

## Comments

### Cherhill Hall Community Right to Build Order Reg 23 Consultation (11/06/18 to 30/07/18)

<b>Comment ID</b>	24
<b>Response Date</b>	30/07/18 16:59
<b>Status</b>	Processed
<b>Submission Type</b>	Web
<b>Version</b>	0.4
<b>To which part of the Cherhill New Village Hall Community Right to Build Order does your comment relate?</b>	The CrtBO proposal in general

**Comment:**

We oppose the new village hall, our reasons are as follows

1. Access not suitable
2. Safety issues along the lane
3. Access through Oldbury Fields is not possible. It is a private road

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<b>Comment ID</b>	23
<b>Response Date</b>	30/07/18 16:56
<b>Status</b>	Processed
<b>Submission Type</b>	Web
<b>Version</b>	0.4
<b>To which part of the Cherhill New Village Hall Community Right to Build Order does your comment relate?</b>	Governance

**Comment:**

Further to my detailed comments, which included a section on Governance, I have now tracked down the CIO 2017 report to the Charity Commission. This makes it clear that Trustees are elected once a year by all village residents. So long as this remains in place, that provides reassurance on links to the community. It would have helped to make this clearer in the application, along with publication of membership and Trust deed.

<b>Comment ID</b>	22
<b>Response Date</b>	30/07/18 13:12
<b>Status</b>	Processed
<b>Submission Type</b>	Web
<b>Version</b>	0.4
<b>To which part of the Cherhill New Village Hall Community Right to Build Order does your comment relate?</b>	All

**Comment:**

The applicants should be commended for the thoroughness and professionalism of the material they have presented. The argument that the village would benefit from a new hall is persuasive (though not unquestionable, if the conditions and costs are not right), notably for the reduced constraints of space and parking. I am sympathetic to the project but have a number of significant reservations about the site, some of the detail, the CRtB approach, the status of the applicants, the proposed referendum and this particular consultation.

I have expressed my concerns about CRtB and the decision to circumvent the planning process before and have never had an adequate answer. The planning process would have engaged the professional views of council planners and required wider consultation with the AONB and bodies such as CPRE. It would also have included a more thorough consultation than this one, and potentially allowed the public to attend a meeting for a discussion of the specific application. And avoided some of the shortcomings of the current approach.

I recognise and support the inclusion of what correspond to a number of planning conditions in the text but it is not clear what weight they would have (see below)

CONSULTATION - this crucial consultation stage seems to be partly the responsibility of Wiltshire Council, who have done almost nothing to publicise it. No notices have been displayed in the village. Moreover no adequate attention has been given to it by the Parish Council (who as far as I can see have only noted it), and the obvious option of a leaflet to each village household has been ignored by the applicants. Coverage of the consultation appeared on the Cherhill.org web site, but quite late in the process as far as I can tell. This is a massive issue for the village and yet much less publicity has been given to this consultation than to local social events, which are at least prominently advertised on telegraph poles. I recognise there have been displays, meetings and one village wide consultation in the formative years running up to this process, as evidenced by the documents, BUT these were all preliminary and THIS is the consultation that counts, and it hasn't been properly advertised. So far there have been very few responses which makes my point.

THE REFERENDUM - My second large concern is about decision by referendum. Who will decide the question? Will it be 'yes'/'no'? Eg "do you support the village hall proposal?" With no opportunity to say, for example, yes but only with revisions? None of which has been addressed, as far as I can see. As we have seen referenda can be troubled processes.

DEVIATIONS - My third process concern is whether, if approved, any approved document constrains the proposers to stick to what they say in these documents or can they change things as they wish. As above, the planning process would have come with enforceable conditions.

THE INDEPENDENT INSPECTION - It seems the issues an Inspector would examine are very limited, and may not include recommending any changes to the project. If so, the project presumably goes forward as it is, with no possibility of changes, to a yes/no vote, which is unsatisfactory.

My concerns about the specifics are:

- COST - namely the disingenuous failure to be transparent about costs and sources of funding. I fully agree with another respondent who made this point. I also raised this in an earlier consultation but never had a response. There are only vague assurances that the money will be raised in grants. But

many grant bodies expect the applicants to share in the costs. Before voting, the village ought to know quite definitely - Will this require increases in the precept, or is that ruled out?

- GOVERNANCE - this is seen as a community project but the governance and ownership of it and a future hall lies with the Charitable Incorporated Organisation who run the present hall, a unelected and non-transparent body. Their constitution and membership has not been included in the documents. There seems for example to be no inhibition on a future CIO transferring a new hall (or some of the land) to other ownership, for example to a private company. CIOs are formally required NOT to have any restriction on the disposal of their property. And I could not see any proposal for involvement of the community, or the Parish Council, in future decisions. This needs to be rectified at this early stage.

- VISUAL IMPACT - The site is with the AONB. The visual impact on the view of the village from the hill and the White Horse is underestimated in the Heritage Report, written as it acknowledges 'in support of the application'. Even using the view selected for page 11 of that Report makes it obvious that an additional modern building and a car park to the right of Bell House will disturb the view of the village, and of course increase its built up area. This is confirmed by the Viewing Point detail in the application. There are some unfortunate tendencies in all this to downplay problematic issues - rather than frankly accepting that there are some and arguing the case on balance. There is case to answer whether this proposal is consistent with Council Policy CP51 on Landscape.

- TRAFFIC - the Transport Report understates traffic problem. For example it asserts that the overall level of traffic for the new hall is unlikely to differ from present levels (3.3), which must be wrong. The new hall will not only be much larger, with more rooms, but will be under pressure to maximise us to help cover both capital and running costs by much increased bookings. Moreover it will be at the edge of the village with the obvious possibility that some of those who walk to the hall at present will have further to come, and some will have to negotiate a quite steep hill, and many are likely to drive, especially if parking is easy. It is reasonable to expect the traffic from inside and outside will at least double present levels. The report recognises the problem of the narrowness of Park Lane in which the new hall entrance will be located. It refers to a risk that a widened Park Lane could be attractive to visitors to the White Horse and Monument hill and uses that to argue against the strongly worded view of the Wiltshire Council officer that the lane should be widened to 5.5 metres as far as the entrance, which seems right in the light of likely additional traffic flows. The argument about visitor parking could be dealt with by yellow lines which would surely deter casual visitors. In any event, the flow of traffic up and down the Lane, and in and out of the entrance is a major challenge. It should be addressed by developing and using realistic analysis of of future traffic flows, and of driving in and out of the entrance, and a commitment to work with Council officers on the final design. As it stands the proposal risks being contrary to Council Policies CP 60 (Sustainable Transport) and CP 61 (Transport and new development).

In summary, assurances are needed about what provision there is for improvement to the proposal, how the referendum will be phrased, on costs and costs to the village, traffic and visual impact, on the potential for variation and certainly not least on the transparency of the CIO and its relation to the community - now and in the future. This may well suggest a pause, reflection and improvement before proceeding to a yes / no decision.

**Do you wish to be notified of the decision on the Cherhill New Village Hall Community Right to Build Order proposal?** Yes

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<b>Comment ID</b>	28
<b>Response Date</b>	30/07/18 09:00
<b>Status</b>	Processed
<b>Submission Type</b>	Email

**Version**

0.4

**Comment:**

Thank you for consulting Historic England on the Cherhill New Village Hall Community Right to Build Order, Cherhill, Wiltshire.

