

FROM:
Bruce Evans
3 Whatley Drive, Pewsey, Wiltshire

TO:
Adrian Smith (Case Officer)
Lucy Rutter-Dowd (Case Officer)
Wiltshire Council Planning Department

By Email
29 Apr 2026

Dear Adrian, Lucy,

Re— PL/2026/01813 – 45 High Street, Pewsey SN95AF

While the consultation period is still open, I write to remind you about the serious anomalies contained in PL/2026/01813, most of which remain entirely absent from the public comments so far made.

(1). Landlocked property.

The property at 45 High Street is entirely landlocked. **See image 1.** This means that for pedestrian and vehicular access it relies entirely on the easements that have been made with the surrounding properties. These are non-possessory agreements made with neighbouring landowners to allow the Applicant a few very specific rights to make use of their land for residential access. These cover (a) the private shared driveway up from Whatley Drive, (b) the short gravel strip across Pewsey Council land, and (c) the unmade footpath from the High Street.

The Applicant is now applying in retrospect to regularise the commercial use that has been made of his own and, implicitly, neighbouring land for an Airbnb business. However it has never been in the Applicant's gift to grant additional rights over other people's land to the benefit of business customers. Doing so over-burdens the scope and intent of the easements and therefore this planning proposal is legally undeliverable as it stands.

(2). Invalidated Planning Application

Under Section 65 of the Town and Country Planning Act 1990 and Article 14 of the DMPO (2015), the applicant must declare ownership of the entire operational site by signing Certificate A on the application, or else serve Notice 1 and Certificate B on the known owners of land affected by the application, or else post advertisements where land is owned by unknown persons. The Applicant has failed in this regard.

The Red Line on the site plan encroaches onto a small 'blob' which is known to still be under a neighbours title; [Quilter letter dated 10 Apr, uploaded 27 Apr]. This 'blob' of land, **see**

image 2, is not registered to the Applicant, nor has the Applicant made a claim of adverse possession to it at the Land Registry. A previous planning application (14/01087/TCA) contains a hand drawn site plan of 45 High Street, **see image 3**, which proves the Applicant had prior knowledge of the true site boundaries in 2014 and makes the Red Line in PL/2026/01813 a verifiable misrepresentation.

Therefore Certificate A is factually incorrect and the application should be declared invalid for this reason alone.

Further, since the proposed operation of the landlocked site as an Airbnb is entirely dependent on neighbouring land to function, the Red Line should have been drawn over any land which would be required to reach the highway for access—in accordance with DMPO (2015) and in NPPG guidance for submitting applications (para 24). Accordingly, notice should have been served on the relevant owners about a proposal to use their land for access in commercial activities.

However the Applicant has failed to serve Notice 1 and Certificate B on owners of 2 Whatley Drive (WT318312) for the private shared driveway, on Pewsey Parish Council (WT461699) for the gravel strip and 'blob', and on the owners of the unmade footpath to the south of Grove House. Additionally notice is required for 4 King Alfred Close (WT71428) for the 'blob', since Land Registry Plans which show the authoritative and current boundaries, reveal that the 'blob' partly belongs there.

Bizarrely though, Notice 1 and Certificate B have been correctly served on owners of 1 Whatley Drive and Grove House. This does at least indicate knowledge of the correct procedure but shows, for some reason, a reluctance to use it.

Partial serving of notices is insufficient and makes this application procedurally defective.

(3). Unmade Footpath.

The pedestrian access route to the High Street is identified on the site's Airbnb listing as a route being made available to short-term holiday let guests. **See image 4.**

Again this overburdens the scope and intent of the 1953 easement for this path. Its wording is publicly available on the Land Registry Title WT461699 to Pewsey Parish land, at item 4 on the Charges Register and on my previous submission. [Evans, 2 Apr].

It is not in the Applicant's gift to grant additional access along the path to a continuous stream of short-term holiday let customers staying at the Airbnb. This path's legal status is a Private Shared Access allowing domestic access for the private dwelling houses situated along it, in order to provide them, their households and their callers with access to and from the High Street. It is not a Public path, and if it was, then there would have been no need to create an easement.

The appearance of strangers walking the path, sometimes accompanied by their unleashed dogs, through the private garden of Grove House is a clear and everyday Child

Safeguarding risk to the young children who regularly play in the garden there. It is also a security risk to any moveable property the owner cares to place in the garden. To be clear, the threat comes not from all the well known neighbours who have every right to use the path in accordance with the easement, but from intense commercial use by complete strangers, who have no express or implied right to even be present, let alone any right of way on the footpath.

