

Original Permission Condition Wording	Appellant's Proposed Wording	Council's Proposed Wording	Condition Wording (Where Agreed)	Commentary (Where Unagreed)
<p>9. Phasing Details</p> <p>Prior to the submission of each reserved matters application, a phasing programme and plan shall be submitted to and approved in writing by the local planning authority to show how the development shall be implemented in phases or sub phases. The phasing programme shall include the following elements:</p> <ul style="list-style-type: none"> a) The development parcels. b) Major distributor roads/routes within the site, including a defined hierarchy of the road network, the timing of provision and opening of access points into the site. c) Phased access strategy delivery and associated phased housing delivery. d) Pedestrian / cycle connectivity and public transport to committed and emerging parcels of development within the New Eastern Villages. e) Alterations to public transport routes to accommodate the defined phases of development within the site. f) Local centres and community facilities, including car share space provision. g) The safeguarded route for the canal. h) Strategic foul and surface water features and sustainable drainage systems. i) Strategic landscaping, recreation and open space. <p>The development shall be carried out in accordance with the approved phasing and timetable.</p> <p>Reason: To ensure the coordination and delivery of infrastructure provision for the new community. In accord with Policies IN1 and NC3 of the Swindon Borough Local Plan 2026.</p>	<p>9. Phasing Details</p> <p>For Phase 1, development shall be carried out in accordance with the approved phasing and timetables set out in the following:</p> <ul style="list-style-type: none"> • 0767-1004 Revision D received 23rd August 2022 Overarching; • 0767-1002 Revision D received 3rd November 2022 Strategic foul and drainage infrastructure; • 0767-1001 Revision D received 11th August 2022 Movement; • 0767-1000 Revision C received 11th August 2022 Spine road and housing parcels; and • 0767-1003 Revision C received 11th August 2022 Green infrastructure <p>Prior to the submission of each reserved matters application, relating to Phase 2 onward, a phasing programme and plan shall be submitted to and approved in writing by the local planning authority to show how the development shall be implemented in phases or sub phases. The phasing programme shall include the following elements:</p> <ul style="list-style-type: none"> a) The development parcels. b) Major distributor roads/routes within the site, including a defined hierarchy of the road network, the timing of provision and opening of access points into the site. c) Phased access strategy delivery and associated phased housing delivery. d) Pedestrian / cycle connectivity and public transport to committed and emerging parcels of development within the New Eastern Villages. 	<p>As per original.</p>	<p>-</p>	<p>Appellant's Commentary: Only change proposed is to insert plans for approval as part of Phase 1 to ensure that this condition does not need to be discharged for that Phase should the Appeal be allowed. The material listed is the same as has already been approved by the Council pursuant to the Outline Permission, save for updates associated to the Revised FRA Addendum and associated drainage. The principle remains the same for Phase 2 onward.</p> <p>Council Commentary: Phasing details were approved under application reference : S/COND/22/0411 submitted in relation to the original outline planning permission ref: S/OUT/19/0582. The consented flood risk addendum and approved Illustrative Masterplan approved as part of the outline planning permission set the baseline for the drainage strategy for the site. The requirements/constraints that this proposed drainage system generates were incorporated in to the illustrative masterplan and parameter plans that form part of the approved drawings of the same outline planning permission as well as the Strategic Design Code that provided the wider vision for the site. The previously approved phasing details, which involved a large number of elements in the programme were considered and assessed in the context of the above. These elements, in particular as mentioned in h) and i) therefore all need to be considered again in the context of the fundamentally changed drainage strategy to ensure a comprehensive approach to the development and good place making.</p>

	<p>e) Alterations to public transport routes to accommodate the defined phases of development within the site.</p> <p>f) Local centres and community facilities, including car share space provision.</p> <p>g) The safeguarded route for the canal.</p> <p>h) Strategic foul and surface water features and sustainable drainage systems.</p> <p>i) Strategic landscaping, recreation and open space.</p> <p>The development shall be carried out in accordance with the approved phasing and timetable.</p> <p>Reason: To ensure the coordination and delivery of infrastructure provision for the new community. In accord with Policies IN1 and NC3 of the Swindon Borough Local Plan 2026.</p>			
<p>10. Character Area Design Code</p> <p>A Design Code relating to each Character Area, as defined in the Strategic Design Code, shall be submitted to and be approved in writing by the local planning authority prior to the submission of the first reserved matters application within the Character Area. Each Design Code shall be in accordance with the approved Strategic Design Code (Design and Access Statement, Chapter 7 'Strategic Design Code', document reference: PL1461.1-ID-001-05; received on 29th April 2020) and shall include detailed guidance for the Character Area in respect of:</p> <ul style="list-style-type: none"> • The overall vision, mix of uses and character of the parcel of development; • How the character and identity of the development parcel will be established and strengthened through consideration of the public realm, streets and open spaces, green infrastructure, retained and proposed planting, open spaces and play areas; 	<p>10. Character Area Design Code</p> <p>For Phase 1, development shall be carried out in accordance with the approved Wanborough Green Character Area Design Code dated March 2024.</p> <p>A Design Code relating to each Character Area relating to Phase 2 onward, as defined in the Strategic Design Code, shall be submitted to and be approved in writing by the local planning authority prior to the submission of the first reserved matters application within the Character Area. Each Design Code shall be in accordance with the approved Strategic Design Code (Design and Access Statement, Chapter 7 'Strategic Design Code', document reference: PL1461.1-ID-001-05; received on 29th April 2020) with the exception of SuDS and drainage matters which shall follow the principles established by the Revised Flood Risk Assessment Addendum (reference 22006-HYD-P0-XX-RP-C-0006, dated 01/03/2023 and prepared by Hydrock) and Strategic Site Wide Surface Water Drainage Strategy (ref. 22006-HYD-P0-XX-DR-C-2220</p>	<p>As per original.</p>		<p>Appellant's Commentary: The first proposed change is to insert for approval a Design Code for Phase 1 to ensure that this condition does not need to be re-discharged for Phase 1 if the Appeal is allowed. The material in the Design Code is the same as has previously been approved by the LPA pursuant to the original condition, save for changes associated to the Revised FRA Addendum and associated drainage. The Council pointed out a discrepancy in the content of this document within their Statement of Case. As such an updated version of the document (March 2024, Rev. H) is now proposed for approval that remedies this.</p> <p>Additional commentary has also been inserted following the submission of the appeal to ensure that the Strategic Design Code should be read in the context of the Revised FRA Addendum and Strategic Site Wide Surface Water Drainage Strategy.</p> <p>Council Commentary: To ensure a collective vision for the site in accordance with National and Local</p>

