



DEVON &
CORNWALL
PLANNING
CONSULTANTS

Ryan Nicholls

Land at Seagry Hill,
Sutton Benger,
Chippenham,
SN15 4SA

Planning Statement

Job Reference: Land at Seagry Hill, Sutton Benger
Revision: Final
Issue Date: 12/10/2026



louis@dcplanningconsultants.co.uk

Devon & Cornwall Planning Consultants is a limited company registered in England and Wales.

Registered number: 13477424

1. Introduction	2
2. Site Location and Description	3
3. Relevant Planning History	10
4. Relevant Legislation, Planning Policies and Guidance	11
Sutton Benger and Draycot Cerne Neighbourhood Development Plan 2020-2035	12
National Planning Policy Framework (Framework)	12
Planning Practice Guidance	14
5. Assessment	15
Provision of Housing	15
Location	20
Limited Infilling	20
Sustainable Location	21
Open Countryside	21
Sustainable Means of Travel	22
Land Use	25
Amount	25
Planning Balance	27
Appendix 1	28
Appendix 2	41

© 2026 Devon & Cornwall Planning Consultants Ltd. All Rights Reserved.

This document has been prepared by Devon & Cornwall Planning Consultants Ltd for sole use of our client (the "Client") in accordance with generally accepted consultancy principles, the budget for fees and the terms of reference agreed between Devon & Cornwall Planning Consultants Ltd and the Client. No third party may rely upon this document without the prior and express written agreement of Devon & Cornwall Planning Consultants Ltd.

1. Introduction

- 1.1. This Planning Statement (statement) has been prepared in support of a Permission in Principle (PiP) application submitted to Wiltshire Council for:

“Permission in principle for up to 3 dwellings”

- 1.2. This statement should be read in conjunction with the following supporting information:

- Application form;
- Planning Statement (this Statement);
- Plans and Drawings;
 - Site Location Plan

- 1.3. This statement provides a comprehensive, yet proportionate assessment of the material planning considerations associated with the proposed development. A full review against the adopted Development Plan, National Planning Policy Framework, relevant legislation, case law and guidance is offered before reaching a conclusion in regard to the planning balance.

2. Site Location and Description

- 2.1. The application site, for the purposes of this application, comprises the site known as “Land at Seagry Hill, Sutton Benger, Nr Chippenham, SN15 4SA”. For clarity the “site” is taken to be the land identified in red in Figure 1 below.

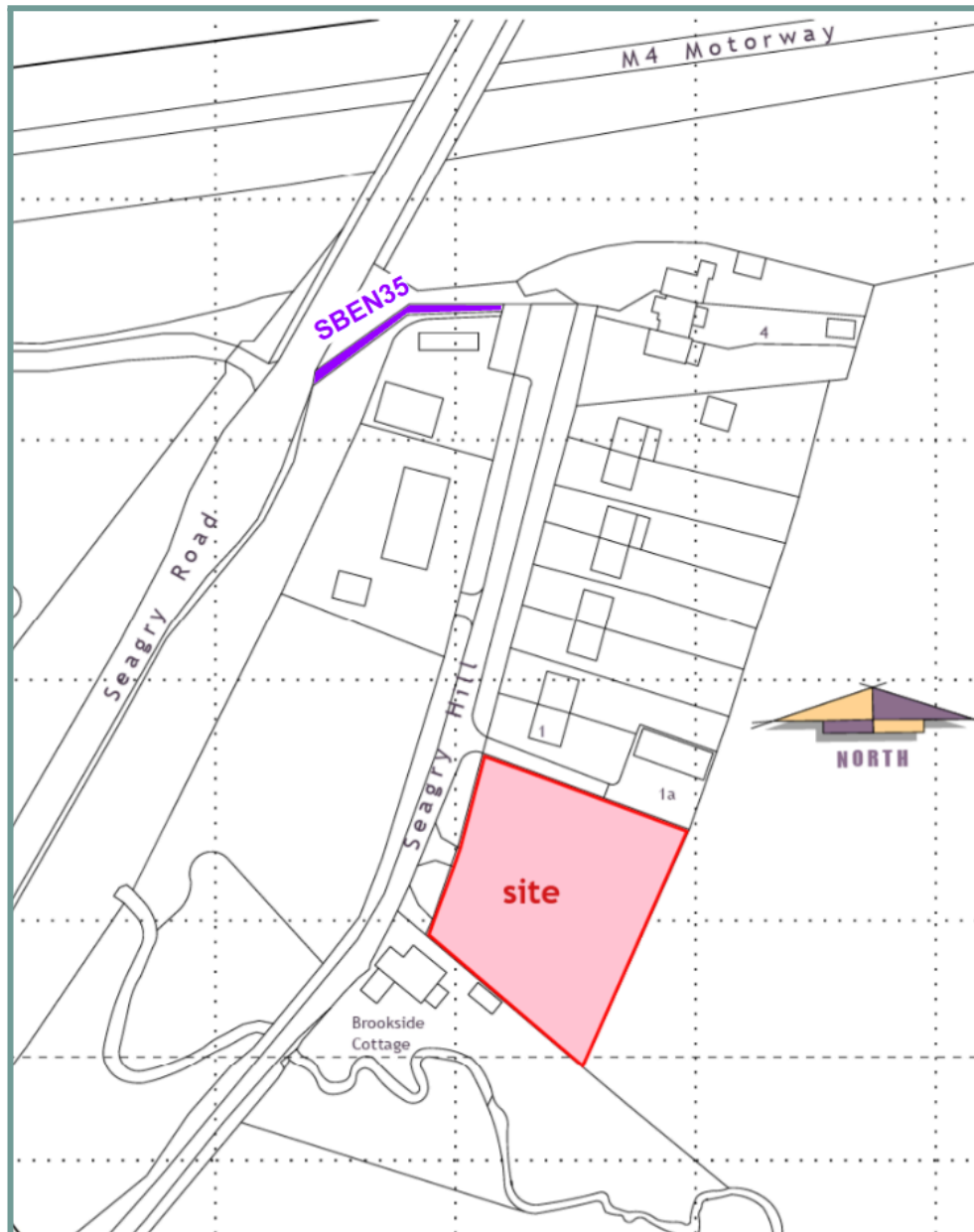


Figure 1: Site Location

- 2.2. The site is located circa 640m from the Sutton Benger settlement boundary. However, when accessed via the SBEN12 Public Right of Way (PRoW), the distance is reduced to approximately 520m.

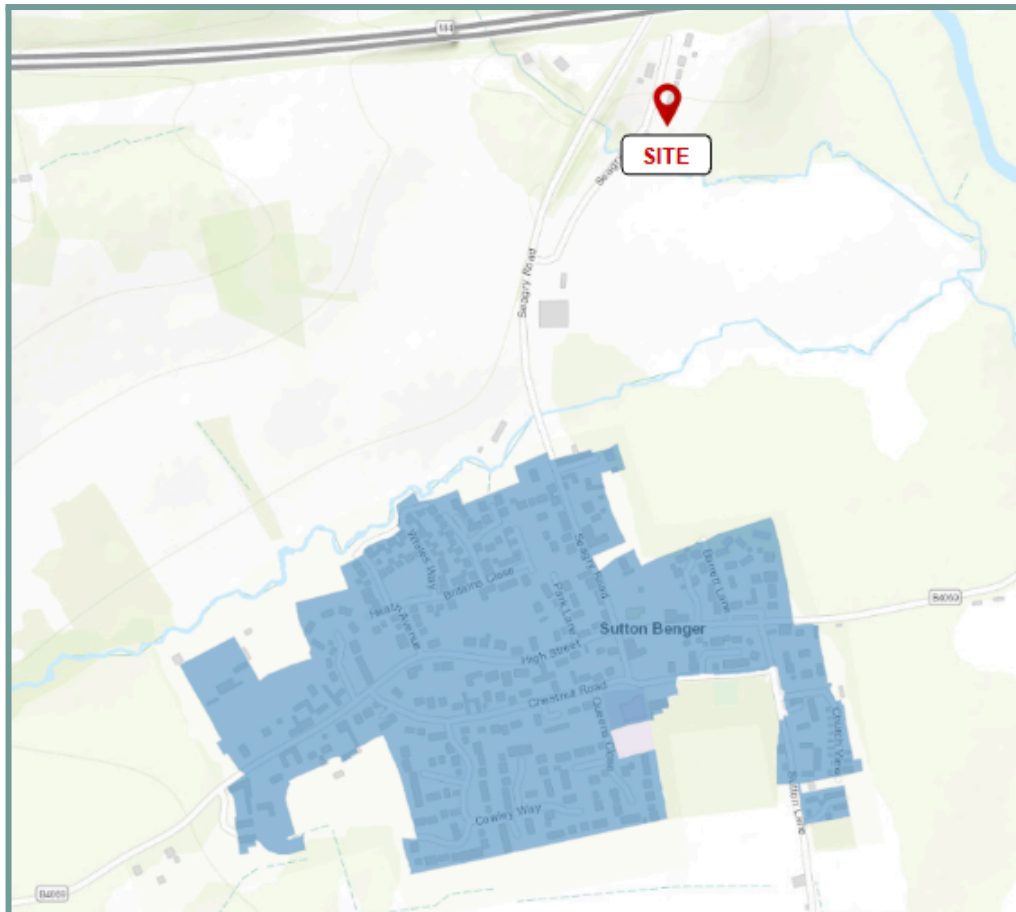


Figure 2: Site Location in proximity to the Sutton Benger Settlement Boundary

- 2.3. The site is located to the north-east of the SBEN12 PRoW, which provides a pedestrian route from Seagry Hill, north of Church Farm, to Seagry Road, where it emerges at the 30mph speed limit at the northern edge of the Sutton Benger Settlement Boundary.
- 2.4. Furthermore, the site is South of SBEN35 which provides a through-route to the Seagry Road bus stop, reducing commuting time significantly, while offering a safe and convenient pedestrian route.

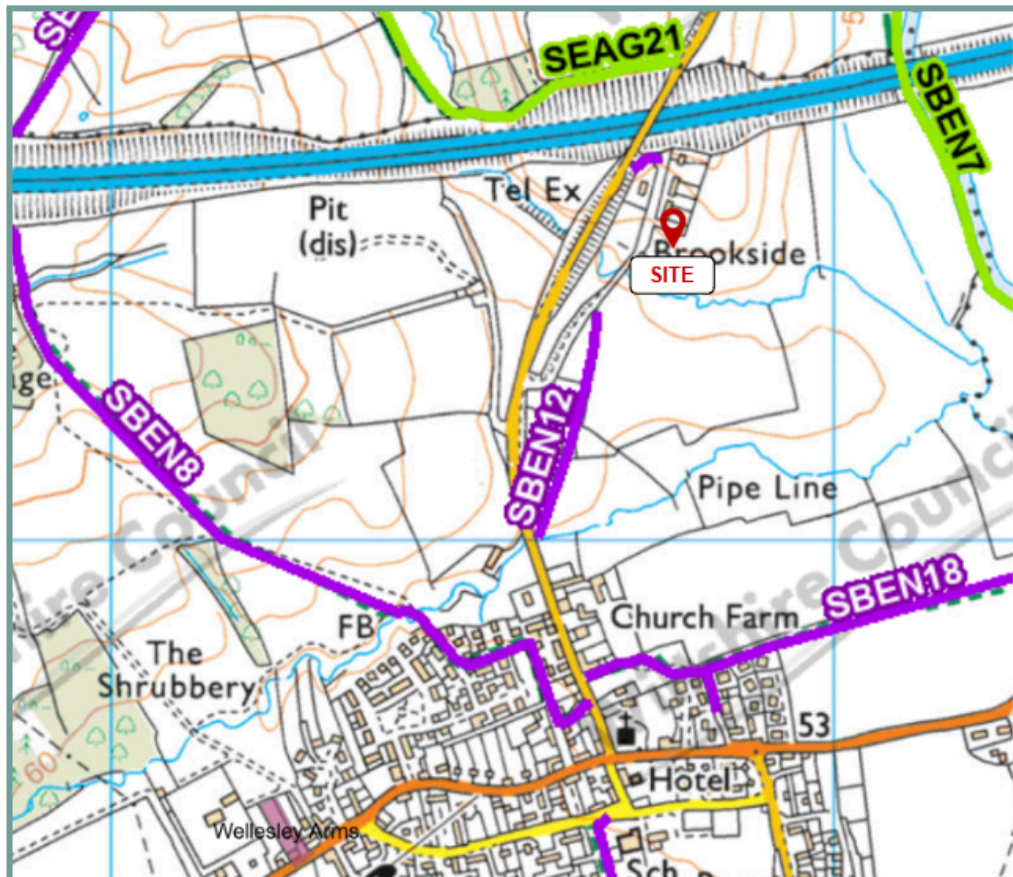


Figure 3: PRoW Map, showing the site in proximity to SBEN12 (South) and SBEN35 (North)



Figure 4: SBEN12 PRoW and the 30mph speed limit marking the northern entrance to Sutton Benger



Figure 5: SBEN35 PRoW linking Seagry Road Bus Stop to Seagry Hill.

