

OBJECTION: Retrospective Full Planning Application PL/2026/01813

BY EMAIL ONLY

To:

Mr Adrian Smith, Case Officer (PL/2026/01813)
developmentmanagement@wiltshire.gov.uk

From:

Mr Bruce Evans [REDACTED]

Date: 2 April 2026

Attachments:

1. Location Plan from PL/2026/01813 depicting the Red Line
2. Land Registry plan to 45 High Street (authoritative)
3. Wilts Council portal depiction of application site
4. Block Plan from PL/2026/01813
5. 1953 Easement applying to 45 High St and Grove House
6. Chimney and 'Pole'
7. Orange tree

Dear Adrian,

OBJECTION: Retrospective Full Planning Application PL/2026/01813

Site Address: 45 High Street, Pewsey, SN9 5AF

Thank you for your letter dated 25 March 2026. I have reviewed the submitted documents and formally object to the proposal based on the following material considerations and procedural irregularities.

1. Fundamental Procedural Errors and Ownership

Inaccurate Site Certification: The "Red Line" boundary incorrectly encompasses land owned by 4 King Alfred Close and Pewsey Parish Council (see attachments 1,2,3).

- As the applicant is not the sole owner of the land within the Red Line, the completion of Certificate A is factually incorrect.
- Failure to serve a mandatory Certificate B Notice on affected landowners violates Article 14 of the DMPO (2015) and Section 65 of the Town and Country Planning Act 1990. This renders the application legally invalid and incapable of determination.

Scope and Infrastructure Contributions: The conversion of the workshop/studio to a self-contained holiday let in 2016 constitutes a material change of use that has bypassed essential planning scrutiny and developer contributions. This contravenes WCS Core Policy

3 (Infrastructure Requirements), effectively evading the Community Infrastructure Levy (CIL) and Section 106 obligations that are required to mitigate the increased burden on local services. This is estimated to be in the region of £8k to £10k for this retrospective application.

2. Access, Highways, and Public Safety

Failure to Connect to Public Highway: The Red Line fails to connect to any public highway, a fundamental requirement for a valid application. By answering "No" to all access questions, the applicant has avoided scrutiny under WCS Core Policy 61.

- **Intensification of Private Infrastructure:** The Block Plan (see Attachment 4) illustrates a three-car parking area, confirming a car-dependent commercial use. This overburdens the narrow, metalled shared drive, causing congestion and violating WCS Core Policy 62.
- **Emergency Access:** Under the Building Regulations 2010 (Approved Document B), access routes must accommodate heavy vehicles (such as a 12.5 ton fire tender) to within 45m of the building. The current layout incorporating a gravel over earth link to the property appears to fail these safety requirements for a commercial occupancy.

3. Amenity, Safeguarding, and Material Change of Access

Overburdening of the 1953 Easement and Abuse of Implied Licence: Drawing on experience with the management of shared easements, I observe that the proposal seeks to unilaterally intensify a private residential right-of-way (see Attachment 5) for commercial gain.

- **Domestic vs. Commercial Use:** Common law provides an "implied licence" for individuals with a legitimate domestic or utility purpose (e.g., postal workers or invited social guests) to access a dwelling. However, there is no implied licence to "sub-let" access across a neighbour's private land to unvetted commercial third parties.
- **Material Change of Use:** Under Section 55 of the Town and Country Planning Act 1990, the transition from "utility passage" to a "commercial transit corridor" represents a material change in the character of the land use. It imposes a burden on Grove House that is entirely discordant with a residential setting, violating WCS Core Policy 57 (vii).

Safeguarding Assessment: In my capacity as a Safeguarding Officer with 11 years of experience in child protection, I identify a significant and unmitigated risk in this arrangement.

- **Vulnerable Environment:** Directing a high-turnover rotation of anonymous guests through a primary domestic children's play area creates a "vulnerable environment." This is a fundamental safety concern, not merely a matter of privacy.
- **Policy Conflict:** The proposal fails to provide the "safe and secure" environment mandated by NPPF Paragraph 135. A superior, direct vehicular access now exists (see Attachment 4), so the continued commercial use of the garden path is an "avoidable nuisance" that fails the suitability tests of WCS Core Policy 61.

4. Impact on the Pewsey Conservation Area

Under Section 72 of the Planning (LB & CA) Act 1990, the Council has a statutory duty to preserve the character of the area.

