



Appeal Decision

Hearing held on 21 January 2026

Site visit made on 20 January 2026

by M Bale BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 February 2026

Appeal Ref: APP/Y3940/W/25/3369891

Land west of Wilcot Road, Pewsey, Wiltshire

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for outline planning permission.
 - The appeal is made by Dunmoore Properties Ltd against Wiltshire Council.
 - The application Ref is PL/2025/026470.
 - The development proposed is up to 30 no dwellings.
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Decision

1. The appeal is allowed and outline planning permission is granted for up to 30 no. dwellings at Land west of Wilcot Road, Pewsey, Wiltshire in accordance with the terms of the application, Ref PL/2025/026470, subject to the conditions in the attached schedule.

Preliminary Matters

2. The application was made in outline, with approval sought for access at this stage and all other matters reserved for subsequent consideration.
3. Amended plans were submitted during the Council's consideration of the application, but were not consulted upon. They included a change to the red-line application site boundary, to include various highway works on Wilcott Road. There was also a change to the illustrative masterplan, showing a reduction to 27 dwellings, but it was confirmed at the Hearing that the proposal remains for up to 30. The appellant believes that 30 dwellings could be accommodated within the general building envelope suggested for the 27 shown.
4. Given the reserved matters, the masterplan is provided for illustrative purposes only. No injustice can arise if I were to consider it as a different possible way that the site could be developed. The enlarged application site would accommodate works that would be entirely within the public highway. As such, a requirement to carry them out could be subject to pre-commencement conditions whether or not they were within the defined site boundary.
5. There was no formal consultation on the revised details, including the proposed highway works, during the time the Council was considering the application. However, the details were submitted with and clearly detailed in the appeal submissions. The appellant carried out its own consultation and notification of the amended plans in preparation for the appeal. The Council has clearly considered the proposal, and interested parties have commented on the highway works in writing, and orally at the Hearing. I am, therefore, satisfied that the changes shown

are not substantive and no procedural unfairness would arise if I were to determine the appeal on the basis of the amended access proposals.

Main Issues

6. A significant amount of common ground has been established between the main parties during the appeal process. This includes matters connected with ecology and contributions towards infrastructure. While there is also agreement in respect of highway matters, interested parties presented a substantive challenge to the agreed position. Therefore, the main issues for my decision are:
 - The effect on the character and appearance of the area, with particular regard to the natural beauty of the North Wessex Downs National Landscape;
 - The effect of the development on highway safety; and
 - Whether there are any material considerations that might outweigh any harm that might be caused by the development, with particular regard to the supply of market and affordable housing.

Reasons

Character and appearance

7. The site, part of the Vale of Pewsey Landscape Character Area ("LCA"), is within the North Wessex Downs National Landscape ("NL"). NLS are afforded the highest status of landscape protection in planning policy, and great weight must be given to conserving and enhancing their scenic beauty. The North Wessex Downs Landscape Character Assessment describes valued qualities of the LCA as including a broad, low-lying landscape, enclosed by dramatic chalk escarpments to the north and south, forming a clear sense of place. A mix of pasture, arable fields, hedgerows and woodlands create a mosaic of land uses.
8. The site is located adjacent to the built-up area of Pewsey. Nevertheless, despite the presence of the exposed, elevated, dwelling 'Martinborough', significant tree planting means that it is visually separated from the developed part of the village. A lack of pedestrian footways and other urban highway features connote a sense of physical separation and more rural character to both Wilcot Road and Woodborough Road that border the site. Thus, the roads appear characteristic of the wider rural road network that collectively contribute to the character of the LCA and the wider NL. A recently created access provides open views into the site, from where it is clearly read as part of the lightly developed, generally open landscape of the wider vale.
9. This openness, elevation and connection to the surrounding landscape can be clearly appreciated in views from Sharcott Drove and a footpath to the south of the railway line that connects that road to modern, suburban development elsewhere in Pewsey. Although the site and adjoining land has been grazed by horses, from these viewpoints the character of the landscape is a rural one, separated from the settlement by substantial blocks of trees that provide a strong urban edge and rural setting to this side of Pewsey.
10. Visually, the presence of houses would be highly noticeable from the above viewpoints. Although from the most open stretch of the footpath south of the railway, the other, existing, suburban development is highly exposed, the visual

detachment of the site from other built form means that the proposed development would, at first, be highly intrusive in the rural scene.

