

APPLICATION FOR RESERVED MATTERS DELEGATED REPORT

APPLICATION REFERENCE:	PL/2025/09623
APPLICATION TYPE:	Approval of reserved matters
SITE ADDRESS:	Land Off The High Street, Sutton Benger, SN15 4SP
DEVELOPMENT DESCRIPTION:	Application for the Approval of Reserved Matters (Appearance, Landscaping, Layout and Scale) for the Erection of 60 Dwellings, Public Open Space, Landscaping and Associated Infrastructure following Outline Planning Permission PL/2023/06204
RECOMMENDATION:	That the Reserved Matters be GRANTED

1. PROPOSED DEVELOPMENT SITE AND SURROUNDINGS

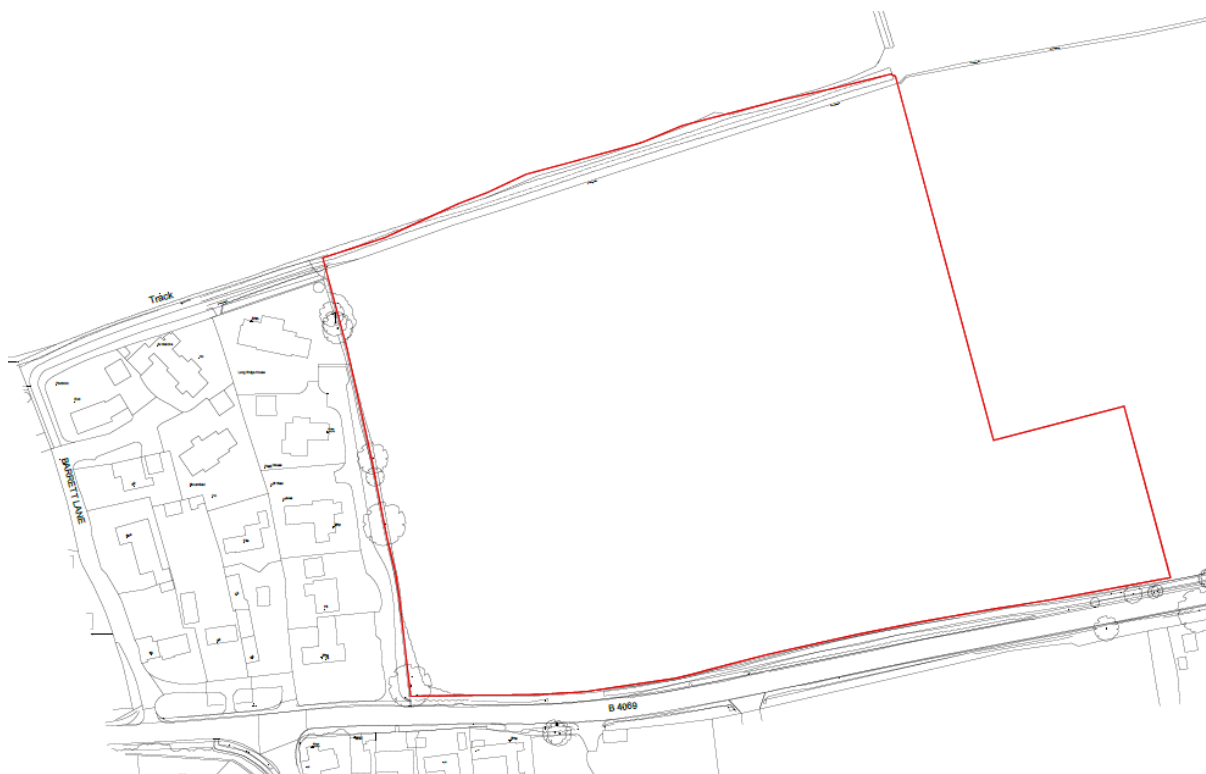
Sutton Benger is centred on the B4069 ('Main Road'), which runs east-west through the village. The site is an open agricultural field on the eastern edge of Sutton Benger, immediately north of the B4069, which forms its southern boundary. To the west, the site adjoins the residential cul-de-sac of High Street, which extends north from the B4069. To the north and east lies open agricultural land, of which the site visually forms part. The application site is outside the settlement boundary of Sutton Benger, which is identified as a 'Large Village' in the Core Strategy.

The site's eastern boundary is not clearly defined on the ground, as it does not follow an established field boundary or hedgerow and includes an additional area at its southern end. At this eastern extent, the site includes a narrow spur of land, approximately 3m wide, which runs north across two separate agricultural fields to meet a tributary of the River Avon.

There is currently no direct access to the site from the B4069. It is served by an agricultural access located approximately 150m further east along that highway. Public Right of Way SBEN18 (footpath) runs along the northern boundary and crosses the spur of land described above.

Sutton Benger Conservation Area extends along High Street, and the site therefore abuts this designated area on its western boundary. Several listed buildings lie within the Conservation Area. The most relevant are those fronting the northern side of the B4069 at the eastern edge of the village, namely 62/64, 66, 68/70 and 74 High Street. The site forms part of the setting of these buildings.

Please see site location and photographs on page 2



Site location plan taken from submission documents; source: Charles Church



Panoramic view from B4069 looking toward north (application site).



Panoramic view of adjacent residential units west (high street) of site with an established hedge boundary (border).

Pictures taken from site visit; 29th July 2026.

2. PROPOSAL

This report considers a Reserved Matters application submitted pursuant to outline planning permission PL/2023/06204 allowed at appeal on 27th January 2025. The application seeks for the Approval of Reserved Matters (Appearance, Landscaping, Layout and Scale) for the Erection of 60 Dwellings, Public Open Space, Landscaping and Associated Infrastructure. The outline permission was granted for residential development of up to 60 dwellings with the current application seeking to address the specific reserved matters as required by the outline permission.



The proposal comprises a range of house types including flats, terraced, semi-detached and detached dwellings in varying design and materials. There are 16 house types in total.

The houses are a mix of detached, semi-detached, terraced and flats with a variety of tenures provided through the affordable housing which is provided at the appropriate mix and level of 40%. The development provides 60 dwellings with a mix of:

Open market housing 36 units:

- 5 x 5 bedroom
- 23 x 4 bedroom
- 8 x 3 bedroom

Affordable housing 24 units:

- 4 × 1 bedroom
- 2 × 2 bedroom
- 11 × 2 bedroom
- 6 × 3 bedroom
- 1 × 4 bedroom

A Section 106 agreement has been entered into and the tenure for affordable housing has been agreed, however the applicants are currently in discussions with the Housing Enabling Officer for a Deed of Variation (DoV) to the section 106. The DoV relates to a tenure change to the entire affordable housing units to First Homes which are a form of discounted market units (DMU).

As the number of affordable housing units remains unchanged, the proposed tenure change relates principally to the Section 106 agreement rather than the reserved matters submission. The affordable housing provision was secured before submission of the reserved matters application through a signed Section 106 agreement, therefore the quantum of affordable housing, at 40%, is not a matter for reconsideration as part of this reserved matters application.

The outline permission was subject to a Section 106 agreement with Wiltshire Council. These obligations must be considered when determining these reserved matters application and are discussed where relevant in the following sections of this report.

The application is supported by a range of technical documents including the following:

- Sutton Benger Design Compliance Planning Statement
- Kerbing and Surfacing Plan
- Adoptable Road Construction Details
- Affordable Housing Plan
- Bin and Storage Collection Plan
- Site Plan and General Arrangement Plan
- Proposed Plans, Elevations, Sections and Roof Plans
- Parking Cycle Storage and EV Charging Plan
- Landscape Plans
- Vehicle tracking for refuse and fire tender Plans
- Construction Ecological Management Plan (CEMP)
- Outdoor Lighting Report
- Noise Assessment
- Materials Plan (external appearance)
- Housing Type and Garages Design Booklet

During the life of the application, revised plans and documents were submitted in an effort to address the initial concerns of the Parish Council, Landscape / Urban Design officer, Housing officer, some consultees and other third parties.

