively shape both design policies and development through a collaborative process of meaningful participation. Early engagement and linking engagement activities to key stages of design decision-making and plan-making can empower people to inform the vision, design policies and the design of schemes."

"It is important that local planning authorities or applicants demonstrate how all views are listened to and considered."

The 10 Commitments for Effective Pre-application Engagement[30] published by a group representing planning, industry and community groups states that:

"Early, collaborative discussions between developers, public sector agencies and the communities affected by a new development can help to shape better quality, more accepted schemes and ensure improved outcomes for the community. These discussions also avoid wasted effort and costs."

Whilst there is an emphasis on early and positive pre-application engagement in 'major development' proposals, it is the view of Kington St Michael Parish Council that, for their community, the above should also apply to smaller developments in the Parish because these can have at least as much impact as larger ones. Kington St Michael Parish Council fully support and endorse all of the above and will play their appropriate role in delivering high quality pre-application engagement with themselves and the wider Kington St Michael Parish community as proposals come forward.

Process

Drawing from the 10 Commitments and other guidance on best practice, potential applicants should work with Kington St Michael Parish Council to fulfil the following principles:

- 'Day One' contact: By far the best results for all emerge when contact is made with our Parish Council, and through us with our local community, at the very start of any process; consulting people late with already prepared schemes is not productive.
- Agreed Process: A key aim of this early contact is to discuss and agree the nature, scope, timetable and information i.e. the process to be followed.
- Applicant Leadership but Shared Responsibility: Although it is the applicant's role to lead and fund engagement, the Parish Council will offer as much support as possible to any agreed process; for example by providing local information, contact details for local groups, advice on meeting places and access to newsletters.
- Openness and Transparency: Building trust between all and ensuring an agreed outcome depend heavily on having a process that is as open as possible on all sides, though the Parish Council will respect any issues of clear commercial confidentiality.
- Agreed Community: A project may have an impact on a limited number of people or on all of the parish. The details of those to be involved will need to be discussed and agreed for any project, as will the potential ways to contact and engage them.
- Agreed Scope: There will also need to be agreement about the scope of the engagement, i.e. what is and is not open to change (e.g. layout, quantum of development, design etc.).
- Proportionality: The nature and scale of engagement will be balanced in appropriate proportion to the scale and likely impact of any proposals.
- Final Reporting: The applicant should submit, with any final application, a thorough report – a full report - describing and summarising the outcomes of the engagement, demonstrating how the proposals have (or have not) responded to results. If they have not, a short note should be included to explain this. If the process has been followed fully, Kington St Michael Parish Council will endorse this report; if not they may submit their own evaluation of it.

Initial contact should be made at the very outset with the Parish Council via the Clerk:

ksmparishclerk@gmail.com

The Parish Council commits to doing all possible to arrange an initial meeting as soon as possible following this contact.

There is considerable benefit for applicants in also sharing any process with Wiltshire Council, as the Planning Authority, and securing their agreement to it. As per the opening proviso, endorsement of an engagement process and results does not necessarily mean support for the resulting proposals.

[30]https://www.wiltshire.gov.uk/media/372/Wiltshire-Core-Strategy-adopted-2015/pdf/Wcs.pdf?m=637099399373530000

APPENDIX 2 - EVIDENCE BASE LIST

Community Design Statement (Part 2 of the Neighbourhood Plan, 2023)

Community Facilities Report (2022)
Economy and Enterprise Report (2022)
Green and Blue Infrastructure Report (2023)
Local Green Spaces Report (2023)
Locally Valued Views Report (2023)
Parish Housing Needs Survey (2019)
Housing Evidence Paper (2024)
Site Options and Analysis

Ivy House,
Lodge Road,
Cranfield,
Beds
MK43 0BQ

27th February 2024

Planning Inspectorate,
Room 3c Temple Quay House,
2 The Square,
Bristol,
BS1 6PN

Ref PL/202308833
Inspectorate Reference APP/Y3940 /W/23/3334572

Dear Sirs,

I refer to the above application which I am informed has been refused but the applicant has appealed against the decision.

My wife and I are proposing to purchase 5, The Orchard, Kington St Michael which is nearby the land for which the application has been refused. If the appeal against your decision is upheld we will be forced to reconsider our proposed purchase. We chose this property as our retirement home as it is situated in a quiet cul de sac leading from a quiet lane (Stanton Road). It is our view that if permission is granted for 9 properties the traffic movements on Stanton Lane will be substantial leading to a potentially hazardous situation. This fact coupled with the narrowness of the village main street which is often congested with cars parked on one side will create even more congestion.

We urge you to uphold your decision to refuse permission to build on this site thus preserving the quiet nature of this area and safeguarding existing users of Stanton Road.

Yours faithfully,

[redacted]

Trevor T Dimmock FCA

From: Vivian A Vines MBE Clerk to the Council <ksmparishclerk@gmail.com>
Sent: 25 March 2024 17:00
To: West-1
Subject: Planning Appeal APP/Y3940/W/23/3334572
Attachments: KSM PC. Planning Inspectorate. Appeal APP.Y3940.W.23.3334572 letter 22.03.24.pdf

[You don't often get email from ksmparishclerk@gmail.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

1 pdf attached

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3 Wardour Road
Chippenham
Wiltshire
SN14 0PA

tel 01249 657695 [redacted]

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KINGTON ST MICHAEL PARISH COUNCIL

Vivian A Vines MBE
Clerk of the Council

Tel 01249 657695
Email ksmparishclerk@gmail.com

3 Wardour Road
Chippenham
Wiltshire
SN14 0PA

22nd March 2024

Your Ref: APP/Y3940/W/23/3334572

Planning Inspectorate
Room 3c
Temple Quay House
2 The Square
Bristol
BS1 6PN

Dear Sir/Madam

Application PL/2023/08833 – Permission in Principle
Permission in Principle for Erection of 9 No Houses
Land off Stanton Lane, Kington St Michael, Chippenham, Wiltshire SN14 6JQ
For Mrs Brenda Morreli

The Parish Council was consulted on this Permission in Principle application and responded on the 8 November 2023 setting out the Parish Council's views.

Part of the Council's response included Minutes from the Parish Council Meeting held on the 19 October 2023 that related to the Wiltshire Local Plan Update and the acknowledged need to identify land to meet an outstanding housing figure requirement up to 2038.

Importantly, it should be noted that the Local Plan states that because of several local limitations it is likely that the figure should be met by the end of the Plan period, some 14 to15 years away.

Minute 23/62 (k)

> ***Wiltshire Council Local Plan Update 2023 - Consultation.*** *Pursuant to Minute 23/50 (r). The Council had received notification of this consultation, beginning on Wednesday 27th September 2023 and ending on the 22nd November 2023. There were various online and drop-in events at libraries and leisure centres around the County. Members could view associated documents online. The review of the Local Plan was particularly important as Kington St Michael was to be retained in the sustainable Large Village category, being suitable for development. The Council needed to consider the issues as this was the last occasion for a decision to be made to meet the response timescale. The Council acknowledged that there was an outstanding housing requirement to be met during the Local Plan period. It was unlikely that the requirement could be met within the existing framework boundary of the village and Wiltshire Council would need to be advised of this and that a Plan-led approach*

would be required to find a suitable site/s potentially at the southern end of the village for access to the A350 and Chippenham to avoid additional through-village traffic, with associated improvements to highways, footpaths, education, healthcare and community facilities and, importantly, affordable housing provision. The Clerk would provide a response to Wiltshire Council within the timescale.

Part 2 Agenda

i) ***Discussion on local housing development & Local Plan matters***

The Parish Council continued discussions on the outstanding Wiltshire Local Plan requirement of 34 dwellings for the period until 2038. The Council and the Neighbourhood Plan Steering Group had identified that this figure could not be met within the existing framework boundary of the village and that there was a need to expand the boundary to meet the requirement with the least impact on the village, providing affordable homes, highway improvements and improvements to community facilities. Council Members considered that this could not be met if a number of ad-hoc schemes came forward and consequently only a Plan-led solution would satisfy the requirements. As before the Council's priority was to ensure that the village remained as a "working village" meeting local needs and not become a dormitory for urban areas. The Council required further advice, possibly from Wiltshire Council and this would be investigated further.

You will see from this that the Parish Council wishes to be proactive in seeking a solution to meet the outstanding housing requirement of a minimum 34 dwellings within the Wiltshire Local Plan and that both the Council and the Neighbourhood Plan Steering Group are addressing this issue so that rather than an ad-hoc and piecemeal approach bringing no benefits to the Parish by way of affordable housing and improvements to highway infrastructure, schooling, local amenities, etc, these should be included in future planning proposals.

