

## Emily Porter

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**From:** Emma Gillespie <Emma.Gillespie@countrysidepartnerships.com>  
**Sent:** 02 November 2023 09:31  
**To:** Emma Gillespie  
**Subject:** FW: Lotmead, Swindon

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**From:** Darren Dancey  
**Sent:** 23 March 2022 17:52  
**To:** [KCorps@swindon.gov.uk](mailto:KCorps@swindon.gov.uk); [GSumner2@swindon.gov.uk](mailto:GSumner2@swindon.gov.uk)  
**Cc:** Steve Trenwith <[Steve.Trenwith@sovereign.org.uk](mailto:Steve.Trenwith@sovereign.org.uk)>  
**Subject:** Lotmead, Swindon

Private and Confidential

Dear Councillor Sumner and Kimberly

It was nice to meet you both on MS Teams Monday and it was a shame that it was in slightly unfortunate circumstances

I wanted to write to you both outside of the meeting as to be honest, I was disappointed by the discussions and I felt it worthwhile setting out why.

As you will hopefully be aware this impasse on the drainage design has been an issue for several months now and whilst this continues, we are all delaying the delivery of much needed mixed tenure housing in the area. The Joint Venture, between Countryside Partnerships and Sovereign, have invested heavily in the development and have the desire to deliver a high quality scheme that everyone can be proud of. We have been emphasising place making, landscaping and the community within our proposals and the Joint Venture are committed to this approach. Despite this, we seem to have met resistance with much of what we have submitted to date.

I think firstly we should all be clear in that there is no difference to the attenuation volumes in the proposals that Countryside Sovereign LLP have made verses what the LLFA has requested; therefore we are not discussing whether the calculated volumes for storage are adequate. I do not believe this is a concern and hopefully this alleviates any concern Councillor Sumner has on flooding. There are however a few points of contention:

1. The main variance is whether the attenuation is achieved in strategic basins or whether it is pushed back up stream to 'on plot' and 'on phase'. We have concerns about smaller localised attenuation, especially 'on plot' as they are less likely to be maintained. A great example is permeable paving which has a 15-20 year life but we will all recognise that purchasers will not dig up their driveways to clean out the attenuation and voids between the pavements. This will simply lead to a loss of attenuation volume over time. The strategic basins will form part of a detailed Management Strategy that will be maintained by the Management Company for the life of the development and this surely has to be the most secure route for longevity.
2. Until yesterday we had been told by the LLFA that they will not approve end of line strategic basins. In fact my team have been slightly surprised by the tone of the meetings and the lack of flexibility; it's certainly not been a case of 'working together' as we all discussed at our meeting. In fairness this position appeared to soften a little on Monday during the meeting but that was the first time in many months (of delay). I would like to ask the question of SBC that if the basins, which are protected on the parameter plans as attenuation basins, and referred to in the NEV as wetlands (which will be a benefit for bio-diversity), are not allowed to be used for storage, **why** are they shown in the approved parameter plans? In addition, if they are no longer required why can't the basin areas not be used for NDA to recover some of the lost NDA by bringing attenuation into the parcels? This seems a sensible compromise (but one to date that has been rejected by the SBC planning team).
3. The attenuation basin invert levels are a particular concern as this is what is driving up the site levels by 2-3m. In all our experience, and that of our consultants, we have never been asked to raise a basin invert above the flood level; its normally the 'rim' of the attenuation feature that is set above the 'freeboard' to prevent 'wash over' of any flood water into the attenuation basins. The design we have submitted meets all national and local standards in our view and therefore we remain unsure why we are being asked to lift the

basins. Again we remain confused by comments by the LLFA that the site doesn't need lifting if the basin inverts are raised above the flooding levels. We think there may be a mis-conception that the basins are not required at all if we use localised swales; this isn't the case. We would welcome the LLFA's proposals with inverts and gradients to show how this can be achieved as our consultants have said this simply doesn't work. To raise the site by 3m will require the importation of circa 700,000m<sup>2</sup> of soil resulting in 85,000 two way journey of lorries past local residents housing. This will then create circa 21,095,732kg CO<sub>2</sub> together with all the air quality issues associated with the importation. In a time of climate crises this cannot be acceptable can it?

4. The removal of trapped gulleys from highways and replace the gulleys with swales. This has been raised as a highway safety concern by the SBC Highway Officers and we cannot be at risk of not achieving technical approvals for Section 38 agreements and of course road adoptions in a few years' time when the highway team declare the roads to be unsafe. To overcome this we actually require SBC Highways and the LLFA to be fully aligned which from our discussions, they are not. SBC Highways would in our view be satisfied with the strategic basin proposals.

In summary we feel this very much comes down to personal choices rather than a technical argument of whether one system complies or doesn't. I do not believe anyone at Swindon Borough Council or the LLFA has suggested that our proposals do not achieve the attenuation required and I would specifically ask that if this is the case, could we have this in writing please? We need to ensure everyone is clear that technical compliance has been achieved by our proposal, and this is now just a preference of attenuation features by certain individuals. I think its also fair to say that current standards should be applied rather than referencing future or emerging standards which simply make any decision making more difficult.

As you are aware we have had to take Legal Advice from QC who has supported our position and we will share this with you shortly. This is not something we wanted to revert to but it is simply not palatable for the JV to be associated with 700,000m<sup>2</sup> of soil import, 170,000 lorry movements past residents, and the resulting **21M KG CO<sub>2</sub>** that will be put into the atmosphere. We are therefore unable to completely change our drainage strategy but we are of course willing to compromise as we have been suggesting to the LLFA all along. For instance we are happy to move strategic ponds into parcels if we can recover the strategic pond areas on the outskirts of the site as NDA; this is purely to offset the loss and clear change of strategy being requested by the LLFA against the parameter plans.

You will no doubt appreciate that if the strategic ponds, protected by the parameter plans, are not permitted to be used in the attenuation strategy, and we cannot recover this as NDA, then this will only result in a significant loss of unit numbers through the introduction of storage vessels in the parcels that are not part of the master plan. As part of this we will be losing much needed affordable housing and the longer this takes to resolve, the significant increase in risk that Sovereign will lose the ability to utilise Homes England grant to provide the addition 200 affordable units beyond the S106 requirement.

In summary we would like to find a compromise but we do feel a very senior review at Swindon Borough Council is required to divorce the personal requests from the technical compliance arguments. At the centre of our of our minds and proposals is to deliver a flood risk mitigation strategy in line with the planning permission and an attenuation proposal that is in compliant with widely accepted methods.

I look forward to receiving your thoughts

Kind regards

Darren

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