



concerns raised with regard to the applications and the amended schemes were fully considered and reported on by the Inspector. The appeal decisions, including the conclusions with regard to the many concerns raised and the revised options, represent material considerations that must be considered when determining this application if the issues and details remain similar. As the policy background has remained relatively unchanged since the appeal decision, the report of the Inspector and the conclusions reached should be afforded considerable weight when considering similar elements within the new proposal.

- 1.4 This proposal represents a new outline application for the proposed development of a large part of Lotmead and Lower Lotmead Farm villages as part of the proposed NEV development. It does not include a separate application for the smaller site within it of 200 houses but this is referred to as Phase 1 and Wanborough Green character area.
- 1.5 The proposal also includes a S106 agreement. As with the application, the matters addressed within it are similar to those within an agreement submitted as part of the 2015 appeals. These were also considered fully by the Inspector. The emerging Local Plan includes updated requirements to those of the adopted development plan. Whilst regard should be had to it, the general requirements remain unchanged and as such, the views of the Inspectors should also be afforded considerable weight.
- 1.6 Since the appeals were dismissed, the applicant entered into pre-application discussions with officers and held public consultation events prior to submitting this application in April 2019.
- 1.7 This application has been brought before Planning Committee due to the scale and significance of the proposals and the level of public interest.

## **2 Summary of Recommendation**

- 2.1 That the Head of Planning, Regulatory Services and Heritage be authorised to **GRANT** outline planning permission subject to :
- (a) Completion of a legal agreement to secure the planning obligations that are material to the decision (as set out in paragraphs 9.118-9.140 of this report); and,
  - (b) The planning conditions set out in this report, with delegated authority to make reasonable amendments, additions or omissions to those conditions before issuing formal consent as may be necessary.
- 2.2 The applicant has agreed to extend the period in which the application can be determined until 12<sup>th</sup> June 2020. In the event that a further extension(s) of time is not forthcoming to enable the planning obligation to be completed and the decision issued, the Head of Planning, Regulatory Services and Heritage be authorised to refuse the application for the following reason:

*The proposal does not comply with policies NC3, IN1, SD3, TR1, TR2 and*

*EN2 of the Adopted Swindon Borough Local Plan 2026 and the provisions of the National Planning Policy Framework (NPPF), as an infrastructure package to mitigate the impact of the development has not been secured by means of a planning obligation and / or planning condition, so as to meet the infrastructure needs arising from the development.*

### **3 The Proposal**

3.1 This application seeks outline planning permission for residential development of:

up to 2,500 dwellings;

up to 1,765 sqm of community/retail uses (Use Class D1/D2/A1/A3/A4);

up to 3,000sqm of business/employment use (Use Class B1);

two primary schools;

open space, strategic landscaping and other green infrastructure (including SUDs and areas for nature conservation);

other associated road and drainage infrastructure, indicative primary access road corridors to the A420 and improvements to the existing access off Wanborough Road and the realignment of the access to provide access to the first phase of development of up to 200 houses within the character area of Wanborough Green.

3.2 This application, although in outline, seeks approval for the details of the means of access to the site from Wanborough Road.

3.3 This application seeks to deliver development within the 'Lotmead' and 'Lower Lotmead' Villages of the New Eastern Villages.

#### **Proposed Access from Wanborough Road**

3.4 The applicant has provided details of the means of access from Wanborough Road (plan 27970/003 Revision L). The existing access from Wanborough Road currently serving the Lotmead Business Village and Lotmead Farm would be utilised and widened. The proposed access requires the use of part of the front and side garden areas of no. 3 and 4 Wanborough Road. The access is similar to that within the previous appeal scheme but the footpath, which would be to the northern side of the access road, (the appeal scheme included 2 metres wide paths to both sides) would be widened to provide a three metres wide footway/cycleway bringing the highway works a metre closer to the residential properties.

3.5 It is proposed that the footpath on the opposite side of Wanborough Road, which provides access over the A419 into Swindon, be widened and extended, using part of the existing road carriageway. The footpath is currently narrow and terminates opposite the Lotmead Farm and Lotmead Business Village access. It

would be extended further to the south and terminate opposite the start of a new pavement within the verge on the opposite carriageway. These elements are predominantly outside the application site boundary and would need to be secured through the legal agreement.

- 3.6 The visibility splay from the Lotmead Farm access would allow for the retention of the majority of the hedgerow to the south of the junction with only a small section being replaced. The 11-metre high ash tree standing within the hedgerow would be retained.
- 3.7 The plans show detail of the access for approximately 30 metres into the site beyond which further detail is reserved for subsequent approval. Numerous trees forming an avenue along the existing access road were shown for removal with regard to the appeal proposals which was not considered acceptable by the Inspector. The alignment of the road is now shown to avoid conflict with the majority of trees with the existing avenue and track being retained and utilised only by Lotmead Farm and Lotmead Business Village, with the longer term intention of it being used as a path/cycleway.
- 3.8 At the point of the proposed access with Wanborough Road the speed limit is 30mph. The plans indicate uncontrolled pedestrian crossings just to the north and south of the access.
- 3.9 The access would provide for all vehicles during the first phase, including construction traffic. The second phase would not commence until the Southern Connector Road (SCR) has been built. All construction traffic beyond the first phase of up to 200 homes would therefore use the SCR. Residents of the first phase would continue to use the Wanborough Road access. Future residents of phases 2 onwards would not have access to or from Wanborough Road and would be restricted to using the SCR and the proposed future links towards the A420. Residents of phase 1 and buses would however continue to be able to utilise the Lotmead Farm access and also gain access to the SCR and the remaining areas of the Lotmead development.
- 3.10 The internal roads, including the SCR, would be designed to safely accommodate pedestrians and cyclists and illustrative designs for this have been provided. Car and cycle parking provision would be provided in line with SBC's adopted standards, including provision for electric vehicle charging points.

#### Accesses to wider area

- 3.11 The Parameter Plan: Movement [drawing no. PL1461.1-PLA-00-XX-DR-U-0004 S4 P03] illustrates Primary Vehicular Routes through the development which accord generally with the NEV Masterplan movement strategy. An access to the north-west would link with Symmetry Park, the superstore and the A420. A north-east link would connect with Great Stall East, including the new secondary school and the proposed park and ride. The Southern Connector Road would provide a link to the south of Swindon and the M4. This would not allow access on to the Wanborough Road when heading south from Lotmead. The alignments of the Primary Vehicle Routes have been conceived to allow direct access to all areas of

the developed but in a manner that would not encourage rat running through the wider NEV area. These routes would include separate 3-metre wide pedestrian/cycle paths to each side. This plan also shows Secondary Vehicular Routes including an access to the south to connect with further development to the south of the site and Redlands.

### Illustrative Masterplan

- 3.12 Whilst the matters of layout, scale, appearance and landscaping are reserved for subsequent approval, the application submission includes an 'Illustrative Masterplan' that demonstrates how the site could be developed. It includes two village centres including commercial properties and a primary school in each village. It illustrates a sports hub that would serve this and surrounding settlements. Allotments and play areas are also indicated as is the safeguarded alignment of the canal.
- 3.13 Housing densities are indicated between 10 to 55 dwellings per hectare (dph) with the lowest densities on the periphery of the parcels of housing and the highest densities around the proposed locations of two local centres. The average density across the site is 45dph. Building heights are generally indicated as being 2-2.5 storeys with a ridge height of up to 9m. Two to three storey housing is shown along the primary streets and towards the centre of the development areas. Potential marker buildings are indicated throughout the site at a general height of three or four storeys but with five storey marker buildings (up to 18 metres) at the commercial centres of the two villages.
- 3.14 Affordable housing is proposed to comprise 20% of the development and therefore a provision of up to 500 affordable dwellings would be required with up to 2000 open market dwellings. The applicant has indicated that the dwellings would range from one to five bedroom properties including some apartments potentially located at the local centres.

## **4 The Site and Surroundings**

- 4.1 The application site extends to approximately 169 hectares, to the east of the A419 and south of the A420. It includes the existing access from Wanborough Road serving Lotmead Farm, several residential properties, Lotmead 'Pick Your Own' activity farm, the Lotmead Business Village and pasture land (predominantly open farmland). The existing Lotmead Farm access road is a tree-lined, narrow private road (approx. 4 metres wide) with passing places.
- 4.2 The application site is located approximately 4 miles to the east of Swindon Town Centre. Agricultural land adjoins the site to the east and south. The southern boundary adjoins the Poplar Day Care Nursery. Lotmead Business Village comprises a collection of renovated Victorian farm buildings offering business accommodation; and Lotmead Farmstead, including two houses and dairy farm buildings.
- 4.3 The site gently slopes from the west at Wanborough Road, down towards the Dorcan Stream. The Dorcan Stream flows in a northerly direction towards the

River Cole. Within the site, a small ditch follows a field boundary and flows under the access road towards the Dorcan Stream. Three Oak trees and a group of Poplar trees located within and on the perimeter of the site are protected by a Tree Preservation Order. A further Tree Preservation Order covers the avenue of trees from Wanborough Road along the private access to the Lotmead Business Village.

- 4.4 The site falls within the Parish of Wanborough and is in the Ridgeway Ward. Wanborough Road is a relatively straight, single carriageway road linking Covingham to Wanborough and other villages beyond with varying speed limits between 30 and 60mph. The speed limit is 30mph at the site access. There is an existing footpath on the western side of Wanborough Road that starts as a narrow path opposite the Lotmead Business Village access and it widens towards Covingham. There are no footways heading south from the application site towards Wanborough. One Public Right of Way (footpath no. 5) travels in a north-south direction to the west of the site.
- 4.5 The Wanborough Roman Town (Durocornovium) is located within the west of the application site and is designated as a scheduled monument of national importance (scheduled monument no. 1004684).
- 4.6 Earls court Manor and Lower Earls court Farm are Grade II Listed buildings which are beyond but near the eastern boundary of the site. Lotmead Farmhouse is a non-designated heritage asset.
- 4.7 The application site is located within the NEV Strategic Allocation boundary, as defined by Policy NC3 of the Swindon Borough Local Plan 2026 (LP) and Policies Map.

## **5 Site History**

- 5.1 A number of previous outline planning applications have been submitted for this site. Of most relevance are the two 2015 planning applications (Master Plan for entire site and Phase 1 for 200 houses) S/OUT/15/0753 and S/OUT/15/0754 which were both refused and dismissed at appeal.
- 5.2 The principal masterplan application related to a similar quantum of development and was broadly similar to the plans now submitted. A revision to that application, which would have resulted in a revised access alignment (similar to that now proposed), was not considered to be properly made by the Secretary of State but it was considered by the Inspector. Generally, it was found that the principle and the originally submitted details were in many respects acceptable but overall the appeal was dismissed.
- 5.3 Critically, the harm to the Scheduled Monument was not considered to be outweighed by the public benefits of the proposal and therefore given the content of the NPPF (now paragraph 11) there were no material considerations that indicated that the development should not be resisted. Further concerns were identified and are set out below:

- 1) A five storey marker building close to Lotmead Farmhouse, would be unacceptable with regard to the setting of this non-designated heritage asset, as would the loss of the tree lined avenue which provides access to it;
- 2) The proposed single 3-form entry school was not sufficient;
- 3) The quantity and quality of open space and the content of the Green Infrastructure Parameter Plan and the Master Plan had not been demonstrated to be satisfactory;
- 4) The access involved the widening of the existing tree lined (avenue) track which would result in the loss of trees protected by Tree Preservation Orders (TPO) and this was considered unacceptable; the plans also failed to adequately identify the route of the Southern Connector Road (SCR); and
- 5) It was found that in the short to medium term there was a probability that there would be an adverse effect on nearby villages until the completion of strategic infrastructure.

5.4 The revised details that were submitted and considered as part of the appeal, were not considered by the Secretary of State. However, they were fully considered by the Inspector. These differ from the original submission in a number of ways, in particular:

- 1) The red line of the site was extended to include the eastern access to the A420;
- 2) A second 2-form entry primary school was shown;
- 3) The Wanborough Road access was realigned to ensure retention of TPO trees and its status downgraded to secondary vehicle route and bus route;
- 4) The Green Infrastructure Plan and Masterplan were updated with regard to sports pitch and allotment provision;
- 5) Further details were submitted with regard to the Scheduled Monument; and
- 6) Off site highway improvements works and traffic calming measures along the Wanborough Road to provide safer access to Covingham Park Primary School and Dorcan Academy were proposed.

5.5 Of relevance, with regard to the appeal decision, were the matters of common ground which included the need for traffic calming in surrounding villages to discourage rat-running; nursery provision would be provided alongside the primary schools and sufficient community space would be provided for early years provision within each village centre; the need to use Covingham Park Primary School would be temporary; contributions would be paid for NEV related highway contributions; a second point of access (the Southern Connector Road SCR) would be required before the occupation of the 201<sup>st</sup> dwelling; enhancements to biodiversity could be secured by condition as would the provision of appropriate levels of retail and employment provision.