In other words a community plan led rather than a developer led solution and with this in mind this proposal for 9 dwellings is premature and seeks to develop land outside the physical framework boundary of the village, located in the open countryside conflicting with both National and Local Plan policies in ribbon style form creating an incongruous intrusion into the mature landscape.

In addition this development will have a negative effect on highway safety and nuisance introducing additional traffic on to a single track narrow lane with no footpaths, in close proximity to a road junction leading to a significant increase in through-village traffic seeking access to the A350 and Chippenham.

It is a fact that this highway frontage land formed part of a larger proposal for some 30 dwellings during a recent Neighbourhood Plan call for sites that at the present time is still to be assessed alongside other sites. All sites will need to address the issues of affordable home provision, highway improvements, improvements to community facilities etc and this proposal does not.

The Parish Council acknowledges that with Permission in Principle applications it is a two stage process, the first being the sites suitability for development in principle, limited to location, land use and amount of development and a second stage of technical details consent.

With this in mind, although numerous objections can be rehearsed, the Parish Council confines their comments on matters of principle.

In a nutshell the application site is in the wrong location, outside the natural framework boundary. The site is in the wrong location in regards to highway safety and increased traffic nuisance. The site is in an exposed countryside location that adds to the built form outside of the settlement boundary. The development offers no provision for improvements to highway infrastructure, affordable housing, community facilities etc.

The Council considers that this can be termed as an ad-hoc opportunistic proposal that is non-compliant with planning policies that if allowed would have permanent, character changing, consequences for this area of the village and be at odds to the principle of community-led planning that is being carried out at the present time that will bring community benefits alongside meeting the housing target requirements of Wiltshire Council in Kington St Michael.

The Council trusts that these views will be considered when the Inspector determines the application.

Yours faithfully

Vivian Vines

On behalf of Kington St Michael Parish Council

From: Vivian A Vines MBE Clerk to the Council <ksmparishclerk@gmail.com>
Sent: 25 March 2024 17:01
To: West-1
Subject: Planning Appeal APP/Y3940/W/23/3334572
Attachments: KSM PC. Planning Inspectorate. Appeal APP.Y3940.W.23.3334572 letter 23.03.24.pdf

[You don't often get email from ksmparishclerk@gmail.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

1 pdf attached

--
3 Wardour Road
Chippenham
Wiltshire
SN14 0PA

tel 01249 657695 [redacted]

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KINGTON ST MICHAEL PARISH COUNCIL

Vivian A Vines MBE
Clerk of the Council

Tel 01249 657695
Email ksmparishclerk@gmail.com

3 Wardour Road
Chippenham
Wiltshire
SN14 0PA

23rd March 2024

Your Ref: APP/Y3940/W/23/3334572

Planning Inspectorate
Room 3c
Temple Quay House
2 The Square
Bristol
BS1 6PN

Dear Sir/Madam

Application PL/2023/08833 – Permission in Principle
Permission in Principle for Erection of 9 No Houses
Land off Stanton Lane, Kington St Michael, Chippenham, Wiltshire SN14 6JQ
For Mrs Brenda Morreli

I write further to the Parish Council's letter of the 22 March 2024 and add some relevant information that is considered pertinent to the consideration of this appeal.

The developer in their appeal previously referred to the lack of a 5-year housing land supply as a key argument for building outside of the defined settlement boundary in undisputed open countryside.

Wiltshire Council's most recent Housing Land Supply Statement sets out the number of years supply against our local housing need = 4.59 years.

It has been confirmed by Wiltshire Council Strategic Planning on the 6 March 2024 that this figure is a little higher due to the National Planning Policy Framework (NPPF) removing the need to apply a buffer to the authority that delivers housing sites.

As these figures exceed the four-year threshold, the planning balance is now level rather than tilted.

In other words, the recent changes to the NPPF mean that there is now a lower threshold in place for being able to justify the refusal of planning applications.

This should result in fewer 'speculative' residential planning applications likely to be granted, until such time as the Wiltshire Council's housing land supply dips below four years.

On this basis we respectfully ask that the argument for the appeal in relation to the 5-year housing land supply be given no weight.

To confirm this view at the Wiltshire Council Strategic Planning Committee Meeting held on the 6 March 2024, three planning applications for land on open countryside and outside the settlement boundary were refused permission on this basis. The planning applications are referenced, PL/2021/09013, PL/2021/03749 and PL/2022/08155.

Furthermore, in determining the applications greater weight was given to the decision-making process and the Wiltshire Core Strategy. The Parish Council would respectfully ask the Appeal Inspector takes this into consideration and reject the appeal for similar reasons.

Additionally, the Parish Council respectfully asks the Inspector to give significant and considerable weight to the Wiltshire Core Strategy since this is the adopted and embedded strategy for the County. The Parish Council contends that proposals directly contravene the following Core Policies:

Core Policy 1 Settlement Strategy

Development outside the settlement boundary will be strictly controlled. Relaxation of the boundaries will only be supported where it has been formally reviewed through a subsequent DPD or a community-led neighbourhood plan, which includes a review of the settlement boundary to identify new developable land to help meet the housing and employment needs of that community

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At Large Villages settlement boundaries are retained and development will predominantly take the form of small housing and employment sites within the settlement boundaries, sites for development in line with the area strategies will be identified through subsequent site allocations and by local communities to identify sites through lead neighbourhood planning.

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5. Has an acceptable landscape impact upon the countryside and the settings to Chippenham and surrounding settlements, improves biodiversity and access and enjoyment to the countryside

In addition the Council respectfully suggests to the Inspector that due to the new material changes in the National Planning Policy Framework (December 2023) relating to housing land supply paragraphs 76 and in particular for Wiltshire Council planning, para 77 is a significant material consideration and hence considerable weight should be given to this change.

Also, planning applications and appeals already considered but where decisions have yet to be issued, will be referred back to the Local Planning Authority due to the significant impact of the changes and as such the Council respectfully ask the Inspector that this should be a significant material consideration to this appeal and that on this basis the appeal should be rejected. This will result in the village of Kington St Michael being 'plan-led' through the Neighbourhood Plan process.

It is accepted that the Kington St Michael Neighbourhood Plan has not yet been formally adopted. However, the Council would ask the Appeal Inspector to take into account NPPF paragraph 48 in relation to the current Plan status and give some weight to the progress made in recent months.

The Kington St Michael Neighbourhood Plan Regulation 14 Consultation Draft is in the final stages of full approval and was designated by Wiltshire Council as part of the Localism Act 2011 to allow local communities to shape new development and promote better land use in their communities by preparing a Neighbourhood Plan, effectively empowering our communities.

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As an indication the Plan process to date year by year is:

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Since 2018, the Neighbourhood Steering Group has been working with PLACE Studio, who are well established and independent Consultancy who actively work with Parishes in producing Neighbourhood Plans. They have been employed by the Parish Council to work with the Neighbourhood Plan Steering Group to produce the Plan, Development Statement and SHEELA potential housing development.

The latest assessment of the housing requirements in the Parish came through the Rural Housing Requirements 2023 paper from Wiltshire Council as evidence for the emerging Local Plan, currently at regulation 19 Stage. This reconfirmed as earlier target of 38 houses, reduced to 34 after 4 completions.

The Parish Housing Needs Study prepared in 2019/2020 provided guidance that the need in the Parish was for two-bedroom and one bedroom homes and social housing.

Planning application PL/2023/08833, the subject of this appeal, does not allow for any, much needed social housing for the village.

The Wiltshire Council and local call for sites generated a total of 6 sites and a further 2 in 2024. The land on Stanton Lane formed part of the 6, which were subsequently evaluated against the SHEELA assessment criteria

The land off Stanton Lane was independently assessed by PLACE Studio Consultants against the SHEELA criteria and Wiltshire Core Strategy and the National Planning Policy Framework Dec 2023.

The land was assessed as unsuitable and unviable due to:

- Over developed
- Outside the settlement boundary
- Within open countryside
- Very damaging to the settlement character and landscape
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In 2024 the Kington St Michael Neighbourhood Plan will allocate land through the SHEELA assessment process to meet the needs of the village. The land on Stanton Lane for the proposed housing development is in open countryside and outside of the defined settlement boundary for the village.

The area in the planning application PL/2023/0833 is approx. 0.49ha, the lower part of the area is on a 1 in 3 slope that falls away to the valley stream.

The application is for 9 houses, and below the 10 threshold for social housing requirement, which was a part of the Rural Housing Requirement 2023 as evidenced in the emerging Local Plan.

