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Our Ref: OT/OT/McKee/MCK0053/0001
Email: othorp@middletonslegal.com

25 June 2026

FAO: Mr. Carl Haley (Managing Director, South West division) & Samuel Lee Sowden-Mardell (Land and Operations Director for Bellway Homes' South West Division)

Also by email: samuel.sowden-mardell@bellway.co.uk & carl.haley@bellway.co.uk & ccare-sw@bellway.co.uk

Dear Sirs,

Re: Planning Application: PL/2026/02717.

Our Clients: Gwyn and Anne Evans - 1 Bishopstrow Court BA12 9HL, Amanda and Jeremy Cuff - 2 Bishopstrow Court, Warminster BA12 9HL, Evonne Walton - 3 Bishopstrow Court, Warminster BA12 9HL, Roger and Paulette Land - 4 Bishopstrow Court, Ann Wilde - 5 Bishopstrow Court, Warminster BA12 9HL, Nigel and Elizabeth Sykes - 6 Bishopstrow Court, Warminster BA12 9HL BA12 9HL, Tim and Christine Rhindtutt - 7 Bishopstrow Court, Warminster BA12 9HL, Ken and Suzanne McKee - 9 Bishopstrow Court, Warminster BA12 9HL & Julie Downton - 10 Bishopstrow Court, Warminster BA12 9HL

We are instructed by the above-named residents of Bishopstrow Court, Warminster in relation to your above referred planning application.

Our clients wish to put on record their objection to your proposal to modify the extant access to their properties.

Home Farm Lane is a rural single track surfaced lane which serves Home Farm, a courtyard development of 9 houses and a further two properties set towards the top of the lane. Beyond these two properties the lane becomes an unmade single farm track leading to the barns of Home Farm and farm land. The current dominant use of the lane is centred on its use as a characterful approach to these properties, which are converted farm buildings of the original Home Farm linked to Bishopstrow House and its adjacent farm, together with a small amount of farm traffic and delivery vehicles serving the residential properties. The lane does not lead anywhere as a vehicular access so current use of this lane is very light and therefore it offers a safe and easy approach to the Boreham Road. The lane is also a designated footpath listed in the Wiltshire register of footpaths and bridleways.

East Gate House, 94 East Street, Warminster, Wiltshire, BA12 9BG t 01985 214444 f 01985 218915 Conveyancing f 01373 827446
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Our clients' properties enjoy a right of way over the lane. We enclose a copy of the title to 9 Bishopstrow Court, Boreham, Warminster, BA12 9HL (WT97656) and draw your attention to paragraph 2 (1) of the Property Register which reserves: 'A right of way with or without vehicles to pass and repass at all times and for all purposes over and along the roadway which forms the access to the main highway'. In addition, the properties at Bishopstrow Court are obliged to contribute to the upkeep of the accessway.

We note the proposal within your planning application appears to alter the layout of the roadway such that the route of our clients' access would be obstructed. You require our clients' positive consent to alter the position of their right of way. For avoidance of doubt our clients do not give such consent and if their right of way is obstructed we shall be instructed to issue injunctive proceedings.

Furthermore the proposed works would result in a number of highways and safety issues, as follows:

1. On exiting their properties our clients will be required to negotiate a left hand junction and join the feeder road for the proposed 135 dwellings, before being able to access the Boreham Road. The traffic flow at both the new intersection and the entry onto Boreham Road will be hugely increased, rendering their access to the main road less convenient and more hazardous.
2. When returning to their properties, entry will be even more difficult. Once they have negotiated the junction off the Boreham Road, they will be required within a very short distance to cross the flow of traffic in and out of the new development in order to access the newly created junction leading to the remainder of Home Farm Lane. This is clearly less convenient and more hazardous than the current access route.
3. There will undoubtedly be a significant increase in traffic and congestion caused by the proposed new layout, causing inconvenience to our client. There is also a real risk of congestion and a backlogging hazard for traffic using the Boreham Road into and out of Warminster. The proposed new layout would necessitate an awareness of multiple potential hazards/risks before turning up Home Farm Lane.

It appears that the proposed works would interfere substantially with our clients' right of way, both as regards the route thereof and their ability to use it as conveniently as before. The proposed works would lead to a significant increase in the volume of traffic using the roadway over which our clients have a right of way and therefore amount to excessive user.

There is a further issue we have been asked to draw your attention to: all of our clients' services (water, power, telephone)-come up from the bottom of the lane- across the private lane over which our clients have a right of way. Responsibility for repairs of service media therefore falls on our clients. We therefore wish to enquire as follows:

1. What plans do Bellway have to ensure the services are not disrupted by the proposed works?
2. Will Bellways bear the cost of and associated with any disruption to the service media?

Our clients are concerned that Bellway has made no effort to consult them over this matter, despite the apparent inability of Bellway to implement their plans without gaining their consent.

Please confirm safe receipt of this letter.

Yours faithfully,


Middleton Solicitors

CC Planning

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