The proposal to use the unmade footpath for commercial users is therefore legally undeliverable and in planning terms is a documented breach of WCS CP57 (iii), destroying the "secure and peaceful" residential environment.

This is all an unnecessary intrusion considering there is newer, easier and less intrusive access along the vehicular driveway to Whatley Drive—although, to be fair, the driveway is also a Private Shared Access which is being over burdened by commercial use. Nothing in the easement for the driveway (Deed of Variation dated 21 Oct 2013 which applies to all the properties along it) allows for any commercial activity.

This really makes use of the site for short-term holiday lets unviable under the current legal framework.

(4). Car Parking and Vehicular Access

There are several shortfalls in the proposal regarding vehicular access along the private shared driveway and the provision for car parking. **See image 5.**

The site comprises a 4-bedroom primary dwelling plus a commercial Airbnb unit, making 5 bedrooms in total for the two independent residential units. Under the Wiltshire LTP3 Car Parking Strategy, this requires 4.4 spaces if visitor/delivery allowance is included.

However the Applicant's block plan shows only 3 on-site car parking spaces. In practice, these spaces are usually occupied by the residents' own vehicles (two cars and a motorhome), leaving no additional provision at all for parking commercial guests' vehicles.

As mentioned the private shared driveway is covered by a Deed of Variation dated 21 Oct 2013, applying to all the properties situated along it. At Clause 5.1(b) it explicitly prohibits parking along the drive, or obstructing it—but in reality this is a condition that is often impossible to meet due to constant turnover of customers and the increased parking burden.

Recent photos [Dang, 26 Apr 2026] confirm resident vehicles being displaced onto the public highway and neighbouring private and public land in order to satisfy the promise to Airbnb guests of free parking on the premises. **See images 6,7,8.** This is a direct violation of the Wiltshire Car Parking Strategy, which prohibits overspill and mandates on-site provision for all car parking on new developments.

No agreement has been reached with the driveway's owners about sharing future maintenance costs of the driveway, considering its increased intensity of use and wear and tear of vehicles turning immediately outside the site.

(5). Emergency Access.

Emergency vehicle access is along the narrow private shared driveway which rises up the 8% slope from Whatley Drive to potentially meet a car parking blockage at the gravel entrance to the site of 45 High Street.

Approved Document B requires that a fire tender can gain access within 45m of all parts of a building. However the nearest it would get would be about 55m. Additionally there is no turn around space on the driveway to allow a large emergency vehicle to exit quickly in a forward gear to attend another location.

The vehicular route and car parking situation is fundamentally inadequate for an intensified commercial unit and arguably places Airbnb customers at greater risk in the event of fire than they might have expected when booking. Robinson [16 Apr] also comments on the inadequacies of emergency access at this site.

It should be remembered that at no point has the original 1993 extension, nor its 2013 conversion into an independent residential unit, nor its change of use to holiday letting, had any Planning scrutiny or Building Control whatsoever. Customers have had no idea whether their accommodation meets statutory requirements for safety or not, contrary to an assertion recently made. [Browne, 29 Apr].

(6). Conservation concerns.

Regarding the site's situation within the Pewsey Conservation Area, several of those commenting have demonstrably shown to be false, the claims that the skyline artwork is invisible from outside the site.

Visibility of the 'God Rod' and the Chimney sculpture is confirmed by Dawson and Hawkes [9 Apr 2026], while Vowles [18 Apr 2026] confirms they can easily be seen from Broomcroft Road.

One comment describes the chimney as an eyesore resembling a Marigold washing-up glove [Stythe, 23 Apr 2026], while others use phrases such as 'quirky', 'mischievous', 'unexpected' and 'unusual'—all of which attempt to avoid the implication that they are atypical, non-standard and conspicuous departures from what would be expected within a sensitive Conservation Area.

Whether these artworks are delightful or offensive to the eye, **see image 9**, all these admissions show that the development fails the statutory duty to preserve or enhance the Conservation Area. (WCS Policy CP58).

Conclusion

Due to being landlocked in a residential neighbourhood this is a very difficult site to use for a commercial letting enterprise. It requires a material change of use of neighbouring land as well as its own.

