For official use only (date received): 20/08/2024 14:25:16

The Planning Inspectorate

QUESTIONNAIRE (s78) and (s20) PLANNING AND LISTED BUILDING CONSENT (Online Version)

You must ensure that a copy of the completed questionnaire, together with any attachments, are sent to the appellant/agent by the date given in the start letter. **You must include details of the statutory development plan, even if you intend to rely more heavily on some other emerging plan.**

If notification or consultation under an Act, Order or Departmental Circular would have been necessary before granting permission and has not yet taken place, please inform the appropriate bodies of the appeal now and ask for any comments to be sent direct to us by the date your statement is due.

Appeal Reference	APP/Y3940/W/24/3347505
Appeal By	MR MICHAEL LINDSEY
Site Address	Top Yard Malmesbury Road Leigh SWINDON SN6 6RH

PART 1

1.a. Do you consider the written representation procedure to be suitable? Yes ☑ No ☐

*Note: If the written procedure is agreed, the Inspector will visit the site **unaccompanied** by either party unless the relevant part of the site cannot be seen from a road or other public land, or it is essential for the Inspector to enter the site to check measurements or other relevant facts.*

2.a. If the written procedure is agreed, can the relevant part of the appeal site be seen from a road, public footpath, bridleway or other public land? Yes ☐ No ☑

2.b. Is it essential for the Inspector to enter the site to assess the impact of the proposal? Yes ☑ No ☐

Please explain

To view the proposal in its context

2.c. Are there any known health and safety issues that would affect the conduct of the site inspection? Yes ☐ No ☑

3.a. Are there any other appeals or matters relating to the same site still being considered by us or the Secretary of State? Yes ☐ No ☑

3.b. Are there any other appeals or matters adjacent or close to the site still being considered by us or the Secretary of State? Yes ☐ No ☑

PART 2

4. Does the appeal relate to an application for approval of reserved matters? Yes ☐ No ☑

5. Was a site ownership certificate submitted with the application? Yes ☑ No ☐

6. Did you give publicity to the application in accordance with either Article 15 of the DMPO 2015, Section 67/73 of the Planning (Listed Buildings and Conservation Areas) Act 1990 or Regulation 5 of the Planning (Listed Buildings Yes ☐ No ☑

and Conservation Areas) Regulations 1990?			
7. Does the appeal relate to a county matter?	Yes	☐ No	☑

8. Please indicate the development type for the application to which the appeal relates.

Major Developments	☐
Minor Developments	☐
Other Developments	☑

8.c. Other Developments

Mineral working	☐
Change of use	☑
Householder developments	☐

Is the appeal site within:

9.a. A Green Belt?	Yes	☐ No	☑
9.b. An Area of Outstanding Natural Beauty?	Yes	☐ No	☑
10. Is there a known surface or underground mineral interest at or within 400 metres of the appeal site which is likely to be a material consideration in determining the appeal?	Yes	☐ No	☑

PART 3

11. Would the development require the stopping up or diverting of a public right of way?	Yes	☐ No	☑
12.a. Is the site in a Conservation Area?	Yes	☐ No	☑
12.b. Is the site adjacent to a Conservation Area?	Yes	☐ No	☑
12.c. Does the appeal proposal include the demolition of a non-listed building within a conservation area?	Yes	☐ No	☑
13.a. Does the proposed development involve the demolition, alteration or extension of a Grade I / II* / II listed building?	Yes	☐ No	☑
13.b. Would the proposed development affect the setting of a listed building?	Yes	☐ No	☑
14. Has a grant been made under s3A or s4 of the Historic Buildings and Ancient Monuments Act 1953?	Yes	☐ No	☑
15.a. Would the proposals affect an Ancient Monument (whether scheduled or not)?	Yes	☐ No	☑
16. Is any part of the site subject to a Tree Preservation Order?	Yes	☐ No	☑
17. Have you made a Local Development Order under s61A to 61C of the Town and Country Planning Act 1990 (as inserted by s40 of the Planning & Compulsory Purchase Act 2004) relating to the application site?	Yes	☐ No	☑
18. Does the appeal involve persons claiming Gypsy/Traveller status, whether or not this is accepted by the planning authority?	Yes	☐ No	☑
19.a. Is the appeal site in or adjacent to or likely to affect an SSSI or an internationally designated site (ie. cSAC, SAC, pSPA, SPA Ramsar)?	Yes	☐ No	☑
19.b. Are any protected species likely to be affected by the proposals?	Yes	☐ No	☑