- 5.6 The Inspectors conclusions with regard to the amended scheme differ to the scheme considered by the Secretary of State although the proximity of housing development to the Scheduled Monument remained unacceptable. The remaining concerns referred to by the Secretary of State were considered by the Inspector and commented on as follows:
- 1) The retention of the tree lined avenue to Lotmead Farmhouse would overcome part of the original concern but a five storey marker building close to this non-designated heritage asset would not be acceptable;
  - 2) the replacement of the proposed 3 form entry school with two 2-form entry schools was acceptable;
  - 3) the quantity and quality of open space and the content of the Green Infrastructure Parameter Plan was found to be much improved but there was no commitment to a sports hub and there remained a lack of clarity with regard to outdoor sports facilities and its dispersed provision was of concern. The relationship of play areas to the SCR was also an issue as was the location of allotments;
  - 4) the revised access route, separate from the tree lined avenue addressed the concerns with regard to the loss of trees protected by Tree Preservation Orders (TPO); the amended plans still however failed to adequately identify the route of the Southern Connector Road (SCR);
  - 5) the concern remained that in the short to medium term there was a probability that there would be an adverse effect on nearby villages until the completion of strategic infrastructure. Traffic calming contributions were necessary (in association with the Redlands development site) and although not overcoming the concern, would assist.
- 5.7 Although the currently submitted application includes many similarities with the appeal schemes, it is instructive to consider the main differences that have been incorporated in order to address the concerns of both the Inspector and the Secretary of State. Of the principal reason for dismissing the appeal, the proximity of housing development to the Scheduled Monument has been significantly amended with all housing to the west of the existing tree lined access being deleted; and the detail and relationship of the housing to the east of the access, within Phase 1, being clarified with the inclusion of low density housing that would be set well away from the boundary with the Scheduled Monument. The housing would be located beyond a hedge and a landscaped area including a shared access driveway.
- 5.8 The plans and details have been modified with regard to the other concerns as follows:
- 1) The tree lined avenue to Lotmead Farmhouse would remain and would, when the existing industrial units are linked into the commercial centre, become a cycleway and footpath with vehicular use only to serve the three residential



properties at Lotmead Farm. The previously proposed five storey marker building close to Lotmead Farmhouse (non-designated heritage asset) has been deleted and the nearest marker building would be a substantial distance to the northwest within the new commercial centre.

2) The two 2-form entry schools that were previously found to be acceptable would be retained within this proposal;

3) Further detail with regard to the quantity and quality of open space has been provided and the Green Infrastructure Parameter Plan now includes a commitment to a sports hub, concentrating sports provision and pitches within a central area closely associated with the second commercial centre. The relocation of the sports hub to the central area was a positive response to the advice of officers. The allotment provision has been moved out of the pick-your-own area and the flood zone and is shown in two areas, one closely associated with the green spine and the other close to the canal but both outside the flood risk zone. More clarity and detail has been provided with regard to outdoor sports facilities and the make-up of individual play areas. Details have now been provided to illustrate the relationship of the play areas to the SCR;

4) The previously shown revised access route, separate from the tree lined avenue which addressed the Inspectors concerns with regard to the loss of trees protected by Tree Preservation Orders (TPO) would remain. The plans now identify the route of the Southern Connector Road (SCR) and provide details of its make up, including separate cycle paths/footpaths to both sides;

5) The concern remained that in the short to medium term there was a probability that there would be an adverse effect on nearby villages until the completion of strategic infrastructure. Contributions to traffic calming continue to be offered. This matter remains unchanged by the proposal.

## **6 Procedural Matters**

### **Environmental Statement**

6.1 An Environmental Statement was submitted with the application and seeks to address matters including those relating to land use and agriculture, economy, population and society, water resources, ground conditions, transport, ecology and conservation, landscape, noise, air quality, archaeology and heritage.

6.2 The location of the application site within the NEV strategic allocation is such that any potential impacts arising from the proposed development should be considered cumulatively alongside other development in the area.

## **7 Representations**

7.1 Since the submission of this application and first consultation process in April 2019 additional and revised information and plans have been submitted following consultation responses and matters raised by Officers. The revised documents

include a Design and Access Statement ('D&A') Addendum, ES Addendum, parameter plans and the Ecological Mitigation and Management Framework (EMMF). In addition, the submissions include a Strategic Design Code, which provides the basis for detailed design codes that each character area and reserved matters application must follow.

- 7.2 Further public consultation following the submission of further and revised information has been undertaken. Below is a brief summary of the comments received in relation to the application. The date in brackets refers to the most recent comments received by the consultee. A full schedule of summarised comments is provided at the end of this report Appendix A.
- 7.3 **Statutory Consultees**
- 7.4 Environment Agency (EA): No objection as the Addendum to the March 2019 Flood Risk Assessment (reference 27970/4003/TN001, dated 22 August 2019 and prepared by Peter Brett Associates) demonstrates that flooding would remain within the proposed floodplain restoration scheme for the increased climate change allowances. Recommends conditions (7 April 2020).
- 7.5 Highways England: No objection subject to conditions limiting occupation to 200 dwellings until the SCR is complete and open to traffic; and limiting occupation to 250 dwellings until improvement works at Gablecross roundabout have been implemented; and limiting occupation to 730 dwellings until a contract to construct improvements to Junction 15 of the M4 has been let. A Travel Plan would also be required. (27 April 2020).
- 7.6 Historic England: No objection to the application on heritage grounds subject to conditions and the agreement of a mitigation strategy and scheme of investigation, including with regard to the access works. (31 March 2020).
- 7.7 Natural England: Notes the reduction in accessible greenspace. Welcomes the aspiration for multiple ecosystem service provision but would like to see a detailed monitoring strategy that targets recreational impact on the proposed biodiversity zones. Raises concern that the increased population would increase pressure on the North Meadow and Clattinger Farm Meadows SAC, particularly from visitors to North Meadow in April and May to see the fritillaries. Asks that mitigation measures are considered. (14 April 2020).
- 7.8 Sport England: No objection subject to a suitable Section 106 agreement to ensure that the vision of the sports hub can be delivered, in a way which reflects the formal and informal sporting needs at the time of delivery, and to provide for its management. (2 December 2019).
- 7.9 Thames Water: No objection subject to conditions as surface waters will not be discharged to the public network but capacity does not presently exist for the increased demands on the water or sewage network. (24 April 2019).

## External Consultees

- 7.10 Campaign to Protect Rural England (CPRE): Raise a number of concerns particularly with regard to the integration of the phasing of the housing development of this site with Great Stall East in relation to the main connector road, the Park and Ride delivery, and the secondary and primary schools. Suggests that the triggers for these must be explicit in the context of commencement and delivery of the housing phases. Commencing at Wanborough Road will impact on this road and encourage greater vehicle use. Suggests that 4 and 5-storey marker buildings are inappropriate for a village development. Requires that appropriate consideration made with regard to flood risk, water storage and soil capping are put in place (9<sup>th</sup> December 2019).
- 7.11 NHS: No objection subject to the provision of funding to provide for 500m<sup>2</sup> of off site healthcare accommodation and funding for the first two years of occupation to ensure adequate GP provision (20 March 2020).
- 7.12 Dorset and Wiltshire Fire and Rescue: No objection to the application subject to conditions to ensure the provision of water supply and fire hydrants. (18 April 2019).

## Internal Consultees

- 7.13 Arboricultural Officer: Recommended further details in the ecological mitigation and management framework (19<sup>th</sup> December 2019).
- 7.14 Archaeological Officer: Outline Archaeological mitigation Strategy and Heritage Management Plan awaited. Recommend conditions (6<sup>th</sup> April 2020).
- 7.15 Ecological Officer: Recommend further details for the ecological mitigation and management framework and cohesive green infrastructure network (19<sup>th</sup> December 2019).
- 7.16 Education Officer: A scheme of 2,500 dwellings would require 4FE of primary school places with land provision of 4.4ha to permit expansion to 4.4FE to cater for the additional need. An appropriate solution would be two 2FE primary schools each with 26 part time place nursery with one school located at Lotmead and one school located at Lower Lotmead. A suitable serviced and accessible site of 2.2ha for a Primary School would be required from first occupation of any dwelling on the site. The Council recently developed baseline designs and costs for new schools based on the Class Solutions model used across a number of new and existing schools in Swindon. The result of the exercise has been to increase the baseline cost of a new 2FE primary school from £6.5m to £7.74m and therefore contributions towards the construction of new facilities will be sought at the new higher level. Prior to the opening and continued operation of the first primary school, provision would need to be made to cater for the education needs of the occupants of the initial dwellings. There is currently capacity at Covingham Park Primary School which could accommodate children as a temporary measure. A safe and attractive route would need to be provided.

The proposal would generate a requirement of 1.67FE of secondary school aged children. Financial contributions towards the provision of this secondary school would be required. Prior to construction of the secondary school, it would be expected that secondary school pupils would utilise Dorcan Academy providing capacity is available.

The proposal for up to 2,500 dwellings would result in 675 pre-school children. In addition to the nursery classes at each school, the wider development should have a centrally located space that a private nursery provider can operate from. Therefore, a private nursery provider space should be centrally located within the application site. (3 June 2019).

- 7.17 Contaminated Land Officer: No objection subject to pre-commencement conditions. (16 April 2019).
- 7.18 Environmental Health Officer (Noise): No objection subject to conditions requiring: a Construction Management Plan; that dwellings be designed to ensure noise limits are not exceeded; that existing properties do not experience unacceptable noise during construction; that measures be put in place to protect properties from noise from the commercial units. Additional conditions relating to the detailed design phases were also included. (27 June 2019).
- 7.19 Housing Officer: No objection (18<sup>th</sup> April 2019).
- 7.20 Landscape Officer: Further amendments recommended (December 2019).
- 7.21 Lead Local Flood Authority (LLFA): No objection, recommend conditions.
- 7.22 Local Highway Authority (LHA): No objection, recommend conditions.
- 7.23 Urban Design Officer: No Objection subject to conditions. As the Illustrative Masterplan and accompanying Design & Access Statement set out a strong, legible urban design strategy for the site recommend that the future design codes are required to align themselves closely with the design principles that have been successfully illustrated and justified. (10 June 2019).

### **Adjacent Local Authorities**

- 7.24 Oxford County Council: Very concerned about the volume of additional traffic that is expected to use the A420 towards Faringdon and Oxford, especially for journeys to work and that appropriate mitigation measures on A420 not assessed; advises that developer contributions would be required towards delivery of bus services and contribution to bus priority measures linking routes along the A420; Comments on Travel Plan and the need for local education provision (13 December 2019)

### **Parish Councils (Swindon Borough unless stated)**

- 7.25 South Marston: Welcome the plans for the green infrastructure, footpaths and cycleways both on site and off. We do not agree with the maintenance proposals

as it does not address the tests of the Proposed Submission draft Swindon Local Plan 2036 at SP1 4 and DM28 6. Would expect Parish Councils to be consulted on matters and decisions concerning Green Infrastructure maintenance for developments within their area of interest. No reference to the maintenance for off-site POS. Would like the southern connector road to be in place and established prior to any other development work beginning. (18 March 2020).

- 7.26 Bishopstone and Hinton Parva: Object pending satisfactory resolution of Highways England's concerns and addressing of suitable mitigation measures to avoid "rat running" through adjacent villages. The initial phase of 200 homes served solely from Wanborough Road, ahead of the Southern Connector Road, would lead to unacceptable traffic impacts within Wanborough and surrounding villages to the east. (20 March 2020).
- 7.27 Covingham: There must be a robust system maintain the SuDS. The development should not be allowed to proceed until the Southern Connector Road has been constructed, and all construction traffic must use the SCR as the only route to the site. Phase two houses must not access the Wanborough Road in the direction of Covingham to prevent a rat run through Covingham. Object to Covingham Park School being used due to existing traffic issues and as it is unreasonable to expect children to walk from Lotmead. (19 May 2019).
- 7.28 Liddington: Need to mitigate rat running through the rural villages at the beginning of the construction phase rather than when the development has been completed. Also concerned about the provision of GP surgeries as the current situation is very worrying. (10 May 2019).
- 7.29 Wanborough: Concerns relating to the proposed access from Wanborough Road; flooding; archaeological impact; unsustainable development of the first 200 homes; construction traffic; timing of delivery with the Southern Connector Road; proposed bus-gate; phasing strategy; ability of Commonhead Roundabout to cope; and the timing of the other primary access points (13<sup>th</sup> May 2020).

### **Third Party Representations**

- 7.30 Neighbours and Local Residents: Representations were received from four residents in relation to the proposed development. The key comments raised by residents including:
- Strong objection to any traffic onto Wanborough Road;
  - Development is massively out of scale and would overwhelm the local area;
  - Traffic in the area is already congested;
  - Concern that the A420 is already at a standstill;
  - The countryside is disappearing fast; and
  - Wichelstowe should be completed first.
- 7.31 Ramblers (Swindon & North East Wiltshire Group): Comment received relating to the safe crossing of Wanborough Road (28<sup>th</sup> April 2019).

## **8 Planning Considerations**

- 8.1 Applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The planning policy context is set out below, together with the key planning considerations relating to the proposal.

## **9 Policy Context**

### National Planning Policy Framework (NPPF) (2019)

- 9.1 The National Planning Policy Framework (NPPF) (2019) details the national planning policies for England. It sets out the presumption in favour of sustainable development and seeks to ensure that proposals that accord with an up-to-date development plan are approved without delay. The planning system performs three roles in achieving sustainable development, namely the economic, social and environmental. The NPPF states that these roles are mutually dependant and that to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system.
- 9.2 Given the Council's housing supply figure, paragraph 11 requires that permission should be granted unless:

The policies of the NPPF which protect areas or assets of particular importance (including the impact on Sites of Special Scientific interest, Areas of Outstanding Natural Beauty, designated heritage assets (including Ancient Monuments and listed buildings) and areas of flood risk) provide a clear reason for refusing an application; or

Any adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the policies of the NPPF taken as whole.

