



Appeal Decision

Hearing held on 17 December 2024

Site visit made on 16, 17 & 18 December 2024

by **H Nicholls FdA MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 27 January 2025

Appeal Ref: APP/Y3940/W/24/3349828

Land off High Street, Sutton Benger, Chippenham SN15 4SP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant outline planning permission.
 - The appeal is made by Gladman Developments Ltd against the decision of Wiltshire Council.
 - The application Ref is PL/2023/06204.
 - The development proposed is outline planning application for the erection of up to 60 dwellings, including affordable housing with public open space, structural planting and landscaping, land for the provision of allotments and sustainable drainage system (SuDS) with vehicular access point. All matters reserved except for means of access.
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Decision

1. The appeal is allowed and planning permission is granted for outline planning application for the erection of up to 60 dwellings, including affordable housing with public open space, structural planting and landscaping, land for the provision of allotments and sustainable drainage system (SuDS) with vehicular access point. All matters reserved except for means of access at Land off High Street, Sutton Benger, Chippenham, SN15 4SP, in accordance with the terms of the application, Ref PL/2023/06204, subject to the conditions in the attached schedule.

Preliminary Matters

2. The application was made in outline form with all matters save for access reserved for future consideration. The Development Framework Plan (Ref CSA/3324/120 Rev G) has therefore been treated as indicative in nature.
3. The appeal proposal was refused for six reasons. Following submission of the appeal, further information and liaison with relevant consultees resulted in the Council withdrawing reasons for refusal (RfR) four and five, subject to relevant conditions. These RfRs respectively refer to ecology and drainage infrastructure matters.
4. A draft S106 planning obligation was agreed between the parties and submitted prior to the hearing. It provides for affordable housing; off site habitat enhancement; on site public open space; and contributions towards - early years and secondary school places; public art; sports pitch provision; waste and recycling collection and the provision of allotments. The completed S106 was finally received on the 17 January 2024. On the basis that the S106 was agreed prior to the hearing, the sixth RfR was not defended by the Council.
5. The examiner's report on the emerging Sutton Benger and Draycot Cerne Neighbourhood Development Plan (eNDP) was published on the 10 October

2024¹. As confirmed in a Decision Statement² issued by the Council dated 15 November 2024, the NDP, incorporating examiners recommendations, will proceed to referendum³. The relevance of the NDP and implications of its changed status was discussed at the hearing so as to avoid prejudice to any parties.

6. The appeal was submitted with a Statement of Common Ground (SoCG) and a Landscape Statement of Common Ground (LSoCG). The SoCG included an agreement on the Council's housing land supply position at 3.85 years and thus, falling short of the minimum requirement as set out in the National Planning Policy Framework (the Framework)⁴. On this basis, the main parties agreed that the presumption in favour of sustainable development, set out in paragraph 11d) of the Framework was engaged.
7. On 12 December 2024, a new Framework was published. The main parties were invited to provide written evidence on the implications for the appeal proposal by specified deadlines during the adjournment of the hearing. The Council's written evidence⁵ indicates that with the Framework's reinstatement of the 5 year minimum requirement and necessary buffer, and the changes to the methodology for calculating housing need, it is now only able to demonstrate a 2.03 year housing land supply. This figure is not disputed by the appellant. Accordingly, no prejudice has occurred to either main party.
8. The appeal hearing was finally closed in writing on the 22 January 2025.

Main Issues

9. The main issues are:
 - whether the location of the development would be in a suitable location having regard to the policies of the development plan and its accessibility to services;
 - the effects of the proposal on the landscape character and visual amenities of the area; and
 - the effects of the proposal on the significance of the designated heritage assets, the Sutton Benger Conservation Area (CA) and grade II listed building, nos 74 and 76 High Street.