<ul style="list-style-type: none"> • The approach to public art throughout the scheme and in individual character areas • The form of the character area, with reference to densities, block types, building types, building heights, ground levels, the palette of materials, recycling and waste management, street furniture, principles of inclusive design and Secure by Design; • The hierarchy, typology and treatments of all elements of the movement network; • Principles of traffic management, parking provision and servicing to all properties; • The means of achieving direct, safe and accessible connectivity to the rest of the NEV development and in particular to the facilities and services of existing and proposed local and district centres; and • Noise attenuation measures. <p>Each reserved matters application shall be accompanied by a checklist to demonstrate how the development accords with the relevant approved Character Area Design Code.</p> <p>Reason: To ensure a holistic approach to co-ordinate and deliver high quality design in accordance with Policies DE1 and Policy NC3 of the Swindon Borough Local Plan 2026.</p>	<p>Revision P07). Character Area Design Codes shall include detailed guidance for the Character Area in respect of:</p> <ul style="list-style-type: none"> • The overall vision, mix of uses and character of the parcel of development; • How the character and identity of the development parcel will be established and strengthened through consideration of the public realm, streets and open spaces, green infrastructure, retained and proposed planting, open spaces and play areas; • The approach to public art throughout the scheme and in individual character areas; • The form of the character area, with reference to densities, block types, building types, building heights, ground levels, the palette of materials, recycling and waste management, street furniture, principles of inclusive design and Secure by Design; • The hierarchy, typology and treatments of all elements of the movement network; • Principles of traffic management, parking provision and servicing to all properties; • The means of achieving direct, safe and accessible connectivity to the rest of the NEV development and in particular to the facilities and services of existing and proposed local and district centres; and • Noise attenuation measures. <p>Each reserved matters application shall be accompanied by a checklist to demonstrate how the development accords with the relevant approved Character Area Design Code or any updated Character Area Design Code which may be subsequently approved.</p> <p>Reason: To ensure a holistic approach to co-ordinate and deliver high quality design in accordance with Policies DE1 and Policy NC3 of the Swindon Borough Local Plan 2026.</p>			<p>Guidance the original outline planning permission was subject to a Strategic Design Code (SDC). This cohesive vision for the site would be carried through all the stages of development. The Character Area Codes then were secondary guides to inform the development that sat beneath the SDC and were required to accord with the overarching Strategic guides. The fundamentally revised drainage strategy needs to be considered as a part of a new SDC with new Character Area Design Codes then informing the details of the development in interests of ensuring cohesive approach to design and good place making. Simply suggesting wording that the development should not adhere to certain parts of the SDC , then cutting out sections from the Character Area Design Code that don't align with your proposal is an unacceptable design approach.</p>
---	---	--	--	--

<p>11. Landscape, Ecology and Arboricultural Management Plan(s)</p> <p>Reserved matters applications for each phase or sub phase of development shall be accompanied by a Landscape, Ecology and Arboricultural Management Plan (LEAMP [or equivalent]). The LEAMP shall be informed by the Ecological Mitigation and Management Framework (EMMF) and Phase 2 surveys, which shall be updated if they are over 2 years old if updated information is deemed to be necessary by the local planning authority. The LEAMP shall include details of the retention of any species receptor sites identified by the Phase 2 surveys for the site. The LEAMP shall also include details of long term objectives, extent and type of new planting, details of any new habitat created on site, management responsibilities and maintenance schedules for all landscaped and habitat areas (except privately owned domestic gardens). No development on each phase or sub phase shall commence until the LEAMP for that phase or sub phase has been approved in writing by the local planning authority.</p> <p>Thereafter development on each phase or sub phase shall be progressed in accordance with the approved LEAMP. No development, works or other activities to the identified receptor sites shall be progressed other than in accordance with the works for ecological enhancement and management as set out in the approved LEAMP. The approved management and maintenance schedules shall be adhered to at all times.</p> <p>Reason: To protect wildlife and supporting habitats and to secure opportunities for biodiversity enhancement. In accord with Policies EN1, EN4, EN5 and NC3 of the Swindon Borough Local Plan 2026.</p>	<p>As per original.</p>	<p>Reserved matters applications for each phase of development shall be accompanied by a Landscape, Ecology and Arboricultural Management Plan (LEAMP [or equivalent]). The LEAMP shall be informed by the Ecological Mitigation and Management Framework (EMMF) and updated ecological surveys, which shall be updated if they are over 2 years old if updated information is deemed to be necessary by the local planning authority. The LEAMP shall include details of the retention of any species receptor sites to secure the favourable conservation status of all protected species identified by the ecological surveys for the site. The LEAMP shall also include details of long term objectives, extent and type of new planting, details of any new habitat created on site, management responsibilities and maintenance schedules for all landscaped and habitat areas (except privately owned domestic gardens). The LEAMP shall be supported by the Statutory Biodiversity Metric in Excel and habitat map or maps of the Site created using the UK Habitats Classification, and as a Shapefile (their equivalent at the time) and as a PDF. Each LEAMP shall include a cumulative assessment demonstrating how biodiversity net gain is being achieved for the site as a whole.</p> <p>No development on each phase shall commence until the LEAMP for that phase has been approved in writing by the local planning authority.</p> <p>Thereafter development on each phase shall be progressed in accordance with the approved</p>		<p>Appellant’s Commentary: This condition was not in the scope of changes proposed by the Appellant and the LPA have offered no comprehensive explanation as to why this change is necessary. In the absence of this information the Appellant’s position is that this condition should remain unchanged.</p> <p>The Council’s proposed wording lacks precision and is a worse version of the original.</p> <p>However, if the Inspector is minded to support changes proposed by the LPA, we highlight two points:</p> <ul style="list-style-type: none"> • The LPA’s proposed rewording which begins “The LEAMP shall include details of....” does not make sense. • In reference to reception sites for protected species, the following wording would be suggested: “<i>All protected species receptor sites should be included within the specific phase LEAMP document with species specific management and monitoring regimes for the lifetime of the development.</i>” • 30 years is the standard timeframe for BNG therefore maintenance “in perpetuity” is not reasonable. <p>Council Commentary:</p> <p>The revised wording provides greater clarity around process and details of submission , including the addressing of BNG.</p>
--	-------------------------	--	--	--

