Wiltshire Council

The Town and Country Planning Act 1990

Notice of Approval of Reserved Matters

Application Reference Number: PL/2023/10642

Decision Date: 26/03/2026

Applicant:	Curo Finance Ltd & Minster Property Group Sutton Benger Ltd c/o Agent
Particulars of Development:	Approval of reserved matters following Outline approved under appeal ref APP/Y3940/W/22/3292118 for erection of 19 Dwellings and Associated Infrastructure (Details of Appearance, Scale, Layout & Landscaping)
At:	Land East of Church View, Sutton Benger, SN15 4RR

In pursuance of their powers under the above Act, the Council hereby PERMIT the above development to be carried out in accordance with the details of the RESERVED MATTERS submitted by you, and subject to compliance with the conditions specified here under:

1. The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

Planning drawings

22072 0102-P16 Proposed Site Layout
22072 0103-P17 Material Distribution Plan
22072 0104-P11 Boundary Treatment Plan
22072 0105-P08 Affordable Housing Plan
22072-0111-P03 Affordable Housing Plan Option B
22072 0106-P06 EV Charging
22072 0107-P06 Swift Brick Plan
22072 0112-P02 Biodiversity Plan
22072 0200-P06 Housetype AA - 2B4P House
22072 0201-P08 Housetype BB - 3B5P House
22072 0202-P07 Housetype BBB - 3B5P House
22072 0203-P07 Housetype C - 3B5P House
22072 0204-P07 Housetype DD - 2B3P Bungalow
22072 0205-P02 Housetype C2 - 3B5P House
22072 0400-P05 Indicative Street Elevations

Landscaping drawings

23.1815.030 Landscape Proposals 1 of 3
23.1815.031 Landscape Proposals 2 of 3
23.1815.032 Landscape Proposals 3 of 3
23.1815.004-F Play Area Proposals

Drainage drawings

25655 - 101I - Preliminary Drainage Strategy
25655 - 102E - Drained Areas Layout
25655 - 103(1) - Drainage Construction Details - Sheet 1
25655 - 103(2) - Drainage Construction Details - Sheet 2
25655 - 103(3) - Drainage Construction Details - Sheet 3
25655 - 105B - Basin Cross Sections
25655 - 107 - Existing Surface Water Drainage Layout
25655 - 108 - Flow Control Manhole Construction Details
25655 - Greenfield Runoff Rate Calculation
25655 - SW Hydraulic Calculations and Simulation Results
25655-LC-001 - LLFA Planning Comments Response

Highways drawings

25655 - 100F - Highway Layout
25655 - 104D - Vehicle Tracking Layout
25655 - 106A - Parking Space Vehicle Tracking

Supporting documents

23.1815.034 Ecological Enhancements Strategy
Preliminary Ecological Appraisal
Biodiversity Net Gain Report
Energy Statement and Sustainability Report

REASON: For the avoidance of doubt and in the interests of proper planning.

Materials and detailing

2. Notwithstanding the submitted plans, all dwellings to be predominantly constructed of brick shall make use of a brick that is of a buff type colour. Prior to the construction of each of those dwellings above slab level, the details of the buff type brick shall have been submitted to and agreed in writing by the Local Planning Authority. The construction of each of those dwellings shall be carried out in accordance with the details so agreed.

REASON: In order to secure a form of development that respects the character and appearance of the area.

3. Notwithstanding the submitted details, all roof tiles used at the site shall be of a grey colour.

REASON: In order to secure a form of development that respects the character and appearance of the area.

4. Prior to construction above slab level, details of all cills, headers to windows, as well as all porch canopies shall have been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the details so agreed.

REASON: In order to secure a form of development that respects the character and appearance of the area and that the window detailing and porch canopies are of an appropriate quality.

5. In accordance with the submitted plans, all boundary treatments to plots 01, 07 and 10 which face the internal access road shall be constructed with reconstituted stone to match that used for other buildings on the site, and shall not at any time be replaced with timber fencing.

REASON: In the interests of securing a suitably high quality and standard of development.

