

Representation on planning application 20/04313/FUL – land at the Barn, Bradford Road, Rudloe

Introduction

This is a curious, incongruous planning application, perhaps an ill-thought-out footnote to its big brother, the 88-home, Bellway, Dickens Gate development. The lands here were in the ownership of the Payne family of Colerne; the adjacent 10-acre field was sold off to Bellway for the Dickens Gate development, while the subject Barn remained in the ownership of the Paynes.

Wiltshire Council's planning pages advise that the subject of landownership should not be an issue when dealing with planning applications but in this case, the applicant is claiming ownership of land which forms a component of the application but the component land is not, as far as can be ascertained, in the applicant's ownership. The application cannot be properly dealt with if the proposals for this land are outwith the applicant's dispensation. This aspect is discussed in the section **Landownership** below.

On page 4 of the Planning Statement, the applicant asserts "It would be difficult to argue that the site is not well related to the settlement of Rudloe as a sustainable development opportunity". I would certainly argue exactly that. The application appears simply to be an afterthought following the sale and development of Dickens Gate as there is no indication of any access, either vehicular or pedestrian, between the Bellway development and the Barn site. Indeed, no mention is made at all of pedestrian access/egress to or from the application site in the Planning Statement, the applicant focuses solely on vehicular access to/from the B3109. And the vehicular access is, to say the least, problematical. This aspect is discussed in the section **Access** below.

As with all development proposals, arguments are made as to how the proposal fulfils a housing need, quoting from the NPPF, case law and a planning inspector who, in a recent appeal decision highlighted that only 4.42- to 4.62-years housing land supply can be demonstrated by Wiltshire Council rather than the required 5-year supply. The applicant therefore draws the incongruous conclusion that there is a presumption in favour of the subject application as sustainable for new housing. Corsham and environs are in Wiltshire but Wiltshire is not Corsham – the housing requirement for Corsham has been fulfilled. This aspect is discussed in **The Housing Requirement** below.

Landownership

The following two statements may be found in the Planning Statement:

- a. "The site's roadside boundary has been unmanaged for many years and while this is intended to be cut back to secure full sight lines ..." (page 9)
- b. "... the roadside boundary in the applicant's ownership has not been properly managed for many years and there are now a number of self-setting hedgerow trees within the main road's bank. These are not protected and will be removed. Indeed, the entire site frontage will be cleared and a new boundary treatment is proposed to define the inside of the visibility splay" (page 11)

While landownership is not normally a matter which will be looked at in planning applications (ref. Wiltshire Council's planning pages), the ownership of the verge is claimed by the applicant and this has a bearing on the plans proposed. The application document Proposed Site Location shows the verge **outside** the perimeter (marked in red) of the application site. With this in mind, I contacted Jane Hughes (jane.hughes@wiltshire.gov.uk), the Definitive Map and Highway Records Technical Officer at Wiltshire Council, who stated "Rights of Way weren't consulted on this application but I can confirm that the verge alongside Bradford Road is recorded as highway maintainable at public expense". I then made two Land Registry map enquiries, one for the Barn itself and another centred on the verge. The map returned on the Barn enquiry (Register Plan WT430410 at Annex A) shows the same perimeter as that given in the Proposed Site Location document with the verge outside the perimeter. The verge enquiry returned an 81-page Title Register (Title Number : WT221419) of MoD Estates lands in the Corsham area; the Registered Owner details were given as follows:

SECRETARY OF STATE FOR THE MINISTRY OF DEFENCE of

Property Legal Team, Ministry of Defence, Defence
Infrastructure Organisation mailpoint 2216, Poplar 2,
Abbey Wood, Bristol BS34 8JH and of Property Legal Team,
Ministry of Defence, Defence Infrastructure Organisation
Main Building, Horse Guards Avenue, Whitehall, London
SW1A 2HB and of Property Legal Team, Ministry of
Defence, Defence Infrastructure Organisation Bazalgette
Pavilion, RAF Wyton, Huntingdon PE28 2EA

Neither enquiry indicated that the verge is "... in the applicant's ownership" as asserted in the Planning Statement.

Access and Egress

(These issues will be analysed through the medium of text and photographs/tables)

The following two statements may be found in the planning statement:

- a. The above photograph shows the critical direction for vehicles emerging from the existing access and where the roadside will be made more open to enhance the available inter-visibility ... vehicles therefore coming from the right ... are not believed to be travelling excessively fast" (page 12)
- b. This is clearly a built-up area and it is a matter of fact that the existing access has been used intensively in association with the new house's (sic - should, of course, be houses') construction without any recorded conflicts" (page 12)

The possibility of the "roadside being made more open" through the applicant's ownership of the

verge is discussed in the Landownership section above.