3. PLANNING HISTORY

Proposal / Summary
<u>PL/2025/09568</u> – PENDING Discharge of conditions 6 site drainage design, 7 SuDS, 8 construction management plan, 12 Ecological Enhancement and Green Infrastructure, 13 water efficiency, 14 water usage calculator, 15 CEMP, 16 LEMP, 18 Ecological Impact Assessment, 25 Construction Management Plan, 26 archaeological investigation, & 27 Sustainable Energy Strategy(ies) of planning application PL/2023/06204 (Outline planning application for the erection of up to 60 dwellings, including affordable housing with public open space, structural planting and landscaping, land for the provision of allotments and sustainable drainage system (SuDS) with vehicular access point. All matters reserved except for means of access)
<u>PL/2025/09737</u> – Partial Discharge GRANTED (condition 23) Discharge of conditions 17 (Street Lighting) and 23 (Acoustic Report) relating to application PL/2023/06204.
<u>PL/2023/06204</u> – Outline planning for 60 dwellings – REFUSED – 13 February 2024. Outline planning application for the erection of up to 60 dwellings, including affordable housing with public open space, structural planting and landscaping, land for the provision of allotments and sustainable drainage system (SuDS) with vehicular access point. All matters reserved except for means of access.
<u>APP/Y3940/W/24/3349828</u> – GRANTED – 27 January 2025 (Appeal lodged against refusal by Wiltshire Council ref: <i>PL/2023/06204</i>). Appeal is allowed and planning permission is granted for outline planning application for the erection of up to 60 dwellings, including affordable housing with public open space, structural planting and landscaping, land for the provision of allotments and sustainable drainage system (SuDS) with vehicular access point. All matters reserved except for means of access at Land off High Street, Sutton Benger, Chippenham, SN15 4SP, in accordance with the terms of the application, Ref PL/2023/06204, subject to the conditions in the attached schedule.

4. RELEVANT LEGISLATION, POLICIES AND GUIDANCE

Statutory Legislation

Town and Country Planning Act 1990 (as amended): Under Section 91 of the Town and Country Planning Act 1990, outline planning permission grants permission in principle for the development, with reserved matters being determined at a later stage. The reserved matters must be in accordance with the principles and conditions set out in the outline permission.

National Planning Policy

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- National Design Guide

Development Plan

The development plan for Wiltshire comprises the *Wiltshire Core Strategy (WCS)* (adopted January 2015) and any made neighbourhood plans, which remains the principal statutory planning document guiding development across the county.

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 set below:

Wiltshire Core Strategy (WCS)

- 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 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 & Development;
- Core Policy 62 Development Impacts on the Transport Network;
- Core Policy 67 Flood Risk

Saved policies of the North Wiltshire Local Plan

- NE14 Trees and new development

Sutton Benger and Draycott Cerne Neighbourhood Plan 2025

- Policy SB1: Landscape – The Rural Character
- Policy SB2: Landscape – Maintaining the Separation of Settlements
- Policy SB4: Trees and Hedgerows
- Policy SB5: Biodiversity and Net Gain
- Policy SB6: Flooding and Drainage
- Policy SB6.2: Renewable Energy
- Policy SB7: Design
- Policy SB8: Heritage and Conservation
- Policy SB9: Sustainable Development and Climate Change
- Policy SB11: Affordable and Rural Workers Housing
- Policy SB13: New Development and Highway Implications

- Policy SB14: Local Green Spaces
- Policy SB15: Protection of Existing Rights of Way and Cycle Network

Supplementary Planning Documents and other guidance

- Wiltshire Design Guide (adopted April 2024)
- Chippenham Design Guide 2023 (CDG)
- Wiltshire Local Transport Plan 2011-2026, adopted 2015 - including the Car Parking Strategy and Cycling Strategy, adopted 2015
- Wiltshire Council's Waste Core Strategy, adopted July 2009
- Wiltshire Council's Waste Storage and Collection: Guidance for Developers Supplementary Planning Document, January 2017
- Art and Design in the Public Realm in Wiltshire – 2024 Guidance – adopted May 2024
- A Green & Blue Infrastructure Strategy for Wiltshire: Wiltshire's Natural Environment Plan 2022-2030
- Wiltshire Local Cycling and Walking Infrastructure Plan (LCWIP)
 - Active travel infrastructure design standards 2022
 - Active travel parking standards and design guide 2022
- LTN1/20 – Cycle Infrastructure Design (July 2020)
- Air Quality SPD (July 2023)
- Wiltshire Housing Site Allocations Plan, adopted 25 February 2020
- Open Space provision in New Housing Developments – A Guide (Supplementary Planning Guidance) and Wiltshire Council's Playing Pitch Strategy February 2017

5. ISSUES

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

- Principle
- Highways and parking
- Layout
- Scale
- Appearance
- Landscaping
- Historic environment

6. SUMMARY OF CONSULTATION RESPONSES

Sutton Benger Parish Council: No objection. Following raising initial concerns in respect of design and appearance of the dwellings, boundary treatments, landscaping, sewerage and drainage and the speed of vehicles on the B4069, revised plans were submitted. In response, the Parish Council commented that they appreciated the amendments and changes that have now been proposed to lessen the impact of the development.

Council Highway Engineer: No objections subject to conditions:

- Provision for parking, EV and cycle parking acceptable.
- Visitor parking acceptable
- Internal 5.5m wide carriageway and 2m wide footways acceptable.
- PRow SBEN18 (north of site) would require surfacing; to be conditioned
- Vehicle tracking for fire and refused acceptable.

Council Drainage Engineer: No objection. Drainage matters are being considered separately under the Discharge of Condition application (Ref: PL/2025/09568) under the approved outline permission. Accordingly, there are no comments on this application.

Council Housing Enabling Team: No objection. Affordable Housing tenure to 100% First Homes across all 24 Affordable Housing units, in accordance with the unit size mix set out in the S106 Agreement:

First Homes (24 units):

- 4 × 1 bed flats
- 2 × 2 bed flats
- 11 × 2 bed houses
- 6 × 3 bed houses
- 1 × 4 bed house

Parking layout / arrangements are acceptable

Floorplans have been submitted for most Affordable Housing house-types and acceptable.

Council Archaeologist: No objection. Note that there is a condition for archaeological mitigation attached to the outline consent which has yet to be fulfilled.

Council Public Open Space team: Proposed LEAP plans are considered acceptable, but require the following matters to be addressed:

- Metal materials for the play pieces are more sustainable and cheaper maintenance (the function of the play pieces is good)
- Clarification on the safety surfacing under the equipment pieces – it is recommended to have rubber crumb. Tarmac inside a play area for this age group is not recommended.
- Confirmation that the roundabout is an inclusive piece – the spec needs a checked
- Swing – a third inclusive swing would be recommended for a play area this size

Council Waste and Recycling team: No objection subject to conditions.

Council Environmental Health Officer: No objection subject to conditions:

First response: Reviewed the Noise and lighting assessments provided and have no adverse comments.

Second response: Objection, due to a mistake and objection withdrawn

Council Rights of Way Officer: No objection.

Council Arboriculturalist: No objection.

Council Landscape Officer: Objection to initial submission on grounds of smaller central green space, material not sympathetic to the conservation area / impact on listed building, open countryside and immediate surrounding area such as boundary treatments, fencing and garden wall.

Amended plans have been submitted which largely address the concerns. One additional concern was raised after the initial response related to safety concerns, due to the public open space (POS) and the slope that's being proposed down to a new footway, which is not fenced nor hedged nor walled, this is a cause for serious concern. This has been resolved with the updated plans agreed with Council's UD Officer that a more ranch style fencing to ensure safety for the users of the POS; which has been agreed with the applicant, amended details have been received.

The revised plans show the full landscaping scheme, including species selection, which are considered acceptable.

Council Education team: No objections. Education contributions are secured by an S106 associated with the outline planning permission, dated 17/12/2024.

Council Urban Design Officer: Objection. Although the applicant has addressed the majority of the matters previously raised, one residual concern remains in relation to Plot 29. This plot is positioned forward of Plots 41 and 42 and would therefore establish the building line at this location, with potential implications for the setting of, and view corridor towards, the listed building. The protection of the heritage asset and its setting should take precedence.

Council Climate team: No comments received.

Council Conservation Officer: No objection. The principle of development has already been established in this case. Issue of materials has been raised and the need for a harmonious relationship with the wider locality of the village. To that end, samples of the proposed external materials are required, and an analysis as to how these compare to the wider setting in which the development would be perceived.

Police Liaison Officer: No comments received.

Environment Agency: No objection.

Wessex Water: No comments received.

Dorset & Wiltshire Fire and Rescue Service: No objection, but notes that the development will need to comply with B5 to Approved Document B of the Building Regulations 2010, relating to fire risk.

Natural England: No objection

7. SUMMARY OF REPRESENTATIONS

In accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), the application was publicised by way of:

- Site notice posted on 05 Jan 2026.
- An advertisement placed in the Wiltshire Gazette & Herald on 01 Jan 2026.

These methods were used to inform interested parties and provide a period of 21 days for comments to be submitted.