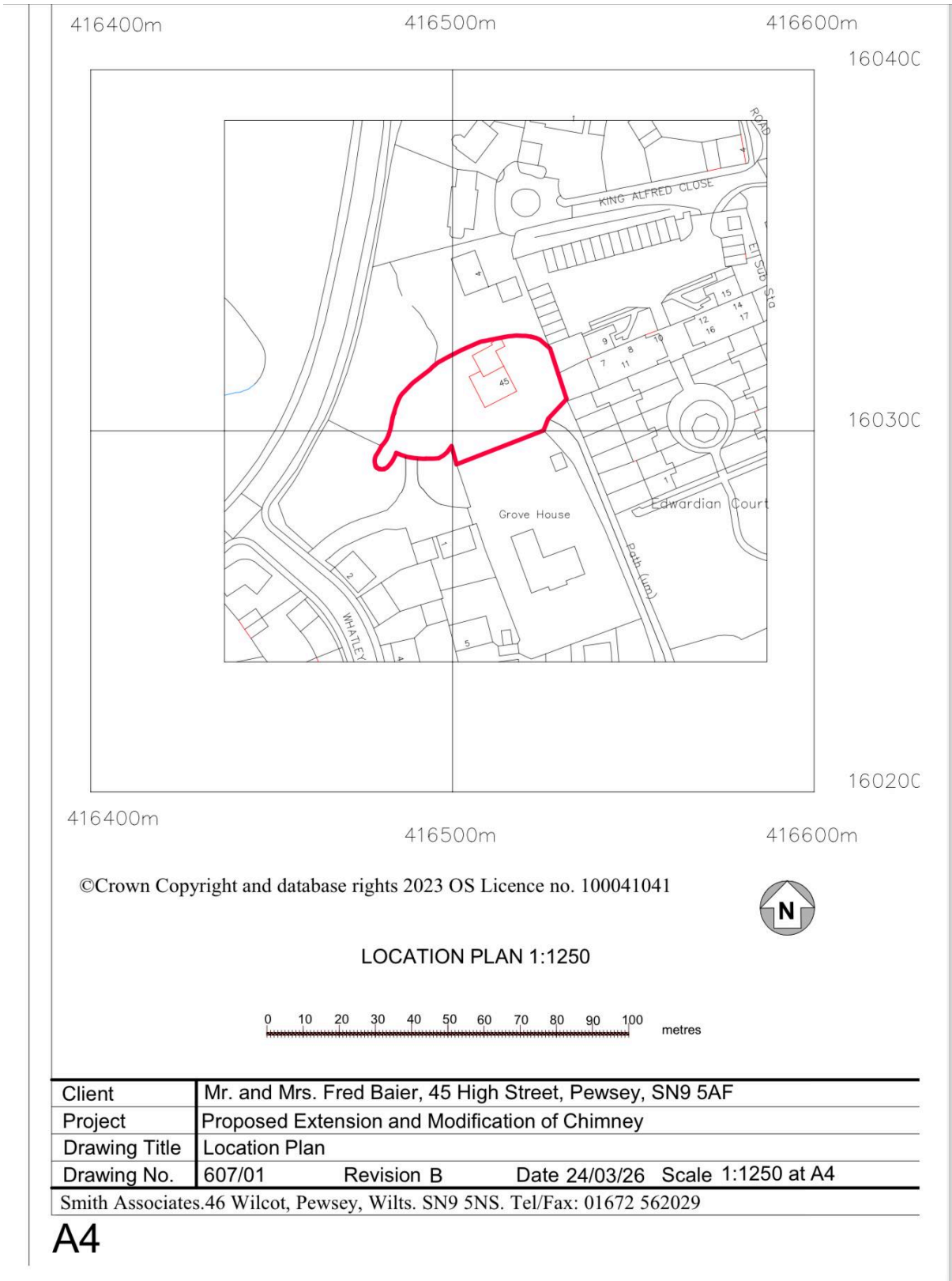
- **Visual Discordance:** The bright yellow chimney sculpture, the "furry pole," and the fluorescent orange tree (See Attachments 6 & 7) constitute "visual clutter". The latter two of these were omitted from the Heritage Statement.
- These features clash with the historic grain of the roofscape and street scene, contrary to **WCS Core Policy 58**. Allowing such discordant alterations sets a negative precedent for other property owners to degrade the natural amenity of the Conservation Area.