Reasons

Location

10. Policies 1 and 2 of the Wiltshire Core Strategy (adopted 2015) (CS) set out a spatial strategy for the delivery of at least 42,000 homes in Wiltshire over the plan period by using a hierarchical approach to the growth of settlements. The largest amounts of growth are to be directed towards principal settlements (of Chippenham, Trowbridge and Salisbury); then market towns, followed by local service centres, with large and small villages being the bottom of the hierarchy.
11. Policy 10 of the CS defines Sutton Benger as a large village falling within the Chippenham Community Area (CCA) and there are no market towns or local service centres within the CCA. The residual requirement of 580 homes for the

¹ Hearing document 3

² Hearing document 1

³ Referendum date - 27 February 2025

⁴ At that time, the four year buffer was relevant

⁵ Addendum Statement of Case, dated 7 January 2025 and appendix 1: Briefing Note No. 24-20, dated 17 December 2024

remainder of the CCA as set out in Policy 10 was therefore expected to be absorbed by the villages, and evidence suggests that this is the case, with no unmet requirement remaining for the CCA outside of Chippenham. Sutton Benger is also reported to have received a high proportion of this growth (in the form of completed developments and extant permissions⁶).

12. The settlement limit of Sutton Benger has been carried over to the CS from the saved policies of the North Wiltshire Local Plan (NWLP) (2011), but is also defined within the eNDP, albeit without an accompanying policy. The appeal site falls outside of, but adjacent to the defined settlement limits. Policies 1 and 2 of the CS identify that in larger villages such as Sutton Benger, housing will be limited to that needed by the local community and at sites within the settlement limits.
13. Paragraph 4.15 of the CS also indicates that development at large villages will predominantly take the form of small housing schemes of less than 10 dwellings. Though this is not expressed within a policy, I attribute a degree of weight to this component of the Plan's overall spatial strategy.
14. The appeal scheme would represent a large scale scheme outside of the settlement limits and is not specifically intended to meet a locally identified need. It would therefore conflict with Policies 1, 2 and 10 of the CS, when read together. None of the exceptions relating to development outside of settlement boundaries expressed either in Policy H4 of the NWLP or elsewhere in the CS are relevant to the scheme. Consequently, the location of the development would not be suitable in the context of the development plan, with particular regard to the aforementioned policies.

Accessibility

15. The SoCG sets out the agreed position that the site's location is sustainable in relation to its proximity to bus stops, a village hall, a primary school and pre-school, a doctor's surgery, a church, restaurant, and a pub. Anecdotal evidence of interested parties sheds some doubt on whether new patient registrations are taken on at the surgery in Sutton Benger, but I have no substantive evidence to that effect. In respect of bus travel, the evidence highlights that there are services to Chippenham and outlying settlements, which, whilst not offering plentiful choice on travel times, could allow commuters to get into work for a typical 9-5 working day pattern or have some degree of choice other than to rely on private vehicle.
16. The notable absence from the list of facilities that would be typical within a large village is a shop, either with or without post office facilities. The one that previously existed in Sutton Benger closed relatively recently. Whilst there is a general store in the nearby settlement of Christian Malford, trips solely to purchase top up goods would realistically generate a journey by car given the distance involved and absence of directly connecting footways.
17. There is no secondary school within the village and there are limited employment opportunities, meaning that future residents would need to travel out to work. Policies 60 and 61 of the CS indicate the desire to minimise out-commuting and reduce the need to travel by private car. Locating a development of the scale proposed where the bus service has a less than generous service provision does not fit squarely with this aim of the development plan.

⁶ Including the up to 24 dwellings permitted under appeal reference APP/Y3940/W/22/329118

18. My attention has been drawn to the Framework's emphasis on the differences between available sustainable transport solutions varying between urban and rural contexts. However, taking all the relevant factors together, including the facilities in the village and connectivity to outlying settlements, my view is that there are still some shortcomings with the sites accessibility relative to the scale of the scheme, raising a degree of conflict with Policies 10, 60 and 61 of the CS.