The Council received a total of 14 third party representations.

Below is a summary of the representations received during the consultation period. Only material planning considerations have been taken into account in the assessment of this application. Non-material issues, such as property values or private legal disputes, cannot be considered in the determination process.

Lack of infrastructure

- Lack of infrastructure for additional house i.e. only a small bus service, no shops or petrol station.
- No increase to the wider services of police, health and social services nor fire brigade or education services
- The infrastructure (Village Hall, School, Doctor's Surgery) is already stretched. Lost the Bell House Hotel and pub together with the Post Office and Cafe.
- There is still no shop. Sutton Benger has a bus service that operates a very poor day time service and none in the evenings. The proposal fails to address how these infrastructures will be improved. Village to suffer more because of increased demand from the residents of the development.

Flooding / drainage

- Issues with sewage and water as well as ongoing issues with traffic speeding and poor quality of roads throughout all the villages.
- Dense and overcrowded, primarily designed around the new sewer pipe that runs diagonally across the arable land on which it will be built.
- Flooding is a problem in the area and will increase according to Climate Change Forecasts.

- The village sewage system is under strain and overloaded with sewage overflows in the High Street in recent years during heavy rain which means raw sewage can flow down the B4069 towards the site.
- No assurance that the significant flooding in recent years following the extreme weather conditions has been fully considered and that water flow from the site to the attenuation pond will be contained within the estate under all circumstances and will not cause further flooding on the B4069.
- The existing sewerage plant is already over capacity, concerned that there has been no allowance to increase the capacity of the sewerage plant to manage the additional load.

Biodiversity

- Assurance is needed that the hedge will not be destroyed when the development takes place.
- Native trees should be planted to protect the hedge and screen our nearby homes from the new housing estate?
- Need to protect the boundary hedge and grass verge. Request that this hedge be protected during the build out of this development.
- Native species of trees used in the 'green zone' between existing boundary and the houses.
- Recommend referring to our Site of Special Scientific Interest Impact Risk Zones (available on Magic and as a downloadable dataset) prior to consultation with Natural England. Further guidance on when to consult Natural England on planning and development proposals is available on gov.uk.

Wildlife

- Development should ensure that wildlife will be protected and can thrive once the site is lived in. Bat boxes, bee bricks, swift bricks, hedgehog highways through fences, for example? Lighting is related to this. Worried that the presence of large houses directly opposite existing houses will be bad news for nature, as well as invasive for neighbours.
- Natural England has published Standing Advice which you can use to assess impacts on protected species, or you may wish to consult your own ecology services for advice. Natural England and the Forestry Commission have also published standing advice on ancient woodland, ancient and veteran trees which you can use to assess any impacts on ancient woodland or trees. The lack of comment from Natural England does not imply that there are no impacts on the natural environment, but only that the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes.
- Reassurance that any wildlife-positive aspects such as nest boxes, and diverse planting of boundaries and screening are sufficient and not just a "nod" to conservation to appease planning. Native species hedgerow planting and natural boundaries should be used rather than cheaper/maintenance-free man-made materials.
- Loss of habitat for skylarks, owls and hedgehogs is just one of the challenges facing us. Responsibility to try and mitigate any negative aspects to our shared environment, regardless of inconvenience and cost to a developer.

- Care for the flora and fauna of the boundary hedge (western boundary to the site) will be destroyed or adversely impacted.

Planning policy

- The Development contrary to the village Neighbourhood Development Plan and disregards recent Planning Inspectorate ruling.
- Neighbourhood Development Plan is there to protect and preserve our village, through considered development and not intrusive development.
- Development outside the boundary of the village so clearly conflicts with our NDP and simply creates a 'separate community'.
- Development ignores the views of the residents of Sutton Benger as expressed in the NDP and the views of the Parish Council.
- Unemployment data has been released showing that it is at 5.1%, the highest since December 2020 when it was 5.3%. Where are all the residents on the site going to work?
- Should be an embargo on any future housing development in the space allocated for allotments. If any of the allotments are not used or fall into disuse, Wiltshire Council should insist that such areas are re-purposed as an informal public space.
- This development is outside the village boundary and is on greenfield site. Each material planning issue raised is addressed within the assessment below.

Highways

- The entrance to the development estate has been designed in accordance with existing Highways requirements for exiting onto a 50-mph public road. However, the Parish Council statistics for speeding vehicles, currently under review by Wiltshire Police, show that this is an unsafe road with a significant number of regular speeders.
- The speed of vehicles by adjacent home, which is in the 30 mile per hour zone is already high in both directions. Sometimes this is well over 50mph. Even if the 30-mph zone is extended to cover the development site, drivers will still break the speed limit.
- More stringent safety measures are needed like proper speed cameras that result in drivers being charged and fined and traffic noise is so loud from the volume of traffic passing through.

Conservation / heritage/ design

- What has been proposed is an urban design for a rural setting - the aesthetic, density, general layout, is very unsympathetic to its context.
- The layout could be improved by fewer houses.
- There is a mown footpath in the plans that has been created alongside the Western boundary. This creates a new right of way where none currently exists, this is unnecessary
- Proposals that this development will enable later development of considerable size looping around to the east of the village at Seagry Road.

- Concerned that the proposed large area designated for allotments will result in the developer later claiming that this can be used for even more houses if the homeowners on the site do not take up the offer of the allotments.
- The site seems to have a high density of dwellings.
- The approval (at appeal) for the outline planning for this site will result in the irreversible ruin of Sutton Benger's rural character.
- Character. This site is within (or certainly adjacent to) a Conservation Area. The sensitive use of materials is essential. The developer could look to the excellent Stonewood development at Arms Farm (in the village) as an example of excellence and sensitivity.
- Too many housing developments in the village/area.
- Sutton Benger is a medium-size village with a limited capacity for expansion.

Street lighting

- Consideration is given to the street lighting, and it is angled away from existing homes

Type of housing

- The development appears to be high end 'executive housing. There is a requirement for bungalows for an aging local population.
- Single storey dwellings could be built to allow older residents in the village to downsize (if they so wished) and remain in the village.
- The lack of appropriate - well designed, eco-friendly, single-story dwellings - to allow older community members to remain in the village, down-size and thereby release older, larger housing stock is a shameful oversight.
- Development for up to 60 homes will now contain 60 homes, with no thought for mixed types of properties, including single-storey homes.
- Villagers would welcome the development of more single storey accommodation - this village is under-supplied with bungalows. It is a shame not to see consideration given to this within the plans.

Materials

- Black window frames are jarring, and the choice of stone appears, from the drawings, to be harsh and urban-like in appearance.
- Materials that are sympathetic to the Conservation Area to which the site is adjacent, rather than using materials more suited to a new town.
- Inappropriate for Sutton Benger. Request natural colours used (see the Arms Farm Stonewood Development) on doors, windows and garages so that the houses blend in.

The CPRE have also made representations in objection to the proposals, noting the following issues:

- Lack of solar panels under Future Homes Standard (FHS)
- Excessive Garages

- Car dependency
- Lack of bungalows
- Too many large units

8. ASSESSMENT

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 made Neighbourhood Plans. Consideration has also been given to the policies of the National Planning Policy Framework (NPPF) as a material consideration in the assessment.

8.1 Principle of development

The principle of the development at the site has been established through the grant of outline planning permission (appeal ref: APP/Y3940/W/24/3349828) and it is only the detailed matters of layout, scale, appearance and landscaping which are able to be considered at this stage.

The outline planning permission includes a number of planning conditions that establish the parameters for the built form across the site. These conditions also specify the information that must be submitted as part of any reserved matters application. A summary of the relevant conditions is provided below:

2) No development hereby permitted shall commence until details of the following matters (in respect of which approval is expressly reserved) have been submitted to, and approved in writing by, the Local Planning Authority:

- (a) The scale of the development;
- (b) The layout of the development;
- (c) The external appearance of the development;
- (d) The landscaping of the site.

The development shall be carried out in accordance with the approved details. The reserved matters shall be submitted as a single phase unless otherwise agreed by the Local Planning Authority through the submission of a phasing plan and the development shall be implemented in accordance with that approved plan.

9) The reserved matters layout shall be developed to ensure that residential development is located outside the high-risk fly contour, a minimum distance of 150m from the sewage treatment works site boundary as set by Wessex Water.

This application for reserved matters has been submitted within 2 years of the date of the allowed appeal for the outline permission PL/2023/06204. The application provides information regarding all reserved matters; scale, appearance, layout and landscaping. The application has been made on the site set out in the Location Plan submitted at outline stage and in general accordance with the approved plans. Regarding condition 9; Wessex Water have not objected to this reserved matters application.