The application for 9 houses, car parking and infrastructure within 0.49ha is 63% more than that allowed in 2018 for 3 houses on a nearby Honey Knob Hill development, this the Council contend is over development and an excessive amount of development and consequently, the Council respectfully ask for this appeal to be rejected.

By way of the site's location, significant high voltage power distribution cables cross the area. In addition Stanton Lane through the Government Flood Risk Assessment mechanism is classified as Flood Risk 2.

In conclusion the Parish Council believe that this proposal fails to meet the requirements of the National Planning Policy Framework specifically:

Section 2 Achieving sustainable development.
Section 9 Achieving sustainable transport
Section 12 Achieving well designed places
Section 15 Conserving and enhancing the natural environment.

The Council respectfully asks that this planning application appeal be rejected on the basis of the quantifiable weighted objections previously highlighted.

Yours faithfully

Vivian Vines

On behalf of Kington St Michael Parish Council

From: Vivian A Vines MBE Clerk of the Council <ksmparishclerk@gmail.com>
Sent: 25 March 2024 17:37
To: West-1
Subject: Fwd: Planning Appeal APP/Y3940/W/23/3334572
Attachments: KSM PC. Planning Inspectorate. Appeal APP.Y3940.W.23.3334572 letter 23.03.24.pdf

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Subject: Planning Appeal APP/Y3940/W/23/3334572
Date: Mon, 25 Mar 2024 17:01:01 +0000
From: Vivian A Vines MBE Clerk to the Council <ksmparishclerk@gmail.com>
Organization: Kington St Michael Parish Council
To: west1@planninginspectorate.gov.uk

1 pdf attached

--
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tel 01249 657695 [redacted]

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KINGTON ST MICHAEL PARISH COUNCIL

Vivian A Vines MBE
Clerk of the Council

Tel 01249 657695
Email ksmparishclerk@gmail.com

3 Wardour Road
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23rd March 2024

Your Ref: APP/Y3940/W/23/3334572

Planning Inspectorate
Room 3c
Temple Quay House
2 The Square
Bristol
BS1 6PN

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The Council respectfully asks that this planning application appeal be rejected on the basis of the quantifiable weighted objections previously highlighted.

Yours faithfully

Vivian Vines

On behalf of Kington St Michael Parish Council

1 Stanton Lane,

Kington St Michael SN14 6JQ

Planning Inspectorate

20th March 2024

Room3c

Temple Quay House

2 The Square

Bristol BS1 6PN

Inspectorate Reference: APP/Y3940/W/23/3334572 Land off Stanton Lane, Kington St Michael

Planning Application Ref: PL/2023/08833

I am writing to object strongly to the above Appeal for the following three general reasons:

Firstly, the required development of 34 more houses in Kington St Michael should be led by the Neighbourhood Plan Committee and the Parish Council, along with local residents and certainly not by speculative developers. The hard work already done by the Neighbourhood Plan Steering Committee on finding housing sites should be respected.

Secondly, the proposed site is in open green countryside and outside the village settlement boundary. The proposed land has never been built on.

Thirdly, nine houses would serve as a precedent for further development in the field. The agent, LPC Trull, described the field as having "a potential yield of over 30".

My more specific points refer mainly to LAND, LOCATION and TRAFFIC.

LAND

The proposed field site is completely unsuitable as a development site because:

1. The field lies on an ever-increasing slope and would need extensive work to make level land to build on
2. The field frequently floods
3. Water run off from the site could pollute the stream at the bottom of the slope
4. The existing field gate would need considerable enlargement to make an adequate entrance for both vehicles and pedestrians. This would involve removing a section of ancient hedgerow.
5. The proposed site entrance is on a corner and approaching vehicles using the lane often travel too fast

LOCATION

1. The development and enlarged access to it would urbanise this rural, very attractive part of the village's countryside. The land and its surroundings form one of the most beautiful areas of the village. The field is part of the stream valley on the eastern side of Stanton Lane. The beauty of the quiet valley in this distinctive part of the village and its diverse wildlife should be protected from the noise and disturbance of housing development.

TRAFFIC

1. The lane is mostly single track and has few passing places

2. It floods in several places and has several blind corners

3. It is used as a rat run by delivery drivers and those avoiding delays on the A350 and Junction 17 of the M4

4. The road junction of Stanton lane with the main village street is hazardous. It is difficult for both pedestrians and drivers to see vehicles approaching. It is impossible to widen the lane at this junction because of the existing pavement on one side and older houses on the road on the other side. I live in Stanton Lane and as a pedestrian, I have often found crossing the lane here to get to the village vey dangerous with vehicles

frequently appearing suddenly and at speed.

5. The proposed development could mean an extra 20 or so cars using the lane It does not have the capacity to accommodate such an increase.

6. Stanton Lane going north is in a poor condition, narrow and deeply rutted because of increased traffic

In conclusion to all the above, the proposed development would totally change the attractive rural character of this part of the village and be out of keeping with the existing houses in Stanton Lane. It will also cause an undesirable increase in traffic both in Stanton Lane and through the village street.

I would respectfully ask that you turn down the Appeal.

Yours sincerely,

[redacted]

Wendy Cruwys

From: John Calladine [redacted]
Sent: 29 February 2024 15:04
To: West-1
Subject: Reference: APP/Y3940/W/23/3334572

Categories: Purple Category

[You don't often get email from [redacted]. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

Dear Sirs,

The appellant has appealed against the Inspector's refusal to grant permission to build nine houses on land off Stanton Lane, Kington St Michael, Chippenham. My objection to the application is unchanged and permission of any kind for this rural development should be refused. W.J.Calladine, 5 Skillins, Kington St Michael, Chippenham SN14 6RL

3334572

case officer
NDA HUTTON
ase Team
JEST 1



REGISTRY
22 MAR 2024
RECEIVED

Planning Inspectorate
Room 3c
Temple Quay House
2 The Square
BRISTOL BS1 6PN

To the Inspector APP/Y3940/W/23/3334572

I apologise for sending a hand-written objection but my printer is broken and I had problems accessing The Planning Portal online.

I hope its legible.

Yours sincerely

[redacted]

FRANK HUGHES

21.3.24

Greenlands, Stanton Lane,
Kington St Michael, Chippenham
WILTS SN14 6JQ

Planning Inspectorate
Room 3c
Temple Quay House
2 The Square
BRISTOL BS1 6PN

21st March 2024

INSPECTORATE REFERENCE : APP/Y3940/W/23/3334572

APPEAL SITE : LAND OFF STANTON LANE, KINGTON ST MICHAEL

I am writing to object to the above Appeal.

HOUSING DEVELOPMENTS SHOULD BE PLAN LED NOT SPECULATOR LED

1. The recent National Planning Policy Framework (NPPF) shift from a 5-year housing land supply to a 4-year one on 19/12/2023 means that the pressure to approve housing development sites of doubtful suitability has been removed, giving more time for proper consideration of the appropriate sites for development and more weight to Core Planning Policies and the NPPF.
2. As was clearly stated in Wiltshire Council's refusal of the original application (PL/2023/08833) they did not consider the site field suitable for a housing development
3. Finding appropriate sites for the 34 more houses required in Kington St. Michael (classified as a 'Large Village') should be led by the Neighbourhood Plan, in conjunction with the Parish Council and the local community, not led by the random applications of speculative developers and landowners.
4. The Neighbourhood Plan should start by looking for potential densification of existing plots within the Limits of Development (LOD) but, if it becomes necessary to build beyond the LOD, then the selected site(s) should have minimal impact on the essential landscape characteristics at vital edges of the settlement, in accordance with Wiltshire Core Strategy 51. I do not believe this Appeal site complies with these criteria.
5. Kington St. Michael Neighbourhood Plan, while not yet officially adopted, is nearing completion and a great deal of work has been done by its Steering Committee. It has been actively finding possible development sites which I understand are being currently assessed for their suitability.

A TROJAN HORSE FOR A LARGER DEVELOPMENT?

While the application PL/2023/08833 and subsequent Appeal are for 9 houses, it should be noted that in the initial submission by the appellant's consultant (LPC(Trull)Ltd), their first paragraph states that this Land off Stanton Lane

"was proffered in May 2022 with a potential yield of over 30".

If this Appeal is allowed, it would set a very dangerous precedent for further development on what is an unsuitable site for any houses.

