

**Email received by the SRA - 25th January 2018**

Dear Mr Fisher

Thank you for your letter dated 22 January 2018 to Wiltshire Council regarding Lydiard Park and its setting.

I am responding on behalf of Wiltshire Council.

Appropriate policy relating to the protection of designated heritage assets and their settings is already set out in Core Policy 58 'Ensuring the conservation of the historic environment' of the Wiltshire Core Strategy (Adopted January 2015), prepared in accordance with the National Planning Policy Framework. This states that "*Designated historic assets and their settings will be conserved, and where appropriate enhanced in a manner appropriate to their significance..*". As Local Planning Authority, we will continue to consider planning applications in accordance with this policy and take into consideration the importance of heritage assets when taking forward the review of the Local Plan.

While, as the Local Planning Authority, you will understand that we will not be signing up to this initiative, we will of course take into consideration your formal representation (made via Swindon Borough Council's consultation portal) on the Swindon and Wiltshire Joint Spatial Framework regarding the setting of Lydiard Park as we progress the review of the Local Plan.

Yours

Alistair Cunningham

Alistair Cunningham  
Corporate Director Growth, Investment & Place  
Wiltshire Council

**Reply sent via email from the SRA - 28 January 2018**

Dear Mr Cunningham

Thank you for your reply.

I am very much aware of the policies you quote, and so too are the likes of Taylor Wimpey. I am sure you are aware that those very policies have not deterred developers, with deep pockets, from making many applications over several decades to build on land in direct view of St Mary's Church to the north of the park, and the listed park itself to the south. They know that under the current policy regime, it is just a matter of time before they are able to convince a planning officer or Inspector that the 'benefit outweighs the harm'.

My efforts have been focused on a proactive approach, rather than forever being in reactive mode, to maverick planning applications. The community based initiative is all about finding ways to make the policies protecting Lydiard Park robust enough to deter applications from happening in the first place.

Without a more robust policy framework, taxpayer's money will continue to be wasted in responding to these unwelcome applications, and community groups will continue to have to react to each and every one of them.

The status quo is not an acceptable situation for the Park. Without change, I am very much fearful that Lydiard Park will at some point in the quite near future lose its rural identity forever. This will be a travesty for the generations that follow.

I note your comment 'we will not be signing up to this initiative' – I never asked you to do that, I have simply asked you to embrace the spirit of the initiative by accepting to look at finding ways to strengthen the protection of Lydiard Parks Heritage and rural identity.

I also note your comment on the Joint Spatial Framework and will of course use that mechanism to submit my views and, where appropriate, the views of all the individuals and organisations that endorsed the joint statement for the protection of the essential setting of Lydiard Park.

I have not yet received a formal response from Swindon Borough Council and I remain hopeful that theirs will be more supportive.

Best Regards  
Kevin Fisher

Shaw Residents' Association - chair

**Follow up email from SRA - 30 January 2018**

Dear Mr Cunningham

I have now had the opportunity to try and follow up on your point "we will of course take into consideration your formal presentation (made via Swindon Borough Council's consultation portal) on the Swindon and Wiltshire Joint Spatial Framework".

Since that consultation closed on the 19th December 2017, perhaps you could advise on the process I should take for the "formal representation" you propose?

Best Regards  
Kevin Fisher

**Reply from Wiltshire Council - 31 January 2018**

Dear Mr Fisher,

Wiltshire Council is preparing the Joint Spatial Framework with Swindon Borough Council and representations made in response to the recent consultation to one or both authorities will be taken into consideration.

We understand that, following a conversation with a Swindon Borough Council planning officer, you did submit a representation directly to Swindon Borough Council regarding Lydiard Park in response to the consultation ending in December.

Given that, there is nothing further for you to do at this stage.

Yours

Alistair Cunningham

Alistair Cunningham  
Corporate Director Growth, Investment & Place  
Wiltshire Council

**Response from SRA - 31 January 2018**

Dear Mr Cunningham

Thank you for your reply.

I am of course aware of the fact that I submitted a comment through the consultation portal with reference to Lydiard Park. However, that submission only covered point one of the five point list contained within my 22 January letter.

Please would you advise on the process I must follow in order for the other four points to be considered as formal requests, and for me to receive a response to the recommendations?

For your convenience I list all six points contained within my 22 January letter below.

Best Regards

Kevin

In light of the above, I believe it is now time for new initiatives designed to protect the existing rural character of Lydiard Park for future generations. I therefore request the following actions be taken:

1. As part of the current Swindon and Wiltshire local plan reviews ensure the 'essential setting' boundary is used as the designated 'historic parks and gardens' area
2. Build the protection of Lydiard Parks essential setting and wider context into the vision, priorities and pledges of both Councils
3. Since the 'essential setting' identifies the minimum area required to protect the registered landscape, set up a committee comprising representatives from the endorsers of the joint statement (and others as appropriate) to agree a wider area of protection. Any recommendations should then form part of both Councils local plan reviews and the 'joint spatial framework'
4. Have the essential setting and in particular the extensions to the essential setting designated as 'local green space' per the NPPF
5. Develop a 'Conservation Management Plan for Lydiard Park' which will require any speculative future development applications be submitted in accordance with its guidance

## **Reply from Wiltshire Council - 8 February 2018**

Dear Mr Fisher

As set out in our original response, Wiltshire Council considers that appropriate safeguards are already in place for Lydiard Park and its setting through the application of local policy within the Wiltshire Core Strategy. The response that you have submitted to the Joint Spatial Framework clearly sets out your concerns about the impact of future development on the Park and as such, we are able to take this into consideration through our Local Plan Review working jointly with Swindon Borough Council. I note that this response does make reference to the 'Essential Setting' you refer to in points 1, 2 and 3, and this point is therefore adequately covered for the purpose of the Local Plan Review.

With regard to any changes to the designation of historic parks and gardens, as these are national designations any review would be a matter for Historic England (formerly English Heritage). The designation was amended relatively recently and we are not aware of any further reviews being proposed. Notwithstanding this, in practice the setting of a historic asset must be considered within the context of the development proposal concerned and the extent of the 'setting' relevant to a proposal may differ depending on the nature of the proposal. This therefore places into question the approach suggested of putting a hard line on a map.

Turning to your proposal to designate land as 'local green space' (point 4), the National Planning Policy Framework (NPPF) is clear that this will not be appropriate for most green areas or open spaces and sets out a number of tests. However, in accordance with the NPPF local green space designations should only be made through the preparation or review of plans. In the light of this, it is suggested that you contact Swindon Borough Council with a view to updating your representation to include this point.

Finally, in respect of a Conservation Management Plan (point 5) these relate to the management of heritage assets and are normally carried out by the owners of a property, in this case Swindon Borough Council. As a neighbouring authority, the Council may therefore be a stakeholder should one be prepared.

Given the detailed nature of your questions, I think it would be more expedient if you directed any future enquires directly to the planners at Swindon Borough or Wiltshire Council (who have provided the answers above).

I have added Wiltshire Council's email address for your convenience:

[spatialplanningpolicy@wiltshire.gov.uk](mailto:spatialplanningpolicy@wiltshire.gov.uk)

Yours

Alistair

Alistair Cunningham  
Corporate Director Growth, Investment & Place  
Wiltshire Council