In addition to the reserved matters, the outline planning permission includes a number of conditions that require separate discharge. Where relevant, this report considers the extent to which the submitted reserved matters scheme aligns with the requirements of those conditions. However, it remains the applicant's responsibility to formally discharge these conditions through separate applications under the outline consent.

8.2 Highways and parking

Means of access was considered at outline stage, with the main access to and from the site being off High Street (B4069), with one vehicular access and to accommodate a new proposed footway, west of the site which will connect to the existing highway further west.

This Reserved Matters (RM) submission demonstrates the means of access reflects that of the proposals approved at outline stage and the internal roads layout is to be considered separately in the RM submission.

The roads within the proposals provide legible internal movement connected with 1 main street (primary) running from south (only vehicular access point connecting from B4069) to north-west of the site. The main primary street will connect to several secondary streets providing connectivity to the overall master plan.

Details of internal highways infrastructure, layout and parking have been provided within this RM application. The main vehicular access to the site accords with that shown and approved under the outline planning permission.

In other respects, the internal road layout and parking provision for cars and cycles, as well as internal layout with respect to vehicles have been considered by the Council's Highways Officer and whilst some details have been provided, conditions have been recommended to ensure that the proposal meets all the policy requirements.

It is proposed that 60 dwellings are located within the site with the majority of the roads being proposed to be adopted and the following aspect of the proposals have been considered:

Section 278

A section 278 highways agreement has been secured prior to the submission of the RM application with the council to ensure that permanent alterations or improvements to be made to an existing public highway, which are funded and built to facilitate safe access for the development.

The principal access

During the appeal process, a Statement of Common Ground (SoCG) was signed by the appellant and Wiltshire Council on 2 December 2024, agreeing the following matters:

- *The design of the vehicular access for the site is discussed in the Transport Assessment [CD1.15] and the Technical Note on Highways [CD4.5] submitted alongside the application and as drawn on the drawing at [CD4.8]. Both parties agree that the main vehicular and pedestrian access points proposed are acceptable and allow safe access to and from the site.*
- *Appropriate visibility splays of 2.4 metres by 160 metres in each direction can be achieved over highway land and land controlled by the Appellant. Appropriate forward visibility for approaching vehicles is available in each direction.*
- *Within the access proposals a 2 metre pedestrian footway can be provided from the site access west along the High Street to link with the existing pedestrian footway on the northern side of the High Street adjacent to the site boundary.*

It is regarded that the proposals would have minimum impact on the existing highway infrastructure.

Some issues have been raised by the Council's Highway Officers. These have been addressed and considered acceptable with updated plans.

Parking

The submitted plans provide an acceptable overall level of parking across the development. Although provision for some 3-bedroom and 4-bedroom dwellings is slightly below the usual requirement, this is balanced by the higher level of provision for the two-bedroom apartments, each of which has two spaces where only one is required. On this basis, the parking provision is considered acceptable.

Visitor parking

There have been some concerns with respect to visitor parking being located on un-adopted road given it can create confusion between public and private space and the likelihood of the general public using private roads to access public parking spaces. A further related point raised is that private roads would not be maintained at public highway expense which could have implications for landscape quality and place-making, particularly if visitor parking were later relocated onto adoptable highway land during or after construction. Such a change could affect approved street tree locations and landscaped areas and would conflict with the principles of good design.

Ultimately, however, this is a worst-case scenario and cannot be assumed and the Council's Highways Officer has raised no objection to the visitor parking proposals, which provide the

required level of provision and are distributed appropriately across the site. The proposed visitor parking arrangement is therefore considered acceptable.

Internal road network

The internal layout includes 5.5m-wide carriageways and 2m-wide footways, which accord with Manual for Streets. A footway connection is proposed from the site frontage to the development access; however, this does not appear to be intended for adoption. Any unadopted footpath, together with links through the public open space, would need to be maintained by a management company. This is consistent with the proposed arrangements, as several private areas within the site are to be managed in this way. The footpath has a gradient of 1:20, which is acceptable.

Public right of way (PRoW)

Footway connections are proposed to Public Right of Way SBEN18, which runs across the northern part of the site. The surfacing in this area should provide a suitable transition and the PRoW should be finished to a standard agreed by the Countryside Access Team. This matter will be addressed by condition as part of any approval.

Cycle parking / electric vehicle charging

Cycle parking is shown on the Parking, Cycle Storage and EV Charging Plan. Garages would provide suitable cycle storage where included, with dedicated cycle storage provided for dwellings without garages. Visitor cycle parking is proposed within the public open space and allotment areas, with six spaces in each location, slightly exceeding the minimum standard. Electric vehicle charging is also shown for all 60 dwellings, therefore cycle and EV vehicle charging is considered acceptable.

Vehicle tracking

Vehicle tracking has been provided for both a fire tender (carries water and basic supplies to support firefighting) and a refuse vehicle. This demonstrates that the site's turning areas and access points can accommodate larger vehicle movements. As these movements would be limited, the tracking is considered acceptable.

Third party concerns

Several concerns have been raised by third parties regarding the safety and speed of B4069 and the amount of additional traffic which will be generated. These are all matters which have already been considered and regarded as being acceptable via the grant of outline planning permission, and it is not possible to revisit this issue as part of the consideration of these reserved matters application. Whilst the concerns raised within representations are understood, the Council's Highway's Officer has not raised any objection to the proposals in respect of the safety of the access in the context of traffic speeds. There is no evidence or reason to reach a different conclusion in this instance.

Excessive or speeding vehicles is a matter for law enforcement and a desire to change the speed limit of a road is a matter separately controlled through highways legislation.

Conclusions

It is considered that the proposals accord with the outline planning permission and does not constitute a form of development that will cause an unacceptable impact on highway safety nor a several residual cumulative impact on the road network. Whilst concerns have been raised by third parties, the Council's Highway Officer has raised no objections and there is no evidence or justification to reach a different conclusion in this instance. Accordingly, the proposal is considered to comply with policies CP60, CP61, CP62 and CP64 to the Wiltshire Core Strategy, policy SB13 to the Sutton Benger and Draycott Cerne Neighbourhood Plan, the Wiltshire Local Transport Plan 2011-2026 (including the respective car parking and cycling strategies) and other associated national guidance.

8.3 Layout

Layout refers to *“the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development.”* (Planning Practice Guidance: Paragraph: 006 Reference ID: 14-006-20140306).

The layout is reflective of the indicative layout plan submitted at outline planning permission stage. Concerns expressed by the Urban Design Officer regarding a series of cul de sacs throughout. The layout did not accord with the WDG expectation 5.1.8 ‘Cul de sac’ development should be short with their turning head/far end visible from the junction with a through road’. This has been addressed through the latest revisions of the site layout where a circular highways connection has been provided within the site so that a continuous adopted highways is included.

There were concerns around communal/private driveways that should be connected as surfaced foot /cycleways a good principle is to ensure that these are connected for pedestrians and cyclists. The end of each communal/private driveway should be linked and connected in this way to its neighbour around the perimeter open space. These have been adequately addressed in the updated plans.

The proposals indicate mown grass strips shown on the Layout through the public open space (POS), this surface is regarded as inadequate for the POS and given they would require regular maintenance. This has been addressed adequately with latest layout plan where the mown paths along the western and eastern edge of the site have been removed.

Looking at the layout and orientation, the properties are considered to be sufficiently spaced to ensure appropriate amenity standards have been achieved and to ensure there are no adverse impacts on reasonable living conditions by reason of loss of light, privacy or overbearing impacts. The properties have a separation distance of at least 20m back-to-back to prevent loss of privacy to the dwellings as well as garden sizes and is considered acceptable. Furthermore, such standards as seen here are not dissimilar to many other housing estates approved in Wiltshire in recent times.

The garden sizes are considered acceptable and broadly consistent with the aspirations of the Wiltshire Design Guide, with most providing external amenity space comparable to the footprint of the corresponding dwelling. The Urban Design Officer raised concerns that Plots 41 and 42 could be brought forward within the development. This approach is supported as the issue relates not only to rear garden size but also to the limited back-to-back separation distance, having regard to the Sutton Benger Parish Design Code. These plots are approximately 15 to 17 metres from the adjacent dwelling, resulting in a constrained relationship. Bringing the plots forward by approximately 2 metres, as suggested by the applicant, has been considered acceptable and would improve residential amenity. This has been addressed through the latest updated layout drawings.