The chosen location for this new facility within the village of Cherhill is a sensitive one, being just outside the Conservation Area, within close proximity of a number of listed buildings and within views towards and from the Cherhill White Horse, a Scheduled Ancient Monument, and Cherhill Monument. The adjacent Conservation Area is characterised by hedgerows and linear development and as such it is important that any new development takes account of the impact on views into and out from the area, as well as the setting of nearby listed buildings, in particular Tudor Cottage. It is known that the development site was the site of a number of dwellings and a stable block until the late 19th century but since then has been an open field bounded by low level hedging. This provides open views out from the otherwise heavily hedged Conservation Area towards the Chalk Downs and associated Heritage Assets.

Having considered the application and discussed it with my colleague [REDACTED], Inspector for Scheduled Ancient Monuments, we do not raise any objections to the proposed plans. While the proposed development will alter the character of this open field, its impacts on the Conservation Area will be limited by the low level design and natural materials being utilised. It will be important that appropriate care is taken to ensure that the proposed screening limits the impact of the car parking facilities on the Eastern boundary of the Conservation Area.

We would like to raise some concerns regarding the potential impact of the way in which the site and the hall will be lit. Particularly given the glazed elevation facing eastwards out into the countryside. Consideration should be given to limiting the 'glow' of this elevation when internally lit, and also the way in which the car park will be highlighted in this manner. This issue of light should also be considered with regards to the setting of the Grade II listed Tudor Cottage. At present the information regarding this element of the scheme appears to be limited and we would therefore request that full details are provided prior to approval in order to ensure that minimal harm is caused to these assets and fulfil the requirements laid out in Paragraph 193 and 194 of the National Planning Policy Framework.

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<b>Comment ID</b>	27
<b>Response Date</b>	30/07/18 09:00
<b>Status</b>	Processed
<b>Submission Type</b>	Letter
<b>Version</b>	0.4

**Comment:**

Re: Cherhill Village Hall Community Right to Build Order

With regard to the above Application we would like the appropriate body aware of our concerns which I list below.

Point 3.7 Access for those with mobility problems are more significant than stated as the incline up from the present village hall to either Maiden Lane or Park Lane is quite steep.

Point 3.7.1 Insufficient consideration has been given for the widening of Park Lane - many very wide farm vehicles plus large articulated lorries turn into and travel along Park Lane many times a day all year round and not only at harvest time as stated. This makes access to Park Lane from the A4 a likely potential accident blackspot.

Point 3.7.3 The proposed footpath access at the north west corner of the site is on a blind, and thus dangerous bend with no place for pedestrians to step off the narrow carriageway in order to escape

passing traffic. The 20 mph speed limit is not adhered to by many vehicle drivers and no checks or controls are in place to enforce this speed limit.

Point 3.7.4 The quoted density of traffic on Park Lane is grossly underestimated. Obviously no proper survey has been carried out. The Transport Research Laboratory figures quoted are irrelevant and cannot be applied to Park Lane as they are only generalised estimates. The actual traffic movements are far greater than indicated.

Point 3.9 Amplified Music. No maximum sound limits are indicated for this site. A maximum decibel limit needs to be stipulated also, no fireworks or other sources of noise need to be limited, particularly at night as neighbouring properties will be greatly affected by the extra noise emanating from the proposed Village Hall and associated ground.

Point 4.4.2 The existing hedgerow on the west side adjoining Park Lane is part of the Conservation Area and the widening of the lane from the proposed site entrance to the A4 will entail removing this hedgerow. This has not been addressed.

Transport Statement Point 2.4 The speed limit on the A4 on the approaches to Park Lane from either direction are rarely adhered to and there is an increased risk of a serious accident occurring with vehicles trying to turn into Park Lane "backing up" on the A4. Some form of controlling the speed of A4 traffic near this junction needs to be addressed.

Point 3.1 The "normal peak hours" mentioned in the application do not apply to expected traffic movements as claimed. Most large vehicles use Park Lane at all times of day and night up until midnight. This would show up had a proper survey been carried out.

With regard to the Consultation Statement, the lorry turning proposal stated that no allowance was made for large vehicles to access the site as there will be no need for oil tankers or refuse vehicles to enter the site. The argument made regarding fire engine access being hindered through the village by parked vehicles at the present village hall also applies to the new village hall entrance and car park. There will need to be an allowance in the proposed parking area and entrance width for construction vehicles in addition to emergency vehicles.

I trust that the above will be taken into consideration when the final assessment is made by the Inspector.

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<b>Comment ID</b>	20
<b>Response Date</b>	29/07/18 23:43
<b>Status</b>	Processed
<b>Submission Type</b>	Web
<b>Version</b>	0.5
<b>To which part of the Cherhill New Village Hall Community Right to Build Order does your comment relate?</b>	The application as a whole

**Comment:**

Dear Sir or Madam

I am writing to record my continued disappointment with the applicant who still has not addressed my concerns with their application. For your benefit, I have included my earlier comments below to which I will refer, unfortunately my concerns are numerous so I will try to limit this written objection to those that I would like to bring to your attention.

For your information I am respondent 20, I am a Chartered Civil Engineer (FICE) and a professionally qualified Project Director with nearly 40 years experience in the building and construction industry and I have been involved in the development and delivery of many £multimillion projects throughout all RIBA stages. I have also been involved (and am still involved) in the preparation of two separate

Neighbourhood Plans (NHP), Brabourne and Smeeth in Kent and presently the Marlborough Area NHP so therefore I consider myself to have an experienced understanding of the NHP process upon which the CRtBO is rooted.

I have the following comments:

### **Benefit to the local/rural economy**

There is no supporting documentation to prove the existing Village Hall is unsuitable for the size of the local community, nor is there any supporting documentation to demonstrate the method by which funds will be obtained to complete the project.

This can be demonstrated by:-

The 2016 Receipts and payment accounts for the existing hall show a hire income of £7,413 for 2016 and £8,544 for 2015, i.e. an average of approx. £8,000/year. This equates to 107 days of bookings using the cheapest daily hire charge. In other words, the existing village hall is at best only used for 30% of its availability. The true usage is more realistically around 25% as the bookings on the booking calendar are mostly for separate morning, afternoon and evening sessions, all of which when added together give a high daily use cost and hence less actual days used.

The estimated cost for the new village hall has to include a number of factors over and above the building construction itself. For example :- remodelling the road access, moving powerlines and transformers, Contractor's Preliminaries, Contractor's OHP, Fees, Design Contingency and Risk, Inflation and VAT. As stated above, I have considerable experience (including fundraising), I have spoken to several professional I know and respect and I estimate this project is going to cost somewhere between £2.0 and £2.5 million. Even if it is kept towards the lower end this is still a consider amount of money to raise and spend on a village of 270 households, especially as the existing facility is of a sufficient size for most of the group's that use it. Additionally, the New Village Hall will be within walking distance of 80% of the village however the existing Village Hall is within walking distance of 100% of the Village. I would argue that placing the new Hall at one end of the village will actually disadvantage 50% of the village who will be left with no alternative but to drive. This goes against any Environmental improvement guidance which looks to reduce the amount of car journeys needed. Additionally, in order to walk to the new hall all pedestrians will have to negotiate either the A4 footpath or, as proposed, use the village lanes. All people with mobility disabilities will have to climb a steeper hill up to towards Tudor Thatch than the ramp to the existing hall. Please note there is no Public Right of Way through Oldbury Fields.

There is no evidence to show the funding is in place or, indeed, that fund raising has started. From my own experience it can take two to three years to even be in a position to ask for funding. The guidance from the government is 'Site allocation in plan should include an indication of the expected timescale for delivery, for example years 0-5 or 6-10 plan period.' I believe the Applicant has completely misjudge the difficulty that exists in raising funds, there is a real risk this scheme could either lay unfinished for years or that the design will have to be compromised in order for it to be affordable.