IMPACT ON LANDSCAPE CHARACTER AT SETTLEMENT BOUNDARY

1. The appellant's land is outside the LOD. The proposed development is not a "rounding off" of the existing boundary as is claimed by the agent. It would be a significant incursion into the open green countryside and would have a major detrimental impact on this edge of settlement's key landscape character. This was noted in the refusal of PL/2023/08833 by Wiltshire Council.
This site has important local value, being the start of the beautiful stream valley slopes on the eastern side of Stanton Lane. They have never been built on. Building here would contravene WCS Policies 51 and 57 and also NPPF paras 130c and 174b.

FALSE PARALLEL

The appellant draws attention to a recent development of 3 new houses in Kington St. Michael, situated behind 34 Honeyknob Hill (ie nos. 34a, 34b & 34c) suggesting that this is a good example of new housing outside the village LOD. However, this site bears little comparison with the Appeal Site.

1. The Honeyknob Hill site was formerly the market garden of the late occupant of 35 Honeyknob Hill (the older house on the road).
2. The 3 new houses have little visual impact on the settlement or its landscape, being tucked away to the back of a large plot in between existing buildings and well away from the main street.
3. Pre-existing boundary hedgerows of both the site and the neighbouring houses are undisturbed.
4. The land had derelict garden buildings on it and was not open countryside.
5. As late as 2007, the land for the 3 houses was within the LOD (a map in the 2007 Parish Plan document shows this) but must have been taken out of the LOD in a subsequent Boundary Review.

This development is not an adequate precedent for the proposed 9 houses. In fact, the 3 houses are a good example of an "infill" a suitable model for the Neighbourhood Plan to follow. The proposed 9 houses would not be an 'infill' but would jut into open green countryside with no history of development which is of considerable beauty.

TRAFFIC AND PEDESTRIAN CHALLENGES

1. The site gate entrance would be hazardous for pedestrians. From the gate to the main village would involve crossing Stanton Lane twice, firstly to reach the pavement on the opposite side of the lane and then recrossing at the junction with the main village street to reach the pavement leading to local amenities in the heart of the village. This road junction (I know from over 30 years' experience of living in Stanton Lane) is difficult for both pedestrians and vehicles as there is poor visibility, partly due to houses on the road on the eastern side of the lane and also to the beech hedge surrounding the front of Hazeland House on the west side. Visibility is made worse by parked vehicles at the top of the lane and also on the right of the junction on the main street. Vehicles coming into Stanton Lane swing round the corner into the lane without much warning. This road junction would be problematic for large construction vehicles.

2. The reality is that most village amenities are approximately 15 minutes' walk away from the site (eg pub, club, café, village hall, village shop & church). In my experience, most people from the Stanton Lane end of the village use their cars to reach them and would also drive through the village to the A350. Adding 9 more houses in this end of the village (with a possibility of 20+ more cars) would exacerbate this practice. Both the Highways comment on PL/2023/03833 and the Parish Council's objection to it, mention the adverse effects of such extra traffic. The PC. objection (27 Nov 23) quoted from minutes of a PC meeting on 19 Oct. 23 which stated "a Plan-led approach would be required to find a suitable site/s, potentially at the southern end of the village for access to the A350 and Clappenham".

CONCLUSIONS

1. Everything should be done in seeking new sites for homes to avoid eroding this quite distinct and longstanding relationship between the beautiful countryside and the settlement in the Stanton Lane area.

2. The appellant focuses on building density issues when the focus should be on the detrimental impact of the proposed development to the landscape character - ie open countryside - of this vital

edge of settlement and the settlement's relation to it. Kington St. Michael gives an impression of a hilltop village - This is especially apparent at this scenic north-east end of the village, where the land drops away to the stream below. The slopes here on the east side of the lane have no history of buildings on them. This area of the village has a clear and coherent boundary, set around a distinct contour.

4. The transport and site access issues for the proposed site are still unresolved and will continue to be so as long as the focus is on adding houses on this particular site on the north-eastern edge of the village.

5. Allowing this proposed development to proceed would undermine the valuable work already done and being done on the Neighbourhood Plan and there is no need for a rushed decision simply in response to one landowner's application and appeal, especially in the light of recent changes to the NPPF housing land supply, as mentioned above.

I respectfully request the Inspector to turn down this Appeal for the above reasons.

Yours sincerely

[redacted]

FRANK HUGHES

7, The Ridings
Kington St. Michael,
Chippenham,
Wilts SN14 6SG

20 March 2024.

Dear Sir/Madam,

I hear that an appeal has been made to the Planning Inspectorate in respect of Planning Reference No PL/2023/08833,
Inspectorate Reference APP/Y3940/W/23/3334572

I strongly objected to this planning proposal application in November 2023, citing 4 sound reasons why it should not be granted.

I enclose and submit a copy of my original argument, because all 4 concerns are still totally relevant.

Yours sincerely

[redacted]

PS. I typed my name as Mrs Isabella GRAY, not 'GREAT', in my original submission. This is my correct name — not as it appears on your printout.

Wiltshire Council (https://www.wiltshire.gov.uk/)

Log in (/pr/s/login) Register Account (/pr/s/login/SelfRegister)

Comment GRAY.
Isabella Great's comment

Planning Applicati...	Stan...
PL/2023/08833 (/...	Object

Details (?tabset-ae70... Files (?tabset-ae70b=2)

Information

Comments
Isabella Great GRAY's comment

Comment Number
WC-23-11-284611

Text

I object strongly to this proposal because firstly, I feel affronted at the lack of notice, and short time frame which will change the character of the Kington St Michael village.

1) it's outside the village settlement boundary, as Wiltshire Council states, in its 2022 policy.

2) it's in open countryside with a variety of plants and animals, some of which are protected.

3) concern for the increase of traffic in an already congested village street, partly due to the School Run, and people already living in the village needing to park on the narrow main street. If the A350, or M4 close, people use our village as a rat run, which has happened again very recently.

4) as the soil balance will change due to building work, which will increase the risk of even more flooding than we experience at present. It is already classed as a Risk 2 Area.

Date Created

05/11/2023


mrs F.M.S. GRAY.
REGISTRY
mrs. J. GILBERT
REGISTRY
26 MAR 2024
RECEIVED
RECEIVED
Planning Inspectorate,
Room 3C,
Temple Quay House,
2, The Square,
BRISTOL BS1 6PN.
3334572
Case officer: Linda Hutton
Case Team:- WEST 1
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Royal Mail
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KD 2964 1514 9GB SIGNED FOR

26, THE RIDINGS,
KINGTON ST MICHAEL
CHIPPENHAM
WILTS.
SN14 6JG.

20-3-24

Dear Sir / Madam,

I hear that an appeal has been made against the planning Inspectrate decision in repect of Reference APP/Y3940/W/23/3334572 I have already explained why this not right back in Nov 2023 and I am sending back to you the comments I made to you then because they are still relevant now

Yours Sincerely

[redacted]

From: Wiltshire Council planning@sf.wiltshire.gov.uk
Subject: Thank you for your comments PL/2023/08833
Date: 5 Nov 2023 at 12:14:25
To: [redacted]

This email is confirmation that Wiltshire Council has received your comments as set out below. Your response to this consultation will be reviewed prior to it being made public and whilst every effort is made to publish comments as soon after receipt as possible, sometimes there can be a delay of up to 48 hours for which we apologise and for any inconvenience the delay may cause. During this time your comment is available for inspection by the Planning Officer.

Joan Gilbert
Member of the Public
Stance : Object

Your Comment:
I am objecting to this proposed development because it lies outside of the village settlement boundary and is in open countryside.

This proposed development will adversely affect wildlife habitat and is likely to cause further flooding in an area already prone to such flooding.

Access to the proposed piece of land is via narrow lanes and will cause congestion within the village, particularly during the period of building. This congestion is likely to be particularly bad in the centre of the village where the road is reduced to single lane due to parked cars.

Local infrastructure, such as school and GP's surgery, may not be able cope with an increase in village population. In addition I believe that this development would adversely affect the very character of this village.

Greenlands, Stanton Lane, Kington St Michael, Chippenham, Wilts SN14 6JQ

Planning Inspectorate

Room3c

Temple Quay House,

2 The Square,

BRISTOL BS1 6PN

21 March 2024

Inspectorate Reference : APP/Y3940/W/23/3334572

Appeal Site : Land off Stanton Lane, Kington St Michael SN14 6JQ

Further to my comments on PL/2023/08833, I am writing to object to the above Appeal. I understand that Planning in Principle is mainly concerned with LOCATION, LAND USE and AMOUNT OF DEVELOPMENT. Before considering these categories, I would like to make three important general points:

1 New housing developments in the village should be plan-led not developer-led. Kington St Michael Neighbourhood Plan is progressing well towards completion. While the draft Plan does not yet carry official weight, it carries moral weight. The Neighbourhood Plan Steering Committee has done a great deal of work on finding potential development sites, which I understand are currently being independently assessed. This hard work should not be pre-empted or undermined by an opportunistic planning Application and Appeal.