Landscape and visual effects

19. The site forms part of a relatively flat, open arable field which has a limited, scrubby boundary with the B4069 but otherwise has hedgerow boundaries. Whilst modestly elevated relative to the road level, drivers experience the sense of openness of the site and adjoining land on both approach to and leaving Sutton Benger. It has limited features, but as a part of the network of fields that maintain the separation of the rural settlements, the site contributes modestly to the overall landscape character areas within which it sits and lies close to: LCA 16A: Malmesbury-Corsham Limestone Lowlands, LCA 12B: Avon Open Clay Vale⁷ and Avon Valley Lowland LCA⁸.
20. There are a number of dwellings within High Street that are located close to the western boundary of the site. Given their scale and orientation, they form an abrupt transition at the edge of the settlement. This is exacerbated by the clipped hedgerow which leaves them exposed in views towards the settlement from the B4069 and the footpath which runs along the northern boundary of the site, the SBEN18 (PROW). Whilst the grade II listed building at Nos 74 - 76 High Street also looks out onto the appeal site from a similar position, it is lower, situated within a well-treed curtilage and has a more discreet, rather than commanding presence. Houses on the other side of the B4069 close to the site are also predominantly modern infill dwellings and I am mindful that there is an extant permission for 24 further dwellings on part of the land opposite the site.
21. Whilst the submitted Framework Plan must be treated on an indicative basis, the underpinning principles have been considered in reaching a view about the likely effects of the development on the landscape and visual amenities. There will be no avoiding the inevitable change of character from an agricultural and open field to a sizeable urban form of development with associated increased activity. Whilst the limited landscape features on the site would be retained, and an opportunity would exist to make a more graduated new edge of the settlement, the change to the landscape character would, in my view, still be highly adverse in nature.
22. The visual envelope of the site is not extensive but from where development will be visible, the changes will be particularly apparent. Viewers on the B4069 and footpaths adjacent to the site and from Christian Malford will experience a substantial degree of adverse change initially, reducing with time through the implementation of a robust landscaping scheme. Nonetheless, I place the initial effects on these most affected receptor groups as being of a substantially adverse nature, reducing to moderate-substantial after the establishment of landscaping. Nothing in the appellant's Landscape and Visual Impact Assessment or separate Landscape Statement directs me to alternative findings. I also note the removal of a range of countryside views from Policy SB3 of the eNDP which means that the

⁷ Wiltshire Landscape Character Assessment, Land Use Consultants, 2005

⁸ Landscape Character Assessment of the North Wiltshire area undertaken by White Consultants in 2004

views across the site from the adjoining PROW are not protected by a specific eNDP Policy.

23. The manner in which the development would diminish the settlement gap between Sutton Benger and Christian Malford has also been taken into account. The appeal site and adjoining land to the east forms a clearer and open gap which can be experienced on the PROW network. The gap on the southern side of the B4069 is more interrupted by the Traveller site which is close and exposed to the road. Even with the development in place, a gap will still remain, and it will still be sufficiently clear that one is leaving one settlement and passing into another. Whilst the importance of the remainder of the gap will be heightened through the development of the appeal site, it would not result in the physical, visual or perceptual merging of the settlements.
24. Drawing these factors together, my overall finding is that the proposal would result in unavoidable harm to the landscape character and visual amenities of the area. Whilst the landscape is not a valued landscape⁹, and the effects would be relatively localised and capable of being reduced through the establishment of landscaping, there would still be a high degree of residual harm. The scheme therefore conflicts with CS Policies 51 and 57. Amongst other things, these Policies collectively seek to ensure new development protects, conserves and where possible, enhances landscape character, responds to the existing pattern of development, topography and retains important views.

Heritage effects

Conservation Area

25. The CA is focused on the historic village core, including the parish church, around which the original medieval settlement developed. It also includes the High Street and Seagry Road, with the east-west aligned High Street being the principal approach and route through the village. The settlement has since expanded around the historic core, in a predominantly linear fashion.
26. The significance of the CA primarily flows from its nucleated historic core around the Church and later extensions of the settlement along the key routes, with vernacular building styles and materials indicative of the rural farming origins of the settlement.
27. The appeal site forms a part of the agricultural hinterland to the CA and contributes positively as a part of the immediate agricultural setting and allows views towards some of the vernacular buildings on High Street and allow legibility of the eastern extent of the historic settlement.
28. The development would result in a largescale, modern development on a sizeable component of the agricultural hinterland, east of the settlement of Sutton Benger. Provided that the scheme came forward with a large swathe of green space, free of buildings, along the southern edge of the development, it would read more clearly as a distinct later evolution of the settlement and retain some legibility of the original eastern extent of the historic settlement. However, the scale of the change would be sizeable and views towards the CA from the PROW would be obscured. The development would therefore undermine the significance of the CA

⁹ As defined in the Framework, reference paragraph 187

through a sizeable change to development within its setting, the magnitude of which would be moderate to high.