The Urban Design Officer's remaining concern was that Plot 29 projects beyond Plots 41 and 42, establishing the building line and potentially affecting the setting and view corridor of the listed building. However, given the substantial separation distance, changes in level and overall layout, any harm to the setting of the listed buildings would be minimal.

The street frontages have a consistent building line with, in general, a small, defensible space between the property and pavement, whether that be garden with hedgerow or footway with car parking. Parking is provided throughout the scheme, some is provided at the side of the proposed housing with access provided off the parking areas through to the rear gardens whilst other dwellings will have parking to the front of the street, some of which is interspersed with new hedgerow to mitigate what would be an otherwise detrimental extent of hardstanding. This is a fairly typical layout of modern housing developments and is considered appropriate in this instance.

The public realms of the development are for the most part well overlooked by the new properties thus ensuring that a clear distinction is created between public and private spaces. It also ensures that the public open space is provided with natural surveillance. Police Liaison Officer (PLO) has not responded with any concerns and therefore the layout in terms of crime prevention and safety is considered acceptable.

Allotments have been included in the southeastern part of the site as part of the proposal as well as in the indicative outline layouts as shown the Design and Access Statement. The allotments can be accessed just east of the site entrance beyond the proposed attenuation basin via vehicular or easily walkable from the dwelling units with a new proposed footpath. Allotments are welcomed and provides an opportunity for on-site community infrastructure and usable open space as part of a balanced, sustainable neighbourhood.

Attenuation basin has been included to manage surface water run-off during heavy periods of rainfall. The Council's Drainage Officer has not objected to the proposals, given that, the applicants have submitted for a discharge of condition imposed under the outline approval; condition 6 site drainage design and conditions 7 Sustainable urban Drainage System; these are being considered as part of the separate submission re: PL/2025/09568.

With the above in mind, it is considered that the proposed layout would satisfactorily accord with the principles secured on the outline consent and is acceptable with regards spacing within the development. In respect of layout, the scheme accords with the principles set out in

policy CP57 to the Wiltshire Core Strategy as well as relevant sections of policies SB7 to the Sutton Benger and Draycott Cerne Neighbourhood Plan, as well as the Wiltshire design guide.

8.4 Appearance

Appearance refers to *“the aspects of a building or place within the development which determine the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture.”* (Planning Practice Guidance: Paragraph: 006 Reference ID: 14-006-20140306)

The site will be accessible from the existing highway (B4069) in which given the unique character of Sutton Benger village which is within close proximity; further west of the high street, you can see the common unifying use of natural stone in property boundary frontages.

The proposals include ‘Natural Stone Dwarf Wall / Cock & Hen copings - Overall 0.9m High’ to the entrance properties and which turn the corner into the main access street, this is considered sympathetic to existing aesthetics of the village image and appearance.

The dwellings are of typical modern design and consistent with the developer’s overall style: contemporary take on traditional dwellings with clean facades. The materials consist of:

External walls

- Recon Stone – Forticrete Cotswold Village Cottage, coursed mix with a Mortar Light Buff colour.
- Render – rough cast render with a limestone white colour
- Heads, Cills and Quoins – recon cast stone – buff colour.

Roof coverings

- Plain Tile – Tileworks TLE, Anthracite Grey
- Profiled Tile – Tileworks Seawave, Brown

Boundary walls

- Recon Stone for residential screen walls, with Forticrete Cotswold Village Cottage, coursed mix with a Mortar Light Buff colour.
- Natural stone Dwarf wall with cock & hen capping at site entrance with coursed - hidden mortar joint.

Road Surface

- Block paving – Concrete block pavements and edgings – brindle

Doors and windows

- Door, window and fascia – UPVC - RAL 1015 Light Ivory

Overall, the materials proposed for the new dwellings are expected to be sympathetic to the adjacent to the Conservation area (west of the site) as well as the village further west towards High Street; there have been some concerns raised by the Council's Urban Design Officer with respect to external appearance of the dwellings.

However, negotiations with the applicant and UD Officer objections have resulted in a combination of materials that have been updated given the UD officers comments and relevant conditions agreed.

'Stone' windows

Concern in respect to the omission of 'stone' window heads and additional masonry height between first floor openings and eaves was raised. This is a characteristic feature of both stone faced and rendered facades in the village. The close proximity to the Conservation Area has been taken on board and the applicants have confirmed that additional stone detailing has subsequently been provided to first-floor cills, gable headers, and ground floor headers and cills. Given that these elements would be situated on side elevations on corner plots, the proposed treatment is considered acceptable.

Stone window heads and cills

The original proposals had omitted stone window heads and stone cills to side elevation openings and to rear elevation openings (door and windows). These have now been agreed and updated within the proposals additional stone detailing will be provided to first-floor cills, gable headers, and ground floor headers and cills. These elements would be situated on side elevations on corner plots, and the proposed treatment is considered acceptable.

Gable ladders

The gable ladders have been universally applied to side elevation main gable ends and mid gables on front elevations whereas a mortared edge is an intrinsic characteristic. These have been implemented in recent housing developments such as Manor Farm Drive, Seagry Road. The updated proposals include a continuous dry verge system, which would result in a lower visual impact and is therefore considered acceptable.

Roof tiles

The proposals show a 'Plain Grey Tile' and 'Profiled Brown Tile'. These were initially considered unacceptable as would not be characteristic of the village or of a suitable quality of appearance as described above or applied throughout. The applicants provided further information with respect to the colour of roof tiles, and these included 'Tileworks TLE Anthracite Grey' and 'Tileworks Seawave Brown', given these clarifications and sample images had been provided, UD officer accepted the colours and considered acceptable.

UPCu window frames

Some of the PVCu window frames and the front entrance doors are identified as 'Light Ivory' throughout the development, given the scale of development, the requirements of the Sutton Benger Parish Design Code page 21 in principle mentions that some limited variation in colour palette and as for the two roof and two façade treatments, a complementary additional colour for example a traditional pale green could be introduced for doors and windows related to particular siting and house type. It has been agreed that the windows will be single colour however it was discussed to help emphasise the key elevations and differentiate windows from other parts of the building and improving legibility overall.

The negotiations have resulted in a combination of external materials, stone is the predominant material in Sutton Benger and considered acceptable. Grey and brown roof tiles are to be used for all roofs, a material utilised intermittently in new developments. The two-colour palette combination will blend in nicely with the external walls i.e. mortar light buff, limestone white and buff colour.

Stone is the characteristic external finish in the village there are extensive examples of brickwork used in and around Chippenham and is considered acceptable given the sensitivities around the conservation area and the characteristic of Sutton Benger High Street.

Whilst it is accepted that this is a modern housing estate and will indeed have much of the appearances of similar developments in Wiltshire, taking account of the above, it is considered that the architectural style, materials, proportions and detailing of the individual dwellings and other structures and surfaces on the site provide sufficient variation and visual interest across the scheme such that it is deemed acceptable. Whilst there have been local representations and concerns of the proposals to be sympathetic to the adjacent conservation area as well as the immediate surroundings of Sutton Benger village i.e. character of properties on the high street, approval has been granted for Faccenda site (ref: 11/02286/OUT & 12/04072/REM) which is located down the high street west of the conservation areas and it should be noted the external appearance, height and spatial layout of the dwellings are not too dissimilar to the proposals in the RM submission.

Ultimately, with the improvements to the scheme over that initially submitted, through the increase in stone faced dwellings, improvements to the landscaping and the proposed hardstanding infrastructure within the site it is considered that the appearance of the development is acceptable.

Subject to aforementioned conditions, it is concluded that the appearance of the development is in accordance with the requirements of policy CP57 to the Wiltshire Core Strategy as well as relevant sections of policies SB2, SB7 and SB8 to the Sutton Benger and Draycott Cerne Neighbourhood Plan, as well as the Wiltshire design guide.

8.5 Scale

Scale refers to *“the height, width and length of each building proposed within the development in relation to its surroundings.”* (Planning Practice Guidance: Paragraph: 006 Reference ID: 14-006-20140306)

The proposed dwellings are predominantly two storeys in height, with a small number being two-storey with rooms in the roof which ensures they are compatible with the surrounding area.

Plot lengths and widths are in keeping with the context of a modern housing development and more notably, with the surrounding area. This all ensures that the development fits well into the development site. It makes efficient use of the land whilst ensuring the proposal does not appear cramped or overdeveloped.

The proposed sections show changes in site levels. Section A-A, at the western end of the site, indicates that the land is relatively flat, with a level change of approximately 0.5m between the B4069, the public footpath and the public open space. Section B-B shows a change of up to approximately 1m, while Section C-C shows a maximum change of up to 2m.