2 The changes to the NPPF of 19 December 2023 replaced the 5-year housing land supply with a 4-year one. As Wiltshire Council has fulfilled and exceeded its current 4-year requirement (with a total of 4.59 years), the pressure to approve planning applications of doubtful suitability has been removed. While there still exists a requirement for 34 more homes to be built in Kington St Michael, the NPPF change allows more time for proper attention and weight to be given to the Wiltshire Core Strategy policies and to the NPPF requirements.

3 The fact remains that this Application and Appeal is for permission to build in open green countryside outside Kington St Michael settlement boundary and therefore contravenes Wiltshire Core Strategy, Policies 1, 2 &10.

LOCATION

1 Below the site field, there runs a stream through a local farmer's adjacent field - a tributary of the Bristol Avon. It flows in a west-to-east direction through the fields on the north-eastern edge of Kington St Michael, veering away from the village houses as it goes. For most of the length of the village, from 2 Stanton Lane eastwards, the stream is in a beautiful valley. In this area, the village houses are on the flatter land at the top of the valley slopes, giving an impression of a hilltop village and keeping to the clear and coherent village settlement boundary.

2 Importantly, the appellant's field forms the first part of the valley slopes on the eastern side of Stanton Lane. The valley slopes on this eastern side of the lane have never been built on.

3 The slopes in this distinctive part of the stream valley have always been used for grazing sheep, cattle and horses and in the flatter parts of the valley, for hay making The only structure anywhere in this part of the valley is an old, small wooden hut, used by a local farmer for the care of his sheep.

4 Further downstream, below the southern edge of the village, an area of this valley is designated as a County Wildlife Site.

5 The river valley is criss-crossed by footpaths, much used and appreciated by local people.

6 The whole river valley is greatly valued by villagers, but especially so in this north-eastern part, for its beauty. Walkers in Stanton Lane often pause to look over the proposed site field gate across the valley to the woodland opposite and the hedged fields stretching into the distance.

7 The valley, enhanced by the stream and the woodland and by being in a very peaceful location, sheltered from traffic noise and disturbance, is rich in wildlife, WCS 10 for the Chippenham area states that any development should improve biodiversity. Building houses in this field would have the opposite effect.

8 I believe the Wiltshire Council planning officer was correct in his Concluding Refusal Reasons when he stated "This eastern side of Stanton Lane provides a very strong rural character". He went on to say that development would "cause demonstrable harm to local character and the landscape setting of Kington St Michael."

9 The Officer also stated that "nine new homes in this location would read as an overdevelopment of the site, out of kilter with the very low density of the locality". It should, I suggest, be borne in mind that LPC(Trull) Ltd, the appellant's agent, stated in the first paragraph of the submission accompanying PL/2023/08833, that the site had "a potential yield of 30" (homes). The proposed nine houses would create a precedent for further development in the site field and potentially beyond.

10 While I understand that modern housing is required to be of a higher density, this is not the existing character of development in this location. This proposed development would be at odds with Wiltshire Core Strategy 51, items ii and iii and Core policy 57, which seeks to preserve local character and be sensitive to the

transition from built areas to open landscape.

11 As I stated in my supplementary comments to PL/2023/08833, the western side of Stanton Lane has a completely separate character and history from the eastern side. The Orchard and Greenlands bungalow, where I have lived for over 30 years, were built in the former grounds of Hazeland House, the Grade 11 listed property on on the western corner at the top of Stanton Lane. (At Greenlands bungalow, we still have the last surviving apple tree of its former orchard, which gave the name to the neighbouring close of houses.) These properties were not built on open green countryside. The NPPF para 130c stresses that development should be "sympathetic to local character and history, including the surrounding built environment and landscape setting".

12 Access to and from the site would be problematic, both for construction and for potential residents, whether on foot or by car. Going north towards Stanton St Quintin, the lane is almost all single track and in very poor condition. There are few passing places. There are blind corners and frequent flooding in its dips. Traffic has increased in recent years through the lane being used as a short cut if there is congestion on the A350 or at J17 of the M4 and delivery drivers use it in this way too. An increase in traffic on this narrow lane is a bad idea, especially as it is popular with walkers, cyclists, runners and horse riders.

13 Going from the proposed site towards the village centre, there is an awkward junction with the main village street at the top of the lane - poor visibility with parked vehicles at the top of the lane and also to the right of the village street junction. Pedestrians using the pavement on the opposite side of the lane from the field gate are obliged to re-cross the lane at the junction to reach the village centre and its amenities.

14 There would be an unacceptable increase of traffic from the proposed site through the village. the village street already has its own traffic problems.

LAND USE

Many of the 50 or so residents who objected to PL/2023/08833 mentioned the unsuitable nature of the field for development.

1 It is often waterlogged and muddy and has an increasing slope, both to the north and to the east. Extensive civil engineering work would be needed to level land for building. This would make market homes more expensive to buy. In order to remain a working village and not become a 'dormitory' village, starter homes and affordable housing are needed, not more expensive homes.

2 In order to make a suitable site entrance and proper visibility splays, a portion of ancient hedgerow would have to be removed. Stanton lane is lined with ancient hedgerows - on the eastern side, from Stanton Lane going north and on the western side, from the beginning of the garden of Greenlands bungalow. These old hedges should be protected and they are essential wildlife corridors. The old hedge bordering the Appeal site has long been neglected, though since the current Appeal was lodged, the section of hedge near the field gate has been cut back to 2-2.5 metres. However, the cut-back section does not appear to stretch as far down the lane as is shown on the sketchy diagram which accompanied the original planning application.

AMOUNT

As already mentioned, nine houses would not fit in with the pattern and amount of existing housing in Stanton Lane. I believe there should be no houses at all on the Appeal site.

In conclusion, the north-eastern settlement boundary of the village stretching eastwards from 2 Stanton Lane should not be breached. Any houses on this open land would be an unacceptable intrusion into this sensitive and beautiful valley landscape . Traffic problems would be very problematic to resolve.

I would ask the Inspector to turn down this Appeal.

Yours sincerely,

[redacted]

JEHANNE LE QUESNE



Case Officer :- LINDA HUTTON
Case Team :- WEST 1

REGISTRY
22 MAR 2024
RECEIVED

J. LE QUESNE



PLANNING INSPECTORATE
Room 3c
Temple Quay House
2 The Square
BRISTOL BS1 6PN

1 The Ham
Kington St Michael
Chippenham
Wilts SN14 6LD
March 10th 2024

Planning appeal APP/Y3940/W/3334572
Land of Stanton Lane, Kington St Michael, Chippenham SN14 6JQ
Original Permission in Principle No PL/2023/08833

Dear Sir or Madam

Regarding the above appeal of February 20th 2024 relating to a previously REFUSED application (13th November 2023) which made reference to 6 current Wiltshire core strategy policies and various subsections. These have not changed.

I endorse my original comments for OBJECTION, which also have not changed.

Once again, I OBJECT and trust the appeal process will too.

Yours sincerely

[redacted]

Des Hoey

1 The Ham
Kington St Michael
Chippenham
Wilts SN14 6LD
March 10th 2024

Planning appeal APP/Y3940/W/3334572
Land of Stanton Lane, Kington St Michael, Chippenham
SN14 6JQ
Original Permission in Principle No PL/2023/08833

Dear Sir or Madam

Regarding the above appeal of February 20th 2024 – the application was previously REFUSED (13th November 2023) citing 6 current Wiltshire core strategy policies, and various subsections which have not changed.

I endorse my original comments for OBJECTION, which also have not changed.

Once again, I OBJECT and trust the appeal process will too.

Yours sincerely

Angela Hoey

From: Gerard Elms [redacted]
Sent: 26 February 2024 10:12
To: West-1
Subject: Appeal against rejection PL 2023/08833
Attachments: Planning rejection.pdf

You don't often get email from [redacted] Learn why this is important

As a resident with a property which is in a prime position to judge the local traffic conditions I'm enclosing a request for you to reject the planning application appeal against rejection of PL/2023/08833 and details of my reasons are contained in the attached signed letter for you to consider.
Gerard Elms

1 The Orchard
Kington St Michael
SN14 6JH Wiltshire
26th February 2024

Planning Inspectorate
Room 3c Temple Quay House
2 The Square
Bristol BS16PN

Ref: PL/2023/08833
Inspectorate Ref: APP/Y3940/W/23/3334572

Dear Sirs

I have lived In Kington St Michael since 1980 and enjoyed the benefits of living in a village. The amenities include a church, a pub, a shop and most importantly a primary school. My comments on Planning Application PL/2023/08833 are as follows.

