

APPLICATION FOR FULL PLANNING PERMISSION OFFICER REPORT

Date of Meeting	12 August 2026
Application Number	PL/2025/03672
Site Address	Land East of Biddestone Lane, Yatton Keynell
Proposal	Full Planning Application For Residential Development To Provide 55 Dwellings, Public Open Space, Access, Drainage, Landscaping, Associated Infrastructure And Ancillary Works
Applicant	Cotswold Homes Ltd
Town/Parish Council	Yatton Keynell Parish Council
Electoral Division	By Brook
Type of application	Full planning permission
Case Officer	James Taylor
Reason for the Application being reported to Planning Committee	Call-in by Councillor Jon Atkey, division member for By Brook, for the following reasons: • Unallocated site outside of the settlement boundary – damaging precedent • Highway impact, including width of Biddestone Lane, conflicting movements and pressure next to village hall car park facility. Increased vehicles would materially worsen safety. • Drainage and local flooding would be exacerbated; increased downstream risk • Isolated development detrimental to the scale, character and setting of the village.

RECOMMENDATION: That Planning Permission be **GRANTED** subject to conditions, and subject to delegation to the Head of Development Management to complete a S106 legal agreement based on the Heads of Terms, as well as securing a copy of the applicant's countersigned IACPC to show that they have formally joined the District Level Licencing scheme for Great Crested Newts in relation to this site.

Executive summary

Section 38(6) of the Planning and Compulsory Purchase Act 2004 and S70(2) of the Town and Country Planning Act 1990 require that applications for planning permission must be

determined in accordance with the development plan unless material considerations indicate otherwise.

The proposed development lies outside the defined settlement boundary of Yatton Keynell and is therefore in conflict with Core Policies CP1, CP2 and CP10 of the Wiltshire Core Strategy. These policies seek to direct new housing to sustainable locations within defined limits of development.

Further harm arises from the loss of countryside at this edge-of-settlement location, which would result in a degree of landscape and visual change within the setting of the Cotswolds National Landscape. This harm is afforded Great Weight in the context of the Cotswolds National Landscape designation to the opposite side of Biddestone Lane.

For similar reasons, the loss of countryside by reason of its historic association with Manor House, a Grade II* listed building and that's inclusion within the Yatton Keynell Conservation Area would result in harm at the lower end of less than substantial to these designated heritage assets. Each harm has been apportioned Great Weight here.

In addition, the proposals would result in the loss of actively farmed land of which circa a fifth (just under 1 hectare) would be Best and Most Versatile Agricultural Land. On that basis this is afforded moderate weight against the proposal. Furthermore, the proposals would be demonstrably reliant on private vehicles, and this can only be mitigated to a degree through application of the LTP approach toward modal change by 'Avoid', 'Shift' and 'Improve'. The proposals would also include a high proportion of properties with below national minimum space standards for internal accommodation detrimental to the future occupiers' amenity. This would disproportionately impact occupiers of Affordable Housing. These harms are afforded limited weight for the reasons set out in detail in the main body of the report.

Balanced against these harms are a range of substantial benefits, including:

- The delivery of 55 new homes which carries very substantial weight.
- 22 affordable homes (40%) which carries substantial weight.
- Economic benefits during construction and from future residents' expenditure, which carry moderate weight.
- The provision of Green Infrastructure and Open Space, including BNG above policy compliance which carries moderate weight.
- The provision of enhanced surface water attenuation to better existing flood risks, provision of enhanced levels of sustainable construction over building regulations and the provision of public benefits to the wider community from the necessary CIL and s106 contributions all have limited weight in favour of granting approval.

At the time of reporting, the Council is unable to demonstrate a five-year supply of deliverable housing sites, due to recent changes in the government's housing need calculation. As a result, the presumption in favour of sustainable development under Paragraph 11(d) of the NPPF is engaged. This is a very important material consideration.

Whilst a number of impacts have been found in relation to relevant protective policies identified by the NPPF (e.g. the settings of heritage assets and a National Landscape) they do not individually or cumulatively provide a strong reason to refuse the proposed development.

In applying the tilted balance, the key test is whether the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits. In this case, it is concluded that they would not. The benefits of the proposal would - particularly in terms of housing delivery and affordability - clearly outweigh the identified harms.

As such, and on balance, the proposal would be a sustainable form of development which would accord with the National Planning Policy Framework when read as a whole and would deliver residential development helping to address a shortage of housing land supply.

For the reasons set out in this report it is recommended that planning permission be granted subject to conditions, and subject to delegation to the Head of Development Management to complete a S106 legal agreement based on the Heads of Terms, as well as securing a copy of the applicant's countersigned IACPC to show that they have formally joined the District Level Licencing scheme for Great Crested Newts in relation to this site.

Proposed development site and surroundings

Site location

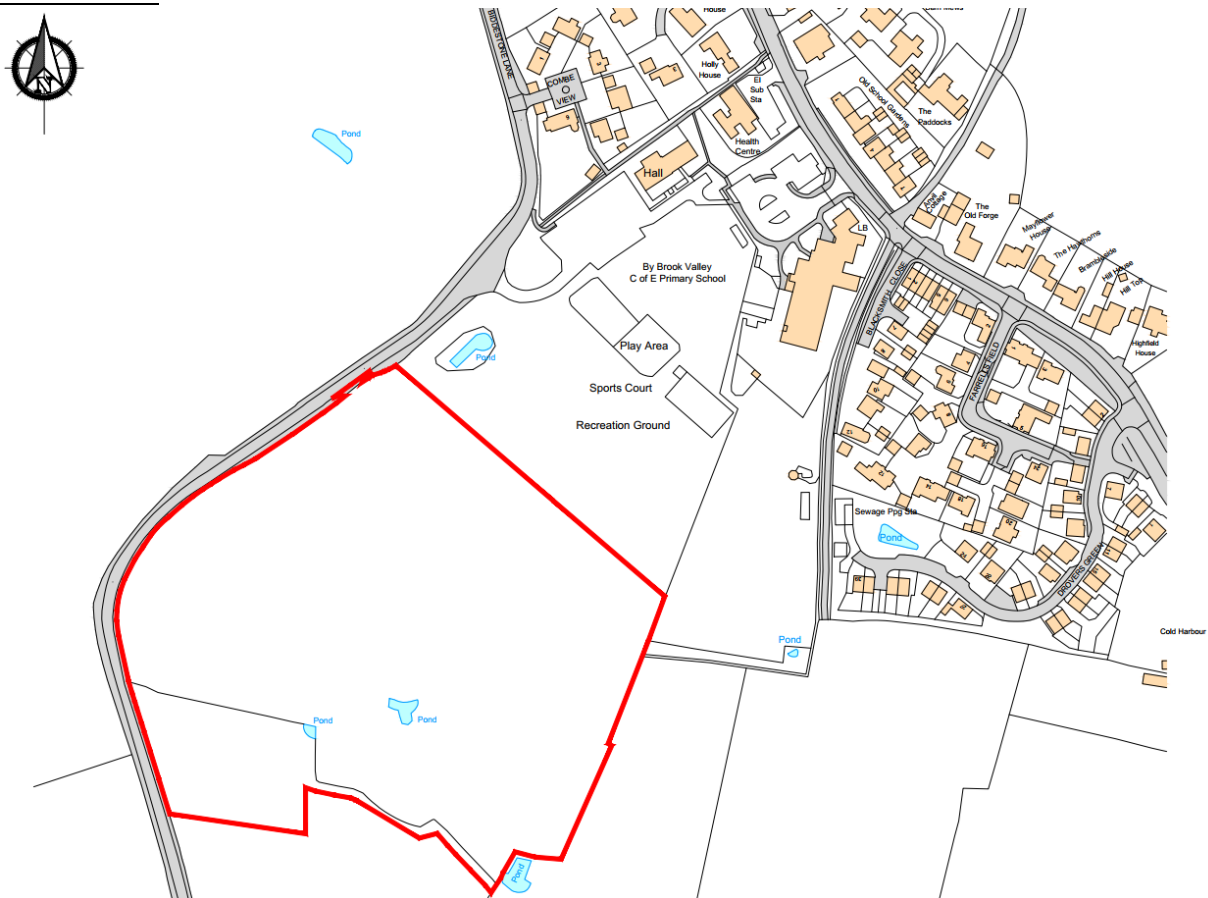


Figure 1: Site location plan

Proposal

This is a full planning application for a residential development of 55 dwellings with a mixture of detached, semi-detached, terraced and maisonette homes. The proposals range in size from 1-bedroom (2 person) to 4-bedroom (8 person) accommodation. The proposals allow for 40% affordable housing with a tenure split of 33 market homes, 13 Social Rent and 9 Shared Ownership.

The market housing would be almost exclusively detached (4-bedroom) dwellings with three pairs of semi-detached (3-bedroom) homes proposed. The affordable housing would be split within the site into two clusters. Ten units to the east of the site including a bungalow, two maisonettes and two terraces. To the west of the site a cluster of twelve homes arranged in two terraces and two asymmetric semi-detached pairs. Both clusters include a mix of Social Rent and Shared Ownership.

The proposal includes a new vehicular and cycle / pedestrian access onto Biddestone Lane, and a hoggin pedestrian connection broadly following the existing rights of way network. The plans indicate a tree lined route through the development with five cul-de-sacs off this of between three and fifteen homes.



Figure 2: Proposed site layout

The proposals also include the provision of public open space encircling the built form of the housing which would provide a landscaped setting for the development including tree planting. The plans detail the provision of a sustainable urban drainage strategy to include swales and attenuation basins. Some of which would have permanent water levels and other flood compensation areas would only be effectively wet during storm events.

Ancillary infrastructure within the proposal includes a foul pumping station connecting back to the offsite rising mains via Biddestone Lane, street lighting within the adopted highways and homes planned with individual roof mounted solar PV, electric charging points and air source heat pumps.

Site description

The application site is agricultural land located to the south of Yatton Keynell adjacent to the village recreation field. Beyond the recreation field is the village hall and nearby along the B4039 is the By Brook Valley C of E Primary School and village GP surgery.



Figure 3: Google maps satellite image showing application site adjacent and to the south west of the recreation ground, village hall, primary school and GP surgery (light brown and a portion of the green field further to the south).

Whilst the site is not within a designated landscape it forms part of a Limestone Lowland character area. The opposite side of Biddlestone Lane is within the Cotswolds National Landscape. Based on data from Natural England the land is Grade 3 agricultural land. The applicant has provided evidence to indicate around 20% of the site is Grade 3a and as such Best and Most Versatile Agricultural Land.

The historic core of the village is located further north along The Street at the junction with Biddestone Lane and West Yatton Road. This area includes additional village amenities such as the Yatton Keynell General Store & Post Office, the Bell Inn, and the Church of St Margaret of Antioch. There is a prevalence of traditional local materials in this area consistent with a rural north Wiltshire village vernacular.

The application site is accessed from Biddestone Lane which runs between the B4039 and the A420. The road has varied width, limited markings, lighting and pedestrian facilities. Running through the north of the site is the YKEY15 which continues north-east along Biddestone Lane to YKEY16. This provides a public pedestrian route to The Street which is served by raised pavements.

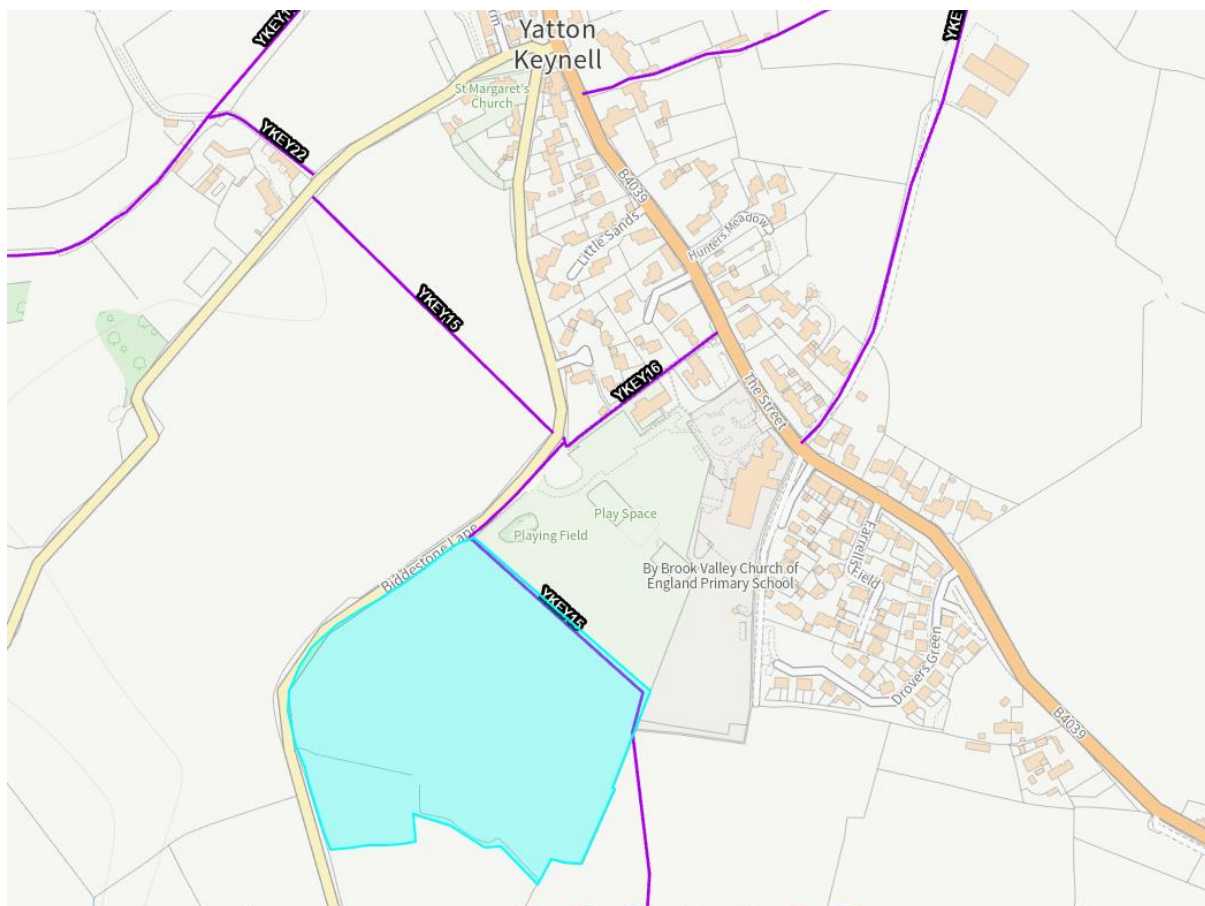


Figure 4: Plan showing local highways and public rights of way. Application site highlighted in blue.

The site is located within flood zone 1, the lowest risk in fluvial terms. Based on data from the Environment Agency the site is known to include elevated surface water flood risks. Based on

data within the Council's Strategic Flood Risk Assessment the site is not at risk from groundwater flooding. It is noted that the site includes ponds.

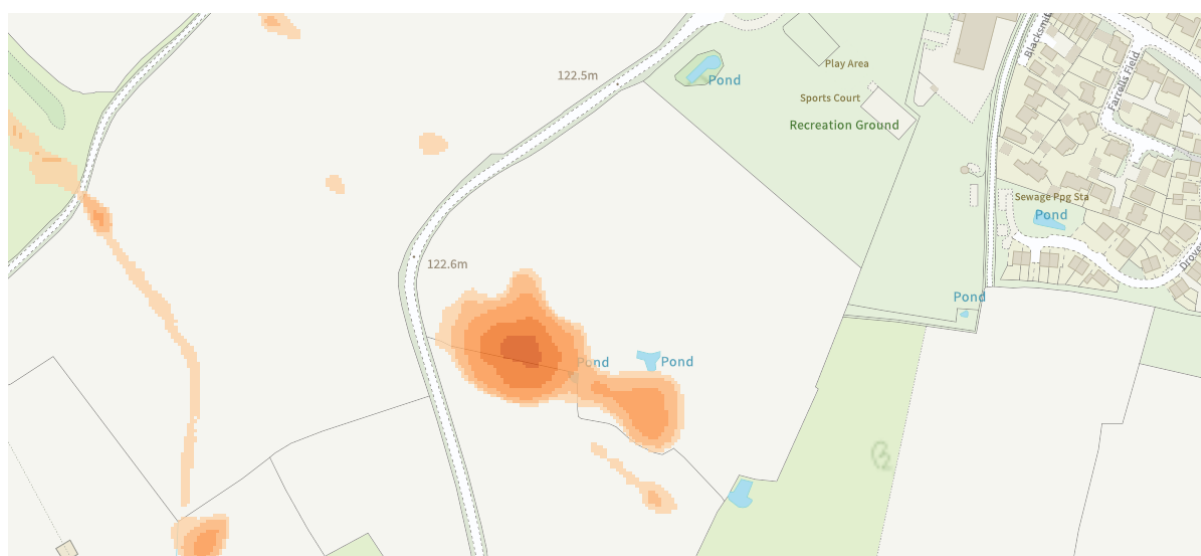


Figure 5: Extract from the Environment Agency flood maps showing areas impacted by elevated surface water flood risks.

The site is not subject to any specific ecological designations.

Relevant planning history

Proposal / Summary
<i>Planning history at the site:</i>
14/10094/FUL - Buried High Voltage Grid Connection Cable for Photovoltaic Solar Farm – Withdrawn on 21/1/2015
<i>Planning history in vicinity:</i>
19/01490/FUL - A Residential Development Comprising 31 Dwellings (Use Class C3), a New Vehicular Access, Public Open Space, Landscaping, Sustainable Urban Drainage and Other Associated Infrastructure Works at Land East of Farrells Field – Permission on 10 August 2021
PL/2022/05696 - Variation of Condition 2 (approved plans) on 19/01490/FUL to incorporate minor amendments to the scheme approved at Land East of Farrells Field – Pending.

Relevant planning legislation, policies and guidance

Development Plan:

For the purposes of this application the development plan for Wiltshire comprises the Wiltshire Core Strategy (WCS) (adopted January 2015); the Wiltshire and Swindon Waste Core Strategy 2006-2026 (DPD) adopted July 2009; and the 'saved' policies of the North Wiltshire Local Plan 2011 adopted June 2006.

In line with Section 38(6) of the Planning and Compulsory Purchase Act 2004, planning decisions must be made in accordance with the development plan unless material considerations indicate otherwise. Though the development plan is considered as a whole, those parts deemed to be particularly relevant to this application are listed below:

The adopted **Wiltshire Core Strategy (WCS)**, with particular regard to:

- Core Policy 1: Settlement Strategy;
- Core Policy 2: Delivery Strategy;
- Core Policy 3: Infrastructure Requirements;
- Core Policy 10: Spatial Strategy Chippenham Community Area
- Core Policy 41: Sustainable Construction and Low-Carbon Energy
- Core Policy 43: Providing Affordable Homes
- Core Policy 45: Meeting Wiltshire's Housing Needs;
- Core Policy 50: Biodiversity and Geodiversity;
- Core Policy 51: Landscape
- Core Policy 52: Green Infrastructure
- Core Policy 55: Air Quality;
- Core Policy 56: Contaminated Land;
- Core Policy 57: Ensuring High Quality Design and Place Shaping;
- Core Policy 58: Ensuring the Conservation of the Historic Environment;
- Core Policy 60: Sustainable Transport;
- Core Policy 61: Transport & New Development;
- Core Policy 62: Development Impacts on the Transport Network;
- Core Policy 64: Demand Management
- Core Policy 67: Flood Risk;
- Core Policy 68: Water Resources

The adopted **Wiltshire and Swindon Waste Core Strategy**, with particular regard to:

- WCS6: Waste Reduction and Auditing

The adopted **North Wiltshire Local Plan 2011 'saved' policies**, with particular regard to:

- NE14: Trees, Site Features and Control of New Development
- NE18: Noise and Pollution
- T5: Safeguarding
- H4: Residential Development in the Open Countryside
- CF3: Provision of Open Space

Other material considerations:

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

National Design Guide

Wiltshire Design Guide (adopted April 2024)

Wiltshire Local Transport Plan 2025-2038 (LTP4) (endorsed March 2025)

Wiltshire Local Transport Plan 2011-2026 Car Parking Strategy (LTP4) (approved March 2015)

LTN 1/20 – Cycle Infrastructure (July 2020)

Wiltshire Local Cycling and Walking Infrastructure Plan (LCWIP)

Wiltshire Climate Strategy (adopted February 2022)

Wiltshire Council's Waste Storage and Collection: Guidance for Developers Supplementary Planning Document (January 2017)

Air Quality Supplementary Planning Document (July 2026)

Art and Design in the Public Realm in Wiltshire – 2024 Guidance – adopted May 2024

Wiltshire Local Transport Plan 2011-2026, adopted 2015 - including the Car Parking Strategy and Cycling Strategy, adopted 2015

A Green & Blue Infrastructure Strategy for Wiltshire: Wiltshire's Natural Environment Plan 2022-2030

Wiltshire Council's Playing Pitch Strategy December 2024

Housing Land Supply Statement Base date: April 2025 (Published: June 2026)

Summary of consultation responses

WC Arboriculture: No objection subject to condition.