Gross procedural errors have been made in the current application regarding boundaries and defining the true extent of the land affected for access. This would appear to invalidate the application and it should be refused on this basis.

For a viable letting business to operate at this site any revised or future application ought first to negotiate the clear legal hurdles that exist around permitting access. Also conditions should be applied to mitigate the Safeguarding risk at Grove House, and to ensure all car parking is accommodated on site, while still providing emergency vehicular access. A consistent approach to the conservation area should also be taken.

Yours sincerely

Bruce Evans

Attachments:

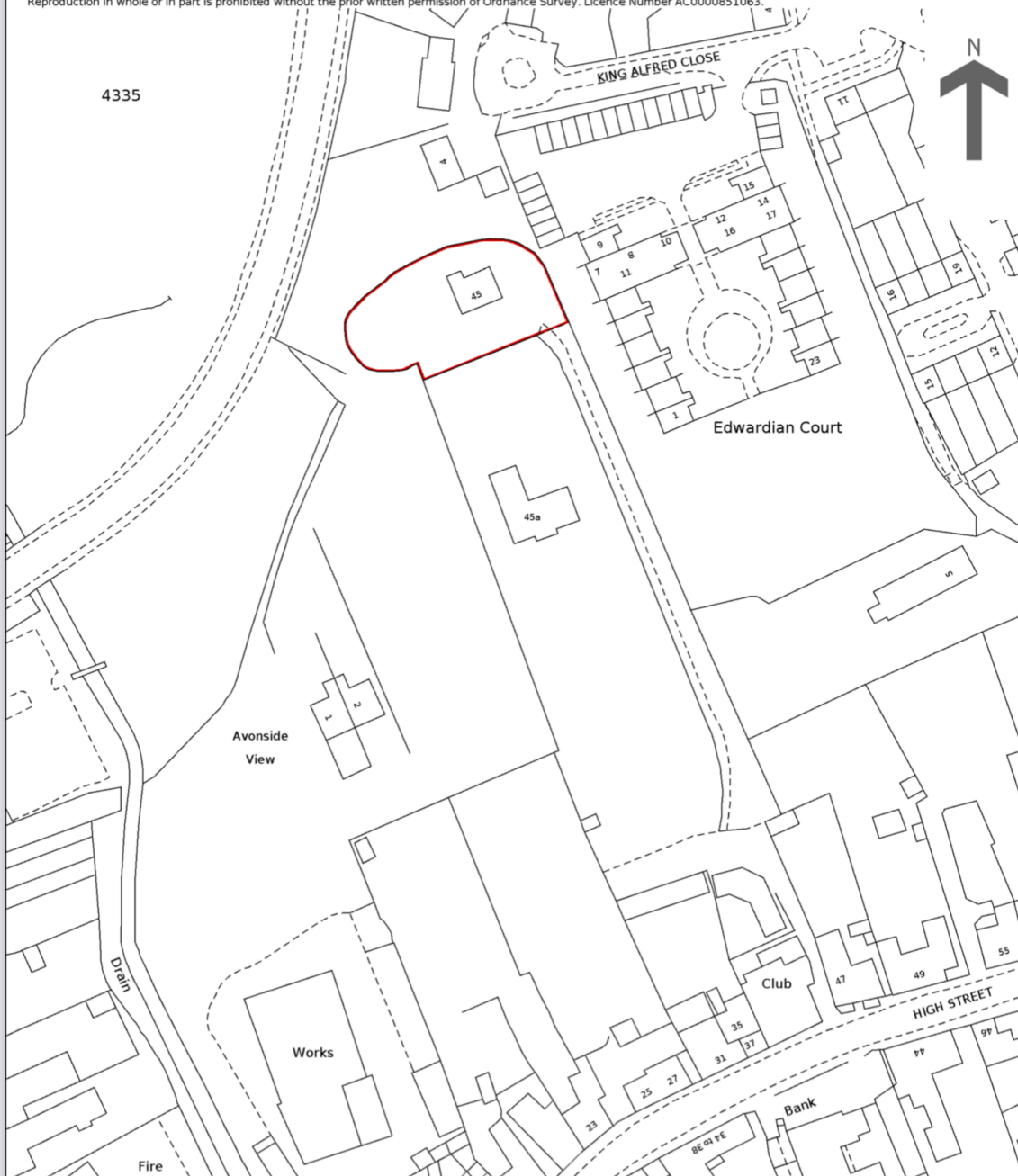
- 1. Landlocked site of 45 High Street. The Land Reg Plan shows the true representation of the Applicant's property.**