PART 4

Environmental Impact Assessment - Schedule 1

20.a.i. Is the proposed development Schedule 1 development as described in Schedule 1 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011? Yes ☐ No ☑

Environmental Impact Assessment - Schedule 2

20.b.i. Is the proposed development Schedule 2 development as described in Column 1, Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011? Yes ☐ No ☑

20.c.i. Have you issued a screening opinion (SO) Yes ☐ No ☑

Environmental Impact Assessment - Environmental Statement (ES)

20.d. Has the appellant supplied an environmental statement? Yes ☐ No ☑

Environmental Impact Assessment - Publicity

20.e. If applicable, please attach a copy of the site notice and local advertisement published as required for EIA development. Applies ☐ N/A ☑

21. Have all notifications or consultations under any Act, Order or Departmental Circular, necessary before granting permission, taken place? Yes ☑ No ☐

Please attach copies of any comments that you have received in response.

☑ see 'Questionnaire Documents' section

PART 5

22. Do you wish to attach your statement of case? Yes ☐ No ☑

For appeals dealt with by written representations only

23. If this appeal is not following the written representations expedited procedure, do you intend to send a statement of case about this appeal? Yes ☑ No ☐

Copies of the following documents must, if appropriate, be attached to this questionnaire

24.a. a copy of the letter with which you notified people about the appeal; ☑

☑ see 'Questionnaire Documents' section

24.b. a list of the people you notified and the deadline you gave for their comments to be sent to us; ☑

☑ see 'Questionnaire Documents' section

Deadline 19/09/2024

24.c. all representations received from interested parties about the original application; ☑

☑ see 'Questionnaire Documents' section

24.d. the planning officer's report to committee or delegated report on the application and any other relevant documents/minutes; ☑

☑ see 'Questionnaire Documents' section

24.e. any representations received as a result of a service of a site ownership notification; ☐

24.f. extracts from any relevant statutory development plan policies (even if you intend to rely more heavily on the emerging plan); ☑

You must include the front page, the title and date of the approval/adoption, please give the status of the plan. Copies of the policies should include the relevant supporting text. You must provide this even if the appeal is against non-determination.

☑ see 'Questionnaire Documents' section

☑ see 'Questionnaire Documents' section

List of policies: see decision notice

24.g. extracts of any relevant policies which have been 'saved' by way of a Direction; ☐

24.h. extracts from any supplementary planning guidance, that you consider necessary, together with its status, whether it was the subject of public consultation and consequent modification, whether it was formally adopted and if so, when; ☐

24.i. extracts from any supplementary planning document that you consider necessary, together with the date of its adoption; ☐

In the case of emerging documents, please state what stage they have reached.

24.j. a comprehensive list of conditions which you consider should be imposed if planning permission is granted; ☐

Only tick that this applies if you intend to submit a list of conditions with the questionnaire. If you do not submit the list with the questionnaire, then this should be submitted by the date your statement is due. This list must be submitted separately from your appeal statement.