- 2.5. Alternatively, Sutton Benger, and the Seagry Road bus stop can be accessed via the virtual footpath along Seagry Road, as illustrated in Figures 6 and 7.

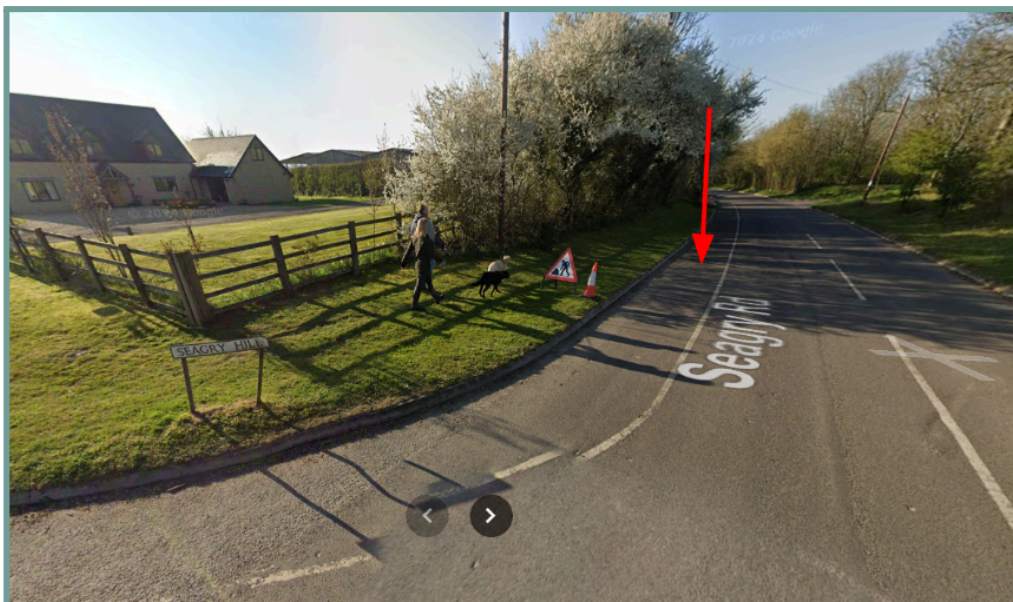


Figure 6: Virtual Footpath (evidently used by pedestrians) emerging from Seagry Hill onto Seagry Road



Figure 7: Virtual Footpath on the approach to Sutton Benger

- 2.6. The proposals seek to provide up to three dwellings on an infill 'plot' adjacent to Brookside Cottage, and 1a and 1 Seagry Hill.



Figure 8: Infill 'plot' North of Brookside Cottage

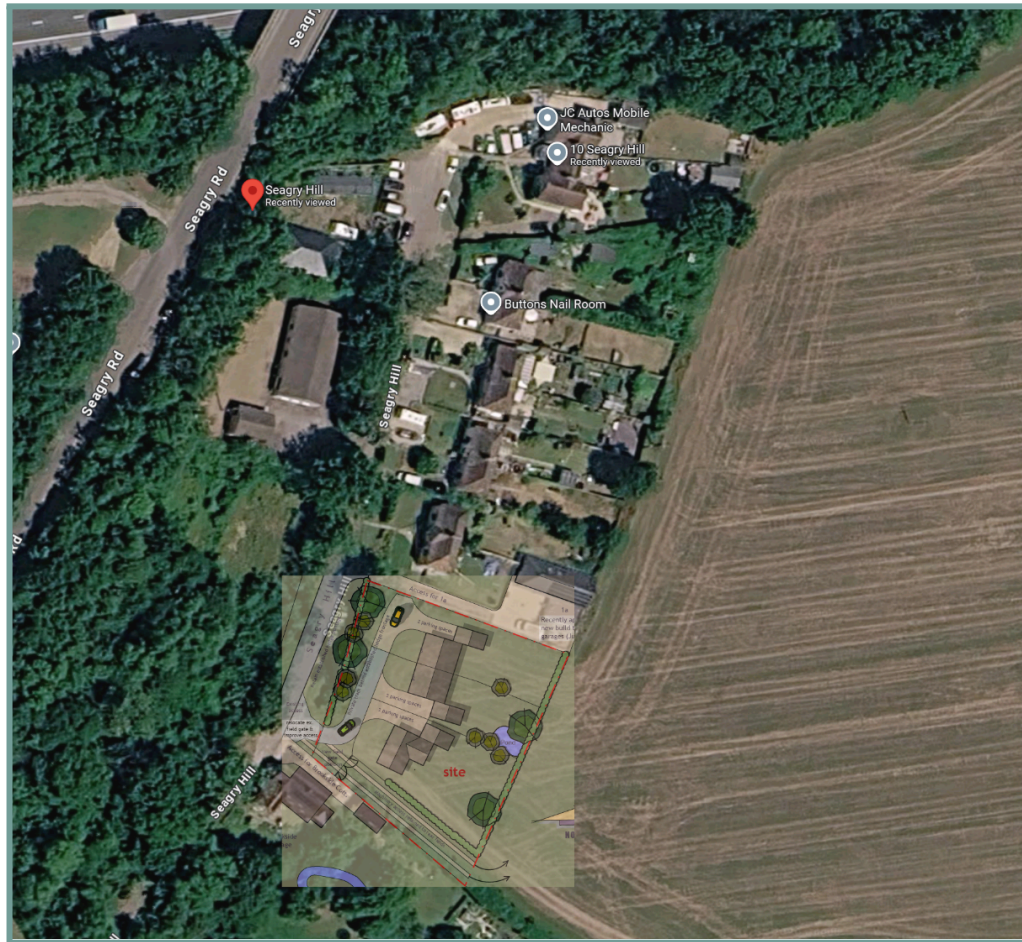


Figure 9: Indicative site plan, overlaid onto Google Earth imagery, illustrating how limited infilling within the existing group of homes could be achieved with up to three dwellings.

- 2.7. Existing vehicular access is available to the site via Seagry Hill, with the existing roadside landscape screening to be retained.
- 2.8. The site is characterised by residential uses to the immediate north and south. It is situated within a group of approximately 14 houses, a telephone exchange, and Royal Mail postbox.
- 2.9. Furthermore, the site is also located within a 2 minutes walking distance of the Seagry Road Bus Stop (utilising SBEN35), which is served by the 91 bus service from Chippenham to Little Somerford, with services approximately every 1 ½ hours on a weekday, and every 2-3 hours on a Saturday.



Figure 10: Walking distance to the Seagry Road bus stop

- 2.10. The site is located within Flood Zone 1, the area least at risk of flooding, and does not fall within a Critical Drainage Area.
- 2.11. The site is not within any designated areas.
- 2.12. Accordingly, under the updated Framework, there are no national decision-making policies that would otherwise provide a strong reason for refusing the proposals in the first instance. This includes the “should be refused” provisions of policy TC3(4) (Town Centres), M5(1) and (2) (Peat, Coal/Onshore Oil and Gas), L3(4) (Density), DP3(3) (Design), TR6(4) (Transport), HC5(1) (Hot Food Takeaway), F6(1)(a) and F7(2) (Flooding), N2(2) (Biodiversity), N4(2) (Major Development Protecting the Landscape), N6(1)(a) (Habitat Sites), N6(2) (Irreplaceable Habitats), and HE6(5) (Heritage) of the Framework.
- 2.13. Notwithstanding the above, the scope of a Permission in Principle (PiP) is limited to the **location**, **land use** and **amount** of development proposed. Detailed design considerations and the full assessment of impacts are matters to be considered at the Technical Details Consent (TDC) stage.

3. Relevant Planning History

- 3.1. The site itself has a relatively short planning history, as follows:

PL/2026/02798 - Permission in principle for one dwelling (self build) - Refused 18/9/2026

- 3.2. Application PL/2026/02798 sought Permission in Principle (PiP) for one detached dwelling on land between Brookside Cottage, and 1a and 1 Seagry Hill, utilising the same site location as the current proposal, albeit without reliance upon the existing access.
- 3.3. The PiP application was refused on the basis that the site represents an 'unsustainable location' within the 'open countryside', with the proposal considered to constitute 'isolated development' that does not meet any of the exceptions set out within the development plan or the Framework.
- 3.4. However, the Planning Officer Report appears to have overlooked the adjacent Public Rights of Way (PRoWs), which provide a more direct, safer, and sustainable pedestrian connection towards Sutton Benger, as well as the nearby bus stop on Seagry Road.
- 3.5. The LPA also failed to recognise the significant benefits of delivering a self-build dwelling at a time when the LPA cannot demonstrate a five-year housing land supply or a sufficient supply of self-build and custom-build housing plots.
- 3.6. In addition, the LPA did not highlight the inconsistencies between the Local Development Plan and the Framework, resulting in inappropriate weight being attributed to policies relating to housing supply and infill development, which should be afforded very limited weight.
- 3.7. Notwithstanding the above, there is no other available planning history for the site itself.

4. Relevant Legislation, Planning Policies and Guidance

Wiltshire Local Development Plan

- 4.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act 1990 requires planning applications to be determined in accordance with the provisions of the Development Plan unless material considerations indicate otherwise.
- 4.2. In this instance the Wiltshire Local Development Plan, comprising the Wiltshire Core Strategy, Chippenham Site Allocations Plan, Wiltshire Housing Site Allocations Plan, and adopted Minerals and Waste plans, provides the adopted Development Plan.

Wiltshire Core Strategy 2015 (WCS)

- Core Policy 1 Settlement strategy
- Core Policy 2 Delivery strategy
- Core Policy 10 Spatial Strategy: Chippenham Community Area
- Core Policy 45 Meeting Wiltshire's housing needs
- Core Policy 50 Biodiversity and Geodiversity
- Core Policy 51 Landscape
- Core Policy 57 Ensuring high quality design and place shaping
- Core Policy 60 Sustainable transport
- Core Policy 61 Transport and new development
- Core Policy 62 Development impacts on the transport network
- Core Policy 64 Demand management
- Core Policy 67 Flood Risk

Chippenham Site Allocations Plan and Wiltshire Housing Site Allocations Plan

- The site remains unallocated within the Chippenham Site Allocations Plan and Wiltshire Housing Site Allocations Plan

North Wiltshire Local Plan 2011

- Saved Policy H4 'Residential Development in the Open Countryside'

Sutton Benger and Draycot Cerne Neighbourhood Development Plan 2020-2035

- 4.3. The Sutton Benger and Draycot Cerne Neighbourhood Development Plan (NDP) was formally adopted by the LPA on 5 November 2024, and therefore forms part of the Development Plan.
- 4.4. As such, the following policies are considered relevant to the proposals:
- Policy SB2 - Landscape - maintaining the separation of settlements
 - Policy SB10 - Infill Development
 - POLICY SB13 - New Development and Highway Implications

National Planning Policy Framework (Framework)

- 4.5. The revised Framework, last updated in August 2026, sets out the national policies for plan-making and decision-making in England.
- 4.6. The Framework is clear that in both contexts, the policies are a material consideration of critical importance. Notwithstanding this, the national decision-making policies should be read alongside the policies set out in the development plan.
- 4.7. The Framework continues to promote a presumption in favour of sustainable development. It identifies three facets of sustainable development: economic, social and environmental, noting that they are interdependent and need to be pursued mutually. These objectives should be delivered through the implementation of development plans and the application of National policies set out within the Framework.
- 4.8. **Section 3 (Decision-making policies)** provides a framework for the decision making process, and is clear that planning applications must be decided in a way which is proportionate, timely and effective.