WC Archaeology: No objection.

WC Climate Team: No comments received.

WC Conservation Officer: No objection.

WC Drainage: No objection subject to conditions.

WC Ecology: Holding objection.

- Prior to determination a signed and countersigned Impact Assessment Conservation Payment Certificate (IACPC) regarding Great Crested Newts District Level Licence is required.

WC Education: No objection subject to obligations to early years (£87,610), primary (none as capacity exists at By Brook), and secondary (£229,400).

WC Highways: No objection subject to conditions and securing a sum for enhancement to YKEY16 (£30,000) and works within Yatton Keynell towards LHFIF proposals such as pedestrian improvements at the junction of Biddestone Lane and The Street (£20,000). Also need to secure appropriate Travel Plan.

WC Housing Enabling: No objection subject to securing 40% AH and tenure mix.

WC Landscape: No objection.

WC Open Space: No objection subject to securing on-site open space, and obligations for off-site equipped play (£46,224) and sports pitches (£15,180).

WC Public Art: No comment subject to obligation of £16,500.

WC Public Protection: No objection subject to conditions on air quality, noise from air source heat pumps, and construction environmental management plan.

WC Rights of Way: No objection subject to contribution for improvements to the local rights of way (£11,000 i.e. £200 per dwelling).

WC Urban Design: Holding Objection.

WC Waste and recycling: No objection subject to obligation of £6,655.

Cotswolds National Landscape: No comment due to workloads.

Dorset and Wiltshire Fire and Rescue Service: Comments on Building Regulation Matters.

Environment Agency: Outside of EA remit.

Historic England: Comments – findings of submitted heritage assessment broadly agreed.

Natural England: No objection having had regard to statutorily protected nature conservation sites and the Cotswolds National Landscape.

NHS (RUH): No objection subject to commuted sum towards the funding gap between delivery of development and their funding catching up with demand. Obligation of £36,870.

NHS (ICB): No comment on this proposal, but will consider a CIL bid for funds as they monitor development in the area and possible cumulative impacts.

Wessex Water: No objection.

Summary of representations

Yatton Keynell Parish Council:

Initial objection –

- Balance of 2 dwellings required up to 2038 within parish in light of the Wiltshire Local Plan Review – speculative unplanned development.
- Loss of agricultural land
- Open countryside location – remote from village and cannot be physically integrated into the village fabric
- Will not be visible upon entry to the village due to existing mature hedges
- Insufficient engagement with village
- 17% increase in homes proposed to the village, cumulatively with recent development there would be a 33% increase – not proportionate to Large Village status.
- Harm to rural character
- Highway safety including Biddestone Lane (as narrow as 4m), Biddestone crossroads (A420 junction), village car park (pick-up and drop-off for the school)
- Inadequate active travel options and public transport
- Renowned drainage issues on site and Biddestone Lane
- Need commuted sum to support local surgery
- Unreasonable to not provide obligation for maintenance of play equipment and sports pitches

Latest objection –

“Yatton Keynell Parish Council continues to object strongly to this application and in the interests of brevity would state that our continuing view is that this application is contrary to Wiltshire Core Strategy and in particular Core policies 1, 2 60 and 61.

Core Policy 1, No local housing need has been established in support of this application, and the local need for affordable housing was exceeded by the development of Drovers Green. By their own admission, Cotswold Homes acknowledge that this is a speculative application which would be regarded as windfall site in helping Wiltshire housing target.

Core Policy 2. The site is remote from the main settlement and outside the established settlement boundary. None of the exceptions mentioned in CP2 that might permit development in these circumstances apply to this application.

Core Policy 60 The Planning Inspector in dismissing an appeal for a smaller but similarly remote site outside the settlement boundary determined that the bus service was insufficient to provide a reliable alternative to the car. Another small proposal in Castle Combe has been refused by Officers on the same grounds. The same conclusion must apply to this application which therefore immediately fails a sustainability test.

Core Policy 61 The Transport Statement and Plan has been reconsidered and we remain of the view that they are both highly flawed. The basic model used is of a generic nature and not appropriate for predicting traffic in a highly rural location that has very limited local employment

opportunities and a demonstrably unsustainable bus service. The developer provides for 135 Car parking spaces but predicts only 30 and 26 two way movements at peak times. No allowance appears to have been made for the traffic generated by the increasing reliance on online shopping. We believe the Transport Statement is flawed and unrepresentative.

The Parish Council notes that the Northern Area Planning Committee on 15th May 2026 refused permission for a similarly isolated site (PL/2025/07685).

Biddestone Lane - A420 Junction

In the last six months there have been five serious collisions at the junction with the A420 the most recent on 4 May 2026 which resulted in a motorcyclist being hospitalised, the previous one being only nine days prior also resulted in a hospitalisation.

The bar for accident data is set very high and many incidents go unrecorded. However, a FOI request for information held by Wiltshire Council on damage to street furniture coupled with an acknowledgment in records owned by the Chippenham Area Board via the Local Highways & Footpath Improvement Group (LHFIG)s that measures need to be taken to reduce the number of collisions at the crossroads.

Closer to the village, between the property known as Fairview and the entrance to the burial ground there is a pinch point where the road width reduces to under 5m. Regular users know full well that it is necessary for oncoming vehicles to have to stop to allow safe passage. Buses, commercial traffic, farm traffic as well as private cars use this road and there is nothing in the application that addresses the problem including the proposal to tarmac a number of informal pull-ins/laybys none of which are anywhere near the pinch point. It should be noted that a serious incident occurred recently (2nd December 2025) involving a LGV parked in one of the identified pull-ins.

The proposed access onto Biddestone Lane is outside of the current 30mph limit, with the visibility splay to the left (southwest) being based on 85th percentile of recorded speed – 43.17mph. However this is dependent upon a length of hedgerow being cutback & maintained. How will this be possible during the nesting season (March – August)?

In summary, the Biddestone Lane is entirely unsuitable to provide access to and egress from an estate of 55 houses.

Jubilee Field Surgery - Yatton Keynell

At a village meeting on 11th May the partners, who recently acquired the practice, stated that the additional number of patients generated primarily by a 55 house development plus some from other developments in their catchment area would require the provision of additional consulting rooms. A financial contribution from the developer would therefore be appropriate, over and above that previously requested by Royal United Hospitals Bath NHS Foundation Trust (NHS Comment 22nd May 2025)

Play Area Equipment There is no certainty that the nearest play area in Jubilee Field, can be expanded to provide the 369 sqm of additional play area. Furthermore, the facility is owned by an independent charity who are under no obligation to make their land available.

For the avoidance of doubt the Parish Council cannot accept responsibility for the maintenance of on-site public open spaces or adopt any play equipment.”

Biddestone and Slaughterford Parish Council:

Initial objection –

- Highway safety at junction of Biddestone Lane and A420;
- Precedent for urban sprawl
- Impact on school and GP surgery

Latest objection –

“We object to this application because the site lies outside the defined Development Boundary for Yatton Keynell. This proposal represents an unjustified encroachment into the open countryside. Yatton Keynell has a local plan identifying the location for suitable future development. It is not at the proposed development site. The proposal conflicts with the following Policies:

- *The site is in open countryside.*
- *It sits outside the Yatton Keynell Settlement Boundary.*
- *It contradicts the Wiltshire Core Strategy (Policy 1 and 2).*
- *It conflicts with the Yatton Keynell Local Plan 2020-2038*
- *These policies restrict development outside defined limits.*
- *The proposal does not meet the "exceptional circumstances" criteria.*
- *Sustainable Development:*
- *The project promotes unsustainable growth patterns.*
- *It encourages reliance on private car travel.*
- *It fails to protect the village's rural character.*
- *Boundaries exist to prevent unplanned urban sprawl.*
- *Landscape and Character:*
- *Development would harm the area's visual amenity.*
- *It erodes the natural buffer around the village.*
- *The local infrastructure cannot support extra-boundary growth.*
- *Approval would set a dangerous precedent for future builds.*
- *The application fails to comply with the primary housing spatial strategy for the area. It should be refused to protect the integrity of the village boundary and the surrounding rural landscape.*
- *The development would increase the number of vehicles crossing the A420 junction between Yatton Keynell and Biddestone and will inevitably increase the frequency of accidents at this busy crossroads.”*

Third party comments (including Yatton Keynell Recreation Association, Jubilee Field Surgery and North Wiltshire Swifts):

Circa 53 comments received (some parties have provided multiple replies) as summarised below:

- Impact on highways safety including on Biddestone Lane, the junction within the village core and the junction at the A420 (accident blackspot).
- Construction traffic management
- Suitability of site considering policy and preference for brownfield development and strategic settlements
- Need – village has had 2 recent developments and no evidence of more need
- Affordability
- Impacts on ecology of area and biodiversity enhancements
- Flooding and drainage issues, including foul sewers
- Pollution of the water environment
- Impacts to local infrastructure overwhelmed including roads, public transport, doctors surgery and school
- Scale of development
- Impact upon the rural area's character and appearance e.g. 25% increase in population, out on a limb, not a designated site.
- Priority should be given to brownfield sites
- Loss of amenity, noise, fumes impacts
- Conservation of land and tree in the countryside
- Precedent
- Ring fenced funds for village surgery nearing capacity – needs a clinical space extension.
- Referenced appeal decisions in other locations, including refusal of 3-4 self build dwellings at Tiddleywink, Yatton Keynell.
- Changes do not alter concerns/issues/objections
- Yatton Keynell Recreation Association see pros and cons to the proposals

Planning considerations

In accordance with Section 70 (2) of the Town and Country Planning Act 1990, Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:

"If regard is to be had to the development plan for the purposes of any determination to be made under the planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise."

In accordance with this statutory requirement, this application has been assessed against the relevant policies of the Development Plan, including the Wiltshire Core Strategy (2015) and, where applicable, any relevant made, or emerging, Neighbourhood Plans. Consideration has also been given to the policies of the National Planning Policy Framework (NPPF) as a material consideration in the assessment.

Key issues

The main issues that need to be addressed in this case include:

- Principle of development

- Accessibility and transport impact
- Design and visual impact
- Landscape impact
- Heritage impact
- Climate Change and Sustainable Construction
- Impact on adjoining land uses and the impact on the residential amenity of existing and future occupiers including those at the proposed development itself.
- Flood risks and drainage impacts
- Ecology impacts and Biodiversity Net Gain
- Wider environmental considerations including air quality and contamination impacts
- Loss of Agricultural Land
- Any other material considerations
- S106 planning obligations
- Planning balance

Principle of development

In Wiltshire, the direction and scale of development are guided by the Settlement Strategy set out in Core Policy 1 of the Wiltshire Core Strategy. This policy establishes a clear hierarchy of settlements, prioritising **Principal Settlements** (Chippenham, Trowbridge, Salisbury), **Market Towns, Local Service Centres**, such as Pewsey and Wilton, and **Large and Small Villages**.

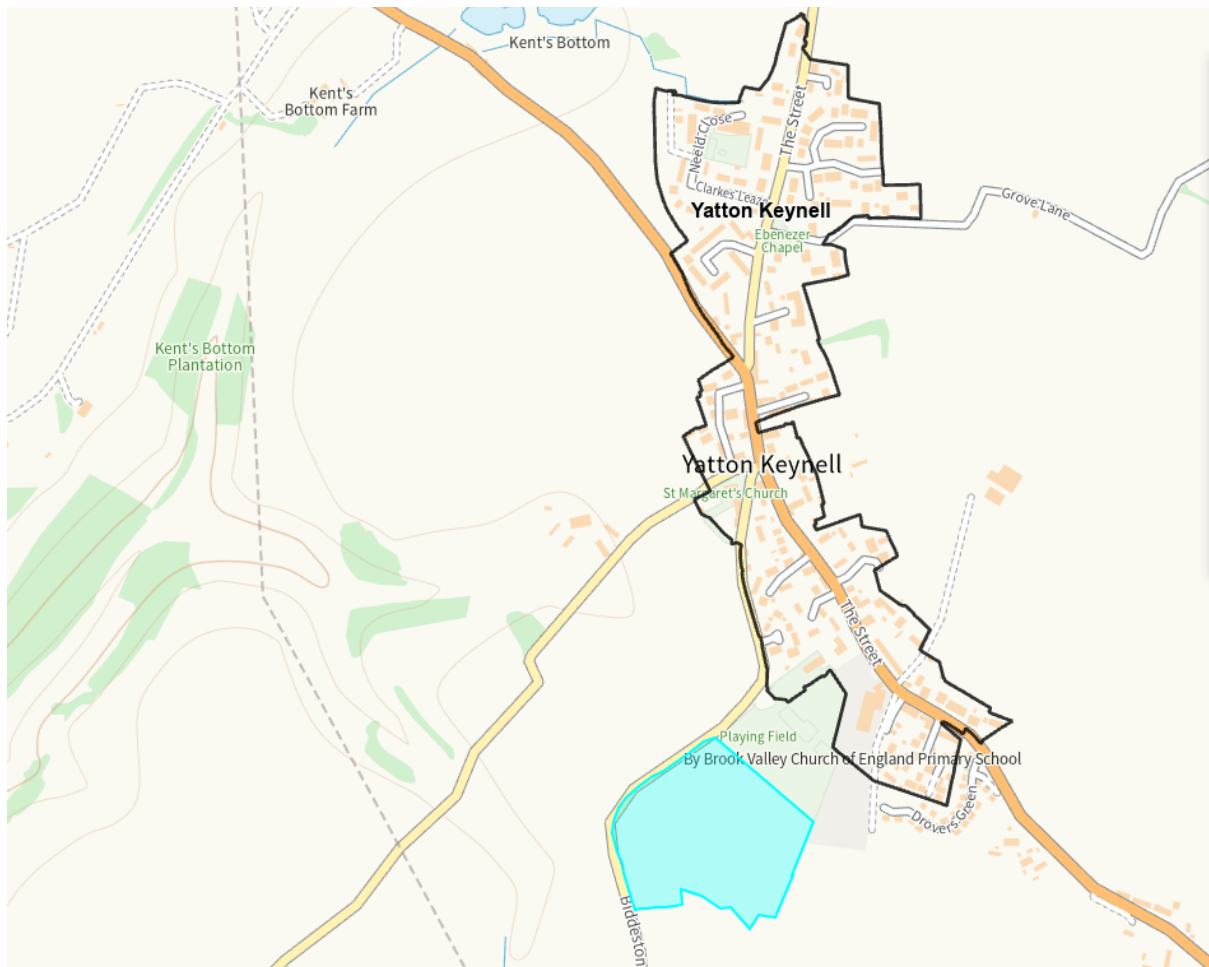


Figure 6: Plan showing application site in blue highlight and extent of Yatton Keynell's defined settlement boundary with black line.

Core Policy 2 (Delivery Strategy) of the WCS complements this approach by directing new housing growth to the most sustainable locations, primarily within the defined settlement boundaries of Principal Settlements, Market Towns, Local Service Centres, and Large Villages. Development outside these limits is generally only supported in exceptional circumstances, such as rural exception sites or where specific policies apply (as outlined in paragraph 4.25 of the adopted Wiltshire Core Strategy).

The current proposal is located outside Yatton Keynell, which is classified as a Large Village. The application proposal therefore relates to residential development on a site that is not allocated for housing within the Wiltshire Core Strategy/not in settlement boundary. The site's relationship to the settlement boundary is illustrated at Figure 6.

Summary

Therefore, the proposal is considered to be not in accordance with Core Policies 1, 2 and 10 of the WCS and is not acceptable in principle.

The National Planning Policy Framework

The NPPF sets out that the purpose of the planning system is to contribute to the achievement of sustainable development, including the provision of homes, and supporting infrastructure in a sustainable manner. It sets out the three overarching objectives, namely economic, social and environmental. So that sustainable development is pursued in a positive way, at the heart of the NPPF is a presumption in favour of sustainable development.

The presumption means that for decision-taking that development that accords with an up-to-date development plan is approved without delay; or where there are no relevant development plan policies, or the policies that are most important for determining the application are out-of-date, granting permission unless:

11 i) the application of policies in the NPPF that protect areas or assets of particular importance (e.g.) provides a strong reason for refusal; or

11 ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessing against the policies in the NPPF taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

Paragraph 61 sets out the Government's objective of significantly boosting the supply of homes.

Paragraph 124 sets out that decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

5 Year Housing Land Supply

The Wiltshire Housing Land Supply Statement (published June 2026) provides the latest position on the Council's ability to demonstrate a five-year supply of deliverable housing land, which is a material consideration in the determination of planning applications for residential development.

[Monitoring and evidence - Wiltshire Council](#)

[Housing supply and delivery - GOV.UK](#)

The NPPF requires a five-year housing land supply to be met in all circumstances. The accompanying Planning Practice Guidance on Housing Needs Assessment which sets out the housing requirement to be used in the calculation was revised at the same date and this has resulted in a substantial increase in the five-year housing requirement to be met from the previous calculation. As a result of this change of approach, the Council can currently demonstrate a 2.8 year housing land supply which represents a shortfall.

The absence of a five-year housing land supply is a material consideration in the determination of this application. In accordance with Paragraphs 78 and 11(d) of the NPPF, for applications involving the provision of housing, where there is a shortfall in the supply of deliverable housing sites, the most important policies for determining the application should be considered out of date. The current housing land supply shortfall is a factor that must be considered in the planning balance and in this case, as a five-year housing land supply cannot be demonstrated, the weight that can be applied to the most important policies for determining this application should be assessed and altered in the light of the shortage in housing land supply.

Overall conclusions on the principle of development:

In summary, it is considered that the proposals are contrary to the development plan in principle, however a planning balance is required in light of the detailed planning impacts from the proposal both in favour and against it having regard to the NPPF and other material considerations such as the Council's current shortfall against the five year housing land supply. It is important to have full and robust assessment of the detailed considerations and impacts of the proposed development as these are important material considerations in an overall balanced judgement of the proposal's merits.

Accessibility and transport impact

Policy Context

The NPPF covers this matter in Chapter 9. In particular, paragraph 110 and 115 are "key policy" for the purposes on paragraph 11d footnote 9, and indicate that significant development should be focussed in sustainable locations which offer a genuine choice of transport modes, and where safe and suitable access can be achieved for all users. Paragraph 117 also

prioritises these issues. Paragraph 116 does however confirm that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.

Core Policies 60 to 64 of the Wiltshire Core Strategy (WCS) set out the overarching transport and accessibility framework for development across the county. These policies require that development proposals:

- Provide safe and suitable access for all users;
- Do not result in severe residual cumulative impacts on the transport network;
- Promote sustainable transport modes and reduce the need to travel by car;
- Include appropriate levels of car and cycle parking in accordance with adopted standards;
- Safeguard and enhance public rights of way and active travel routes.