HM Land Registry Current title plan

Title number **WT201659**
Ordnance Survey map reference **SU1660SE**
Scale **1:1250 enlarged from 1:2500**
Administrative area **Wiltshire**



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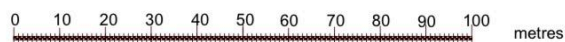
2. Misrepresented ownership in PL/2026/01813



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LOCATION PLAN 1:1250



Client	Mr. and Mrs. Fred Baier, 45 High Street, Pewsey, SN9 5AF		
Project	Proposed Extension and Modification of Chimney		
Drawing Title	Location Plan		
Drawing No.	607/01	Revision B	Date 24/03/26 Scale 1:1250 at A4
Smith Associates.46 Wilcot, Pewsey, Wilts. SN9 5NS. Tel/Fax: 01672 562029			

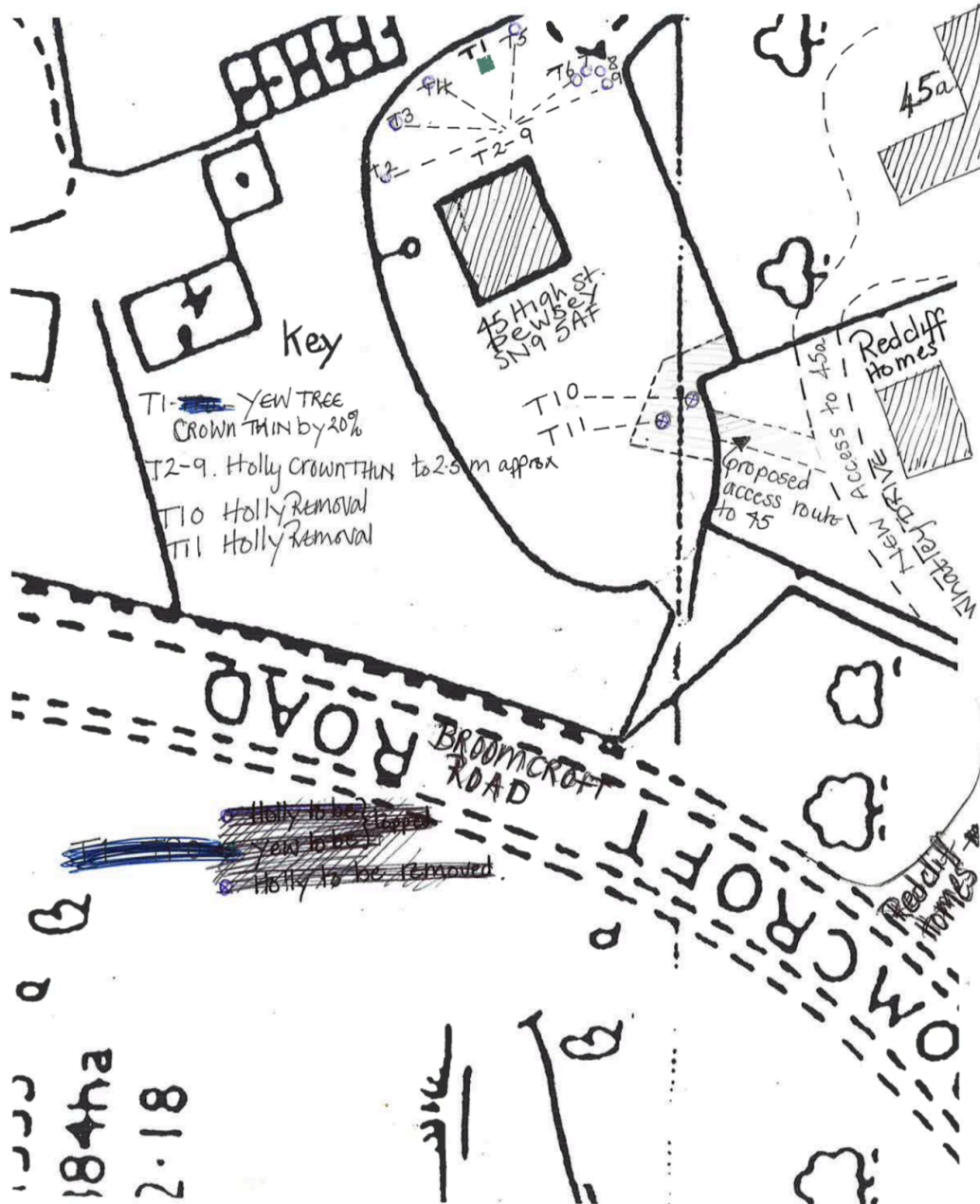
A4

3. 2014 hand drawn site boundary.