Conclusion Due to the procedural failures regarding land ownership and the substantive harm to residential amenity and child safety, I respectfully request that this application be refused.

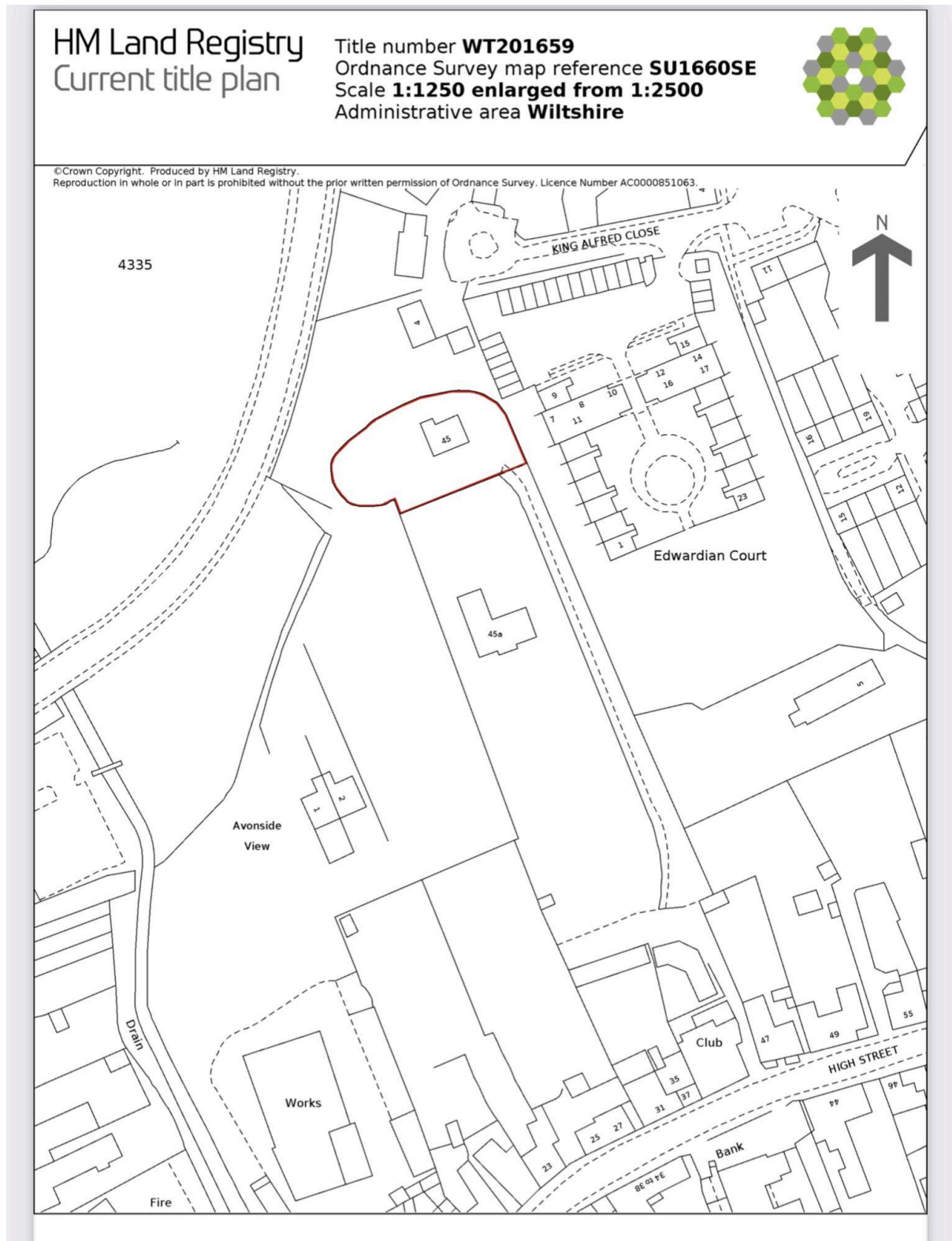