24.k. if any Development Plan Document (DPD) or Neighbourhood Plan relevant to this appeal has been examined and found sound/met the basic conditions and passed a referendum, the date the DPD or Neighbourhood Plan is likely to be adopted and, if you consider this date will be before the Inspector's decision on this appeal is issued, an explanation of the Council's policy position in respect of this appeal upon its adoption. You should also include an explanation of the status of existing policies and plans, as they relate to this appeal, upon adoption and which (if any) will be superseded; ☐

24.l. if any DPD or Neighbourhood Plan relevant to this appeal has been submitted for examination, or in the case of a Neighbourhood Plan has been examined and is awaiting a referendum, an explanation of any substantive changes in the progress of the emerging plan, and their relevance to this appeal if it is considered that the plan will not be adopted before the Inspector's decision on this appeal is issued; ☐

24.m. your Authority's CIL charging schedule is being/has been examined; ☐

24.n. your Authority's CIL charging schedule has been/is likely to be adopted; ☑

Please provide the date of adoption: 18/05/2024

24.o. any other relevant information or correspondence you consider we should know about. ☐

For the Mayor of London cases only

25.a. Was it necessary to notify the Mayor of London about the application? Yes ☐ No ☐

25.b. Did the Mayor of London issue a direction to refuse planning permission? Yes ☐ No ☐

LPA Details

I certify that a copy of this appeal questionnaire and any enclosures will be sent to the appellant or agent today. ☑

LPA's reference	PL/2023/04973
Completed by	Heidy Wilson
On behalf of	Wiltshire Council

Please provide the details of the officer we can contact for this appeal, if different from the Planning Inspectorate's usual contact for this type of appeal.

Name	Peter K-Gyabong
Phone no (including dialling code)	01249706730
Email	peter.k-gyabong@wiltshire.gov.uk

Please advise the case officer of any changes in circumstances occurring after the return of the questionnaire.

QUESTIONNAIRE DOCUMENTS

Appeal Reference	APP/Y3940/W/24/3347505
Appeal By	MR MICHAEL LINDSEY
Site Address	Top Yard Malmesbury Road Leigh SWINDON SN6 6RH

The documents listed below were uploaded with this form:

Relates to Section:	PART 4
Document Description:	21. Copies of any comments that you have received in response.
File name:	Top Yard, Malmesbury.docx
File name:	Cons Comments.pdf
File name:	Public Protection.pdf
File name:	Cons Comments combined.pdf
Relates to Section:	PART 5
Document Description:	24.a. A copy of the letter with which you notified people about the appeal.
File name:	Notification of Written Reps Appeal .pdf
Relates to Section:	PART 5
Document Description:	24.b. A document containing a list of the people you notified of the appeal.
File name:	Redacted Reps List.pdf
File name:	DISTRIBUTION LIST - PL.2023.04973.docx
Relates to Section:	PART 5
Document Description:	24.c. Copies of all representations received from interested parties about the original application.
File name:	Reps Comments Combined.pdf
Relates to Section:	PART 5
Document Description:	24.d. The planning officer's report to committee or delegated report on the application and any other relevant documents/minutes.
File name:	Case officer report.doc
Relates to Section:	PART 5
Document Description:	24.f. Copies of extracts from any relevant statutory development plan policies.
File name:	Wiltshire Core Strategy - Front Page.pdf
Relates to Section:	PART 5
Document Description:	24.f. Copies of extracts from any relevant statutory development plan policies.
File name:	Wiltshire Core Strategy - Core Policy 51 Landscape.pdf
File name:	Wiltshire Core Strategy - Core Policy 48 Supporting Rural Life.pdf
File name:	Wiltshire Core Strategy - Core Policy 60 Sustainable Transport.pdf
File name:	Wiltshire Core Strategy - Core Policy 1 Settlement Strategy.pdf
File name:	Wiltshire Core Strategy - Core Policy 57 Ensuring high quality design and place shaping.pdf
File name:	Wiltshire Core Strategy - Core Policy 61 Transport and Development.pdf
File name:	Wiltshire Core Strategy - Core Policy 13 Spatial Strategy for the Malmesbury

	Community Area.pdf
File name:	Wiltshire Core Strategy - Core Policy 2 Delivery Strategy.pdf
File name:	Wiltshire Core Strategy - Core Policy 34 Additional Employment Land.pdf
Completed by	Not Set
Date	20/08/2024 14:25:26
LPA	Wiltshire Council