- 4.9. *Policy DM3: Determining development proposals*, states that Local Planning Authorities should approach decision making in a positive, proactive, creative, and proportionate manner.
- 4.10. **Section 4 (Achieving sustainable development)** sets out the policies to meet development needs through sustainable patterns of development, including the promotion of development within settlements.
- 4.11. *Policy S3: Presumption in favour of sustainable development*, states that decisions on development proposals should apply a presumption in favour of sustainable development. The policy highlights how this presumption should be applied to proposals both within settlements and outside of settlements. It is clear that in all locations, proposals that accord with the development plan and national decision-making policies should be approved without delay.
- 4.12. *Policy S5: Principle of development outside settlements*, confirms that proposals meeting the relevant criteria (such as included limited infilling within a group of homes) should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework.
- 4.13. Thus, decision-makers at every level should seek to approve applications for sustainable development where possible.
- 4.14. For completeness, the following national planning policies are considered relevant to the proposal:
- DM1: Preparing development proposals;
 - DM2: Information requirements;
 - DM3: Determining development proposals;
 - DM6: Use of planning conditions and obligations;
 - S3: Presumption in favour of sustainable development;
 - S5: Principle of development outside settlements;
 - S6: Neighbourhood plans and the presumption;
 - HO7: Meeting the need for homes;
 - HO11: Isolated homes in the countryside;
 - L3: Achieving appropriate densities;
 - DP3: Key principles for well-designed places;
 - TR3: Locating development in sustainable locations;
 - TR4: Street design, access and parking;
 - TR6: Assessing transport impacts;

- P3: Living conditions and pollution;
- N2: Improving the natural environment;

Planning Practice Guidance

- 4.15. Planning Practice Guidance (PPG) offers clarity on how an application for Permission in Principle should be considered:

*“The scope of permission in principle is limited to **location, land use and amount of development**. Issues relevant to these ‘in principle’ matters should be considered at the permission in principle stage. Other matters should be considered at the technical details consent stage. In addition, local authorities cannot list the information they require for applications for permission in principle in the same way they can for applications for planning permission” (Paragraph: 012 Reference ID: 58-012-20180615).*

- 4.16. Accordingly, the LPA is respectfully requested to consider this application in terms of location, land use and amount only.

5. Assessment

- 5.1. This is an application for permission in principle (PiP). The PiP consent route is an alternative way of obtaining in principle support for housing-led development which separates the consideration of matters of principle for proposed development from the technical detail of the development. The PiP consent route has 2 stages: the first stage (or PiP stage) establishes whether a site is suitable in principle and the second ('technical details consent (TDC)') stage is when the detailed development proposals are assessed.
- 5.2. The scope of PiP is limited to location, land use and the amount of development as set out at paragraph 2.13, 4.15 and 4.16 above.
- 5.3. The following assessment will consider the relevant adopted Development Plan policies, the Framework and the below key planning considerations before reaching a balanced conclusion in relation to the acceptability of the proposals. The only considerations in this instance are:
- Location;
 - Land Use;
 - Amount.
- 5.4. However, it is important to first establish the context in which this application must be assessed.

Provision of Housing

- 5.5. The Wiltshire Core Strategy (WCS) at *Core Policy 2: Delivery strategy*, sets out the housing strategy for the Wiltshire Local Plan (WLP) area. Housing targets are for at least 42,000 dwellings to be delivered in the WLP Area during the plan period between 2006 and 2026. Within the North and West Wiltshire HMA this equates to at least 24,740 new homes.
- 5.6. *Core Policy 10 Spatial Strategy: Chippenham Community Area*, states that approximately 5,090 new homes will be provided within the plan period between 2006 - 2026, with at least 4,510 occurring at Chippenham (leaving 580 within the Chippenham remainder area).
- 5.7. With the site falling within the North and West Wiltshire HMA and Chippenham remainder area, the provision of three additional dwellings

would contribute towards this target and should be given weight in the planning balance.

- 5.8. *Core Policy 45: Meeting Wiltshire's housing needs*, encourages a mix of housing types, tenures, and sizes. Notwithstanding this, Table 1 below demonstrates that Wiltshire Council has failed to meet its statutory duty to provide for self-build and custom plots since 2020. This represents a sustained shortfall in the delivery of suitable plots to meet an identified housing need.
- 5.9. In this context, the delivery of up to 3 self build dwellings would go some way towards meeting Wiltshire's statutory requirement to provide for self-build housing. Accordingly, substantial weight must be attributed to this benefit in the planning balance.

Wiltshire Council self and custom build monitoring				
Base Period	Applicants on the Register	Plots granted permission	Demand Met?	Supply period finished?
Base 1 (August 2015 to 30/10/16)	36	36	Yes	Yes
Base 2 (31/10/16 to 30/10/17)	50	42	Yes	Yes
Base 3 (31/10/17 to 30/10/18)	55	39	Yes	Yes
Base 4 (31/10/18 to 30/10/19)	89	51	Yes	Yes
Base 5 (31/10/19 to 30/10/20)	66	28	Yes	Yes
Base 6 (31/10/20 to 30/10/21)	154	50	No	Yes
Base 7 (31/10/21 to 30/10/22)	338	41	No	Yes
Base 8 (31/10/22 to 30/10/23)	68	39	No	No
Base 9 (31/10/23 to 30/10/24)	54	78	No	No
Base 10 (31/10/24 to 30/10/25)	63	28	No	No

Table 2: Wiltshire Council Self and Custom Build Delivery vs Demand¹

- 5.10. The proposal therefore complies with Core Policies 2, 10 and 45 of the WCS by enabling the delivery of three homes, which attracts substantial weight in the planning balance, and is therefore compliant in principle with the Development Plan and National Decision-Making Policies S5(1)(e) and S5(1)(j)(i) of the Framework.

¹ <https://www.wiltshire.gov.uk/article/1084/Monitoring-and-evidence>

- 5.11. In addition to the Development Plan, the LPA will be aware of the previously updated Framework in December 2024, which introduced changes aimed at achieving the Government's aims of increasing economic growth and building 1.5 million new homes. The updated Framework was accompanied by new housing targets for LPAs and a new standard housing method. The housing need for Wiltshire calculated under the previous method was 1,917 homes per year. Under the new method this has increased to 3,525 (+84% increase).
- 5.12. The 'Wiltshire Council Housing Land Supply Statement' dated June 2026 illustrates that housing delivery in the WLP area has been significantly below the new target of 3,525 since it came into effect. In fact, since 2019/2020 housing delivery has also been below the previous target of 1,917 as well (except 2020/2021 and 2022/2023). Table 2 and Figure 11 shows the total net completions from the adopted WLP plan base date (2006) by year.

Housing Requirement	Area	Annualised housing requirement	2006/07	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16	...continues below...
WCS 2006-2026	East Wiltshire HMA	297	335	597	402	247	438	248	182	260	267	177	
	North and West Wiltshire HMA	1,237	1,365	1,609	999	926	1,219	1,028	1,039	1,517	1,139	915	
	South Wiltshire HMA	521	371	456	484	484	398	446	456	429	547	523	
	Wiltshire*	2,100	2,071	2,662	1,885	1,657	2,077	1,779	1,725	2,249	2,118	1,746	
Housing Requirement	Area	Annualised housing requirement	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	Average annual completions across plan period	% of annualised requirement achieved
WCS 2006-2026	East Wiltshire HMA	297	471	415	382	262	180	274	276	156	141	301	101%
	North and West Wiltshire HMA	1,237	1,269	1,186	1,349	1,008	1,425	1,133	1,341	1,208	816	1,184	96%
	South Wiltshire HMA	521	794	676	828	529	321	455	808	425	263	510	98%
	Wiltshire*	2,100	2,690	2,428	2,682	1,799	1,926	1,862	2,425	1,825	1,220	2,044	97%

* Values in this row may not sum from the HMA figures due to completions on sites at the West of Swindon.

Table 2: Net Housing Completions

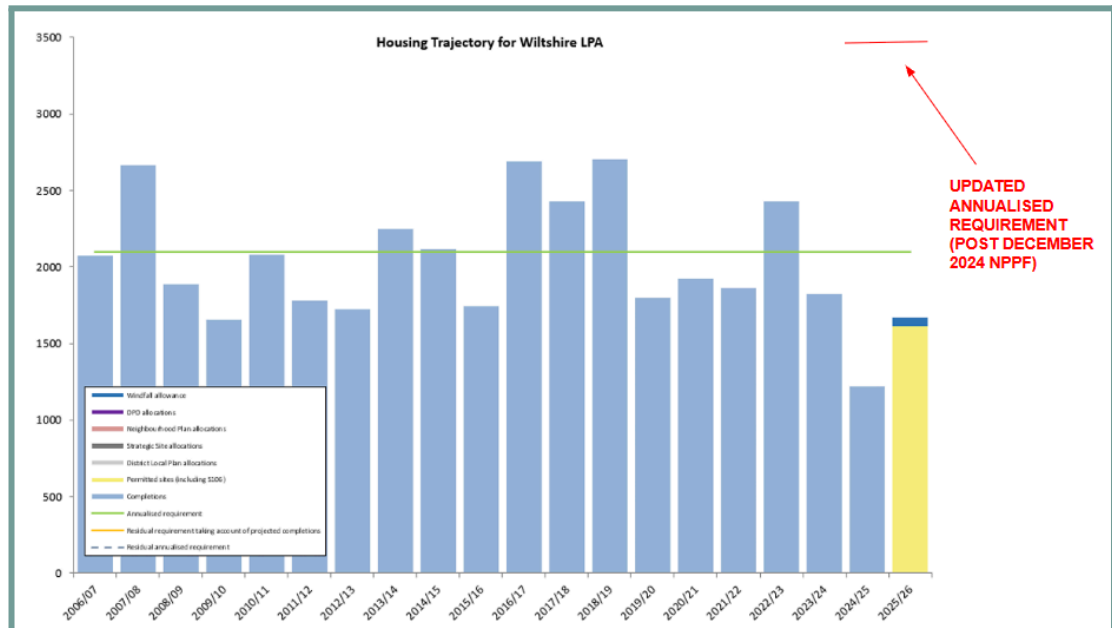


Figure 11: Net Housing Completions and Trajectory (Adapted to show the revised annualised requirements)

- 5.13. The LPA can now only demonstrate 2.03 years of housing land supply².
- 5.14. Given this shortfall, it is not expected at this time that housing supply will be able to increase at the rates which are required, meaning support will need to be given to housing proposals which comply with the presumption in favour of sustainable development.
- 5.15. Policy S5(1) (J) (i) of the Framework is therefore of particular relevance and confirms that LPAs should approve development outside settlements where the proposal includes:

“Development which would address an evidenced unmet need (including, but not limited to, development proposals involving the provision of housing where the local planning authority cannot demonstrate a five year supply of deliverable housing sites or scores below 75% in the most recent Housing Delivery Test²⁷), and where the development would:

i. Be physically well-related to an existing settlement²⁸ (unless the nature of the development would make this inappropriate) and be of a scale which can be accommodated taking into account the existing or proposed availability of infrastructure” [DCPC Emphasis]

² Appeal Derived Figure (ref. 6001260)

- 5.16. Policy S5 is clear that such development should be approved, unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in the Framework.
- 5.17. Furthermore, *Policy HO7: Meeting the need for homes*, of the Framework states:
- “In applying the policies in this Framework, **substantial weight should be given to the benefits of providing homes which will contribute towards meeting the evidenced accommodation needs of the community**, as identified through needs assessments prepared for the area of the local planning authority and other relevant evidence. This includes, but is not limited to, homes needed for different groups assessed under policy HO1.”* [DCPC Emphasis]
- 5.18. In accordance with Policy S5(1)(j)(i) and Policy HO7 of the Framework, the proposal would address an evidenced unmet need for housing, including self-build and custom-build housing, at a time when the LPA cannot demonstrate a five-year supply of deliverable housing sites within the Plan Area and are not meeting their statutory duty to provide for self build/custom build plots. The benefit of doing so must be afforded substantial weight in the planning balance.
- 5.19. While the site was not considered previously to be ‘physically well-related’ to Seagry Hill by the LPA (under ref. PL/2026/02798 - Appendix 1), it is in fact well connected by the PRoWs identified in Section 2 above. Furthermore, the proposal for up to 3 dwellings is of a scale that can be accommodated within a limited infill plot, amongst an existing grouping of housing, further supporting compliance with Policy S5(1)(e) of the Framework.
- 5.20. A recent appeal decision at Paddock land adjoining 39a Stone Lane, Lydiard Millicent (ref. 6001260 - see Appendix 2), described the LPA’s 2.03 years of housing land supply as a ‘significant shortfall’ and confirmed that the national policy support in the overall planning balance should be afforded ‘significant weight’.
- 5.21. The delivery of 9 dwellings, in a location that is well related to the existing settlement by its built form (not adjoining the principal built form or being served by a continuous segregated footway), was attributed substantial

weight given the proposals contribute to meeting an identified housing need in adherence with policy HO7 of the Framework.