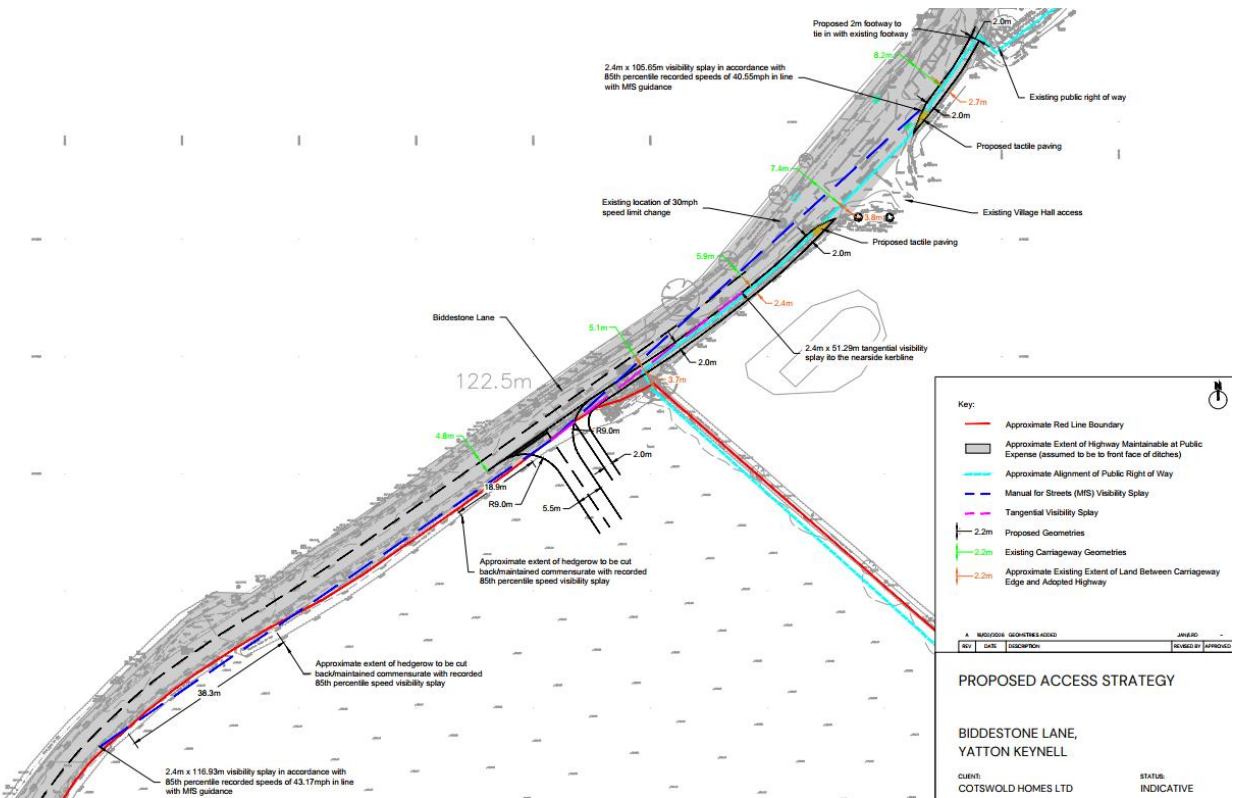
The Wiltshire Local Transport Plan 4 including the retained LTP3 Car Parking Strategy and Cycling Strategy, provide further guidance on the design and provision of transport infrastructure. The updated focus is on the concept of 'Avoid', 'Shift' and 'Improve'. The Wiltshire Local Cycling and Walking Infrastructure Plan (LCWIP) and associated design standards (2022) set out expectations for the delivery of high-quality active travel infrastructure in new developments.

Proposals should also demonstrate compliance with national design guidance, including the National Design Guide and associated documents including LTN 1/20: Cycle Infrastructure Design (DfT, 2020), which sets out principles for safe, coherent, and inclusive cycling networks.

Assessment

The existing site has agricultural access onto Biddestone Lane. It also has access points associated with the rights of way network with a small bridge at a stile in the north tip of the site at YKEY15. The proposal would result in the closing up of the existing agricultural access and the provision of a new vehicular access onto Biddestone Lane. The carriageway would have a width of 5.5 metres and visibility splay to the south-west of 2.4m by 116.93m and to the north-east of 2.4m by 105.65m.

The submission details the provision of off-site works to the public highway to provide a 2m wide footway from the site to the existing footway at YKEY16 with tactile paving across the existing village hall car park entrance. Furthermore, are proposed at YKEY16 are to provide enhancements to the surfacing and width so that a safe and convenient pedestrian connection is made completely from the site to The Street.



The vehicular access to the site links to the north, via the village to the B4039 after about 400m. Approximately 1.5 kilometres to the south is the junction of Biddestone Lane with the A420.

The proposals are located outside of the defined settlement boundary for Yatton Keynell. However, this is a Large Village within the Council's development plan strategy for growth and located within a relatively short distance of Chippenham, one of the three Principal Settlements for strategic growth in Wiltshire.

Various third party comments and concerns have been submitted and these have been considered carefully. Key concerns from the public and parish councils relate to the width of Biddestone Lane, lack of dedicated pedestrian facilities on Biddestone Lane; limited passing places; visibility and safety of the junction with the A420 to the south and suitability of the junction with the B4039 where there is a cluster of village facilities and no parking restrictions. Concerns also relate to the safety and convenience of travel by other means than the private vehicle noting that the village recreation area adjacent to the north is in 3rd party ownership. The lack of alternatives to the private vehicle is also raised.

A Transport Statement has been submitted for this scheme in April 2025 and has been further supported by a Transport Technical Note in December 2025. The Transport Statement sets a view that subject to the delivery of pedestrian improvements the site has reasonable access to the local services and facilities of Yatton Keynell by walking. It further sets out that there are public transport provisions in the village and that cycling for wider trips is considered to be a realistic option by the report's authors. However, it also clearly sets out that the majority of additional trips will be by private vehicle with the proposed 55 homes resulting in an additional vehicular movement on the local highway network every two minutes within the peak times of day.

The Transport Technical Note was prepared following discussion with the Council's officers to address matters around local and wider site accessibility; the nature and suitability of Biddestone Lane; and the proposed internal site layout. This sets out that improvement may be provided to the width and surfacing of YKEY16 linking up to The Street. It sets out that that no enhanced cycling provisions would be provided as part of the scheme. The Note goes on to explain that Biddestone Lane currently has around 1,988 vehicle movements on a daily basis with circa 229 two-way vehicular movements in the AM and PM peak hours. It opines that Biddestone Lane can safely accommodate the existing and proposed traffic flows. Nonetheless, the applicant has provided a plan to formalise 3 passing places between the site access and the A420 junction and provided a pedestrian link to the north with sums to secure improvements all the way from the site to The Street.

Furthermore, the applicant has submitted a Travel Plan indicating that they will appoint a co-ordinator to oversee the implementation and management of the document. The plan includes marketing of alternative transport to private vehicles and monitoring. A final travel plan can be secured by s106 to ensure appropriate monitoring is financed and Green Travel vouchers are provided to each new property to support a modal shift. Additionally, a commuted sum has been agreed to improve the YKEY16 to better support pedestrian movements to the village facilities along The Street including the existing bus stops and raised pavements.



Figure 9: YKEY16 from Biddestone Lane up to The Street.

The applicant's submissions and the public representations made have been reviewed by the Council's Highways Development Control team. Furthermore, they have been engaged in the discussions and negotiations with the applicant's representatives to secure enhancements to site accessibility which will support modal shift and highway safety. They do not raise a technical highway objection and have helped to secure enhancements over the initial submission. They acknowledge some residual shortcomings including pinch points in the width of Biddestone Lane which were observed from site inspection before they made their balanced conclusions.

Public objections to the scheme on highway safety grounds have been carefully noted and considered, including concerns regarding the junction with Biddestone Lane and the A420, 1.5km to the south of the site. Enhancements to the junction with the A420 are being investigated by the highways team out with the planning application process. Additionally, works around the junction of the B4039 have also been discussed out with the planning process through the Local Highways and Footway Improvement Group (LHFIG).

The applicant sets predicted movements to be around 30 two-way movements in the AM peak and 26 two-way movements in the PM peak. It is advised that this equates to an approximate increase of one additional trip every two minutes on the local highway network. It would increase the existing levels by circa 11-13%. These figures do not make any allowance for reductions that could be secured through a Travel Plan that supports modal shift. It may be considered a worst-case scenario.

Highway officers have been to the junction with the A420 and established that it currently has suitable visibility subject to maintenance within the Council's control. It is anticipated that a high proportion of vehicle-based trips from the development would travel in this direction and make use of the A420 junction. Given that not all movements will travel in this direction, during peak hours there will be an additional vehicle at the junction less than every 2 minutes. This does not represent a significant highway safety issue, especially when the proposal will formalise passing spaces to the south of the site along Biddestone Lane and noting that the junction has suitable visibility when it is appropriately maintained by the Council.

To the north of the application site is the junction of Biddestone Lane and The Street. This is a very wide junction, and it is understood from the LHFIG that the existing community would like alterations to improve pedestrian experience. Since this junction is one that would be used by pedestrians associated with the development, most likely via the enhancements to YKEY16 the applicant has agreed to make a contribution to proposals identified by LHFIG. This would help improve the feel of the area for pedestrians at the junction. However, the technical highway safety position is that the junction remains safe currently and can accommodate the level of vehicular trips associated with the creation of 55 dwellings without highway harm.

Whilst it has been observed that there are pinch points along Biddestone Lane, which has the feel of a countryside road, but supports nearly 2,000 trips daily, there is no clear evidence that there is an existing highway safety issue on this road. The level of movements forecast as part of the development would, on average, increase this during peak hours by around a vehicle every 2 minutes. This is not considered to result in demonstrable highway safety impacts.



Figure 10: Pinch point on Biddestone Lane between the site and junction with The Street looking north. Current extent of hard standing measures approximately 4.1 metres (on the ground), showing circa 5.6 metres (on the Council's GIS data). Vegetation evident encroaching on both sides.



Figure 11: Pinch point on Biddestone Lane between the site and junction with The Street looking south.

Your highway and planning officers have travelled in both directions along Biddestone Lane between The Street junction and the A420 junction. This is a road with no pedestrian facilities, albeit does have street lighting. It is subject to a 30 mph restriction. It does have walls and hedges to its margins and at various points it's clear that vegetation has grown into or over the carriageway. This contributes to the various pinch points and perceived narrowness in some places. In places this is as little as approximately 4.1 metres in width; but generally, it is between 5m and 5.5m wide. Such widths accord with guidance and would provide space for vehicles to pass each other. Reasonable driver behaviour is to be assumed, noting the speed limit, the lack of pedestrian facilities, the presence of private drives, and the narrowness in places including from encroaching vegetation and the built form. In this context this part of the road is considered to be safe currently, the additional vehicular trips are not assessed by the expert technical officers to cause a severe or unacceptable highway safety issue. Indeed, the pinch point would act to provide a natural traffic calming measure and avoid the need for artificial features. As such the Council's highway officers advise that a reason for refusal based on such matters cannot be sustained.

Their expert opinions are given weight and whilst the village roads would not be planned as they are, the proposals would not be likely to cause an unacceptable or severe highway safety risk even when acknowledging that the majority of trips from the 55 homes would likely be by private vehicle.

Within the site itself there are no technical objections in terms of the road layout and the proposals detail car parking to meet minimum residential standards. Tracking details have been submitted that shows vehicles may use the site including refuse lorries. Carry distances for refuse also remain broadly in line with published guidance.

Turning to matters of accessibility and travel by means other than the private car. There are public transport options to travel to local centres with the 95/95A service operating six days a week. Weekdays there are approximately 5-6 services in both direction between 07:55 and 17:17; and only 5 services on Saturdays between 08:48 and 17:36. As such, they are considered to be limited services which means that a large proportion of trips will be by private vehicle because of this. The proposal will likely result in a significant proportion of trips being car based and this is reflected in the forecast vehicular movements. This is also a conclusion consistent with the planning inspector's decision referenced by YKPC. This weighs against the proposal and will not reflect the modal shift desired in Wiltshire, a place that continues to have above average levels of car ownership compared to both the national and regional averages.

Nonetheless, Yatton Keynell does have a number of local facilities for its population including a primary school, doctors' surgery, general store and post office, as well as a pub and church. These facilities are within a safe and convenient walking distance subject to securing the proposed enhancements to off-site pedestrian links from the site to The Street. This involves the provision of a 2m wide footway on the east side of Biddestone Lane from the application site to the bottom of YKEY16. Then enhancements to the existing narrow hoggin path surface on this right of way. Improvements are agreed in principle and need to be appropriately secured. These are betterments that could not be found for the appeal decision referenced by YKPC.

The proposals detail EV charging to every plot including those with frontage or courtyard style parking. As it is being proposed and because it provides some mitigation to the reliance on private vehicle use under the Avoid, Shift, Improve mantra of the LTP4 then it can be secured by condition. EV charging is at the bottom of the hierarchy as an 'improve' measure over the use of the internal combustion engine. The proposals also detail space for cycle storage that is satisfactory against standards within oversized garages and where garages are not provided, within storage sheds in back gardens. This is considered to be acceptable in the context of a site that will not be likely to attract a high level of cycle trips given the nature of the wider road network and distance to services.

The proposals have not drawn a technical objection from highway officers who have helped negotiate enhancements. The proposals will provide pedestrian facilities to access local village facilities including bus stops that connect (albeit with limited services) to nearby centres for secondary school education and employment opportunities. The plans demonstrate satisfactory visibility from the new site access and closing up the existing agricultural access that has poorer levels of visibility. The technical advice is that Biddestone Lane and the junctions to the wider highway network at the B4039 and A420 are satisfactory to cope with the predicted levels of increased travel. Nonetheless, enhancements are proposed where possible with 3 passing places being identified between the site and the A420 junction. Enhancement to these currently informal passing places can be secured and would be a betterment for all road users.

The technical expert advice in light of a full range of evidence and opinions is that the applicant has been able to demonstrate that the traffic movements associated with the proposal will be adequately accommodated within the road network. Furthermore, they set out that the development would also bring forward pedestrian infrastructure improvements which help to connect the site to the village and its facilities. In summary the technical expert opinion is that the impact of the development in highway terms would not meet the criteria of unacceptable or severe under the NPPF and as such not suitable for a refusal.

Finally, turning to issues of rights of way, the proposals show the existing right of way (YKEY15) running through the proposed public open space. This includes a hoggan path on the approximate alignment of that route. The rights of way officer raises no objection to the proposals and welcomes the proposed improvements to YKEY15 and YKEY16. The planning obligation for YKEY16 is already noted and the proposals indicate that space will be left for YKEY15 along the northern edge of the site without planting on the right of way. Any final details of planting can be presented to the right of way team for further comment if necessary. Furthermore, the applicant has agreed to providing a commuted sum to help deliver additional improvement to the local rights of way infrastructure which will support accessibility to the countryside for future occupiers of the development and betterment for the existing population.

Summary

Third party concerns regarding the impacts of the proposal have been fully considered including the suitability of Biddestone Lane and the junctions to the north and the south to accommodate traffic from 55 new homes. While it is acknowledged that the scheme would result in additional traffic on the highway network (circa 11-13% increase to Biddestone Lane),

this is considered to represent an additional movement every 2 minutes due peak times. This would not lead to unacceptable or severe highway impacts noting the existing junction conditions and the character of Biddestone Lane including pinch points.

Nonetheless, officers have secured enhancements to secure safe and convenient pedestrian connection between the site and The Street; a commuted sum to LHFIFG ambitions and a full travel plan with monitoring and green travel vouchers. These should encourage modal shift over and above the applicant's current forecasts, meaning those predicted traffic numbers may be a worst case scenario.

Furthermore, officers have secured 3 passing places along Biddestone Lane to the south of the development, and the new access has suitable geometry and visibility. The proposals also include policy compliance cycle storage and the applicant has committed to EV charging to every home helping to align with the Local Transport Plan 4 goals of 'Avoid', 'Shift', 'Improve'. The scheme would also encourage access to the countryside for all by providing a sum for local rights of way infrastructure.

Officers have made a full site inspection and travelled on the local roads and rights of way. Careful regard to the comments received from the public and local representatives has been had. The NPPF sets out that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios. The technical expert views of highway officers are that the impact of the development in highway terms would not meet the criteria of unacceptable or severe under NPPF and as such is not suitable for a refusal.

The proposal therefore accords with the aims of the NPPF, and in particular the "key policies" 110 & 115 for transport matters highlighted by footnote 9, and the WCS transport policies 60-64.

[Wiltshire Core Strategy - Wiltshire Council](#)

[National Planning Policy Framework - GOV.UK](#)

[Travel Plans, Transport Assessments and Statements - GOV.UK](#)

[Local Cycling and Walking Infrastructure Plans \(LCWIPs\) - Wiltshire Council](#)

[Wiltshire Local Transport Plan - Wiltshire Council](#)

Design and visual impact

Policy Context

The National Planning Policy Framework (NPPF), particularly Chapter 12: Achieving well-designed places, stresses the importance of good design in development proposals. Paragraph 135 of the NPPF indicates that planning policies and decisions should ensure that developments are visually attractive, functionally effective, and contribute to the overall quality of the built environment, and result in healthy communities. Good design should be an integral

part of the planning process and should ensure that developments complement their surroundings. The National Design Guide also builds on these aims.

Wiltshire Core Strategy Core Policy 57: Ensuring High Quality Design emphasises that all new developments, must demonstrate a high standard of design that enhances the local character of Wiltshire. Major developments should include detailed design statements that reflect the local context. The adopted Wiltshire Design Guide expands on policy CP57, and provides a framework to ensure that development is sensitive to the distinctive character of Wiltshire's built and natural environment.

Core Policy 45 set out that new housing must be well designed to address local housing need incorporating a range of different types, tenures and sizes of homes to create mixed and balanced communities.

Assessment

In terms of character the site has a productive agricultural appearance and is separated from the built environment of Yatton Keynell by other agricultural land and/or the Yatton Keynell recreation ground. The prevailing character of the existing surrounding area is rural open countryside. The built form to the north along Biddestone Lane has a suburban character with 2-storey dwellings and single-storey garages constructed from recon stone and concrete pantiles.

A number of third party comments have been received regards the scheme and these have been taken into account. The prevailing sentiment is that the proposals do not relate well to the established built form of the village and cumulatively with recently approved development at Drovers Green and Farrells Field to the eastern end of the village would change the character of the village given the scale of growth.

The submitted Design and Access statement indicates the overall vision is to provide high quality and distinctive development to compliment the qualities and character of Yatton Keynell. The proposals set the housing within large areas of open space, integrated into the landscape and semi-rural vernacular dominant within this part of the village.

They set out that Yatton Keynell is a narrow village settlement with a predominant mix of larger dwellings branching off "The Street" in small cul-de-sacs and private driveways. To the northern limit of the village, there are a large amount of post-war terraced homes and a good sizeable amount of bungalows. Its sets out that the historic core of the village has a traditional materials palette and the more recent twentieth century and twenty first century development has complimentary details and finishes.

It is stated that the proposed dwellings will predominantly be constructed using natural stone walling which will further enhance the development and tie in with the village. The opine that with the use of an ivory through-coloured render on a handful of properties, a broad range of house styles and materials will ensure the development is of high quality but also sympathetic to the character and appearance of Yatton Keynell. Cotswold Homes set out that they utilise hand crafted timber porches and are proposing 3 different roofing tiles throughout the scheme to contrast with the external wall materials.



Figure 12: Site layout plan showing the nature stone properties with cream outline, recon-stone garages with blue outline and green outline to indicate ivory colour render.



Figure 13: Extract from the Design and Access Statement indicating materials palette and use of traditional stone, render and contrasting roof tiles.

The Council's Urban Design officer has commented on the scheme and whilst the majority of their initial concerns had been addressed, they maintain a holding objection on the basis of

the following matters. These are not considered to be significant issues and do not represent grounds for refusal:

- Lack of return vehicle loop off the main street;
- Private drives not connecting up to each other and rights of way; and
- Plot 31's rear garden is less than the footprint of the home.

The proposed development would fundamentally change the character of this agricultural field through development to delivery 55 homes. This is a matter addressed further in the landscape impact section that follows.

In design terms the response from the urban design officer is generally positive about the development and only 3 minor residual issues remain. The applicant has chosen not to address these and it is not considered that they represent grounds for refusal. This is a relatively small scale development that doesn't necessitate a return vehicular loop, nor the provision of hoggan paths between every end of cul-de-sac route. This doesn't preclude people walking through the public open spaces where they desire. The rear garden of plot 31 is not demonstrably deficient in size and has a front garden to mitigate this. The front garden provides a betterment in the public realm compared to shifting the dwelling footprint forward to create a private enclosed garden.

Turning to more fundamental design matters, the proposals offer a housing mix across the 55 dwellings, 33 open market and 22 as Affordable Housing (13 Social Rent and 9 Affordable Home Ownership). This addresses CP43 on providing affordable homes.

The overall mix of accommodation includes 27x 4-bedroom dwellings (49%), 13x 3-bedroom homes (24%), 13x 2-bedroom properties (24%) and 2x 1-bedroom units (4%). Evidence that has been produced to support the withdrawn Local Plan Review demonstrates that the greatest housing need in Wiltshire is for 3-bedroom dwellings (circa 51%). Around 20% needs to be 2-bedroom and 4-bedroom accommodation. As such, the proposal would not be strictly in accordance with this most up to date evidence, the imbalance principally between the number of 3- and 4-bedroom units. This weighs against the proposals in design terms and CP45 that states *"new housing must be well designed to address local housing need incorporating a range of different types, tenures and sizes of homes to create mixed and balanced communities"*. Furthermore, variation needs to be justified through the production of new sound and credible evidence. This is a matter that needs to be put into the planning balance.