74 – 76 High Street

29. The Grade II listed pair of cottages (List Entry Number 1200570) is now just a single dwelling. It is a one and a half storey rubble stone building under thatched, hipped roof with features such as eyebrows over casement windows. The building has been listed for its group value with vernacular cottages of a similar age at Nos 62 – 70 High Street. The group of similar vernacular buildings are significant for their historic fabric and architectural interest, with none being of any particular importance within the group. Each draw some significance from their setting in relation to one another and in relation to High Street.
30. Unlike the other buildings in the group, Nos 74 – 76 High Street is at the edge of the settlement and therefore looks over the open appeal site via a window in a flank wall. This outward view and views towards the building from the B4069 give legibility to the historically peripheral location of Nos 74 & 76 at the edge of the settlement. As such, the appeal site contributes moderately positively to the significance of the listed building.
31. The introduction of buildings on the appeal site would enclose the setting of the listed building and change its location on the periphery of the settlement. Should the development come forward in line with the Framework Plan, there would be a deliberately wide green space to set the new dwellings away from the listed building. This would help to demark the different stages of the settlement's evolution and retain views from and to the more modestly scaled listed building, apart from those views from the PROW which would be largely obscured. Inevitably, views from within the listed building and its immediate curtilage would be changed by the closer proximity of new dwellings and associated development. Despite them being set at a reasonable distance, the effect would still be to modestly diminish the significance of the listed building.

Heritage conclusions

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

Other Matters

33. I have taken account of the representations of local residents and representatives in connection with a range of issues, beyond those already addressed above.

34. In respect of the matter of recent and regular flooding events, I have considered the submitted evidence, agreed by relevant specialist consultees, that the proposal would not increase the risk of flooding elsewhere, taking account of climate change factors. Planning conditions would be used to secure the final detail of any sustainable urban drainage scheme to be implemented as part of the development.
35. Whilst I note that residents have indicated difficulties with accessing doctor's appointments, particularly in Sutton Benger, there is no cogent evidence to support a need for financial contributions to specifically accommodate the development.
36. I note that there is a concern about the need to slow traffic speeds approaching or exiting the village past the site and that the pedestrian environment alongside the B4069 would not be suitable. I also note that there is a concern about the increase in vehicle traffic more generally. The absence of an objection from the Council's Highways Officer indicates that there are not considered to be capacity or safety issues that demand further consideration on the junction arrangement, provision of a footway or related measures that could not be addressed by reserved matters or through conditions.
37. Whilst there is a suggestion that the local sewage infrastructure is inadequate to cope with any new dwellings, I have not seen any cogent evidence to this effect. The requirement for all dwellings to be connected to a means of foul sewage disposal will be required under Building Regulations.
38. I note that a number of objections raise the loss of agricultural land as a concern with the scheme. Whilst the site area would be rendered unavailable for agricultural purposes, it is a relatively modest site size in the context of the housing needs and a loss of similar land is inevitable.
39. The indication that the appeal proposal would result in the sterilisation of mineral reserves has not been suitably evidenced nor the subject of an objection from the Minerals Planning Authority.
40. There is no evidence to demonstrate that any features of particular wildlife importance would be harmed by the development. Subject to the imposition of conditions and the S106, there would be enhancements secured through the development.

S106 planning obligation

41. The submitted S106 provides for a range of infrastructure that is necessary to offset the impact of additional residents on the area, or to comply with other policies of the development plan, as follows:
 - 40% affordable housing across a range of tenures: social rent, affordable rent, intermediate ownership products and/or first homes;
 - the provision of open space, an equipped area for play and allotments;
 - contribution towards public art;
 - early years contribution;
 - secondary school contribution;
 - sports pitch contribution;

- waste and recycling contribution; and
 - habitat creation and enhancement both on and off site.
42. I have had regard to the Statement relating to Regulation 122 of the Community Infrastructure Levy Regulations (2010, as amended), submitted by the Council, which justifies the various obligations and the monitoring fee. I have also considered the S106s and the terms on which the parties agree to make and spend the contributions. I am satisfied that all of the obligations are necessary to make the respective proposals acceptable in planning terms and that they pass the tests for planning obligations set out in the Framework in all other respects. I have therefore taken them into account in reaching my decision.

