

FORMAL OBJECTION TO RESERVED MATTERS APPLICATION

Application Reference: PL/ 2026/02472

Land Rear of 117 High Street, Dilton Marsh, Wiltshire, BA13 4DP

Submitted to: Wiltshire Council, Strategic Planning Department

Date: June 2026

Introduction and Standing to Object

I am a resident of Dilton Marsh and a near neighbour to the application site. I submit this formal objection to the Reserved Matters application for 54 residential dwellings on land to the rear of 117 High Street, Dilton Marsh (LPA Ref: PL/2023/01880), submitted by Redcliffe Homes Ltd.

I acknowledge that outline planning permission was granted on appeal by the Planning Inspectorate on 12 March 2025 (Appeal Ref: APP/Y3940/W/24/335216), with all matters reserved except access. However, the grant of outline permission does not determine or pre-approve the reserved matters of layout, scale, appearance and landscaping. These remain live and substantive planning considerations at this stage, and objections to reserved matters on these grounds are entirely proper and carry full weight in the determination of this application.

This objection is made on the following grounds, each supported by evidence and applicable planning policy:

- Inadequate ecological survey and unacceptable risk to protected bat species, including Bechstein's bat
- Inappropriate scale and height: 2.5-storey dwellings are out of character with the village
- Serious privacy and overlooking impacts on existing residents
- Inaccurate and materially deficient Residential Travel Plan
- Inadequate parking provision and likely highway impacts
- Poor landscape transition and insufficient buffering at the southern boundary
- Suburban character incompatible with village grain and policy requirements
- Inadequate drainage evidence and long-term maintenance uncertainty
- Unresolved highway impacts: The Hollow, the A36 junction
- Flood mitigation blocked by sewer easement
- Pedestrian safety at site access

Ground 1: Inadequate Ecological Survey - Bechstein's Bat and Protected Species

The Known Presence of Bechstein's Bat in the Immediate Vicinity

This is, in my submission, the most serious and potentially determinative issue in this application. The site at Dilton Marsh lies within the 4 km consultation buffer for the Bath and Bradford-on-Avon Bats Special Area of Conservation (SAC), which is designated under the Conservation of Habitats and Species Regulations 2017 specifically for internationally important bat populations, including Bechstein's bat (*Myotis bechsteinii*).

Critically, Bechstein's bat has been confirmed as present within approximately 350 metres of this application site. A nearby development was halted or significantly amended precisely because of the confirmed presence of this species. This was reported by the BBC (news article: <https://www.bbc.co.uk/news/articles/cj0vm3z58l5o>). Bechstein's bat is one of Europe's rarest mammals - a European Protected Species (EPS) - and is highly sensitive to habitat loss, light pollution, and fragmentation of foraging and commuting routes.

The application site itself, comprising an open grassland field with mature hedgerows, tree lines, and boundary vegetation, represents precisely the type of habitat used by Bechstein's bat for foraging and commuting. The hedgerow corridors along the western and northern boundaries are classical Bechstein's foraging routes. Any development that removes, fragments, or illuminates these corridors risks a significant impact on a European Protected Species population associated with a designated SAC.

Deficiency of the Applicant's Ecological Survey

The applicant's ecological survey, upon which this application is premised, is considered materially deficient for the following reasons:

- The survey was commissioned by, and conducted on behalf of, the developer. No independent verification has been undertaken.
- When local residents sought to commission an independent bat survey to check the applicant's findings, the developer actively sought to prevent this, imposing onerous conditions (requiring surveyors to be accompanied, demanding health and safety policies, threatening to challenge the integrity of any independent findings submitted to the Planning Inspectorate). These demands were highlighted to the Planning Inspectorate at the time, who simply said that enough time had passed and the appeal needed to be decided. This is not commensurate with a rigorous approach. The conduct by the developer is inconsistent with the openness expected in planning proceedings and raises legitimate concerns about the robustness of the developer's own data.
- The applicant's response to requests for independent access stated: 'we would have to make the Planning Inspectorate aware that any survey submitted would have been undertaken without consent and by association call into question the integrity of any output.' This is not an appropriate response where there are genuine concerns about the presence of European Protected Species.