In addition, whilst a number of the properties would meet the technical minimum space standards there are 4 of the market units (12%) that are deficient at plots 9 and 10 (3-bed, 5-person Ash house type is deficient by around 9m²); and plots 35 and 36 (3-bed, 6-person K and KV1 type are deficient by around 6m²). These shortcomings are not policy requirements but are indicative a scheme that is not necessarily reflective of the highest quality design based on the aims of the Wiltshire Design Guide. This states at paragraph 9.1.1 that new homes should comply with Nationally Described Space Standards to ensure that they are fit for purpose.

This is a conclusion supported when the scheme is considered holistically. The affordable and market accommodation should be indistinguishable. However, the affordable units

consistently fall below the minimum space standards. 20 of the affordable units (91%) are below the technical standards. Whilst housing enabling colleagues accept 85% of the standards, it remains important that the tenures within the development indistinguishable. It is acknowledged that this is often not fully achieved in planning submissions and is not determinative, but it is a reflection of the scheme having some design shortcomings.

In terms of housing mix the proposals are not considered to best reflect the needs of Wiltshire given the over provision of large detached 4-bedroom homes. Furthermore, the proposals have been designed so that the market and affordable units are distinguishable based on minimum space standards, which show overall that nearly half the scheme will be deficient against the Wiltshire Design Guide ambitions.. This is not considered to reflect good design as set out within the Wiltshire Design Guide.

The layout of the development is considered to be good though with the entrance framed by two natural stone properties that address the entrance and turn the corner. The main road through the development offers a tree lined character with rain gardens to the front and a variety of house types all addressing the street scene. This leads movement to the end of the cul-de-sac development with a number of clearly secondary streets branching off of this main route. The proposals provide housing that addresses Biddestone Lane albeit set well back and with landscape planting supporting a transition into and out of the village.

The palette of materials is of a Wiltshire vernacular with extensive use of traditional stone, secondary importance buildings such as garages being in recon-stone and roofs using contrasting materials to offer interest. The occasional use of render is welcomed because it can break up the stone and add some variety and interest in what is ultimately a suburban form of development.

The scale of the development is almost entirely 2-storey in scale with one bungalow attached to the maisonettes away from prominent public views. This is appropriate in the context of the site and the local scale and mass in the built environment.

The proposals generally secure gardens of a satisfactory scale to the host dwelling. The largest market accommodation generally has generous gardens compared to the smaller properties in the development that broadly meet minimum Buildings for Life standards. This is not objectionable, although again indicative of the previously assessed matter of the market homes and affordable homes being indistinguishable.

[Wiltshire Core Strategy - Wiltshire Council](#)

[Wiltshire Design Guide - Wiltshire Council](#)

[National design guide - GOV.UK](#)

[Design: process and tools - GOV.UK](#)

[Healthy and safe communities - GOV.UK](#)

Summary

In summary, it is considered that the design of the proposals would provide a satisfactory aesthetic. It would utilise high quality materials and includes walls on return elevations and

actively engages houses with the street scene in the development, the open spaces and Biddestone Lane. The proposals would be well landscaped and have a clear sense of legibility including through the use of street trees on the main road through the scheme. The scale and height of the building form are appropriate to the context and the scheme would provide a satisfactory transition between the countryside and the built form of the village.

However, there are elements of the proposal that are of concern, including the housing mix by virtue of the high proportion of 4-bedroom homes proposed. A high proportion of the proposal would not meet minimum space standards as targeted by the adopted Wiltshire Design Guide. It is clear that the majority of those that fall short are affordable housing. The affordable housing is distinguishable from the market housing by virtue of the housing types, car parking arrangements, shortfall against minimum space standards and small gardens. This is not a flaw unique to this proposal.

On balance it is considered that the proposals have a level of compliance with the aims of the development plan, Wiltshire Design Guide and NPPF. The proposal is clearly not an exemplar of high quality design nor is it the antithesis of place shaping objectives. There is considered to be some conflict with the development plan and guidance given the proposed mix of house sizes, proportion of homes that would not meet minimum space standards and that the market and affordable units would be distinguishable. This is balanced to some extent by considerations such as the high quality materials proposed and the landscaped setting created including through the use of street trees. In summary, the proposals would have some conflict with CP45 and CP57 of the development plan, the Wiltshire Design Guide and the NPPF.

Landscape impact

Policy Context

Paragraph 11d footnote 7 highlights assets or areas of particular importance to be protected including irreplaceable habitats site, SSSI's, Green Belt, Local Green Space, a National Landscape, a National Park, and designated heritage and other archaeology assets, and areas at risk of flooding.

Chapter 15, paragraphs 187-191 of the NPPF relates to landscape matters. In particular paragraph 189 states that "great weight" should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and National Landscapes which have the highest level of protection. Paragraph 190 indicates that permission should be refused for major development within National Parks, and National Landscapes other than in exceptional circumstance, and where it can be demonstrated that the development is in the public interest.

The Planning Policy Guidance (PPG) also confirms that in exercising or performing any functions in relation to, or so as to affect land in National Parks and National Landscapes, Local Planning Authorities must seek to further the purposes for which these areas are designated as outlined in the relevant Acts, and the Countryside and Rights of Way Act 2000 as amended.

Core Policy 51 of the Wiltshire Core Strategy (WCS) requires that development protects, conserves, and where possible enhances the character and quality of Wiltshire's landscapes. In line with the NPPF and PPG, particular weight is given to proposals that may affect National Landscapes (formerly Areas of Outstanding Natural Beauty), locally valued landscapes, and the sensitive edges of settlements. WCS Policy CP57 and the adopted Wiltshire Design Guide SPD (2024) provides further guidance on integrating development into the landscape. The Council's Green & Blue Infrastructure Strategy (2022–2030) also supports the protection and enhancement of landscape character.

Assessment

Third party concerns have been raised in relation to how the proposals would relate to the settlement and countryside at this point.

The existing site is located outside of the settlement boundary for Yatton Keynell but adjoining the village recreational ground. The site is located outside of the Cotswolds National Landscape, but the boundary is Biddestone Lane.

A Landscape and Visual Appraisal (LVA) has been submitted with this application. This was written prior to some of the additional landscape planting being proposed during the course of the application. As such, it may represent a worst-case scenario. This summarises the impacts of the development to the National Landscape as being 'minor adverse' at completion of the development and 'negligible' at year 15. Then in terms of the site and immediate context 'moderate adverse' at completion and 'minor adverse' at year 15 because of the loss of the agricultural field only mitigated by the high levels of green infrastructure proposed.

In terms of lighting the submission asserts that a suitably designed scheme with appropriate landscaping can ensure only a very slight increase in lighting levels over the existing. The LVA concludes that *"the site has the ability to absorb a well-designed residential development as proposed, along with associated access and landscape proposals. The development would form a minor extension to the existing settlement and would mature to assimilate into the landscape context. Effects of the proposed development are not considered to give rise to unacceptable harm to local landscape and visual receptors."*

The Council's Landscape officer has commented on the scheme and the majority of their initial concerns have been addressed and they have welcomed the use of local materials, enhanced open space, planting and drainage design. They have also welcomed revised planting details and dry stone wall features in the development. As such, they conclude no objection.

The landscape officer opines that the visual impact of the site on the surrounding landscape would likely be highly localised. They set out inevitable adverse localised landscape and visual effects to the greenfield site, Biddestone Lane, and the surrounding highly sensitive nationally designated landscape and its setting. This is broadly consistent with the applicant's submission.

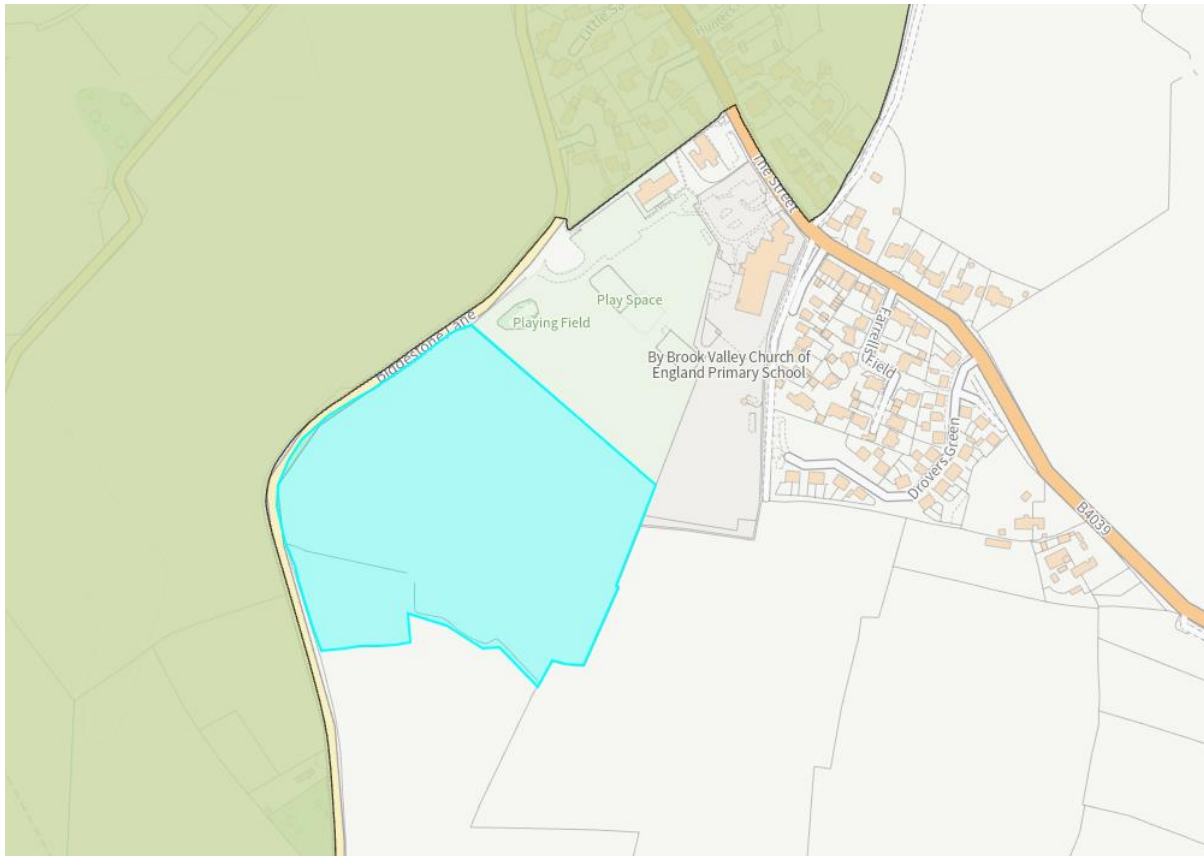


Figure 14: Extent of Cotswolds National Landscape as identified by Green highlighted area. Application site in blue shading.

The proposed scheme would have an impact on the setting of Yatton Keynell and the setting of the Cotswolds National Landscape. However, the expert technical views presented by the applicant within the LVA and by the council's landscape officer are agreed, especially that the most significant impact would be the change of the agricultural field into a 55 home cul-de-sac.

The proposals have been submitted with reasonable measures taken to minimise the impact and the majority of the landscape officer's requests and recommendations have been implemented into the submitted plans. The built environment is effectively a nucleus surrounded by green infrastructure in terms of new planting and retained agricultural field margins. The combination of the appropriate scale and height of the built form, its siting set back from the edges of the site, and the landscaped edge details are sufficient to mitigate the impact of the development to an acceptable level of impact. Impacts in landscape and visual terms would be limited, especially as the proposed landscaping matures.

Critically the proposals are not within the Cotswolds National Landscape and the impact to its setting would not be significant. The majority of Yatton Keynell and its surrounds are effectively washed over by the national landscape designation, but this field and the southern edge of the village are not included. There is no provision for a 'buffer' within planning policy and given the identified impacts are really confined to the site then harm to the national landscape would indeed be negligible. It is necessary to consider whether the proposals would "further the purposes for which these areas are designated". By providing enhanced rights of way in the locality then this would nominally enhance accessibility to the national landscape, however

there is little evidence to indicate that the proposals can in principle meet this high bar given they will fundamentally alter the character of the agricultural land in the application site.

Summary

The proposal is located adjacent to and within the setting of a National Landscape. Great weight has been given to the Cotswolds National Landscape and the protection of the interests for which it was designated. On balance, the proposals would have some limited impact on the setting of the landscape and would not demonstrably further the purposes for which this area is designated. The visual and landscape impacts are generally confined to the site itself through the inevitable change that occurs from delivering housing on an agricultural field. However, reasonable mitigation has been negotiated with significant uplift in green infrastructure providing a buffer between the built environment and the wider area. Overall, the impact on the Cotswolds National Landscape would not provide a strong reason for refusal, but the overall landscape impacts remain a matter that should weigh negatively in any planning balance noting the objectives of the development plan and the NPPF in terms of protecting the rural landscape and indeed furthering the purpose of the Cotswolds National Landscape.

[Wiltshire Core Strategy - Wiltshire Council](#)

[National Planning Policy Framework - GOV.UK](#)

[Green Belt - GOV.UK](#)

[Light pollution - GOV.UK](#)

Impact on Heritage Assets

Policy Context

The main statutory tests are set out within the Planning (Listed Building and Conservation Areas) Act 1990. Section 66 Planning Permission requires that special regard be given to the desirability of preserving listed buildings, their settings or any features of special architectural or historic interest which they possess. Section 72(1) of the Act requires the Council to pay special attention to the desirability of preserving or enhancing the character or appearance of designated Conservation Areas.

Chapter 16 of the NPPF 'Conserving and enhancing the historic environment' sets out the Government's high-level policies concerning heritage and sustainable development. In particular:

Paragraphs 212 of the NPPF requires "great weight" to be given to an asset's conservation "irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Paragraph 213 advises that harm to the significance of a designated heritage asset should require "clear and convincing justification". Paragraphs 215 & 216 require a balanced approach with any harm which would be caused being weighed against the potential public benefits which might be achieved.

Paragraph 219 advises that Local planning authorities should look for opportunities for new development within Conservation Areas, and within the setting of heritage assets, to enhance or better reveal their significance. Paragraph 220 advises that not all elements of a Conservation Area will necessarily contribute to its significance.

The Planning Practice Guidance provides guidance on interpreting the NPPF.

WCS CP 57 relates to design matters, and indicates that a proposal should respond to the value of the natural and historic environment and be sympathetic to and conserving historic buildings and landscapes. WCS CP58 indicates that the conservation of the historic environment' requires that designated and non-designated heritage assets and their settings will be conserved, and where appropriate enhanced, in a manner appropriate to their significance and encourages proposals which improve the condition of heritage assets at risk.

Assessment

The application has been submitted with a desk-based archaeology and built heritage report which identifies that the site lies within the wider surroundings of the conservation area and a number of listed buildings. It sets out the nature of the proposals and a methodology for heritage assessment looking at the significance of the potentially impacted assets. They include historic map regression that shows the linear growth of the village along The Street through the mid to late 19th century. Then, how as recently as the mid-twentieth century there was little development along Biddestone Lane.

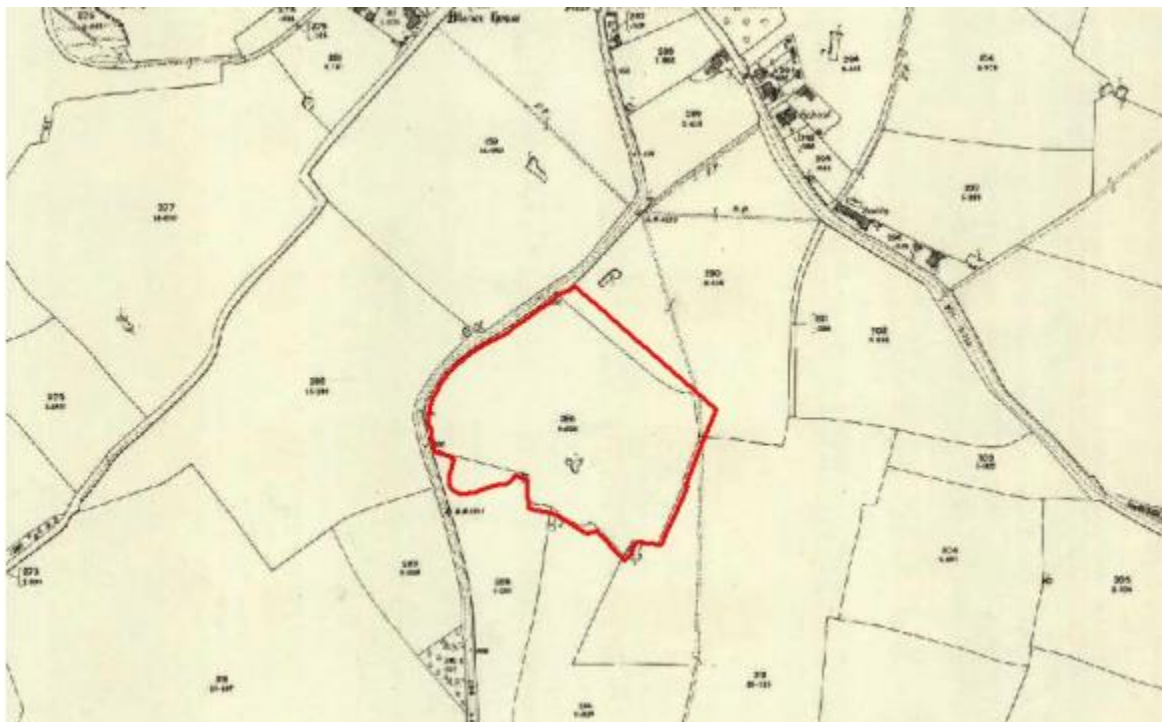


Figure 15: Extract from the heritage statement showing a 1900 map.

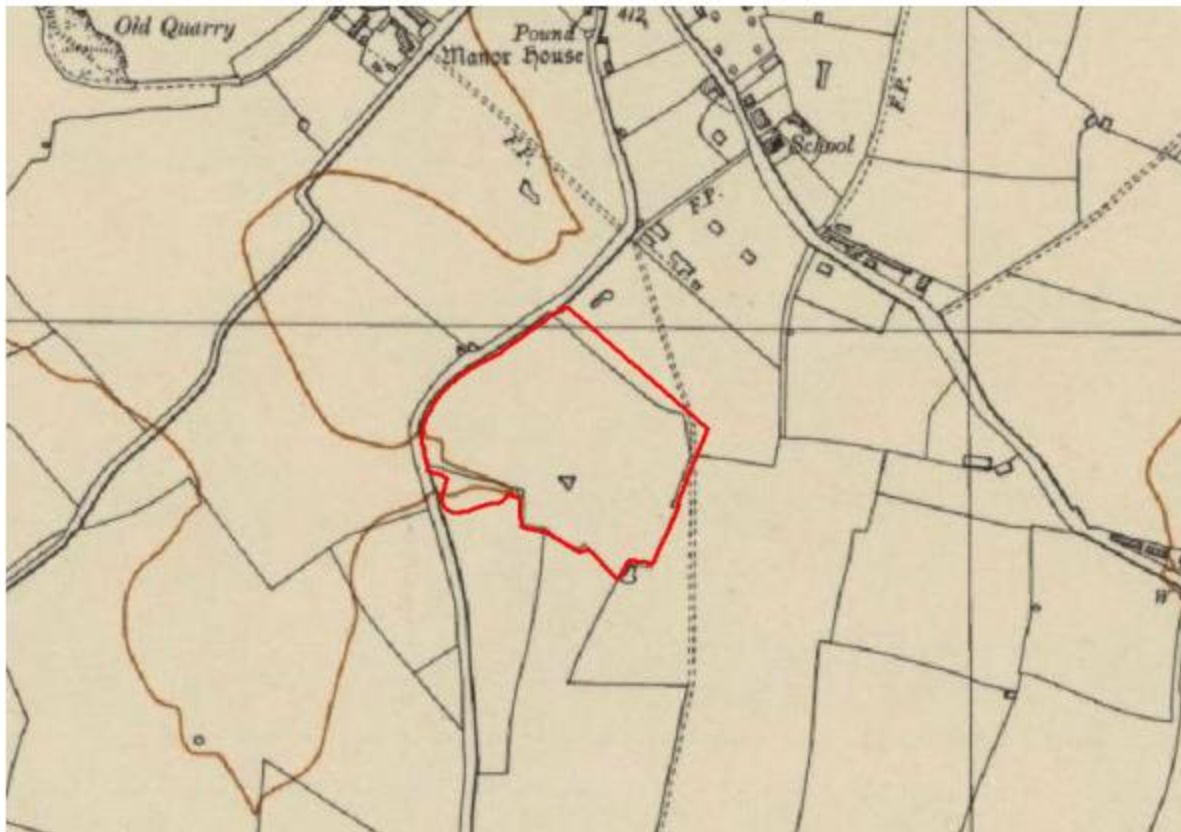


Figure 16: Extract from the heritage statement showing a 1955 map.