### The Development Plan

- 9.3 The development plan for Swindon Borough includes: The Swindon Borough Local Plan 2026 (March 2015); Swindon Borough Local Plan 2026 Policies Map (March 2015); and Wiltshire and Swindon Minerals Core Strategy 2009.

### Swindon Borough Local Plan 2026 (2015)

- 9.4 The Swindon Borough Local Plan 2026 (LP) was adopted by Swindon Borough Council on the 26th March 2015.
- 9.5 The policies relevant to this application include:
- SD1: Sustainable Development Principles
  - SD2: Sustainable Development Strategy
  - SD3: Managing Development
  - DE1: High Quality Design
  - DE2: Sustainable Construction

- EC2: Employment Land and Premises (B-Use Classes)
- EC3: The Role of the Centres and Main Town Centre Uses
- HA1: Mix, Types and Density
- HA2: Affordable Housing
- HA3: Wheelchair Housing
- TR1: Sustainable Transport Networks
- TR2: Transport and Development
- IN1: Infrastructure Provision
- IN2: Water Supply and Wastewater
- CM1: Education
- CM2: Active, Healthy and Safe Lifestyles
- CM3: Integrating Facilities and Delivering Services
- CM4: Maintaining and Enhancing Community Facilities
- EN1: Green Infrastructure Network
- EN2: Community Forest
- EN3: Open Space
- EN4: Biodiversity and Geodiversity
- EN5: Landscape Character and Historic Landscape
- EN6: Flood Risk
- EN7: Pollution
- EN9: Contaminated Land
- EN10: Historic Environment and Heritage Assets
- EN11: Heritage Transport
- NC3: New Eastern Villages – including Rowborough and South Marston Village Expansion

#### Wiltshire and Swindon Waste Core Strategy (2009)

- 9.6 The adopted Wiltshire and Swindon Waste Core Strategy Policy WCS6 'Waste Reduction and Auditing' applies to all major development.

#### Community Infrastructure Levy (CIL) Charging Schedule (2015)

- 9.7 Swindon Borough Council adopted the Community Infrastructure Levy (CIL) Charging Schedule on March 2015 which became effective from 6th April 2015. The application site is located within Residential Zone 1 (Swindon's New Communities), which has a £0 CIL charging rate, instead relying on S106 due to the strategic nature of the development.

#### Supplementary Planning Documents (SPDs)

- 9.8 The Council has adopted a number of Supplementary Planning Documents (SPDs) which are material considerations for the purpose of making planning decisions on NEV applications.

#### *Swindon Residential Design Guide Supplementary Planning Document (SPD) (June 2016)*

- 9.9 The adopted Swindon Residential Design Guide SPD ('Design Guide SPD') seeks

to ensure that high quality design is realised through development proposals in Swindon. It sets out clear principles and guidelines to enable high quality design and shape new development.

*Inclusive Design Access for All Supplementary Planning Document (SPD) (2011)*

- 9.10 The Inclusive Design Access for All SPD ('Access for All SPD') seeks to create sustainable communities which are places in which people want and are able to live and work, now and in the future. These sustainable communities should meet the diverse needs of existing and future residents, be sensitive to their environment and contribute to a high quality of life.

*New Eastern Villages (NEV) Planning Obligations Supplementary Planning Document (SPD) (October 2016)*

- 9.11 The adopted New Eastern Villages (NEV) Planning Obligations SPD ('Planning Obligations SPD') sets out the Council's approach to securing planning obligations at the NEV. The approach detailed in this SPD seeks to achieve the effective delivery of infrastructure to achieve sustainable growth at the NEV by ensuring that necessary infrastructure is delivered in the right place, at the right time. In support of the Local Plan and the NEV Planning Obligations SPD, the NEV IDP Prioritisation Matrix is intended to provide a framework for these negotiations, where viability has been independently tested, to ensure comprehensive and sustainable development. The NEV IDP Prioritisation Matrix ranks the infrastructure requirements detailed within the NEV Planning Obligations SPD, in order of importance to inform negotiations where there is a viability challenge.

*New Eastern Villages (NEV) Framework Travel Plan Supplementary Planning Document (SPD) (2016)*

- 9.12 The NEV Framework Travel Plan SPD ('Travel Plan SPD') outlines the principles and suggested management mechanisms to reduce the number of car trips within and to the NEV. A well connected layout to enhance pedestrian and cyclist permeability, as well as providing priority to public transport vehicles, are some of the primary approaches to reduce car dependency and achieve sustainable development.

*SuDS (Sustainable Drainage Systems) Vision for the New Eastern Villages (NEV) Supplementary Planning Document (SPD) (2017)*

- 9.13 The SuDS Vision for NEV SPD ('SuDS Vision SPD') elaborates on national and local policy by providing guidance on how to incorporate SuDS within development proposals, to ensure an integrated and sustainable approach to drainage throughout the allocation.

*New Eastern Villages (NEV) Green Infrastructure (GI) Supplementary Planning Document (SPD) (2017)*

- 9.14 In accord with the Local Plan, Green Infrastructure (GI) is defined as a network of multi-functional green space, urban and rural, which is capable of delivering a



wide range of environmental and quality of life benefits for local communities. The NEV GI SPD ('NEV GI SPD') outlines a number of key GI principles to provide guidance on the GI expectations within the NEV.

*New Eastern Villages (NEV) Island Bridge Vision Supplementary Planning Document (SPD) (2017)*

- 9.15 The NEV Island Bridge Vision SPD ('Bridge Vision SPD') seeks to provide the framework for connectivity between the NEV development islands.

Swindon Borough Local Plan 2026 Review

- 9.16 The Swindon Borough Local Plan 2026 is currently under review. The content of the Proposed Submission draft Local Plan 2036 was approved by the Council on 4 December 2019 as a basis to undertake public consultation. It is therefore at an early stage with regard to its progress towards adoption. It can therefore be afforded very limited weight in the decision making process.

**Principle of the Proposed Development**

- 9.17 LP Policy SD1 sets out the sustainable development principles that underpin the development plan, in the form of eight sustainable development criteria which seek to deliver the Sustainable Development Strategy identified within LP Policy SD2. LP paragraph 3.7 explains that the sustainable development principles are a combination of factors to help ensure that new development minimises and mitigates its impact where it is proposed, by providing adequate and accessible services and facilities for the occupiers of the new development and overall delivers a balanced development which respects the social, environmental and economic demands placed upon it.
- 9.18 The LP seeks to concentrate development within the Swindon urban area; and at allocated strategic sites including the New Eastern Villages (NEV). LP Policy SD3 reflects the NPPF's presumption in favour of sustainable development and the need for a positive approach to considering development proposals. The LPA will work jointly with applicants to find solutions, therefore proposals will be approved wherever possible, and to secure development that improves the economic, social and environmental condition, and promotes health and well-being, for those living and working in Swindon Borough.
- 9.19 LP Policy NC3 supports the delivery of a comprehensive and sustainable mixed-use urban extension including about 8,000 homes in the form of distinct, inter-connected villages within the NEV which includes the Lotmead sites. The principle of development on this site is therefore acceptable as it forms part of the LP strategic allocation. This was accepted by the Inspector who accepted that the loss of agricultural land and the dairy enterprise to a residential-led development at Lotmead Farm would be in accordance with the development plan policies.
- 9.20 The critical issues are around the acceptability of the application within this context when assessed against the full range of Development Plan policies, SPD's and the NPPF.

## **Main considerations**

### Heritage

- 9.21 The principal reason the Secretary of State dismissed the 2015 appeal related to the impact of the proposal on the Roman town, Durocornovium, which is a Scheduled Monument (SM). This is a designated heritage asset of national importance. Great weight should be given to its conservation and the NPPF places scheduled monuments within a group of designated heritage assets of the highest significance. LP Policy NC3 requires the development to ensure that the SM is protected, acknowledged and enhanced. Policy EN10 requires the historic environment be sustained and enhanced.
- 9.22 The A419 cuts through the SM which in total covers an area of 25 hectares. To the west, existing housing extends up to the scheduled area. To the north and east there is farmed countryside that includes the application site. The previous appeal proposals included development to the north of the tree lined access to Lotmead Farmhouse and would have been very close to the SM. This area of housing has been omitted from this application and the land would be left open for recreational use. The application details clarify that the western edge of the proposed housing area, to the south of the tree lined avenue, would be very low density, two storey housing and that it would be set away from the boundary with the SM. The new houses would be separated from the SM by a hedge and set beyond a landscaped area that would include the shared driveway to those adjoining houses.
- 9.23 This new relationship has been fully considered with regard to the setting of the SM. Historic England and the Council's Archaeological consultant are of the view that this revised arrangement would be satisfactory. Some harm to the open setting would result but this would be limited and result in less than substantial harm to the significance of the heritage asset.
- 9.24 A draft heritage management plan has been submitted that would provide for improvements to the management of the monument but also allow for better public awareness and appreciation of the asset. It makes provision for not only the long term management of the areas within the application site, but would also improve interpretation of the monument as a whole by the provision of information to allow for an appreciation and understanding of the monument as a whole, which is not currently possible. This would ensure that the SM would be better experienced within its setting and the requirements of the management plan, some of which have already been undertaken, would be required by condition. This improved management and interpretation would be a significant benefit that weighs in favour of the proposal.
- 9.25 The initial submission considered at appeal was also found to result in harm to the setting of Lotmead Farmhouse which is a non-designated heritage asset. Land around the house would now be kept open and importantly the trees that make up the tree lined avenue that serves it, would be retained. A five storey marker building that was previously proposed, is no longer illustrated on the Building Height Parameter Plan. The nearest high building would be some distance away

in the local centre. The proposal reflects the revised appeal scheme whereby the Inspector concluded that the amended scheme would sufficiently conserve the setting to Lotmead Farmhouse so that the significance of the Farmhouse would not be materially harmed. This would remain the case with the current proposal.

- 9.26 Overall, with regard to heritage impacts, the proposal would not harm the setting of Lotmead Farmhouse and would result in less than substantial harm to the setting of the SM. An approved heritage management plan would ensure that the historic environment of the SM would be protected, acknowledged and enhanced. Historic England are of the view that this public benefit would be sufficient on its own to outweigh the harm identified. In any event, when considering the additional public benefits that would result from the development of a sustainable new community, the harm would be clearly outweighed. The proposal would therefore satisfy the heritage requirements of the NPPF and LP Policies NC3 (c) and EN10 (a) and (b). The proposal would also overcome the concerns raised by the Secretary of State that led to the original scheme being dismissed at appeal.

### Education

- 9.27 The Council's preferred solution for new primary schools is for two 2-form entry primary schools, each to be located on a 2.2 hectare site. This would ensure sufficient land is available for expansion to accommodate additional demand peaks and also to provide nursery provision. The submitted plans provide for this and the sites would be positioned centrally within the villages, adjacent to the proposed local centres, ensuring that they would be well located in relation to the community they serve. This arrangement was accepted by the Inspector and satisfies LP Policies CM1 and NC3 and also LP Policy CM3 which encourages the co-location and integration of services. With regard to early years education, the village centres would have a significant amount of community floorspace that is expected to be taken up by private providers within this sector. This is required in addition to the early years provision in each primary school.
- 9.28 It is anticipated that the children of the first phase of development, before the first new school is constructed, would have to attend schools in the local area. Covingham Park Primary School currently has capacity and although it is not within easy walking distance, the proposed improvements to the Wanborough Road, widening the footpaths and traffic calming, would allow for safer pedestrian and cycle access. This arrangement would be for a relatively short period with the land for the first school becoming available prior to the occupation of the first dwelling on the site. It is likely that some residents would travel by car, which would add to the Wanborough Road traffic and also exacerbate existing concerns with regard to vehicles attending the school. Whilst this is not a positive feature of the proposal, it is intended as a short-term measure.
- 9.29 With regard to secondary school education, a new school is proposed to be located within the Great Stall East village area. In accordance with LP Policy NC3, the NEV will require a minimum of an 8-form entry 11-16 secondary school. It is intended that post 16 education will be provided for on the same site. To achieve this, the Council requires a 9.8 ha site within the NEV to accommodate the campus. All residential developments within the NEV are expected to make

appropriate financial contributions to such provision and this is being put forward through the Section 106 agreement. The Council has considered alternative provision such as expanding existing secondary schools within Swindon. However, this would not provide a sustainable solution for the NEV in the long term and would lead to the construction of a large new community without a local secondary school.

- 9.30 Until the secondary school is opened, it would be expected that secondary pupils from the development would utilise existing schools providing capacity remains available. It is common that secondary aged pupils travel further than primary school children to access school places. Therefore, as an interim measure this is considered to satisfy the requirements of LP Policies CM1 and NC3.