Our village plan was primarily constructed with the precise objective of ensuring that the village did not become a suburb of Chippenham with continuous development between the two. I recognise times are changing and that we are designated as a large village required to provide more homes in our community. To fulfil this requirement, as there is little scope for new housing development within the current village envelope, we may need to go outside it.

It is unfortunate that this proposed development is the worst possible choice. Its location, shown to the right on this photograph, is on the narrow country lane between Kington St. Michael and Stanton St. Quintin with regular use by cyclists, horses and farm vehicles. This already presents a traffic hazard with sharp bends and with the drivers' vision obscured by high hedges.



Traffic from the north prefers to utilise Stanton Lane as a bypass cut from the A429 to travel through Kington St Michael village street towards Corsham. The village main street is effectively a single lane because of the residents' parking on one side, and an additional hazard is the uncontrolled crossing point for children attending the primary school. Non-village traffic uses this route in preference to using the A350 and stopping at the two traffic lights at the M4 junction and a third at the Plough crossroads on the dual carriageway. This is often blocked at peak times.

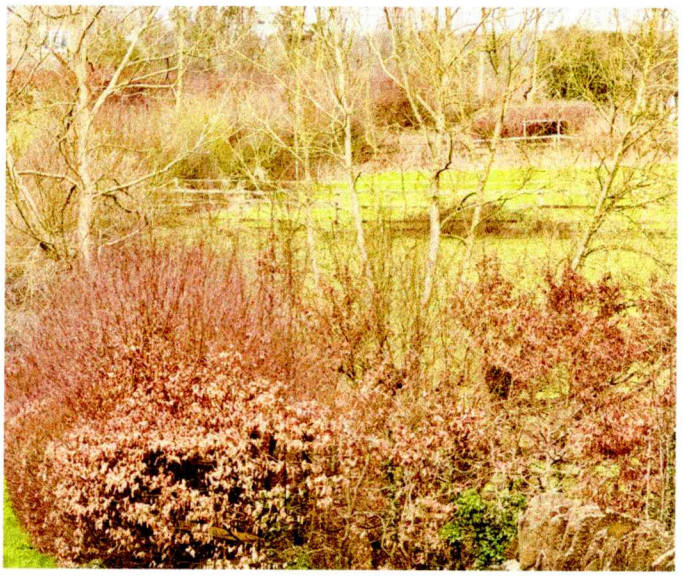
The following photograph was taken off the UK Roads app at 12.32 on Friday 20.10.23. The red lines on the A350 and A429 illustrate congestion on both north and southbound main A roads together with congestion on the M4. This produces a typical traffic procession along the rat run of Stanton Lane. Once this alternative is discovered it is used by regular drivers regardless of the congestion level around M4 junction 17.



If the planning applicant is intent on developing her field for housing, it is suggested that her land fronting onto the C154 from Kington St Michael village going to the north would make a much more appropriate site for development as in essence it would infill between the first property coming into the village from the north and the rest of the community to the south. This photograph shows a wider road with better views for potential residents leaving the proposed properties in the new development.



The additional property of the applicant is to the right of the wall bordering the C15 4 on this photo



The C154 road is beyond the hedgerow on the left of the photo

Only nine properties are suggested in this planning proposal which seems to be set at a level to deliberately avoid starter homes being included. Controlled growth of the village must include affordable homes which will retain younger families here and support the future life blood of this place. The application as suggested will not help and could result in the village, like so many others, becoming a dormitory for London residents looking for a second home in beautiful Wiltshire.

I strongly you request you to uphold the rejection of this outline plan for these specific reasons: -

- **New property residents entering an already heavily used narrow country lane by a bend will undoubtedly lead to traffic accidents.**
- **The proposal does not include the provision for starter homes and to add this the proposal would make entry into this narrow country lane even more hazardous.**
- **Narrow country lane traffic is already high and increases with the constant rise in main road congestion and this should be recognized by the Planning Inspectorate.**

I will continue to urge those responsible for a complete village plan to include the provision of the required extra homes including starter and affordable housing in this village but on land more suitable to development.

Yours faithfully

[redacted]

Gerard Elms

For official use only (date received): 15/03/2024 14:23:31

The Planning Inspectorate

COMMENTS ON CASE (Online Version)

Please note that comments about this case need to be made within the timetable. This can be found in the notification letter sent by the local planning authority or the start date letter. Comments submitted after the deadline may be considered invalid and returned to sender.

Appeal Reference: APP/Y3940/W/23/3334572

DETAILS OF THE CASE

Appeal Reference	APP/Y3940/W/23/3334572
Appeal By	MRS BRENDA MORELLI
Site Address	Land off Stanton Lane Kington St Michael Wiltshire SN14 6JQ Grid Ref Easting: 390156 Grid Ref Northing: 177902

SENDER DETAILS

Name	MR ANDREW FUSSELL
Address	10 The Close Kington St. Michael CHIPPENHAM SN14 6LE

ABOUT YOUR COMMENTS

In what capacity do you wish to make representations on this case?

- ☐ Appellant
- ☐ Agent
- ☑ Interested Party / Person
- ☐ Land Owner
- ☐ Rule 6 (6)

What kind of representation are you making?

- ☐ Final Comments
- ☐ Proof of Evidence
- ☐ Statement
- ☐ Statement of Common Ground
- ☑ Interested Party/Person Correspondence
- ☐ Other

YOUR COMMENTS ON THE CASE

Inspectorate Ref: APP/Y3940/W/23/3334572
Appeal Site: Land off Stanton Lane, Kington St. Michael, Chippenham, SN14 6JQ
Proposed Development: Permission in principle for erection of 9No houses

Further to my objections to Planning Application PL2023/08833, submitted to Wiltshire Council Planning Department on 23rd October 2023, I wish to make a further submission now that the matter has gone to appeal.

1. The fact of the appeal is a direct and deeply concerning challenge to the status and operation of Local Democracy. The elected members of Kington St. Michael Parish Council and Wiltshire Council Planning Authority have clearly set out their objections to the proposed housing development and their reasons for refusing to sanction it. (See responses ref. KSM Parish Council, 8th November 2023 and Wiltshire Council 13th November 2023). Their arguments against the planning proposal in question should surely carry more weight than those of the appellant, if Local Democracy is to mean anything.

2. Planning Application PL2023/08833 should be seen for what it is – a speculator-led opportunist attempt to develop land on a totally unsuitable site. It has already been well-rehearsed that the site in question is outside the Settlement Boundary and if developed, would have an adverse impact on open green countryside. It would set an unwelcome precedent for further development on what is already an unsuitable site for even nine houses. It would also pose insuperable traffic and pedestrian challenges.

3. Future housing development in Kington St. Michael needs to be carefully considered to ensure its coherence and overall impact on the nature of the community and rural environment. The recent National Planning Policy Framework shift , dated 19th December 2023, from a five year housing land supply to a four year one, reduces the pressure to approve housing sites before the completion of the Local Neighbourhood Plan. The Plan's steering committee is actively searching for possible development sites. It is aware of its obligation to add a further 34 new houses to Kington St. Michael as part of the Wiltshire County's strategic allocation to a community classified as a "Large Village". This obligation does not have to be met until 2038. It would be quite wrong for a speculative landowner to be permitted to pre-empt the local decision making process before a thorough and careful consideration has been given to suitable sites for further development.

For official use only (date received): 23/03/2024 20:02:55

The Planning Inspectorate

COMMENTS ON CASE (Online Version)

Please note that comments about this case need to be made within the timetable. This can be found in the notification letter sent by the local planning authority or the start date letter. Comments submitted after the deadline may be considered invalid and returned to sender.

Appeal Reference: APP/Y3940/W/23/3334572

DETAILS OF THE CASE

Appeal Reference	APP/Y3940/W/23/3334572
Appeal By	MRS BRENDA MORELLI
Site Address	Land off Stanton Lane Kington St Michael Wiltshire SN14 6JQ Grid Ref Easting: 390156 Grid Ref Northing: 177902

SENDER DETAILS

Name	MRS ALISON HARVEY
Address	8 The Close Kington St. Michael CHIPPENHAM SN14 6LE

ABOUT YOUR COMMENTS

In what capacity do you wish to make representations on this case?