The submissions go on to consider that *“with regards to the Grade I Listed Church of St Margaret of Antioch, whilst there are filtered glimpses to the church tower from within the site, these are not views in which the architectural or historic interests of the asset can be understood.”* It concludes that the relationship of the church and its churchyard would not be harmed by the proposed development.

Given the historic association of the application site with the Grade II* listed Manor House the applicant sets out that the site would make a minor contribution to the heritage significance through its setting. They highlight that only the side elevation of the Manor House would face toward the application site. Whilst acknowledging that views would be filtered the applicant opines that the development would result in less than substantial harm, at the lower end of the spectrum, to the significance of the Manor House. Even with the additional planting now proposed on the west side of the development this conclusion remains.

Furthermore, for similar reasons the applicant sets out that the setting of the conservation area (although 300m from the application site) would also be impacted given the historic association of the Manor House with the application site and the loss of its agricultural character and appearance. They conclude that the impact would be *“less than substantial and very low on that spectrum”*.

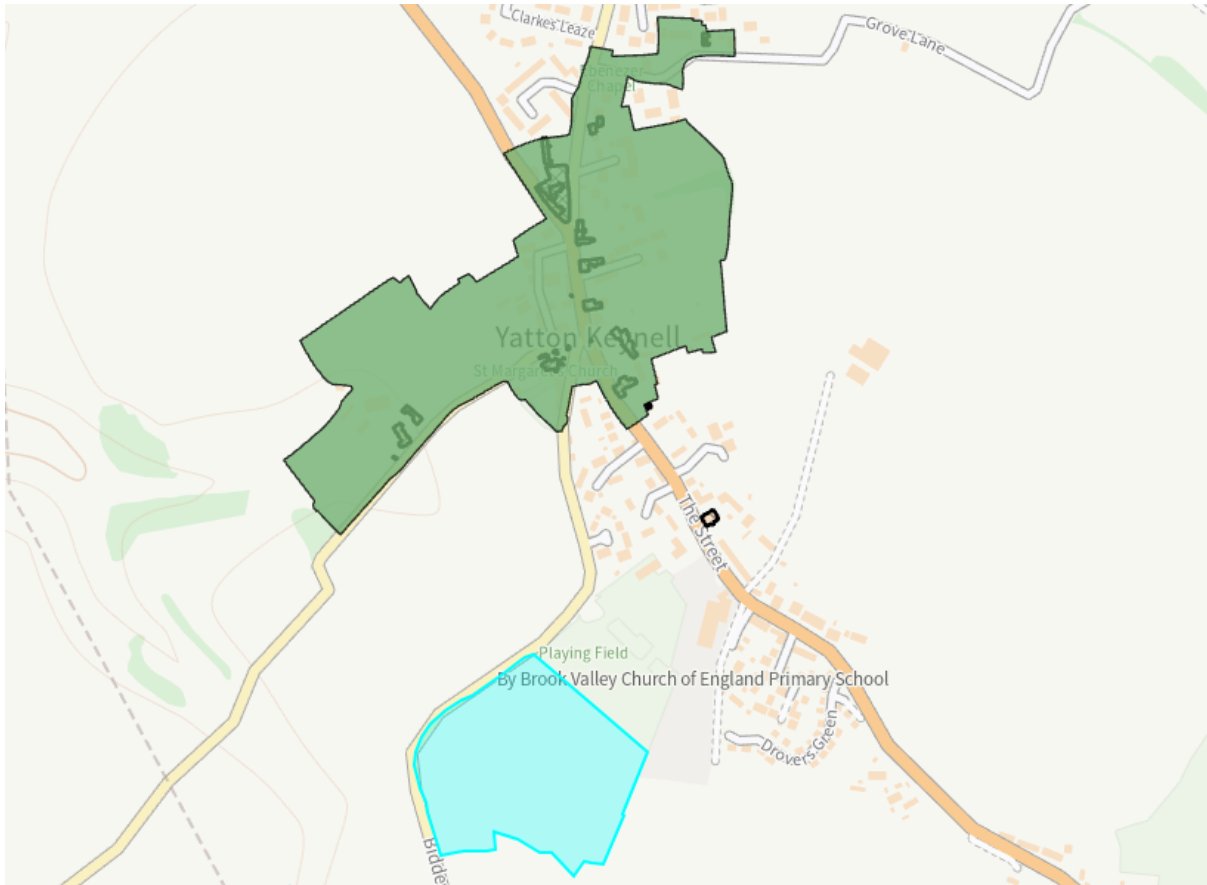


Figure 17: Plan showing the designated Yatton Keynell Conservation Area in green and a range of listed buildings highlighted in black outline. This includes the Grade II listed 'School House and School' on The Street, 'Barn to the East of Manor House' and 'Summerhouse to the west of Manor House rear wing' on West Yatton Lane; the Grade II listed 'The Manor House' on West Yatton Lane; and the Grade I listed 'Church of St Margaret of Antioch' and separately listed buildings within its churchyard.*

Considering these views the application has been subject to consultation with the council's conservation officer and Historic England. Furthermore, public consultation letters have been sent to the properties around Manor House despite the significant separation and intervening landscaping. No further comments have been received from the public after this additional consultation work.

The technical expert views of the conservation officer are that they agree with the applicant's heritage assessment i.e. there would be less than substantial harm at the lower end of such a scale to the Grade II* Manor House and the Yatton Keynell Conservation Area. They do not raise objection though.

Historic England have responded to the consultation and then clarified that they do not raise objection to the proposals and agree with the assessment made by the applicant's own heritage consultants and the conclusions of the Council's conservation officer. This was a desk-based assessment, like that provided by the applicant's expert and the Council's conservation officer.

The Historic England officer notes the Grade II* Manor House and associated barn and summer house that are Grade II listed; the Grade I listed Church of St Margaret of Antioch

and the Yatton Keynell Conservation that they are contained within. They highlight that Grade II* assets are of more than special interest and Grade I are of exceptional interest. They reiterate the applicant's own assessment that the proposed development site and the Manor House were in the same ownership in 1841 as part of a large historic estate of the Snell family who are understood to have built the Manor House. They consider that the 13th century church tower features a 15th century upper stage with blind tracery and louvred openings to the belfry, topped with panelled battlements and corner pinnacles; and that the tower forms an eyecatcher within the landscape and a view from the Manor House.

Historic England advise that the listed buildings are located within the Yatton Keynell Conservation Area and the Cotswold AONB but some 330m - 400m from the application site that is outside of both those designations. They set out that there is a *"degree of isolation between the field proposed for development and the town"*; but consider that there is *"a historic and functional relationship to the house"*. They go on to surmise that *"in our view the setting of both The Manor House and to a lesser extent the Church of St Margaret of Antioch will be impacted by the development, along with Yatton Keynell Conservation Area."*

Historic England opines that the screening provided by trees should not be given much weight as it cannot be considered a permanent feature. The roofs and upper floor of the development are likely to be visible and more if the screening is ever removed. Whilst this perspective is understood, the landscaping proposed is part of the site BNG and would be secured for 30 years under those requirements. Additionally, the existing intervening landscaping is principally only agricultural hedges along the side of roads, and has been routinely maintained for decades as part of the landscape. There is no evidence to indicate this is liable to change, no that proposed landscaping will not be retained for the lifetime of the development.

Nonetheless, Historic England conclude that *"based on the information provided with the application.... the loss of an agricultural field that once formed part of the functional setting of The Manor House in terms of both its historic and aesthetic values will have a harmful impact. Although the proposed harm of the development is less than substantial...."*

Whilst Historic England do reach a clear conclusion, they initially suggested that further information could be sought in relation to night time views, provision of photomontages and the anticipated appearance of the development at 15 years. In light of this they have been shown information within the landscape and visual impact assessment, the indicative lighting details, and existing views of the built environment and street lighting on Biddestone Lane. They have also been advised of the requirement for BNG planting to be secured for at least 30 years. It is your officer's opinion that the application contains sufficient information to assess the impact to heritage assets and that daytime and nighttime visualisations from the Manor House are not necessary. An opinion supported by Historic England themselves because they have already reached a clear conclusion on the level of harm without the information.



Figure 18: Image of The Manor House from the burial ground of the church. The application site is some way to the right of this image in the next field beyond Biddestone Lane and the vegetation either side of the road.

Based on the applicant's own evidence, the conclusions of which are accepted, and the technical expert views received as part of the consultation exercise; it is assessed that the proposals would result in less than substantial harm to the setting of the Grade II* listed Manor House; as well as the setting of the Yatton Keynell Conservation Area. There is broad agreement between the technical experts of the applicant, the Council and Historic England that the impacts to the Grade I church would not cause demonstrable harm to the character and appearance such as to ensure preservation of the asset including its setting.

Whilst the landscaping proposed and the final details of lighting to be secured by condition would minimise and mitigate the impact to some extent, harm would remain. Whilst the identified harms are considered to be low on the spectrum of less than substantial harm the proposals would be contrary to the development plan at CP58. The development plan policy does not have full compliance with the NPPF in that it doesn't distinguish between substantial harm and less than substantial harm, nor does it make allowance for considering public benefits. The NPPF is clear that where less than substantial harm is identified this should be weighed against the public benefits of the scheme. Great weight should be afforded to the conservation of the heritage assets, and applied separately to the identified harm to the Grade II* listed building and the designated Conservation Area. In this case the weight that is afforded to the harm to the Manor House is attributed more weight because its association with the application site is more specific and the asset is Grade II* designated.

Planning Practice Guidance sets out that *‘Public benefits may follow from many developments and could be anything that delivers economic, social or environmental objectives as described in the National Planning Policy Framework’*. No public benefits in relation to the heritage assets themselves has been advanced or is evident from a review of the case. However, the proposals would result in a number of public benefits in terms of providing housing in an area where there is a shortfall against supply and noting that the scheme will provide 22 affordable housing units too. Whilst considerable importance and weight is attracted to both the harm to the setting of Manor House and the Conservation Area the public benefits of the proposal including addressing a housing shortfall are considered to outweigh such harms.

Turning to matters of archaeology the proposals have been submitted with a Desk Based Archaeological Assessment and then a full Archaeological Evaluation by Cotswolds Archaeology. 37 trenches were excavated and the finds included artefactual material consisting of pottery, ceramic building material, glass, leather and a clay tobacco pipe was recovered by hand from four different deposits.

The Council’s archaeologist in response to the findings of the Archaeological Trial Trench Evaluation report states that they are satisfied that there is no need for any further archaeological work, either prior to determination of this application or as a condition of any consent which may be granted. As such it is concluded in relation to archaeology that the proposal would not cause any harm.

Summary

In summary, the applicant’s own conclusions in terms of heritage are agreed and the responses from the technical experts at Wiltshire Council and Historic England broadly accord with this. There would be harm at the lower end of less than substantial to the significance of the Grade II* listed Manor House and the Yatton Keynell Conservation Area by virtue of the impact of the proposals on the setting of these assets. However, given the separation distances and intervening features invisibility would be limited. Furthermore, impacts can be minimised and mitigated through securing a final lighting strategy by condition and the implementation of the landscaping that forms a part of the site’s 30 year commitment to BNG provision.

Whilst great weight is still attached to each of the harms the public benefits of the scheme are considered to outweigh the limited harm in each case. These benefits include not least the provision of housing in a local authority area that can only demonstrate a 2.8 year housing land supply, and where 22 of the homes will be Affordable Housing.

The impact to other assets has been assessed giving consideration to their significance, including archaeology, but no demonstrable harm is evident.

[Wiltshire Core Strategy - Wiltshire Council](#)

[National Planning Policy Framework - GOV.UK](#)

[Historic environment - GOV.UK](#)

[Tree Preservation Orders and trees in conservation areas - GOV.UK](#)

[Home page of Stonehenge & Avebury WHS](#)

[Conservation areas - Wiltshire Council](#)

[Planning - Conservation Area Statements - All Documents](#)

Climate change and sustainable construction

Policy Context

Chapter 14 of the NPPF, paragraphs 161 - 169 deal with climate change related matters. In particular, paragraph 161 details that the planning system should support the transition to net zero by 2050 and take full account of all climate change impacts including overheating, water scarcity, and storm and flood risks. It should help to shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience, encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.

One of the key spatial objectives of the development plan is to address climate change whilst acknowledging that circa 80% of the built environment that will likely exist in 2050 is already built. Adopted policies CP41 of the WCS sets out that major development proposals should be accompanied by Sustainable Energy Strategies that set out a low carbon approach to the development.

Assessment

The application has been submitted with a 'Sustainability & Energy Statement' which sets out the proposed development compared to a current building regulations Part L baseline. This shows an enhancement over existing building regulations of circa 79% through application of air source heat pumps for space and water heating and the use of solar PV to reduce carbon emissions. Little gain is achieved through energy efficiency measures.

Furthermore, the Statement sets out the ability to reduce climate impacts through encouraging greener transport use as part of the development, managing waste in construction and operational phases, the choice of building materials, and water efficiency.

The plans have also been submitted with a site plan showing an intention to have air source heat pumps, solar panel and EV charging at every plot, ensuring that all properties have the potential to contribute to more sustainable living connected to their home and transport.

The proposed development is considered to comply with CP41 in demonstrating a low carbon approach to the development through a nearly 80% improvement in operational carbon terms compared to existing building regulations. Moreover, the proposals commit to electrified heating solutions which ensures the proposal would be net zero ready for when the electricity grid fully decarbonises over the coming decade. The proposals will also provide every home with the ability to generate their own energy through a roof mounted solar array, reducing the need for ground mounted solar farms and supporting energy security for homeowners and nationally. This is consistent with the aims of the NPPF.

In terms of wider climate change mitigation measures the proposals would likely be reliant on private car use, but options are there for walking to the village facilities and the use of bus service to local centres including Chippenham. Moreover, the proposals, through the provision of electric vehicle charging points to every home would facilitate reduced carbon emissions from the private vehicle use if the electricity is generated from renewable sources.

The proposals also detail water efficiency measures and the higher building regulations standard of 110l/p/d can reasonably be secured by condition given this is a water stressed location. The proposals to use traditional materials would support lower embodied carbon in the development too, especially if sourced locally.

It is important to note that this is the planned approach and under Technical Design work (post planning approval) the actual performance cannot be guaranteed. However, the general approach set out is reasonable and ambitious. Conditions can be used to secure the general approach and circa 79% betterment in operational carbon proposed. This is all an enhancement over minimum building regulations and as such can be afforded positive weight in any planning balance.

Climate resilience is being addressed through consideration of issues such as overheating in the development through the building regulations and the design proposed that allows cross ventilation. This provides an industry recognised approach to ensuring thermal comfort within the development. Flood risks are considered elsewhere within the report, but the tree lined streets with water features integrated to the development should all be favourable in terms of climate change adaptation and the likelihood of society experiencing greater storm events and higher temperatures.

Summary

Against the NPPF requirements of the planning system it is clear that the proposal would make a positive contribution to new development transitioning towards net zero goals and reducing greenhouse gas emissions because the proposals adopt an all-electric energy solution and enhancements over current building regulations of circa 79%. The proposal would be approaching net zero and be net zero ready with the decarbonisation of the electricity grid in the coming decades. Furthermore, whilst less well quantified the proposal includes the consideration of embodied carbon and other in-use related carbon activities such as transport and water usage. Additionally, the proposal has taken into account the risks of a changing climate and built in suitable resilience and adaptation through soft landscaping, managing flood risks and using building regulations to address overheating risks.

The proposal therefore commits to exceeding the national and local planning policy aims regards sustainable construction. This can be secured by conditions.

[Climate change - GOV.UK](#)

[Renewable and low carbon energy - GOV.UK](#)

Impact on adjoining land uses and the impact on the residential amenity of existing and future occupiers including those at the proposed development itself.

Policy Context

The National Planning Policy Framework (NPPF), particularly Paragraph 135, stresses that planning decisions should ensure developments provide a high standard of amenity for existing and future users.

Point vii of Core Policy 57 of the Wiltshire Core Strategy requires new development to have regard to the compatibility of adjoining buildings and uses, regard to the impact on the amenities of existing occupants, and ensure that appropriate levels of amenity are achievable within the development itself, including the consideration of privacy, overshadowing, vibration, and pollution (e.g. light intrusion, noise, smoke, fumes, effluent, waste or litter).

The above policies include considering the impacts on privacy, light, and outlook for both existing and future occupants. These issues will be addressed in turn below and matters of noise are addressed separately below.

Assessment

In terms of amenity the site is rural in character and not located in close proximity to any existing residential uses. The adjoining land uses are agricultural and a community recreation ground.

Overlooking / loss of privacy

The proposal would not be sited such as to cause overlooking or loss of privacy to any existing residential properties. In terms of the future occupiers, they would be aware of the levels of amenity provided before moving into the properties. In any event the proposals are planned so as to avoid any significant levels of overlooking by virtue of the separation distances between windows and neighbouring gardens and intervisibility between windows.

Loss of light / overshadowing

The proposal would not be sited such as to cause any loss of light or overshadowing to any existing residential properties. In terms of the future occupiers, they would be aware of the levels of natural light provided before moving into the properties. In any event the proposals are planned so as to avoid any significant levels of overshadowing by virtue of the separation distances between the buildings, the orientation of the properties and position of windows.

Overbearing Impact / Overall sense of enclosure

The proposal would not be sited such as to cause an overbearance to any existing residential properties. In terms of the future occupiers, they would be aware of the levels of enclosure before moving into the properties. In any event the proposals are planned so as to avoid any undue sense of enclosure or overbearing impacts by virtue of the separation distances between properties and boundary treatments.

Noise

The proposals are located in a rural area and so there is some potential for transient noise impacts from agricultural activities. However, there is no operational farmyard in proximity and for the majority of times the agricultural noise will be zero. The separation of the dwellings from the recreation ground by on-site open space is considered sufficient to ensure no potential harm.

The potential for noise from the traffic generated by the development to existing residents on Biddestone Lane has been given consideration. However, given the levels of movements forecast against the existing levels of activity this is not considered to result in any demonstrable harm, especially when mitigating landscape features are taken into consideration.

Public protection have commented on the proposals and suggested that control over the noise from air source heat pumps should be required. It is acknowledged that air source heat pumps, like gas boilers generate a degree of noise and this has the potential to cumulatively impact on amenity levels within the development itself. It is not considered to be an impact beyond the application site boundaries though. Given that this would be a new development it is considered that future occupiers would be aware of the air source heat pumps before moving into the properties. A condition to require final details of the air source heat pumps in terms of location and manufacturer specification is considered reasonable in the circumstances. If issues arise because of installation or maintenance then this is a factor being a land-use planning assessment.

Internal and External Space Standards

As set out above a large proportion of the affordable housing units would not meet internal space standards, with only a small minority of the market properties being deficient. This is considered to be a factor that weighs negatively in any planning balance. In terms of externally the proposals offer very generous garden sizes in many cases with only a minority of the units having smaller and/or irregular shaped gardens. Even in these cases those gardens would not be so unusual as to be considered harmful to the amenities of future occupiers, especially when the generous on-site open space is noted and the proximity of off-site village recreation facilities is also considered.

Summary

The proposal is considered to have some limited conflict with the aims of policy CP57 and the NPPF which seeks to create high quality living spaces for existing and future occupiers of development. This is because of the shortfall of nearly half the proposed units against minimum space standards. This weighs against the proposal, but the deficiencies are not so great as to cause significant harm in terms of living conditions.

[Wiltshire Core Strategy - Wiltshire Council](#)
[National Planning Policy Framework - GOV.UK](#)

Flood Risks and Drainage Impacts

Policy Context

Core Policy 67 of the Wiltshire Core Strategy (WCS), requires that development avoids increasing flood risk and incorporates appropriate mitigation measures.

Chapter 14 paragraphs 170 – 182 of the NPPF refers to this matter. Paragraph 181 of the NPPF makes clear that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment.