		<p>LEAMP. No development, works or other activities to the identified receptor sites shall be progressed other than in accordance with the works for ecological enhancement and management as set out in the approved LEAMP. The approved management and maintenance schedules shall be adhered to at all times.</p> <p>Reason: To protect wildlife and supporting habitats and to secure opportunities for biodiversity enhancement. In accord with Policies EN1, EN4, EN5 and NC3 of the Swindon Borough Local Plan 2026.</p>		
<p>12. Access from A420 Habitat Surveys</p> <p>Prior to the submission of any reserved matters application that includes access from the A420, Phase 2 surveys of the areas identified and labelled as "Areas where there is uncertainty over habitats present (desk based assessment only)" on Plan EDP 12.4 Extended Phase 1 survey Results - Masterplan Application Site (ES Figure 12.4) shall be undertaken by a suitably qualified ecologist. Once undertaken, and prior to the commencement of any development within a phase or sub phase containing the surveyed areas, the results (i) shall be submitted to and approved in writing by the local planning authority, and (ii) the results and proposed measures for mitigation shall be incorporated into a Landscape, Ecology and Arboricultural Management Plan (LEAMP) for submission and approval in writing by the local planning authority in accordance with condition 17 above. All works shall be carried in accordance with the measures for mitigation and management contained within the approved LEAMP.</p> <p>Reason: To ensure that updated surveys are provided to inform the protection of wildlife and supporting habitats and to secure opportunities for biodiversity enhancement.</p>	-	-	<p>12. Access from A420 Habitat Surveys</p> <p>Prior to the submission of any reserved matters application that includes access from the A420, ecological surveys of the areas identified and labelled as "Areas where there is uncertainty over habitats present (desk based assessment only)" on Plan EDP 12.4 Extended Phase 1 survey Results – Masterplan Application Site (ES Figure 12.4) shall be undertaken by a suitably qualified ecologist and submitted to the Local Planning Authority for approval in writing. Surveys are to be less than two years old at time of submission. The report is to include details of any ecological mitigation necessary and to meet the standard required for any protected species licensing necessary. . Once undertaken, and prior to the commencement of any development within a phase containing the surveyed areas, the results (i) shall be submitted to and approved in writing by the local planning authority, and (ii) the results and proposed measures for mitigation shall be incorporated into a Landscape, Ecology and Arboricultural Management Plan (LEAMP) for submission and approval in writing by the local planning authority in accordance with condition 11 above. All works shall be carried in accordance with the measures for mitigation and</p>	<p>Appellant’s Commentary: This condition was not in the scope of changes proposed by the Appellant and the LPA have offered no comprehensive explanation as to why this change is necessary.</p> <p>Nevertheless, the Appellant does not object to the changes proposed.</p> <p>Council Commentary: To provide greater clarity regarding process and details of submission. It is noted that the Appellant does not object to the changed wording.</p>

<p>In accord with Policies EN4 and NC3 of the Swindon Borough Local Plan 2026.</p>			<p>management contained within the approved LEAMP.</p> <p>Reason: To ensure that updated surveys are provided to inform the protection of wildlife and supporting habitats . In accord with Policies EN4 and NC3 of the Swindon Borough Local Plan 2026 and the Environment Act.</p>	
<p>13. Access from A420 Arboricultural Survey</p> <p>Prior to the submission of any reserved matters application that includes access from the A420, an Arboricultural Impact Assessment shall have been submitted to and approved in writing by the local planning authority. The Arboricultural Impact Assessment shall include: the location, species, girth or stem diameter, accurately planned crown spread and reference number of all trees on and adjoining the site with a stem diameter of 100 mm or greater; a tree condition schedule with proposals for surgery or other arboricultural works, where applicable; existing levels including where appropriate sufficient detail to enable consideration of existing tree protection; details of existing hedgerows, hedges and other significant areas of vegetation and a timetable of works.</p> <p>Within a period of five years of commencement of development pursuant to approval of any reserved matters involving access from the A420, any tree identified for retention within the Arboricultural Impact Assessment which is removed, dies or becomes seriously damaged or diseased, shall be replaced before the end of the next available planting season with a species, details of which shall first have been submitted to and approved in writing by the local planning authority.</p> <p>Reason: To protect trees and hedgerows of amenity value. In accord with Policies EN1 and NC3 of the Swindon Borough Local Plan 2026.</p>	-	-	<p>13. Access from A420 Arboricultural Survey</p> <p>Prior to the submission of any reserved matters application that includes access from the A420, an Arboricultural Impact Assessment shall have been submitted to and approved in writing by the local planning authority. The Arboricultural Impact Assessment shall include: the location, species, girth or stem diameter, accurately planned crown spread and reference number of all trees on and adjoining the site with a stem diameter of 100 mm or greater; a tree condition schedule with proposals for surgery or other arboricultural works, where applicable; existing levels including where appropriate sufficient detail to enable consideration of existing tree protection; identification of any veteran/ancient trees; details of existing hedgerows, hedges and other significant areas of vegetation and a timetable of works.</p> <p>Within a period of five years of commencement of development pursuant to approval of any reserved matters involving access from the A420, any tree identified for retention within the Arboricultural Impact Assessment which is removed, dies or becomes seriously damaged or diseased, shall be replaced before the end of the next available planting season with a species, details of which shall first have been submitted to and approved in writing by the local planning authority.</p> <p>Reason: To protect trees and hedgerows of amenity value. In accord with Policies EN1 and NC3 of the Swindon Borough Local Plan 2026.</p>	<p>Appellant’s Commentary: This condition was not in the scope of changes proposed by the Appellant.</p> <p>Nevertheless, the Appellant does not object to the changes proposed.</p> <p>Council Commentary: It is considered that there may be veteran/ancient trees on site.</p>