11. Layout and landscaping are reserved for subsequent consideration, but the shape of the site is unlikely to allow for a dense planted screen. The new dwellings would be on lower ground than Martinborough such that, within around 15 years, new boundary landscaping would result in only filtered views of them. Nevertheless, the relatively narrow strip of boundary landscaping suggested in the illustrative plans is likely to result in an urban edge that is more prominent than it is now. In essence, a suburban group of houses would be seen instead of a relatively visually isolated, single dwelling.
12. There is potential for livestock in the adjoining field to graze newly planted trees and hedgerows, which could slow its growth. However, it is customary for landscaping conditions to be subject to a requirement to replace damaged plants. That, together with the precise location of new planting relative to the actual boundary, would be for a reserved matters application to consider. Any difficulty providing sufficient surface water drainage alongside landscaping may ultimately affect the number of dwellings that could be provided. Again, this proposal is for 'up to' 30 dwellings and scale is a reserved matter.
13. At closer range, the site is elevated from Woodborough Road and screened by a substantial hedgerow. These features combine to mask most of the site from view. A pedestrian and cycle link would be formed in this boundary. The level changes and need for some visibility splays are likely to give this a man-made, artificial and engineered appearance, even if the banks can be battered back as an alternative to retaining walls. Woodborough Road, beyond the nearby cemetery and last residential dwelling boundaries in the existing village, has a distinctly rural appearance. In this context, both the access and the views into the residential site that it would likely open up would have a detrimental effect on both the character and appearance of the landscape.
14. On approach to the village, given the proximity of the access to the existing urban edge, the harmful effect would be tempered by the presence of existing suburban boundaries in the view. While the harm would be greater when leaving the village, where the eye is drawn to the rural scene, there would only be a short delay in the experience of having left the built-up area.
15. From the bridleway between Woodborough and Wilcot Roads, views towards the site are already filtered. At the southern end of the route are a group of dwellings and rural buildings. Through the larger gaps, paddock-style fencing is prominent in the foreground. Towards the northern end, views are across the rugby ground, providing a more suburban setting to the site. While the new houses would be prominent in the short-term, given the intervening features, they would not be particularly harmful by year 15 when the planting would result in more strongly filtered views of them and give a greater prominence to the existing foreground features.
16. Wilcot Road would be subject to significant change. The site access would be formalised with a new kerbed footway on the rugby ground side and residential estate road. Some planting could be provided, but it would nevertheless have a formal, suburban appearance. Both versions of the illustrative plans suggest that a likely road alignment would leave a row of dwellings exposed to viewers on Wilcot

Road. This is in stark contrast to the existing approach to Pewsey, where, despite some urban features, there are low-key individual dwelling accesses to Martinborough and Mayflower Cottage; and opposing them, dwellings accessed from Smiths Close are separated from the road by a continuous hedge and tree line.