Yours sincerely,

Bruce Evans

Attachment 1: Location Plan from PL/2026/01813 depicting the Red Line

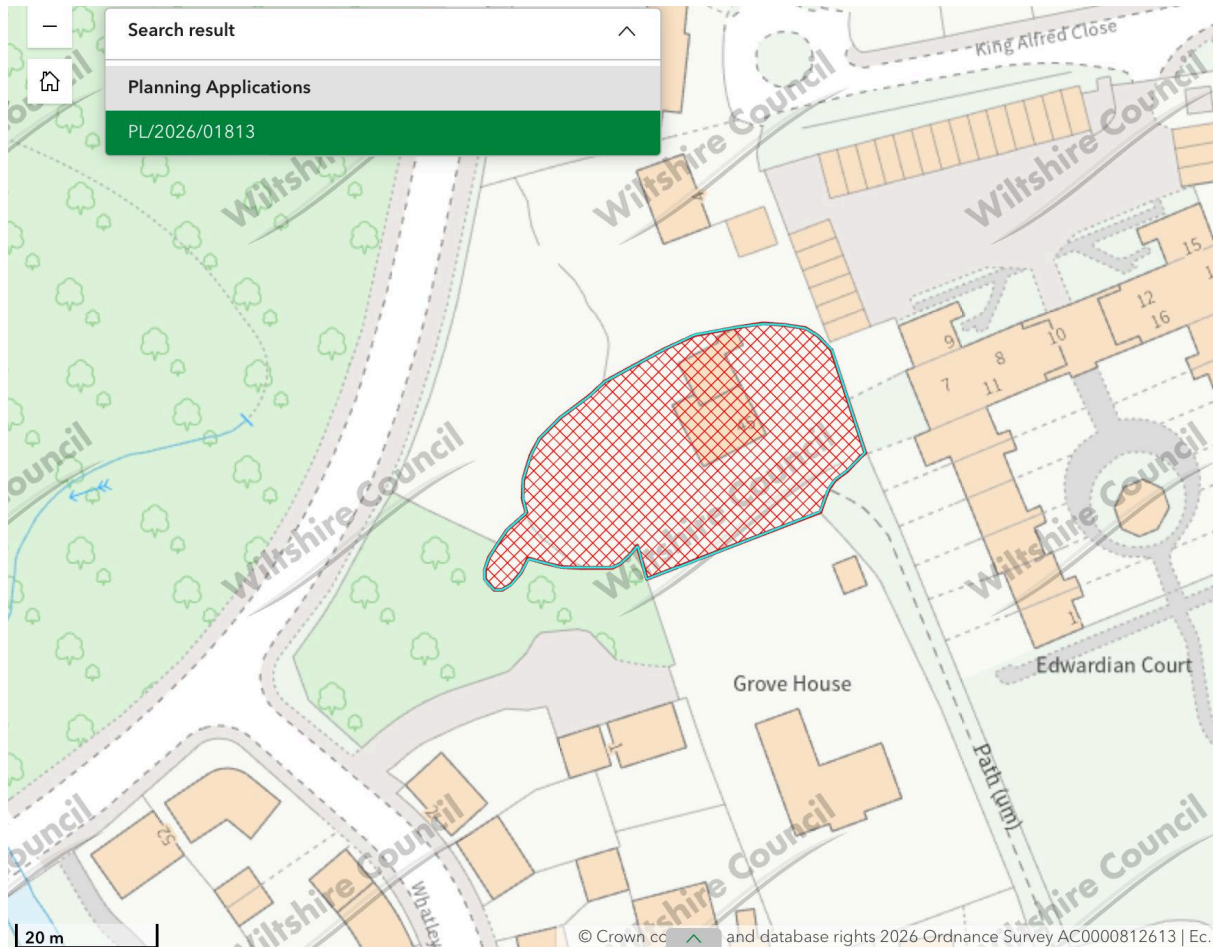


Attachment 2: Land Registry plan to 45 High Street (authoritative)