- Natural England's concurrence at outline stage related to the principle of development and was given without the benefit of detailed reserved matters information, including precise lighting proposals, final layout, and the specific relationship of built form to bat foraging corridors.
- In addition to the above, it is noted that bats use the entire application field for foraging throughout the year, not merely the boundary hedgerows. Photographic evidence from June shows high bat activity across the whole field - behaviour consistent with the field functioning as a primary foraging habitat rather than a mere transit corridor. The bat survey, commissioned by the developer, assessed only limited areas and survey periods. An independent survey organisation should be appointed by the Council, not the applicant, to conduct a fresh assessment before any reserved matters are approved.

Applicable Legal Framework

The following legal and policy requirements apply:

- Conservation of Habitats and Species Regulations 2017 (the 'Habitats Regulations'): It is an offence to deliberately capture, injure or kill a European Protected Species, deliberately disturb them (including impairing their ability to survive, breed, rear young, hibernate or migrate, or significantly affecting local distribution or abundance), or damage or destroy a breeding site or resting place. The burden lies with the applicant to demonstrate that this development will not result in such harm.
- Wildlife and Countryside Act 1981 (as amended): All bat species are also protected under domestic law, with additional protections applying to roosts whether or not bats are currently present.
- NPPF (2024), paragraph 186: 'When determining planning applications, local planning authorities should apply the following principles: if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated, or as a last resort, compensated for, then planning permission should be refused.'
- NPPF paragraph 192: Development on land within or likely to affect a Site of Special Scientific Interest (SSSI) Impact Risk Zone, and development within SAC consultation buffers, requires careful assessment.
- Wiltshire Core Strategy Core Policy 50 (Biodiversity and Geodiversity): Development should ensure there is no net loss of biodiversity and that species and habitats of principal importance are protected.
- Natural England Standing Advice on protected species requires that surveys are sufficient in scope, conducted at appropriate times of year, and cover all relevant survey seasons.

Requested Action

The Council should not approve these reserved matters until a fully independent bat survey - covering at minimum two full survey seasons, using static detector arrays and walked transects, at appropriate times of year - has been conducted and assessed. This is necessary to establish with confidence whether Bechstein's bat or other EPS are using the site and its

boundary habitats. Given the proximity of confirmed Bechstein's activity, the threshold for confidence must be high. The Council should also consult Natural England on this specific point, with full disclosure of the proximity of confirmed Bechstein's bat activity to the site.

Ground 2: Inappropriate Scale - 2.5-Storey Development Out of Character with Dilton Marsh

The Character of the Village

Dilton Marsh is a linear village characterised almost entirely by properties of one to two storeys in height. Victorian terraces, semi-detached and detached dwellings, and traditional cottages define the streetscape. The occasional higher building exists, but these are isolated exceptions rather than the norm and in most cases are set within their own grounds with significant separation from neighbouring properties.

The applicant's own Local Character assessment acknowledges that buildings are 'mainly two-storey' and that densities range from 28 to 38 dwellings per hectare. The Design and Access Statement references the Victorian and traditional vernacular as the design precedent. Yet the scheme then proposes two-and-a-half storey dwellings as part of a three-unit terrace - a house form and height with no established precedent in the immediate village context.

Policy Conflict

The introduction of 2.5-storey dwellings conflicts with:

- Wiltshire Core Strategy Core Policy 57 (Ensuring High Quality Design and Place Shaping): requires development to respect and respond to local character, including height, scale and massing.
- Wiltshire Design Guide (2024): emphasises that new development should transition sensitively in scale to surrounding built form, with particular care at settlement edges.
- Dilton Marsh Neighbourhood Plan (DM08 and DM09): design should reinforce village character and be limited and sympathetic in scale.
- NPPF (2024), paragraph 130: permission should be refused for development that is not well-designed, and paragraph 131 states that high-quality design is fundamental to sustainable development.
- NPPF paragraph 135: development that is not of good design - including development that fails to respond to local character and history - should be refused.

Privacy Interaction

The scale concern is compounded by its privacy implications. The 2.5-storey dwellings are proposed in a terrace form where upper-floor windows will command elevated views over existing rear gardens and habitable rooms of neighbouring properties. A reduction to two storeys would both reduce the out-of-character massing and substantially mitigate the overlooking impact discussed in Ground 3 below.