6. Notwithstanding the submitted plans, prior to the first occupation of any of the dwelling hereby permitted, full and complete details of fencing to be installed around the perimeter of the attenuation basin and play area shall have been submitted to and agreed in writing by the Local Planning Authority. The fencing shall be of a construction and quality that befits its prominence and is appropriate to the sensitive location within which the site is positioned.

REASON: In the interests of securing a suitably high quality and standard of development.

7. Prior to the first occupation of each of the respective dwellings hereby granted Reserved Matters consent, all first-floor windows serving bathrooms in all plots shall be fitted with obscure glazing. The windows shall remain fitted with obscure glazing in perpetuity unless otherwise agreed in the form of a separate planning permission in that regard.

REASON: In the interests of mitigating against unacceptable impacts upon the amenity and living conditions of surrounding existing occupiers as well as future residents on the development itself.

8. Prior to the commencement of development, full and complete details of the finished floor levels of all new dwellings in relation to the ground around the plot shall have been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance of the details so agreed.

REASON: So as to ensure that the dwellings will not be unacceptably elevated above ground levels to the detriment of their visual appearance in the locality and to avoid reliance on features such as steps and ramps.

<u>Landscaping</u>

9. All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected

from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

10. No retained tree/s shall be cut down, uprooted or destroyed, nor shall any retained tree/s be topped or lopped other than in accordance with the approved plans and particulars. Any topping or lopping approval shall be carried out in accordance British Standard 3998: 2010 “Tree Work – Recommendations” or arboricultural techniques where it can be demonstrated to be in the interest of good arboricultural practice.

    If any retained tree is removed, uprooted, destroyed or dies, another tree shall be planted at the same place, at a size and species and planted at such time, that must be agreed in writing with the Local Planning Authority.

    No fires shall be lit within 15 metres of the furthest extent of the canopy of any retained trees or hedgerows or adjoining land and no concrete, oil, cement, bitumen or other chemicals shall be mixed or stored within 10 metres of the trunk of any tree or group of trees to be Retained on the site or adjoining land.

    [In this condition “retained tree” means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs above shall have effect until the expiration of five years from the first occupation or the completion of the development, whichever is the later].

REASON: In order that the development is undertaken in an acceptable manner and to ensure the retention of trees on the site in the interests of visual amenity.

<u>Highways</u>

11. No part of the development shall be first brought into use/occupied, until the visibility splays shown on the approved plans have been provided with no obstruction to visibility at or above a height of 600mm above the nearside carriageway level. The visibility splays shall always be maintained free of obstruction thereafter.

REASON: In the interests of highway safety

12. The development shall not be commenced until submitted plans, sections, specifications and construction of all proposed retaining walls have been submitted and approved by the Local Planning Authority. Prior to first occupation, the retaining wall shall be completed in all respects in accordance with the approved plans and maintained as such thereafter.

REASON: In the interests of the safety of highway users and se as to ensure the construction external appearance of the walling is appropriate to the locality.

13. No part of the development hereby permitted shall be first brought into use/occupied until the access &/or turning area &/or parking spaces have been completed in accordance with the details shown on the approved plans. The areas shall always be maintained for those purposes thereafter and maintained free from the storage of materials.

REASON: In the interests of highway safety.

14. The development hereby permitted shall not be first brought into use/occupied, until the cycle parking facilities shown on the approved plans have been provided in full and made available for use. The cycle parking facilities shall be retained for use in accordance with the approved details at all times thereafter.

REASON: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than the private car.

15. No development shall commence on site (including any works of demolition), until a Construction Management Statement, together with a site plan, which shall include the following:

    a. the parking of vehicles of site operatives and visitors;
    b. Number and size of delivery vehicles/ construction vehicles
    c. loading and unloading of plant and materials;
    d. storage of plant and materials used in constructing the development;
    e. wheel washing facilities;
    f. measures to control the emission of dust and dirt during construction;
    g. a scheme for recycling/disposing of waste resulting from demolition and construction
    h. works; and
    i. measures for the protection of the natural environment.
    j. hours of construction, including deliveries;

    (to the satisfaction of the LHA) within 6 months of the development completion, has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved construction method statement without the prior written permission of the Local Planning Authority.

