

Lotmead Site, Eastern Villages, Swindon

Section 73 Application: Project Team Response to LLFA Comments

Application Ref. S/23/0438

Ref.	LLFA Comments (27/07/23)	Project Team Response
1	<p><i>The latest details are not inline with the approved FRA Addendum (Ref: 27970/4003/TN001, Dated: 22/08/2019) produced by PBA/Stantec or the adopted SuDS Vision SPD February 2017. The proposals change the whole principles of the development and it is not just a variation on the wording of these conditions that will ensure compliance.</i></p>	<p>The new strategy does not follow the original FRA Addendum for reasons outlined in the s.73 application, however, we disagree that the proposals change “the whole principle” of the development. As set out in the cover letter, the justification for the s.73 proposals is to bring the development more in line with the approved parameter plans and the technical assessment that underpinned them.</p>
2	<p><i>Therefore, it has not been demonstrated that the development will not increase the risk of flooding elsewhere and therefore is contrary to Paragraph 167 of the National Planning Policy Framework (NPPF) and Policy EN6 of the adopted Swindon Local Plan 2026.</i></p>	<p>The new strategy restricts flows to greenfield runoff rates at all points of outfall to the existing ditches and watercourses therefore mimicking the existing greenfield situation. Therefore, the proposals will not increase the risk of flooding elsewhere and are therefore consistent with Policy EN6.</p>
3	<p><i>The latest proposals do not look to safeguard land in the right place for surface water management to ensure that any features will not be affected by the existing fluvial flood plain levels and increase the risk of flooding elsewhere.</i></p>	<p>The main storage basins we are proposing, which will retain the majority of the surface water arising from the site are in exactly the same locations as the large basins identified on the outline permissions approved Illustrative Masterplan and Green Infrastructure Parameter Plan.</p> <p>Furthermore, all surface water management features will be situated outside of the 1 in 100 year + 70% climate change flood zones. Attenuation ponds will be designed to account for a surcharged outfall to replicate discharge to the receiving watercourses during flood events. Flows to the receiving watercourses will be restricted to greenfield runoff rates. This claim is therefore considered to be false.</p>
4	<p><i>The site currently drains via a network of shallow drainage ditches to the main rivers flowing through the site. The new development areas must look to discharge flows throughout the existing drainage networks, to ensure the existing drainage regime is maintained and biodiversity is retained, inline with the local and national guidance. However, whilst the ditches are being retained, the new proposals are proposing to divert these flows via new</i></p>	<p>The proposed drainage network does discharge to the existing drainage network throughout the site as demonstrated on the sitewide drainage strategy plan (Drawing No. 22006-HYD-P0-XX-DR-C-2220-P07 -Strategic Site Wide Surface Water Drainage Strategy).</p>

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	<p><i>deeper drainage systems to larger attenuation features on edge of the development, immediately adjacent to the floodplain, to maximise the development areas. This does not ensure that the required surface water attenuation is managed above the fluvial and groundwater levels as required by the adopted SuDS Vision SPD.</i></p>	<p>The existing drainage ditches remain in the same position and at the same depth as existing and they are not being diverted into deeper drainage systems. Therefore this is not considered to be true.</p> <p>The attenuation features are positioned on the edge of the development outside of the floodplain with a restricted discharge to the existing ditches and watercourses the reasons for which are detailed in the s.73 Application.</p> <p>The proposed pond locations are in accordance with the approved Green Infrastructure Parameter Plan.</p> <p>In order to minimise the raising of site levels across the development the attenuation ponds are positioned below the floodplain levels. However, they will be designed to take account of the surcharged outfall that would occur during a flood event.</p> <p>Groundwater levels have been recorded at various locations across the site during site investigation works the details of which are available in the Ground Investigation Report. Groundwater monitoring will take place at pond locations when they are finalised through the detailed design process. Where high groundwater is encountered the pond and liner will be designed appropriately to avoid uplift.</p> <p>Collectively, this will ensure that the detailed drainage design has regard for both fluvial and groundwater levels, thus achieving the same outcome to what is sought by the NEV Drainage SPD.</p>
5	<p><i>Large parts of the proposed site are within Flood Zones 2 &amp; 3 with development islands proposed between flood plain of the the River Cole, the Dorcan Brook and the Liden Brook. There are flood risk issues upstream of the site within Wanborough, Liden and Covingham, and also downstream in South Marston and Oxfordshire. In addition to the development areas being between these flood plains, they are fairly flat and low lying and therefore, the groundwater table is likely to be high during periods of prolonged rainfall.</i></p>	<p>Groundwater levels have been recorded at various locations across the site during site investigation works the details of which are available in the Ground Investigation Report. Groundwater monitoring will take place at pond locations when they are finalised through the detailed design process. Where high groundwater is encountered the pond and liner will be designed appropriately to avoid uplift.</p>