The Council is requested to require the applicant to reduce the 2.5-storey elements to a maximum of two storeys, consistent with the prevailing village character and with the applicant's own stated design principles.

Ground 3: Unacceptable Privacy and Overlooking Impact on Existing Residents

The Existing Context

The properties along the southern boundary of the application site - fronting High Street - were built without any form of overlooking from the north. Many have stood for 200 years or more. Their rear gardens, habitable rooms, and private amenity spaces have been entirely private in that direction throughout their existence. The residents of these properties have a reasonable and well-established expectation of privacy in their back gardens and rear-facing rooms.

The proposed development will introduce a built frontage directly to the north of these properties, where none has previously existed. The site falls gently from south to north - meaning that even where the new dwellings are at a lower finished floor level, their upper floors, and particularly any 2.5-storey elements, will still command views into the existing rear gardens. The change in ground level does not eliminate overlooking; it may in some places reduce it, but it does not provide adequate separation.

The Buffer Zone is Inadequate

The applicant relies on the sewer easement along the southern boundary - a 6-metre strip - as providing a buffer between existing and proposed development. This is inadequate for several reasons:

- The 6-metre sewer easement is a utility restriction, not a landscaped buffer. It does not provide planting at the density or height required to screen two-storey and two-and-a-half storey dwellings within any reasonable timescale.
- The public open space walkway proposed within this zone means it is accessible to the general public, further eroding the privacy of existing residents' rear gardens.
- The BRE Guidelines on Site Layout Planning for Daylight and Sunlight (BRE Report 209) indicate that a separation distance of at least 21 metres between facing habitable windows is widely used as a minimum standard in residential development. The submitted plans do not demonstrate that this standard is achieved throughout the southern interface.
- Wiltshire Council's own Residential Design Guide and the Wiltshire Design Guide both emphasise the need for adequate privacy distances and effective buffering at the edges of new developments adjoining established residential curtilages.

Policy Framework

- NPPF (2024), paragraph 130(f): planning policies and decisions should 'create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.'

- Wiltshire Core Strategy Core Policy 57: requires new development to provide appropriate levels of residential amenity, including privacy.
- Wiltshire Design Guide (2024): sets out clear expectations for privacy distances and the treatment of development edges where new and existing housing interfaces.
- The Dilton Marsh Neighbourhood Plan: places explicit emphasis on protecting the character and amenity of existing residents.

Requested Action

The Council should require the applicant to: (a) reduce all dwellings to a maximum of two storeys where they are within 30 metres of existing residential curtilages on the southern boundary; (b) provide a fully detailed and independently verified Privacy Impact Assessment with specific assessment of overlooking distances and angles; (c) substantially enhance the landscaping buffer along the southern boundary with immediate-effect screening to a minimum height of 3 metres.

Ground 4: Materially Deficient Residential Travel Plan

Inaccuracies in the Submitted Document

The Residential Travel Plan (RTP) submitted by Pegasus Group contains a number of factual inaccuracies that undermine its credibility and suggest it was prepared without adequate site-specific investigation. These are not minor errors - they go to the fundamental reliability of a document that is supposed to inform residents and demonstrate sustainable accessibility:

- **Footways:** The RTP states that footways are provided on 'both sides of the carriageway' along the B3099 High Street. This is incorrect. In reality, the footway provision is intermittent, switches between sides, and is absent in several sections. At the railway bridge, it states that the road narrows to one-way traffic - this is not the case. The pavement is very narrow though - a critical safety consideration that is not acknowledged.
- **Rail services:** The RTP states that trains run every 45 minutes to Warminster and hourly to Salisbury and Bristol Temple Meads. This does not reflect the actual timetable at Dilton Marsh station, which is a request stop with limited and variable services. These figures appear to be based on standard schedules rather than the actual stopping pattern at this specific station.
- **The Travel Plan** was evidently prepared by consultants who have not visited Dilton Marsh and do not understand its specific local context. The document appears to be a generic template with local place names substituted in, rather than a genuine assessment of how residents of this development will actually travel.