Taking account of the above points, it is considered that the scale of the scheme is acceptable with regards to the height, width and length of each building proposed in the development in relation with its surroundings. Furthermore, the scale of this scheme is very similar to other modern housing developments approved throughout Wiltshire.

In respect of scale, the scheme is considered to meet with the requirements of policy CP57 to the Wiltshire Core Strategy as well as relevant sections of policy SB7 to the Sutton Benger and Draycott Cerne Neighbourhood Plan, as well as the Wiltshire design guide and within the scope of the approved outline also.

8.6 Landscaping

Landscaping is referred to as *“the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes: (a) screening by fences, walls or other means; (b) the planting of trees, hedges, shrubs or grass; (c) the formation of banks, terraces or other earthworks; (d) the laying out or provision of gardens, courts, squares, water features, sculpture or public art; and (e) the provision of other amenity features; (Planning Practice Guidance: Paragraph: 006 Reference ID: 14-006-20140306)*

At outline stage it was demonstrated by the then applicants that a scheme for up to 60 dwellings could be accommodated on the site without giving rise to unacceptable harm to the landscape character of the area or to that of visual amenities, when assessed at a high level.

With regard to the proposed built residential form the layout of the scheme aligns with the plans shown in the Design and Access Statement during the outline stage. As such the areas around the dwellings will provide landscape opportunities to mitigate the effects of development and provide appropriate recreational facilities for future occupants.

An application (re: PL/2025/09568) has been submitted and currently being considered by the Council to discharge several landscape conditions imposed under granted permission at outline stage:

7	Sustainable Urban Drainage Systems (SUDS)
12	Ecological Enhancement and Green Infrastructure,
16	Landscape Ecological Mitigation Plan (LEMP)
18	Ecological Impact Assessment

These respective conditions will be assessed on their own merits and based on the approval for planning application PL/2023/06204 (Outline planning application for the erection of up to 60 dwellings, including affordable housing with public open space, structural planting and landscaping, land for the provision of allotments and sustainable drainage system (SuDS) with vehicular access point.

No information is provided regarding soft landscaping within private gardens; however, it is assumed the rear gardens will have a combination of soft (grass) and hard surfacing (paving) as is the case with all new residential developments. Road surfacing details have largely been agreed, but further detail will be required by condition.

The proposals demonstrate that there are acceptable buffers around the site to mitigate and contain to an acceptable extent, the proposed housing. Sufficient planting is included within the soft landscape schedule to add colour and interest to the development whilst ensuring it has a softer and greener feel to it. The landscaping will also help to provide some urban cooling and go towards combating the climate crisis.

The approved outline plans contained a sustainable urban drainage system (SuDS) located at the south-east corner (southern boundary) of the site built development, however the current RM submission has seen this change to an attenuation pond this is to be surrounded by soft landscaping thereby ensuring the feature contributes aesthetically to the development rather than simply serving a functional purpose. No objections have been received from the Council's drainage officer.

An application for approval of drainage matters under the outline approval has been submitted and remains under consideration, condition 7 (PL/2025/09568) for Sustainable Urban Drainage Systems (SUDS).

The following concerns had been raised by the Council's Landscape Officer; discussions held with acceptable outcomes agreed.

Central Public Open Space

The central public open space is intended to be a key feature and means to provide a focal point to the new development and this new residential community. The size of this central feature had been substantially reduced in area/size from that illustrated within outline development parameters. The outline 'Central Green' area was larger and incorporated a centrally located 'Local Equipped Area of Play' (LEAP) surrounded by trees. The original landscape drawings submitted with RM application had reduced this to just an area for a LEAP surrounded by trees. Consequently, this raises relevant issues around nuisance from noise arising from play activity for residents in adjacent dwellings (i.e. outline layout illustrated a 15m buffer was achievable, while RM layout does not provide for this).

In addition, the 'central green' should provide more than just an equipped play area. The design intent was to provide a heart to the scheme, act as a green verdant focal point for the new development, to support opportunities.

The updated proposals have demonstrated the central Public Open Space area has been significantly increased in size and includes an incidental seating as well as recreational space alongside the LEAP area. Additional tree planting has been provided, including a signature tree centrally within the space.

LEAP has been included as part of a Section 106 agreement, appendix 2, that the LEAP shall have a 'buffer zone of not less than 10m in depth between the activity zone and the boundary of the nearest dwelling', therefore the proposed layout is compliant with this clause.

Concerns have been raised by the Council's Leisure Strategy Infrastructure Officer regarding the metal materials, more clarifications sought on surfacing, whether the roundabout is inclusive (specifications) and a third swing is recommended.

The LEAP has been secured via a Section 106; and an amended layout has been received showing the inclusive carousel; however, there is no requirement to have metal materials and the additional swing. The surfacing is considered a valid concern due to safety issues and therefore a pre-commencement condition is recommended.

Garden sizes

Initially, some of the plots had inadequate garden sizes. Discussions held with the Council's UD officer has seen the required plots updated in accordance with the Council's guidelines, however a condition to be added to ensure the applicants provide the landscaping and boundary details of rear gardens which has not been submitted in the RM submission.

Footpath surfacing

Concerns were raised regarding the suitability of mown amenity-grass paths in achieving 'access for all' standards within the Public Open Space (POS), including access to seating areas. Further clarification was also sought on the proposed surface treatment for the retained public footpath along the northern boundary, and whether any improvements were still intended to the existing footpath route continuing northwest of the site.

Updated proposals now remove the mown paths previously shown along the western and eastern boundaries. It has been agreed that no amendments are required to the surfacing of the public right of way along the northern boundary. Given the rural context on either side of this route, it would not be appropriate to replace this short section with a hard surface, and its existing rural character should therefore be retained.

Landscape Edge / transition with High Street

Concerns have been raised regarding the significant level difference between the application site and the adjoining High Street. It is noted that this variation will be further affected by the

excavation works required to cut back the existing bank in order to provide the necessary visibility splays at the proposed new access onto the High Street.

In response, the applicant has submitted additional cross-sections demonstrating how the proposal addresses this level change, including the relationship between finished ground levels and boundary treatments along the southern site boundary. Further sectional drawings have also been provided through the site frontage, illustrating the relationship between the highway, the proposed open space, and the front plot areas, as well as defining the gradient of the proposed pedestrian route.

Following review, it was agreed that a stone wall would not be appropriate in this location, given the substantial set-back of the built form. A softer boundary treatment is considered a more suitable solution, comprising a landscaped buffer that reflects the village-edge context and provides an appropriate transition to the rural field boundaries beyond the site; a ranch style wooden fencing has been agreed and provided in the updated plans.

Southern Public Open Space (POS)

Concerns regarding public safety have been raised in relation to the absence of a boundary treatment between the southern Public Open Space (POS) and the adjacent highway. Given the scale of the proposed dwellings and their likely occupation as family units, it is anticipated that this POS will function as a well-used community area. Review of Sections A–A and B–B confirms that the POS is positioned at the crest of an embankment without any form of screening or barrier. In this context, there is a clear risk that users, particularly children, could fall down the slope, with the potential for serious injury due to the proximity of two-way traffic travelling at 50 mph on the B4069.

To mitigate this risk, a ranch-style fencing solution has been agreed in principle with the applicant to provide an appropriate physical barrier along the POS boundary. Subsequently updated details have been provided, therefore adequate protection measures for the POS users and is considered acceptable.

RM application has included details of hard surfacing, fencing, boundary treatments, soft landscaping and therefore only a further condition is required for a landscape maintenance plan.

The substantive concerns of the Council's Landscape Officer have now been resolved, and the Council's Arboriculturist has confirmed that no objections are raised. Accordingly, subject to the imposition of the aforementioned conditions, it is concluded that the proposed landscaping scheme is acceptable and complies with Policies CP51 and CP57 of the Wiltshire Core Strategy, as well as SB1, SB2, SB4, SB5, SB6, SB7 and SB8 of the Sutton Benger and Draycott Cerne Neighbourhood Plan

8.7 Sustainable construction including energy, transport and typologies

No comments have been received from the Council Climate officers, however the proposals have included provision for EV charging and a condition to be added for air source heat pumps (ASHP) installation.

Representation has been received from CPRE who have expressed concerns over the lack of energy generation, carbon emission reduction and housing units suited for the changing demographic of Wiltshire.

Lack of solar panels under Future Homes Standard (FHS)

The applicants have confirmed all new homes will be fitted with Air Source Heat Pumps and no new gas connections/boilers on site.