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6	<p><i>Due these flood risk issues within and adjacent to the site, the SuDS Vision SPD was adopted to ensure development across the NEV provides a robust drainage scheme inline with national guidance. Inline with this guidance, space must be allocated for shallow above ground conveyance features throughout the development, utilising the natural drainage routes and existing drainage features wherever possible and priority must be given to source and site control measures to ensure that attenuation can be provided that will not be compromised by fluvial flood levels and groundwater levels.</i></p>	<p>The s.73 application describes why space for SuDs features that would be compliant with the NEV Drainage SPD and the Original FRA Addendum compromises development capacity, was not originally tested in the outline planning application and is not in accordance with development plan Policy EN6.</p> <p>The natural drainage routes (existing ditches) are maintained and utilised. Attenuation won't be compromised by fluvial flooding as they will be designed to account for flood water levels surcharging the outfalls.</p> <p>Groundwater levels have been recorded at various locations across the site during site investigation works the details of which are available in the Ground Investigation Report. Groundwater monitoring will take place at pond locations when they are finalised through the detailed design process. Where high groundwater is encountered the pond and liner will be designed appropriately to avoid uplift.</p>
7	<p><i>The surface water management strategy needs to ensure that the detailed design of the ongoing phases of development utilise the natural drainage wherever possible and this needs to influence the detailed layouts, proposed ground levels etc. not the detailed layouts changing these natural routes and encouraging deeper drainage systems.</i></p>	<p>The natural drainage routes (existing ditches) are utilised and maintained wherever possible as demonstrated on the sitewide drainage strategy plan (Drawing No. 22006-HYD-P0-XX-DR-C-2220-P07 -Strategic Site Wide Surface Water Drainage Strategy). When it comes to detailed drainage design alongside reserved matters layout work, further opportunities will be taken to utilise the existing ditch network, where this does not compromise on residential capacity.</p> <p>The existing drainage ditches remain at the same depth as existing and they are not being diverted into deeper drainage systems. The existing ditches will be used as outfalls across the site for the proposed drainage systems and will allow conveyance of runoff to the receiving watercourses. The existing depth of the ditches at the point of outfall will govern the proposed ground levels across the development as adequate cover over the upstream drainage systems needs to be provided at detailed design stage.</p>