- ☐ Appellant
- ☐ Agent
- ☑ Interested Party / Person
- ☐ Land Owner
- ☐ Rule 6 (6)

What kind of representation are you making?

- ☐ Final Comments
- ☐ Proof of Evidence
- ☐ Statement
- ☐ Statement of Common Ground
- ☑ Interested Party/Person Correspondence
- ☐ Other

YOUR COMMENTS ON THE CASE

I just want to take the opportunity to reiterate the list of objections that I and others have provided as well as adding a few more given the time to reflect:

• The location of the proposed development is off a lane that is not suitable for more traffic; it is extremely narrow in one direction and has an awkward junction onto the main road in the another direction.

• The main village road is regularly congested, and additional traffic caused by the proposed development would make things even worse. Blockages and mounting of curbs is common. The village road is heavily used by cyclists which would not be helped by the additional traffic caused by the new development.

• The proposed development is outside the village boundary as defined in the neighbourhood plan; this plan has been consulted and represents the wishes of the village population – it should not be overridden.

• Expectation is that if the proposed development is allowed that further development will be requested in future – further impacting on the points raised.

• Should the proposed solar farm development be granted this will be taking over a lot of green space around the village – given this, any green space around the village is more precious and should be protected.

• The green space around the village, including the site of the proposed development, is highly valued by the residents.

For official use only (date received): 20/03/2024 12:08:21

The Planning Inspectorate

COMMENTS ON CASE (Online Version)

Please note that comments about this case need to be made within the timetable. This can be found in the notification letter sent by the local planning authority or the start date letter. Comments submitted after the deadline may be considered invalid and returned to sender.

Appeal Reference: APP/Y3940/W/23/3334572

DETAILS OF THE CASE

Appeal Reference	APP/Y3940/W/23/3334572
Appeal By	MRS BRENDA MORELLI
Site Address	Land off Stanton Lane Kington St Michael Wiltshire SN14 6JQ Grid Ref Easting: 390156 Grid Ref Northing: 177902

SENDER DETAILS

Name	MRS JACQUELINE MARTIN
Address	3 The Orchard Kington St. Michael CHIPPENHAM Wiltshire SN14 6JH

ABOUT YOUR COMMENTS

In what capacity do you wish to make representations on this case?

- ☐ Appellant
- ☐ Agent
- ☑ Interested Party / Person
- ☐ Land Owner
- ☐ Rule 6 (6)

What kind of representation are you making?

- ☐ Final Comments
- ☐ Proof of Evidence
- ☐ Statement
- ☐ Statement of Common Ground
- ☑ Interested Party/Person Correspondence

☐ Other

YOUR COMMENTS ON THE CASE

Planning Inspectorate Reference: APP/Y3940/W/23/3334572

Land off Stanton Lane, Kington St Michael, SN14 6JQ

My objections sent to Wiltshire Council in response to the original application still stand. Please consider these, and the other objections made at that time.

The land is outside the Limit of Development, and with the recent changes to National Planning Policy Framework to 4 years, Wiltshire has fulfilled its "quota", meaning that the pressure to approve unsuitable housing sites has been removed!

It is very wet and poorly drained site. The stream (a tributary of the Avon) would be susceptible to unacceptably high pollution risk.

Stanton Lane itself is always a very muddy, wet and messy road (there is a spring there). It is narrow, used as a "Rat Run", and there is no pavement from there to the main road on the southern side of the junction. It's a very dangerous corner. This development would exacerbate the problems.

The views from properties within the village are outstanding, and the open countryside complement its ridge line site and character.

We urge you to reject this appeal, and preserve the heritage of the village.

For official use only (date received): 18/03/2024 15:01:13

The Planning Inspectorate

COMMENTS ON CASE (Online Version)

Please note that comments about this case need to be made within the timetable. This can be found in the notification letter sent by the local planning authority or the start date letter. Comments submitted after the deadline may be considered invalid and returned to sender.

Appeal Reference: APP/Y3940/W/23/3334572

DETAILS OF THE CASE

Appeal Reference	APP/Y3940/W/23/3334572
Appeal By	MRS BRENDA MORELLI
Site Address	Land off Stanton Lane Kington St Michael Wiltshire SN14 6JQ Grid Ref Easting: 390156 Grid Ref Northing: 177902

SENDER DETAILS

Name	MR PETER J MARTIN MARTIN
Address	3 The Orchard Kington St. Michael CHIPPENHAM SN14 6JH

ABOUT YOUR COMMENTS

In what capacity do you wish to make representations on this case?

- ☐ Appellant
- ☐ Agent
- ☑ Interested Party / Person
- ☐ Land Owner
- ☐ Rule 6 (6)

What kind of representation are you making?

- ☐ Final Comments
- ☐ Proof of Evidence
- ☐ Statement
- ☐ Statement of Common Ground
- ☑ Interested Party/Person Correspondence
- ☐ Other

YOUR COMMENTS ON THE CASE

Planning Inspectorate Reference: APP/Y3940/W/23/3334572

Land off Stanton Lane, Kington St Michael, SN14 6JQ

The proposal is an intrusion into open countryside, outside the settlement boundary, and detrimental to the character and setting of Kington Saint Michael.

Existing residents are entitled to expect planning consistency to maintain their right to the enjoyment of their property, the countryside views and property values.

New sites for development should be identified by the community through local planning procedures (which are well underway), and not piecemeal as a consequence of land owner speculation.

Wiltshire has achieved – even exceeded - the NPPF (as revised) requirement, so the pressure to consider such plans is significantly reduced.

My objections sent to Wiltshire Council in response to the planning application remain valid.

This eastern side of Stanton Lane provides a very strong rural character. The development would cause demonstrable harm to local character and the landscape setting of Kington St Michael.

I urge the Inspector to refuse the appeal.

For official use only (date received): 29/02/2024 16:19:02

The Planning Inspectorate

COMMENTS ON CASE (Online Version)

Please note that comments about this case need to be made within the timetable. This can be found in the notification letter sent by the local planning authority or the start date letter. Comments submitted after the deadline may be considered invalid and returned to sender.

Appeal Reference: APP/Y3940/W/23/3334572

DETAILS OF THE CASE

Appeal Reference	APP/Y3940/W/23/3334572
Appeal By	MRS BRENDA MORELLI
Site Address	Land off Stanton Lane Kington St Michael Wiltshire SN14 6JQ Grid Ref Easting: 390156 Grid Ref Northing: 177902

SENDER DETAILS

Name	MR STEPHEN QUINTON
Address	5 Home Close Westbury Sub Mendip WELLS BA5 1JE

ABOUT YOUR COMMENTS

In what capacity do you wish to make representations on this case?

- ☐ Appellant
- ☐ Agent
- ☑ Interested Party / Person
- ☐ Land Owner
- ☐ Rule 6 (6)

What kind of representation are you making?

- ☐ Final Comments
- ☐ Proof of Evidence
- ☐ Statement
- ☐ Statement of Common Ground
- ☑ Interested Party/Person Correspondence
- ☐ Other

YOUR COMMENTS ON THE CASE

I wish to reiterate the comments in my previous objection to this application.
The appeal against refusal of PiP is almost entirely based upon the premise that the original application was acknowledged to be outwith Core Policies 2 & 3 and also Saved Policy 4, but 'only just' and so the policies should be ignored.

The appellant states that too much emphasis is being placed upon the natural hedgerow boundary. It can be observed that the appellant appears to be attempting to circumvent this by recent and inappropriate work leading to the gradual destruction of said hedgerow.

For official use only (date received): 01/03/2024 11:59:12

The Planning Inspectorate

COMMENTS ON CASE (Online Version)

Please note that comments about this case need to be made within the timetable. This can be found in the notification letter sent by the local planning authority or the start date letter. Comments submitted after the deadline may be considered invalid and returned to sender.

Appeal Reference: APP/Y3940/W/23/3334572

DETAILS OF THE CASE

Appeal Reference	APP/Y3940/W/23/3334572
Appeal By	MRS BRENDA MORELLI
Site Address	Land off Stanton Lane Kington St Michael Wiltshire SN14 6JQ Grid Ref Easting: 390156 Grid Ref Northing: 177902

SENDER DETAILS

Name	MS PENELOPE SPENCER MATTHEWS
Address	1 Paddock End Kington St. Michael CHIPPENHAM SN14 6QL

ABOUT YOUR COMMENTS

In what capacity do you wish to make representations on this case?

- ☐ Appellant
- ☐ Agent
- ☑ Interested Party / Person
- ☐ Land Owner
- ☐ Rule 6 (6)

What kind of representation are you making?