#### Open Space and Landscape Framework

- 9.31 The original 2015 submission did not adequately demonstrate the quantity and quality of open space sought by the open space standards; and the Green Infrastructure Parameter Plans were not of a satisfactory standard. The amended plans included more information and enabled a better understanding of the proposals. They did not however include a sports hub which is favoured by Sports England and included a number of other shortcomings.
- 9.32 The Green Infrastructure Strategy for Swindon 2010-2026 seeks to prioritise the development of and investment in Green Infrastructure in Swindon. One of its key roles is to *“provide the basis for the coordinated approach to the creation and sustained management of green infrastructure across Swindon and its neighbouring authorities” (page 11)*. The NEV Green Infrastructure SPD identifies the strategic aspirations within the NEV. There is significant opportunity to deliver a well-designed network of inter-connected green spaces across the NEV, reflecting a broad range of green spaces that are multifunctional and accessible to all.
- 9.33 This proposal includes a new Green Infrastructure Parameter Plan that includes a central sports hub and associated changing facilities. The revised Masterplan indicatively shows six full size football pitches and 4 separate sports courts. These are located in association with a number of areas for children’s play. Indicative details of these with regard to types of equipment have been provided. A further play area to the west of the site has also been introduced to address the shortfall previously identified. As detailed within the submitted D&A statement and the Green Infrastructure Parameter Plan there would be 62.29 hectares of greenspace; 17.14 hectares of new woodland; the sports hub would be 9.74 hectares in size; 15.4 hectares of biodiversity zones; and 2.59 hectares of allotments. With regard to children’s play eight Locally Equipped Areas for Play (LEAP); two Neighbourhood Equipped Area’s for Play (NEAP); and a specifically designed hybrid play area combining the facilities of both a NEAP and LEAP would also be provided. The proposed provision is considered to satisfy the requirements of LP Policy EN3 which seeks to ensure residential schemes provide or contribute towards public open space and represents an appropriate design led response to the more specific requirements of Appendix 3: Open Space Standards of the Local Plan

- 9.34 Revised locations for allotments are also shown to overcome the previous concerns raised that they conflicted with the Pick-Your-Own farm area and the flood plain. These are now better integrated into the development area and outside the flood risk zone.
- 9.35 The proposal includes the retention of significant areas of currently open land to all sides of the development. These would be managed to ensure that they provide a mix of recreational facilities and ecological enhancements, including the introduction of significant areas of woodland planting. Within these open areas and within the built area, paths and cycleways would be provided to enhance movement in and around the development but also to other development areas.
- 9.36 The proposal would also contribute to the woodland cover required to enhance the Great Western Community Forest. The significant areas of additional tree planting would help to ensure that the impact on views from the North Wessex Downs AONB would be reduced. The amount of greenspace would ensure that the two built-up parts of the two settlements would be physically separated and would ensure that the development overall was clearly distinct from other development areas. Within the greenspaces, existing habitats would be protected and enhanced and additional linked wildlife habitats created and maintained.
- 9.37 Whilst this is an outline application, it is accompanied by significant levels of detail with regard to play provision, habitat protection and enhancement, tree protection and planting, landscape management and a comprehensive movement and access strategy for future residents. The concerns with regard to the loss of protected trees along the tree lined access have been overcome by the addition of a realigned road. Although greater detail would be required with regard to reserved matters applications for the proposed phases of development, the level of detail and the revised layout, generally address the previous concerns and would provide a framework that would ensure provision for formal sport, informal recreation, formal children's play, the provision of good quality allotments and overall biodiversity enhancements. The proposal would therefore satisfy LP Policies NC3, EN3(a) and EN1(a) and would address the concerns previously raised by the Inspector and Secretary of State. It would also satisfy the NEV Green Infrastructure SPD.

#### Transport and Accessibility

- 9.38 The remaining concerns of the Secretary of State and the Inspector related to the access arrangements and the impact on the surrounding road networks. It has already been established that the concern for the protected trees within the tree lined access to Lotmead Farmhouse has been overcome by the realignment of the access road which would retain the avenue for its existing use until a time when the Lotmead Business Village would be accessed from the internal road system and the Southern Connector Road. At that point it would be shared by the existing houses and cyclists and pedestrians.

### Southern Connector Road (SCR)

- 9.39 The concern with regard to the Southern Connector Road (SRC) was that it was not adequately shown on the original 2015 plans and it was not identified as a Primary Route. It is now clearly shown on the submitted plans, particularly the Movement Parameter Plan and the Masterplan. The D&A statement sets out its design characteristics. It would have 3.5 to 4-metre wide footpath/cycleways, to each side, which would be separated from the vehicular carriageway of SCR. This SCR is shown to pass through the site and on as Primary Route to the north-west and north-east links towards the A420 via Symmetry Park and Great Stall East respectively.
- 9.40 Given the submitted details, the proposal would achieve good connectivity within the development and to the surrounding areas and would provide highway infrastructure in accordance with an acceptable strategy. The proposal therefore satisfies LP Policies TR1(a), DE1 and NC3(b).

### Highway matters particularly relating to measures to reduce rat running

- 9.41 The remaining concern of the Secretary of State was that in the short to medium term there is likely to be some adverse effects on nearby villages until the completion of strategic infrastructure. LP Policy NC3 requires “measures to minimise rat-running through existing adjacent villages and east Swindon”. Given the location of the proposed development, the avoidance of rat-running through the surrounding villages such as Wanborough, is a key consideration in the recommendation for planning approval.
- 9.42 The application proposes three primary points of access to the application site, as well as a network of primary and secondary roads internal within the site. However, the first phases of development known as ‘Wanborough Green’ would rely on a secondary access which is the existing track towards Lotmead Farmhouse, off the Wanborough Road.

### *Wanborough Road*

- 9.43 The first phase of development, up to 200 houses only, would be accessed from Wanborough Road. When the SCR is opened, all construction traffic would use that road and not Wanborough Road. Residents of the first phase, Wanborough Green, would continue to be able to use the access onto Wanborough Road after the SCR is open but they would also have access directly to the SCR via the north. Vehicles within the remainder of Lotmead would not have access to the Wanborough Road access and would have to use the SCR and the other two link roads to the north when built. It is anticipated that the access to Wanborough Road would be restricted so as to only allow use by the residents of the first phase, buses and registered taxis.

### *Southern Connector Road (SCR)*

- 9.44 The Southern Connector Road would provide the main access to the site from the

south and for construction vehicles beyond phase 1. All residents of the completed Lotmead villages would have access to the SCR which would provide direct access to Commonhead Roundabout and then on to south Swindon, the A419 and the M4. The junction of the SCR with Wanborough Road when heading south from Lotmead would not allow a right turn on to Wanborough Road back towards Swindon; or a left turn towards Wanborough.

#### A420

- 9.45 The application proposes two accesses to the north, towards the east and west. The eastern access would link to Great Stall East, including its proposed secondary school. The western access would link to Symmetry Park and Great Stall West, including the district centre and Sainsbury's. The delivery of these routes are required at certain trigger points to accommodate traffic and provide access to services and facilities such as the Secondary School, district centre, employment land and the park and ride. Although the road links are programmed to be in the latter phases of the Lotmead development, an application has already been submitted and is being considered for Great Stall East, which may allow for an earlier delivery, particularly in relation to the eastern access.

#### *NEV Framework Travel Plan*

- 9.46 Paragraph 111 of the NPPF states *"All developments that will generate significant amounts of movement should be required to provide a travel plan"*. The Travel Plan SPD outlines the requirements for travel plans within the NEV and identifies how sustainable modes of transport will be encouraged. It also offers developers of residential schemes the opportunity to pay a 'per dwelling contribution' to the Council to fund and undertake a number of initiatives as part of the implementation of the travel plan. In accordance with the Travel Plan SPD, an appropriate contribution would remove the requirement for any further residential travel plans to be submitted to the Council for approval. The planning obligation would ensure the travel planning requirements of the development are fulfilled.
- 9.47 By virtue of the proposed development being a large mixed use scheme, it is considered that the development will provide opportunities to enable residents to live and work within the same locality. The Lotmead Business Village will be retained and further employment uses are proposed within the site. In addition to this, key facilities such as the primary school, two local centres and recreational areas will all be within walking distance of most properties, in addition to those included at the proposed NEV District Centre and employment sites.
- 9.48 Given the overarching travel plan, which would include the provision of strategic bus service provision through the NEV; together with the development mix, positive physical measures within the Lotmead Masterplan and surrounding development areas, particularly with regard to cycling and walking, it would facilitate and encourage non car based journeys. The proposal would therefore achieve the sustainable transport objectives of LP Policy NC3 (b).

*Addressing rat-running concerns*

- 9.49 During the first phase of development of up to 200 houses, in the character area Wanborough Green, all access for construction vehicles and then the residents would be via the existing site entrance. The construction of subsequent phases would only commence following the opening of the SCR, which would then accommodate the construction vehicles for the development of subsequent phases. It is acknowledged that there would be an impact on the wider area, particularly during phase 1, but also to a lesser extent until the later stages of development when all proposed road links would be in place. However, the proposal includes a number of measures that seek to limit this impact.
- 9.50 Any planning permission would be subject to the submission of a Construction Management Plan. This would require the identification of construction vehicle routes to the site. It is envisaged that these would arrive from the A419 to the north via White Heart Junction and Merlin Way so avoiding all but the first part of Wanborough Road and avoiding the village of Wanborough itself.
- 9.51 A traffic calming scheme for Wanborough Road, in the vicinity of Wanborough village, is being developed in order to help mitigate potential impacts from increased traffic movements from the NEV developments. As the traffic calming scheme would involve off site works, funding would be provided as part of the S106 package. Other housing developments served by Wanborough Road would also be expected to contribute. These works would be located to the south-west of the junction of Wanborough Road and the SCR and would be additional to the improvements that would take place between the Lotmead phase 1 site entrance, over the A419 crossing and on to Covingham.
- 9.52 When the SCR is built, it and the roads linking through the Lotmead development site to the A420 are shown to be aligned to reduce their attractiveness to through traffic, including passing through the commercial centres of the proposed villages; and appropriate speed restrictions would be put in place. In addition, the SCR junction with Wanborough Road has been designed to restrict traffic turning movements. As a result, vehicles heading south on the SCR from Lotmead would only have the ability to continue straight over the junction heading south on the SCR towards Commonhead. Turning on to Wanborough Road towards Wanborough or towards Covingham will not be possible and this would help to protect these existing communities from rat-running.
- 9.53 The Council is also leading on the delivery of improvements to Gablecross and the Police Station junctions; White Hart Junction; Nythe Road/Oxford Road; and Greenbridge Roundabout junctions along the A420/Oxford Road Corridor. The Council will also manage the delivery of improvements to Piccadilly and Coate Water Roundabouts to the west of the A420, along with Great Stall Bridge crossing the A419. Each of the Council led schemes (except for Great Stall Bridge) is programmed for delivery prior to the end of 2022 and hence network improvements will be delivered in advance of a significant and material number of houses being occupied at either the application site or across the wider NEV allocations.



- 9.54 The aim of each highway scheme will be to deliver junction and road improvements at specific locations, but collectively they would increase the capacity, reduce journey time delays and hence encourage drivers to use the A420 and A419 corridors and avoid rat-running in surrounding areas. The developers would provide timely and proportionate contributions to the highway schemes to mitigate their trip impact (the contributions for Lotmead are set out within the S106).
- 9.55 Highways England is satisfied that the initial phase of development could commence in advance of the strategic road improvements being completed but further phases would be dependent on the works being carried out. Highways England has recommended a number of conditions to limit occupations until critical highway infrastructure is complete to support the traffic generated from the proposed development. It is accepted that in the first phase, before the SCR is built, there would be impacts on Wanborough Road and surrounding villages. The traffic calming scheme and Construction Management Plan would help to limit this impact. The introduction of the SCR would provide a direct link to the site which would not impact on the surrounding villages and the design of its junction with Wanborough Road would further significantly reduce any initial impact as all construction vehicles and future residential traffic beyond phase 1, would not have access on to the Wanborough Road. This, together with the linkages throughout the NEV and the improvements to the surrounding road network and junctions, would provide more attractive options for residents; would remove the Lotmead Business Village traffic from Wanborough Road; and would discourage the use of the existing secondary access route as the new road infrastructure and the existing road network would provide more attractive alternatives in the longer term.
- 9.56 Subject to the above measures which would be secured by condition and through contributions included within the legal agreement, it is considered that the measures proposed would help to address concerns in the short term as effectively as possible. In the longer term, there would be an internal NEV road system; high levels of connectivity by a range of users; and upgrades to the wider road system, that would accommodate sustainable movement patterns, without unacceptable detriment to surrounding areas. The new road network and the improvements to the existing highway network would be likely to offer benefits by improving connectivity for the residents and businesses of the surrounding area. Although some initial impact on the Wanborough Road and surrounding villages would result, which must be considered to weigh against the proposal in the overall balance, the measures proposed in general and particularly in the longer term, would satisfy the requirements of LP Policies TR1(a), DE1 and NC3(b).

### **Other Matters**

#### Residential Quantum, Phasing and Density

- 9.57 LP paragraph 5.90 states that it is anticipated that NEV development will progress broadly in a north to south direction supporting delivery of key infrastructure and achieving the critical mass around a new district centre and an express bus corridor. This development would be delivered over a number of years with only

the first 200 houses being built before the introduction of the SCR. The number of dwellings delivered each year would be dependent on the number of house builders building at any one time. The Viability Appraisal, submitted by the applicants, indicates that the proposed development is likely to be delivered over a 15-20 year period, equating to approximately 125-166 homes being built per year. The application site is located in an area expected to be developed by the LP from around 2021/22 (Lotmead) to 2025/26 (Lower Lotmead). The proposed development would therefore accord with the phasing identified within LP Policy NC3.

- 9.58 LP Policy NC3 requires a design led approach to housing density, leading to an overall average density of 40 dwellings per hectare. The Design and Access Statement (D&A) sets out that there will be a range of densities within the character areas, ranging from 20 – 55 dwellings per hectare (dph) which would result in an average in the region of 45dph. This figure is significantly reduced when taking into account the considerable areas of greenspace that would be incorporated into the site. The proposal is therefore considered to generally be policy compliant with regard to housing density.