17. There is a cul-de-sac of semi-detached dwellings alongside the football ground. These are visible through a relatively open boundary on approach to the village, but they stand clearly separate to the main built form. Given the scale of development proposed, there would be an effective joining of built form from this point to the main part of the village, giving the overall impression of extending the built-up area of Pewsey right out to the football and rugby grounds. This would be amplified by the proposed coloured soft footway, increased lighting from the dwellings, and activity that would reduce the tranquillity of the area. While increasingly commonplace in rural areas, the soft footway would be a highly visible highway feature, far more representative of urban development than a typical rural lane.
18. The extent to which this is harmful at this site, however, is tempered by the presence of the sports pitches. While the pitches have an open appearance, they are clearly features closely associated with residential areas. The boundary fencing at the rugby club and gates at the access amplify this. There is also external lighting and, while it would not be used so regularly as lighting associated with dwellings, the design of new external lighting could be secured by condition to minimise light spill.
19. Thus, although it is not a particularly urban environment, the area around the appeal site is not a truly rural one either. The dwellings would be a far more urbanising feature, but given the existing recreational facilities associated with Pewsey that are located beyond the site, their introduction here would only be moderately harmful in terms of the character and appearance of the immediate area.
20. On the basis of the above, I find that within 15 years, the adverse visual effects of the development would be relatively small. These would be mostly observed in views from Sharcott Drove and the footpath south of the railway, where filtered views of the dwellings would extend the settlement into areas where it is not readily visible now; and from Wilcot Road, where closely exposed views of the dwellings and the soft footway would result in a more suburban environment.
21. The change in landscape character would be more significant, given that, seen from the most affected viewpoints, it is associated with the open vale, rather than the built-up area. Even though the site might not represent all of the valued features of the LCA, it clearly exhibits some. Importantly, the site is part of the NL and is a clear part of the landscape, rather than the settlement. Its proximity to the existing urban edge means that it plays a fundamental role in preventing urban creep into the NL, and as part of the soft yet well-defined settlement edge, its value should be regarded just as highly as any other part of the protected landscape.
22. There would be a permanent, irreversible change to the landscape character of the site as a part of the NL. It would conflict with Policy CP51 of the Wiltshire Core Strategy that seeks to ensure the conservation or enhancement of landscape

character, and transition at the urban fringe. Nevertheless, given the location towards the edge of the open vale landscape, close to recreational facilities, the loss from the mosaic of rural land uses would not have a significant effect on the wider character and appearance the NL.

Highway safety

23. In order to achieve accessibility by non-car means between the site and the facilities and services in Pewsey, various measures are proposed. The main measures are the provision of a 'soft' footway along Wilcot Road and a pedestrian/cycle link to Woodborough Road. As noted above, both of these roads are presently rural in character. They have banked edges that afford little opportunity to take refuge from passing traffic. As family housing, any new pedestrian traffic could include children. I understand that around 20 years ago, permission was refused for a dwelling to be served off Wilcot Road, but I do not know the full reasons for that, or what mitigation was proposed, if any.
24. Wilcot Road is wide enough to accommodate two passing vehicles along much of its length. I understand that it carries a significant amount of vehicular traffic, especially when the sports pitches are in use by multiple teams. There is a change from 30 miles per hour to the national speed limit around Martinborough, where there is a crest that limits visibility.
25. Even though the appellant's speed measurements were taken close to the change in speed limit, the Council accepts that the available data indicates that most vehicles travel past the appeal site below 40 miles per hour. It appears that this is also supported by community speed watch data. Some of the measured vehicles could be large ones and the data does not show speeds by vehicle type. However, the Council confirmed at the Hearing that soft footways have been provided on roads with similar traffic speeds elsewhere.
26. The soft footway would take the form of a lined and coloured strip. Thus, it would indicate pedestrian priority, although people would walk in the carriageway, the full width of which would remain available for vehicles to use when passing one another. The arrangement would ensure that the marking was visible at night, increasing driver awareness of the potential for pedestrians to be in the carriageway. Neither party identified a need for the route to be lit with new street lights. Ultimately, the highway authority is satisfied that the route would be safe for pedestrians and would not present a barrier to accessing village facilities on foot.
27. Woodborough Road is narrower, and the hedge and bank boundaries more enclosing than Wilcot Road. There are fewer opportunities for vehicles to pass one another, and as a pedestrian I experienced a need to remain vigilant to traffic and, at times, wait for temporarily stopped vehicles that were blocking my path. At the hearing, local residents appeared to acknowledge this was reflective of the norm, albeit I was in the road for far longer than it would take to walk from the site access to the junction with Wilcot Road, and I was not walking with the purpose of getting from one place to another. Cyclists using the road would be expected within the carriageway alongside vehicles and so could use the route easily. It is part of the national cycle route network and so their presence would also be expected to some degree.
28. For those wishing to walk, including those of reduced mobility, wheelchair and pushchair users, the Council are satisfied that the expected volume of pedestrian

and vehicle movements could be accommodated safely. At the Hearing it was confirmed that this judgement was informed, in part, by the fact that Woodborough Road is designated as a 'quiet lane', intended to encourage walking, cycling and horse riding, and discourage use by motor vehicles.