Assessment

Based on data from the Environment Agency the application site is located within Flood Zone 1, the lowest fluvial flood risk but there are known surface water flood risks within part of the site. The Council's Strategic Flood Risk Assessment identifies that the site is not liable to elevated levels of ground water flood risks. Additionally, it is noted that anecdotal information in relation to flood risk has been a significant issue raised within the public consultation responses with some indications that the situation has worsened since development to the east of Yatton Keynell has taken place. It is further alleged that vehicles have had to be pulled from surface water flooding on Biddestone Lane.

The proposal is supported by a site-specific Flood Risk Assessment (FRA) and a detailed drainage strategy that demonstrates how surface and foul water will be managed as part of the development. This sets out that the drainage strategy is to discharge into the existing drainage network at one location with flow limited to Qbar for events up to and including the 100 year with a 45% allowance for climate change and 10% allowance for urban creep. This makes use of infiltration, rainwater gardens, swales and a water attenuation pond with a permanent water level. In terms of foul drainage the proposals have a gravity system leading all flows to the proposed pumping station to the west of the site which then pumps the sewage back into the existing services within Biddestone Lane. All facilities have been designed to be suitable for adoption by the statutory undertaker.

The Council's Drainage Team (also the Lead Local Flood Authority (LLFA)) and the Environment Agency have been consulted on this proposal. Neither party has an objection to the proposals. The drainage team have negotiated the proposals and note the final submission does not introduce a new strategy, but it strengthens the evidence base, responds to technical review comments, and provides greater confidence in system performance under extreme and surcharged conditions.

The main point of negotiation has been to understand the existing outflow from the current agricultural land and how this is operating in peak events because it is agreed that it may be partially backed up and unable to freely discharge in these extreme events. This results in surface water flooding at the site and the overland exceedance flows from this in turn lead to Biddestone Lane.

of the Environment Agency and drainage colleagues are also given weight here and the information submitted is agreed.

The proposals would result in a surface water betterment as a consequence of the development, and this can be secured by condition. Not only would the proposals limit surface water flows to greenfield runoff rates with an allowance for climate change as a policy requirement; the proposals would also provide approximately 145% increase in total storage volume across the site up to the flow exceedance levels that currently lead water onto Biddestone Lane. This should be afforded weight in favour of granting permission because it is a betterment for all users of Biddestone Lane.

In terms of foul water flows the proposals are acceptable using a gravity system to the proposed pumping station on site. This is proposed to connect to the existing foul sewers in the village via a rising main in Biddestone Lane.

Summary

The proposal complies with and exceeds requirements and aims of the development plan and the National Planning Policy Framework through the provision of surface and foul water drainage systems that provide connection to mains foul sewers and provide a range of sustainable drainage solutions. These solutions include multi-functional purposes including offering additional ecology value, visual interest and allowing the site to be drained. Furthermore, additionality is built into the scheme to help alleviate known exceedance flows from the site onto Biddestone Lane reducing the likelihood that this could occur in the future. This provides policy exceeding attenuation capacity as well as a space that can be managed potentially for wildlife and recreation benefit too.

[Wiltshire Core Strategy - Wiltshire Council](#)

[National Planning Policy Framework - GOV.UK](#)

[Flood risk and coastal change - GOV.UK](#)

Ecology Impacts and Biodiversity Net Gain

Policy Context

Core Policy 50 of the Wiltshire Core Strategy (WCS) seeks to conserve and enhance biodiversity across the county. It requires that development avoids harm to ecological assets and supports the delivery of betterment for ecology. This is separate to, but broadly consistent with the concept of statutory 10% biodiversity net gain (BNG) as part of the requirements of the Environment Act 2021.

The Council's Green & Blue Infrastructure Strategy (2022–2030) sets out a strategic framework for protecting and enhancing Wiltshire's natural capital. It identifies priorities for habitat connectivity, ecosystem services, and nature recovery, and encourages development that contributes positively to these objectives.

In accordance with national policy and guidance, including the NPPF (Chapter 15: Conserving and Enhancing the Natural Environment, paragraph 187 indicates that developments are required to minimise impacts on, and provide net gains for biodiversity, including by establishing coherent and resilient ecological networks, and incorporate features which support priority species. Paragraphs 193 and 194 relate to principles to be used when determining applications.

Assessment

Third party concerns have been expressed regards the impact of the scheme on existing biodiversity within the area and at the site. These concerns have been fully considered recognizing that the site is actively farmed land, and the proposals include significant green infrastructure.

The application was submitted with a Preliminary Ecological Appraisal. This sets out an agreed appraisal of the site from an ecology perspective detailing that the site consists of an arable field containing a pond with surrounding vegetation. The field is bound by hedgerows and trees and set within the context of similar habitat. There is also scrub and grassland to the southeast. It sets out that the habitats on site are common and of low to moderate ecological value. The site has the potential to offer habitat for a range of fauna including bats, birds and newts. Indeed, Great Crested Newts were observed as part of the field work to prepare the preliminary ecological appraisal and as such the applicant has indicated that they will enter into Natural England's District Level Licencing system for Great Crested Newts to mitigate impacts in this regard.

Additionally, the applicant has provided necessary information in relation to BNG including a baseline assessment and indications of a 55% BNG in relation to habitat and 23% in relation to hedgerows. This demonstrates the potential for significant BNG as part of the proposals which will ultimately be a matter post determination and can be appropriately addressed through planning conditions. Whilst technically a post determination matter, details of the landscaping and green infrastructure are being proposed now and the indicative BNG is very likely to exceed statutory requirements and will be secured as necessary for 30 years. This should be afforded positive weight in favour of granting planning permission.

The Council's ecology officer and Natural England have been consulted and in summary, they have indicated that they do not have objection in principle to the development. Natural England raised no specific observations in relation to the proposals. The council's ecology officer has retained a holding objection until the applicant has demonstrated that they have successfully entered into the Great Crested Newts District Licencing Level Licencing (GCN DLL).

Discussions on this approach have been had with the applicant. There are costs and time implications to completing on the GCN DLL scheme and as such the applicant needs a degree of comfort that a decision will be made soon in order to avoid wasted time and expense. Nonetheless they have clearly expressed that they will pursue a DLL application and submitted a receipt of an application they made to the scheme. It is understood that they have updated the application and in light of the recommendation are now pursuing a conclusion on this matter. In the particular circumstances of this application, including where a legal agreement would need to be completed prior to a positive determination and where the final decision is a

planning balance for members to make a judgement on, it is considered reasonable to progress with a recommendation to grant planning permission subject to your officers as securing a copy of the applicant's countersigned IACPC to show that they have formally joined the District Level Licencing scheme for Great Crested Newts in relation to this site. This would be dealt with prior to the grant of any planning permission and addressed concurrently with any legal agreement.

This ensures the matter is addressed prior to determination, which is all that is required for the ecology holding objection to be removed. Moreover, this ensures that a strategy to mitigate any impact to GCNs would be secured with Natural England. This means that the developer does not need to carry out any further survey work for GCNs or plan and carry out mitigation work to move any newts to safety themselves – rather they will make a conservation payment (circa tens of thousands of pounds) to join the Natural England scheme.

Turning to other matters the council's ecologist has confirmed that appropriate bat survey work has been carried out, and the proposed retention and supplementation of hedgerows would continue to support bat movements in the area and avoid fragmentation of habitat. Trees within the existing margins are being maintained and as such any potential roosting features are being retained. The proposed landscaping buffers these areas and provides protection. Furthermore, final details of external lighting can be secured by condition. Survey work has also revealed that the site provides habitat for Skylarks but this is not a breeding site, and as such this is not a matter of significant concern.

In light of the information provided and technical expert responses provided it is assessed that the proposals are acceptable from an ecology perspective subject to use of conditions, finalising the GCN DLL prior to formal determination and securing appropriate monitoring fees for the BNG over a 30 year period.

Summary

Third party concerns have been fully considered. The proposal is considered to address the aims of the CP50 of the development plan and wider policy and guidance in relation to habitats and protected species including subject to provision of an IACPC in relation to Great Crested Newts. There are no significant objections from the Council's ecology officer subject to conditions. The proposals would also ensure some public benefits in the form of above statutory BNG and the provision of enhanced green infrastructure over and above the existing arable land use.

The proposal therefore accords with the aims of the NPPF, other biodiversity related guidance, and the adopted WCS policies CP50 & CP52.

[Wiltshire Core Strategy - Wiltshire Council](#)

[National Planning Policy Framework - GOV.UK](#)

[Natural environment - GOV.UK](#)

[Light pollution - GOV.UK](#)

[Biodiversity net gain - GOV.UK](#)

[Appropriate assessment - GOV.UK](#)

Wider environmental considerations including air quality and contamination impacts

Policy Context

The National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG) reinforce the need for planning decisions to prevent new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by unacceptable levels of pollution. Core Policies 55 and 56 of the Wiltshire Core Strategy (WCS) seek to ensure that development does not result in unacceptable impacts on the environment or the health and well-being of existing or future occupants. The Council's Air Quality Supplementary Planning Document (SPD) provides detailed guidance on assessing and mitigating air quality impacts, particularly in or near Air Quality Management Areas (AQMAs).

Adopted policy CP57 also relates to impacts on amenity including the potential for development to generate or be exposed to pollutants such as noise, air pollution, odour, vibration, light spill, and land contamination.

Assessment

The application has been supported by Geo-environmental reporting that has been reviewed by colleagues in public protection. They have advised that no further work or conditions are necessary in relation to land contamination.

Turning to air quality, public protection officers have requested a condition to provide further information in relation to air quality. However, upon review against the criteria in Wiltshire Council's Air Quality SPD this is not justified. The proposal would be a 'Type 1' development being below 100 dwellings. Given that the site would not be within or adjacent to an Air Quality Management Area or trigger any other exposure criteria set out in the guidance then the proposals do not trigger a need for Exposure Mitigation. The proposals include EV charging for every home and measures to support modal shift, all of which can be secured. A construction environmental management plan will be conditioned to ensure appropriate dust suppression at construction phase. As such, the proposals comply with the Air Quality SPD requirements for Type 1 development, and no further information is required.

Summary

It is assessed that the site has a historic agricultural use and based on the evidence available there are no significant issues in relation to wider environmental considerations such as land contamination and air quality.

The proposal therefore accords with the aims of the development plan including CP55 and CP56 and the NPPF.

[Wiltshire Core Strategy - Wiltshire Council](#)
[National Planning Policy Framework - GOV.UK](#)
[Air quality - GOV.UK](#)
[Land affected by contamination - GOV.UK](#)
[Land stability - GOV.UK](#)
[Light pollution - GOV.UK](#)
[Noise - GOV.UK](#)

Loss of Agricultural Land

Policy Context

The National Planning Policy Framework (NPPF) sets out the requirement to protect agricultural land from unnecessary development. Chapter 15, paragraph 187(b) recognises the economic and other benefits of BMV land. Some guidance is also contained in the PPG at Paragraph: 001 Reference ID: 8-001-20190721

Assessment

The site is located on agricultural land graded 3 based on data from Natural England. It is in active agricultural use for arable farming. Best and most versatile agricultural land (BMVAL) refers to land classified as Grade 1, Grade 2, and Grade 3a, according to the Agricultural Land Classification system. These are considered the most productive and sustainable land for farming and food production. The loss of such land for non-agricultural purposes, particularly development, is therefore a significant concern in planning policy.

When assessing applications, Wiltshire Council follows the guidance set out by Natural England, which recommends consulting them when development proposals involve the loss of 20 hectares or more of agricultural land. Although this threshold serves as a guideline for consultation, it does not automatically mean that proposals involving smaller areas of agricultural land are acceptable. In cases where the development involves less than 20 hectares, the LPA still needs to consider whether the land is of BMV quality and if the loss of that land is justified by the proposed development.

The applicants have provided an Agricultural Land Quality survey that identifies more clearly the grade of the land. This sets out that it is a mix of Grade 3a, 3b and 4. The results of the survey are accepted. Around 21% of the site is considered to be BMVAL, equating to around a hectare of land.

The loss of agricultural land weighs negatively against the proposal considering it is not a allocated or planned development site. That around a fifth of this is classified as BMVAL adds to that negative weight. However, this is not a determinative issue, but more a consideration that should weigh negatively in the planning balance. For example, Natural England have been consulted on this application, however comments on this specific matter would only be triggered by the loss of 20 hectares (ha) or more of BMVAL. The proposal involves the loss of 4-5ha of agricultural land, of which 1 hectare would be classed as BMVAL.

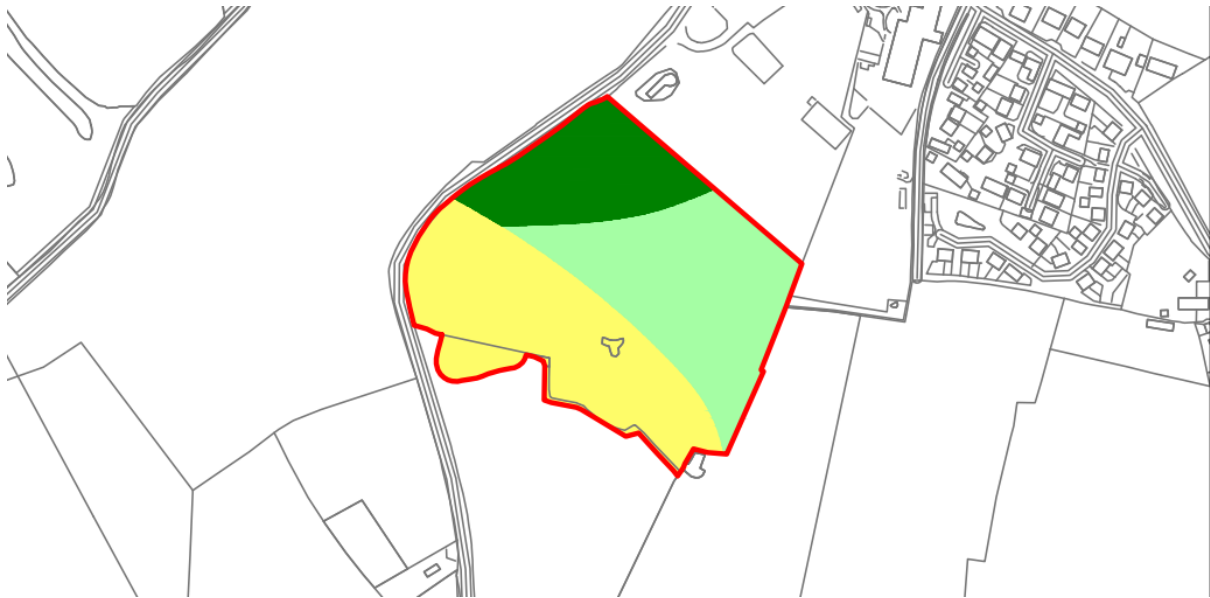


Figure 20: Extract from the applicant's submission illustrating the areas of Grade 3a (dark green), Grade 3b (light green) and Grade 4 (yellow).

Summary

The proposal for development on an unallocated site that is in active agricultural use would not accord with the aims of the NPPF. This has negative weight in any planning balance, and as additional weight is attached noting the loss of approximately 1 hectare of BMVAL.

Links:

[Wiltshire Core Strategy - Wiltshire Council](#)

[National Planning Policy Framework - GOV.UK](#)

[Natural environment - GOV.UK](#)

[Agricultural land: assess proposals for development - GOV.UK](#)

Any other material considerations

Statement of Community Involvement – The applicant has demonstrated that they have actively engaged with the local community through the development of the scheme. The applicant states that *“changes were made to the proposals as a result of public feedback which included increasing the number of two bedroom homes, including a bungalow and flats in the proposed housing types, and the use of predominantly natural stone walls for dwellings and stone detailing”*. Further to the submitted information it is understood that this has continued during the application process with the developer attending parish council meetings too.

Waste Management – The applicant has produced a site waste management plan which sets out a strategy for measures to reduce waste in accordance with WCS6 of the development plan. This acknowledges the need for a Waste Management Strategy and this can be appropriately addressed post determination as a planning condition.

In terms of waste collection, it appears that there would be some minor conflict with carry distances for crews and/or future residents. However, a condition can be used to secure final details and minimise any conflict with the guidance within the Waste SPD.

The public consultation responses have been given careful consideration and raise some potential other material considerations. Matters such as construction traffic are understandable. This is considered to be a transient issue, no objections have been raised by highway officers and it can be mitigated by appropriate use of conditions. Whilst development plan policy sets out a preference for brownfield development and positive weight can be afforded for proposals on brownfield land, the approach doesn't preclude greenfield development and the position on housing land supply is set out above. Similarly, whilst the village has been subject to growth in the 21st century, the housing land supply position is a key material consideration, and illustrated settlement needs within a local plan context should not be considered as a maximum.

The proposal should be considered on its own individual merits, which is a maxim within decision-taking. As such, this proposal does not set a precedent for development; nor can other planning decisions, including those elsewhere such as that referenced at Tiddlewink in Yatton Keynell. This involved a form of development that was further out of the village on the B4039, for only 3-4 dwellings and was a self-build proposal. The planning balance differs in many ways including the relative accessibility by modes other than private vehicle; the scale of development and consequent planning obligations and CIL benefits (including Affordable Housing). As such, it is clearly not determinative and is considered to have very limited weight.

S106 Planning obligations

Wiltshire Council has a Planning Obligations Supplementary Planning Document, which should be read in conjunction with the WCS (primarily Core Policy 3 'Infrastructure Requirements') and the Wiltshire CIL charging schedule. This SPD identifies the planning obligations that will be sought by the council for development that generates a need for new infrastructure and should be a material consideration in planning applications. It is essential to demonstrate that each obligation meets the three Regulation 122 tests under the Community Infrastructure Levy (CIL) Regulations 2010. Paragraph 58 of the National Planning Policy Framework reiterates the three tests as:

- Necessary to make the development acceptable in planning terms
- Directly related to the development; and
- Fairly and reasonably related in scale and kind to the development

The infrastructure items listed below are those that are relevant to the application site, the proposals, local policy and/or have been raised within the consultation process, including technical experts as necessary in order to mitigate the impact of the proposed scheme.

All financial contributions set out in this report are subject to indexation. Should there be any changes in inflation rates between the date of this report and the completion of the Section 106 Agreement and subsequent determination of the application, the contribution figures will

be adjusted accordingly. The final amounts will reflect the applicable indexation at the time of signing the agreement, in line with the Council's standard practice and relevant policy requirements.

With the above in mind there were requests for planning obligations that cannot be justified based on the available evidence. This includes the request from RUH for a commuted sum as a stop gap funding coverage. Such requests have been unsuccessful at appeal, and it has been made clear that the funding shortfall is a matter out with planning.

Moreover, there was a request from the village surgery. Jubilee Surgery sets out that *“as the local GP surgery serving the village and surrounding area, Jubilee Field Surgery is already experiencing a steady increase in patient numbers. The addition of 55 new homes will place further demand on our services, which are already operating near capacity. In order to continue providing high-quality, seamless primary medical care to both existing and new residents, there is a pressing need for an extension of our clinical space. We therefore urge that the developers formally commit to ringfencing funding specifically for the purpose of expanding Jubilee Field Surgery.”*

Considering this, despite being a relatively modest scale of development at only 55 homes contact has been made with NHS ICB to explore whether a commuted sum can be justified and if so, get a steer on what this might be. However, they set out that this is not a scale of development that they would normally make a comment on. They advise that they will monitor this and other developments in the area and if cumulative impacts require mitigation, they will identify a project and consider submitting a CIL bid to the Council.

Therefore, whilst the proposals would introduce additional people to the village surgery there is no evidence to indicate that the surgery is at or beyond capacity. It is also accepted that it is receiving patients from beyond the village. The comments from the surgery have been given weight, but without evidence of need or an evidence-based formula for a financial sum, or indeed a known project for the sum to be put towards then it is not possible to justify an obligation. There is no policy, even having regard to paragraph 5.48 of the WCS to justify a commuted sum.

Therefore, neither the RUH or Jubilee Surgery matters are aligned with the CIL122 tests for an obligation. However, the proposals would be subject to CIL and, as pointed out by the NHS ICB they can make a request for financial support from the Council's CIL fund as and when a demonstrable need arises.

Affordable Housing

The NPPF Chapter 5 supports the provision of affordable housing, particularly paragraphs 64-66. The PPG gives further guidance regards provision of housing for different groups. Core Policy 43 of the Wiltshire Core Strategy supports the provision of affordable homes as part of large housing developments. This policy requires affordable housing to be secured via a legal agreement.