- 5.22. The fact that the WCS is silent on self-build accommodation triggers the presumption in favour of sustainable development.

Location

Limited Infilling

- 5.23. As set out above at paragraph 2.8, it is a matter of fact that the site forms part of an existing grouping of approximately 14 houses along Seagry Hill and comprises an 'infill plot', as shown in Figure 8.
- 5.24. The site is enclosed by residential properties to the north and south and Seagry Hill to the west, and is therefore substantially enclosed on three sides.
- 5.25. The proposals for up to 3 dwellings would follow the established built form, and reflect the existing pattern of residential development, as demonstrated above in Figure 9.
- 5.26. Paragraph 4.34. of the WCS states:
- "For the purposes of Core Policy 2, **infill is defined as the filling of a small gap within the village that is only large enough for not more than a few dwellings**, generally only one dwelling. Exceptions to this approach will only be considered through the neighbourhood plan process or DPDs". [DCPC Emphasis]*
- 5.27. The NDP does not introduce any exceptions to this approach, and simply states that within the built-up area of the villages (such as Sutton Benger) infill development will be supported.
- 5.28. Both the Core Policy 2 Delivery Strategy of the WCS and Policy SB10 of the NDP state that infill development will be supported only within the built-up area of the Small Villages.
- 5.29. Accordingly, the LPA recently concluded on the application site that "the proposals would not constitute infill development as it is not within the defined village boundary of Sutton Benger as defined by the Wiltshire Core Strategy" (Page 8, PL/2026/02798 POR).

- 5.30. Whilst this conclusion is correct in the context of the WCS and NDP, it does not consider Policy S5(1)(e) of the Framework which expressly supports development **outside of settlements** where it comprises:

“limited infilling within groups of houses”.

- 5.31. Thus, there is a clear inconsistency between the definition and application of ‘infill’ within the WCS/NDP and that contained within the Framework. The former restricts infill to the built-up area of a defined settlement, whereas Policy S5(1)(e) expressly provides for limited infilling within groups of houses outside settlements.

- 5.32. Accordingly, Annex A(2) of the Framework is engaged, which states:

“Development plan policies (or parts of those policies) which are materially inconsistent with national decision-making policies in this Framework should be given very limited weight. The only exception to this is where they have been examined and adopted or made against this Framework. Other development plan policies should not be given reduced weight simply because they were adopted prior to the publication of this Framework.”

- 5.33. In this instance, substantial weight should be afforded to Policy S5(1)(e) of the Framework, with the proposal complying with its provisions as the site comprises a small, enclosed gap within an established grouping of approximately 14 houses.

Sustainable Location

Open Countryside

- 5.34. It is a matter of fact that the site is located within the ‘open countryside’ in planning terms as it is located outside of the Sutton Benger; a ‘Large Village’ in Core Policy 1 of the WCS (see Figure 2 above).

- 5.35. Therefore, in accordance with Core Policy 2 Delivery Strategy of the WCS development will only be permitted whereby it accords with one of the following exception policies:

- Additional employment land (Core Policy 34)
- Military establishments (Core Policy 37)

- Development related to tourism (Core Policies 39 and 40)
- Rural exception sites (Core Policy 44)
- Specialist accommodation provision (Core Policies 46 and 47)
- Supporting rural life (Core Policy 48)

5.36. Furthermore *Saved Policy H4: Residential Development in the Open Countryside*, states:

New Dwellings in the Countryside outside the Framework Boundaries, as defined on the proposals map, will be permitted provided that:

i) It is in connection with the essential needs of agriculture or forestry or other rural based enterprise;

ii) It is a replacement for an existing dwelling where:

a. The residential use has not been abandoned; and

b. the existing dwelling is incapable of retention in its current state, is unsightly or is out of character with its surroundings and

c. the replacement dwelling is of a similar size and scale to the existing dwelling within the same curtilage.

5.37. While none of the above exceptions apply, and no justification has been provided on this matter within this Planning Statement, the Applicant again draws the LPA's attention to Policies S5(1)(e) and S5(1)(j)(i) of the Framework. These policies support limited infill within groups of houses and development that addresses an unmet housing need, and **should be afforded substantial weight** in the decision-making process. In contrast, the restrictive provisions of the WCS (Core Policy 1 and 2) and NDP (Policy H4) **should be afforded very limited weight** due to the inconsistencies with the national decision-making policies, in accordance with Annex A(2) of the Framework.

Sustainable Means of Travel

5.38. Thus, the applicant turns to the matter of whether the site can be considered to be well related to the existing settlement, and whether the site can be considered reasonably accessible by sustainable means of travel, such as walking, wheeling, cycling and public transport.

- 5.39. As noted above, the site lies within circa 520m (6 minute walk) from the northern edge of Sutton Benger when utilising PRow SBEN12, and lies within 2 minutes walking distance of the nearest bus stop on Seagry Road.
- 5.40. Sutton Benger benefits from a number services and facilities (all of which are will acceptable walking distances from the site) as follows:
- **La Flambé Restaurant** circa 650m (10 minute walk);
 - **Bell House Hotel** circa 800m (12 minute walk);
 - **All Saints' Church** circa 800m (12 minute walk);
 - **Sutton Benger C of E Primary School** circa 950m (13 minute walk);
 - **The Surgery** circa 965m (14 minute walk);
 - **Sutton Benger Village Hall** (a Multi-Use Games Area (MUGA), two tennis courts, and facilities for netball, hockey, basketball, cricket, table tennis and BMX cycling) circa 965m (14 minute walk);
 - **Sutton Benger Park & Recreation Grounds** circa 965m (14 minute walk);
 - **The Wellesley Arms** circa 1300m (18 minute walk).
- 5.41. These key services and facilities can be accessed on foot by future occupiers using the SBEN12 PRow and/or the virtual footpath connecting Seagry Hill to Seagry Road. Both routes emerge at the 30mph speed limit on the approach to the village, providing a safe pedestrian connection towards the village.
- 5.42. When using the SBEN12 PRow, pedestrians are required to walk along Seagry Hill for a short distance. However, this section of road is predominantly single track, lightly trafficked (serving circa 14 dwellings) and subject to low traffic speeds, with opportunities to step onto the adjoining verges where necessary.
- 5.43. When pedestrians get to the 30mph speed limit on the approach to the village they are also required to walk on the road for a short stretch (140m) before meeting pavement at Ash House. While this is not ideal, the length of this section is limited and, given the 30mph speed limit, its use by pedestrians would not give rise to adverse highway safety concerns.
- 5.44. Furthermore, as depicted in Figure 12 below, there has been only one recorded 'slight' incident on Seagry Road (not Seagry Hill) in the past 10 years. Notably, this occurred at a location that future occupiers would not need to use when accessing the village. This provides further evidence

that Seagry Road is suitable and safe for pedestrian use. Indeed, Figure 6 shows the route being used by dog walkers.



Figure 12: Crashmap Data 2015-2025

- 5.45. Hence, pedestrian access to/from the site would not give rise to a significant adverse impacts on the transport network, or on highway safety in line with *Policy TR3(1)(c)* of the Framework.
- 5.46. The site is clearly located within an acceptable walking distance of the settlements and its services/facilities, as set out in Manual for Streets and related guidance documents, as follows:
- **An acceptable walking time is 20 minutes (1.6 kilometers).** Paragraph 6.3.1. of the Department for Transport's Manual for Streets (2007) identifies a 20 minute walk (equivalent to 1.6km) as acceptable, provided the walking environment is appealing.
 - **Different journeys have different acceptable distances.** Table 3.2 of the Institute of Highways and Transportation (IHT) document

'Providing for Journeys on Foot' cites specific maximum distances for different purposes:

- **Commuting and school journeys:** 2km
- **Town centers:** 800m
- **Elsewhere:** 1.2km

- 5.47. In this instance, the site can be considered to be reasonably well-related to the existing settlement, benefiting from good pedestrian connectivity and access to a range of local facilities and services. The plainly proposal does not constitute 'isolated development'.
- 5.48. This is a matter that was not appropriately considered by the LPA in determining planning application ref. PL/2026/02798, with the available PRoWs, infill opportunities, and inconsistencies in the Local Development Plan and Framework not fully recognised.
- 5.49. The proposal is therefore plainly in accordance with Core Policies 61 and 62 of the WCS, Policy SB13 of the NDP, and Policies TR3 and TR4, and, importantly, Policy S5 of the Framework, which supports the principle of development outside settlements.

Land Use

- 5.50. As set out above, the proposed land use is compatible with the surrounding residential character and would constitute limited infilling within an established group of approximately 14 homes, which is supported in principle by the Framework.
- 5.51. The principle of residential development has previously been accepted by the LPA under ref. PL/2026/02798, albeit for a single dwelling.

Amount

- 5.52. The proposal for up to 3 dwellings represents a proportionate amount of development for the site.
- 5.53. The proposed amount of development would address the 'substantial gap' previously identified by the LPA in determining application ref. PL/2026/02798, by appropriately infilling the site, whilst remaining consistent with the established pattern of development in the area.

- 5.54. Whilst detailed design matters are not for determination at the Permission in Principle stage, the existing access would be utilised and the roadside landscape screening would also be retained, ensuring the site remains appropriately enclosed and visually contained.
- 5.55. In this regard the proposals are plainly in accordance with Policy SB2 - Landscape - maintaining the separation of settlements while importantly respecting the rural landscape setting.
- 5.56. The provision of up to 3 dwellings would also allow for appropriately sized self-build homes in accordance with the Nationally Described Space Standard at the subsequent Technical Details Consent stage.
- 5.57. In combination, the delivery of up to 3 dwellings constitutes 'limited' infilling within an established group of houses and would not, in principle, give rise to any adverse effects that would substantially outweigh the benefits of the proposals, in accordance with policy S5 of the Framework.

Significant Benefits

- 5.58. In this instance the proposals are considered to result in the following benefits:
- The proposals will help deliver up to 3 dwellings and help to boost housing supply (achieving social & economic objective);
 - The proposals respond to Wiltshire's housing crisis and absence of a five year housing land supply (achieving social & economic objective);
 - The provision of up to three self-build dwellings will give individuals greater flexibility to design homes that meet their specific needs and preferences and go some way to helping the LPA meet their statutory duty to provide for self build dwellings (achieving social objective);
 - The proposals will provide support employment associated with the construction process (achieving a social & economic objective);
 - The proposals will result in increased spend in the locality through residential occupation (achieving a social & economic objective);
 - The proposals provide additional accommodation in a sustainable and accessible location that is well-related to the existing settlement via

pedestrian routes and public transport links (achieving an environmental & social objective).