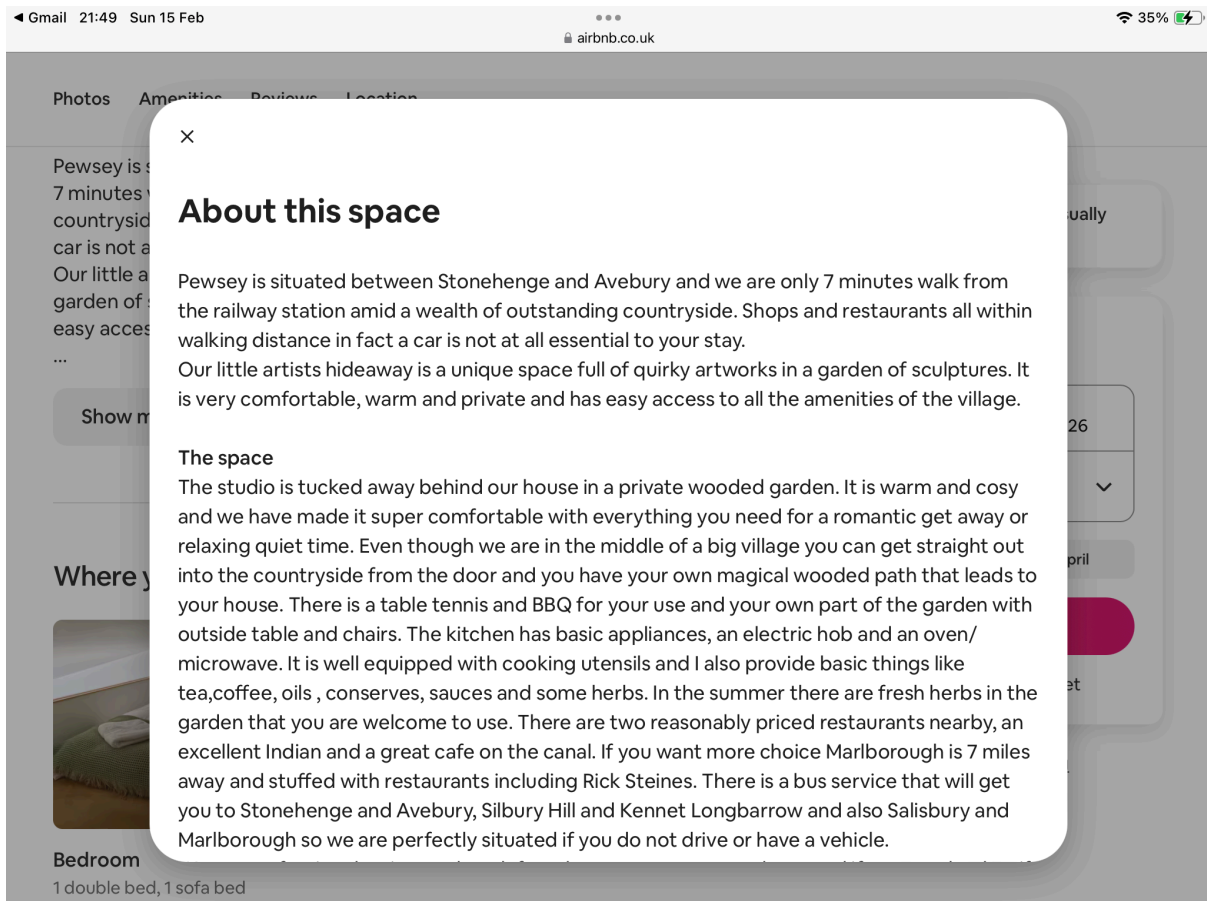


Electronic communication - If you submit this form by fax or e-mail the LPA may communicate with you in the same manner.
(Please see guidance notes)