The statement "... vehicles are not believed to be travelling excessively fast" indicates that the applicant (through his agent) has scant knowledge of the area and the road. There is a considerable amount of heavy goods traffic on this road – see figures 8, 9, 10 and 11 below. Whilst the (fast) speed of traffic is well-known to locals, in order to be a little more thorough for the purposes of this representation, this morning I checked speeds at rush hour – 60mph (10mph over the limit) was not uncommon and as I was returning, I heard a motorbike rush past faster than this (possibly 70 mph).

I repeat here the applicant's statement "it is a matter of fact that the existing access has been used intensively in association with the new houses' construction without any recorded conflicts" as this is such abject nonsense that one wonders whether it is simply misinformation or perhaps the more worrying disinformation. What they do not know or fail to mention is that the Bradford Road was closed for four months (August to December 2019) while the Barn entrance was used and, outside this period, traffic flow to/from the new building site (via the Barn entrance) was controlled by a three-way traffic light system. That's why there were no recorded conflicts! This is the 'matter of fact' – see figures 2 and 3 below.

With regard to vehicular access and egress to and from the site, figures 1, 4, 5, 6 and 7 below along with two RAC speed/braking distance tables illustrate the issues. Figure 1 shows the fall and curve in the road to the eastern side of the Barn access road – it may be seen that it is the fall and curve which are the significant factors, not the tree line as suggested by the applicant. Figures 4, 5, 6 (with an accurate distance calculation provided through Google's Daftlogic (an odd name but a very useful tool)) and 7 look carefully at the issue of vehicles approaching from the east. The captions provide useful commentaries. With my experience this morning of many vehicles travelling at 60mph, if the white van in Figure 4 or the car in Figure 5 were travelling at 60mph, or even 50mph, from the table, the thinking/braking distances would be 73 metres (at 60mph) or 53 metres (at 50mph). These two calculations of the distance required for thinking/braking are greater than the calculated distance of the vehicles (at 47 metres) from the Barn entrance. Figure 7 shows the driver's eye view (actually somewhat higher than a car driver as I am standing) from a car travelling east at 47 metres from the Barn entrance – from this point, a car exiting the Barn can perhaps (perhaps!) just be seen, but only just.

There appears to be the possibility of pedestrian link between the application site and the Bellway development across an undeveloped area at the south side of the development. This area is, at present, effectively scrubland with young trees planted at its northern border and with the eastern end (giving access through the Bellway development) fenced off. However, no mention is made of this most important aspect in the Planning Statement. Important because, in the past, tenants of the Barn had no pedestrian access to the 'outside world' - there are no footpaths on this stretch of the Bradford Road between the Barn entrance for 172 metres north-east (now to the entrance of the Bellway Dickens Gate development) or 196 metres south-west (to the entrance to The Links). The comment, on page 4 of the Planning Statement, "It would be difficult to argue that the site is not well related to the settlement of Rudloe as a sustainable development opportunity" is disingenuous in view of the fact that the applicant has given no attention to access other than vehicular access

which is problematical as illustrated above. What is the 'sustainable' pedestrian access plan?



Figure 1: It may be seen that the vegetation has hardly any bearing on sight lines (the trees are high on the bank and about 3 metres from the road). Far more significant are the bend and the rise/fall in the road. Here we see a Rudloe litter picker (Howard) clearing the verge on 5th January 2020; such 'management' of this and other verges at Rudloe has been happening since the late 70s.



Figure 2: Rudloe litter-picker (John) in Bradford Road on 3rd March 2019 - this photograph illustrates how the entrance to the Barn is completely hidden from westbound traffic by the rise and bend (and shows one of many three-way traffic light schemes that were in place while the Barn entrance was being used by Dickens Gate development traffic)



Figure 3: Another three-way traffic light scheme in the Bradford Road enabling access/egress to/from the Dickens Gate development site via the Barn entrance - 7th July 2019



Figure 4: A contemporary photograph (15th June 2020) which illustrates the problem of visibility for both drivers approaching from the east and drivers attempting to exit the Barn (who will be a bonnet's length from the road) – the van is around 47 metres distant from the Barn entrance



Figure 5: This vehicle which is just 47 metres away (calculated using online tools) is only now entering the exiting driver's field of vision



Figure 6: The distance (47 metres) of the vehicles shown in the previous figures from the Barn entrance. Neither the tree canopy nor, indeed, the tree trunks affect the sight line to any great degree; more significant are the bend and rise/fall of the road. (Data from Google's Daftlogic distance calculator)



Figure 7: The driver's view at 47 metres from the Barn entrance; as indicated in the text, this is from a standing position so in the order of a couple of feet higher than a car driver

From the RAC website, we find in the tables below, the thinking and braking distances for different speeds for a motor car. For a car travelling at 50 mph, the combined reacting and braking distance is 53 metres which is greater (by 6 metres) than the distance of the vehicles shown in Figures 4 and 5 from the Barn entrance. The stopping distance for lorries, particularly 44-tonne lorries, will be considerably greater. However, having lived in Springfield Close for 45 years, my experience is that a 'common' speed, particularly at rush hours, is in the region of 60 mph (as stated above, I confirmed

this, this morning, for the purposes of this representation) - the combined thinking/braking distance, at this speed, would be 73 metres.