Planning Balance

- 5.59. The LPA cannot demonstrate a five-year supply of deliverable housing sites. Therefore, the Development Plan policies which relate to the delivery of housing are deemed to be 'out of date' and afforded very limited weight. Accordingly, policy S5(1)(J)(i) of the Framework is applied.
- 5.60. Furthermore, Policy S5(1)(e) applies, as the proposals include limited infilling within a group of homes outside the settlement boundary.
- 5.61. The provision of up to 3 dwellings in an acceptable location, on an infill plot, together with the associated social and economic benefits, are positive aspects of the scheme to which (at least) moderate weight can be afforded collectively.
- 5.62. Correspondingly, in the absence of any adverse effects, there are no clear impacts which would substantially outweigh the benefits, when assessed against the policies in the Framework, taken as a whole.
- 5.63. Consequently, the presumption in favour of sustainable development applies and this indicates that this Permission in Principle should be supported by the LPA.
- 5.64. For the reasons set out above the proposals are clearly acceptable in terms of **location, land use** and **amount** of development.
- 5.65. On behalf of the Applicant, we look forward to working proactively with Wiltshire Council to realise these proposals in Sutton Benger, Wiltshire.

Appendix 1

APPLICATION FOR PERMISSION IN PRINCIPLE DELEGATED REPORT

APPLICATION REFERENCE:	PL/2026/02798
APPLICATION TYPE:	Permission in Principle
SITE ADDRESS:	Land at Seagry Hill, Sutton Benger, Nr Chippenham, SN15 4SA
DEVELOPMENT DESCRIPTION:	Permission in principle for one dwelling (self build)
RECOMMENDATION:	Refuse

SITE DESCRIPTION/CONTEXT

The application site comprises an agricultural field located off Seagry Hill, approximately 0.6km to the north of Sutton Benger and to the south of the M4 motorway. The site is situated within the open countryside. Sutton Benger is designated as a Large Village in the Wiltshire Core Strategy.

Seagry Hill is a no-through road, serving a small cluster of approximately 14 residential properties and a telephone exchange. The application site is situated to the south of the majority of these buildings, and one additional dwelling situated further south of the site.

The River Avon is situated approximately 400m to the east of the site, and is a County Wildlife Site. There is also a watercourse to the south, and part of this is located within 20m of the edge of the application site.

PROPOSAL

The application seeks Permission in Principle under the provisions of the Town and Country Planning Act 1990 (as amended).

The development proposed is for the erection of a single self-build dwelling.

No detailed matters of layout, scale, appearance, access, landscaping or drainage are submitted at this stage, as these are not required as part of a Permission in Principle application. The planning statement provides an indicative illustration of the proposed dwelling.

The application therefore seeks approval of the following Permission in Principle matters only:

- Use
- Amount of development
- Broad location

PLANNING HISTORY

There is no relevant planning history on the site.

RELEVANT LEGISLATION, POLICIES AND GUIDANCE

National Planning Policy

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

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 listed below:

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

- Core Policy 1 Settlement Strategy
- Core Policy 2 Delivery Strategy
- Core Policy 10 Spatial Strategy [Chippenham Community Area]
- Core Policy 50 Biodiversity and Geodiversity
- Core Policy 51 Landscape
- Core Policy 57 Ensuring High Quality Design and Place Shaping
- Core Policy 60 Sustainable Transport
- Core Policy 61 Transport & Development
- Core Policy 64 Demand Management
- Core Policy 67 Flood Risk

Sutton Benger Neighbourhood Plan

- Policy SB1: Landscape
- Policy SB5: Biodiversity and Net Gain
- Policy SB6: Flooding and Drainage
- Policy SB7: Design
- Policy SB13: New Development and Highway Implications

North Wilts Local Plan 2011

- Saved Policy H4 'Residential Development in the Open Countryside'

PERMISSION IN PRINCIPLE – PURPOSE AND SCOPE OF ASSESSMENT

Permission in Principle (PiP) is an alternative route to obtaining planning permission, introduced by the Housing and Planning Act 2016. It is intended to provide an early and proportionate decision on whether a site is suitable for development, before detailed design work is undertaken.

The PiP process operates as a two-stage planning permission route for housing-led development:

- *Stage 1 – Permission in Principle:*
Establishes whether the principle of development on a site is acceptable.
- *Stage 2 – Technical Details Consent:*
If PiP is granted, a subsequent application is required to consider the detailed proposals, including layout, scale, appearance, access, landscaping, drainage and infrastructure.

At the Permission in Principle stage, the assessment is deliberately high-level and limited in scope. The purpose of a PiP is not to approve detailed plans, but to provide certainty at an early stage about whether development of a particular type is acceptable in principle at a given location. This approach is intended to help streamline the planning process by allowing developers and communities to understand development potential before significant time and expense is committed to detailed designs.

Importantly, the grant of Permission in Principle does not authorise development to commence. Development can only proceed once Technical Details Consent has been granted.

Planning conditions cannot be imposed on the grant of PiP however conditions can be applied in the usual way at the technical details consent stage. Any PiP approved for residential development must be expressed indicating the minimum and maximum net number of dwellings which are, in principle, permitted. For a valid PiP application only a plan to identify the land to which the application relates is required.

Matters that Can Be Considered at the PiP Stage

Legislation restricts the assessment of a PiP application to the following matters only:

- The location of the development
- The proposed land use(s)
- The amount of development proposed

These are the only issues that can lawfully be taken into account when determining whether Permission in Principle should be granted or refused.

Matters Excluded from Consideration at the PiP Stage

Detailed matters, including (but not limited to) the following, are not considered as part of a PiP application:

- Detailed design and appearance
- Site layout and internal arrangements

- Access arrangements and parking
- Landscaping and boundary treatments
- Drainage and flood mitigation measures
- Utilities and other technical infrastructure

Such matters are reserved entirely for consideration at the Technical Details Consent stage, should Permission in Principle be granted.

KEY ISSUES FOR ASSESSMENT

In determining this application for Permission in Principle, the Local Planning Authority must consider the following key issues:

1. Whether the location of the site is suitable for the proposed form of development, having regard to the spatial strategy set out in the development plan and relevant national policy.
2. Whether the proposed land use is acceptable in principle at this location, taking into account the character and role of the settlement and surrounding area.
3. Whether the amount of development proposed is appropriate, assessed at a high-level and in broad terms only.
4. Whether there are any overriding constraints which would clearly and demonstrably prevent the site from being developed in principle, even allowing for detailed matters to be addressed at the Technical Details Consent stage.

A Permission in Principle application should therefore only be refused where it is clearly demonstrated that the principle of the proposed development is unacceptable, and that such concerns could not reasonably be addressed through a subsequent Technical Details Consent application.

CONSULTATION RESPONSES

Sutton Benger Parish Council: No objection:

Sutton Benger Parish Council wishes to comment that it has no objection in principle to a house on this site provided it is built to an appropriate scale and conforms to the current SBPC and Draycot Cerne Neighbourhood Development Plan.

Council Highway Engineer: No objection subject to conditions:

As this would lead to separate dwellings outside of identified development boundaries, the proposal would usually attract an adverse highway recommendation on sustainability grounds as follows:

The site is located outside of any settlement policy boundary, raising concerns with regards to the likely reliance upon the private car for any occupants and their visitors. This proposal is therefore, in my opinion, contrary to Core Policies 60 and 61 of the Wiltshire Core Strategy and Section 9 of the National Planning Policy Framework 2024, which aims to reduce the need to travel particularly by private car and encourage the use of sustainable transport alternatives. However, I shall be guided by you on this

sustainability issue and wish to advise with regard to highways in the instance that you would be minded to permit a dwelling in this location.

The site is located on Seagry Hill, an unclassified section of public highway subject to a speed limit of 60mph and a cul-de-sac. There is an existing access with the public highway to the south of the site, however it appears that there may be a proposal to provide a more central access point from the plans submitted. Any new access with the public highway will require a licence or permit to carry out the works for a single dwelling, it should also be noted that a new access will be required to be demonstrated as compliant with the required visibility standards commensurate with the speed on the road at technical detail stage. The access should be provided with geometries aligning with guidance from Manual for Streets.

The level of parking required is dependent on the number of bedrooms proposed and I attach standards for information:

Table 7.1 Minimum Residential Parking Standards (allocated parking)

Bedrooms Minimum spaces

1 1 space

2 to 3 2 spaces

4+ 3 spaces

Visitor parking 0.2 spaces per dwelling (unallocated)

Garages will only count as part of the allocated parking provision where they meet the minimum size requirement of 6m x 3m (internal dimensions). This is to ensure that there is sufficient room for an average sized family car, a cycle and some storage provision. Where these minimum size requirements are not met, the council will require design statements and/or transport assessments to demonstrate the need for such provision and/or to set-out the role of alternatives (e.g. car ports which are unlikely to be used for storage and could therefore count towards allocated parking provision).

where no garages are proposed an element of cycle storage is expected for each dwelling in accordance with Wiltshire Council's LTP3 Cycling Strategy, Appendix 4 of this document contains Cycle Parking Standards for which I attach an extract below for information:

Land Use Area Minimum Cycle Parking Standards

C3 Dwelling All areas 1 covered space per bedroom for up to 3-bedroom dwellings

3 covered spaces per unit for 4-bedroom dwellings

4 covered spaces per unit for 5-bedroom dwellings(etc)

+ 1 visitor space per 20 bedrooms

Additionally, any new dwelling with allocated parking should be provided with EV Charging in line with NPPF and Building Regulations Document S.

Therefore, other than the sustainability issues highlighted above, the principle of a single dwelling in this location would not be a concern in regard to highway capacity provided the proposals can demonstrate safe access and accord with the required vehicle and cycle parking standards and provisions.

Environment Agency: No comment received.

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:

- Neighbour notification letters sent to adjoining and nearby properties; and
- A site notice displayed near the site.

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

One representation received, set out below:

"We live in 1A and on the plans they have trees planted in front of our home which would block all the light into our property because we only have windows in the front and one side facing the new development and blocking any views we have can we suggest instead of trees a low hedge of no more than 4 foot high so that we can both benefit from the views"

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.

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.

Principle of development and location

The development plan establishes a spatial strategy which seeks to direct new development towards defined settlements where residents have reasonable access to services, facilities and sustainable transport options. Development beyond these locations is generally more restricted in order to protect the countryside and promote sustainable patterns of growth.

The National Planning Policy Framework supports the delivery of sustainable development in appropriate locations and, where relevant, seeks to address identified housing needs through Policies HO1-HO13 and Policy S5, whilst ensuring development is directed to suitable and sustainable locations.

In respect of the development plan, new residential development in the open countryside outside of any defined settlement boundaries is strictly controlled so as to restrict homes being built in unsustainable locations remote from local services, facilities and transport routes. CP1 “Settlement Strategy” of the Wiltshire Core Strategy sets out where sustainable development will take place across the plan period. CP2 “Delivery Strategy” of the Wiltshire Core Strategy states that other than in circumstances permitted by other policies within the plan, development will not be permitted outside the limits of development. These exemption policies are:

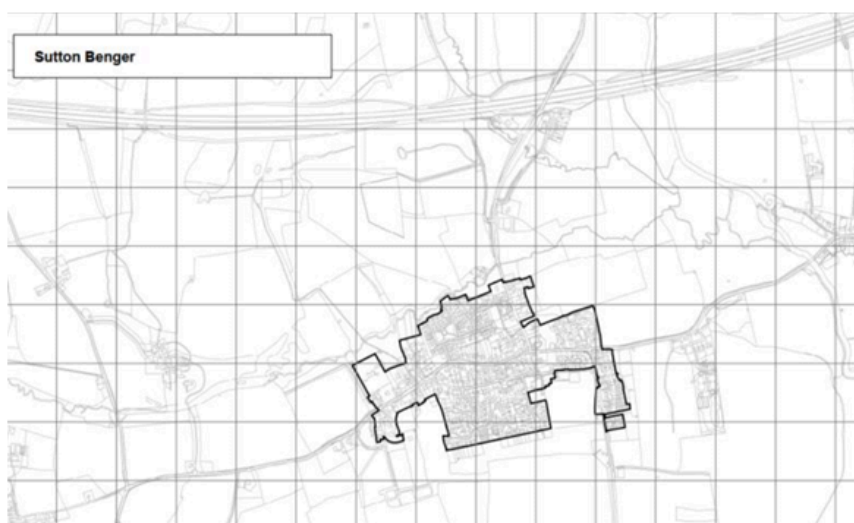
- Additional employment land (Core Policy 34)
- Military establishments (Core Policy 37)
- Development related to tourism (Core Policies 39 and 40)
- Rural exception sites (Core Policy 44)
- Specialist accommodation provision (Core Policies 46 and 47)
- Supporting rural life (Core Policy 48)

No justification has been put forward in support of any of the above policies and none are relevant.