29. It appears that various quiet lanes were designated in the very early part of the current century, but the Council's officers were not able to confirm the basis on which any designation was made, or whether there had been any review since. Local residents certainly do not believe it is any deterrent to car usage and there is no evidence before me about volumes and types of vehicles on Woodborough Road. I am far from convinced that the quiet lane designation is in any way indicative of the volume of traffic, its speed, or implies any particular degree of safety for pedestrians.
30. Nevertheless, at the Hearing, the Council remained certain that walking in Woodborough Road would be safe. Given the relatively short distance involved, that the road characteristics would significantly reduce vehicle speeds, and that there are limited opportunities for two-way vehicular traffic, I have no reason to disagree.
31. I, therefore, find that safe and convenient access between the site and village facilities and services would be provided. Opportunities for walking and cycling are more limited in rural than urban areas, but the proposal would offer a genuine choice of transport modes. There would, therefore, be no conflict with Policies 60 and 61 of the CS which seek to reduce the need to travel, particularly by private car and support the sustainable, safe and efficient movement of people and goods.

Housing supply

32. It is common ground that the supply of deliverable housing in Wiltshire equates to 2.42 years. There is also a very significant need for affordable housing within the County. A Pewsey Parish Housing Needs Survey in 2019 identified a need for 52 affordable homes in the Pewsey Community Area. It is also common ground that that figure was a snapshot in time that would grow, and that there are no developments in the Council's housing trajectory that would deliver affordable housing in Pewsey. As a Local Service Centre, with a range of services and facilities, Pewsey is the most suitable location in the community area to meet local housing needs.
33. At the Hearing, it was also confirmed that the Community Land Trust ("CLT") had identified a very great need for young workers wishing to stay in the village. As of July 2025, it was suggested that the need for the village itself was for 28 homes, of which 17 would be for one-bedroom houses, 7 for two-bedrooms, 2 for three-bedrooms and 2 for four-bedrooms.
34. To contribute to the need, the CLT hopes to deliver 8 affordable dwellings comprising 7 flats and 1 house, at the former police station. They are currently working to resolve outstanding issues with a planning application that has been with the Council for around two years. I appreciate that, as inexperienced developers, progress has been slow for the CLT, but I was not provided with any timescale for permission, or ultimate delivery. I understand that the CLT also intend progress development of other sites in Pewsey for affordable housing, however, there is even less information or certainty about those sites or their delivery.

35. Interested parties also suggested at the Hearing that one problem with affordable housing delivery in Pewsey has been a steady stream of applications falling under the threshold where the provision of affordable housing is required. From the comments made at the Hearing, it appears that this may have stemmed from a deliberate decision to favour small sites. Such sites may have less impact on the community than large schemes, but they do not assist affordable housing delivery.
36. There has been no demonstrable attempt to progress development of the village's one large site, a long-standing allocation at Marlborough Road. While this site is ideally located, close to the railway station, the Council confirmed that it does not expect to see development there in the near future. There is even uncertain prospect of delivery of the other allocated small sites within the village limit of development ("LoD"), as they are currently occupied by active businesses.
37. Therefore, even if development at the Old Police Station comes to fruition soon, it would not get close to addressing the affordable housing need for Pewsey, or the wider community area. The Council could not suggest how the need would be met, except that it might be from schemes such as the present one, outside the LoD, or windfall developments in other small villages. All of this is a clear indication that to meet the outstanding affordable housing needs, some development will almost certainly need to take place at Pewsey, but outside the LoD.
38. I understand that neither the Council, Parish Council nor other interested parties believe the current appeal site to be the most appropriate location for such expansion. Other than a general suggestion that sites on Salisbury Road might be preferable, there is no substantive evidence of any comparison of sites outside the LoD. Undoubtedly, it would be preferable for such a judgement to be made following a rigorous assessment of alternatives through the Local, or Neighbourhood Planning process.
39. It may well be that the Neighbourhood planning process has been stalled pending advice from Wiltshire Council as to the level of development expected to be accommodated. That, in turn, is due to the need to address outstanding Inspector concerns in respect of the emerging local plan. However, as with other future development potential in and around Pewsey, I could not be given any convincing evidence about likely timescales in that process either.
40. On the basis of the evidence before me, I can only conclude that there is a very pressing need for affordable housing to meet identified local needs, there is no indication of where or when that may be met, except that it will very likely require the development of some land outside the LoD and, therefore, in the NL. The proposal would deliver a significant amount of affordable housing. It is owned by a developer who is willing to accept conditions that it is commenced in less than the statutory time periods, indicating that development can be delivered relatively quickly. There are, therefore, very significant benefits to be realised from the grant of planning permission.