#### *Affordable housing*

- 9.59 Affordable housing would be provided at 20% of the total (with a tenure mix at 50% rented and 50% shared ownership). This is the maximum achievable based on a comprehensive viability assessment which includes the provision of priority 1 and most of the identified priority 2 infrastructure requirements. Policy NC3 seeks compliance with LP Policy HA2 with regard to affordable housing. This has a target of 30% but is subject to an economic viability assessment. The provision would therefore generally accord with the numeric requirements of the policy and as the houses would be integrated within the overall design and layout, with a mix of tenures, it would also satisfy the locational and mix requirements.

#### *Wheelchair Accessible Housing*

- 9.60 LP Policy HA3 (Wheelchair Accessible Housing) within the Local Plan sets out the requirement that 'Development proposals for 50 dwellings or more should provide at least 2% of the dwellings to be suitable of occupation by wheelchair users to ensure all delivered housing is of a high quality and there is a wide choice of housing available'. The supporting documentation accompanying the planning application and the agreed conditions confirm at least 2% of dwellings would be required to meet wheelchair accessible standard. The application is therefore considered to contribute towards the creation of an inclusive community and comply with Policy HA3.

#### *Connectivity*

- 9.61 All houses would be required by the agreed conditions to be provided with connectivity for broadband to enable improved connectivity and working from home in accordance with LP Policy IN3.

### Community, Retail and Commercial Uses

- 9.62 Policy NC3 of the Local Plan states that “*a network of Local Centres that offer retail provision of a scale that meets the daily shopping needs of the communities they serve ..*” will be established. Policies SD1, DE1, TR1, TR2, IN1, CM3 and NC3 require development to provide community facilities on site and reduce the need to travel. In order for the development to be sustainable, community facilities and services to meet the day-to-day needs of the new community should be provided on site or within walking distance of the site. The Design Guide SPD seeks to ensure developments provide high levels of accessibility and outlines the maximum walking distances required for residents to get to key facilities.
- 9.63 The submitted application proposes two local centres, both of which would be required by condition to provide between 200sqm and 400sqm of retail floor space (Use Class A1: Shops) and between 150sqm and 350sqm of floor space for financial and professional services; restaurants and cafes; and drinking establishments (Use Classes A2, A3 and A4).
- 9.64 A minimum of 340sqm of floorspace in each of the two community centres would be provided for Use Class D1 (non-residential institution) and Class D2 (assembly and leisure) uses. In addition, a sports pavilion and sports pitches would be provided and be associated with the second of the commercial centres. The provision for up to 2,500sqm of office floorspace would also be expected. Lotmead Business Village is located within the application site and would continue to provide for the existing businesses. These would be integrated into the first of the commercial centres and accessed from the SCR at that point.
- 9.65 This mix of units within the two centres would provide a range of facilities and services for the new residents which would comply with the requirements of Policy NC3 without being of a scale that would undermine the viability or vitality of other commercial centres which are protected by the requirements of LP Policies EC2 and EC3.

### Health

- 9.66 The proposal would also include (within the S106) a financial contribution towards the provision of healthcare facilities which would be built in Great Stall West. This level of health provision would satisfy the requirements of LP Policy NC3.

### Design, Layout and Masterplanning

- 9.67 A key theme within the NPPF is the creation of healthy and inclusive communities. It states that “*good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities*” (para 124). Overall, in design terms, it is clear that great weight will be given to outstanding or innovative designs and it is clear that planning permission should be refused if development is of poor design which fails to improve the character and quality of an area (paras 130 and 131).

- 9.68 LP Policy DE1 requires a high standard of design and includes a number of design principles that the development should meet. Policy SD3 states that detailed design submissions for all significant development proposals should be guided by an overarching design approach that is set out in design codes and/or framework plans. All major developments in Swindon, and in particular strategic urban extensions, which are defined as “New Communities” in the Local Plan (Wichelstowe, Commonhead, Tadpole Farm, Kingsdown and the NEV) are, or will be, subject to design coding condition(s) as part of the Development Management process. Design Codes are considered to be an essential tool in creating a high quality place where communities can evolve and thrive. Policy NC3 requires a high quality public realm in all areas and an extensive green infrastructure network, maximising opportunities for habitat connectivity and biodiversity, particularly along the River Cole corridor. The adopted ‘Swindon Residential Design Guide’ sets out detailed guidance for residential development.
- 9.69 The masterplan is clear that the new villages would be set within wider landscaped areas and these would benefit from significant tree planting in addition to the retention of existing trees and hedgerows. The site will also benefit from a substantial area of open space between the two villages and a green link to the west. These areas would contribute significantly to the amount of greenery and tree planting that would be undertaken. The proposal would provide for a high level of connectivity and permeability. The Council’s Urban Design officer welcomes the strong and legible urban design strategy for the site. In particular, the Urban Design officer considers there is a robust relationship between the proposed development, the landscape character and green infrastructure that structures the fundamental principles and delivers the vision for the site, thereby achieving good urban design policy objectives.
- 9.70 The Design Code provides detail of the Central Parkland Corridor; Sports Hub; New Woodland and Biodiversity Zones; Green Links; Play and Recreation Areas. It is clear that these areas would contribute substantially towards maintaining and enhancing habitats and biodiversity in general whilst providing high levels of connectivity and good standards of community recreational facilities.
- 9.71 A number of distinctive development character areas have been outlined within the D&A statement. A Strategic Design Code (SDC) has also been produced which considers the more detailed aspects of the layout, design and landscaping. These supporting documents, together with the Green Infrastructure Parameter Plan, have been thoroughly reviewed by officers. The proposed character areas are considered to be appropriate to the existing characteristics and constraints at the application site. These principally relate to the land form, topography, landscape framework, established character, relationship to the existing urban edge of Swindon and the remainder of the NEV.
- 9.72 The Council’s Urban Design Officer and Landscape Officers have reviewed and commented on the submitted plans that would inform the detailed design stage applications. Whilst this advice raises a number of issues that would need to be addressed at the detailed reserved matters application stage, the documents are sufficient to provide a relatively comprehensive level of detail that provides a good level of certainty that the detailed applications would have to meet high standards

of design to satisfy their clearly stated objectives. Although this proposal is in outline, the detail submitted is quite comprehensive and sufficient to indicate that high quality design in accordance with the requirements of LP Policies DE1, SD3 and NC3 and the Swindon Residential Design Guide SPD would be achieved.

- 9.73 The D&A Statement provides details with regard to building heights. Generally, there would be only 2 and 2.5-storey dwellings at the edges of the developed areas. Although these areas may accommodate marker buildings, set within the built area of up to 3-storeys, the Design Code establishes that the buildings towards the edge of the settlements would be orientated and designed to ensure that they provide clearly defined and outward facing edges to the development.
- 9.74 Within the heart of the development, heights may increase to 3-storeys more generally with a limited number of 4-storey marker buildings, generally located on the primary road routes. Three 5-storey marker buildings are shown in association with the village centres. The Design Code provides indicative detail of the village centres, including shared spaces, pedestrian priority areas and connectivity, including through green spaces, into surrounding areas. This approach and the wider connectivity would support the Access for All SPD requirements and the design expectations of Policy DE1.
- 9.75 This approach, generally keeping low density development to the edges of the villages and only including the higher densities at the village centres is considered appropriate and will help to ensure that the new settlements have a semi-rural character whilst also providing interest in relation to building heights and forms. The Design Code also goes into detail with regard to the expectations for character areas within the overall site to ensure that these offer differing characteristics whilst maintaining a cohesive overall design. This provides for six differing neighbourhoods and provides the key characteristics for each. The details with regard to accessibility and connectivity, together with the proposed details with regard to character areas, commercial centres and the treatments of parking within the residential and commercial areas, provides a high level of certainty that the reserved matters applications would have to meet a high standard of design to satisfy the Design Code requirements and satisfy the design objectives of the LP and NPPF.
- 9.76 LP Policy DE2 seeks to ensure that the design and layout of the proposed development demonstrates passive solar benefits in accordance with Policy DE1. All non-residential development would achieve the BREEAM Excellent standard whilst the housing would be required to meet the latest building regulations requirements. To accord with the new government initiatives in terms of electricity powered motor vehicles, provision for electrical charging points would be made throughout the scheme and a car share facility provided. These matters would be controlled by planning conditions to ensure that the development would accord with LP Policy IN4.

#### Flooding and Drainage

- 9.77 Paragraph 155 of the NPPF states that "*Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at*

*highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere". As part of the plan making process of the Local Plan and in accordance with the NPPF, a sequential test was undertaken to determine the extent of the NEV strategic allocation in relation to flood risk. This included assessing the land to determine the most suitable sites for residential use/development. Further to this, the NPPF states that LPA's should "ensure flood risk is not increased elsewhere" and that "within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location".*

- 9.78 Policy NC3 of the Local Plan seeks to minimise the risk of flooding within the development and at existing neighbouring communities. Further to this, Policy EN6 of the Local Plan seeks to minimise the risk and impact of flooding on the site and adjoining land. It also states that all developments must assess local flooding and drainage issues, and incorporate sustainable drainage systems (SuDS) where mitigation is required.
- 9.79 The SuDS Vision SPD provides guidance to inform planning applications, primarily focusing on the management of surface water. It sets out the concepts underpinning SuDS, the most effective techniques to use and ways they can be managed. SuDS seek to reduce the impact of development on sites and neighbouring land through the careful management of surface water discharges. The key features that can be used can include swales, attenuation ponds and wetlands, which can also be multi-purpose and provide wider benefits to the residents of the community and biodiversity. The inclusion of these features within areas of open space can also contribute towards the creation of a healthy community.
- 9.80 The applicants submitted a Flood Risk Assessment (FRA) as part of the Environmental Statement. An addendum to support the Flood Risk Assessment has also subsequently been submitted to address concerns raised by the Environment Agency and the Lead Local Flood Authority. The wider area of the site includes the floodplains of the River Cole, Dorcan Stream and Liden Brook. The floodplain of the Liden Brook has become disconnected from its channel and runs north following the route of a drainage ditch.
- 9.81 A floodplain restoration scheme, which primarily involves the lowering of a substantial area of land along the south-eastern edge of the development area, has been designed along the Liden Brook, to return its floodplain to the areas adjacent to its river channel. This is expected to result in landscape and ecological improvements as well as providing flood risk benefits, reducing flood risk downstream by 10mm at the A420 Acorn Bridge.
- 9.82 The Phase 1 area of development already lies outside the floodplains in Flood Zone 1. At present, the area along the drainage ditch that is taking flood water from the Liden Brook, lies within Flood Zone 2. However, with the floodplain restoration in place, all the proposed development area including the Sports Hub and landscaping areas within the development, will be located within Flood Zone 1. The development is shown to have negligible impact on flood risk upstream of

the site and would reduce flood risk downstream.

- 9.83 The FRA provided details of the proposed SuDS surface water drainage strategy to demonstrate that there would not be an increase in the rate of surface water runoff from the Site. This utilised swales and basins with outlet controls into the adjacent watercourses. The use of SuDS is deemed important as a form of surface water drainage management for the site and is required by Policy NC3.
- 9.84 The FRA addendum amended the SuDS proposals to a form that would provide for improved designs within the development areas. These improvements form part of the Strategic Design Code which provides an overarching development framework that can be expanded upon at detailed design stages (reserved matters). In terms of the drainage design, the design principles focus on establishing the key strategic infrastructure, rather than detail of the built form.
- 9.85 The SuDS drainage system would be provided outside the flood risk areas and based on the amended FRA, would be made up of shallow above ground conveyance features throughout the development, utilising natural drainage routes and existing drainage features. Source control features such as raingardens, permeable paving, green roofs or swales, would be prioritised in the first instance. The exact features, including their locations, would be determined at the detailed design stage. The strategy seeks to prioritise the use of source control features such as raingardens, permeable paving etc and then drained swales within the developed area to provide conveyance and attenuation storage. Attenuation basins and ponds to provide attenuation storage would be utilised where the above features would not offer sufficient capacity.
- 9.86 All existing watercourses would be retained post-development and the attenuation features would be designed to have capacity to deal with any residual risk related to blockage or extreme rainfall events (in excess of the 1 in 100 plus climate change event). Each rainfall catchment area would comprise of a minimum of two SuDS components to attenuate and improve water quality prior to discharging into the adjacent watercourse.
- 9.87 The design would ensure that run off would be limited to greenfield rates up to and including 1 in 100 plus climate change events. Additional ecological and biodiversity benefits would be provided within SuDS such as planting, reed beds and varying permanent water depths where feasible. The provision of swales, ditches, permeable paving or other forms of SuDS would be in accordance with the 'SuDS Vision for New Eastern Villages (NEV) Supplementary Planning Document' (SPD).
- 9.88 Particular measures would be required to further enhance drainage and reduce flood risk. Finished floor levels of buildings would be set no lower than 300mm above a flood risk level which includes an appropriate allowance for climate change. A River Corridor Survey would be undertaken and enhancement of the watercourses carried out within the specific development phases. A scheme for the provision and management of an ecological buffer zone alongside the River Cole and its tributaries would be provided and implemented. Any bridge crossing would be clear single span with raised soffits so there would be no net loss of

floodplain storage and therefore no increase in flood risk. Flood relief culverts would be constructed, if required, to maintain flood conveyance flows.

- 9.89 A long term management plan for the drainage systems is set out in the FRA. Conditions would require a management and maintenance plan to ensure the systems continue to function effectively with the final strategy for adoption of SuDS and SuDS maintenance plan, including a maintenance schedule and details of easements and outfalls for the drainage system, to be produced at the detailed design phase, once the full details of the SuDS features to be incorporated into the site have been finalised.
- 9.90 The Environment Agency and the Lead Local Flood Authority have considered the full submission and amendments provided with the application and are satisfied that, subject to conditions, the proposal would be safe and would not increase flood risk and would not detrimentally affect third parties, in accordance with the objectives of the NPPF, LP Policies NC3 and EN6 and SuDS Vision SPD.