The FHS legislation has not been adopted in planning and not considered to have any impact on the reserved matters.

Excessive Garages

Concerns raised regarding proposed garages; single, double and triple for most of the units, number of cycle sheds not in proportion to the garages.

The proposals are in accordance with requirements of all adopted guidelines for storage, shed and parking.

Car dependency

Concerns raised that the proposal continues to promote car dependency contrary to policy aims of a reduction in car use and a shift to safe efficient public transport, cycling and walking. (Draft LTP4 Carbon Paper shows the main source of transport emissions within Wiltshire. There should be a *“shift to more sustainable modes of transport through public transport, walking and cycling”*).

A Section 278 has been agreed with Highways that a new pavement will be delivered along the high street to connect with the existing public footpath south-west corner of the site. This will provide better connectivity to the wider site area for local connections.

Access has been agreed at outline stage and not a consideration at the RM submission.

Lack of bungalows and too many large units

Concerns raised why no bungalows are being provided. No objections received from the Council's housing team with respect to the dwelling mix and have not identified a need for bungalows.

Overall, the proposal is considered to comply with policies SB11 to the Sutton Benger and Draycott Cerne Neighbourhood Plan as well as policy CP41 to the Wiltshire Core Strategy.

8.9 Impact of heritage assets

Impact on heritage assets have been identified by the Council's Urban Design Officer primarily with the listed buildings located on the High Street and the Conservation Area adjacent to the west of the site.

The site is east of the Conservation Area and close proximity to grade II listed buildings, nos 74 and 76 High Street which is at the edge of the settlement and therefore looks over the open appeal site via a window in a flank wall.

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 i.e. impact on grade II listed buildings, nos 74 and 76 High Street

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.

The NPPF outlines government policy for planning. 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 215 require a balanced approach with any harm which would be caused being weighed against the potential public benefits which might be achieved.

The Council's Core Strategy Policy CP58 'Ensuring 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.

The Council's Core Strategy CP57: Ensuring high-quality design requires a high quality of design in all new developments. The policy requires applicants to "demonstrate how the proposal will make a positive contribution to the character of Wiltshire through (amongst other things) responding to the value of the natural and historic environment and being sympathetic to and conserving historic buildings and landscapes. Development is required to respond positively to the existing in terms of building layouts, built form, height, mass, scale, building line, plot size, elevational design, materials, streetscape and rooflines to effectively integrate the building into its setting.

The proposal would need to be weighed against any impact and significance of the Sutton Benger Conservation Area. In the 2023 appeal decision, the Inspector stated:

"The development would result in a largescale, modern development on a sizeable component of the agricultural hinterland, east of the settlement of Sutton Benger. Provided that the scheme came forward with a large swathe of green space, free of buildings, along the southern edge of the development, it would read more clearly as a distinct later evolution of the settlement and retain some legibility of the original eastern extent of the historic settlement. However, the scale of the change would be sizeable and views towards the CA from the PROW would be obscured. The development would therefore undermine the significance of the CA through a sizeable change to development within its setting, the magnitude of which would be moderate to high."

Impact on grade II listed buildings, nos 74 and 76 High Street, the Inspector stated:

“Nos 74 – 76 High Street is at the edge of the settlement and therefore looks over the open appeal site via a window in a flank wall. This outward view and views towards the building from the B4069 give legibility to the historically peripheral location of Nos 74 & 76 at the edge of the settlement. As such, the appeal site contributes moderately positively to the significance of the listed building.”

The Inspector went on to conclude:

“There would be effects on the designated heritage assets, namely the CA and Nos 74 – 76 High Street. The harms bring the development into conflict with Core Policy 58 which seeks to conserve, and where appropriate enhance designated heritage assets and their settings in a manner appropriate to their significance. However, CS Policy 58 does not include the heritage balance required under the Framework. Under the terms of the Framework, the instances of harm would be of a ‘less than substantial nature’; a point with which the Council agree. Paragraph 215 of the Framework requires that in such cases, the public benefits of such should be weighed against the public benefits of the proposal. My view is that the delivery of up to 60 dwellings with associated infrastructure and mitigatory measures would capably outweigh the less than substantial harms outlined in relation to the CA and Nos 74 76 High Street.”

The Planning Inspector has already considered the heritage impacts of the development at outline stage and granted permission. Nevertheless, the reserved matters submission must still have appropriate regard to the setting of the listed buildings and the impact on the adjacent Conservation Area. The proposals have been accepted by the Councils Urban Design Officer and Conservation Officer, furthermore PINS concluded that the delivery of up to 60 dwellings would outweigh the identified less than substantial harm to the Conservation Area and Nos. 74–76 High Street.

It is concluded that the proposals accord with Policies CP57 and CP58, as the design would make a positive contribution to the historic environment and would be sympathetic to its surroundings in terms of layout, built form, height, mass, scale, building line, plot size, elevational design, materials, streetscape and rooflines. Precisely as was concluded at the time of the outline planning permission, the proposals would continue not to have an unjustified impact on the Conservation Area and would not be detrimental to the setting of the listed buildings, therefore considered acceptable.

Other Matters

The Council received a total of 14 third party representations and each subject matter has been addressed:

Lack of Infrastructure

Outline planning permission has already been granted for up to 60 new dwellings on the site, with the Inspector concluding that the scale of development would be appropriate to the village and the infrastructure therein. Whilst the concerns raised by third parties in respect of infrastructure are understood, it is not possible for the determination of this reserved matters application to revisit those earlier conclusions.

It should also nonetheless be noted that as part of the outline permission, the applicant is required to provide the necessary financial contributions and separate Community Infrastructure Levy (CIL), towards new and existing infrastructure including education, sports provision, public art, healthcare, and other community facilities.

Flooding / drainage issues

There have been instances of significant flooding along the B4069. The proposals include an attenuation pond located in the south-east corner of the site, designed to manage surface water arising from the development and ensure that runoff is contained within the site. This measure will prevent any adverse impact on the adjacent highway. The Council's Drainage Officers have reviewed the submitted details and raise no objection to the proposed drainage strategy, and there is no evidence or reason to reach a different conclusion.

Biodiversity

The existing hedgerow along the western boundary is to be retained, as illustrated on the proposed layout plans, together with all existing trees. In addition, a new native hedgerow is proposed to reinforce boundary planting. The revised plans show the full landscaping scheme, including species selection, which has been reviewed and accepted by the Council's Landscape Officer.

Protect Wildlife

The proposals incorporate ecological enhancement measures, including the installation of either a bird box or bat box on every dwelling. In addition, hedgehog access holes are proposed within boundary treatments to create continuous hedgehog highways throughout the development. These measures accord with the requirements of the Biodiversity Framework Plan and will contribute positively to the site's overall ecological value.

Planning Policy / NDS

Outline planning permission has already been granted for the development. While it is acknowledged that the site lies outside the defined village settlement boundary, in granting the outline planning permission, there is no ability for a RM application to revisit the earlier conclusions of the inspector at outline stage. The Inspector has determined that the development would accord with the relevant policies of the Neighbourhood Development Plan (NDP), thereby justifying the grant of outline consent.

Highway safety

The point of access to the site reflects that shown and approved by the outline planning permission. The safety of the point of access matters were fully assessed by the Inspector at the outline approval stage, including the suitability of the proposed access arrangements and the Council's Highway Officer has again reiterated their no objections to the access in response to this reserved matters application. Whilst the concerns of the third parties are understood, there is no evidence or reason to reach a different conclusion to that of the earlier Inspector and the Council's Highway Officer.

Although not relevant to the determination of this reserved matters application, it is understood that a separate agreement under s278 of the Highways Act has been secured with the Council acting as the Highways Authority. This agreement ensures improvements to the existing public highway are funded and delivered by the applicants.

Conservation / heritage/ design concerns

The Planning Inspector clearly concluded that the proposals would result in a *minimal to low level* of impact on designated heritage assets, including the adjacent conservation area to the west. Furthermore, the design and layout of the development have been reviewed and accepted by the Council's Urban Design, Landscape, and Conservation Officers, whilst 1 concern remains, this has been addressed in the report and considered acceptable i.e. impact of proposals to the setting of the listed building. The scheme is considered to accord with the relevant adopted policies and design guidelines.

Street lighting impact on nearby houses

Street lighting for the development is proposed in accordance with Wiltshire Council's technical specifications and requirements. The applicant has also submitted a discharge of condition application (ref. PL/2025/09737), relating to a condition imposed at the outline approval stage. This submission is currently pending consideration by the Council.