Modal Share Targets are Unrealistic

The baseline modal split data is drawn from the 2011 Census for the Wiltshire (039) MSOA - data that is now 15 years old and relates to a much wider geographic area than the application site. The 2021 Census data is available and should have been used, with appropriate mitigation

due to its collection during Covid. The 2011 data shows 70.8% car use as a baseline, and the RTP targets a reduction to 60% over five years. Given the rural location, the limited public transport (bus services run once hourly on weekdays only, and the X47 service runs twice daily on weekdays), and the absence of safe cycling infrastructure, this target is not credibly achievable.

Policy and Legal Framework

- Wiltshire Council Development Related Travel Plan Guidance (2020): requires Travel Plans to be based on accurate, site-specific information and to set realistic and deliverable targets.
- NPPF (2024), paragraph 115: Transport statements and assessments should be proportionate to the scale of development and identify practical measures to promote sustainable travel.
- The Planning Practice Guidance (Transport) states that Travel Plans must be 'realistic and deliverable' - a standard this RTP does not meet.

The Council should reject the submitted Travel Plan as non-compliant and require a revised document based on: current (2021) Census data; an accurate site visit; correct timetable information; and realistic, evidenced targets. Condition 8 of the outline permission requires the RTP to be approved before development commences - the current submission does not meet that standard.

Ground 5: Inadequate Parking Provision

The submitted Parking Plan provides only 8 visitor parking spaces across 54 dwellings. This represents a ratio of approximately 1 visitor space per 6.75 dwellings - a provision level that is manifestly inadequate for a rural village location where:

- Car ownership rates are significantly above the national average (the 2011 Census data used by the applicant itself shows over 70% car commuting, and 2021 data is likely to show similar or higher car dependency).
- The two bus services (47 and X47) provide very limited frequency - the X47 runs twice daily on weekdays only - making car ownership effectively essential for most residents.
- The site has no car park at the railway station.
- High Street already experiences on-street parking pressure.

The reliance on tandem parking arrangements and frontage parking is also criticised. Tandem parking is widely acknowledged in parking guidance to have a low functional yield - in practice, one vehicle blocks another. The Manual for Streets (DfT, 2007) notes that tandem parking is 'generally less convenient for users' and should not be over-relied upon.

The likely consequence is systematic overspill parking onto High Street and surrounding lanes, with consequent impacts on highway safety, pedestrian movement past the school, and village amenity. This conflicts with Wiltshire parking standards, Manual for Streets, and NPPF objectives on safe movement.

Ground 6: Inadequate Landscaping Buffer at Southern Boundary

The applicant's Design and Access Statement identifies the sewer easement as an 'opportunity' to provide a buffer. However, the submitted landscaping proposals fail to deliver this. The principal areas of public open space and ecological enhancement are concentrated in the northern and western sections of the site - areas remote from the existing residents most affected. The southern boundary, where the interface with existing properties is most sensitive, receives comparatively little landscape treatment.

The applicant's own constraints mapping identifies the southern boundary as a zone of potential overlooking and amenity impact. Yet the reserved matters submission does not adequately respond to this. The BRE Guidelines on daylight and sunlight have not been applied. No shadow analysis has been submitted. The relationship between the 2.5-storey elements and existing rear gardens has not been modelled.

This approach conflicts with Wiltshire Core Policy 57, the Wiltshire Design Guide's emphasis on landscape-led design at sensitive edges, and NPPF paragraphs 130 and 131. The Council should require a revised landscape strategy that concentrates meaningful planting along the southern boundary to provide effective and timely screening.

Ground 7: Suburban Character Incompatible with the Village

Despite repeated references in the Design and Access Statement to 'village character', 'local vernacular', and 'low density', the detailed layout delivers a form of development that is materially suburban in character:

- Formalised estate roads with engineered carriageways and turning heads.
- Repetitive terraced forms with frontage parking courts.
- An inward-facing block arrangement with limited active frontage to the site perimeter.
- A concentration of parking that weakens the public realm and dominates large portions of the streetscape.

This conflicts with the organic, incremental grain of Dilton Marsh, where individual plots, varied setbacks, mixed scales, and the integration of domestic planting define the streetscape. The applicant's own Local Character section describes these qualities accurately - but the proposed layout does not deliver them.