Other matters

41. Although employment opportunities within the settlement may be limited, Pewsey is defined in the CS as a Local Service Centre, where some modest development can be provided to safeguard its role and deliver affordable housing. It has a basic range of services and other destinations are accessible by bus and a main-line rail station. Bus stops are slightly beyond comfortable walking distances from the site

for some people, but the Council confirmed at the Hearing that there would be no conflict with CS Policies 60 and 61 regarding accessibility and the distances in themselves would not result in a fundamental objection to the development. That aligns with the findings of the previous Inspector in appeals at this site, and I have no reason to reach a different conclusion on this matter. Nevertheless, the site lies outside the defined LoD where CS Policies CP1, CP2 and CP18 seek to prevent development. There would be conflict with the development plan in this regard.

42. I have no substantive evidence that the development would result in increased traffic congestion or parking pressure on Vale Road, Marlborough Road or anywhere else in the village. Nor is there any particular evidence that there would be increased overspill parking at the railway station. In the absence of any objection from the Local Highway Authority on these grounds, I conclude that there would be no significant adverse effects.
43. Interested parties have suggested that local facilities and services may not be able to meet the demand of additional residents. However, while some residents may have experienced difficulties obtaining doctor's appointments and the like, there is no particular evidence of any significant stress. The Council confirmed at the Hearing that the contributions provided for in the submitted Unilateral Undertaking ("UU") would avoid any adverse impacts on facilities that might be affected. There is ample capacity for additional students at the local schools and the main parties agree that an increase in roll numbers would be a benefit in sustaining the viability of those institutions.
44. While not all wildlife present in the area, such as local deer populations, may have been assessed, the parties agree that statutory Biodiversity Net Gain targets can be met and that, with mitigation, there would be no adverse effects on other biodiversity interests at the site. The development would result in the loss of best and most versatile agricultural land ("BMV"), which weighs against the proposal.
45. The linking of the sports pitches to the village via the new soft footway could result in more people accessing them by foot. That might result in a greater flow of pedestrians past 102 Wilcot Road and other dwellings close to the football club. Nevertheless, there is no reason to find that such would be harmful to the living conditions of neighbouring residents. Nor is there any substantive evidence that the proposed highway works cannot be accommodated entirely within existing highway land. The detailed relationships of future dwellings with existing residents would be fully considered at reserved matters stage to ensure that living conditions could be safeguarded.
46. It has been suggested that representations made in support of the original planning application may have been a consequence of telephone canvassing, and that some respondents were not local. The reasons that people may have for supporting a development, or how they became aware of it, is of limited relevance to the planning merits of the case. In any event, their support is not necessary to corroborate the clear acceptance by the Council of a significant market and affordable housing need in the area.

Planning balance

47. The development would result in harm to the NL. This would arise through a fundamental change in the landscape character of the site, and the visual impact of dwellings that, while filtered by new planting, would almost certainly be more

visible than existing housing at this part of the urban edge. There would also be some limited harm to the character and appearance of Woodborough Lane, and more significant harm to that of Wilcot Road, albeit that is tempered by the existence of the sports pitches and other nearby dwellings. There would be a conflict with the spatial strategy set out in the CS that does not permit dwellings outside the LoD, and some loss of BMV.