### **Conclusion**

There is no real evidence to support the actual need for a new larger Village Hall other than a proposed notion. There has been no attempt to test this notion by reviewing the usage and surveying the users of the existing village hall. There has also been no attempt to put together a financial business case to justify the cost benefit of building a new one and for running it once it is complete. There is no fundraising plan in place other than a list of potential contacts. All of the above should be in place to demonstrate how this proposal will satisfy the benefit to the local/rural economy, failure to do so carries a very high and unacceptable financial risk.

### **Engagement with the local community with particular regard to Traffic and Parking nuisance.**

'Applicants will be expected to work closely with those directly affected by their proposals to evolve designs that take account of the view of the community'

It is clear the applicant has engaged with those affected through holding general open meetings but it is also quite clear they have chosen not to engage with those neighbours directly affected and to ignore their concerns even when raised at the open meetings.

This can be demonstrated by:-

They state that 'strong consideration for those directly affected by the proposal boarding the site' has taken place and yet this is contradicted in your Consultation Statement where the same questions about Traffic/Parking, Cost and Historic/Conservation value keep being either dismissed or left un-responded to. The response to the question "we believe that building on Park Lane field will detrimentally affect the Conservation area within Cherhill" is 'The site lies outside the Cherhill Conservation area'. This is not the case as a condition of the Highways Authority is to carry out extensive remodelling and widening works to Park Lane which is within the Conservation Area. The project cannot proceed without this work taking place.

The issue of parking is repeatedly raised as a concern and the Preliminary Access Report and Transport Statement concurs with these concerns stating 'widening would have the potential to encourage visitors to the village hall to park on Park Lane' and 'waiting restrictions are unlikely to be effective in preventing such on-street parking'. Additionally, this will only be compounded at the weekend when the carpark will inevitably be used by 'those visiting the Downs' which presently can be up to 20 vehicles at one time during the winter and more during the summer. There seems to be little or no evidence that this issue has been properly addressed other than to state 'a balance has to be struck'. This will not stop visitors parking half on the verge, causing an obstruction to passing vehicles and pedestrian including emergency vehicles, forcing drivers onto neighbouring private property, endangering pedestrians and causing a general nuisance.

The issue of traffic is also repeatedly raised as a concern and neither the Preliminary Access Report nor the Transport Statement addresses this adequately and the evidence provided within them is flawed. For example it states 'The use of the existing hall generates traffic movements, and, for most meetings and events, the overall level of traffic for the new hall is unlikely to be materially different.....However, clearly the additional main hall floor space may give rise to some additional traffic movements.....at weekends'. There are two issues still unresolved here:- Firstly, either the traffic is materially the same or it isn't, it can't be both, whether the busy period is at a weekend or not it will still cause the same problems; Secondly, it is evident from the proposed ambition of the applicant the intention is to increase the usage of the new hall not just for the local community (for which the existing hall suffices) but for external users too therefore, the amount of traffic is only going to get worse. The planned car park will accommodate 49 vehicles, once it is full there is nowhere else to park.

Park Lane is a quiet peaceful lane that has been recognised for its historic character which is why it is included within the Cherhill Conservation Area. The weekends are a time for relaxation and enjoyment at home, the increase in traffic and congestion will cause an unnecessary nuisance to those directly affected by the proposals and will destroy the historic value of this space. These issues have not been satisfactorily addressed. It is not sufficient to state repeatedly that the guidance from Wiltshire Highways has been taken on board as this does not address the real concerns raised but left unanswered.

#### Conclusion

The applicant has paid lip service to the consultation process in order to tick a box, true consultation addresses the concerns and issues raised and either adapts the proposal or validates why it cannot change. The offer of a free parcel of land to build on does not entitle the applicant to force through a proposal that has not followed due process, these concerns need addressing and if for real reasons they are unresolvable then an alternative must be found.

#### **Conserving and Enhancing the Historic Environment**

As stated above the proposed New Village Hall scheme will be (partly) within the Cherhill Conservation area. Whether it is partly or wholly within does not make any difference, the approach to addressing this fact is the same. Also, as Park Lane along with its verge and hedgerow is the part within the Cherhill Conservation area, it must be considered in the same light as any other lane, verge or hedgerow within the same area. To that end the guidance set out in the Cherhill Village Conservation Statement (CVCS) which records the decision to remove Park Lane field from the Conservation Area but retain the Lane and was adopted as Supplementary Planning Guidance to the Local Plan by the council on 15th September 1998, has neither been referred to nor used to inform the design.

As you will be well aware but it is worth noting at this point, two of the three founding member Trustees for the Cherhill Village Hall CIO Charity i.e. the Applicant, and the present Landowner of Park Lane

Field, agreed the content, wrote and published the CVCS, in other words, the applicant set the desired standard by which Park Lane should be cared for.

The CVCS regards the Lanes as holding a significantly important role in the historic character of the Village 'These Lanes contain much of the character of Cherhill and are a very important feature.....The nature of the lanes is beginning to be spoiled by new accesses being formed to infill housing development. Often the accesses are over large breaches with the tiny lanes. Some accesses are wider than the Lane themselves which diminishes the natural hierarchy of the street pattern. **This should be guarded against if the character is to be retained.**'

The CVCS goes on to recommend:

- 1 Ensure the retention of existing hedgerow and mature trees
- 2 Avoid urbanising the Lane with formal footways and kerbs
- 3 Ensure any new accesses are detailed sympathetically to maintain the character of Park Lane

The CVCS conclusion states: The analysis of Cherhill drawn out in this statement leads to the conclusion that the central area of The Street and the area around St James Church must be preserved. However, the analysis shows that there are other areas of the Village which although lacking in listed buildings have concentration of historically or otherwise important features whose loss would diminish the character of Cherhill. **In particular the hedges, grassed banks and verges and the narrow lanes and paths are an important part of the history and character of the Village.**

It goes on to state, Extra protection such as Article 4(2) Directions can be given if there is a perceived threat to existing character.

#### Conclusion

As stated above it is evident that the Applicant has repeatedly chosen to ignore the real concern that the direct impact on an important part of the Cherhill Conservation Area has not been addressed. It is evident here that three of the six authors of the CVCS are choosing to ignore their own advice because they now have a role to play in promoting a cause they have a strong interest in. This is not acceptable and needs to be addressed. If the fact is the Lanes are to be preserved and this means the access cannot be altered sufficiently to satisfy the requirements of the local highway authority then either an alternative access route needs to be found or an alternative site.

#### Overall conclusion

The Village Hall committee and its subcommittee does not represent the the whole village community, I understand the CRtBO process does allow for an independent inspector's review and a referendum however, it is beholden on the planning authority to ensure what is put forward for review is fit for purpose, to that end I would respectfully ask the you to consider the following:

- 1 As I understand it, following the first round of community consultation, any perceived need put forward has to be substantiated by further evidence gathering in the form of surveys and financial justification. Thirty minutes of interrogating the present village hall's past AGM minutes, accounts and bookings calendar was all I needed to conclude there is no evidence to substantiate the perceived need. Furthermore, the estimated costs of £1.4million does not take into account Fees (say 15%), Contractor's Overheads and Profit (say 15%), contingency suitable for a scheme at RIBA stage 3 (say 10%) and vat at 20%. If they did the overall stage 3 estimate would read £2.4million.
- 2 I understand the offer of a free site to build on is extremely attractive however, there is a real risk to Wiltshire CC that the first CRtBO put forward in the County is fundamentally flawed because those submitting it have been blinded by the free offer and thus due process has been glossed over in order to obtain approval. If this is not the case then the application should include the substantiated evidence of need, unfortunately it is glaringly absent.
- 3 The proposed 'green' design is justified through consistent reference to the adjacent Cherhill Conservation Area, Cherhill Downs SSSI and the AONB within which it is sited and therefore is one that is ultimately befitting of such a prestigious and openly visible (from the downs) location. However, it is also expensive and as such is vulnerable to 'Value Engineering' once the reality of raising £2.4million dawns. If Wiltshire CC allowed the CRtBO to go through there is a real risk the final 'affordable' building and car park will forever be an eyesore in this beautiful part of the County.