<p>14. Bat Survey</p> <p>Buildings identified to have bat roost potential shall not be demolished or partially demolished or works undertaken to existing buildings and trees on the site identified to have bat roost potential shall not be felled or reduced before an updated survey has been undertaken to confirm whether or not bats or bat roosts are present within the building(s) to be demolished or trees to be felled. If bats or their roosts are found to be present bat mitigation measures shall be submitted to and approved in writing by the local planning authority. Such mitigation measures shall be carried out in accordance with the approved details prior to the demolition, partial demolition or tree works.</p> <p>Reason: To protect bats and their supporting habitat. In accord with Policies EN4 and NC3 of the Swindon Borough Local Plan 2026.</p>	-	-	<p>14. Bat survey</p> <p>Buildings identified to have bat roost potential shall not be demolished or partially demolished or works undertaken to existing buildings and trees on the site identified to have bat roost potential shall not be felled or reduced before an updated survey has been undertaken to confirm whether or not bats or bat roosts are present within the building(s) to be demolished or trees to be felled or reduced. If bats or their roosts are found to be present bat mitigation measures to enable licensing by Natural England shall be submitted to and approved in writing by the local planning authority. Such mitigation measures shall be carried out in accordance with the approved details prior to the demolition, partial demolition or tree works.</p> <p>Reason: To protect bats and their supporting habitat. In accord with Policies EN4 and NC3 of the Swindon Borough Local Plan 2026.</p>	<p>Appellant's Commentary: This condition was not in the scope of changes proposed by the Appellant and the LPA have offered no explanation as to why this change is necessary.</p> <p>Nevertheless, the Appellant does not object to the changes proposed.</p> <p>Council Commentary:</p> <p>Changes are minor, but provide slightly more clarity than original wording. It is noted that the Appellant does not object to the changed wording</p>
<p>21. Highways England – Gablecross</p> <p>No more than 250 dwellings of the development hereby permitted shall be occupied or brought into use unless either:</p> <p>a) improvement works at the A420 Gablecross roundabout, as shown in drawing NEVG CJ-ATK-HGN-GCJ-DR-D-0006_P06 (A420 Corridor and Gablecross Junction Option 2A General Arrangement, dated 26 April 2019), have been implemented in full and are open to traffic;</p> <p>or</p> <p>b) an alternative scheme providing the same or greater benefit as a) has been submitted to and approved in writing by Swindon Borough Council in consultation with Highways England and has been implemented in full to ensure that the predicted traffic effects at the A419 White</p>	-	-	<p>Agreed condition can be deleted in full, however, it is suggested that, if the Appeal is allowed, condition number remains with note to the effect of “condition removed” or “no condition” to avoid any confusion with subsequent condition wording. Example included from a Bath & North East Somerset Decision Notice below illustrating how this functions:</p> <p>7 Contaminated Land - Investigation and Risk Assessment The development shall be undertaken in accordance with the approved details of the investigation and risk assessment and (Hydrock, Sulis Down (F Investigation, March 2021).</p> <p>Reason: In order to ensure that the land is suitable for development can be carried out safely without unacceptable impacts on offsite receptors and in accordance with section 11 of the Act.</p> <p>8 No condition</p> <p>9 Contaminated Land - Verification Report (Pre-occupancy) No occupation shall commence until a verification report (pre-occupancy) has been submitted to and approved in writing by the Local Planning Authority, unless the findings of the approved investigation and risk assessment indicate that remediation is not required.</p> <p>Reason: In order to ensure that the land is suitable for development can be carried out safely without unacceptable impacts on offsite receptors and in accordance with section 11 of the Act.</p>	<p>Shared commentary: Works have already taken place, therefore no need for condition to be retained.</p> <p>Council Commentary The point is made again that a new planning permission would be created here and it would be incorrect to be put ‘condition removed’ or ‘no condition’ on a new planning permission.</p>

<p>Hart Junction caused by the development are mitigated to at least the same extent as (a).</p> <p>Reason: In the interest of the safe and efficient operation of the A419 trunk road and the A420 between White Hart junction and Gablecross junction.</p>				
<p>23. Highways England – M4 Junction 15 Improvements</p> <p>No more than 730 dwellings of the development hereby permitted shall be occupied until:</p> <p>a) a contract for the construction of the works for the improvement of Junction 15 of the M4 and the A419 has been let. The works shall include:</p> <ul style="list-style-type: none"> i) A419 Commonhead southbound merge to M4 Junction 15; a TD22 Type E Lane Gain; to provide 3 lanes between Commonhead and Junction 15; ii) the removal of the bus layby on the A419 southbound carriageway on the approach to M4 Junction 15; iii) M4 Junction 15 roundabout - widening of the circulatory on the southern side between the off and on slips; and iv) M4 Junction 15 roundabout - provision of a dedicated left slip from the A419 southbound to the eastbound on slip <p>Or:</p> <p>b) Details of an alternative scheme providing the same or greater benefit as a) in terms of offsetting the unacceptable impacts of the development has been submitted to and approved in writing by Swindon Borough Council (in consultation with Highways England) and a contract for the construction of the works for the alternative scheme has been let and the approved scheme completed in full. It is the responsibility of the developer to seek</p>	-	-	<p>Agreed condition can be deleted in full, however, it is suggested that, if the Appeal is allowed, condition number remains with note to the effect of “condition removed” or “no condition” to avoid any confusion with subsequent condition wording. Example included from a Bath & North East Somerset Decision Notice below illustrating how this functions:</p> <p>7 Contaminated Land - Investigation and Risk Assessment The development shall be undertaken in accordance with the findings of the contaminated land investigation and risk assessment and (Hydrock, Sulis Down (F Investigation, March 2021).</p> <p>Reason: In order to ensure that the land is suitable for development can be carried out safely without unacceptable impacts on offsite receptors and in accordance with section 11 of the Act.</p> <p>8 No condition</p> <p>9 Contaminated Land - Verification Report (Pre-occupancy) No occupation shall commence until a verification report (pre-occupancy) has been submitted to and approved by the Council, unless the findings of the approved investigation and risk assessment indicate that remediation scheme is not required.</p> <p>Reason: In order to ensure that the land is suitable for development can be carried out safely without unacceptable impacts on offsite receptors and in accordance with section 11 of the Act.</p>	<p>Shared commentary: Works have already taken place, therefore no need for condition to be retained.</p> <p>Council Commentary The point is made again that a new planning permission would be created here and it would be incorrect to be put ‘condition removed’ or ‘no condition’ on a new planning permission.</p>