#### Water and Sewerage Infrastructure

- 9.91 Thames Water indicate that the existing waste water and water supply infrastructure is unable to accommodate the requirements of the proposed development. However, strategic improvements are proposed to the existing networks to ensure the NEV strategic allocations can be accommodated. Thames Water have suggested conditions that would prevent occupation of dwellings until appropriate facilities are in place. This would satisfy LP Policy IN2 which seeks to ensure development proposal take account of the capacity of existing off-site water and sewerage/waste water treatment infrastructure.

#### Residential Amenity

- 9.92 The site includes a number of dwellings and business premises within it and also a number of properties just beyond the site boundaries. As the overall site is to be developed in phases, each reserved matters application would need to address individual impacts on the closest properties.
- 9.93 A condition would require a Construction Method Statement which would include a full range of matters to be set out for each detailed application including measures to control the emission of dust, smoke, fumes and debris; a method statement for the control of noise and vibrations, including pile driving; and a traffic management plan, which would include construction vehicle routes to and from the site. Limitations on construction hours would also be imposed.
- 9.94 The above requirements would generally ensure that the site would be appropriately managed during the construction phase in order to minimise impacts on surrounding land owners and would minimise pollution and ecological damage. There would also be a requirement for a waste audit which would ensure that waste was minimised, transported and disposed of appropriately in order to satisfy Policy WSC6 of the Wiltshire and Swindon Waste Core Strategy.
- 9.95 The properties closest to the access would require particular attention as the



improved access on to Wanborough Road would accommodate the first phase of construction traffic. The properties in the vicinity of Lotmead Farmhouse and the industrial units would benefit from the changes to the access as the proposed new route into the site would not be along the tree lined avenue and would move activity away from these properties.

- 9.96 The two dwellings closest to the access would have the closest relationship with both the changes to the access and the construction traffic that would use it. The gardens of these properties would be reduced to accommodate the footpath alongside the access. The widened carriageway would however extend to an area opposite the properties so moving exiting vehicles further from the dwellings. Whilst pedestrian would be closer to the dwellings, the nearest vehicles entering the site would remain a similar distance from the dwellings as the current situation. This distance from the carriageway to the nearest windows of the properties would remain between 9 and 10 metres at the nearest points, although the over-run area for larger vehicles would be slightly closer.
- 9.97 Subject to these properties having the height of the boundary fences increased from the current 1.3 metres to 1.8 metres, the revised proposal would not result in privacy concerns with regard to passing pedestrians. Given that the proximity of vehicles would not materially change and the distance from exiting vehicles would increase, this relationship would remain acceptable despite the increase of traffic movements during the construction phase, given the time limits imposed on the operation of the site. Limiting the junction to the first phase of residential properties and buses post construction, together with the prospect of commercial vehicles accessing the Lotmead Business Village from the SCR in future phases, would ensure that the impact on the residents of these properties would remain acceptable and satisfy the requirements of LP Policy EN7.
- 9.98 Conditions would be imposed that would require that new dwellings would have adequate noise resilience when close to non residential properties and further conditions would ensure that noise from commercial premises, including any extraction and ventilation systems, would be adequately controlled.
- 9.99 Overall, the construction phase would be controlled for each reserved matters application to ensure that noise exposure and dust creation would be managed; privacy of existing residents would be maintained; and any potential impacts from contaminated land would be avoided. During the occupation of phase 1 and the subsequent phases, building standards with regard to noise and conditions to limit noise production from commercial properties would ensure that a good quality living environment was created in accordance with LP Policy DE1.

#### Contamination and pollution

- 9.100 The previous land uses do not generally indicate that there should be any concerns with regard to contamination. One exception to this is an area to the west of the Lotmead Business Village where some activities have been identified that may have resulted in ground contamination. A condition to ensure that this would be adequately dealt with, along with any other unexpected areas of contamination that may be found, would ensure that the land was suitable for

development in accordance with LP Policy EN9 and the NPPF.

- 9.101 Conditions would also require the submission of a Construction Environmental Management Plan for each phase, which would describe and set out measures and good practice to avoid or minimise construction stage ecological effects occurring to habitats and faunal species in accordance with LP Policies EN4 and NC3.

#### Landscape and Visual Impact (LVIA)

- 9.102 Policy EN5 of the SBLP deals with landscape character and historic landscape. The policy states that the intrinsic character, diversity and local distinctiveness of landscape within Swindon Borough shall be protected, conserved and enhanced and that development shall only be permitted where it satisfactorily takes account of landscape character. Furthermore, development that impacts upon the landscape character and the North Wessex Downs Area of Outstanding Natural Beauty will be required, in specific circumstances to prepare an LVIA. This approach is applicable to this development proposal to ensure that sufficient measures are taken to protect, conserve and enhance the landscape character at this location.
- 9.103 The entire site lies within the Vale of White Horse Landscape Character Area (LCA). The application is accompanied by a Landscape and Visual Impact Assessment (LVIA). The LVIA recognises that there would be a significant change to the landscape as a result of this development and that it would not be possible to mitigate all significant adverse landscape and visual effects given the scale of development.
- 9.104 The Illustrative Masterplan shows the proposed development as two villages structured by green corridors that will soften the edges of the proposed development. The green corridors are largely determined by the areas of flood plain. This is in broad accordance with the design principles for the NEV. This application also demonstrates how the proposed green infrastructure will provide sufficient enhancement and mitigation to create a strong sense of place and local identity, as detailed in the Open Space and Landscape Framework section of this report.

#### Ecology and Tree Protection

- 9.105 Policy EN1: 'Green Infrastructure Network' of the SBLP advises that development shall protect and enhance green infrastructure and assets. Appendix 4 of the SBLP identifies green infrastructure typologies including amongst others items such as biodiversity sites, country parks, trees and hedgerows, outdoor sports facilities, rights of way, landscape character and water bodies. Policy EN1 of the SBLP requires development to provide for the protection and integration of visually or ecologically important existing trees, hedges and woodlands and irreplaceable habitats such as ancient woodland. Development shall provide and design green infrastructure to integrate with existing green corridors.
- 9.106 Policy EN4: 'Biodiversity and Geodiversity' of the SBLP states that development

will avoid direct and indirect negative impacts upon biodiversity and geodiversity sites. All development shall protect and enhance biodiversity and provide local biodiversity gain. Policy EN7: 'Pollution' of the SBLP states that development that may adversely affect vulnerable wildlife habitats shall only be permitted where there is no significant loss of amenity for existing land uses or habitats.

- 9.107 TPO No. 1 2014 covers the whole of the application site and includes individual and grouped trees within the site that are to be retained.
- 9.108 TPO No. 1 2016 covers the avenue of trees from Wanborough Road along the private access to the Lotmead Business Village and are considered a significant landscape feature.
- 9.109 The necessary tree and ecology surveys have been carried out and are presented in the ES and ES Addendum. Of the 267 trees identified, 233 will be unaffected by the proposed development. 22 items will be lost to enable the development proposal and 12 items (including groups of trees and hedgerows) will be removed or breached. New tree planting to replace the lost trees at a ratio of 2:1 will be undertaken. In addition, 17.14 hectares of new woodland will be created that contributes to the objectives of the Great Western Community Forest. The Council's Arboricultural Officer welcomes the new woodland. However, further work was required to provide the information necessary to clearly show the trees affected, in particular those near the Wanborough Road access. In addition, the proposed Ecological Mitigation and Management Framework (EMMF) omitted support for features of arboricultural value. Following this, the EMMF was revised and an addendum to the Arboricultural Impact Assessment was submitted to address the concern raised.
- 9.110 The ecology surveys carried out have identified the presence of protected species including great crested newts, dormice and bats, The submitted EMMF provides the framework for how the site will deliver ecological mitigation and management. This is not limited to the identified biodiversity zones and covers the entire site. The framework brings together various plans and documents including the Design and Access Statement, the Green Infrastructure Parameter Plan and the Ecological Impact Assessment to demonstrate how the site will achieve biodiversity gain. The EMMF sets out the principles to inform the detailed information that will come forward through the Landscape, Ecological and Arboricultural Management Plans (LEAMP) required for subsequent approval for the reserved matters applications. The Council's Consultant Ecologist recommends that the EMMF should include further details, however, these can be secured by planning condition.

#### Designated Wildlife Sites

- 9.111 The Environmental Statement states that no part of the site is covered by any statutory designations of European/International or national value. With respect to European/International designations there are four Special Areas of Conservation (SACs) situated at least 13km from the Site. With respect to national designation four Sites of Special Scientific Interest (SSSIs), designated for their ecological interest, are situated at least 4km from the Site. The Environmental Statement

considers that no significant adverse effects upon the integrity of these SACs or SSSIs will arise as a result of the development.

- 9.112 The ES considers that the proposed development will have no significant adverse effects upon the integrity of these SSSIs. Officers also consider that there would be no adverse effects due to the distance between the SSSIs and the application site.
- 9.113 The Council's Consultant Ecologist and Natural England expressed comments in relation to the impact from this site on the North Meadow and Clattinger Farm Special Area of Conservation (SAC). Natural England state "*emerging evidence of recreational impacts to the SAC, the scale of the development (2,500 dwellings), its close proximity to the impacted area of the SAC (circa 13 minutes driving time), and the relative lack of green infrastructure provision compared to that proposed in the masterplan, we advise that the development is subject to a Habitats Regulation Assessment, despite it being over 10km from the site*", (Natural England email dated 4<sup>th</sup> July 2019). The first step of the HRA would be to screen for likely significant effect and if significant effects cannot be ruled out, an Appropriate Assessment will be required. The submitted ES concluded that owing to the distance between the application site and the SAC, the development would not have likely significant effects upon the SAC and therefore no further assessment is required. Officers agree that no further assessment is required given the distance from the site being over 10km. Following the submission of the application, Natural England submitted further responses, the most recent being further information in an advice note in relation to the SAC itself and the mitigation measures that are required to limit the impact from recreational pressures. Natural England also advised that they are advising the Council more generally regarding Habitats Regulation Assessments of the development impacts on the North Meadows and Clattinger Farm SAC.

#### Great Western Community Forest (GWCF)

- 9.114 The GWCF covers the whole of Swindon Borough, extending into Wiltshire and Vale of the White Horse District. The benefit of Community Forests is directly referred to in paragraph 92 of the NPPF which states: "*Community Forests offer valuable opportunities for improving the environment around towns, by upgrading the landscape and providing for recreation and wildlife. An approved Community Forest plan may be a material consideration in preparing development plans and in deciding planning applications*".
- 9.115 The adopted Forest Plan objectives for the Swindon Forest Area include increasing tree cover to a minimum of 35% land area and supporting an integrated planning approach to new development incorporating significant environmental, social and economic gains for the community. One of the primary principles of the adopted Community Forest Plan is planting new forest. This can be achieved through a combination of on-site planting and / or provision of financial contributions towards off-site mitigation. This is particularly relevant in circumstances where the scale of development is such that landscape mitigation is necessary at a distance from the development site to 'settle' the development into the landscape. New and extensive woodland planting will be required within

the NEV and non-coalescence area for recreation and mitigation of the visual impact of the new development, particularly when viewed from nearby villages and the North Wessex Downs Area of Outstanding Natural Beauty (AONB).

- 9.116 Policy EN2 of the Local Plan requires development to contribute directly towards the objectives of the Great Western Community Forest (GWFC). This will be achieved by ensuring a net increase in tree cover through planting; the creation or enhancement of habitats for biodiversity; and by providing access for local communities to the new and local woodlands. The proposed development will contribute towards the GWCF objectives through the provision of on-site tree planting. It would be expected that it would also make a financial contribution. However, this would not be possible given the viability challenge and this is considered further in the S106 section below. However, based on the scale of on-site provision (17.14 hectares) the proposal is considered to generally accord with the requirements of Policy EN2.

### Wilts and Berks Canal

- 9.117 The Local Plan supports the long term ambition of linking the Wilts and Berks Canal to the River Thames by safeguarding a route between Commonhead and Acorn Bridge. The Local Plan acknowledges that the indicative route shown on the NEV indicative Masterplan would be subject to further definition as a result of work undertaken in partnership with stakeholders. The proposed route is the same as an amended scheme considered during the 2015 appeal and is similar to the alignment promoted by the Wilts and Berks Canal Trust shown on the SPD Masterplans. The difference is that the alignment runs approximately 30m to the north to avoid the floodplain. The Trust has no fundamental objection, on the proviso that the proposed enlargement of the flood storage zone alongside Liden Brook should not compromise the canal route; and that the point of exit from the applicant's land at the southwest can be revised to reduce the impact on the adjacent developable plot. This change was noted in the Inspector's report were it was accepted that such a revision could be made at the detail design stage. This remains the case and it is considered that the alignment complies with LP Policies NC3 and EN11.