- 4 The intrusion of the design onto the Cherhill Conservation area should be considered by the Conservation Officer.
- 5 The issue of parking has not been addressed. I accept it is a problem with the existing Village Hall but that does not justify moving the problem to another part of the village, especially to an area that will attract additional parking by those that walk the downs, which can be many at the weekend.
- 6 The route into the village along Park Lane is especially beautiful and stands as an ancient boundary between the built environment and the open down countryside, visible from the top of the A4 to the east, to the top of the Downs themselves. Destroying this by widening the lane and placing a carpark next to it is tantamount to wanted vandalism of the countryside and will wreck the historic street scene for all those thousands of travellers passing and for those that stop to walk and enjoy the amazing views.

I thank you for your time in reading this objection and I look forward to your balanced assessment of the application.

With kind regards

**Do you wish to be notified of the decision on the Cherhill New Village Hall Community Right to Build Order proposal?** Yes

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**Comment ID** 19  
**Response Date** 29/07/18 22:51  
**Status** Processed  
**Submission Type** Web  
**Version** 0.3

**To which part of the Cherhill New Village Hall Community Right to Build Order does your comment relate?** right to build order

**Comment:**

The present village hall is no longer adequate for village purposes. It is used to capacity and a larger hall with more space and more facilities is urgently required in order to provide a desirable community facility. The Order is fully supported.

**Do you wish to be notified of the decision on the Cherhill New Village Hall Community Right to Build Order proposal?** Yes

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**Comment ID** 18  
**Response Date** 29/07/18 21:16  
**Status** Processed  
**Submission Type** Web  
**Version** 0.4

**To which part of the Cherhill New Village Hall  
Community Right to Build Order does your  
comment relate?**

18 Consultation Statement (R) 3.4p

**Comment:**

**Site entrance not in best location**

The commissioned Preliminary Access Report (PAR) identified two options, direct access from the A4 (onto Juggler's Lane outside the 40mph sign) and the existing field gateway on Park Lane. The direct access option was quickly dismissed due to anticipated high cost and the necessary use of land outwith ownership, leaving Park Lane as the default option. Identified in the PAR not as the "best" but as the "least problematic" entrance.

- 1 The proposed new layout of the A4/Park Lane junction (20m x 5.5m + splays) is a positive and welcome step, large agricultural and commercial vehicles arriving at this narrow junction have always caused a road safety concern, this new layout makes the junction safer for all traffic.
- 2 The proposed site entrance will become a complex and confusing mini crossroad type junction, Traffic priority will presumably remain with the Lane which at this point changes in width from 3.2m to 5m (north <-> south) it will support the site entrance (east), another entrance into Oldbury Fields and to a residential driveway (both west), with the latter two fronted by a significant passing point, needed to accommodate traffic travelling south along the single track Park Lane. This proposed site entrance is not in the best location nor is it even the least problematic option, it makes no sense to drag Village Hall traffic so far into Park Lane.
- 3 Additional Lane widening (30m x 5m) between the proposed site entrance and the new A4/Park Lane junction not only allows for two-way traffic but also ad hoc roadside parking, that is until a large agricultural or commercial vehicle enters the Lane and tries to pass. The hedgerow, telegraph poles and mains transformer will all need to be moved back away from this new 5m wide stretch of the Lane. This additional widening is both unnecessary and counterproductive.
- 4 Safety concerns over pedestrians walking south along Park Lane from The Street to (and from) the new Hall at its north west corner. There is no footway, no lighting, it's on a blind bend and at that point Park Lane is just 3.2m wide, its prone to flooding and has no acceptable place to avoid traffic.
- 5 Consideration should be given to the additional volume of non village hall traffic attempting to park in the immediate vicinity, access should be made available for on-site parking but not at the expense of site security.

I am hopeful Wiltshire Council Highways did not base their latest advice on the concept sketch alone and considered the full recommendation in **27. Consultation Statement Appendix 9 (R)** pages 59 – 61. This describes the benefits of an alternate access option based on moving the site access as close as possible to the proposed new A4 junction layout. It resolves most issues listed above, it addresses necessary site security and provides an on-site vehicle queuing capacity, it also incorporates an angled entry that facilitates easier entry of large commercial vehicles (fire engines, etc.). Highways indicated a 33m minimum distance from the A4 junction but the on-site queuing capacity and a possible change in Park Lane traffic priority would go a long way to mitigate that minimum requirement. If this prime development site cannot be accessed safely and conveniently by foot, cycle or vehicle then surely it must not be developed.

**Do you wish to be notified of the decision on the  
Cherhill New Village Hall Community Right to  
Build Order proposal?** Yes

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<b>Comment ID</b>	17
<b>Response Date</b>	29/07/18 21:14
<b>Status</b>	Processed

<b>Submission Type</b>	Web
<b>Version</b>	0.3
<b>To which part of the Cherhill New Village Hall Community Right to Build Order does your comment relate?</b>	18 Consultation Statement (R) 3.4e

**Comment:**

**Concerns Over Ecology and Habitat Conservation**

Firstly, I should point out that respondent 23 did not highlight the sighting of a “dead” Great Crested Newt, the amphibian in question was found, reported and recorded then released back to where it was found.

The Bat Consultancy recorded this sighting only after respondent 23 suggested rechecking the Wiltshire and Swindon Biological Records Centre (WSBRC), The Consultancy were also provided with the location of a garden pond known to support Great Crested Newts, this pond lies some 200m inside the prescribed search area and although identified in the Habitat Report Update it has never been assessed for breeding.

The grounds of Tudor Cottage continue to support thriving communities of both badgers and bats, this activity is directly adjacent to the north boundary of the proposed village hall site and as suggested within the Habitat Report Update will require that its findings should be reviewed and updated if no action or development has taken place on the proposed site since May 2017. Particularly relevant as no records currently exist for badger setts or bat roosts directly adjacent to the proposed site.

<b>Do you wish to be notified of the decision on the Cherhill New Village Hall Community Right to Build Order proposal?</b>	Yes
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<b>Comment ID</b>	16
<b>Response Date</b>	29/07/18 14:20
<b>Status</b>	Processed
<b>Submission Type</b>	Web
<b>Version</b>	0.3

<b>To which part of the Cherhill New Village Hall Community Right to Build Order does your comment relate?</b>	The Whole Project
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**Comment:**

I'm very much in favour of this plan. The current hall is popular and well used but struggling to meet the demands placed on it. Building expansion or improved parking arrangements are impossible and a new build is the best way of keeping this vital institution alive and responsive to need: we're so lucky to have the opportunity. I know that some residents near the proposed site are opposed, but the whole village will benefit and it seems very fair for the matter to be decided in a referendum

<b>Do you wish to be notified of the decision on the Cherhill New Village Hall Community Right to Build Order proposal?</b>	No
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<b>Comment ID</b>	15
<b>Response Date</b>	29/07/18 12:40
<b>Status</b>	Processed
<b>Submission Type</b>	Web
<b>Version</b>	0.3

**To which part of the Cherhill New Village Hall Community Right to Build Order does your comment relate?** location

**Comment:**

Whilst the Gardening Club members support the idea of a bigger hall and better parking availability, they do feel that the new hall at the extreme end of the village will necessitate fewer people to walk there. this extra traffic will cause a problem through the village and in particular along Park Lane which is very narrow.