48. Weighed against all of this, is the contribution that would be made to addressing deficiencies in the supply of housing. A substantial contribution would be made to the supply of market housing. While it might be preferable for such needs to be met outside the NL, even accounting for development at the Old Police Station, the local need for affordable housing is also very great. The development would make a substantial contribution to meeting that need too, and if this development does not proceed, it is wholly unclear how or when that need would begin to be met.
49. NLs receive the highest status of protection in respect of their landscape and scenic beauty. The site is part of this highly valued landscape, but while that should not be diminished, I must also have regard to the fact that the impacts are localised and, other than playing an important role in the rural setting of Pewsey, the site does not form a component particularly representative of the general character of the LCA, or defining features for which the NL is known. It is also at the very edge of the open vale.
50. Although some residual harm would remain, the landscape mitigation, including enhancement of existing roadside boundaries, that would benefit from some repair, and the introduction of an historic field boundary at the edge of the proposed development, will ensure that this is reduced as far as possible. Such can be fully considered, alongside the ultimate scale and layout of development, at reserved matters stage. Nevertheless, it is appropriate at this stage to also impose conditions that require control over external lighting, and alongside the measures that would be considered later, is a proportionate response as I seek to further the purpose of conserving and enhancing the NL.
51. In considering two previous appeals in 2022, the Inspector concluded that a 30 dwelling scheme at this site did not constitute major development in the NL. While the Framework has been updated, the basic premise of the test for whether a proposal should be regarded as major development has not changed. I have found that the adverse impacts on the landscape and scenic beauty of the area would not be significant, so I have no reason to deviate from the previous Inspector's conclusions on this matter.
52. The lack of significant harm to the NL also means that policies of the Framework do not provide a strong reason for refusing the development proposed. Given the housing land supply situation, the Framework, therefore, indicates that permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits. Particular regard should be given to key policies of the Framework for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.
53. The need to provide well designed places includes ensuring that development adds to the overall quality of the area, is sympathetic to local character and landscape setting. While I have found some harm to the landscape setting of

Pewsey, the development itself, through the new planting suggested and the siting of houses on lower ground than surrounding development does respond so far as possible to the landscape setting of the site. There is no reason to conclude that an appropriate layout to meet the needs of future residents, while safeguarding the living conditions of neighbours, could not be devised at the detailed design stage. It would make an effective use of land at a density reflective of the rural-edge location. Alongside market housing, it would provide affordable homes at an appropriate mix, in an accessible location close to schools and other facilities as well as a main-line railway station.

54. Despite giving great weight to the conservation of the landscape and scenic beauty, as a constituent component of the NL, and taking account of the loss of best and most versatile agricultural land, I therefore find that the adverse impacts of granting permission would not significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework taken as a whole, having particular regard to the policies specified in Framework paragraph 11 d) ii, and footnote 9.
55. The proposal, therefore, benefits from the presumption in favour of sustainable development outlined in Framework paragraph 11. As Government policy, this is a strong material consideration in favour of the development.
56. The proposal conflicts with the development plan in respect of policies concerning the protection of the landscape. Added conflict with the settlement strategy means that there would be conflict with the development plan, read as a whole. However, these policies are amongst the most important for determining the application, and the Framework indicates that they should be deemed to be out of date by virtue of the housing land supply situation. In this context, I therefore, find that material considerations indicate that a decision should be taken otherwise than in accordance with the development plan and planning permission should be granted.
57. There have been previous refusals of permission at this site, however my decision must be made on the basis of the situation and available evidence now. While I understand that local residents are concerned that granting permission could lead to further development in the NL around Pewsey, my decision in this case also arises from my weighing of the benefits and harm now. There is no obvious reason why such circumstances should automatically continue to repeat themselves elsewhere, or in the future.

Appropriate assessment

58. The integrity of two European protected sites (together “the Habitats Sites”): The River Avon Special Area of Conservation (“SAC”) and Salisbury Plain Special Protection Area (“SPA”), could be adversely affected by development at the site.
59. The SAC is designated for its rivers with floating vegetation often dominated by water-crowfoot, bullhead, brook lamprey, sea lamprey, Atlantic salmon, Desmoulin’s whorl snail. Increased levels of phosphates have caused damage to the water environment and to avoid continued degradation, it is necessary that all new development in the catchment should be phosphate neutral.
60. The Council operates a credit scheme whereby phosphate reduction projects elsewhere can be used to off-set potential increases from new development. The

amount of credits required has been agreed between the parties and the UU prevents development until sufficient credits have been purchased. The UU also includes alternative provisions whereby the developer can secure an off-site phosphate reduction project privately.