REASON: To minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase.

16. Prior to occupation, each dwelling without an associated garage, shall be provided with on plot cycle storage in accordance with the Wiltshire's LTP3 Appendix 4: Cycle parking standards, details of which are first submitted to and approved in writing by the Local Planning Authority.

    No such dwelling shall be occupied until the cycle storage for that respective dwelling has been installed.

REASON: In the interests of providing bicycle storage for all properties to promote sustainable means of transport.

Energy and sustainability

17. In accordance with the submitted Energy Statement & Sustainability Report (Route 5 Construction Services, 19th June 2024), each dwelling shall be provided with an EV charging point, solar panels and an Air Source Heat Pump.

    No Solar Panels shall be installed until details, including a site arrangement plan, have been submitted to and approved in writing by the Local Planning Authority. The installation works shall be carried out in accordance with the approved details.

    No dwelling shall be occupied until the EV charging point, solar panels and an Air Source Heat Pump for that respective dwelling has been installed and made ready for operation.

REASON: In the interests of achieving sustainable development and residential amenity.

18. No Air Source Heat Pump shall be installed until a Noise Assessment has been submitted to and approved in writing by the Local Planning Authority. The noise assessment must demonstrate that the cumulative noise impact from all heat pumps installed at the development, achieve a rating level of 35dBLAeq15mins at 1m of the facade of any residential property (including those outside of the development). The noise limit would include the ASHPs at both full duty and when in reverse and defrost mode. The installation works shall be carried out in accordance with the approved details.

REASON: To ensure that appropriate levels of amenity are achievable within the development and adjoining residential occupiers.

Ecology

19. The development will be carried out in strict accordance with the following documents:

    - Swift Brick Plan 22072 0107 P06. October 2024. Minster Property Group
    - Landscape proposals 3of3 23.1815.032. January 2026. ISL Associates
    - Landscape Proposals 2 of 3 23.1815.031. January 2026. ISL Associates
    - Detailed Landscape Proposals and Biodiversity Enhancements 1 of 3 23.1815.030. January 2026. ISL Associates
    - Ecological Enhancement Strategy 23.1815.005 A. April 2025. ISL Associates

REASON: For the avoidance of doubt and for the protection, mitigation and enhancement of biodiversity.

20. No external light fixture or fitting will be installed within the application site unless details of existing and proposed new lighting have been submitted to and approved by the Local Planning Authority in writing.

    The plans will be in accordance with the appropriate Environmental Zone standards set out by the Institution of Lighting Professionals (ILP) Guidance Notes on the

Avoidance of Obtrusive Light (GN 01/2021) and Guidance note GN08/23 “Bats and artificial lighting at night”, issued by the Bat Conservation Trust and Institution of Lighting Professionals.

REASON: In the interests of conserving the functionality of the local area for biodiversity.

21. Prior to the start of construction, a Landscape and Ecology Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The LEMP will include long term objectives and targets, management responsibilities and maintenance schedules for each ecological feature within the development, together with a mechanism for monitoring success of the management prescriptions, incorporating review and necessary adaptive management in order to attain targets. The LEMP shall also include details of the legal and funding mechanism(s) by which long-term implementation of the plan will be secured. The LEMP shall be implemented in full and for the lifetime of the development in accordance with the approved details.

REASON: To ensure the long-term management of landscape and ecological features retained and created by the development, for the benefit of visual amenity and biodiversity for the lifetime of the scheme.

Permitted development removal

22. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.3) (England) Order 2020 (or any Order revoking or re-enacting or amending that Order with or without modification), no buildings or structures, or gate, wall, fence or other means of enclosure, other than those shown on the approved plans, shall be erected or placed anywhere on the site on the approved plans.

REASON: To safeguard the character and appearance of the area.

23. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.3) (England) Order 2020 (or any Order revoking or re-enacting or amending that Order with or without modification), there shall be no extensions to any building forming part of the development hereby permitted unless express permission is obtained from the Local Planning Authority.