There are also concerns that the location on the A4 opposite the white horse and the Cherhill/Marlborough Downs will mean the public will use the car park at the new hall and again, create traffic problems in Park Lane.

**Do you wish to be notified of the decision on the Cherhill New Village Hall Community Right to Build Order proposal?** No

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<b>Comment ID</b>	26
<b>Response Date</b>	29/07/18 11:07
<b>Status</b>	Processed
<b>Submission Type</b>	Email
<b>Version</b>	0.4

**Comment:**

The above mentioned plan to build a new village hall is, in my belief, a complete waste of money.

Why does Cherhill need a new hall? Why, when there is a perfectly viable building in use, within the village itself, and has served this purpose for a some years.

The money raised would be better spent by improving the existing hall.

If on the occasions when a larger hall would be beneficial surely a larger hall can be hired for that. I know from the experience of walking from Park Lane onto the A4 is in itself dangerous, there is not a pavement or footpath.

Laughingly there're is a 20 mile a hour speed limit but that is ignored altogether, the vehicles come speeding along, keeping to the grass verge is not enough either.

I suspect the volume of traffic will be significantly increased partly because of the uneven terrain of Cherhill, which makes walking very difficult for some people and they will then have to resort to using their own vehicles.

Therefore these narrow, little lanes will be required to cope with traffic they were not made for, and children with families ect will be placed at even greater risk.

The site is frequented by tourist, who take pleasure in the views of the landscape.

As one said to me only yesterday, '*how fortunate you are to be able to see the most iconic landscape in Wiltshire*'.

They can at present feast their eyes on the whole area. I can see no need for a new hall whatsoever.

The photo of the hall at its busiest time is a Quiz evening I would guess and as such not typical.

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<b>Comment ID</b>	25
<b>Response Date</b>	27/07/18 16:31
<b>Status</b>	Processed
<b>Submission Type</b>	Email
<b>Version</b>	0.4

**Comment:**

Thank you for consulting the Environment Agency on the above Order.

We have no comments to make on the proposals.

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<b>Comment ID</b>	14
<b>Response Date</b>	26/07/18 17:28
<b>Status</b>	Processed
<b>Submission Type</b>	Web
<b>Version</b>	0.3

<b>To which part of the Cherhill New Village Hall Community Right to Build Order does your comment relate?</b>	Consultation Statement Cherhill Hall Community Right to Build Order Reg 23 Consultation
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**Comment:**

3.4n Traffic Congestion in Park Lane

I am most concerned that the Fire Service will not be able to get through to my thatched property. It is standard for three appliances to initially attend. The extra traffic proposed on this lane is a potential disaster waiting to happen.

3.4h Impact on Tudor Cottage

A proposal for a change of use of a small Stable Block to a home for one or two people, does in no way compare with a huge building, car park together with associated noise, on agricultural land, right in front of an iconic landmark.

3.4j Light Pollution

I am very concerned about this. There are few places left where you can observe the sky at night, without light pollution. This will affect the enjoyment of my home, for the last 24 years.

3.4l Noise

I believe the proposed development would have a dominating impact to the quiet enjoyment of my property, and also make it much more vulnerable from undesirable elements.

**Do you wish to be notified of the decision on the Cherhill New Village Hall Community Right to Build Order proposal?** Yes

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**Comment ID** 13  
**Response Date** 24/07/18 19:09  
**Status** Processed  
**Submission Type** Web  
**Version** 0.2

**To which part of the Cherhill New Village Hall Community Right to Build Order does your comment relate?** 18 Consultation Statement (R) 3.4b

**Comment:**

**Due Process**

Throughout this proposal the Community Organisation's project team have been questioned many times on reasoning behind their decisions, actions and intentions. Many of their responses have been both vague and evasive, to the point that operational transparency has become a concern. The Community Organisation Chairman has been asked why the project team's terms of reference have not been published also why the minutes of their meetings have not been made available to the public. Their most recent response can be found in the above Consultation Statement (R) 3.4b. However, according to the Wiltshire Council Senior Planning Officer, "further information on CRtBO's can be found here".

<https://www.gov.uk/guidance/neighbourhood-planning—2>

Paragraph: 015 Reference ID: 41-015-20160211 states "*The terms of reference for a steering group or other body should be published and the minutes of meetings made available to the public.*"

If this statement is incorrect then the public should be provided a clear explanation of the differences between a Neighbourhood Plan or Order produced by a Town or Parish Council as opposed to one produced by a Community Organisation. If the above paragraph does not apply to both then why is operational transparency with the wider public considered a requirement for one and not the other? Until there is absolute clarity on the above there is a strong argument that correct process has not been observed and the public has been denied right of access to critical decision making within this CRtBO proposal.

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**Comment ID** 12  
**Response Date** 24/07/18 18:57  
**Status** Processed  
**Submission Type** Web  
**Version** 0.1

To which part of the Cherhill New Village Hall Community Right to Build Order does your comment relate?

18 Consultation Statement (R) 3.4k

**Comment:**

**Questioning The Need For A New Hall**

The central location of the Village Hall is a critical factor as to why it has served the Cherhill community so well since the late 1970's, being situated midway along The Street with an excellent village lane network in all directions. Its convenient pedestrian access means the car park is still capable of accommodating 95% of its current annual parking requirement (quote Hall Chairman) and with a 30+ year stable population (most recent Census records 1981-736, 1991-712, 2001-720, 2011-727) indicates it is well placed to support the future community needs of the village. Of course as with any venue, when its full, its full and Cherhill Village Hall wouldn't be the first Wiltshire Village Halls Association member to have no bookings available in 2018 for people who live outside of their community.

Re-siting the Hall to the eastern edge of the village would disadvantage 50% of the community, effectively removing their option to walk to the new venue. A further 30% would need to negotiate two 60m steep inclines along The Street and those living on or east of Maiden Lane and inclined to walk, would be vulnerable to any consequential increase in traffic using the village lane network.

Park Lane will potentially experience unprecedented volumes of Village Hall traffic requiring an excessive number of parking spaces, in itself creating a problematic situation as no overflow capacity exists anywhere in the immediate vicinity. Unnecessary traffic movement and congestion is totally inconsistent with Environmental Standards guidance, that is to avoid using cars for short journeys.

Do you wish to be notified of the decision on the Cherhill New Village Hall Community Right to Build Order proposal? No

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Comment ID	10
Response Date	23/07/18 13:49
Status	Processed
Submission Type	Web
Version	0.3

To which part of the Cherhill New Village Hall Community Right to Build Order does your comment relate? 01. Community Right to Build Order

**Comment:**

There are many reasons why I support this Order:

- 1 The existing Village Hall has served the community well but its location within the village causes problems with very restricted parking overspilling onto The Street.
- 2 The village hall is very much used and is booked typically twice a day. It is proven that demand exists and that a hall can be run successfully and on a sound financial footing.
- 3 The facilities and safeguards within the existing hall fall short of those required in a modern public building.
- 4 The proposed site for the new hall will allow all of the above shortcomings to be overcome.
- 5 The new hall has an attractive design which will blend in with the rural surroundings and minimise intrusion into the important viewpoints.
- 6 Detailed enquiries have determined that there is no alternative site for the new hall.