Planning balance

43. In respect of the scale, location and nature of the development, and given the harm it would cause to the landscape character, visual quality and to the significance of designated heritage assets, the scheme would not accord with the development plan when taken as a whole.
44. The presumption in favour of sustainable development has been engaged in Wiltshire since at least August 2024. Since then, the revisions to the Framework have worsened the supply position with only a 2.03 year supply capable of being demonstrated, which equates to a numerical shortfall of more than 10,000 dwellings. This is a considerable shortfall.
45. In light of the above, the locational conflict with the development plan and the shortcomings with the site's sustainability attract reduced weight.
46. The delivery of up to 60 dwellings would be a meaningful contribution to the housing supply which attracts significant weight in the overall balance. Whilst the scheme is in outline form and constitutes a major development, the appellant has highlighted the absence of impediments to delivery of the scheme and positive track record with efficiently moving sites on to allow progress towards reserved matters approval. As such, I do not reduce weight to the valuable contribution that the scheme could make to housing land supply and do not consider that suppressing permissions will help to address the supply deficit.
47. The delivery of housing would also include 40% affordable housing which would ensure an appropriate mix of units to meet a variety of accommodation needs. This is an aspect which also attracts great weight.
48. Other beneficial aspects of the scheme include the delivery of public open space and allotments, the delivery of biodiversity enhancements and economic benefits throughout the construction phase and beyond. I attach moderate positive weight to these aspects taken together. Some aspects to be secured by condition or S106 would mitigate the impacts of the development but do not count as specific benefits of the scheme.
49. Weighing against the scheme are the policy conflicts in relation to its scale and location, the suboptimal sustainability for a number of regularly accessed destinations, and harm to the landscape character and visual amenities of the area. Despite the harm to the significance of designated heritage assets being outweighed by the public benefits under the Framework balance, this is a residual harm that weighs a degree against from the grant of permission.

50. Nevertheless, the adverse impacts of the proposal would not significantly and demonstrably outweigh its benefits when assessed against the Framework. The presumption in favour of sustainable development therefore forms a consideration of significant materiality, such that in this case, it indicates that a decision should be made other than in strict accordance with the development plan.

Planning conditions

51. The suggested agreed planning conditions have been considered in the context of the Framework and Planning Practice Guidance to ensure that they meet the relevant tests for planning conditions to be necessary, precise and enforceable.
52. As the scheme is in outline, conditions are required to specify the reserved matters and timing for approval to be sought and the development subsequently implemented. Similarly, a condition is needed to secure the development to be undertaken in accordance with the approved plans and in line with the Framework Plan and submitted Ecological Parameters Plan.
53. A condition is needed to secure the implementation of a sustainable urban drainage system to be agreed in accordance with specified parameters. Conditions are also needed to minimise risks to the health of future occupiers from its proximity to the sewage treatment works and to ensure both existing and disused sewerage infrastructure is avoided or designed around as necessary. For similar reasons, conditions are needed in relation to the handling of unexpected contamination and implementing necessary acoustic design measures.
54. To ensure that the scheme delivers ecological benefits and their long term management, conditions are needed to secure ecological enhancements both through the construction phase and beyond.
55. In order to maximise the environmental sustainability of the scheme, conditions are required to secure water efficiency measures and other sustainable energy measures within the scheme.
56. In order to minimise any potential adverse ecological effects, a condition is necessary to preclude any external lighting otherwise than in accordance with an approved scheme.
57. In the interests of highway safety, conditions are needed to ensure the provision of the approved junction and related visibility splays. Further related to highways and accessibility, a condition is needed to secure the implementation of a travel plan to maximise non-car modes of travel.
58. In order to minimise the disruption of the construction phase, a construction management plan is required by way of condition.
59. In order to protect any potential features of archaeological interest, conditions are needed to ensure that the necessary programme of archaeological work.