REASON: In the interests of the amenity of the area and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions/extensions or external alterations.

24. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.3) (England) Order 2020 (or any Order revoking or re-enacting or amending that Order with or without modification), the garage(s) hereby permitted shall not be converted to habitable accommodation.

REASON: To secure the retention of adequate parking provision, in the interests of highway safety.

INFORMATIVES

Your attention is also drawn to the conditions imposed on the outline planning permission reference 20/03876/OUT and dated 24 March 2017. Furthermore this permission shall be read in conjunction with an Agreement made under Section 106 of the Town and Country Planning Act, 1990 and dated the 24 March 2017, as varied under reference PL/2024/08214, and dated 22 May 2025.

The developer/applicant will be expected to enter into a S278/S38 Agreement with the Highway Authority before commencement of any works hereby approved.

Wiltshire Council is the land drainage authority under the Land Drainage Act 1991. Land drainage consent is required if a development proposes to discharge flow into an ordinary watercourse or carry out work within 8m of an ordinary watercourse.

An ordinary watercourse is a watercourse that does not form part of a main river. The term watercourse includes all rivers and streams and all ditches, drains, cuts, culverts, dikes, sluices, sewers (other than public sewers within the meaning of the Water Industry Act 1991) and passages, through which water flows.

Wiltshire Council's land drainage bylaws and application form and guidance notes can be found on the Wiltshire Council's website here:
https://www.wiltshire.gov.uk/article/1001/Land-drainage-and-ordinary-watercourse

Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.

Nesting Birds All British birds, their nests and eggs are protected under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000 while birds are nesting, building nests and sitting on eggs. The applicant is advised to check any structure or vegetation capable of supporting breeding birds and delay removing or altering such features until after young birds have fledged. Damage to extensive areas that could contain nests/breeding birds should be undertaken outside the breeding season. This season is usually taken to be the period between 1st March and 31st August but some species are known to breed outside these limits.

Nic Thomas **- Director of Planning, Economy and Regeneration**

NOTES

1 **Other Necessary Consents.** This document only conveys permission for the proposed development under Part III of the Town and Country Planning Act 1990 and the applicant must also comply with all the byelaws, regulations and statutory provisions in force in the area and secure such other approvals and permissions as may be necessary under other parts of the Town and Country Planning Act 1990 or other legislation.

1.1 the need in appropriate cases to obtain approval under Building Regulations. **(The Building Regulations may be applicable to this proposal. Please contact the Council's Building Control team before considering work on site);**

1.2 the need to obtain an appropriate order if the proposal involves the stopping up or diversion of a public right of way or other highway (including highway verge);

1.3 the need to obtain a separate "Listed Building Consent" to the demolition, alteration or extension of any listed building of architectural or historic interest;

1.4 the need to make any appropriate arrangements under the Highways Act 1980, in respect of any works within the limits of a highway. The address of the Highway Authority is County Hall, Trowbridge, BA14 8JD (It is the responsibility of the applicant to ascertain whether the proposed development affects any listed building or public right of way / other highway, including highway verge).

2 **Appeals.** If the applicant is aggrieved by the decision of the local planning authority to grant permission subject to conditions, he may appeal to the Secretary of State for the Environment in accordance with Section 78(1) of the Town and Country Planning Act 1990 within six months of the date of this decision. (Information and forms relating to the appeals process can be found at the Planning Portal - http://www.planningportal.gov.uk/planning/appeals).

3 **Climate Change.** Wiltshire Council acknowledges the climate emergency and is seeking to make the county carbon neutral. You are encouraged to include energy efficiency that exceeds building regulations and to meet residual energy demand through renewable energy and low-carbon technologies, including high levels of electric vehicle charging points. The developer is encouraged to contact the climate team to discuss this further. climate@wiltshire.gov.uk

4 **CIL.** The applicant is advised that the development hereby approved may represent chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. A separate Community Infrastructure Levy Liability Notice will be issued by the Local Planning Authority. Should you require further information with regards to CIL please refer to the Council's Website Community Infrastructure Levy (CIL) - Wiltshire Council