- 7 Most importantly, the CRtBO process will allow the local community to decide for itself whether it wishes the project to proceed.

**Do you wish to be notified of the decision on the Cherhill New Village Hall Community Right to Build Order proposal?** Yes

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<b>Comment ID</b>	11
<b>Response Date</b>	21/07/18 12:03
<b>Status</b>	Processed
<b>Submission Type</b>	Email
<b>Version</b>	0.4

**Comment:**

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

The proposed development is for a site within or close to a nationally designated landscape namely North Wessex Downs AONB. Natural England advises that the planning authority uses national and local policies, together with local landscape expertise and information to determine the proposal. The policy and statutory framework to guide your decision and the role of local advice are explained below.

Your decision should be guided by paragraph 115 of the National Planning Policy Framework which gives the highest status of protection for the 'landscape and scenic beauty' of AONBs and National Parks. For major development proposals paragraph 116 sets out criteria to determine whether the development should exceptionally be permitted within the designated landscape.

Alongside national policy you should also apply landscape policies set out in your development plan, or appropriate saved policies.

We also advise that you consult the relevant AONB Partnership or Conservation Board. Their knowledge of the site and its wider landscape setting, together with the aims and objectives of the AONB's statutory management plan, will be a valuable contribution to the planning decision. Where available, a local Landscape Character Assessment can also be a helpful guide to the landscape's sensitivity to this type of development and its capacity to accommodate the proposed development.

The statutory purpose of the AONB is to conserve and enhance the area's natural beauty. You should assess the application carefully as to whether the proposed development would have a significant impact on or harm that statutory purpose. Relevant to this is the duty on public bodies to 'have regard' for that statutory purpose in carrying out their functions (S85 of the Countryside and Rights of Way Act, 2000). The Planning Practice Guidance confirms that this duty also applies to proposals outside the designated area but impacting on its natural beauty.

**In other regards, Natural England does not consider that the Cherhill New Village Hall Community Right to Build Order poses any likely risk or opportunity in relation to our statutory purpose, and so does not wish to comment on this consultation.**

The lack of comment from Natural England should not be interpreted as a statement that there are no impacts on the natural environment. Other bodies and individuals may wish to make comments that might help the Local Planning Authority (LPA) to fully take account of any environmental risks and opportunities relating to this document.

If you disagree with our assessment of this proposal as low risk, or should the proposal be amended in a way which significantly affects its impact on the natural environment, then in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, please consult Natural England again.

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<b>Comment ID</b>	9
<b>Response Date</b>	20/07/18 09:08
<b>Status</b>	Processed
<b>Submission Type</b>	Web
<b>Version</b>	0.4
<b>To which part of the Cherhill New Village Hall Community Right to Build Order does your comment relate?</b>	Overall scheme

**Comment:**

A much needed development which respects the site and location.

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<b>Comment ID</b>	8
<b>Response Date</b>	16/07/18 19:18
<b>Status</b>	Processed
<b>Submission Type</b>	Web
<b>Version</b>	0.4
<b>To which part of the Cherhill New Village Hall Community Right to Build Order does your comment relate?</b>	The whole project

**Comment:**

Due to the fact that on numerous occasions the Steering Group/Project Team have been asked about the financial arrangements for this project and no satisfactory answers have been given, we feel that before a referendum is held some serious answers should be forthcoming in the interests of the villagers.

We would like to know where the vast amount of money to complete a project of this size will come from. If there is any shortfall will the villagers be asked to contribute via their council tax or any other means. Who will be responsible for any shortfalls on finances for maintenance/running costs etc. If there is even a remote possibility that villagers will be asked to contribute then we feel sure that, before any referendum takes place, they should be made aware of what they are actually voting for.

This complex could cost at least £1-2m and probably more which is a ridiculous amount of money to be spent on a village of this size. This money would be better used for new schooling which is far more important for the future generations of Cherhill.

We hope that **all** the valid concerns for the proposed building are taken into account before any referendum takes place.

**Do you wish to be notified of the decision on the Cherhill New Village Hall Community Right to Build Order proposal?** Yes

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<b>Comment ID</b>	7
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<b>Response Date</b>	13/07/18 15:24
<b>Status</b>	Processed
<b>Submission Type</b>	Web
<b>Version</b>	0.2
<b>To which part of the Cherhill New Village Hall Community Right to Build Order does your comment relate?</b>	18 Consultation Statement (R) 3.4a

**Comment:**

**Car Park Access**

To prevent car park misuse the entrance to the site must be both safe and secure at all times, therefore a gate or barrier is an absolute prerequisite from day one, addition after the car park has become half filled with caravans would cause a major problem and certainly not enhance the AONB vista. Road widening has supposedly already been earmarked to resolve any user inconvenience and traffic delays on Park Lane.

Respondent 23 did not recommend splitting the car park in two but suggested the creation of a separate smaller overflow visitor car park more adjacent to the A4, which does not compromise main car park security it also resolves any user inconvenience issues or traffic delays.

**Lorry Turning**

You mentioned the oil tanker and the refuse collection wagon but if the car park entrance has been designed to comply with standard dimensions for access to a 180+ community facility, then are you suggesting a fire engine will not be able to gain access..? I might remind you of your comment in: 15 Transport Statement 3.5

"The existing village hall has only limited parking (for about 8 vehicles). As a consequence, even for regular meetings and village activities, the lack of car parking means that vehicles park along the village streets creating inconvenience to local residents, and, occasionally, preventing the passage of large vehicles (which could be problematic if access for a fire engine through the village is compromised – which has been known to occur)."

<b>Comment ID</b>	6
<b>Response Date</b>	06/07/18 08:24
<b>Status</b>	Processed
<b>Submission Type</b>	Email
<b>Version</b>	0.4

**Comment:**

My husband and I have recently moved into Park Lane, Cherhill and have always been aware of the consultation of the new village hall as have come from Quemerford. We now live in a grade 2 listed thatched house very close to where the hall may be built.

I have a real concern that if there will be weddings etc, they may want to use fireworks. I would like to have a rule in place that no fireworks are to be used as this is the historical end of the village with many thatched properties.

We as home owners of these houses are expected to look after and adhere to many rules to make sure we are safe. I don't believe we will be if this is not put in place.

<b>Comment ID</b>	5
<b>Response Date</b>	03/07/18 12:28
<b>Status</b>	Processed
<b>Submission Type</b>	Email
<b>Version</b>	0.4

**Comment:**

Thank you for providing an opportunity to comment on the Cherhill New Village Hall Community Right to Build Order.

Given the estimated trip generation and the distance of the proposed Village Hall from the SRN, we are satisfied that the impact on the Strategic Road Network is acceptable and Highways England would have no objection to the proposal.

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<b>Comment ID</b>	1
<b>Response Date</b>	30/06/18 16:41
<b>Status</b>	Processed
<b>Submission Type</b>	Web
<b>Version</b>	0.4
<b>To which part of the Cherhill New Village Hall Community Right to Build Order does your comment relate?</b>	15 Transport Statement

**Comment:**

In the Transport Statement at 2.1 it suggests that 80% of the village may lie within 800m of the site. What it does not make clear is that from the western end of the village, through the centre and up to the site there is a steady incline.