- ☐ Final Comments
- ☐ Proof of Evidence
- ☐ Statement
- ☐ Statement of Common Ground
- ☑ Interested Party/Person Correspondence
- ☐ Other

YOUR COMMENTS ON THE CASE

My objections to the planning application remain the same as before. The proposed site is outside of the village boundary on a narrow rural lane with very poor access. Stanton Lane has virtually no passing places and floods in several places. The site is boggy and also liable to flooding.
Extra traffic along the Main Street from the A350 will increase congestion as the lack of parking for the Georgian and Victorian houses result in single file traffic. Cars already speed through the village and mount the pavements making it dangerous for pedestrians and nine extra houses will increase this problem.
Loss of yet more habitat for wildlife, the hedge at the entrance to the site looks as if it is already being removed.

For official use only (date received): 25/03/2024 18:03:54

The Planning Inspectorate

COMMENTS ON CASE (Online Version)

Please note that comments about this case need to be made within the timetable. This can be found in the notification letter sent by the local planning authority or the start date letter. Comments submitted after the deadline may be considered invalid and returned to sender.

Appeal Reference: APP/Y3940/W/23/3334572

DETAILS OF THE CASE

Appeal Reference	APP/Y3940/W/23/3334572
Appeal By	MRS BRENDA MORELLI
Site Address	Land off Stanton Lane Kington St Michael Wiltshire SN14 6JQ Grid Ref Easting: 390156 Grid Ref Northing: 177902

SENDER DETAILS

Name	MRS ANNA-LOUISE WILLIAMS
Address	Kyneton Cottage Kington St. Michael CHIPPENHAM SN14 6JF

ABOUT YOUR COMMENTS

In what capacity do you wish to make representations on this case?

- ☐ Appellant
- ☐ Agent
- ☑ Interested Party / Person
- ☐ Land Owner
- ☐ Rule 6 (6)

What kind of representation are you making?

- ☐ Final Comments
- ☐ Proof of Evidence
- ☐ Statement
- ☐ Statement of Common Ground
- ☑ Interested Party/Person Correspondence
- ☐ Other

YOUR COMMENTS ON THE CASE

Wiltshire Council have refused planning for these nine (9) houses. All the comments that have been made previously are still pertinent. Nothing will have changed so an appeal should be dismissed according to the reasons given for the original planning application refusal and refused again.

1 The Ham
Kington St Michael
Chippenham
Wilts SN14 6LD
March 10th 2024

Planning appeal APP/Y3940/W/3334572
Land of Stanton Lane, Kington St Michael, Chippenham SN14 6JQ
Original Permission in Principle No PL/2023/08833

Dear Sir or Madam

Regarding the above appeal of February 20th 2024 – the application was previously REFUSED (13th November 2023) citing 6 current Wiltshire core strategy policies, and various subsections which have not changed.

I endorse my original comments for OBJECTION, which also have not changed.

Once again, I OBJECT and trust the appeal process will too.

Yours sincerely

[redacted]

Angela Hoey

FROM 2 STANTON LANE, KINGTON ST MICHAEL
Chippenham, Wilts SN14 6JQ

TO Planning Inspectorate,

Room 3c

Temple Quay House

~~2024~~ 20 March 2024

2 The Square,

Bristol BS1 6PN

Inspectorate Reference: APP/Y3940/W/23/3334572

Planning Application Reference: PL/2023/08833 Land off Stanton Lane, Kington St Michael

I am writing to object to the above Appeal following the refusal of PL/2023/08833 by Wiltshire Council.

1. have lived for 27 years at 2 Stanton Lane. The entrance gateway to the field is right next to my garden. The noise from construction would be intolerable, not just for me but for all the residents in the immediate area - ie in Stanton Lane, The Orchard and Kyneton Way.

2. There would also be light pollution from street lighting and house lights for the proposed new houses.

3. The field is indisputably in open green countryside.

4. It is outside the village settlement boundary.

[redacted]

5. For everyone living locally or using Stanton Lane , the beautiful sight of the surrounding countryside would be spoilt for ever.

6. The proposed field slopes increasingly steeply away from the village towards the stream. The field is very poorly drained and it floods so would be difficult to build on.

7. As I often observe from my house, this field and the quiet surrounding valley is a haven for deer, foxes, rabbits, badgers, and other wildlife.

8. If this development were allowed, the number of vehicles using Stanton Lane would increase considerably. The lane can hardly cater for the already existing traffic, being very narrow for most of its length and in a poor state of maintenance. Traffic in the lane has increased in recent years.

9. Despite this increase in traffic, the lane is still used by walkers, runners, cyclists and horse riders.

10.. It would be impossible to create a pavement on the same side of the lane as the proposed development, due to existing buildings at the junction at the top of the lane. Pedestrians going to the village facilities would have to cross the lane twice, which is hazardous at the road junction. The junction with the village street would be unsuitable for elderly people crossing and also for children walking to the primary school . Visibility at this junction is difficult for both motorists and pedestrians, partly due to parked vehicles at the top of the lane and on the village street immediately to the right of the junction.

11. Any new building in the village should be led by the Neighbourhood Plan and consultation with villagers and should cater for needs within the village, ie starter homes and affordable houses.

For all these reasons, I believe the Appeal should be refused.

Yours sincerely,

[redacted]

Brian Heredge

6 Kyneton Way
Kington St Michael
Chippenham
Wilts SN14 6RF
February 29th 2024

Planning appeal APP/Y3940/W/3334572
Land of Stanton Lane, Kington St Michael, Chippenham SN14 6JQ
Original Permission in Principle No PL/2023/08833

Dear Sir or Madam

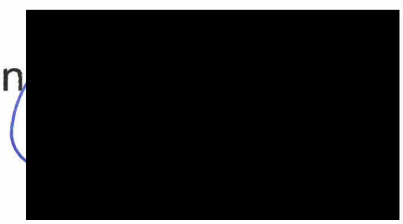
This appeal of February 20th 2024 is somewhat surprising, as the detailed and robust grounds for REFUSAL (13th November 2023) citing 6 current Wiltshire core strategy policies and various subsections, have not changed.

I enclose my original comments for OBJECTION, which also have not changed.

However, what apparently has changed is, and I quote, 'the mature hedge boundary that robustly defines the edge of the built area': his has been hacked down in places.

Once again, I OBJECT and trust the appeal process will too.

Yours sincerely
Caroline Quinton



Wiltshire Council (https://www.wiltshire.gov.uk/)

Log in (/pr/s/login) Register Account (/pr/s/login/SelfRegister)

Comment
Caroline Quinton's comment

Planning Applicati...	Stan...
PL/2023/08833 (/...	Object

Details (?tabset-ae70... Files (?tabset-ae70b=2)

Information

Comments
Caroline Quinton's comment

Comment Number
WC-23-10-284156

Text
I object. Having lived in the village for nearly 44 years, and enjoyed the open countryside landscape that surrounds this ribbon village, this speculative initiative by a land owners of great

training exercises, cyclist and horse riders, and traffic to and from Oak Tree Kennels. Delivery vans, cars and bigger vehicles are using the lane as a rat run when there are M4 and A350 problems. Further traffic and pedestrians in the lane would present an even greater hazard than currently exists.

Increased loading on the junction of Stanton Lane with the High Street would lead to even more of a safety hazard than currently experienced, especially as visibility is poor due to parked vehicles. This lack of visibility, along with the approaching speed of drivers from the Grittleton end of the village, would make pedestrian and motility scooter crossing more difficult.

All of the above information supports a strong objection to the proposal. Below are listed more formal reasons for objection.

CURRENT STATUTE CONTRAVENTIONS

1. The proposal contravenes the Localism Act 2011 re decision making being passed to a more local level
2. Kington St Michael Parish Council have been working in conjunction with neighbourhood planning. They are near

Planning Policy Framework 2023 section 15: conserving and enhancing the natural environment
12.The proposal contravenes the Human Rights Act Protocol Article 1, whereby the rights to enjoy your property peacefully are protected
13. Having researched other planning applications, precedents have already been set on such issues, especially building open countryside. Indeed, planning application PL/2023/04815 21st September 2023 - Land at Kington Lane, Stanton St Quintin has been refused by Wiltshire Council planning.

Date Created
30/10/2023

Contact (https://www.wiltshire.gov.uk/contact)
Newsletter (https://www.wiltshire.gov.uk/article/2492/Newsletter)
Twitter (https://www.wiltshire.gov.uk/article/2493/Twitter)
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