61. While final details of a private project are not secured now, the concept has support from Natural England as the Statutory Nature Conservation Body. Moreover, the existence of the alternative provision to purchase credits from the Council provides a robust alternative. I understand that the Council cannot be certain that sufficient credits will be available when development needs to commence, but the requirement to secure the credits prior to the commencement of development means that adverse impacts cannot arise. I am aware of no scientific reason that the mitigation secured by the UU would not, ultimately, prevent the adverse effects arising. There is, therefore, sufficient certainty for me to agree to the proposal.
62. The SPA is designated for non-breeding hen harrier and breeding populations of Eurasian hobby, common quail and stone-curlew. There is potential for increased population to place additional recreational pressure on Salisbury Plain, that could affect stone-curlew. The Council, and Natural England, have agreed that, for now it is only necessary to carry out continued monitoring of the stone-curlew population, visitor numbers, and to provide advice to land owners in order to ensure that the SPA is not being adversely affected. Such monitoring is funded via receipts from the Community Infrastructure Levy and the Council has confirmed that this provides adequate mitigation. I have no reason to reach a different conclusion.
63. Therefore, following consultation with Natural England as to the proposed effects and mitigation and appropriate assessment under the Conservation of Habitats and Species Regulations 2017, I am satisfied that the development will not result in likely significant effects on the integrity of the Habitats Sites.

Conditions

64. Conditions are required to secure the submission and approval of reserved matters and timescale for the commencement of development. The appellant has committed to rapid submission of details and implementation of the permission. As I have identified that there would be some residual harm, but this is outweighed by the contribution to housing needs demonstrated now, it is reasonable to impose a shorter time period for commencement than the statutory one. A condition listing the approved plans for the access works is required in the interests of certainty.
65. A Construction Environmental Management Plan is necessary to protect the living conditions of nearby residents and ecological interests at the site. To ensure the long-term management of any landscape and ecological features, a condition securing a Landscape and Ecology Management Plan is also necessary. The Council has suggested that a Habitat Management and Monitoring Plan is required. However, the development would be subject to the statutory biodiversity net gain condition and the stated purpose of the extra condition appears to be to ensure that such is appropriately implemented and managed. I have no substantive evidence as to why further controls beyond the statutory condition are necessary, so I have not imposed such a condition.
66. Access is being approved at this stage. A condition is, therefore, necessary to ensure that the accesses are formed and the highway works to Wilcot Road are

carried out. To ensure that construction impacts on the local highway network are adequately managed, a Construction Traffic Management Plan is required.

67. I have no reason to believe that the site is at risk of flooding, or that development is likely to lead to flooding off site. Notwithstanding reports from interested parties of pollution from sewage treatment works, I also have no evidence that they are not able to accommodate the potential increase in discharge from the development. Nevertheless, to avoid any increase in off-site flood risk, or adverse effects on sewerage infrastructure, conditions are necessary to secure details of surface and foul water drainage schemes. It is necessary to secure a travel plan to promote travel by non-car means.
68. The phosphate mitigation proposals are dependent upon the amount of future water consumption at the site. Therefore, it is necessary to impose a condition to ensure that the design of the dwellings limits the likely future water consumption. To minimise light pollution in the NL, it is necessary to impose controls over external lighting.
69. However, there is no convincing justification for the removal of permitted development rights. The Council suggested control was only needed preventing extensions to dwellings, including at roof level. They were not concerned about other alterations, including the erection of outbuildings. The Government has not imposed any general restriction of permitted development rights in NLs and it is unclear why alterations to new dwellings would be any more harmful than older ones. Nor can I understand why extensions might be harmful, whereas outbuildings would not. On that basis, I have not imposed such a condition.
70. There is also no need to impose conditions relating to the reserved matters, including those relating to the planting and protection of existing trees as they can be dealt with during the approval of landscaping details, when the final scheme and its impacts are fully understood.