This is generally moderate but becomes steep, certainly when approaching Park Lane via The Street. Not conducive nor attractive to the elderly, young or those with mobility issues. Therefore does not encourage a bicycling or walking approach to the new hall from inside the village, meaning that residents will be more likely to drive and have to go to the A4 to get there.

Park Lane is narrow and a single track. Not to be used for access to the hall from inside the village and its lanes at least by car.

In order to encourage people to access the new hall by walking or cycling how will this be managed? As is stated in the Transport Statement there are no footpaths alongside the existing village lanes and despite a speed limit there is always a risk from vehicular traffic. This is likely to increase with an improved hall. Will there be directional signs indicating the way to the hall from the village for cars is via the A4?

Any increase of traffic to the site from the internal village lanes should be discouraged particularly access from the north end of Park Lane. An increase in use of a new hall must *facilitate* cycling and walking and *control* vehicular access to the site from these internal lanes.

he above it is hard to see how substantially more engineering would not be required at the junction with the a4 of Park Lane, and at the entrance to the site to ensure easy traffic flow.

At present Park Lane, as a road junction, has no effect on the visual landscape viewed from the high ground of the AONB as it is modest and typical of all the village lanes when joining the A4. We would

have concerns if the new entrance had to be substantially engineered in order to create a free flow of traffic.

The presentation material, and at consultation within the village, emphasis was placed on growing the use of the hall. The consequent effects of this must be seen through the current traffic problems within the village, and regular complaints about speeds, size of vehicles and no apparent way in which to improve this and encourage cycling and walking.

**Do you wish to be notified of the decision on the Cherhill New Village Hall Community Right to Build Order proposal?** Yes

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<b>Comment ID</b>	4
<b>Response Date</b>	13/06/18 11:03
<b>Status</b>	Processed
<b>Submission Type</b>	Email
<b>Version</b>	0.4

**Comment:**

Thank you for providing Highways England with the opportunity to comment on the Cherhill New Village Hall Community Right to Build Order Regulation 23 Consultation.

Highways England is responsible for operating, maintaining and improving the strategic road network (SRN) which in this instance consists of the M4 which runs some distance north of the plan area.

We are therefore satisfied that the proposed plan policies are unlikely to result in development which will impact significantly on the SRN and we have no comments to make. However, this response does not prejudice any future responses Highways England may make on site specific applications as they come forward through the planning process, and which will be considered by us on their merits under the appropriate policy at the time.

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<b>Comment ID</b>	3
<b>Response Date</b>	11/06/18 09:04
<b>Status</b>	Processed
<b>Submission Type</b>	Email
<b>Version</b>	0.4

**Comment:**

With reference to your email below, I have checked our service area maps and confirm that Southern Water is not the statutory water supplier or wastewater undertaker within the parish of Cherhill. We therefore have no comments to make on the above named document.

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<b>Comment ID</b>	2
<b>Response Date</b>	11/06/18 08:46
<b>Status</b>	Processed

<b>Submission Type</b>	Email
<b>Version</b>	0.4

**Comment:**

**Response to your consultation**

The Marine Management Organisation (MMO) is a non-departmental public body responsible for the management of England's marine area on behalf of the UK government. The MMO's delivery functions are; marine planning, marine licensing, wildlife licensing and enforcement, marine protected area management, marine emergencies, fisheries management and issuing European grants.

**Marine Licensing**

Activities taking place below the mean high water mark may require a marine licence in accordance with the Marine and Coastal Access Act (MCAA) 2009. Such activities include the construction, alteration or improvement of any works, dredging, or a deposit or removal of a substance or object below the mean high water springs mark or in any tidal river to the extent of the tidal influence. You can also apply to the MMO for consent under the Electricity Act 1989 (as amended) for offshore generating stations between 1 and 100 megawatts in England and parts of Wales. The MMO is also the authority responsible for processing and determining harbour orders in England, and for some ports in Wales, and for granting consent under various local Acts and orders regarding harbours. A wildlife licence is also required for activities that that would affect a UK or European protected marine species.

**Marine Planning**

As the marine planning authority for England the MMO is responsible for preparing marine plans for English inshore and offshore waters. At its landward extent, a marine plan will apply up to the mean high water springs mark, which includes the tidal extent of any rivers. As marine plan boundaries extend up to the level of the mean high water spring tides mark, there will be an overlap with terrestrial plans which generally extend to the mean low water springs mark. Marine plans will inform and guide decision makers on development in marine and coastal areas. On 2 April 2014 the East Inshore and Offshore marine plans were published, becoming a material consideration for public authorities with decision making functions. The East Inshore and East Offshore Marine Plans cover the coast and seas from Flamborough Head to Felixstowe. For further information on how to apply the East Inshore and Offshore Plans please visit our Marine Information System. The MMO is currently in the process of developing marine plans for the South Inshore and Offshore Plan Areas and has a requirement to develop plans for the remaining 7 marine plan areas by 2021.

Planning documents for areas with a coastal influence may wish to make reference to the MMO's licensing requirements and any relevant marine plans to ensure that necessary regulations are adhered to. For marine and coastal areas where a marine plan is not currently in place, we advise local authorities to refer to the Marine Policy Statement for guidance on any planning activity that includes a section of coastline or tidal river. All public authorities taking authorisation or enforcement decisions that affect or might affect the UK marine area must do so in accordance with the Marine and Coastal Access Act and the UK Marine Policy Statement unless relevant considerations indicate otherwise. Local authorities may also wish to refer to our online guidance and the Planning Advisory Service soundness self-assessment checklist.

**Minerals and waste plans and local aggregate assessments**

If you are consulting on a mineral/waste plan or local aggregate assessment, the MMO recommend reference to marine aggregates is included and reference to be made to the documents below:

- 1 The Marine Policy Statement (MPS), section 3.5 which highlights the importance of marine aggregates and its supply to England's (and the UK) construction industry.
- 2 The National Planning Policy Framework (NPPF) which sets out policies for national (England) construction minerals supply.
- 3 The Managed Aggregate Supply System (MASS) which includes specific references to the role of marine aggregates in the wider portfolio of supply.
- 4 The National and regional guidelines for aggregates provision in England 2005-2020 predict likely aggregate demand over this period including marine supply.

The NPPF informed MASS guidance requires local mineral planning authorities to prepare Local Aggregate Assessments, these assessments have to consider the opportunities and constraints of all mineral supplies into their planning regions – including marine. This means that even land-locked counties, may have to consider the role that marine sourced supplies (delivered by rail or river) play – particularly where land based resources are becoming increasingly constrained.

If you wish to contact the MMO regarding our response please email us at [consultations@marinemanagement.org.uk](mailto:consultations@marinemanagement.org.uk) or telephone us on 0300 123 1032.

Wiltshire Council

Spatial Planning Team  
Economic Development and Planning  
Wiltshire Council  
County Hall  
Bythesea Road  
Trowbridge  
BA14 8JN

Spatial Planning  
Economic Development and Planning  
Wiltshire Council  
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30<sup>th</sup> July 2018

Dear Sir/Madam,

## **Consultation on the Cherhill New Village Hall Community Right to Build Order (Regulation 23<sup>1</sup>) - Wiltshire Council consultation response**

Thank you for providing Wiltshire Council with the opportunity to comment upon the Community Right to Build Order (hereafter referred to as 'the Order').

Wiltshire Council has been advising the community organisation over a number of years to support the preparation of the Order and this consultation gives another formal opportunity for the Council to comment. Our main focus is to ensure that the Order generally conforms to the adopted development plan and the proposals will be effective in achieving the stated objectives of the Order.

The comments in this response take into consideration the views of specialist officers from within the Council.