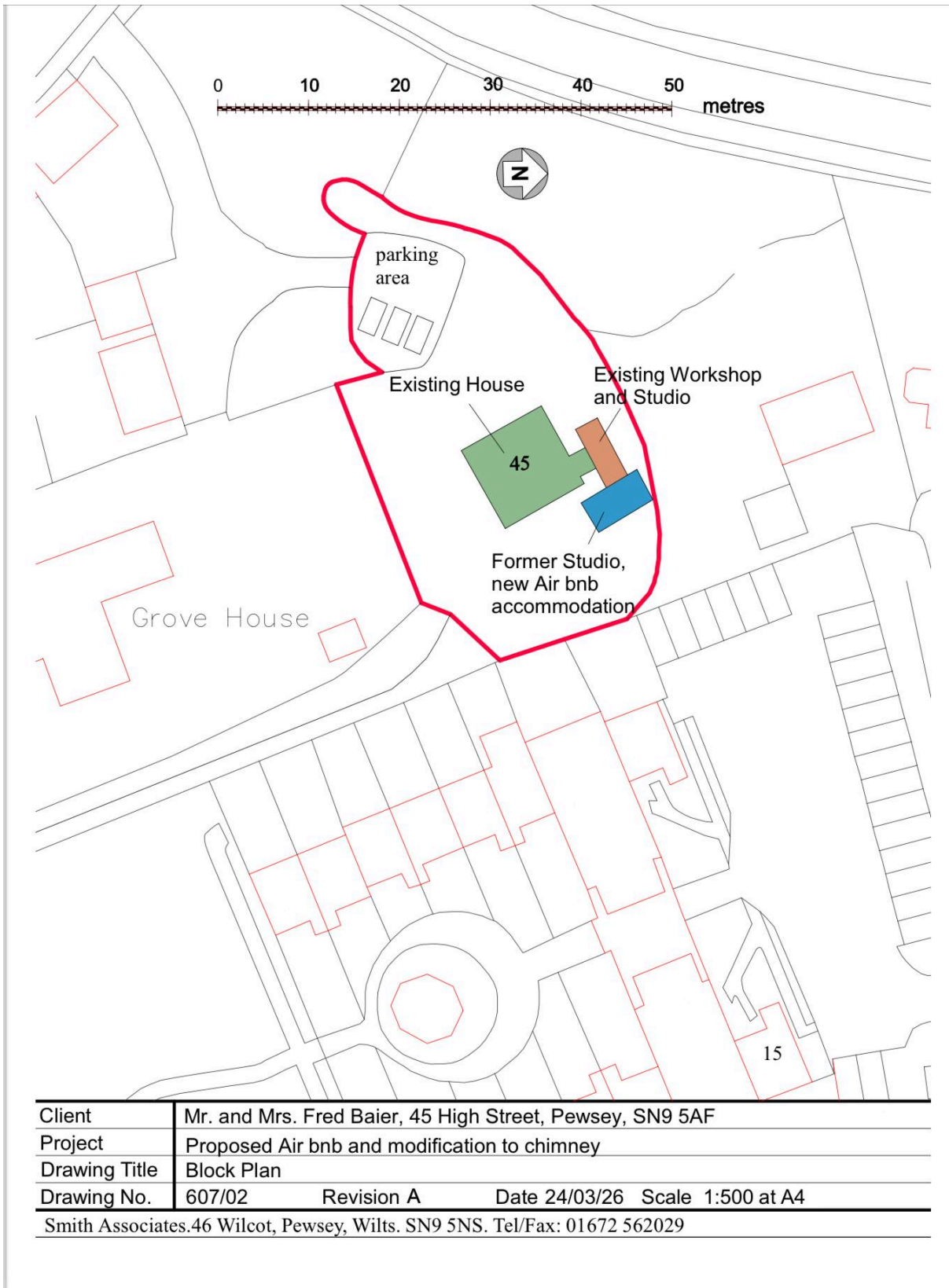


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Attachment 3: Wilts Council portal depiction of application site



Attachment 4: Block Plan from PL/2026/01813



Attachment 5: 1953 Easement applying to 45 High St and Grove House

c) the Vdr as Beneficial Owner thrby conveyed unto the

ALL THAT pce or pcl of land site at Pewsey in the
Coy of Wilts being the Northern most pt of the
gardens & orchards belongg to the two messuages
or dwellinghouses with the two shops one of wch
then belonged to the International Tea Co., Stores
Ltd., & wch sd pce or pcl of land thrby conveyed
was for the ppse of identification only more
particularly delineated on the plan endorsed thron
& thron cold pink TOGR with the full rt & liberty
in common with the Vendor & all others having the
like rt at all times thrafr to pass on foot over
and along the passageway leading from the ppty
thrby conveyed to High St., as the same was more
particularly delineated on the plan endorsed thron
& thron cold brown & togr also with a rt to instal
connect and maintain water supply pipes from the
dwellinghouse to be erected on the sd ppty thrby
conveyed unto the existing water main serving the
adjoining ppty retained by the Vdr the Purr paying
the water rate assessed upon the ppty thrby convey
-ed & making good all damage caused to the surface
of the sd adjoining ppty by reason of the exercis
of such rt

Attachment 6: Chimney and 'Pole'



Attachment7: Orange tree