Conclusion

60. For the foregoing reasons, the appeal is allowed.

H Nicholls

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Amy Aldridge
Shemual Sheikh
Chris Armstrong
Gail Stoten

Senior Planner, Gladman
Counsel
Director (Landscape), CSA
Executive Director (Heritage),
Pegasus Group

FOR THE LOCAL PLANNING AUTHORITY:

Peter Crozier, BA(Hons) DipUP MRTPI
Mark Goodwin, BA(Hons) BLA CMLI

Senior Planner
Senior Landscape Officer

INTERESTED PARTIES:

David Thompson
Joanna Watchman
David Wynne-Davies
Julian Felsted
Julia Felsted
Howard Greenman
Mr & Mrs Worth

Parish Council
Local resident
Local resident
Local resident
Local resident
Local resident
Local residents

DOCUMENTS:

Document 1	Wiltshire Council decision statement on the Draft Sutton Benger and Draycot Cerne Neighbourhood Development Plan
Document 2	Submission version of Sutton Benger and Draycot Cerne Neighbourhood Development Plan
Document 3	Examiner's report into the Sutton Benger and Draycot Cerne Neighbourhood Development Plan
Document 4	Sutton Benger important views March 2024
Document 5	CIL Compliance Statement and appendices
Document 6	Council Addendum Statement following NPPF December 2024
Document 7	Final S106
Document 8	Final agreed schedule of planning conditions
Document 9	Appellant final comments in respect of Document 6

SCHEDULE OF CONDITIONS

1. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of one year from the date of approval of the last of the reserved matters to be approved, whichever is the later.
2. An application for approval of the reserved matters specified in Condition 3 below, must be made to the Local Planning Authority before the expiration of two years from the date of this permission.
3. No development hereby permitted shall commence until details of the following matters (in respect of which approval is expressly reserved) have been submitted to, and approved in writing by, the Local Planning Authority:
 - (a) The scale of the development;
 - (b) The layout of the development;
 - (c) The external appearance of the development;
 - (d) The landscaping of the site.The development shall be carried out in accordance with the approved details. The reserved matters shall be submitted as a single phase unless otherwise agreed by the Local Planning Authority through the submission of a phasing plan and the development shall be implemented in accordance with that approved plan.
4. The development hereby permitted shall be carried out in accordance with drawing nos:
 - Dwg Ref: CSA/3324/126 Rev A – Site Location Plan
 - Dwg Ref. P22132/0303/P03 – Proposed Junction
5. The development hereby permitted shall make provision for the following:
 - up to 60 dwellings;
 - Locally Equipped Area for Play (LEAP)
 - Community allotments
 - The 'layout of the development' and 'the scale of the development' (as to be submitted and approved under condition no 3) shall accommodate the above broadly in accordance with the following plans:
 - o Dwg Ref: CSA/3324/120 Rev G – Development Framework Plan
 - o Dwg Ref: CSA/3324/129 – Ecological Parameters Plan
 - o Report No: CSA/3324/10 – Ecological Impact Assessment
6. No development shall commence on site until the applicant has submitted for approval a detailed site drainage design that should include and be based on the following:
 - Calculations and drawings for the drainage system showing designated holding areas and conveyance routes based on no flooding on site for a 1 in 30 year rainfall event;
 - Calculations and drawings for the drainage system showing designated holding areas and conveyance routes based on no flooding on site for a 1 in 100 year plus climate change rainfall event in respect to a building (including basement) or utility plant susceptible to water within the development;

- Calculations that demonstrate sufficient sensitivity analysis of the on-site drainage network has been undertaken for surcharged outfall conditions, at a sufficient volume to fully attenuate the 1 in 100yr +45% climate change;
- Calculations and details that demonstrate the proposed drainage design provides a sufficient level of water treatment;
- calculations that demonstrate the required 20% betterment against greenfield rates has been achieved for all storm events between the 1 in 1 year and the 1 in 100year return period storm events;
- A drainage plan for the site showing overland exceedance routes for flows in excess of the 1 in 100 year plus climate change (40%) rainfall event;
- Sufficient detail regarding the lining of any attenuation pond to demonstrate that any interface with groundwater can be safely managed.

Once approved then unless agreed in writing, the site drainage system shall be implemented in accordance with the approved details, calculations and drawings.