Conclusion

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

M Bale

INSPECTOR

Schedule of conditions

1. Details of the appearance, landscaping, layout, and scale, ("the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.
2. Application for approval of the reserved matters shall be made to the local planning authority not later than 18 months from the date of this permission.
3. The development hereby permitted shall take place not later than 18 months from the date of approval of the last of the reserved matters to be approved.
4. The development hereby permitted shall be carried out in accordance with drawing nos: 2273/24 rev P02; 24143/08A; 24143/09C Sheet 1 of 2; 24143/09C Sheet 2 of 2.
5. No development shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall set out appropriate measures to protect residential amenity, the local environment and ecological interests during construction. Development shall be carried out in accordance with the approved CEMP throughout the construction period.
6. No development shall take place on site until a Landscape and Ecology Management Plan (LEMP) has been submitted to and approved in writing by the Local Planning Authority. The LEMP will include long term objectives and targets, management responsibilities, and maintenance schedules for each ecological feature within the development, together with a mechanism for monitoring success of the management prescriptions, incorporating review and necessary adaptive management in order to attain targets. The LEMP shall be implemented in full and for the lifetime of the development in accordance with the approved details.
7. No development shall commence until a Construction Traffic Management Plan (CTMP) has been submitted to and approved in writing by the Local Planning Authority. The CTMP shall include details of construction access, routing, delivery management, contractor parking and measures to prevent mud or debris on the highway. The development shall thereafter be carried out in accordance with the approved CTMP.
8. No development shall commence until schemes for the disposal of foul and surface water have been submitted to and approved in writing by the Local Planning Authority. The approved schemes shall be implemented prior to first occupation and thereafter maintained as such.
9. The residential development hereby approved shall be designed and thereafter maintained to ensure it does not exceed 110 litres per person per day water consumption levels (which includes external water usage). Within 3 months of each dwelling being occupied, a water efficiency report certifying that this standard has been achieved shall be submitted to and approved in writing by the local planning authority.
10. Prior to the first occupation of any dwelling hereby approved, the proposed access arrangements and associated highway improvement works including the proposed pedestrian and cycle improvements along Wilcot Road and to Woodborough Road shall have been completed and made available for public use. The works shall be

completed in accordance with details that shall first have been submitted to and approved in writing by the local planning authority and shall thereafter be maintained as such.

11. Prior to the occupation of any part of the development hereby approved, details of a residential travel plan shall be submitted to and approved in writing by the local planning authority. Measures within the approved travel plan shall be implemented in full within an agreed timetable set out in the travel plan, unless otherwise agreed in writing by the local planning authority.
12. No external lighting shall be installed on-site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage, have been submitted to and approved in writing by the Local Planning Authority. The approved lighting shall be installed and maintained in accordance with the approved details and no additional external lighting shall be installed.

End of conditions

Richborough

Appearances

For the appellant:

Fiona Bennett BSc (Hons), MSc, MCIHT, CMILT – Highgate Transportation

Michael Davies BA (hons) DipLA MLI – Davies Landscape Architects

Richard Ground KC

Jeffrey Hobby

Alex Marshall CEng

Roger Welchman BSc Dip TP MRTPI – Armstrong Rigg Planning

For the local planning authority:

Elizabeth Burrows BSc (Hons) MSc – Wiltshire Council Senior Ecologist

Jonathan James MA MRTPI – Senior Planning Officer

Hannah Jones – Wiltshire Council Highways

Paul Robertson BA (Hons) DipLA MSc CMLI – Senior Landscape Officer

Interested Parties:

John Ford

Hannah Henretty

Marilyn Hunt

Alison Kent – Clerk to Pewsey Parish Council

Patricia Keers

Robin Mallinson

Linda Mundy – Chair of Planning Committee, Pewsey Parish Council

Charmian Spickernell – personally, for CPRE, and for the Community Land Trust

Documents submitted at the Hearing:

HD1 Draft Unilateral Undertaking

HD2 Drawing 2273/24 rev P02

Documents submitted after the Hearing:

Completed Unilateral Undertaking, dated 22 January 2026