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8	<i>Whilst progress was being made during the RM and Condition Discharge applications to address the LLFA concerns, the new proposals have now reverted back to large ponds adjacent and below the flood plain extents and levels which is not acceptable.</i>	<p>The reasons for the change in strategy are covered in the s.73 application.</p> <p>Whilst discussions were held regarding a detailed drainage strategy pursuant to the Original FRA Addendum, for the reasons set out within the s.73 cover letter, it was then established that this would not lead to a deliverable consent that also meets the requirements of the development plan allocation for the site. Therefore it has not been taken further and this s.73 was pursued.</p>
9	<i>We have stated throughout the planning process that space must be made available for adequate source control SuDS and attenuation within the future parcels, as proposed within the FRA addendum and required by the SuDS Vision SPD.</i>	<p>The s.73 application describes why space for SuDS features that are compliant with the NEV Drainage SPD and the Original FRA Addendum compromises development capacity and is therefore contrary to Policy EN6.</p>
10	<i>The key strategic network of existing ditches and proposed swales that was shown on the outline Surface Water Management Strategy within the approved FRA Addendum, must be provided and the strategy must go further in discharging flows throughout the network rather than only a few discharge points via large ponds, to ensure the existing drainage regime is maintained inline with local and national guidance.</i>	<p>The strategic network of existing ditches are remaining in-situ and will be utilised within the proposed development. This is shown on the sitewide drainage strategy plan (Drawing No. 22006-HYD-P0-XX-DR-C-2220-P07 -Strategic Site Wide Surface Water Drainage Strategy).. Flows will be discharged throughout the existing ditch network.</p> <p>As part of detailed drainage design and reserved matters layout development, the opportunity for additional swales will be explored and delivered where this can be achieved without compromising residential capacity.</p>
11	<i>Parameters must be set to ensure a commitment is made to deliver SuDS within the parcels through the reserved matters applications.</i>	<p>As explained in the s73's cover letter, the s.73's proposals are in accordance with the originally approved parameter plans and the technical assessment that sat behind them.</p>
12	<i>The Parameters within the table on the approved outline Strategy were agreed but we mentioned in our final response on the outline that we expect some of the larger areas to be split down further. Unfortunately, this has gone the other way with a number of catchment areas increasing.</i>	<p>The s.73 application describes why space for additional SuDS features would compromise residential capacity and therefore cannot be accommodated.</p>
13	<i>The notes on the approved outline Strategy drawing state;</i>	<p>The s73's Revised FRA Addendum ensures that adequate attenuation will be provided within each catchment to meet the allowable discharge</p>

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	<p><i>"6. Adequate attenuation is to be provided within each catchment to meet allowable discharge rates; Final form and location of attenuation to be confirmed at reserved matter application stage for each catchment.</i></p> <p><i>7. Exact detail of onsite drainage to be confirmed through detailed design. This can be achieved through provision of swales, ditches, permeable paving or other forms of suds and in accordance with the suds vision for new eastern villages (nev) supplementary planning document (spd) – February 2017."</i></p>	<p>rates and the final form and location will be confirmed at the reserved matters application stage, as part of detailed drainage design.</p> <p>As above, we will seek to provide additional swales and utilise additional existing drainage ditches as part of detailed drainage design where this can be accommodated without compromising residential capacity.</p>
14	<p><i>The following conditions must still stand to ensure the development comes forward inline with the approved Addendum to March 2019 Flood Risk Assessment (27970/4003/TN001) dated 22/08/19 and therefore, in accordance with the Adopted SuDS Vision SPD, Policy EN6 of the Local Plan and Paragraph 167 of the NPPF.</i></p> <p><i>46. Strategic Surface Water Management Scheme</i>  <i>"Prior to the approval of the first reserved matters, a Strategic Surface Water 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:</i></p> <ul style="list-style-type: none"> <li><i>• 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;</i></li> <li><i>• 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;</i></li> <li><i>• A strategic surface water drainage plan showing the proposed location of the proposed SuDS features;</i></li> <li><i>• Details of the volumes (including indicative dimensions and indicative cross sections) and proposed construction details of the proposed SuDS measures;</i></li> <li><i>• Details of how the scheme shall be maintained and managed after completion;</i></li> </ul>	<p>The s.73 provides justification for why amendments are required to ensure that the development can be delivered.</p> <p>In summary, collectively, the s.73 application justifies that the requests of the NEV Drainage SPD hold the weight of guidance only, and in this instance, according with that guidance is at odds with the delivery of the site under the existing permission and therefore with the development plan.</p> <p>The proposals are however, fully in accordance with the development plan policies for the site's allocation and with regard to drainage (Policy EN6).</p>

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