Saved Policy H4 of the Wiltshire Local Plan 2011 has been considered which permits new dwellings in the countryside where it would be in connection with the essential needs of agriculture, forestry or other rural based enterprise; or it would be a replacement for an existing dwelling subject to certain criteria. The proposal for new self-build dwellings does not accord with this policy.

The Sutton Benger Neighbourhood Plan has an infill policy, but the proposal would not constitute infill development as it is not within the defined village boundary of Sutton Benger as defined by the Wiltshire Core Strategy.

Extract of settlement framework boundary:



There are no policies that are supportive of the proposal in principle within the development plan. There are currently no development plan policies relating to self-build accommodation.

Policy S5 of the NPPF seeks to support housing development in suitable locations outside of settlements. However, it does not provide unrestricted support for residential development in these locations and identifies specific circumstances where such development may be acceptable.

Criterion E. of Policy S5 supports the limited infilling within groups of houses. Seagry Hill contains a cluster of dwellings to the north of the application site, and a further dwelling to the south. Whilst the site lies loosely between existing buildings, the gap is substantial, measuring approximately 40m in width, and forms part of an open agricultural field. Given the extent of the gap and the visual separation between the built form to the north and Brookside Cottage to the south, the proposal would not represent limited infilling within a group of houses. Criterion E is therefore not satisfied.

Criterion H. supports residential development within a reasonable walking distance to a well-connected station. The site is not located within reasonable walking distance of a railway station and therefore this criterion is not applicable.

Criterion J. supports development which would address an evidenced unmet need and where development would be physically well-related to an existing settlement (unless the nature of the development would make this inappropriate) and be of a scale which can be accommodated taking into account the existing or proposed availability of infrastructure. The site is located approximately 0.6km from Sutton Benger, and it is separated by open countryside. Whilst relatively close in distance, the site lies beyond the settlement boundary and does not form a natural extension to the village.

Seagry Hill is a no-through road, serving a small cluster of approximately 14 residential properties and a telephone exchange. The application site is situated to the south of the majority of these buildings, and one additional dwelling situated further south of the site.

The application claims that there is pedestrian access to village facilities within comfortable walking distance. There is no footway along Seagry Hill. Along parts of Seagry Road, there is a narrow margin along the eastern side of the road, delineated by a white edge-of-carriageway line. However, there is no kerbed footway, and pedestrians would be required to walk within or immediately adjacent to the carriageway. This margin is present for some of the distance to Sutton Benger, but not the entirety of the route. Furthermore, there is no street lighting along this route. In these circumstances, it is not considered that a safe and convenient pedestrian route is available between the site and Sutton Benger.

In respect of bus services, the application states that there are bus services connecting Sutton Benger to Chippenham and Swindon. The nearest bus stop is located on Seagry Road approximately 300m from the site. There is no pavement on Seagry Hill and only a white edge-of-carriage line is present along parts of Seagry Road. The route is unlit and pedestrians would be required to walk within or immediately adjacent to the carriageway. It is not considered to be a safe or attractive walk to the bus stop, particularly during periods of darkness.

The bus stop is served by bus 91 which is a service Chippenham – Little Somerford. This bus appears to provide connection to Chippenham 3 times a day Monday – Friday, and 2 times a

day on Saturday, with no service on Sunday. This is not considered regular enough to represent a convenient alternative to the private car, and therefore there are limited sustainable transport options available.

The Council's Highway Engineer advises that due to the site's location, the future occupiers would be likely to be heavily reliant on the private car. Whilst there are no in-principle concerns regarding highway capacity or the ability to achieve an acceptable access arrangement (and therefore not conflicting with Policy SB13 of the Sutton Benger Neighbourhood Plan), the site's poor relationship to services, facilities and public transport means that it does not represent a sustainable location for residential development. Consequently, the proposal fails to satisfy Criterion J of Policy S5 of the NPPF.

Policy S5: 3 states that development proposals comprising isolated homes, which are those lying outside settlements or groups of houses, should not be approved other than in accordance with Policy HO11. The site lies outside any defined settlement boundary, and comprises a substantially sized agricultural field, although it is also located in proximity to a cluster of existing dwellings on Seagry Hill. It is arguable whether the proposal would comprise an isolated home for the purposes of this policy. Nevertheless, if it were regarded as an isolated home, it would not fall within any of the circumstances supported by Policy HO11, which relate to rural workers dwellings, the conversion of existing buildings, heritage assets or dwellings of exceptional quality. Policy S5: 3 therefore does not indicate that the proposal would be acceptable in principle.

Overall, the proposal would not be supported by Policy S5 of the NPPF. It would not constitute limited infilling, nor occupy a sustainable location that is physically well-related to an existing settlement. The site's location, being insufficiently related to any settlement, and poorly served by sustainable transport modes, conflicts with the spatial strategy of the development plan. The proposal would represent an unsustainable form of residential development in the countryside and is therefore unacceptable in principle. The proposal would represent unsustainable development and would be contrary to CP1, CP2, CP10, CP60 and CP61 of the Wiltshire Core Strategy, and Policy S5 of the NPPF.

Land use

The proposed use is a single dwellinghouse (Use Class C3). Residential development is not an inherently incompatible land use within the wider area. The concerns arising from the proposal relate not to the nature of the use itself, but to the location of the site and its conflict with the development plan's spatial strategy. As such, no separate objection is raised in respect of land use.

Amount of development

The proposal seeks Permission in Principle for a single dwelling. In isolation, the amount of development proposed is limited and would not, of itself, give rise to any objection in principle. The reason for refusal relates to the site's location and conflict with the spatial strategy rather than the quantum of development proposed.

Constraints and infrastructure considerations (PiP context)

The development plan and national planning policy recognise that sites may be subject to environmental, physical or policy constraints. At the Permission in Principle stage, the key consideration is whether any such constraints are of a nature or severity that they would clearly and demonstrably prevent development from coming forward in principle, even allowing for detailed matters to be addressed at the Technical Details Consent stage.

The National Planning Policy Framework confirms that planning decisions should be proportionate, and that early-stage permissions should not seek to resolve detailed technical matters prematurely.

Consideration has been given to the presence of any known constraints affecting the application site that are capable of undermining the principle of development. These include:

- Flood risk designations
- Ecological designations

The existence of a constraint does not, in itself, justify refusal of a Permission in Principle application. The crucial question is whether the constraint is so severe that it could not reasonably be overcome or mitigated, even in principle, through the consideration of detailed proposals at the Technical Details Consent stage.

The River Avon County Wildlife Site is situated approximately 400m to the east of the application site. In addition, a watercourse is located to the south of the neighbouring property Brookside Cottage, with the edge of the application site appearing to fall within the 20m buffer associated with this section of the river. The Environment Agency was consulted on the proposal, but they had no comment to make.

Whilst the proximity of the site to ecological and watercourse features indicates that further assessment would be required at Technical Details Consent stage, there is no evidence at this stage to demonstrate that they represent an overriding barrier to development in principle.

In addition, the Highway Engineer has raised no objection in respect of access or highway capacity.

Having regard to the development plan and relevant national policy, no overriding environmental or infrastructure constraints have been identified that would clearly and demonstrably prevent development from coming forward in principle.

Whilst the site lies in proximity to ecological and watercourse features which would require further consideration at the Technical Details Consent stage, there is no evidence before the Local Planning Authority that these matters could not be satisfactorily addressed through detailed design, mitigation and supporting technical information.

Accordingly, the identified constraints would not justify refusal of Permission in Principle.

PLANNING BALANCE

The application seeks Permission in Principle for one self-build dwelling on the site.

In determining a Permission in Principle application, the Local Planning Authority is required to assess only the location of the development, the proposed land use, the amount of development, and whether there are any overriding constraints which would clearly and demonstrably prevent development from coming forward in principle.

Conflict with the Development Plan

Having considered the application against the development plan and the National Planning Policy Framework, it is concluded that the proposed development is not acceptable in principle. The concerns identified go to the fundamental suitability of the site for development, rather than to matters that could reasonably be resolved through the submission of detailed proposals at a later stage. The proposal gives rise to significant harm by reason of its conflict with the spatial strategy of the development plan.

Housing need and Policy S5

The Local Planning Authority is currently unable to demonstrate a deliverable five-year supply of housing land. The contribution that the proposal would make towards meeting identified housing needs is acknowledged and attracts moderate weight in favour of the development.

However, Policy S5 of the NPPF does not provide unrestricted support for housing development outside settlements. As set out above, the proposal would not constitute limited infilling, and would fail Criterion J due to the site's poor relationship and connectivity with Sutton Benger, and its limited accessibility by sustainable modes of transport. Accordingly, whilst the proposal would make a modest contribution towards housing supply, it would not fall within the forms of development supported by Policy S5, and this limits the weight that can be attached to the housing benefit.

Self and custom build housing

The proposal would provide a self build dwelling, which would contribute towards meeting demand for this form of housing. Policy HO5 1. c. (iii) of the NPPF seeks the identification and delivery of plots for self and custom build housing where there is an identified need.

There is a need for self and custom build housing within the district, and the proposal would make a small contribution towards meeting that need. This would attract moderate weight in favour of the development. However, neither the NPPF nor the development plan indicate that self-build housing should be supported irrespective of location.

Other benefits

The proposal would give rise to limited economic benefits associated with the construction of the dwelling and through future expenditure of the occupants. These benefits attract limited weight in favour of the proposal given this relates to a single dwelling.

CONCLUSION

In favour of the proposal, weight is attached to the delivery of one additional dwelling, the contribution towards housing supply, the provision of a self-build plot, and limited economic benefits associated with construction and future occupation.

The identified harm comprises significant conflict with the spatial strategy of the development plan arising from the site's unsustainable location. The proposal also fails to comply with any of the criterion set out in Policy S5 of the NPPF. This conflict attracts substantial weight in the planning balance.

Overall, the proposal conflicts with the development plan and NPPF when assessed against the statutory framework for Permission in Principle. Having considered these matters, the adverse impacts of the proposal significantly and demonstrably outweigh the benefits. There are no material considerations that indicate a decision other than refusal should be made.

RECOMMENDATION: That Permission in Principle be REFUSED for the following reason:

The proposed development, by reason of its location, would be contrary to the settlement, delivery and community area strategies and is unacceptable in principle. The site is poorly related to services, facilities and public transport, such that future occupiers would be heavily reliant upon the private car. The proposal therefore represents an unsustainable form of development that conflicts with the spatial strategy of the development plan. Accordingly, the proposal fails to accord with Core Policies 1, 2, 10, 60 and 61 of the adopted Wiltshire Core Strategy (January 2015) and policy S5 of the NPPF

The harm identified relates to the principle of development and could not reasonably be addressed or overcome through the submission of a subsequent application for Technical Details Consent. Permission in Principle is therefore refused.

Appendix 2



Appeal Decision

Site visit made on 17 June 2026

by **M Aqbal BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 14 September 2026

Appeal Ref: 6001260

Paddock land adjoining 39a Stone Lane, Lydiard Millicent

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Hills Homes Developments against the decision of Wiltshire Council.
 - The application Ref is PL/2024/07426.
 - The development proposed is development of site to provide 9 dwellings, with associated landscaping, sustainable drainage and primary vehicular access from Stone Lane.
-

Decision

1. The appeal is allowed and planning permission is granted for development of site to provide 9 dwellings, with associated landscaping, sustainable drainage and primary vehicular access from Stone Lane at Paddock land adjoining 39a Stone Lane, Lydiard Millicent, in accordance with the terms of application Ref. PL/2024/07426 and subject to the Schedule of Conditions to this Decision.

Preliminary Matter

2. Following the submission of the appeal, a new National Planning Policy Framework (the Framework) was published on 17 August 2026. The main parties were afforded an opportunity to comment on any implications arising from this. I have taken those submissions into account and have determined the appeal having regard to the Framework in force at the date of this Decision.

Main Issues

3. The main issues are:
 - i) whether the site is a suitable location for housing having regard to the development plan and national policy; and
 - ii) the effect of the proposal on highway safety.