Type of housing

The number of dwellings has already been established through the grant of outline planning permission, and a Section 106 agreement has been completed securing the required level of affordable housing provision. Given that the affordable housing requirement is fixed through the secured Section 106 agreement. The Council's Housing Enabling Officer raises no objection to the proposed housing mix i.e. lack of bungalows vs. larger 2-storey dwellings.

Materials

All external materials have been reviewed and agreed by the Council's Urban Design and Conservation Officers. The palette is considered sympathetic to the distinctive character of Sutton Benger and the adjacent conservation area. This includes appropriate cills, stone boundary walls, and external building finishes that reflect and reinforce the established village character.

CONCLUSION

It is concluded that the submitted Reserved Matters application accords with the approved outline permission, the associated design codes, and the relevant planning conditions imposed at the outline stage.

While it is acknowledged that some local concerns and residual consultee comments remain, the submitted details are considered acceptable. Although certain elements of the scheme could have been refined further, the proposals, subject to appropriate conditions, comply with the development plan and relevant local and national guidance.

Accordingly, it is recommended that the Reserved Matters application be approved, subject to conditions securing the final design details and their implementation.

RECOMMENDATION: That the Reserved Matters be APPROVED subject to the following conditions:

Approved Plans

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

- 550.100 B – Planning Layout
- 550.101 – Site Location Plan
- 550.102 C – Materials Key Plan
- 550.103 B – Boundary Treatment Plan
- 550.104 A – Boundary Treatment Details
- 550.105 B – Affordable Housing Plan
- 550.106 C – Bin Storage and Collection Plan
- 550.107 C – Parking, Cycle Storage and EV Plan
- 550.110 B – Street Scenes
- 550.150 B – Site Section A-A, B-B & C-C
- 550.001-1 B – Barmouth Housetype
- 550.002-1 B - Benllech Housetype
- 550.003-1 A - Blyth Housetype
- 550.004-1 – Broadhaven Housetype
- 550.004-2 A - Broadhaven Housetype
- 550.005-1 A - Chopwell Housetype
- 550.006-1 A – Eskdale Housetype
- 550.006-2 A – Eskdale & Blyth Housetype
- 550.006-3 A - Eskdale & Blyth Housetype
- 550.007-1 B – Hastings Housetype
- 550.008-1 B - Hollicombe Housetype
- 550.009-1 B - Seacombe Housetype
- 550.009-2 B - Seacombe Housetype
- 550.010-1 B - Lancombe Housetype
- 550.011-1 A - Rockcliffe Housetype
- 550.012-1 A – 2b Maisonette Housetype

- 550.013-1 A - Alnmouth Housetype
- 550.014-1 B - Haldon Housetype
- 550.015-1 A - Danbury Housetype
- 550.016-1 B – Rendlesham Housetype
- 550.017-1 A – Ennerdale Housetype
- 550.018-1 A – Birkdale Housetype
- 550.020-1 – Single Garage
- 550.021-1 – Double Garage
- 550.022-1 – Triple Garage
- P25-2384-PEG-XX-XX-DR-C-0120 P3 – General Arrangement Plan
- P25-2384-PEG-XX-XX-DR-C-0160 P5 – Road Construction Details
- P25-2384-PEG-XX-XX-DR-C-0220-P4 – Kerbing and Surfacing Plan
- P25-2384-PEG-XX-XX-DR-C-0250-P4 – Refuse Vehicle Tracking
- P25-2384-PEG-XX-XX-DR-C-0260 P3 – Fire Tender Tracking
- GL2566 SP 01 – Landscape Specification
- GL2566 LP 01C – Landscape Plan Sheet 1 of 2
- GL2566 LP 02C – Landscape Plan Sheet 2 of 2
- GL2566 LP 03C – LEAP Layout Plan
- GL2566 LP 04B – Allotment Landscape Plan

Sample Panels

No development shall commence on site above slab level until a sample wall panel for render and stone work, not less than 1 metre square for each material, has been constructed on site, inspected and approved in writing by the Local Planning Authority. The panel shall then be left in position for comparison whilst the development is carried out. Development shall be carried out in accordance with the approved sample.

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

Cycle and domestic storage sheds

Notwithstanding the details shown on the submitted plans and forms, no development hereby approved shall be first occupied until details of the cycle and storage sheds 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 residential amenity and the character and appearance of the area.

Cycle Parking

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

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

Vehicle parking

No part of the development hereby permitted shall be first occupied until the access &/or turning areas &/or parking spaces associated with the occupied part of the development have been completed in accordance with the details shown on the approved plans (drawing number 550.107 C – Parking, Cycle Storage and EV Plan). 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.

Visitor parking

Prior to first occupation of the development site the dedicated visitor parking bays associated with the occupied part of the development shall be completed and marked in accordance with the approved plans (drawing number 550.107 C – Parking, Cycle Storage and EV Plan). The visitor parking bays shall thereafter be maintained free for the parking of visitors, shall not be obstructed by the storage of materials and shall not be allocated for the parking of any individual dwelling.

REASON: In the interests of highway safety and to ensure sufficient parking provision is provided in accordance with Core Policy 61, 62 and 64.

Internal Road Layout

Prior to first occupation the internal carriageways and any associated footways alongside the dwellings hereby permitted, shall have been provided to base course surfacing level.

REASON: In the interests of safe and convenient access to the development.

Footpaths

Prior to commencement of development, full construction and design details of the footway links to the High Street to the south of the site shall be submitted to and approved by the Local Planning Authority. Prior to first occupation the footway provisions hereby approved shall be completed in all respects in accordance with the approved details.

REASON: In the interests of improving pedestrian accessibility to and from the development in compliance with Wiltshire Core Strategy Policies 60, 61 and 62.

Maintenance Company

The development hereby permitted shall not be first occupied until a scheme for the future maintenance of the roads and other communal areas has been submitted to, and approved in writing by, the Local Planning Authority.

REASON: To ensure that satisfactory arrangements for the future maintenance of those areas are in place.

Locally Equipped Area for Play (LEAP)

Prior to installation LEAP as agreed through the S106, a detailed plan of the Play area surfacing should be submitted to and approved in writing by the Local Planning Authority. The LEAP shall thereafter be laid out in accordance with the approved details and retained and maintained for the lifetime of the development.

REASON: To ensure the provision of a satisfactory area of equipped play for future occupiers in the interests of residential amenity and to ensure compliance with Core Policy 57 of the Wiltshire Core Strategy.

Bin Collection Points

The development hereby approved must comply with the Council's Waste storage and collection; guidance for developers Supplementary Planning Document with regard to walking distances to bin presentation areas: 25m for residents and 10m for collection operatives.

REASON: In the interests of confirming that the development can be properly serviced with waste collection.

Hard Surfacing

Notwithstanding the details shown on the submitted plans and forms, the development hereby approved shall not be first occupied until details of the materials, including colour and bond proposed for all road, cycle, pedestrian and access paths and drives 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.

Landscaping maintenance

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

Private rear garden landscaping

Prior to completion to slab level; notwithstanding the details shown on the submitted plans and forms, no development hereby approved shall be first occupied unless full details of landscaping within private gardens 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.

ASHP

Any air source heat pump to be installed on the approved development shall be installed and operated in full accordance with the Microgeneration Certification Scheme (MCS) 020 a) compliance standard, including adherence to the revised sound calculation methodology, cumulative noise assessment for multiple units, and any acoustic mitigation measures required to meet the standard, unless full details are submitted to and approved by the Local Planning Authority.

REASON: In the interest of protecting residential amenity from noise impacts, in accordance with Wiltshire Core Strategy Policy CP57 and Paragraph 187 of the National Planning Policy Framework.

INFORMATIVES

Section 38 agreement

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

Waste Collection

The Council will seek to secure an indemnity against any future damage to an unadopted road or drive within the approved scheme as a result of use of said road/drive by the Council's refuse collection vehicles and operatives in the collection of waste.

Root Protection

Any works within the Root Protection Area of trees subject to the Tree Preservation Order, immediately adjacent to the existing access must be undertaken with the oversight of the Council's Arboricultural officer.

PRoW Access

No construction / demolition vehicle access may be taken along [SBEN18] without prior consultation with the Wiltshire Council Rights of Way Warden. Where appropriate any safety/mitigation/reinstatement measures must be approved by the Wiltshire Council Rights of Way Warden.

PRoW Storage of Materials

No materials, plant, temporary structures or excavations of any kind should be deposited / undertaken which obstruct or adversely affect the public right of way whilst development takes place.