This conflict is material and engages Wiltshire Core Policy 57, the Dilton Marsh Neighbourhood Plan (DM08, DM09), the Wiltshire Design Guide (2024), and NPPF Section 12. The Planning Inspectorate has, in comparable cases - including appeal decisions at similar rural Wiltshire settlements - refused reserved matters on the grounds that suburban layout form fails to respect local character even where outline permission has been granted.

Ground 8: Drainage Evidence and Long-term Maintenance Uncertainty

The application acknowledges significant drainage constraints: existing watercourses along the western and northern boundaries, a culverted watercourse through the site, surface water flood risk, and the need for a comprehensive SuDS strategy. The submitted Drainage Strategy proposes attenuation basins, swales, rain gardens, and SuDS infrastructure.

However, the reserved matters submission does not provide sufficient evidence to demonstrate:

- That exceedance flows - events exceeding the design standard - have been adequately assessed and will not cause flooding to existing downstream properties.
- That the proposed SuDS infrastructure can be maintained effectively over the long term. The Management and Stewardship section refers to a private management company taking responsibility, but does not provide legally binding maintenance commitments or detail how maintenance will be funded in perpetuity.
- That the proposed layout has been optimised to avoid conflict with the culverted watercourse running north-south through the site.

Wiltshire Council's own Local Plan policies and the NPPF (paragraph 167) require that development in areas with surface water flood risk demonstrates that it will not increase flood risk elsewhere and that drainage infrastructure will be maintained. The current submission falls short of this standard.

Ground 9: Unresolved Highway Impacts - The A36 Junction, The Hollow, and Cumulative Traffic Loading

The Hollow: A Critical Route Ignored in All Planning Assessments

The Hollow is a narrow, single-track road within Dilton Marsh that provides a common route for residents travelling south towards Warminster without using the already-congested A36/Marsh Road junction. It is in regular and significant use by local residents as an alternative to the High Street route, particularly during peak hours when the B3099 is heavily congested. Despite this, The Hollow has been wholly omitted from every traffic assessment submitted in connection with this application - at outline stage, during the appeal, and again in the reserved matters submission.

The junction at the top of The Hollow is a recognised accident blackspot. There have been multiple collisions and near-misses at this location, including a serious accident in April 2023. The road itself is not suitable for increased traffic volumes: it is single-track for much of its length, with no footway, poor forward visibility, and passing places that are inadequate for the volumes already using it. It is known to be used as a rat-run to Warminster and to access the A36 at a different point, precisely because the main A36/Marsh Road junction operates above capacity during the AM peak.

Residents of the proposed development who work in Warminster or who seek to avoid the queuing at the A36/Marsh Road junction will inevitably divert through The Hollow. This is a predictable and foreseeable consequence of the development that has not been modelled,

assessed, or mitigated. The failure to include The Hollow in the traffic assessment represents a fundamental gap in the highway evidence base, and the reserved matters submission cannot be considered robust without it.

The A36/Marsh Road Junction: Already Over Capacity, Now Further Loaded

The Transport Assessment submitted at outline stage acknowledged that the A36/Marsh Road junction operates above capacity during the AM peak. National Highways itself warned in its consultation response that “whilst in capacity terms your development may only have a small impact, any increase in queueing or turning movements could have a disproportionate impact on the safety of this junction.” Despite this explicit warning, the applicant’s modelling continued to assume that no right turns would be made onto Dilton Marsh Road from the A36 - a manifestly incorrect assumption that is contradicted by Google Maps routing and by the observed behaviour of drivers familiar with the area.

Since the outline application was determined, there have been further serious accidents at and near this junction. The safety record of this section of road has continued to deteriorate. The reserved matters submission does not address this at all, yet the generation of additional vehicle movements from 54 dwellings - a development that by its rural location and poor public transport connectivity will be almost entirely car-dependent - will add further pressure to a junction the highway authority itself regards as problematic.