7. No development shall commence on site until clear arrangements are in place for ownership and ongoing maintenance of SuDS over the lifetime of the development.
8. No development shall commence on site until a construction management plan, which shall include, where possible, measures to retain existing vegetation across the site together with details of drainage arrangements during the construction phase, has been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority. These shall subsequently be implemented in accordance with the approved plan.
9. The reserved matters layout shall be developed to ensure that residential development is located outside the high risk fly contour, a minimum distance of 150m from the sewage treatment works site boundary as set by Wessex Water.
10. Prior to commencement of any construction works associated with the approved development, should it be necessary to divert the existing rising main or remove the abandoned sewer, confirmation that an application has been submitted and formally agreed in writing by Wessex Water shall be submitted to and approved by the Local Planning Authority.
11. There must be no buildings within a minimum of 3m either side of the 150mm diameter public foul sewer. There must be no buildings within a minimum of 3m either side of the 315mm diameter public foul sewer. No tree planting is permitted within a minimum of 6m. This includes no surface water attenuation features and associated earthworks in the standoff strip, changes in ground levels resulting in additional loading or excavation can lead to instability in the pipe.
12. Prior to the commencement of development, a Scheme for Ecological Enhancement and Green Infrastructure has been submitted to and approved in writing by the Local Planning Authority. The plan shall subsequently be implemented in accordance with the approved details and agreed timetable. All subsequent reserved matter applications shall be compliant with this condition.

13. Prior to the commencement of development, a scheme for water efficiency has been submitted to and approved in writing by the Local Planning Authority. This should include measures for water efficient systems and fittings such as dual-flush toilets, water butts, water-saving taps, showers and baths, appliances with the highest water efficiency rating (as a minimum) and greywater recycling and rainwater harvesting, to accord with the objectives of Core Policy 68. The scheme shall be implemented in accordance with the agreed details and all subsequent reserved matter applications shall be compliant with this condition.
14. Prior to the commencement of development, a scheme to demonstrate that, using a water usage calculator and based on the fittings approach, the development will not exceed a total (internal and external) usage level of 110 litres per person per day shall be submitted and approved in writing by the local planning authority.
15. Prior to the commencement of works, including demolition, ground works/excavation, site clearance, vegetation clearance and boundary treatment works, a Construction Environmental Management Plan (CEMP) shall be submitted to the local planning authority for approval in writing. The Plan shall provide details of the avoidance, mitigation and protective measures to be implemented before and during the construction phase, including but not necessarily limited to, the following:
 - a. Identification of ecological protection areas/buffer zones and tree root protection areas and details of physical means of protection, e.g. exclusion fencing.
 - b. Working method statements for protected/priority species, such as nesting birds and otter.
 - c. Sensitive lighting strategy to ensure retained hedgerows and the river corridor are maintained as dark corridors throughout construction.
 - d. Work schedules for activities with specific timing requirements in order to avoid/reduce potential harm to ecological receptors; including details of when a licensed ecologist and/or ecological clerk of works (ECow) shall be present on site.
 - e. Key personnel, responsibilities and contact details (including Site Manager and ecologist/ECow).
 - f. Pollution prevention measures including the location of site and storage compounds, the use of plant and machinery, measures to control of dust and noise, the location and use of wheel washing and vehicle washdown plant/machinery, and the location and use of oils/chemicals; g. the use and routing of heavy plant and vehicles;Development shall be carried out in strict accordance with the approved CEMP.
16. Prior to the start of construction, a Landscape and Ecology Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The LEMP will include:
 - a) Long term objectives and targets for retained, created and enhanced habitats.
 - b) Management responsibilities and maintenance schedules for each ecological feature within the development.
 - c) The mechanism for monitoring success of the management prescriptions.

- d) A procedure for review and necessary adaptive management in order to attain targets.

The LEMP shall be implemented in full and for the lifetime of the development in accordance with the approved details.

17. No external light fixture or fitting will be installed within the application site within public areas unless details of existing and proposed new lighting have been submitted to and approved by the Local Planning Authority in writing. The submitted details will demonstrate how the proposed lighting will impact on bat habitat compared to the existing situation.

