Wiltshire Council

Mr Mark Tinson
Divisional Manager Director
Hills Homes

Development Services
Wiltshire Council
Tel: 0300 456 0114
developmentmanagement@wiltshire.gov.uk

29 July 2026

Dear Mr Tinson

Application No:	20/03487/FUL
Application Type	Full planning permission
Proposal:	Residential development for 21 dwellings with associated infrastructure, landscaping and construction of new access onto Sutton Lane
Location:	Land at Sutton Lane Sutton Benger SN15 4RR
On Behalf Of:	Hills Homes Developments Limited

I understand that negotiations are underway with landowners and the local community in order to deliver an alternative scheme to address condition 13 to planning permission 20/03487/FUL, which requires the delivery of new footway from the site along Sutton Lane. I further understand that the precise details of the alternative scheme are in the process of being agreed with the Council as the Highway Authority as part of the required s278 agreement (of The Highways Act 1980 as amended)), and I have been provided with email exchanges which suggest a final scheme is nearing agreement.

Condition 13 to the planning permission requires the new footway to be provided prior to the first occupation of the development, with the details of such being agreed beforehand. Accordingly, and although a scheme has already been agreed under discharge of condition application PL/2023/05353, if an alternative scheme is now required, it will need to be agreed and implemented prior to the first occupation of the development for the condition to be addressed and any commencement of development to be lawful.

Whilst no dates for submission of the new details or the implementation of the footway have yet been provided in relation to the expected occupation of the development, the Local Planning Authority is aware of those active discussions between Hills Homes Developments Ltd with the Council as the Highway Authority over the acceptability and deliverability of the scheme. So long as there remains active attempts to address the requirements of the condition, it remains unlikely that the Council as the Local Planning Authority will seek to take enforcement action in the event of a temporary breach.

Please be aware that the condition appears to go to the heart of the acceptability of the development and, until such time as alternative wording is agreed through an application under s73 of the Town and Country Planning Act 1990 (as amended), any occupation of the development in advance of an agreed footway being provided will constitute a breach of the planning permission. Any work undertaken in such an instance is at the risk of the applicant.

Yours sincerely

Head of Development Management