<p>confirmation at the appropriate time that the relevant contract has been let.</p> <p>Reason: In the interest of the safe and efficient operation of the A419 trunk road and M4 motorway.</p>				
<p>41. Environment Agency – Compliance with Flood Risk Assessment</p> <p>The development shall be carried out in accordance with the submitted flood risk assessment (reference 27970/4003/001, dated 8 March 2019 and prepared by Peter Brett Associates) and the Addendum to March 2019 Flood Risk Assessment (reference 27970/4003/TN001, dated 22 August 2019 and prepared by Peter Brett Associates) and the following mitigation measures they detail:</p> <ul style="list-style-type: none"> No built development located within the post development 0.1% AEP flood extent as shown in drawing number 27970_016_MI013 (dated 13 April 2017 and prepared by Peter Brett Associates); and Finished floor levels shall be set no lower than 300mm above the 1% AEP level including an appropriate allowance for climate change. <p>These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.</p> <p>Reason: To reduce the risk of flooding to the proposed development and future occupants, in accordance with paragraph 163 of the National Planning Policy Framework (NPPF) and adopted policies EN6 and NC3 of the Swindon Borough Local Plan 2026.</p>	<p>41. Environment Agency – Compliance with Flood Risk Assessment</p> <p>The development shall be carried out in accordance with the submitted flood risk assessment (reference 27970/4003/001, dated 8 March 2019 and prepared by Peter Brett Associates) and Revised Flood Risk Assessment Addendum (reference 22006-HYD-PO-XX-RP-C-0006, dated 01/03/2023 and prepared by Hydrock) and the following mitigation measures they detail:</p> <ul style="list-style-type: none"> No built development located within the post development 0.1% AEP flood extent as shown in drawing number 27970_016_MI013 (dated 13 April 2017 and prepared by Peter Brett Associates); and Finished floor levels shall be set no lower than 300mm above the 1% AEP level including an appropriate allowance for climate change. <p>These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.</p> <p>Reason: To reduce the risk of flooding to the proposed development and future occupants, in accordance with paragraph 173 of the National Planning Policy Framework (NPPF) and adopted policies EN6 and NC3 of the Swindon Borough Local Plan 2026.</p>	<p>41. Environment Agency – Compliance with Flood Risk Assessment</p> <p>The development shall be carried out in accordance with the submitted flood risk assessment (reference 27970/4003/001, dated 8 March 2019 and prepared by Peter Brett Associates) and the Revised Flood Risk Assessment Addendum (reference; 22006 – HYD -PO-XX-RP-C-0004, dated 01/03/2023 and prepared by Hydrock) and the following mitigation measures they detail:</p> <ul style="list-style-type: none"> No built development located within the post development 0.1% AEP flood extent as shown in drawing number 27970_016_MI013 (dated 13 April 2017 and prepared by Peter Brett Associates). Finished floor levels shall be set no lower than 300mm above the 1% AEP level including an appropriate allowance for climate change. <p>These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.</p> <p>Reason: To reduce the risk of flooding to the proposed development and future occupants, in accordance with paragraph 173 of the National Planning Policy Framework (NPPF) and adopted policies EN6 and NC3 of the Swindon Borough Local Plan 2026</p>	<p>-</p>	<p>Appellant's Commentary: Changes proposed are to reflect the insertion of the Revised FRA Addendum. Otherwise condition remains as per original. Only difference between Appellant and Council position is that the Council cite an out of date reference for the Revised FRA Addendum within their proposed condition text, contrary to the commentary below.</p> <p>EA confirmed no objection in relation to Appellant's proposed wording.</p> <p>Council Commentary: Plans to be checked Plans reference 22006-HYD-PO-XX-RP-C-0006 accepted as put forward by Appellant , but should be dated 25 August 2023</p>
<p>42. Environment Agency – River Crossing Details</p>	<p>42. Environment Agency – River Crossing Details</p>	<p>42. Environment Agency – River crossing details</p>	<p>-</p>	<p>Appellant's Commentary: Changes proposed are to reflect the insertion of the Revised FRA Addendum. Otherwise</p>

<p>Development within phases or sub phases that include a main river crossing, must not be commenced until such time as details and design of any main river crossings proposed within that phase or sub phase have been submitted to, and approved in writing, by the local planning authority. Details should demonstrate that the crossings shall not result in a loss of floodplain storage and include soffits raised a minimum of 600mm above the 1% annual exceedance probability (AEP) plus an appropriate allowance for climate change extent, in accordance with the Addendum to March 2019 Flood Risk Assessment (reference 27970/4003/TN001, dated 22 August 2019 and prepared by Peter Brett Associates). The watercourse crossings shall be clear span in design with abutments set back from the top of the bank. The crossings shall be fully implemented and subsequently maintained, in accordance with the scheme's timing/phasing arrangements, or within any other period as may subsequently be agreed, in writing, by the local planning authority.</p> <p>Reason: To prevent increased risk of flooding by ensuring there are no detrimental impacts to flood storage or flood flow routes as a result of the crossings, in accordance with paragraph 163 of the National Planning Policy Framework (NPPF) and adopted policies EN6 and NC3 of the Swindon Borough Local Plan 2026. Also to ensure that the works are not detrimental to the biodiversity of the watercourse, in accordance with paragraphs 170 and 175 of the National Planning Policy Framework (NPPF) and adopted policies EN4 and NC3 of the Swindon Borough Local Plan 2026.</p>	<p>Development within phases or sub phases that include a main river crossing, must not be commenced until such time as details and design of any main river crossings proposed within that phase or sub phase have been submitted to, and approved in writing, by the local planning authority. Details should demonstrate that the crossings shall not result in a loss of floodplain storage and include soffits raised a minimum of 600mm above the 1% annual exceedance probability (AEP) plus an appropriate allowance for climate change extent, in accordance with the Revised Flood Risk Assessment Addendum (reference 22006-HYD-PO-XX-RP-C-0006 , dated 01/03/2023 and prepared by Hydrock. The watercourse crossings shall be clear span in design with abutments set back from the top of the bank. The crossings shall be fully implemented and subsequently maintained, in accordance with the scheme's timing/phasing arrangements, or within any other period as may subsequently be agreed, in writing, by the local planning authority.</p> <p>Reason: To prevent increased risk of flooding by ensuring there are no detrimental impacts to flood storage or flood flow routes as a result of the crossings, in accordance with paragraph 173 of the National Planning Policy Framework (NPPF) and adopted policies EN6 and NC3 of the Swindon Borough Local Plan 2026. Also to ensure that the works are not detrimental to the biodiversity of the watercourse, in accordance with paragraphs 180 and 186 of the National Planning Policy Framework (NPPF) and adopted policies EN4 and NC3 of the Swindon Borough Local Plan 2026.</p>	<p>Development within phases that include a main river crossing, must not be commenced until such time as details and design of any main river crossings proposed have been submitted to, and approved in writing, by the local planning authority. Details should demonstrate that the crossings shall not result in a loss of floodplain storage and include soffits raised a minimum of 600mm above the 1% annual exceedance probability (AEP) plus an appropriate allowance for climate change extent, in accordance with the Revised Flood Risk Assessment Addendum (reference; 22006 – HYD -PO-XX-RP-C-0004, dated 01/03/2023 and prepared by Hydrock . The watercourse crossings shall be clear span in design with abutments set back from the top of the bank. The crossings shall be fully implemented and subsequently maintained, in accordance with the scheme's timing/phasing arrangements, or within any other period as may subsequently be agreed, in writing, by the local planning authority.</p> <p>Reason: To prevent increased risk of flooding by ensuring there are no detrimental impacts to flood storage or flood flow routes as a result of the crossings, in accordance with paragraph 173 of the National Planning Policy Framework (NPPF) and adopted policies EN6 and NC3 of the Swindon Borough Local Plan 2026. Also to ensure that the works are not detrimental to the biodiversity of the watercourse, in accordance with paragraphs 180 and 186 of the National Planning Policy Framework (NPPF) and adopted policies EN4 and NC3 of the Swindon Borough Local Plan 2026.</p>		<p>condition remains as per original. Only difference between Appellant and Council position is that the Council cite an out of date reference for the Revised FRA Addendum, contrary to the commentary below.</p> <p>EA confirmed no objection in relation to Appellant's proposed wording.</p> <p>Council Commentary: Plans reference 22006-HYD-PO-XX-RP-C-0006 accepted , but received 25 August 2023</p>
<p>43. Environment Agency – River Corridor Survey</p> <p>Where a phase of development is the first to propose an outfall into a main river (in accordance with Drainage Strategy plan ref: 27970/4005/001 Rev B, contained within the Addendum to March 2019 Flood Risk</p>	<p>43. Environment Agency – River Corridor Survey</p> <p>Where a phase of development is the first to propose an outfall into a main river (in accordance with the Strategic Site Wide Surface Water Drainage Strategy ref: 22006-HYD-PO-XX-DR-C-2220 Revision P07, no</p>	<p>43. Environment Agency – River corridor survey</p> <p>Where a phase of development is the first to propose an outfall into a main river (in accordance with the Strategic Site Wide Water Drainage Strategy ref: 22006 – HYD – PO -XX – DR -C- 2220 Revision P04 , no</p>	<p>-</p>	<p>Appellant's Commentary: Changes proposed are to reflect the insertion of the updated Strategic Site Wide Surface Water Drainage Strategy. Otherwise condition remains as per original. Only difference between Appellant and Council position is that the Council cite an out of date reference for the Strategy within the</p>