### **Section 106 requirements**

- 9.118 Policy NC3 of the Local Plan identifies the required infrastructure to mitigate the impact of the NEV strategic allocation, including highways and public transport improvements, education requirements and community and leisure facilities. The adopted NEV Planning Obligations SPD provides more detailed advice and guidance to implement the objectives of the Local Plan, in particular Policies SD3, IN1 and NC3. The SPD sets out the necessary infrastructure required to support development proposals at the NEV in the interests of achieving sustainable and comprehensive development. The SPD also outlines the mechanism for securing the required infrastructure and a method of apportioning the cost of strategic / shared infrastructure items where appropriate.
- 9.119 In accordance with Regulation 122 of the Community Infrastructure Levy Regulations 2010, planning obligations should meet the following three tests as

follows:

- a) that it is necessary to make the development acceptable in planning terms;
- b) that it is directly related to the development; and
- c) that it is fairly and reasonably related in scale and kind to the development.

- 9.120 In accordance with the guidance within the Planning Practice Guidance and the NPPF the Council is required to consider the impact of planning obligations on the proposal. The financial viability of the individual scheme should be carefully considered and if the applicant is able to demonstrate to the satisfaction of the Local Planning Authority that the development is unviable, the Council should be flexible in seeking planning obligations.
- 9.121 On the basis that outline planning applications for over 5,000 homes have been submitted to the LPA, it is apparent that Framework S106 Agreement for the overall NEV allocation will not be achieved. In the absence of this, s106 negotiations are necessary on a site by site basis. In support of the Local Plan and the NEV Planning Obligations SPD, the NEV IDP Prioritisation Matrix is intended to provide a framework for these negotiations, where viability has been independently tested, to ensure comprehensive and sustainable development.
- 9.122 The Council has carried out a number of independent viability assessments to inform the Local Plan and supporting planning policy documents, and is seeking to secure additional external funding where relevant to accelerate housing delivery. In consultation with service areas, the NEV IDP Prioritisation Matrix ranks the infrastructure requirements detailed within the NEV Planning Obligations SPD, in order of importance. This then informs consideration of which infrastructure items should be satisfied first in the event of a viability challenge.
- 9.123 The applicant initially submitted a viability appraisal which asserted that the proposed development was not viable with the requested S106 package and affordable housing contribution. The applicant's viability appraisal has been independently assessed by White Land Strategies Ltd which concludes that if the planning authority imposes on the developer a package of full S106 contributions equalised in line with the Planning Obligations SPD and the 30% requirement of affordable housing provision, in accordance with the Local Plan, the development scheme will not deliver a profit margin to the developer to make the scheme economically viable.

### Housing

- 9.124 Policies HA2 and NC3 of the Local Plan require affordable housing to be provided on site. As detailed earlier within the report, a total of 500 affordable homes (20%) have been secured at a tenure mix of a 50/50 percentage split in terms of Rented and Intermediate.

### Education

- 9.125 LP Policies CM1 and NC3 set the estimated needs for the provision of education within the borough, and more specifically at the NEV. The Planning Obligations

SPD outlines the cost for the two primary schools. A sum of £6,500,000 is secured for each of these two primary schools.

- 9.126 LP Policy NC3 requires the provision of at least 8FE of secondary school provision at the NEV, whilst the adopted Masterplan within the Planning Obligations SPD identifies a suitable site for the secondary school. Due to the secondary school being proposed to be located at a different village within the wider NEV strategic allocation, there is a requirement to equalise the land value of the school amongst the development of all residential development. The development generates a requirement of 1.67 forms of entry of secondary school provision and therefore will provide the full financial contribution of £809,443 towards the land and £7,162,700 towards the construction and fit out of the new secondary school.

#### Green Infrastructure, Open Space, Public Art and Community Forest

- 9.127 LP Policies EN1 and EN3 require new developments to provide the appropriate level of GI and open space, to meet the recreational and social needs of the communities. The D&A Statement states that the “*total area of publicly accessible green space would be 91.76ha*” (Chapter 4, page 69). As detailed earlier within the report, this application secures and exceeds the provision of the required quanta of GI, incorporating open space, allotments, children’s play facilities and outdoors sports facilities. The details of the proposed Sports Hub will be required, including the parking, storage, changing facilities and the appropriate pitch layouts. The developer or subsequent land management entity will undertake the implementation and maintenance of these areas. The Section 106 agreement will take a flexible approach to ensure that if a Parish Council wish to take on the land in the future this can be accommodated where appropriate and agreed.
- 9.128 LP Policy EN2 requires development to contribute towards the objectives of the Great Western Community Forest (GWFC) to mitigate the impact of the proposed development on the environment. The evidence base to secure financial contributions to the GWCF is detailed in the infrastructure requirements, which accompany the NEV Planning Obligations SPD. The proposal includes considerable areas of new woodland planting within the surrounding land areas that would contribute towards the coverage required within the community forest; and also planting within the development area. This application proposed a total amount of 17.14ha of new woodland, hedges and trees. It would not however, for viability reasons and being a priority 3 requirement, provide the contribution of £419,312 sought by the SPD (the residual amount of financial contributions required taking into account the scale of onsite delivery of woodland), unless additional funding from external sources is received for the other infrastructure projects.
- 9.129 Policies DE1 and NC3 of the Local Plan require high quality development and public realm to enhance the quality of the physical environment, reinforce distinctiveness and contribute to a sense of place. The NEV PO SPD requires a contribution of £609,668 towards Public Art. This is a priority 3 requirement as stated in the NEV IDP Prioritisation Matrix. Securing this contribution was not possible due to the viability challenge identified for this application. However, the approach to public art and the design interventions within the character areas is

required to form part of the 'Character Area Design Codes' to support enhancement of the public realm and deliver high-quality design.

### Transport

- 9.130 The NEV Planning Obligations SPD identifies a number of local and strategic needs, including those specific to Lotmead. The delivery of the overall NEV strategic allocation is dependent on the delivery of the strategic transport package. By virtue of the proposed development being part of the wider NEV strategic allocation, a contribution proportionate to the size of the proposed development, has therefore been sought, and secured towards White Hart Junction improvements (£8,740,363), the Southern Connector Road (£5,622,947), Great Stall Bridge (£4,591,836), A420 improvements (£1,535,259) and west of A419 works (£2,358,964).
- 9.131 A contribution towards the traffic calming measures and traffic management works associated with Wanborough Road to assist in reducing the impacts of traffic on Wanborough and surrounding villages has been put forward as a priority 1 requirement with a contribution of £340,000.
- 9.132 This application proposes a number of enhancements towards public transport at the NEV to maximise sustainable modes of transport, achieve modal shift and reduce the volume of traffic on the wider highway network. These include contributions towards a park and ride site, bus service provision and the NEV Framework Travel Plan. This application secures the full contribution towards bus service provision of £1,901,250 owing to this being priority 1 infrastructure (NEV IDP Prioritisation Matrix). The new park and ride site identified on the NEV masterplan is to be located within Great Stall East on the eastern edge of the NEV. This application secures the contribution required towards the land for the proposed park and ride site (£237,656). However, securing the contribution towards the construction of the park and ride site (£1,608,774) was not possible due to the viability challenge. It is anticipated that this provision would be achieved by other means. Similarly, securing contributions towards the Express Bus Route improvements was not achievable.
- 9.133 The Travel Plan SPD sets out objectives and measures necessary to comply with Policies TR1, TR2 and NC3 of the Local Plan. A commitment to provide either a travel plan or sign up to the Travel Plan is required to achieve modal shift, whilst the contribution is proportionate to the number of dwellings proposed within the development. The applicants have agreed to provide the appropriate contribution of £680,331 towards the NEV Framework Travel Plan, in accordance with the SPD.
- 9.134 The comprehensive and coordinated delivery of the NEV as a whole is dependent on the provision of highway, pedestrian and cycleway links throughout the development, as well as connections to adjacent land and services. The developer will deliver the highway connections to the edge of the application site including a walking and cycling network to enable public access through the site and connections with other NEV villages and the existing highway network. In addition, contributions towards the NEV Bridge Vision SPD is secured, although



the figure is adjusted down from £1,497,234 to £809,847 due to the developer providing one of the bridges, the cost of which has been included within the financial viability assessment.

### Community Facilities

- 9.135 The NEV Planning Obligations SPD and Policy NC3 identify the need for a strategic health care facility to meet the demands generated by the NEV strategic allocation, which will likely be located at the NEV District Centre. This application secures the contribution of £2,468,139 towards the land and construction of the proposed medical centre. This is a considerable contribution towards the delivery of health care provision within the NEV. Contributions towards a leisure facility, library and nature park which are all priority 4 requirements could not be met due to the viability challenge.

### Utilities and Waste

- 9.136 Policy WCS6 of the adopted Wiltshire and Swindon Waste Core Strategy requires that developments be designed and provide facilities for occupiers of the development to recycle/compost waste and/or facilities within individual or groups of properties or premises for the source separation and storage of waste types for recycling and/or composting. The submitted ES indicates that there a number of opportunities to minimise waste. These mitigation measures including the segregation, recycling and disposal of all construction wastes and the provision of facilities within the propose development to encourage composting, recycling and appropriate disposal of household waste. A planning condition is recommended to require details with each reserved matters application to ensure the implementation of the above measures. This application secures a contribution of £360,921 towards the delivery of on-site dwelling waste and recycling.
- 9.137 As detailed earlier within this report, appropriate financial contributions and affordable housing are proposed to mitigate the impact of the proposed development. Furthermore, the S106 will include a 'claw-back' clause so that in the event that any additional funding from the Local Growth Fund and/or Housing Infrastructure Fund (HIF) is secured, the level of affordable housing and/or infrastructure package will be increased. A table identifying the infrastructure that has not been achieved, due to viability reasons (the shortfall), will be included in the S106 legal agreement to assist the recovery of external funding. The shortfalls are identified in Appendix B.

### Summary of infrastructure provision

- 9.138 Based on the independent viability appraisal and in accordance with the policy requirements, the applicant is able to deliver a reduced percentage of affordable housing (20%) and a package of contributions that meet all of the priority 1 and most of the priority 2 requirements. This would ensure satisfactory mitigation of the impact of the development, in accordance with the NPPF and Local Plan polices such that the scheme is financially viable. The details of the package are set out below. It is considered that the s106 package in totality is compliant with the tests under Regulation 122 of the CIL Regulations 2010, and is required to

mitigate the impact of the development. Taking into account all material considerations, officers recommend that the package is necessary to make the development acceptable in planning terms; is directly related to the development; and is fairly and reasonably related in scale and kind to the development.

- 9.139 The table below summarises the agreed level of affordable housing and financial contributions in terms of the infrastructure area. A full list is included at Appendix B (attached to this report).

<b>Infrastructure Area</b>	<b>Contribution Secured</b>
Affordable Housing	20% (500 homes)
Education	£20,972,143
Transport (including NEV links and public transport)	£26,745,993
Health	£2,468,139
Waste	£360,921
<b>Total</b>	<b>£50,547,196</b>

- 9.140 Infrastructure items delivered at additional developer cost:

- Provide footpath improvements and traffic management between the entrance of the site and the crossing of Wanborough Road of the A419 to improve pedestrian and bicycle access towards Covingham.
- The provision of facilities associated with the Sport Hub and the provision of play areas.
- The provision of two fully serviced primary school sites each measuring 2.2 hectares in area.
- The construction and dedication as highway maintainable at public expense of a new road connection between the NEV villages, including Redlands, Great Stall East, Upper Lotmead and Symmetry Park.
- The provision and dedication as highway, a walking and cycle network and improvements that integrate with existing networks and provide good connectivity within the development and to the surrounding area incorporating commuting and recreational routes.
- On-site serviced infrastructure (gas, electricity, ICT and telecommunications).
- Provision of fire hydrants and water supply for firefighting.
- The construction, management and maintenance of SUDs required on-site.
- Provision of strategic parkland contributing towards the 'River Meadows' as defined in the NEV Green Infrastructure SPD.

## **10 Concluding Comments**

- 10.1 There is an acknowledged need to meet the Borough's housing and economic requirements for growth in accordance with the Swindon Borough Local Plan 2026. The application is in conformity with the Local Plan, being an important and significant part of the NEV strategic allocation. It also meets the detailed requirements of the Local Plan in terms of demonstrating sustainability and broad compliance with relevant policies, including that it will satisfactorily mitigate the overall impacts of the development. Therefore, the application is recommended

for approval, subject to conditions and the securing of necessary infrastructure, facilities and financial contributions by means of a legal agreement.

## **11 Recommendation**

11.1 That the Head of Planning, Regulatory Services and Heritage be authorised to **GRANT** outline planning permission:

- (a) Completion of a legal agreement to secure the planning obligations that are material to the decision (as set out in paragraphs 9.118-9.140 of this report); and,
- (b) The planning conditions set out in this report, with delegated authority to make reasonable amendments, additions or omissions to those conditions before issuing formal consent as may be necessary.

11.2 The applicant has agreed to extend the period in which the application can be determined until 12<sup>th</sup> June 2020. In the event that a further extension(s) of time is not forthcoming to enable the planning obligation to be completed and the decision issued, the Head of Planning, Regulatory Services and Heritage be authorised to refuse the application for the following reason:

*The proposal does not comply with policies NC3, IN1, SD3, TR1, TR2 and EN2 of the Adopted Swindon Borough Local Plan 2026 and the provisions of the National Planning Policy Framework (NPPF), as an infrastructure package to mitigate the impact of the development has not been secured by means of a planning obligation and / or planning condition, so as to meet the infrastructure needs arising from the development.*

## Conditions

### General and masterplanning

#### 1. Reserved Matters

No development shall commence on each phase or sub phase until details of the layout, scale, appearance, access (other than the access from Wanborough Road) and landscaping (hereinafter called “the reserved matters” for that phase or sub phase have been submitted to and approved in writing by the local planning authority. Development shall be carried out as approved.