Ground 10: Flood Mitigation Cannot be Built as Designed - Sewer Constraint Unresolved

A fundamental and unresolved conflict exists between the proposed flood defence infrastructure and Wessex Water’s requirements for the protection of a public foul sewer that runs along the southern boundary of the site. Wessex Water’s consultation response at outline stage made clear that no development - including attenuation features, berms, and drainage infrastructure - is permitted within 3 metres either side of this sewer, and no trees may be planted within 6 metres. The flood mitigation scheme as designed relies on precisely these features in precisely this location.

This means that the flood defences protecting the existing low-lying properties on High Street from surface water generated by the development cannot, as currently designed, be built. This is not a marginal issue: without adequate flood mitigation along the southern boundary, the development will increase flood risk to neighbouring properties. The reserved matters application must not be approved until a fully revised drainage and flood mitigation scheme is submitted that demonstrably resolves the conflict with the Wessex Water sewer easement, and that provides independently verified evidence that flood risk to existing properties is not increased.

Ground 11: Site Access and Pedestrian Safety: The School and the Rise

The proposed site access emerges onto High Street near a slight rise in the road, with forward visibility impeded in the westward direction. Traffic approaching from the west - including parents travelling to Dilton Marsh Church of England Primary School - will have reduced ability

to see vehicles exiting the development. This is not a theoretical concern: a site visit confirms what a desk-based assessment misses. The access also interrupts the longest continuous section of pavement in the village, forcing pedestrians - including children walking to school - to cross the new junction. Tragically, Dilton Marsh has experienced the death of a child in a road traffic accident. Whilst those circumstances differ from those at the proposed access, they serve as a stark reminder that pedestrian safety - particularly for children near a primary school - must be treated as a primary, not secondary, consideration.

No pedestrian crossing is proposed at the new access point. No traffic management is proposed for school drop-off and collection times, when the road is at its most congested. The reserved matters submission is silent on these issues, notwithstanding that they were raised at outline stage and during the appeal. This is not acceptable for a development of this scale so close to a primary school.

Ground 12: Absence of Infrastructure to Support the Development

The village does not currently have a functioning shop, café, or post office. Claims in the planning documents that residents will walk to local amenities are not credible. The nearest everyday retail provision is Tesco Express in Westbury Leigh, which is too far to walk with shopping and has no cycle storage, making all routine retail trips car-dependent. This was true at outline stage and remains true now. The development does not include any infrastructure contribution to remedy this deficit, and no s.106 obligations appear to address it. The consequence is a significant and predictable increase in car traffic on the B3099 towards Westbury, compounding existing highway stress.

Conclusion

For all the reasons set out above, I respectfully but firmly request that Wiltshire Council refuse this Reserved Matters application, or at minimum decline to approve it until the following matters have been satisfactorily addressed:

- A fully independent bat survey covering at least two full survey seasons, with independent assessment, before any approval is granted - given the confirmed presence of Bechstein's bat within 350 metres of the site.
- Reduction of all 2.5-storey elements to a maximum of two storeys to reflect village character and reduce overlooking.
- A demonstrably adequate privacy buffer along the southern boundary, with independently verified separation distances and a landscape strategy that provides immediate and effective screening.
- A revised Residential Travel Plan based on accurate local data, a genuine site visit, current Census figures, and realistic targets.
- A revised parking strategy demonstrating compliance with Wiltshire parking standards and genuinely adequate visitor provision.
- A legally binding long-term maintenance regime for drainage and SuDS infrastructure.

- A full traffic assessment of The Hollow and the A36/Marsh Road junction incorporating predicted vehicle movements from the development, including modelling of right-turn movements onto Dilton Marsh Road, before any approval is granted.
- A fully revised drainage and flood mitigation scheme that resolves the conflict with the Wessex Water sewer easement and provides independent verification that flood risk to existing properties on High Street is not increased.
- A pedestrian safety scheme for the site access on High Street, including a formal crossing point and traffic management arrangements during school hours, given the proximity to Dilton Marsh Church of England Primary School.

The grant of outline permission does not diminish the Council's duty to rigorously assess the reserved matters on their own merits. The matters raised in this objection are substantive, policy-compliant, and supported by evidence. I request that they be given full weight in the determination of this application.

I would also request that I be notified of any decision and of any appeal, and that I be given the opportunity to make further representations should the application be amended.

Professor Andrew Amos Channon, June 2026