<p>Assessment), no development shall take place until a River Corridor Survey (RCS) has been undertaken, including recommendations for enhancement of the watercourses where appropriate, has been submitted to, and approved in writing, by the local planning authority. The survey shall be holistic, covering all watercourses within the red line boundary. The recommendations of the survey shall be used to create a site wide watercourse enhancement scheme which will be incorporated into each phase or sub phase of development and implemented prior to first occupation of any dwelling within that phase or sub phase.</p> <p>Reason: Paragraphs 170 and 175 of the National Planning Policy Framework (NPPF) and adopted policies EN4 and NC3 of the Swindon Borough Local Plan 2026 seek for development to provide net gains for biodiversity.</p>	<p>development shall take place until a River Corridor Survey (RCS) has been undertaken, including recommendations for enhancement of the watercourses where appropriate, has been submitted to, and approved in writing, by the local planning authority. The survey shall be holistic, covering all watercourses within the red line boundary. The recommendations of the survey shall be used to create a site wide watercourse enhancement scheme which will be incorporated into each phase or sub phase of development and implemented prior to first occupation of any dwelling within that phase or sub phase.</p> <p>Reason: Paragraphs 180 and 186 of the National Planning Policy Framework (NPPF) and adopted policies EN4 and NC3 of the Swindon Borough Local Plan 2026 seek for development to provide net gains for biodiversity.</p>	<p>development shall take place until a River Corridor Survey (RCS) has been undertaken, including recommendations for enhancement of the watercourses where appropriate, has been submitted to, and approved in writing, by the local planning authority. The survey shall be holistic, covering all watercourses within the red line boundary. The recommendations of the survey shall be used to create a site wide watercourse enhancement scheme which will be incorporated into each phase of development and implemented prior to occupation.</p> <p>Reason: Paragraphs 180 and 186 of the National Planning Policy Framework (NPPF) and adopted policies EN4 and NC3 of the Swindon Borough Local Plan 2026 seek for development to provide net gains for biodiversity.</p>		<p>condition wording, contrary to the commentary below.</p> <p>EA confirmed no objection in relation to Appellant's proposed wording.</p> <p>Council Commentary:</p> <p>Strategic Site Wide Surface Water Drainage Strategy ref: 22006-HYD-P0-XX-DR-C-2220 Revision P07 accepted</p>
<p>44. Environment Agency – Ecological buffer zone</p> <p>No development within any phase or sub phase of development that is within 10 metres of the River Cole and its tributaries shall take place until a scheme for the provision and management of at least a 10 metre wide ecological buffer zone alongside the River Cole and its tributaries has been submitted to, and approved in writing by, the local planning authority. Thereafter the development shall be carried out in accordance with the approved scheme. Any subsequent variations shall be agreed in writing by the local planning authority, in which case the development shall be carried out in accordance with the amended scheme. The buffer zone scheme shall be free from built development including footpaths (with the exception of paths to allow formal watercourse crossings), lighting, domestic gardens, non-native species and formal landscaping; and could form a vital part of green infrastructure provision.</p>	-	-	As per original. No changes required.	<p>Shared Commentary: Following further discussion, the Council has agreed that no edits to the original wording are required, which is a position that is agreed by the Appellant.</p> <p>This was not part of the Appellant's proposed scope of changes.</p>