Speed	Thinking distance (before reacting)
20mph	6 metres
30mph	9 metres
40mph	12 metres
50mph	15 metres
60mph	18 metres

Speed	Braking distance
20mph	6 metres
30mph	14 metres
40mph	24 metres
50mph	38 metres
60mph	55 metres



Figure 8: The Bradford Road takes a significant amount of agricultural traffic, particularly from Freeman Brothers of Boxfields, and ...



Figure 9: ... a significant number of 44-tonne lorries taking cereal to the Nestle factory at Staverton and ...



Figure 10: ... 'motorway maintenance' lorries use this route between quarries at Whatley, near Frome, and construction sites to the east. Drivers are certainly not tentative with the accelerator pedal – this one was doing close to 50 mph. As may be seen, the Barn entrance is completely hidden around the rise/bend.



Figure 11: On the same day, 15th June 2020, more 'motorway maintenance' lorries in the Bradford Road - the closer one is about to pass the Barn entrance

If (if!) the other issues highlighted in this representation could be overcome by the applicant, given the benefits of the tree line for both wildlife and local (and future) residents as a natural visual barrier for the new and old estates on either side of the road here and a sound barrier from traffic noise, it would certainly not be necessary to remove the whole line of trees as suggested. The applicant's assertion with regard to the trees (ash, goat willow, beech, Norway maple, field maple) that 'the trees are not protected so they will be removed' is a clumsy proposal on an issue requiring a reasonable, judicious solution (if, indeed, any 'solution' is required at all). The unthinking nature of the comment "... they will be removed" was further brought home to me when scores of unidentified birds were heard roosting recently in the field maple at the eastern end of the line.

The Housing Requirement

In the current climate of development at all costs, settlement boundaries seem to be a moveable feast and I guess that they can be argued over 'til the cows come home (but there is no possibility of cows coming home now in this area) but we should look at the actual requirement for housing in the Corsham Community Area (CCA) of which Rudloe is part. A Wiltshire Council document called the 'delegated report' associated with the Decision Notice dated 20.09.19 on the Donkey Field proposal (18/09884/OUT) at Westwells, Neston said the following: "The indicative remaining requirement for the Corsham Community Area remainder is 0. This proposal is not required as part of housing supply". So, Wiltshire Council planners say here that there is no further requirement for housing in the CCA. This is confirmed in the document Wiltshire Housing Site Allocations Plan (adopted February 2020) here: <http://www.wiltshire.gov.uk/whsap-adopted-2020-feb.pdf> which states in paragraph 4.28 "No allocations are proposed in the Plan for Calne or Corsham". This is further confirmed in 'Table 4.10 North and West HMA - Distribution of housing development 2006-2026 (rural areas)' of the same document (page 15) which shows that the 'Indicative requirement 2006-2026' is 175 for the CCA and the housing completions and commitments are 381 and so are 118% over the indicative requirement! The applicant mentions the Wiltshire Housing Site Allocations Plan in the Planning Statement for this application but, significantly, fails to mention that it shows that there is no further requirement for housing in the CCA.

As indicated in the introduction, the applicant quotes from a planning inspector's argument that only 4.42- to 4.62-years housing land supply can be demonstrated by Wiltshire Council (in Wiltshire!) rather than the required 5-year supply. The applicant then draws the incongruous conclusion that there is a presumption in favour of the subject development as sustainable for new housing in Corsham. But, as we see above, Corsham is already 118% (not 18%, but 118%) oversubscribed with new developments.

An Aside

And just an aside, but the applicant talks of management of the verge (or lack of it), the people of Rudloe have been 'managing' the verge for forty years on their litter picking circuit – see <https://www.litteraction.org.uk/the-rudloe-mob> - this litter-picking group was formed in 1979 and, coincidentally, on one of the 'rounds' in the winter of 1996, the following picture of the barn as it was before conversion to a dwelling was taken. Memories of Rudloe as a part of the countryside!



Conclusion

This is not a 'sustainable development opportunity' as asserted by the applicant, it is an ill-thought-through scheme which will harm the local environment and bring potential danger to the occupants of the homes proposed each time they leave the site by car. It includes (apparently) an opportunist 'land grab' which, while not normally within the scope of planning applications, should be investigated and resolved by the planners.

Paul Turner
29 Springfield Close
Rudloe
Corsham SN13 0JR

7th July 2020



Annex A

© Crown copyright and database rights 2017 Ordnance Survey 100026316. You are not permitted to copy, sub-license, distribute or sell any of this data to third parties in any form.