### **Designation of the Neighbourhood Planning Area**

An application for neighbourhood area designation was received by Wiltshire Council on 10<sup>th</sup> December 2015 from the Cherhill New Village Hall Committee. This was accompanied by a copy of the constitution of the Cherhill Village Hall Charitable Incorporated Organisation (CIO). Cherhill Village Hall CIO forms the 'relevant body' for the purposes of sections 61E and 61G and Schedule 4C (Community Right to Build Orders) paragraph 4(2) of the Town and Country Planning Act 1990 (as amended).

The application for designation as a Neighbourhood Area was publicised on the Wiltshire Council website for a period of 6 weeks from 28<sup>th</sup> January 2016 to 10<sup>th</sup> March 2016. No responses or comments were received within the consultation period. The neighbourhood area designation was made by Wiltshire Council on 8<sup>th</sup> June 2016.

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<sup>1</sup> The Neighbourhood Planning (General) Regulations 2012

## **Basic Conditions Statement**

The Order is accompanied by a Basic Conditions Statement which refers correctly on page 2 to the basic conditions that a Community Right to Build Order is required to meet.

## **Consultation Statement**

The Order is accompanied by a Consultation Statement. This includes details of the 'Regulation 21'<sup>2</sup> pre-submission publicity and consultation undertaken.

## **Environmental Impact Assessment**

Wiltshire Council confirmed in a letter<sup>3</sup> dated 3<sup>rd</sup> July 2017 that, assessed against the criteria set out in the EIA Regulations, an Environmental Impact Assessment is not required for the proposed Order.

## **Habitats Regulations**

Wiltshire Council confirmed in a letter<sup>4</sup> dated 24<sup>th</sup> August 2017 that the Order would not have any likely significant effects upon any European sites and as such, an appropriate assessment is not required.

## **Conformity with national and local planning policies**

The revised National Planning Policy Framework (NPPF)<sup>5</sup> sets out the Government's planning policies for England. It provides a framework within which local people can produce their own distinctive neighbourhood plans (including Community Right to Build Orders), which reflect the needs and priorities of their communities.

Paragraph 13 of the NPPF states that *'neighbourhood plans should support the delivery of strategic policies contained in local plans or spatial development strategies; and should shape and direct development that is outside of these strategic policies.'* It is considered that the Order does support the delivery of strategic policies in the Local Plan and is in general conformity with the strategic policies contained in the development plan that covers their area.

Section 6 of the NPPF, under sub-heading 'Supporting a prosperous rural economy', states that planning policies should enable *'the retention and development of accessible local services and community facilities...'* in rural areas. Paragraph 84 states *'planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances, it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.'* It is considered that the Order meets the requirements of this policy.

Neighbourhood plans must be in general conformity with the strategic policies of the Local Plan. The adopted Wiltshire Core Strategy shows that Cherhill is a 'Large Village' where development outside of the settlement boundary (as in the case of the new village hall proposals) is restricted to a small number of exception policies. However, settlement boundaries may be altered through the

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<sup>2</sup> The Neighbourhood Planning (General) Regulations 2012

<sup>3</sup> Wiltshire Council ref 17/03930/SCR

<sup>4</sup> Letter from Fiona Elphick, Wiltshire Council Senior Ecologist

<sup>5</sup> National Planning Policy Framework (MHCLG, July 2018)



identification of sites for development in neighbourhood plans, as in this case for the proposals within the Order.

## **Draft Community Right to Build Order**

The following comments focus on various aspects of the draft Order and include comments received by specialist officers from within Wiltshire Council.

### Conditions

It is noted that the proposed conditions listed on pages 20-21 of the Order have been amended to take account of the comments of Wiltshire Council's Head of Development Management, Mike Willmott. Wiltshire Council's development management team (north) confirmed that they had no further suggested alterations to the conditions.

### Education

Wiltshire Council's Acting Head of School Place Commissioning confirmed that this proposal would have no impact on pupil places in the area and therefore the education team have no comments to make.

### Contaminated Land

Wiltshire Council's Environmental Health Officer specialising in land contamination confirmed that there do not appear to be any former land uses of a potentially contaminative nature at the proposed site.

### Air Quality

Wiltshire Council's Environmental Health Officer specialising in air quality commented that *'the development is below the threshold for which an Air Quality Assessment or Screening Assessment would be required, however we are keen to promote contributions towards reducing vehicle emissions across Wiltshire in keeping with our current Air Quality Strategy and Core Policy 55. In this regard, we are keen to see the uptake of Ultra Low Energy Vehicle (ULEV) Infrastructure and to this end would ask that the applicant consider what ULEV infrastructure could be incorporated at this development e.g. Electric Vehicle Charging. This is being done at other developments currently and should serve to enhance their environmental image and add value to the project. It should also be note that the Calne Air Quality Management Area is just down the road from this site and Air Quality is a particular concern in Calne.'*

### Noise and lighting

Wiltshire Council's Environmental Health Officer specialising in noise and lighting has made the following comments:

*'I have read the Noise Assessment section (3.9) and it is clear that they have fully considered the potential for adverse impact on nearby residents through a combination of design, layout, orientation and management proposals. I would recommend, however, for completeness, that a condition be attached to any approval requiring adherence to the content of this section, which will mean that the management proposals for **amplified music** will be complied with. Specifically, the midnight curfew/doors and windows shut/12 events per year. These specific issues can also then be transposed to the Licence once applied for in the future.'*

*'With regard to the external lighting, I see that they propose to comply with the following guidance (which is encouraging):*

<http://www.wiltshire.gov.uk/guidance-notes-for-the-reduction-of-obtrusive-light.pdf>

*I would assume that as Cherhill is in an AONB they should comply with Zone E1 from the table below.'*

<b>Zone</b>	<b>Surrounding</b>	<b>Lighting Environment</b>	<b>Examples</b>
E0	Protected	Dark	UNESCO Starlight Reserves, IDA Dark Sky Parks
E1	Natural	Intrinsically dark	National Parks, Areas of Outstanding Natural Beauty etc
E2	Rural	Low district brightness	Village or relatively dark outer suburban locations
E3	Suburban	Medium district brightness	Small town centres or suburban locations
E4	Urban	High district brightness	Town/city centres with high levels of night-time activity

*'I would therefore recommend a condition requiring the Lighting Engineer to submit a scheme demonstrating compliance with Zone E1 prior to development.'*

### Archaeology

The County Archaeologist has commented that *'archaeological features were found during the evaluation undertaken across the proposed development site last year. Therefore, I advise that an archaeological condition is applied to any grant of consent to allow for archaeological monitoring of any stripping and ground reduction undertaken in relation to the development. Condition WL26 of the manual of conditions would be the appropriate one.'*

### Highways

The Council's Highways Development Control Officer has stated *'I am happy with the details provided in relation to highway interests. I am happy to accept the proposed conditions in regards to widening and the provision of parking and access and as noted this layout/drawing should be secured as part of any permission granted. I appreciate the position in regards to managing the parking with the provision of gates, however to be viable this will require a conscientious mode of operation because it does risk the chance of high parking demand without the capacity being available. I would prefer the parking to be left available at all times. I would also like to see a pedestrian visibility of 2.4m x 2.4m (to the nearside carriageway edge) demonstrated at the point where the footpath meets Park Lane.'*

*'In summary, subject to the minor changes above I am happy to proceed with the proposal as demonstrated.'*

I hope this provides a useful summary of Wiltshire Council's comments on the Order.

Yours sincerely,

[Redacted]  
Senior Planning Officer  
[Redacted]