<p>The scheme shall include:</p> <ul style="list-style-type: none"> • Confirmation of the timing of the establishment of the ecological buffer zone • Plans to show the extent and layout of the buffer zone • Details and locations of habitats to be retained, removed and created • Details of any proposed planting scheme (please note that this should include native species only) • Details demonstrating how the buffer zone will be protected during development (e.g. Herras fencing) and managed/maintained over the longer term including adequate financial provision and named body responsible for management plus production of detailed management plan. • Details of any proposed footpaths and permanent fencing • Details of the long term management of the buffer should ensure that the biodiversity net gain is achieved and maintained in perpetuity. <p>Reason: This condition should be informed by the results of the River Corridor Survey (see condition 43). Land alongside watercourses is particularly valuable for wildlife and it is essential this is protected. Development that encroaches on watercourse and their corridors has a potentially severe impact on their ecological value, and land alongside watercourses is particularly valuable for wildlife and it is essential this is protected. River corridors are natural networks of linked habitat which allow species movement between suitable habitats and promote the expansion of biodiversity (as recognised in Article 10 of the Habitats Directive). In accord with Policies EN4, EN6 and NC3 of the Swindon Borough Local Plan 2026.</p>				
<p>46. Strategic Surface Water Management Scheme</p> <p>Prior to the approval of the first reserved matters, a Strategic Surface Water</p>	<p>46. Strategic Surface Water Management Scheme</p> <p>Development shall be carried out in accordance with the approved Strategic Site</p>	<p>46. Strategic Surface Water Management Scheme</p> <p>Development shall be carried out in accordance with the approved Strategic Site</p>	<p>-</p>	<p>Appellant's Commentary: Changes proposed here reflect that pursuant to the Revised FRA Addendum, a Strategic Site Wide Surface Water Drainage Strategy is submitted for approval to avoid the need to</p>

<p>Management Scheme for the site, in accordance with the approved Addendum to March 2019 Flood Risk Assessment (27970/4003/TN001) dated 22/08/19, shall be submitted to, and approved in writing by the Local Planning Authority. The scheme shall include:</p> <ul style="list-style-type: none"> • Details to demonstrate how the proposed flows from the site will be restricted to 4.67l/s/ha for all events up to and including the 1% AEP + climate change event; • Details of how the drainage scheme has been designed to incorporate SuDS techniques to manage water quantity and maintain water quality as set out in the FRA addendum, and in accordance with adopted policy and best practice guidance including the New Eastern Villages SuDS Vision SPD and the SuDS Manual C753; • A strategic surface water drainage plan showing the proposed location of the proposed SuDS features; • Details of the volumes (including indicative dimensions and indicative cross sections) and proposed construction details of the proposed SuDS measures; • Details of how the scheme shall be maintained and managed after completion; • Detailed drainage calculations for all rainfall events up to and including the 1 in 100 year plus climate change event to demonstrate that the strategic SuDS features can cater for the critical storm event for its lifetime; • The submission of evidence relating to accepted outfalls from the site, particularly from any third party network owners; and • Sequencing for implementation in accordance with the approved Phasing Plan (Condition 9). <p>The detailed Surface Water Management Schemes for each phase or sub phase (as</p>	<p>Wide Surface Water Drainage Strategy (ref. 22006-HYD-P0-XX-DR-C-2220 Revision P07) or in accordance with a revised strategy agreed with the Local Planning Authority.</p> <p>The detailed Surface Water Management Schemes for each phase or sub phase (as required by condition 48) shall be implemented in accordance with the approved details and timetable.</p> <p>Reason: To ensure development does not increase the risk of flooding elsewhere; in accordance with Paragraph 165 of the National Planning Policy Framework (NPPF) and Policy EN6 and NC3 of the adopted Swindon Local Plan 2026.</p>	<p>Wide Surface Water Drainage Strategy (ref. 22006 – HYD – PO- XX- DR – C – 2220 Revision P04) or in accordance with a revised strategy agreed with the Local Planning Authority prior to the submission of the first reserved matters application, and subject to the submission of the following information</p> <ul style="list-style-type: none"> • Evidence that the proposed flows from the site will be restricted to 4.67l/s/ha for all events up to and including the 1% AEP + climate change event • Detailed plan of agreed drainage parcels with existing and proposed drainage pathways and points of discharge to the strategic network • Details of how source control within each parcel will proportionately contribute to the overall strategic drainage contribution for the development. This is to include a strategic assessment of the opportunities within parcels for incorporating SuDS such as permeable paving, raingardens, green / blue roofs but not limited to these features. • Detailed plan of all watercourses, ditches and flow pathways within the development and an assessment of any connectivity to the wider catchment • Where any watercourses, ditches or flow pathways being removed, altered, diverted an assessment of the impact on flood risk to the site and elsewhere. • Detailed drainage calculations for all rainfall events up to and including the 1 in 100 year plus climate change event to demonstrate that all SuDS features can cater for the critical storm event for its lifetime; the scheme must demonstrate that surcharging has been design and takes account of any groundwater monitoring completed to date (SPD requirements). 		<p>discharge this condition if the s73 were to be allowed. This document carries through the principles that are proposed to be retained as part of the Revised FRA Addendum.</p> <p>The Appellant’s proposed wording goes to the heart of the s73 application, and the Council’s proposed changes do not appear to acknowledge that we should be working to agree wording that is acceptable <i>if</i> the s73 is granted.</p> <p>Separate to the above, the LPA’s proposed wording references an out of date version of the Strategic Site Wide Surface Water Drainage Strategy.</p> <p>NPPF paragraph referencing in ‘Reason’ updated.</p> <p>Council Commentary:</p> <p>Proposed wording does not affect the Appellants moving forward with their version of a Strategic Site Wide Surface Water Drainage Strategy , but provides detailed requirements to define any revised strategy or deviation from their original version to minimise risk of flooding.</p>
--	---	--	--	--