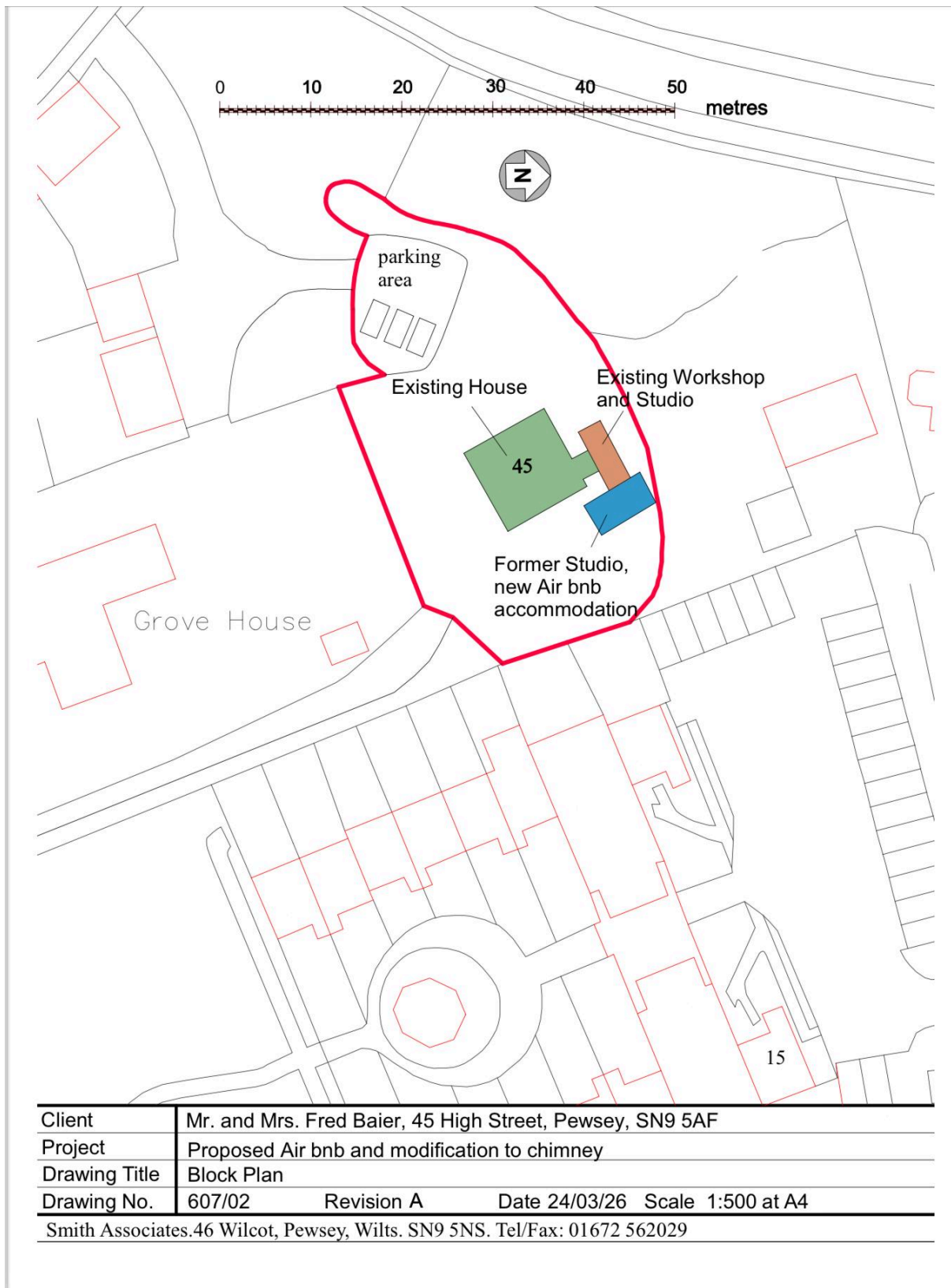
SDates: 2012-07-17 #5 \$Revision: 4636 \$



4. Airbnb listing describes an independent residential unit, quirky sculptures, and footpath access.



5. Block plan PL/2026/01813



6. Overspill parking (Broomcroft Road)



7. Overspill parking (in a neighbours space)



8. Overspill parking (on Parish Council land)



9. Inappropriate intrusion to Pewsey Conservation Area