WC Housing officer has requested on-site provision of 40% affordable housing with a tenure mix of 60% (13 units) being for Social Rented housing and 40% (9 units) for Affordable Home Ownership.

Waste And Recycling

The importance of the handling and treatment of waste is covered by the PPG in general terms. The Wiltshire Core Strategy at paragraph 4.41 (Core Policy 3) identifies sustainable waste management facilities as essential components of daily life and therefore critical to delivering our strategic goal of building more resilient communities. Waste management is listed as place shaping infrastructure under priority theme 1 of Core Policy 3 of the WCS. The Council's Waste Core Strategy policy WCS6 and SPG also outlines that large housing developments should contribute towards recycling provision.

The WC Waste and Recycling officer has requested the following mitigation in the form of a commuted sum of £6,655.

Education contributions

The obligation is necessary to ensure the proposed development complies with Core Policy 3 of the WCS and supported by the NPPF, and PPG (paragraphs 007 and 008). Failure to provide the contributions would result in insufficient education places in the locality of the development. Without the proposed contribution, the proposed development would have an unacceptable impact on the community and potentially lead to the need for parents to travel further to access these facilities.

The Council's Education officer has commented and advised that based on the most up to date housing mix obligations are required in order to mitigate the impact of the development. Discounts have been applied based on the usual methodology meaning that 47 qualifying properties has been used for the assessment. A need for 6 early years places is generated here, with a reduction of 1 unit based on available places. A need for 15 primary school places is generated but the Education team set out that there is sufficient capacity at Bybrook Valley CE. A need for 10 secondary school places is generated.

Early Years Education Contributions

The provision of 55 dwellings will result in extra demands being placed on the local early years facilities which are currently operating at high capacity. Wiltshire Council has a duty to provide sufficient childcare for working parents under Section 6 of the Childcare Act 2006. Whilst a need for 6 places is generated this is discounted to reflect existing capacity. 5x £17,522, totalling a commuted sum of £87,610.

Secondary Education Contributions

The provision of 55 dwellings will result in extra demands being placed on the local education facilities. Wiltshire Council has the responsibility of accommodating residents of the proposed development in their schools.

The Council intends to substantially enlarge Abbeyfield School to meet the increase in demand for places generated by a substantial level of new housing. The first phase of 150 places will be provided by CIL and section 106. Subsequent phases, which will provide the places needed for this development, will be funded by Section 106. 10x £22,940, totalling a commuted sum of £229,400.

Public Open Space, equipped play and leisure contributions

The principle of obtaining quality open spaces and opportunities for sport and recreation is stated in paragraph 103 of the NPPF, and within the PPG (paragraphs 001-003), which indicate that open space provision should be taken into account in planning for new developments, as it can provide health and recreation benefits, have ecological value and contribute to green infrastructure, as well as being an important part of the landscape and setting of built development, and is a component in achieving sustainable development.

Core Policy 52 of the adopted WCS supports this, and open space is listed as place shaping infrastructure under priority theme 2 of Core Policy 3 of the WCS. The Council's adopted Wiltshire Playing Pitch Strategy 2024 sets out that needs are identified based on community area level rather than individual settlements with the proposal site being considered within the realms of 'Chippenham and villages'. Yatton Keynell Jubilee Playing Field is identified as pitch quality for an 11 v 11 youth facility and has poor-quality ancillary facilities.

WC Open space officer has made the following comments and requested appropriate mitigation. Calculations for Open Space and Play are based on bedroom numbers in dwellings. As there has been a slight change in these according to new documents submitted, the Open Space contribution remains the same with 3,255m² (£113,501.85), whereas there is a slight drop with Play contribution down to 321m² (£46,224.00). The Sports contribution calculation is based on actual dwellings as opposed to bedroom numbers, and the previous figure quoted of £15,180 is unchanged as is the target site for the contribution being the upgrade of Yatton Keynell Jubilee Playing Fields and/or other sports, pitch, or ancillary provision within the vicinity of the land.

This has been discussed with the applicant, and they have set out that they are providing on-site public open space in excess of the policy required 3,255m². They are providing approximately 4x as much. On-site provision is a preferential approach as it is intended to provide space for future occupiers. In light of this no commuted sum is required, but the open space needs to be secured and managed.

In terms of equipped play, this could theoretically be provided on-site too. However, given that the proposal is located in such close proximity to the existing facilities at Yatton Keynell it is considered more beneficial to enhance those facilities for the benefit of the wider community. The alternative policy compliant approach would be an on-site LAP. There has been some suggestion within the consultation responses that the target site may not be amenable to being given monies unless there is more money for on-going maintenance as well. Unfortunately, there is no policy support for a maintenance obligation, and the commuted sum is required for new or upgraded equipment. Given the circumstances appropriate wording within the legal agreement would be required to secure the commuted sum or equivalent on-site provision as a fall-back. Similarly, a commuted sum is required from the leisure team. The target site has

been identified as Yatton Keynell Recreation Ground and a fall-back here could allow provision elsewhere noting the mitigation for this type of contribution would have a larger geographic range than equipped play.

- Securing on-site public open space and its management
- Commuted sum for equipped play - £46,224 - Target site Yatton Keynell Recreation Ground or fall-back option for on-site equipped play.
- Commuted sum for Sports Pitch provision - £15,180 Target site Yatton Keynell Recreation Ground or fall-back option for another suitable site in the vicinity of the land.

Public Art Scheme/Contributions

Core Policy 57 criterion xii refers to the integration of art and design in the public realm as a means of securing high quality design in new developments, as qualified in the Council's Arts and Design in the Public Realm in Wiltshire - 2024 Guidance which is an adopted SPD. Public Art and streetscape features are listed as place shaping infrastructure under priority theme 2 of Core Policy 3 of the WCS and that such infrastructure can be met through the use of planning obligations.

The Public Arts Officer has requested the following commuted sum of £16,500.

Highways works/mitigation/contributions

NPPF paragraph 109 (f) supports the provision of suitable infrastructure. Sustainable transport measures are also listed at infrastructure priority theme 1 under Core Policy 3 of the adopted WCS. Core Policy 60 and 61 of the WCS encourage the sustainable, safe and efficient movement of people and goods. The Wiltshire Local Transport Plan contains a number of policies to support active travel, including:

- Policy SO2 (to provide, support and promote a choice of sustainable transport alternatives);
- SO13 (to reduce the need to travel, particularly by private car) and,
- SO14 (to promote travel modes that are beneficial to health) of the Wiltshire Local Transport Plan 3.

In discussions with the Council's Highways officer they have pointed to a specific need for improvements to YKEY16 to deliver improvements that will support pedestrian use including the surface material, width and possibly lighting.

In addition highway officers have identified through the Local Highway and Footpath Improvement Group (LHFIG) a desire for improvements to the junction of Biddestone Lane and The Street for pedestrians. It is understood that the width of the crossing for pedestrians could be improved and should be investigated, planned and delivered as appropriate. A sum towards this work would be justified as the proposal would lead to increased pedestrian and vehicular movements at this junction. The monies would be spent on improvements sought from the local community; and any enhancements here ought to be seen as a positive in any planning balance as they will help to mitigate any increased movements from the development

and would contribute to changes that the existing village population are pursuing already (but are not funded).

Furthermore, given the scale of the development and the likely reliance on private vehicles an obligation to secure full Travel Plan requirements would help support a modal shift, this including the usual monitoring fees and Green Travel Vouchers for each new home.

- Commuted sum of £30,000 for improvements to YKEY16
- Commuted sum of £20,000 works within Yatton Keynell towards LHFIFG proposals such as pedestrian improvements at the junction of Biddestone Lane and The Street
- Green Travel Plan including monitoring fee of £7,000 and £300 per household for Green Travel Vouchers.

Public Rights Of Way Contributions

The NPPF, PPG, and the National Design Guide all supports the provision of healthy communities. At paragraph 004 37-004-20140306 the PPG states that rights of way form an important component of sustainable transport links and should be protected or enhanced. Core Policy 60 seeks to promote the enhancement of sustainable transport infrastructure, including the improvement of pedestrian and cycling links, in order to promote sustainable modes of transport. In addition to this, Core Strategy Policy CP51 aims to safeguard the landscape character of the county while encouraging the development of safe, accessible, and well-designed rights of way that are compatible with their surroundings.

The Rights of Way officer has requested the following contribution to support the provision of enhanced rights of way access furniture within Yatton Keynell. This would provide betterment for future residents and the existing population. A commuted sum of £11,000 is requested.

Biodiversity Net Gain (BNG)

As of April 2024, any major planning application needs to demonstrate no net loss and a minimum of 10% net gain in biodiversity (BNG) on the site, in line with the requirements of the NPPF, PPG, WCS policy CP50 (Biodiversity and Geodiversity) and the Environment Act. The preference is for any such BNG to be provided on site, although it can also be provided off site.

The Council's ecologist has requested that a BNG monitoring fee is secured for a 30-year period in order to ensure the 'significant' BNG is appropriately maintained at the site equating to £12,000.

S106 Monitoring Fee

To ensure proper and effective management of planning obligations the Council will monitor development sites to ensure obligations are met as and when 'triggers' set are reached. A monitoring fee is thus necessary to cover the admin costs of monitoring which otherwise would not be required were no development to take place. The fee is directly related to the costs of

monitoring the s106 that would be attached to this planning permission and is calculated at 1% of the total sum of contributions.

In this case the monitor fee will be 2.5% of the commuted sums. This will not include monitoring fees. As such, this would be circa £11,564.

Community Infrastructure Levy

The Community Infrastructure Levy (CIL) is a charge that local authorities in England and Wales can put on new development in their area to raise funds to help deliver the infrastructure necessary to support development. The development will represent chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule.

The application site is located within CIL charging zone 1 and this attracts a CIL charging rate of £85 per sqm. A final calculation is a post-determination matter and subject to consideration of reliefs and indexation. Indicatively the proposals, even with relief would be around £460,000, rising to about £694,000 without.

Links to S106 guidance and Council infrastructure requirements:

[Planning obligations - GOV.UK](#)

[Open space, sports and recreation facilities, public rights of way and local green space - GOV.UK](#)

[Healthy and safe communities - GOV.UK](#)

[Housing needs of different groups - GOV.UK](#)

[Housing for older and disabled people - GOV.UK](#)

[Section 106 Agreements - Wiltshire Council](#)

[Transport - Wiltshire Council](#)

[Leisure strategy - Wiltshire Council](#)

[Public art and design - Wiltshire Council](#)

[Local Cycling and Walking Infrastructure Plans \(LCWIPs\) - Wiltshire Council](#)

[Air quality - Wiltshire Council](#)

[Biodiversity, landscape and design - Wiltshire Council](#)

Overall S106 mitigation summary

With regards to the above, it is therefore considered that the following contributions, provisions and mitigation is needed in relation to this proposal:

Head of Term

Contribution details/mix

- Affordable Housing: On-site provision of 40% affordable housing with a tenure mix of 60% (13 units) being for Social Rented housing and 40% (9 units) for Affordable Home Ownership.
- Waste Management: Commuted sum of £6,655
- On-site PoS: Securing on-site public open space and its management*
- Equipped play: Commuted sum for equipped play - £46,224 - Target site Yatton Keynell Recreation Ground or fall-back option for on-site equipped play.
- Leisure: Commuted sum for Sports Pitch provision - £15,180 Target site Yatton Keynell Recreation Ground or fall-back option for another suitable site in the vicinity of the land.
- Education – Early years: Commuted sum of £87,610
- Education – Secondary: Commuted sum of £229,400
- Public Art: Commuted sum of £16,500
- Ecology– BNG monitoring fee: £12,000
- Highways – Works within Yatton Keynell towards LHFIF proposals such as pedestrian improvements at the junction of Biddestone Lane and The Street: Commuted sum of £20,000
- Highways – YKEY16 improvements: Commuted sum of £30,000
- Highways – Travel Plan: This will include £7,000 monitoring fee and £300 per dwelling for Green Travel Voucher i.e. £16,500.
- Rights of Way: Commuted sum of £11,000
- Legal agreement - monitoring fee: 2.5% of commuted sums (not including wider monitoring fees e.g. BNG and Travel Plans) – approximately £11,564.

Planning balance

At the heart of the NPPF, there is a presumption in favour of sustainable development requiring local planning authorities to approve development proposals that accord with an up-to-date development plan without delay; and where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, permission should be granted unless (taken from paragraph 11d of the NPPF):

- i. the application of policies in this Framework that protect **areas or assets of particular importance (footnote 7)** provides a strong reason for refusing the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to **key policies (footnote 9)** for directing development to

sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

This section of the report considers the overall planning balance, weighing the identified benefits of the proposal against any harm, in order to assess whether the development complies with the development plan when read as a whole, or whether other material considerations justify a departure.

The conclusions presented in the applicant's Planning Statement have been noted in reaching these conclusions although there are some areas of disagreement in terms of benefits and harms; and the appropriate level of weight to be attributed, the final outcome is the same.

Benefits of the Proposal

Provision of Market Housing

Paragraph 66 of the NPPF is a key housing policy, and relates to the provision of a mix of housing, including affordable housing. The delivery of new homes is a significant benefit, particularly in the context of Wiltshire's current housing land supply position. As of the latest Housing Land Supply Statement (June 2026), the Council is unable to demonstrate a five-year supply of deliverable housing land, with a shortfall that is considered substantial.

- **Benefit:** Provision of 55 new dwellings.
- **Weight:** Very substantial weight.

Provision of Affordable Housing

Paragraph 66 of the NPPF is a key policy under footnote 9, and relates to the provision of a mix of housing, including affordable housing. The delivery of affordable housing is a key policy objective at both national and local levels. Wiltshire Council has a shortfall in affordable housing delivery, and the provision of new affordable homes contributes directly to meeting identified local needs.

- **Benefit:** Provision of 40% affordable housing units.
- **Weight:** Substantial weight.

Socio-Economic Benefits

The proposal will generate economic benefits during both the construction and operational phases. This includes direct employment in the construction sector, and increased local spending by future residents. These benefits align with paragraph 85 of the NPPF, which supports the role of housing in promoting economic growth and resilience.

- **Benefit:** Economic uplift through construction jobs and post-occupation local expenditure.
- **Weight:** Moderate weight

Green Infrastructure and Open Space

The provision of new public open space, green corridors, or enhancements to existing green infrastructure/BNG contributes to health, well-being, and ecological connectivity, in line with NPPF and local, planning policy aims.

- **Benefit:** The proposals would enhance the low ecological value agricultural land use with additional landscape planting resulting in above policy compliant BNG provisions, additional public open space and enhancements to local rights of way network which along with multi-benefit sustainable drainage solutions would enhance green infrastructure.
- **Weight:** Moderate weight.

Drainage

The proposals would provide additional surface water capacity storage over and above what is required by planning policy and that would support reducing the occurrence and severity of existing and known flooding to Biddestone Lane. This can only be achieved by works on the land and can be secured by delivering the proposed development.

- **Benefit:** Reduced likelihood of flood events on Biddestone Lane in terms of occurrence and severity through above policy compliant surface water drainage attenuation.
- **Weight:** Limited weight.

Sustainable Construction

The proposed development would deliver a form of housing that would have building performance levels above the minimum requirements of building regulations and be net zero ready in line with the decarbonisation of the electricity grid. This supports the transition to net zero.

- **Benefit:** Enhanced levels of sustainable construction
- **Weight:** Limited weight.

Community Infrastructure Contributions and Public Benefits

Financial contributions secured through Section 106 agreements or the Community Infrastructure Levy (CIL) are required to mitigate the impacts of the development. They are generally considered to be neutral in the planning balance, as they are necessary to make the development policy compliant. However, where contributions result in the enhancement or expansion of existing community infrastructure that will also benefit the wider local population, this can be considered a planning benefit.

- **Benefit:** Upgrades to the local pedestrian facilities, rights of way and local equipped play and leisure facilities would not only mitigate the development but benefit the wider community too.
- **Weight:** Limited weight.

Identified Harms

Conflict with Spatial Strategy

The NPPF and policies CP1 & 2 of the adopted WCS promote a plan led spatial strategy focussed on existing sustainable settlements, facilities and services. Whilst Wiltshire Council cannot currently demonstrate a five-year supply of deliverable housing land, this does not render development plan policies relating to the principle of development irrelevant; such policies remain capable of attracting significant weight where they align with the National Planning Policy Framework in directing growth to the most sustainable locations. This is the case here.

- **Harm:** Departure from the development plan.
- **Weight:** Moderate weight

Landscape and Visual Impact/Design Quality

Paragraph 129 of the NPPF is a key policy under footnote 9. It supports the efficient use of land and achieving appropriate densities for housing development through good sustainable design. Paragraphs 135 and 139 are also a key policy, and support the good visual attractive design of schemes which add to the overall quality of the area. Local Plan policies CP51 and 57 also support the protection and enhancement of the visual amenity. The proposals would fundamentally alter the agricultural character of the land for the development of a suburban housing development. Whilst the technical expert landscape officer has raised no objection, the conclusions of the applicant's consultants and their identified harm is agreed. This would be within the setting of the Cotswolds National Landscape. This has been mitigated as far as practically possible with buffer landscape planting, so that it does not present a strong reason for refusal, but nonetheless should be afforded Great Weight.

- **Harm:** Erosion of rural character, visual intrusion into the landscape and harm to the setting of the Cotswolds National Landscape.
- **Weight:** Great weight.

Heritage Impact

The NPPF places great weight of the protection/conservation of heritage assets, as does adopted policy CP58 of the adopted WCS. The proposals would fundamentally alter the agricultural character of the land for the development of a suburban housing development. This would be within the setting of the Grade II* Manor House and the Yatton Keynell Conservation Area. Such harm would be at the very lower end of less than substantial harm and mitigated as far as practically possible with buffer landscape planting, so that it does not present a strong reason for refusal, but nonetheless each harm should be afforded Great Weight.

- **Harm:** Less than substantial harm to the significance of the Grade II* Manor House and the Yatton Keynell Conservation Area.
- **Weight:** Great weight.

Loss of Agricultural Land

This is a material consideration under paragraph 187 of the NPPF. The land in question is Grade 3a, 3b and 4 and would result in the loss of circa 4-5 hectares of farmland, of which nearly 1 hectare would be BMVAL that is not allocated for development.

- **Harm:** Irreversible loss of productive agricultural land including a proportion of BMVAL.
- **Weight:** Moderate weight.

Reliance of private vehicle

Paragraphs 110 & 115 of the NPPF are considered key policies under footnote 9. They encourage sustainable patterns of growth and transport modes, as does local planning policy, including the Wiltshire Local Transport Plan and LCWIP. The applicant's own submission illustrates that the vast majority of trips will be likely to occur by private car despite the availability of local services. Whilst the plans include measures to 'shift' modal choice to more sustainable options e.g. pedestrian enhancements and a Travel Plan; the proposals will likely still have a high reliance on private car use. The proposals also include the provision of EV charging to every home which supports 'improve' elements of the Local Transport Plan and will reduce transport impacts on climate change. However, it is a transition to net zero and a high proportion of trips will be by Internal Combustion Engine in the short-term.

- **Harm:** Reliance on private vehicles for mobility and associated impact on climate change and air quality.
- **Weight:** Limited weight.

Adverse amenity impacts

NPPF Paragraphs 135 and 139 are a key policy, and support the good visual attractive design of schemes which add to the overall quality of the area, as do the National Design Guide, and the adopted Wiltshire Design Guide and policy CP57. A notable proportion of the proposed dwellings fail to meet national space standards, and given this principally impacts the affordable housing then the market housing and affordable housing would be distinguishable from one another. This can result in poor living conditions for future residents and outcomes that conflict with the NPPF's emphasis on creating high-quality, inclusive, and healthy places.

- **Harm:** Provision of a high proportion of homes, especially affordable housing with internal space below minimum space standards.
- **Weight:** Limited weight.

Neutral Impacts

In assessing the overall planning balance, it is also important to identify those aspects of the development that are considered to be policy-compliant and acceptable, but which do not result in either a net benefit or harm. The following elements are afforded neutral weight in the planning balance, as they represent the baseline expectation for sustainable development in accordance with the development plan and national policy:

- Highway safety, overall design, air quality and land contamination.

Conclusion

Section 38(6) of the Planning and Compulsory Purchase Act 2004 and S70(2) of the Town and Country Planning Act 1990 require that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

The proposed development lies outside the defined settlement boundary of Yatton Keynell and is therefore in conflict with Core Policies CP1, CP2 and CP10 of the Wiltshire Core Strategy. These policies seek to direct new housing to sustainable locations within defined limits of development.