The plans will be in accordance with the appropriate Environmental Zone standards set out by the Institution of Lighting Professionals (ILP) Guidance Notes on the Avoidance of Obtrusive Light (GN 01/2021) and Guidance note GN08/23 "Bats and artificial lighting at night", issued by the Bat Conservation Trust and Institution of Lighting Professionals.

18. Prior to the commencement of any works, including vegetation removal and demolition, details of the number, design and locations of features for biodiversity (in accordance with Paragraph 5.45 of the Ecological Impact Assessment, August 2024) shall be submitted to the local authority for approval. These details should be clearly shown on a relevant enforceable plan (e.g. site plan/technical elevations drawing/boundary treatment plan).

The approved details shall be implemented before occupation of the final works. These features will continue to be available for the target species for the lifetime of the development.

19. The development hereby permitted shall not be first brought into use/occupied until a footway provision has been made to link with the existing infrastructure on the north side of High Street from the development access as shown on the Proposed Junction on B4069 High Street plan Dwg Ref. P22132/0303/P03.

20. Prior to first occupation of any dwelling hereby permitted the access shall be provided in line with the approved plans and subject to detail design to be submitted for approval by the Local Highway Authority.

21. No part of the development shall be first brought into use/occupied, until the visibility splays shown on the approved plans have been provided with no obstruction to visibility at or above a height of 900mm above the nearside carriageway level. The visibility splays shall always be maintained free of obstruction thereafter.

22. No unit shall be occupied until those parts of the Framework Travel Plan capable of being implemented prior to occupation have been implemented. A Full Travel Plan shall be submitted to and approved in writing by the local planning authority within 9 months of first occupation. Those parts identified for implementation after occupation shall be implemented in accordance with the timetable contained therein and shall continue to be implemented if any part of the development is occupied. The Travel Plan Co-ordinator shall be appointed (within a month of occupation) and carry out the identified duties to implement

the Full Travel Plan for a period from first occupation until at least 5 years following occupation of the last residential unit.

23. An Acoustic Design Statement, as defined by the Professional Practice Guidance: Planning and Noise – New Residential Development (May 2017), for protecting the proposed development from noise from the M4 motorway and B4069 shall be submitted to and approved by the local planning authority; all works which form part of the scheme shall be completed before any part of the noise sensitive development is occupied.

For the avoidance of doubt, using closed windows to achieve the internal noise level target shall only be considered once all other good acoustic design acoustic mitigation measures have been utilised.

24. In the event that contamination is encountered at any time when carrying out the approved development, the Local Planning Authority must be advised of the steps that will be taken by an appropriate contractor; to deal with contamination and provide a written remedial statement to be followed by a written verification report that confirms what works that have been undertaken to render the development suitable for use.

25. No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the local planning authority. The plan shall include details of the measures that will be taken to reduce and manage the emission of noise, vibration and dust during the demolition and/or construction phase of the development. It shall include details of the following:
- a. The movement of construction vehicles;
 - b. The cutting or other processing of building materials on site;
 - c. Wheel washing and vehicle wash down facilities;
 - d. The transportation and storage of waste and building materials;
 - e. The recycling of waste materials (if any)
 - f. The loading and unloading of equipment and materials.
 - g. The location and use of generators and temporary site accommodation
 - h. Where piling is required, this must be Continuous flight auger piling wherever practicable to minimise impacts
 - i. The use of plant and machinery
 - j. Oils/chemicals and materials
 - k. The use and routing of heavy plant and vehicles
 - l. The location and form of work and storage areas and compounds
 - m. The control and removal of spoil and wastes.
 - n. The submitted CMP must include safeguarding measures to deal with the following pollution risks.

The construction/demolition phase of the development will be carried out fully in accordance with the construction management plan at all times.

26. No development shall commence within the red-line boundary on the approved Site Location Plan until (a) a written programme of archaeological investigation, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved by the Local Planning Authority; and (b) the approved programme of archaeological work has been carried out in accordance with the approved details.

27. No development shall commence on site until a Sustainable Energy Strategy(ies), including details of operational energy, embodied carbon, low carbon, renewable energy technologies, climate change adaptation measures and sustainable transport in accordance with Wiltshire Core Strategy Core Policy 41 has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

----- End of Schedule -----

Richborough