<p>required by condition 48) shall be implemented in accordance with the approved details and timetable.</p> <p>Reason: To ensure development does not increase the risk of flooding elsewhere; in accordance with Paragraph 155 of the National Planning Policy Framework (NPPF) and Policy EN6 and NC3 of the adopted Swindon Local Plan 2026.</p>		<ul style="list-style-type: none"> • Detailed drainage plan showing the location of the proposed strategic SuDS features; • Detailed cross sections and construction details of the proposed strategic SuDS measures • The submission of evidence relating to accepted outfalls from the site, particularly from any third-party network owners; • Details of how water quantity and quality shall be maintained during and after construction • Phasing for construction and implementation of strategic drainage scheme <p>The detailed Surface Water Management Plan for each phase or sub phase (as required by condition 48) shall be implemented in accordance with the approved details and timetable.</p> <p>Reason: To ensure development does not increase the risk of flooding elsewhere; in accordance with Paragraph 165 of the National Planning Policy Framework (NPPF) and Policy EN6 and NC3 of the adopted Swindon Local Plan 2026.</p>		
<p>47. Surface Water Management Scheme (Phases)</p> <p>Prior to the approval of any related reserved matters, a detailed Surface Water Management Scheme for each phase or sub-phase of development, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be in accordance with the details approved as part of the strategic scheme (Condition 46), and include all supporting information as listed in that condition. The scheme shall be implemented in accordance with the approved details and timetable.</p> <p>Reason: To ensure development does not increase the risk of flooding elsewhere; in accordance with Paragraph 155 of the National Planning Policy Framework and Policies</p>	<p>47. Surface Water Management Scheme (Phases)</p> <p>For Phase 1, development shall be carried out in accordance with the approved details listed below or in accordance with a revised scheme agreed with the Local Planning Authority:</p> <ul style="list-style-type: none"> • Preliminary Drainage Strategy Sheet 1 of 4 (ref. 22006-HYD-P1-XX-DR-C-2200 REVP07) • Preliminary Drainage Strategy Sheet 2 of 4 (ref. 22006-HYD-P1-XX-DR-C-2201 REVP07) • Preliminary Drainage Strategy Sheet 3 of 4 (ref. 22006-HYD-P1-XX-DR-C-2202 REVP06) • Preliminary Drainage Strategy Sheet 4 of 4 (ref. 22006-HYD-P1-XX-DR-C-2203 REVP05) 	<p>As per original.</p>	<p>-</p>	<p>Appellant’s Commentary: Condition reworded for Phase 1 to reflect material already prepared and submitted to address the conditions requirements for Phase 1 to avoid needing to submit and have this approved if the Appeal is allowed.</p> <p>Principle of the condition remains the same for Phase 2 onwards.</p> <p>NPPF paragraph referencing in ‘Reason’ updated in Appellant’s wording to accord with December 2023 version.</p> <p>Council Commentary:</p> <p>See comments on condition 9 - Phasing</p> <p>There is currently no approved phasing details to identify phases for the new s73 outline planning permission and there is no</p>

<p>EN6 and NC3 of the adopted Swindon Local Plan 2026.</p>	<p>Prior to the approval of any related reserved matters relating to Phase 2 onward, a detailed Surface Water Management Scheme for each phase or sub-phase of development, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be in accordance with the details approved as part of the strategic scheme (Condition 46), and include all supporting information as listed in that condition. The scheme shall be implemented in accordance with the approved details and timetable.</p> <p>Reason: To ensure development does not increase the risk of flooding elsewhere; in accordance with Paragraph 165 of the National Planning Policy Framework and Policies EN6 and NC3 of the adopted Swindon Local Plan 2026.</p>			<p>identified phase 1 development in relation to this application.</p>
<p>New condition</p>	<p>65. Measures to Protect Great Crested Newts</p> <p>No later than the submission of any reserved matters application for each phase of development, the Local Planning Authority shall receive a copy of the Impact Assessment and Conservation Payment Certificate (IACPC) signed by Natural England and a note prepared by a qualified ecology to demonstrate that the information relied on by Natural England accords with the information submitted for the reserved matters.</p> <p>Reason: To protect great crested newts in accordance with Policies EN4 and NC3 of the Swindon Borough Local Plan 2026.</p>	<p>Measures to protect Great Crested Newts</p> <p>Prior to the submission of any reserved matters application for each phase of development, the Local Planning Authority shall receive a copy of the Impact Assessment and Conservation Payment Certificate (IACPC) signed by Natural England and a note prepared by a qualified ecologist to demonstrate that the information relied on by NE accords with the information submitted for the reserved matters application.</p> <p>Reason: To protect Great Crested Newts in accordance with Policies EN4 and NC3 of the Swindon Borough Local Plan 2026.</p>		<p>Appellant's Commentary:</p> <p>This new condition was first proposed by the Council the evening before the exchange of Proofs. Therefore this is not referenced within the Appellant's Planning Proof of Evidence or the proposed condition wording at its Appendix MS1.</p> <p>Although the Appellant does not consider this to be strictly necessary (as the IACPC process with Natural England offers enough certainty in itself), subject to the Inspector's thoughts, the Appellant is happy to accept the principle of the conditions wording, with an amended trigger to the Council wording.</p> <p>Council comment</p> <p>To ensure certainty that the scheme submitted for planning permission conforms with the mitigation arrangements agreed with NE</p>
<p>New condition</p>	<p>Not required</p>	<p>Measures to protect Tuckmill Meadow SSSI</p>		<p>Appellant's Commentary:</p> <p>This new condition was first proposed by the Council the evening before the</p>

		<p>Prior to the submission of any reserved matters application, the Local Planning Authority shall receive an impact avoidance plan which will protect the SSSI from air and water pollution. No work on site shall start before the Local Planning Authority has approved this plan in writing.</p> <p>The IAP shall describe and quantify the predicted increase in emission of pollutants from vehicles using the A420, including vehicles involved in site preparation and construction and the consequential increase in deposition on the SSSI. It shall also demonstrate that robust mitigation measures to protect the SSSI from this pollution will be in place in perpetuity.</p> <p>The IAP shall also demonstrate how the Pennyhook Brook will be protected in perpetuity from increased risk from spillage of hydrocarbons.</p> <p>Reason: To protect the SSSI in accordance with National Planning Policy Framework Section 186b) and Policy EN4 of the Swindon Borough Local Plan 2026.</p>		<p>exchange of Proofs. Therefore this is not referenced within the Appellant's Planning Proof of Evidence or the proposed condition wording at its Appendix MS1.</p> <p>It is the Appellant's position that this condition is not necessary or reasonable, and full justification will be set out within the Appellant's Ecology Rebuttal Proof.</p> <p>Council comment :</p> <p>Tuckmill Meadow SSSI lies 4km to the north-east of Lotmead Farm, along the A420. It is designated because it supports a good example of calcareous fen and a complex of neutral and calcareous grassland alongside the Pennyhook Brook. The SSSI also includes a small woodland</p> <p>The nearest part of Tuckmill Meadow SSSI is just 35m from the A420 and the whole Site is within 200m and is therefore within the impact zone of vehicle emissions.</p> <p>Without further information to characterise the current and predicted conditions at the SSSI and devise robust measures to minimise the risk of these potentially significant effects the appeal scheme is contrary to NPPF policy set out at section 186b) and SBC Local Plan Policy EN4a).</p>
--	--	--	--	---