Further harm arises from the loss of countryside at this edge-of-settlement location, which would result in a degree of landscape and visual change within the setting of the Cotswolds National Landscape. This harm is afforded Great Weight in the context of the Cotswolds National Landscape designation to the opposite side of Biddestone Lane.

For similar reasons, the loss of countryside by reason of its historic association with Manor House, a Grade II* listed building and that's inclusion within the Yatton Keynell Conservation Area would result in harm at the lower end of less than substantial to these designated heritage assets. Each harm has been apportioned Great Weight here.

In addition, the proposals would result in the loss of actively farmed land of which circa a fifth (just under 1 hectare) would be Best and Most Versatile Agricultural Land. On that basis this is afforded Moderate Weight against the proposal. Furthermore, the proposals would be demonstrably reliant on private vehicles, and this can only be mitigated to a degree through application of the LTP approach toward modal change by 'Avoid', 'Shift' and 'Improve'. The proposals would also include a high proportion of properties with below national minimum space standards for internal accommodation detrimental to the future occupiers' amenity. This would disproportionately impact occupiers of Affordable Housing. These harms are afforded limited weight for the reasons set out in detail in the main body of the report.

Balanced against these harms are a range of substantial benefits, including:

- The delivery of 55 new homes which carries very substantial weight.
- 22 affordable homes (40%) which carries substantial weight.
- Economic benefits during construction and from future residents' expenditure, which carry moderate weight.
- The provision of Green Infrastructure and Open Space, including BNG above policy compliance which carries moderate weight.
- The provision of enhanced surface water attenuation to better existing flood risks, provision of enhanced levels of sustainable construction over building regulations

and the provision of public benefits to the wider community from the necessary CIL and s106 contributions all have limited weight in favour of granting approval.

At the time of reporting, the Council is unable to demonstrate a five-year supply of deliverable housing sites, due to recent changes in the government's housing need calculation. As a result, the presumption in favour of sustainable development under Paragraph 11(d) of the NPPF is engaged. This is a very important material consideration.

Whilst a number of impacts have been found in relation to relevant protective policies identified by the NPPF (e.g. the settings of heritage assets and a National Landscape) they do not individually or cumulatively provide a strong reason to refuse the proposed development.

In applying the tilted balance, the key test is whether the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits. In this case, it is concluded that they would not. The benefits of the proposal would - particularly in terms of housing delivery and affordability - clearly outweigh the identified harms.

As such, on balance the proposal would be a sustainable form of development which would accord with the National Planning Policy Framework when read as a whole and would deliver residential development helping to address a shortage of housing land supply. In light of this and for the reasons set out in this report the following recommendation is made.

RECOMMENDATION: That Planning Permission be GRANTED subject to conditions, and subject to delegation to the Head of Development Management to complete a S106 legal agreement based on the Heads of Terms, as well as securing a copy of the applicant's countersigned IACPC to show that they have formally joined the District Level Licencing scheme for Great Crested Newts in relation to this site.

Conditions:

1.

Three Year commencement

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004

2.

Approved plans

The development shall be carried out in accordance with the following amended plans and details:

House Type B Floor Plans Drawing 948-010

House Type B Elevations Drawing 948-011

House Type D Elevations Option 2 Drawing 948-015

House Type DV1 Floor Plans Drawing 948-017

House Type DV1+ Floor Plans Drawing 948-018

House Type DV1 Elevations Option 1 Drawing 948-019

House Type DV1 Elevations Option 2 Drawing 948-020

House Type DV1 Elevation Option 3 Drawing 948-021

House Type DV1+ Elevations Option 1 Drawing 948-022

House Type F Elevations Option 1 Drawing 948-025

House Type F Elevations Option 3 Drawing 948-026

House Type F+ Elevations Option 3 Drawing 948-027

House Type M+ Elevations Option 2 Drawing 948-031

House Type P Floor Plans Drawing 948-032

House Type P+ Floor Plans Drawing 948-033

House Type P Elevations Option 1 Drawing 948-034

House Type P Elevations Option 2 Drawing 948-035

House Type P Elevations Option 3 Drawing 948-036

House Type W Floor Plans Drawing 948-038

House Type W Elevations Option 1 Drawing 948-039

House Type W Elevations Option 3 Drawing 948-040

House Type A2 Semi Elevations Option 2 Drawing 948-062

House Type A3 Semi Floor Plans Drawing 948-065

House Type A3 Semi Elevations Plans Drawing 948-066

House Type A3 Semi Elevations Option 2 Drawing 948-067

House Type A1M & Bungalow Elevations Option 2 Drawing 948-071

Single Garage Floor & Elevation Plans Drawing 948-080

Double Garage Floor & Elevation Plans Drawing 948-081

Substation Floor and elevation plans Drawing 948-082

Preliminary Ecological Appraisal (2437_1.1, March 2025)

Breeding Skylark Survey (2437_1.0, March 2025)

Transport Statement (P23-1468 TR01, April 2025)

Full Travel Plan (P23-1468 TR02, April 2025)

Site Waste Management Plan

Statement of Community Involvement (April 2025)

Received 10 April 2025

Application Form

Planning Statement (857/A3/AK_V1, April 2025)

Design and Access Statement (April 2025)

Desk Based Archaeology and Built Heritage Assessment (P24-2576_ROO1v1_HT, 31/03/2025)

Received 17 April 2025

Phase 1 Geo-environmental Desk Study (ref: 24031, 30/05/2024)

Received 22 April 2025

Site Location Plan Drawing 948-110_A

Type F Floorplans Drawing 948-023_A

Type K & KV1 Floorplans Drawing 948-041_A

Type A2 Terrace Elevations Option 2 Drawing 948-075

Type A2 Semi Elevations Option 1 Drawing 948-061_A

Type A2 Terrace Elevations Option 1 Drawing 948-064_A

Type A3 Terrace Elevations Option 2 Drawing 948-069_A

Type Ashley Floorplans Drawing 948-043

Type A3 Terrace Elevations Drawing 948-073

Quadruple Garage Drawing 948-083

Type D Elevations Drawing 948-014_A

Type D Floorplans Drawing 948-012_A

Type Ashley Elevations Drawing 948-044

Type F+ Floorplans Drawing 948-024_A

Type M+ Floorplans Drawing 948-029_A

Type K & KV1 Elevations Drawing 948-042_A
Air Source Heat Pump Manufacturer Details
Arboricultural Report (November 2025)
Archaeological Evaluation (Ref: CR2044_1, December 2025)
Certificate B Notification
Landscape and Visual Appraisal Addendum (November 2025)
Sustainability and Energy Statement (20/11/2025)
Transport Technical Note (P23-1468_TN, December 2025)
Received 9 December 2025

Type P+ Elevations Drawing 948-037_B
Received 12 December 2025

Type A2 Semi Floor Plans Drawing 948-060_B
Type A2 Terrace Floor Plans Drawing 948-063_B
Type A3 Terrace Floor Plans Drawing 948-068_B
Type A1M & Bungalow Floor Plans Drawing 948-070_A
Type A3 Terrace Floor Plans Drawing 948-072_A
Type A2 Terrace Floor Plans Drawing 948-074_A
Received 6 January 2026

Detailed Soft Landscape Proposals – Sheet 2 of 4 Drawing 24_342_102E
Detailed Soft Landscape Proposals – Sheet 4 of 4 Drawing 24_342_104
Proposed Access Strategy Drawing P23-1468_Figure 3.1_A
Site Layout B&W Drawing 948-100_E
Site Layout Coloured Drawing 948-101_D
Site Layout House Legend Drawing 948-102_C
Site Layout Building Wall Materials Drawing 948-104_C
Site Layout Roof Materials Drawing 948-105_C
Site Layout Tenure Drawing 948-106_C
Site Layout Ownership 948-107_C

Site Layout Services 948-108_D

Site Layout Bicycle Provision 948-109_B

Adoptable Highway Plan Drawing 617-P-400_C

Vehicle Tracker – Fire Tender Drawing 617-P-405-01_C

Vehicle Tracker – Refuse Vehicles Drawing 617-P-405-02_C

Vehicle Tracker – Tanker Drawing 617-P-405-03_B

Drainage Strategy Drawing 617-P-050_C

Passing Places Drawing P23-1468_SK05

Biodiversity Net Gain Design Stage Report (April 2026)

The Statutory Metric (Appendix 1)

Statutory Biodiversity Metric Condition Assessments (Appendix 2)

Baseline Habitat Plan (Appendix 3)

Flood Risk Assessment and Drainage Strategy (Ref 617 Rev C)

Received 13 April 2026

Site Layout Boundary & Hard Surfaces Drawing 948_103_E

Received 27 April 2026

Site Layout (POS Overlay) Drawing 948_100_E

Agricultural Land Classification and Soil Resources (June 2025)

Received 30 June 2026

Detailed Soft Landscape Proposals – Sheet 1 of 4 Drawing 24_342_101F

Detailed Soft Landscape Proposals – Sheet 3 of 4 Drawing 24_342_103A

Received 16 July 2026

REASON: For the avoidance of doubt and to define the terms of the permission.

3.

Material Samples

Notwithstanding the hereby approved details no development above slab level shall commence on site until the exact details and samples of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: In the interests of visual amenity and the character and appearance of the area.

4.

Means of enclosure

Notwithstanding the hereby approved details no railings, fences, gates, walls, bollards and other means of enclosure development shall be erected in connection with the development hereby permitted until final details of their design, external appearance and decorative finish have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the development being occupied.

REASON: In the interests of visual amenity and the character and appearance of the area.

5.

Landscaping submitted:

Notwithstanding the hereby approved details no development shall commence on site until a final scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:-

- location and current canopy spread of all existing trees and hedgerows on the land;
- full details of any to be retained, together with measures for their protection in the course of development;
- a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
- finished levels and contours;
- means of enclosure;
- car park layouts;
- other vehicle and pedestrian access and circulation areas;
- all hard and soft surfacing materials;
- minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units/standings, signs, lighting etc);
- proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc);

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

6.

Landscaping implemented:

All soft landscaping comprised in the final approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the buildings 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.

7.

Construction Environmental Management Plan

No development (including ground works/excavation, site clearance, vegetation clearance and boundary treatment works) shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority in writing. The CEMP shall provide details of the avoidance, mitigation and protective measures to be implemented before and during the construction phase, including but not necessarily limited to, the following:

- a. An introduction consisting of construction phase environmental management plan, definitions and abbreviations and project description and location;
- b. A description of the construction programme;
- c. Key personnel, responsibilities and contact details (including Site Manager, ecologist/ECOW and person for the public to contact);
- d. Detailed Site logistics arrangements including location of the construction compound, welfare facilities, site office, vehicular parking and turning, delivery areas and storage;
- e. Details regarding dust and noise mitigation;
- f. Communication procedures with the local community regarding key construction issues – newsletters, fliers etc;
- g. Identification of ecological protection areas/buffer zones and tree root protection areas and details of physical means of protection, e.g. exclusion fencing;

- h. Working method statements for protected/priority species, such as nesting birds, bats, great crested newts (GCN), badgers and reptiles;
- i. Mitigation strategies already agreed with the local planning authority prior to determination, such as for great crested newts, nesting birds, bats and reptiles; this should comprise the pre-construction/construction related elements of strategies only;
- j. Work schedules for activities with specific timing requirements in order to avoid/reduce potential harm to ecological receptors; including details of when a licensed ecologist and/or ecological clerk of works (ECoW) shall be present on site;
- k. External lighting during the construction phase ensuring that bat habitat (trees, scrub and hedgerows) on the perimeter of the site shall remain below 0.5 lux;
- l. Details of construction vehicle numbers, type and routing;
- m. Details of temporary construction access (including management), local road cleaning, and measures to prevent excessive mud and dust being deposited on the public highway; and
- n. Post construction restoration/reinstatement of the working areas and temporary access to the public highway.

Development shall be carried out in strict accordance with the approved CEMP.

REASON: In the interests of pollution prevention, community engagement, and mitigating impacts on matters such as ecology, amenity and highways so far as practically possible.

8.

Hours of construction:

Construction hours (including deliveries and collections) shall be limited to 0800 to 1800 hrs Monday to Friday, 0800 to 1300 hrs Saturday and no working on Sundays or Bank Holidays.

REASON: Ensuring high design and place shaping such that appropriate levels of amenity are achievable.

9.

Landscape and Ecological Management Plan (LEMP)

No development shall commence until a Landscape and Ecology Management Plan (LEMP) has been submitted to and approved in writing by the Local Planning Authority. The LEMP shall 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 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.

10.

Ecological enhancements:

No development shall commence, including vegetation removal until details of the number, design and locations of bat roosts and nesting opportunities for birds (e.g. bat and bird boxes) has been submitted to and approved in writing by the local authority. The approved details shall be implemented before occupation of the development.

REASON: To provide mitigation /enhancement for biodiversity.

11.

External lighting:

No development shall commence until an external lighting plan that includes a Lux Plot, has been submitted to and approved in writing by the Local Planning Authority. The plan shall include details all lighting including fixtures and fittings designed to minimise horizontal and vertical light spill

All lighting provided on site shall be in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication GN01:2021, 'Guidance for the Reduction of Obtrusive Light' (ILP, 2021), and Guidance note GN08/23 "Bats and artificial lighting at night", issued by the Bat Conservation Trust and Institution of Lighting Professionals.

The plan shall demonstrate that bat habitat (trees, scrub and hedgerows) on the perimeter of the site shall remain below 0.5 lux.

REASON: In the interests of the amenities of the area and to minimize impacts on biodiversity caused by light spillage to areas above and outside the development site.

12.

Habitat and Management Monitoring Plan:

No development shall commence on site until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the statutory Biodiversity Gain Plan and including:

1. a non-technical summary;
2. the roles and responsibilities of the people or organisation(s) delivering the HMMP;
3. the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the statutory Biodiversity Gain Plan and schedule for implementation;

4. the management measures to maintain habitat in accordance with the statutory Biodiversity Gain Plan for a period of 30 years from the completion of development; and
5. the monitoring methodology and specification of a Monitoring Pack (to include but not exclusively up to date Management Actions Logs, Habitat Condition Assessment Reports, metric calculation; and corresponding post intervention Habitat Map) which shall be submitted to the Local Planning Authority in years 2 (two) 5 (five) 10 (ten) 15 (fifteen) 20 (twenty) and 30 (thirty) of the Maintenance Period,

has been submitted to, and approved in writing by, the local planning authority.

The created and/or enhanced habitat shall be managed and maintained in accordance with the statutory HMMP at all times thereafter.

REASON: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990.

13

Highways – Parking:

No dwelling shall be first occupied until the parking spaces (to include EV charging) 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

Highways – Off-site laybys:

Prior to the first occupation of the development the proposed off-site laybys shall be provided and made available for use as per the approved plan P23-1468-SK05 and/or in agreement with any approved plans under the relevant s278 agreement.

REASON: In the interests of highway safety and amenity.

15

Highways – Access and footway:

Prior to the first occupation of the development the proposed access, visibility splay and footway (including that off-site) shall be provided and made available for use as per the approved drawing Proposed Access Strategy P23-1468_Figure 3.1_A and/or in agreement with any approved plans under the relevant s278 agreement.

REASON: In the interests of highway safety and amenity.

16.

Surface water Drainage:

No development shall be occupied until details of the implementation, maintenance and management of the approved surface water drainage scheme have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details.

REASON: To ensure that the development can be adequately drained.

17.

Foul Water Drainage:

No development shall be occupied until details of the implementation, maintenance and management of the approved foul water drainage scheme have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details.

REASON: To ensure that the development can be adequately drained.

18.

Water Efficiency:

The dwellings shall be constructed to meet, as a minimum, the higher Building Regulations standard Part G for water consumption limited to 110 litres per person per day using the fittings approach.

REASON: The site is in an area of serious water stress requiring water efficiency opportunities to be maximised, to mitigate the impacts of climate change, in the interests of sustainability and to use natural resources prudently in accordance with the National Planning Policy Framework.

19.

Sustainable Energy Strategy

The development shall be carried out in accordance with the hereby approved Sustainability and Energy Statement by Building Energy Experts dated 20/11/2025 so that the development achieves a total reduction in carbon emissions (after renewables) of no less than 78.81% compared to the Baseline Target Emission Rate.

REASON: To ensure that the objectives of sustainable development set out in CP41 and CP57 of the development plans are achieved.

20.

Low-carbon technologies

Prior to first occupation final details of the low-carbon and renewable energy technologies (based on the hereby approved indicative details to include heat pumps and roof-mounted solar PV) has been submitted to and approved in writing by the local planning authority. Details shall include, but not necessarily be limited to location, number, dimensions, manufacturer's details and, in the case of any Air-Source Heat Pumps evidence of compliance with the Microgeneration Certification Scheme (or relevant equivalent details). All approved measures for each dwelling shall be carried out in accordance with the approved details prior to occupation of the dwelling.

REASON: In order to define the terms of the permission and in order to support and encourage sustainable construction in accordance with policies CP41 and CP57 of the development plan.

21.

Electric Vehicle Charging

Notwithstanding the hereby approved plans, prior to the first occupation of the development a final plan of all active electric vehicle charging points (EVC) and manufacturers details of the EVCs shall be submitted to and approved in writing by the local planning authority. This shall include charging for every home in accordance with the indicative details submitted and assessed in the planning balance. The EVC for each dwelling shall be carried out in accordance with the approved details prior to occupation of the dwelling.

REASON: To ensure that the objectives of sustainable development set out in policies CP41, CP55, and CP57.

22.

Bins and waste

Notwithstanding the hereby approved plans, prior to the first occupation of the development final details of bin storage and bin collection points (with annotated carry distances for future residents and lorry crews) shall be submitted to and approved in writing by the Local Planning Authority. These shall include sufficient space to accommodate receptacles for all waste streams as required by the Environment Act 2021. The development shall be carried out in accordance with the approved details.

REASON: In the interests of supporting waste and recycling targets pursuant to sustainable development objectives.

Draft informatives:

1.

INFORMATIVE: Legal Agreements

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 XXXXX.

2.

INFOMRATIVE: Material Samples

Please note that Council offices do not have the facility to receive material samples. Please deliver material samples to site and inform the Planning Officer where they are to be found.

3.

INFORMATIVE: Land Drainage Authority

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 can be downloaded. The land drainage consent application form and guidance notes can be found on our website.

4.

INFORMATIVE: No interruption to surrounding land drainage

There must be no interruption to the existing surface water and or land drainage arrangements of the surrounding land because of the operations on site. Provisions must be made to ensure that all existing drainage systems continue to operate effectively.

5.

INFORMATIVE: Foul drainage

The applicant must gain consent from the local sewerage undertaker to discharge foul sewage into their foul sewer.

6.

INFORMATIVE: Water efficiency

The development should include water efficient systems and fittings. These should include dual-flush toilets, water butts, water-saving taps, showers and baths, and appliances with the highest water efficiency rating (as a minimum). Greywater recycling and rainwater harvesting should be considered.

An appropriate water efficiency scheme must include a water usage calculator showing how the development will not exceed a total (internal and external) usage level of 110 litres per person per day.

7.

INFORMATIVE: Protected Species

The applicant should note that under the terms of the Wildlife and Countryside Act (1981) and the Conservation of Habitats and Species Regulations 2017 (as amended) it is an offence to disturb or harm any protected species including for example, breeding birds and reptiles. The protection offered to some species such as bats, extends beyond the individual animals to the places they use for shelter or resting. Please note that this consent does not override the statutory protection afforded to any such species. In the event that your proposals could potentially affect a protected species you should seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England prior to commencing works. Please see Natural England's website for further information on protected species.

8.

INFORMATIVE: Highways Temporary Access

To enter the site the developer will need to create a temporary access. To undertake these works they will be expected to enter into an agreement with the Local Highway Authority. The developer is invited to contact the Local Highway Authority secure the permission: highwaysdevelopment@wiltshire.gov.uk.

9.

INFORMATIVE: S278 Works

To provide the permanent access, footway and lay-bys the applicant will be expected to enter into a S278 agreement with the Local Highway Authority. The applicant is invited to send their submission to: highwaysdevelopment@wiltshire.gov.uk.

10.

INFORMATIVE: Road adoption

To enable adoption of the internal roads the applicant will be expected to enter into a S38 agreement. The applicant is invited to send their submission to:
highwaysdevelopment@wiltshire.gov.uk.