Reasons

Suitability of location

4. The appeal site lies outside any defined settlement boundary and is therefore located within the countryside for the purposes of the development plan. Core Policy 1 of the Wiltshire Core Strategy (WCS) establishes the settlement hierarchy and directs most development towards the settlements identified within that hierarchy. WCS Core Policy 2 reinforces that approach by limiting development in the countryside to forms of development specifically supported by policy, whilst

- WCS Core Policy 19 seeks to deliver growth within the Royal Wootton Bassett and Cricklade Community Area in accordance with the overarching spatial strategy.
5. The proposal would comprise residential development on unallocated land outside any defined settlement boundary and would not fall within any of the exceptions envisaged by those policies. Consequently, it would conflict with the settlement strategy of the development plan.
 6. Whilst primarily a design policy, Policy LM1 of the Lydiard Millicent Neighbourhood Plan (NP) expressly supports infill development within the built area of Lydiard Millicent in accordance with Core Policies 1 and 2. The proposal would not constitute infill development within the built area of the village and would instead extend built form beyond the existing settlement edge. It therefore does not attract the support anticipated by that policy.
 7. In reaching this finding, I have also had regard to the site's relationship with surrounding development and services. Whilst future occupiers would be likely to rely to some degree upon private car travel, the appeal site is not isolated from existing built development. It adjoins residential development associated with Common Platt and would benefit from connections to the wider pedestrian network, including the proposed footway link and associated pedestrian improvements. The site therefore occupies a location that is reasonably connected to surrounding development. Nevertheless, it remains outside any defined settlement boundary and is not a location identified for housing growth under the development plan. These considerations do not alter my finding of conflict with the settlement strategy, although they are relevant to my assessment of national policy later in this decision.
 8. Taken together, these policies seek to direct housing growth towards planned and sustainable locations whilst protecting the countryside from unjustified encroachment and maintaining the distinctive character of Lydiard Millicent. I therefore find that the site is not in a suitable location for housing having regard to the spatial strategy of the development plan, particularly Core Policies 1, 2 and 19 of the WCS, and conclude that the proposal would not attract the support envisaged by Policy LM1 of the NP.

Highway Safety

9. Stone Lane is a narrow carriageway of varying width and opportunities for pedestrian movement are currently limited. Based on my observations, I also acknowledge that larger vehicles would occasionally encounter difficulties passing one another and that some vehicles may need to wait or manoeuvre to negotiate constrained sections of the carriageway.
10. I accept that the proposed access would utilise a constrained section of Stone Lane. However, following amendments to the access position, visibility arrangements and supporting swept-path analysis, the Local Highway Authority was satisfied that the proposal could be accommodated safely and I have been presented with no substantive technical evidence that would justify departing from that specialist advice.
11. I have also considered in detail concerns regarding the relationship between the proposed site access and the existing accesses serving 39 and 40 Stone Lane. A number of interested parties contend that the submitted plans either failed to accurately depict, or did not sufficiently acknowledge, the driveway serving 39

- Stone Lane and consequently understated the potential for conflict between vehicles entering and leaving the existing properties and those accessing the proposed development. Similar concerns have been raised regarding the constrained nature of this section of Stone Lane, its proximity to the Common Platt junction and the effect of those constraints on vehicle movements.
12. However, the existence and position of the accesses serving Nos 39 and 40 Stone Lane were identified during the application process and formed the subject of consultation responses. Further swept-path analysis was undertaken and the access arrangements amended, including revisions to the bell-mouth geometry and visibility provision. Following consideration of those matters, the Local Highway Authority withdrew its objection and concluded that the proposal was acceptable in highway terms. The revised arrangements were also intended to ensure that the necessary visibility splays and associated highway works could be accommodated within land under the applicant's control or within the public highway.
 13. The pedestrian arrangements also evolved during the application process following concerns raised regarding the original footway proposal along Stone Lane. The final scheme omits part of the footway provision originally proposed.
 14. Consequently, pedestrians travelling between the two footway sections would be required to walk within the carriageway for a short distance of about 43m before rejoining a segregated route. Nevertheless, the revised scheme retains footway provision where it can practicably be accommodated and incorporates dropped kerbs, corduroy tactile paving and pedestrian visibility splays at both transition points.
 15. Furthermore, the evidence indicates that vehicle speeds on Stone Lane are relatively low at the point where pedestrians would be required to walk within the carriageway. Those conditions are an important factor in assessing the safety of the proposed pedestrian arrangements and weigh in favour of the proposal.
 16. Traffic flows are also relatively modest. Whilst I recognise local residents' concerns regarding larger vehicles and occasional congestion, the available evidence does not indicate a heavily trafficked road environment.
 17. The submitted transport evidence also indicates that the development would generate only modest levels of pedestrian activity. Whilst such forecasts are estimates, they support the conclusion that pedestrian movements associated with the proposal would be limited.
 18. The available accident records identify very few recorded personal injury accidents within the study area over an extended period and no recorded pedestrian injury accidents. Whilst residents refer to incidents and near misses that may not have been formally recorded, I nevertheless attach considerable weight to the objective accident evidence before me.
 19. In addition, gateway features, speed reduction measures, roundel markings and carriageway narrowing would reinforce the existing 30mph speed limit on Stone Lane, providing wider highway safety benefits for both future occupiers and existing users of the highway.
 20. Drawing these matters together, I have had regard to the proposed site access, visibility provision, swept-path analysis, pedestrian arrangements, accident history,

traffic conditions and the wider highway mitigation measures. Whilst a continuous segregated footway would be preferable, pedestrians would be required to walk within the carriageway only for a short distance in circumstances where vehicle speeds and traffic volumes are relatively low. Having regard to those factors, I am satisfied that safe and suitable access can be achieved for all users, including pedestrians and other vulnerable road users.

21. Accordingly, I am not persuaded that the proposal would result in an unacceptable impact on highway safety or severe residual cumulative impacts on the road network. The proposal would therefore comply with Core Policy 61 of the WCS and Policy TR4 of the Framework, which seek to ensure that development provides safe and suitable access for all users and that transport impacts can be satisfactorily addressed.

Other considerations

22. The revised Framework introduces a new structure for decision-making through its Policies. The appeal site lies outside any defined settlement boundary and therefore Policy S5 of the Framework is relevant. Policy S5(1)(j) expressly supports development outside settlements where there is evidenced unmet housing need, including where a local planning authority cannot demonstrate a five-year supply of deliverable housing sites, provided that the development is physically well-related to an existing settlement and is of a scale capable of being accommodated by existing or proposed infrastructure.
23. The Council accepts that it can currently demonstrate only approximately 2.03 years of housing land supply and therefore cannot demonstrate a five-year supply of deliverable housing sites. Accordingly, the unmet housing need element of Policy S5(1)(j) is satisfied.
24. The Council argues that the site is not physically well-related to a settlement because it lies some distance from the main built form of Lydiard Millicent and lacks a continuous protected pedestrian route. Whilst I have taken those matters into account, I do not read Policy S5 of the Framework as requiring a site to adjoin the principal built form of a particular settlement or to be served by a continuous segregated footway. Rather, the policy requires an assessment of whether a site is physically well-related to an existing settlement.
25. In this respect, the appeal site adjoins established residential development associated with Common Platt and is closely related to the wider developed edge of western Swindon. Whilst the absence of a continuous segregated footway weighs against the proposal, I do not consider that factor alone demonstrates that the site is not physically well-related to existing settlement development. Taking account of its relationship with surrounding development, the proposed pedestrian improvements and the scale of the proposal, I am satisfied that the site is physically well-related to an existing settlement for the purposes of Policy S5(1)(j)(i).
26. Furthermore, no objection has been raised by any infrastructure provider or technical consultee and no substantive evidence has been presented to demonstrate that the development would exceed the capacity of existing or proposed infrastructure.
27. Accordingly, whilst the proposal conflicts with the development plan settlement strategy, it falls within the category of development identified by Policy S5(1)(j) of

the Framework. That policy indicates that such development should be approved unless its benefits are substantially outweighed by adverse effects. I therefore attach significant weight to that national policy support in the overall planning balance.

28. Although I have found conflict with the spatial strategy of the development plan, I have also had regard to Annex A of the Framework and the parties' submissions regarding the weight to be afforded to relevant development plan policies. I acknowledge the Council's position, which I broadly accept, that aspects of Core Policies 2 and 19 which restrict development outside defined settlement boundaries are materially inconsistent with Policy S5 of the Framework and, to that extent, attract very limited weight. Nevertheless, those policies continue to form part of the development plan and the conflict identified above remains a matter weighing against the proposal.
29. Policy HO7 of the Framework states that substantial weight should be given to the benefits of providing homes which contribute towards meeting identified housing needs. In this case, the proposal would provide nine dwellings at a time when the Council is unable to demonstrate a five-year supply of deliverable housing sites. Whilst limited in scale, the proposal would nevertheless make a meaningful contribution towards addressing the significant identified housing shortfall and I attach substantial weight to that benefit.
30. Furthermore, the proposal would contribute towards the vitality of local services and facilities, generate economic benefits during both the construction and occupation phases of the development, and provide biodiversity enhancements. I attach moderate weight to these benefits collectively.

Other Matters

31. The appeal site lies within the outer Zone of Influence (4.2km-9.4km) of the North Meadow and Clattinger Farm Special Area of Conservation (SAC). Residential development within this zone has the potential to increase recreational pressure on the SAC, either alone or in combination with other plans and projects.
32. As the competent authority, I have undertaken an Appropriate Assessment pursuant to the Conservation of Habitats and Species Regulations 2017 (as amended). I am satisfied that likely significant effects on the SAC cannot be excluded in the absence of mitigation.
33. A Unilateral Undertaking dated 20 October 2025 has been submitted pursuant to section 106 of the Town and Country Planning Act 1990. It secures a Strategic Access Management and Monitoring (SAMM) contribution of £2,984.49 towards implementation of the North Meadow and Clattinger Farm SAC Interim Recreation Mitigation Strategy 2023-2028. The contribution must be paid prior to commencement of development.
34. I am satisfied that the obligation meets the tests in Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended) and I have therefore taken it into account in determining the appeal.
35. Based on the evidence before me, including the Council's ecological assessment, the Appropriate Assessment undertaken by the Council, the views of Natural England and the completed Unilateral Undertaking, I conclude that the proposed

development would not adversely affect the integrity of the North Meadow and Clattinger Farm SAC, either alone or in combination with other plans or projects.

36. Concerns have been raised regarding flood risk and the potential for soakaways to exacerbate flooding affecting neighbouring properties, particularly given the elevated position of the site and local ground conditions. However, the Council's drainage adviser raises no objection in principle, subject to conditions. Those conditions would require demonstration that flood risk would not increase elsewhere and that infiltrated flows would not adversely affect neighbouring land. In the absence of compelling technical evidence to the contrary, I have no basis to conclude that the proposal would result in unacceptable flood risk.
37. I recognise concerns that the proposal would erode the open land separating Common Platt, Lydiard Millicent and the western edge of Swindon. The development would reduce the extent of undeveloped land in this location and would represent a noticeable encroachment into the countryside. However, it would neither physically coalesce the settlements nor remove all of the remaining open land between them. Whilst concerns regarding precedent are understandable, any future development proposals would be assessed on their own merits. I therefore attach only limited weight to concerns regarding future development beyond the identified development plan conflict. The proposal's encroachment into currently undeveloped land nevertheless attracts limited adverse weight, which I have taken into account as part of the overall conflict with the development plan.
38. The proposed dwellings would inevitably alter the outlook of neighbouring occupiers who currently adjoin open land. However, changes in outlook and the introduction of additional activity are normal consequences of residential development. From the evidence before me, and taking account of the separation distances and layout shown on the submitted plans, I am not persuaded that the proposal would result in unacceptable overlooking, loss of privacy or other living condition impacts sufficient to justify dismissal of the appeal. I have also considered concerns regarding vehicle headlights from traffic using the proposed access. However, having regard to the modest scale of the development, the anticipated level of vehicle movements and the existing highway environment, I am satisfied that any light intrusion would be limited and would not materially harm the living conditions of neighbouring occupiers.
39. The Council's Housing Enabling Team confirms that the application proposes between five and nine dwellings on a site measuring less than 0.5 hectares and therefore falls below the threshold at which affordable housing provision is required by adopted policy. On the evidence before me, I have no basis to conclude that the proposal fails to comply with the relevant affordable housing policy requirements.
40. The site is of relatively limited ecological value. The proposal incorporates ecological mitigation and enhancement measures, including habitat creation, ecological management, biodiversity enhancement features and biodiversity net gain. Whilst interested parties have sought additional measures, including enhanced swift nesting provision, such matters can be appropriately secured through the detailed discharge of planning conditions and the biodiversity measures proposed. Subject to the imposition of suitable conditions relating to ecological mitigation, habitat management and external lighting, I am satisfied that the proposal would not result in unacceptable harm to biodiversity or ecological interests and that these matters do not weigh against the proposal.

41. A number of interested parties express concern regarding the ability of children and other pedestrians to travel safely to schools, bus pick-up points and nearby facilities, particularly given the constrained nature of Stone Lane and the absence of a fully segregated pedestrian route throughout. I understand those concerns. However, neither the Highway Authority nor the Education Authority has identified the proposal as giving rise to unacceptable impacts in this regard and no objection has been raised on school transport, school accessibility or education capacity grounds. Whilst the absence of a continuous footway has been emphasised by interested parties, the evidence before me does not demonstrate that journeys to schools, school transport pick-up points or nearby facilities would be unsafe. In the context of a development of only nine dwellings, and having regard to my conclusions on highway safety generally, I attach limited weight to these concerns.
42. Whilst these matters have informed my assessment, none lead me to a different conclusion on the main issues before me.

Conditions

43. I have considered the conditions suggested by the Council having regard to the advice contained within the Framework and Planning Practice Guidance. In addition to the standard time limit for implementation, I have imposed a condition identifying the approved plans and documents in the interests of certainty.
44. Conditions are imposed requiring biodiversity enhancement measures, a Landscape and Ecology Management Plan, and the approval and control of external lighting. These conditions are necessary in the interests of biodiversity conservation and enhancement and to ensure that the mitigation and enhancement measures relied upon in reaching my decision are secured and maintained for the lifetime of the development.
45. A condition requiring archaeological investigation and recording before development commences is necessary in order to safeguard and appropriately record any archaeological remains which may be affected by the development.
46. Having regard to local concerns regarding drainage and flooding, I am satisfied that the surface water drainage condition is necessary to ensure that flood risk is appropriately managed, infiltrated flows do not adversely affect neighbouring land and flood risk does not increase elsewhere.
47. Conditions are imposed requiring the provision of the approved footway link, visibility splays, estate roads, footpaths, turning facilities, parking areas and gateway feature, together with the submission and implementation of a Construction Management Statement. These measures are necessary to ensure that the development is served by a safe and suitable means of access for all users, including pedestrians, and to minimise disruption and risk during the construction phase.
48. Conditions requiring the submission of details of external materials, an updated Arboricultural Impact Assessment including tree protection measures, and the implementation and maintenance of the approved landscaping scheme are necessary to safeguard the character and appearance of the area, secure a high standard of design, protect retained trees and ensure the successful integration of the development within its surroundings.

- 49. A condition requiring obscure glazing to specified side-elevation windows is necessary in order to protect the privacy and living conditions of neighbouring occupiers and future residents.
- 50. Conditions 3 to 9 inclusive, which prevent any development approved from commencing until they have been complied with, are considered fundamental to the development hereby approved. It is necessary for these to take the form of 'pre-commencement' conditions to have their intended effect.
- 51. Where necessary, and in the interests of precision, enforceability and clarity, I have amended the wording of the suggested conditions to ensure that they operate as intended and meet the relevant tests for planning conditions.

Planning Balance and Conclusion

- 52. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications and appeals to be determined in accordance with the development plan unless material considerations indicate otherwise.
- 53. For the reasons given above, I have found that the proposal conflicts with the spatial strategy of the development plan. The proposal also does not fall within the form of development supported by Policy LM1 of the NP. It would also result in the loss of a modest area of undeveloped land. Whilst the site would benefit from the proposed pedestrian improvements, future occupiers would nevertheless be likely to rely to some extent on private car travel. These matters weigh against the proposal.
- 54. However, the Council cannot demonstrate a five-year supply of deliverable housing sites. The proposal would provide nine dwellings and thereby contribute towards addressing an identified housing shortfall. Consistent with my findings above in relation to Policy HO7 of the Framework, I attach substantial weight to that benefit.
- 55. I have also found that the proposal falls within the category of development expressly supported by Policy S5(1)(j) of the Framework. That policy support attracts significant weight in favour of the proposal and weighs heavily in the overall planning balance.
- 56. Additional benefits would arise through support for local services and facilities, economic activity, and biodiversity enhancements. I attach moderate weight to these benefits collectively.
- 57. Taking all matters into account, I find that the material considerations in favour of the proposal, including the support provided by Policy S5(1)(j), the contribution towards housing delivery in the context of a significant housing land supply shortfall and the associated social, economic and environmental benefits, outweigh the identified conflict with the development plan. Accordingly, material considerations indicate that planning permission should be granted notwithstanding that conflict.
- 58. I, therefore, conclude that the appeal should be allowed.

M Aqbal

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans and documents:
 Drawing No. 150 Rev A: Proposed Site Plan 1:500;
 Drawing No. 151 Rev A: Site Plan 1:200;
 Drawing No. 155 Rev A: Context Plan;
 Drawing No. 160 Rev A: House type – Nettleton N1 (Plot 4);
 Drawing No. 161 Rev A: House type – Nettleton N2 (Plot 8);
 Drawing No. 162 Rev A: House type – Milbourne (Plot 3);
 Drawing No. 163 Rev B: House type – Yatesbury (Plot 1);
 Drawing No. 165 Rev A: House type – Cherhill (Plot 9);
 Drawing No. 166: Garages Floor Plans and Elevations;
 Drawing No. 170 Rev A: Proposed Site Sections;
 Drawing No. 171 Rev A: Proposed Street Scenes;
 Drawing No. 172: House type: Nettleton N1 (Plot 5);
 Drawing No. 173: Nettleton N2 (Plot 7);
 Drawing No. 174: House type – Milbourne (Plot 2);
 Drawing No. 175: House type – Yatesbury (Plot 6);
 Drawing No. 3143-5-2 DR-0001 Version P5: Landscape Masterplan;
 Drawing No. 3143-5-2 DR-0002 Version P5: Hard Landscape Strategy;
 Drawing No. 3143-5-2 DR-0003 Version P5: Planting Plan;
 Technical Note 9151/01 Issue No. 2 'Response to Highway Authority Comments' and Enclosures;
 Drawing No. 9151/202 Rev C: Site Access Detail and Visibility Splays;
 Drawing No. 9151/203 Rev C: Proposed Footway Link;
 Drawing No. 9151/206 Rev C: Gateway Feature at Change of Speed Limit;
 Flood Risk Assessment and Drainage Strategy Issue No. 2;
 Ecological Impact Assessment Revision C; and
 Arboricultural Impact Assessment, dated 5 June 2023.
- 3) No development shall commence (including any vegetation removal and demolition) 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 also include details of the legal and funding mechanism(s) by which long-term implementation of the plan will be secured. The LEMP shall be implemented in accordance with the approved details and maintained for the lifetime of the development.
- 4) No development shall commence (including any vegetation removal and demolition) until details of the number, design and locations of bird nesting features and bat roosting features (including, but not limited to, bat and bird boxes), together with an implementation timetable, have been submitted to and approved in writing by the Local Planning Authority. The approved biodiversity enhancement features shall be installed in accordance with the approved details

and implementation timetable and, in any event, prior to the occupation of the final dwelling, and shall thereafter be retained and maintained for the lifetime of the development.

- 5) No development shall commence, including any vegetation clearance or demolition, until:
 - a) a Written Scheme of Investigation (WSI) for a programme of archaeological work has been submitted to and approved in writing by the Local Planning Authority; and
 - b) the archaeological fieldwork required by the approved WSI has been completed in accordance with the approved details.

The post-excavation assessment, analysis, publication and archive deposition shall be undertaken in accordance with the approved WSI.
- 6) No development shall commence (including any vegetation removal and demolition) until a detailed Surface Water Drainage Strategy has been submitted to and approved in writing by the Local Planning Authority. The strategy shall:
 - a) be based on sustainable drainage principles;
 - b) include detailed drainage calculations, plans and construction details;
 - c) demonstrate that the drainage system can accommodate the 1 in 100 year rainfall event, including an appropriate allowance for climate change, without increasing flood risk on or off the site;
 - d) demonstrate that infiltration drainage measures will not result in the re-emergence of infiltrated flows or increased flood risk to neighbouring land;
 - e) include details of exceedance flow management; and
 - f) include arrangements for implementation, maintenance and long-term management.

The approved drainage strategy shall be implemented in accordance with the approved details and thereafter retained and maintained.
- 7) No development shall commence (including any vegetation removal and demolition) until a Construction Management Statement, together with a site plan, has been submitted to and approved in writing by the Local Planning Authority.

The Statement shall include details of:

 - a) parking of site operatives' and visitors' vehicles;
 - b) the number, size and routing of delivery and construction vehicles;
 - c) loading, unloading and storage of plant and materials;
 - d) wheel washing facilities; and
 - e) hours of construction and deliveries.

The approved Construction Management Statement shall be adhered to throughout the construction period unless otherwise agreed in writing by the Local Planning Authority.
- 8) Notwithstanding the submitted Arboricultural Impact Assessment, no development shall commence (including any vegetation removal and demolition) until an updated Arboricultural Impact Assessment has been submitted to and approved in writing by the Local Planning Authority. The updated Arboricultural Impact Assessment shall include details of demolition work in the vicinity of Tree T1 and Group G14 and how they will be protected during this process.

Thereafter, the development shall be carried out in full accordance with the

approved Arboricultural Impact Assessment and associated tree protection measures.

- 9) No development shall commence (including any vegetation removal or demolition) until full construction details of the proposed footway between the junction of Stone Lane and Washpool, as shown on Drawing No. 9151/203 Rev. C and referred to in Technical Note 9151/01 (Response to Highway Authority Comments), have been submitted to and approved in writing by the Local Planning Authority. The approved footway shall be completed prior to the first occupation of any dwelling.
- 10) No above-ground construction shall take place until details and samples of the materials to be used in the external walls and roofs of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.
- 11) No part of the development shall be first occupied until the visibility splays shown on Drawing No. 9151/202 Rev C have been provided and thereafter maintained free from any obstruction to visibility above a height of 900mm measured from the adjacent carriageway level.
- 12) The roads, including footpaths and turning spaces, shall be constructed so as to ensure that, before the occupation of each dwelling, a properly consolidated and surfaced footpath and carriageway to at least base course level has been provided between that dwelling and the existing highway. Any access, turning area and parking spaces required to serve a dwelling shall be completed in accordance with the approved plans prior to the occupation of that dwelling. All roads, footpaths and turning areas shall be completed to their final surfacing and finished levels prior to the occupation of the final dwelling and shall thereafter be retained for their intended purpose.
- 13) All soft landscaping shown on the approved Planting Plan shall be carried out during the first planting season following the first occupation of any dwelling or the completion of the development, whichever is the sooner. Any trees, shrubs or plants which, within five years of planting, die, are removed, become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless otherwise agreed in writing by the Local Planning Authority. All hard landscaping shall be completed prior to the occupation of the final dwelling or in accordance with a programme first approved in writing by the Local Planning Authority.
- 14) No part of the development shall be first occupied until the gateway feature shown on Drawing No. 9151/206 Rev C has been provided in accordance with the approved details. The gateway feature shall thereafter be retained.
- 15) Prior to the first occupation of the dwellings on Plots 2, 3, 4, 5, 7 and 8, all side elevation windows above ground floor level serving habitable rooms shall be fitted with obscure glazing and any part of those windows below 1.7 metres above the floor level of the room in which they are installed shall be non-opening. The windows shall thereafter be permanently retained in that form.

- 16) No external lighting shall be installed within the site until details of all existing and proposed lighting have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall demonstrate that the lighting will avoid adverse effects on bat habitat. The lighting shall be installed and maintained in accordance with the approved details.