Reason: The planning permission granted is in outline and to accord with section 92 of the Town and Country Planning Act 1990.

#### 2. Timing of Reserved Matters

Application for approval of the reserved matters for the first phase of development shall be made to the local planning authority not later than 3 years from the date of this permission. Reserved matters for all other phases shall be submitted to the local planning authority no later than 15 years from the date of this permission.

Reason: To enable the local planning authority to review the suitability of the development and in accordance with section 92 of the Town and Country Planning Act 1990.

#### 3. Time Limit for development

The development hereby permitted shall commence no later than 2 years from the date of the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: To enable the local planning authority to review the suitability of the development and in accordance with section 92 of the Town and Country Planning Act 1990.

#### 4. Approved plans

The development hereby permitted shall be carried out in accordance with the following approved plans, unless otherwise varied by details submitted to and approved in writing by the local planning authority in accordance with the conditions of this planning permission:

- Application Boundary Plan (Drawing No. PL1461.1-PLA-00-XX-DR-U-0001-S4-P01; received 12<sup>th</sup> April 2019);
- Land Use Parameter Plan (Drawing No. PL1461.1-PLA-00-XX-DR-U-0003-S3-P02; received 2<sup>nd</sup> September 2019);
- Green Infrastructure Parameter Plan (Drawing No. PL1461.1-PLA-00-XX-DR-U-0005-S4-P04; received 20<sup>th</sup> February 2020);
- Building Heights Parameter Plan (Drawing No. PL1461.1-PLA-00-XX-DR-U-0006-S4-P04; received 29<sup>th</sup> November 2019);
- Movement Parameter Plan (Drawing No. PL1461.1-PLA-00-XX-DR-U-0006-S4-P03; received 29<sup>th</sup> November 2019);

- Density Parameter Plan (Drawing No. PL1461.1-PLA-00-XX-DR-U-0007-S4-P02; received 2<sup>nd</sup> September 2019); and
- Wanborough Road Access Plan (Drawing No. 27970/003 Rev L; received 2<sup>nd</sup> September 2019).

Reason: To define the scope of the development and to ensure the development is within the parameters that were subject to an environmental impact assessment. In accord with Policy NC3 of the Swindon Borough Local Plan 2026.

## 5. Illustrative Masterplan

All reserved matters shall be in broad accordance with the Illustrative Masterplan (drawing no. PL1461.1-PLA-00-XX-DR-U-0002-S4-P02; received 2<sup>nd</sup> September 2019).

Reason: In the interest of the proper planning of the area and to provide a high standard of design. In accord with Policy NC3 of the Swindon Borough Local Plan 2026.

## 6. Scale of Development

The development hereby permitted shall comply with the following development parameters:

- The residential content of the development shall not exceed 2,500 dwellings.
- There shall be a minimum of 340 sq m of gross internal floorspace in each of the two community centres (which excludes land in use as a primary school) for uses within Class D1 (non residential institution) and Class D2 (assembly and leisure) as defined in Part D in the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended).
- Two sites, each site being a minimum of 2.2 ha, shall be provided for the development of two, 2 form entry primary schools. The floorspace provided in these schools shall not be included in the community centre use floorspace detailed above.

Reason: To define the scope of the development and to ensure the development is within the parameters that were subject to an environmental impact assessment. In accord with Policy NC3 of the Swindon Borough Local Plan 2026.

## 7. Retail floorspace

Retail floorspace falling within Class A1 of Part A in the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) shall not exceed 600 sq m. Within each local centre, there shall be a minimum of 200 sq m of Class A1 floorspace. After first development, the floor areas shall be retained within the Class A1 Use Class notwithstanding any provision within the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification).

Within the development overall, the gross internal floor space falling within Classes A2, A3 and A4 of the aforementioned Part A in the Schedule to the Order shall not exceed a cumulative total of 500 sq m. Within each local centre, there shall be a minimum of 150 sq m of Classes A2, A3 and A4 floorspace. Notwithstanding any provision within the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification) these floor areas shall remain within Classes A2, A3 and A4 at all times thereafter.

Reason: To limit the scale of commercial development in this out of centre location to protect the vitality and viability of Swindon Town Centre and the hierarchy of centres; and to ensure that each local centre has an appropriate mix of uses in order to promote sustainable development. In accord with Policies EC3 and NC3 of the Swindon Borough Local Plan 2026.

#### 8. Office floorspace

Within the development site, the total gross internal floorspace falling within Class B1 in the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) shall not exceed 2,500 sq m. After first development, the floor areas shall be retained in the approved Class B1 use, notwithstanding any provision within the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification).

Reason: To define the mix of uses to ensure the employment provision complements the allocated employment site within the NEV and the role of the Town Centre. In accord with Policies EC2 and NC3 of the Swindon Borough Local Plan 2026.

#### Phasing, Design Codes and Public Art

#### 9. Phasing Details

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:

- 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.

The development shall be carried out in accordance with the approved phasing and timetable.

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.

#### 10. Character Area Design Code

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 29<sup>th</sup> April 2020) and shall include detailed guidance for the Character Area in respect of:

- 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.

Each reserved matters application shall be accompanied by a checklist to demonstrate how the development accords with the relevant approved Character Area Design Code.

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.

## **Ecology, Trees and Landscaping**

### **11. Landscape, Ecology and Arboricultural Management Plan(s)**

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 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 shall commence until the LEAMP for that phase has been approved in writing by the local planning authority.

Thereafter development on each 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.

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.

## 12. Access from A420 Habitat Surveys

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 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.

Reason: To ensure that updated surveys are provided to inform the protection of wildlife and supporting habitats and to secure opportunities for biodiversity enhancement. In accord with Policies EN4 and NC3 of the Swindon Borough Local Plan 2026.

## 13. Access from A420 Arboricultural Survey

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.

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.

Reason: To protect trees and hedgerows of amenity value. In accord with Policies EN1 and NC3 of the Swindon Borough Local Plan 2026.

## 14. Bat survey

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.

Reason: To protect bats and their supporting habitat. In accord with Policies EN4 and NC3 of the Swindon Borough Local Plan 2026.



## 15. Trees

Reserved matters applications shall accord with the details of trees and hedgerows contained within the Lotmead Farm Villages Arboricultural Impact Assessment [[ES VOL 3 Technical Appendix 12.3 Finding of Arboricultural Impact Assessment dated April 2019 including Schedule EDP 1 Trees Survey Schedule and Key; Schedule EDP 2 Tree Constraints Schedule; Schedule EDP 3 Arboricultural Impact Assessment Tables; Plan EDP T1 Tree Constraints Plan – Sheet 1 of 4 (edp1879\_19c 23 June 2017 JTF/LT); Tree Constraints Plan – Sheet 2 of 4 (edp1879\_20c 23 June 2017 JTF/LT); Tree Constraints Plan – Sheet 3 of 4 (edp187921c 23 June 2017 2017 JTF/LT); Tree Constraints Plan – Sheet 4 of 4 (edp1879\_22c 23 June 2017 JTF/LT) and Addendum Arboricultural Impact Assessment edp1879\_r021 including Tree Retention and Removal Plan (edp1879\_d085 07 February 2020 RB/LT) received 20 February 2020]. Any tree or group of trees or other vegetation, which is shown to be retained in the above details, that is removed, dies or becomes seriously diseased or damaged shall be replaced in the first available planting season with a species, details of which shall first be submitted to and approved in writing by the local planning authority. Any replacement trees and hedgerows shall thereafter be maintained. Notwithstanding the provisions of Part 2 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no fence or other means of enclosure shall be erected, within or close to any existing hedgerow or tree that is shown to be retained, other than those fences or means of enclosure shown on the plans within the reserved matters approved pursuant to this outline planning permission.

Reason: To ensure the protection of trees and hedgerows on the land. In accord with Policies EN1 and NC3 of the Swindon Borough Local Plan 2026.

## 16. Tree protection

All trees indicated to be retained on the plans listed in condition 15 above shall be protected in accordance with BS 5837:2012 “Trees in relation to design, demolition and construction – Recommendations”. No development shall commence within any phase of development unless and until (i) details of temporary protective fences to safeguard the trees, hedges or other vegetation to be retained on the site within that phase shall have been submitted to and approved in writing by the local planning authority, and (ii) the approved fencing shall have been erected in accordance with BS 5837:2012 and the approved details. The approved protection shall be maintained to the required standard throughout the development or until the local planning authority has confirmed in writing that the fencing can be removed.

Reason: To ensure adequate protection is afforded to the trees and /or hedges on the site which are to be retained. In accord with Policies EN1 and NC3 of the Swindon Borough Local Plan 2026.

## 17. Landscaping

Within each phase or sub phase all landscaping shall be carried out in accordance with the scheme and details approved under the reserved matters. Any planting carried out in accordance with the approved details that within a period of 5 years from the date of planting dies, is removed or becomes seriously diseased or damaged shall be replaced with planting of similar size and species within the first available planting season.

Reason: To safeguard all features of landscape value in the interests of maintaining

biodiversity and aesthetic value. In accord with Policies EN5 and NC3 of the Swindon Borough Local Plan 2026.

### **Strategic Highway Infrastructure and Wanborough Road**

#### **18. Resident restrictions on access from Wanborough Road**

Prior to the occupation of the 201<sup>st</sup> or any subsequent dwellings, vehicular access from Wanborough Road shall be restricted to buses, registered taxis and the residents of the first 200 dwellings only. Details of the means to restrict vehicular access to and from Wanborough Road for vehicles other than, buses, registered taxis and those associated with the residents of the first 200 dwellings; and to ensure that the residents of the first 200 dwellings also have direct vehicular access to the village centre, shall be submitted to and approved in writing by the local planning authority. The measures shall be put in place and shall be fully operational before the 201<sup>st</sup> or any subsequent dwellings, become occupied and shall be maintained in the approved form at all times thereafter.

Reason: To prioritise access to the A Class Road and the strategic road network to restrict rat running through the adjacent villages and the eastern side of Swindon. In accord with Policies TR1, TR2 and NC3 of the Swindon Borough Local Plan 2026.

#### **19. Access junction – Wanborough Road**

Notwithstanding condition 4 (requiring that the development is carried out in accordance with the approved plans) no development shall take place until design details of the access junction at Wanborough Road have been subject to a stage 1/2 road safety audit and have been submitted to and approved in writing by the local planning authority. The details shall specify surface material treatment across Wanborough Road, visibility splays, vehicle tracking, signing and lining. Development shall be carried out in full accordance with the approved details prior to first occupation of any dwelling on the site and shall be retained as such thereafter.

Reason: To provide an aesthetic gateway feature to the development, reduce vehicle speeds and improve highway safety and to ensure development complies with Policies TR1, TR2 and NC3 of the Swindon Borough Local Plan 2026.

#### **20. Traffic Calming and improved pedestrian access over A419**

No development shall take place until final design details of the improvement scheme for Wanborough Road in the vicinity of the site access and extending to the northwest, in general accordance withdrawing reference 27970/011/008 E (as provided at Appendix 11 to Environmental Statement Chapter 11.1), have been submitted to and approved in writing by the local planning authority. The scheme shall be subject to a Stage 1 /2 Road Safety Audit and incorporate carriageway narrowing, provision of a 3 metre footway/cycleway, surface material treatment of the carriageway, drainage, gateway features, signing and lining, a scheme for street lighting and the raising of parapets on the Wanborough Road Bridge over the A419 to a height of no less than 1.4 m. The pedestrian and cycle improvements, including lighting, shall be carried out in accordance with the approved details prior to the first occupation of the development. All other elements of the scheme shall be carried out in accordance with the approved details prior to the first occupation of the 100th dwelling.

Reason: To increase safety for all highway users particularly those residents accessing local schools and to reduce the attractiveness of the route for inappropriate through traffic and to ensure development complies with Policies TR1, TR2 and NC3 of the Swindon Borough Local Plan 2026.

Reason: To increase safety for all highway users particularly those residents accessing local schools and to reduce the attractiveness of the route for inappropriate through traffic and to ensure development complies with Policies TR1, TR2 and NC3 of the Swindon Borough Local Plan 2026.

#### **21. Highways England – Gablecross**

No more than 250 dwellings of the development hereby permitted shall be occupied or brought into use unless either;

a) improvement works at the A420 Gablecross roundabout, as shown in drawing NEVGJ-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; or

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 Hart Junction caused by the development are mitigated to at least the same extent as (a).

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.

#### **22. Highways England – Southern Connector Road**

No more than 200 dwellings of the development hereby permitted shall be occupied until: a) The Southern Connector Road is complete, open to traffic and accessible to the development and; b) the scheme at A419 Commonhead Roundabout (Atkins Drawing Number NEVSCR-ATK-HML-SCR-SK-D-0015 or an alternative scheme of works which provides equal or better benefit to the Strategic Road Network) is complete and open to traffic.

Reason: in the interest of the safe and efficient operation of the A419 trunk road.

#### **23. Highways England – M4 Junction 15 improvements**

No more than 730 dwellings of the development hereby permitted shall be occupied until:

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:

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

Or:

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 confirmation at the appropriate time that the relevant contract has been let.

Reason: in the interest of the safe and efficient operation of the A419 trunk road and M4 motorway.

## **25. Travel Plan – Residential**

No dwelling for which planning permission is hereby granted shall be occupied unless and until:

a) a Travel Plan Co-ordinator (TPC) has been appointed to secure the delivery of the Travel Plan in line with Swindon Borough Council's 'New Eastern Villages Framework Travel Plan Supplementary Planning Document'; or

b) a S106 agreement has been entered into with Swindon Borough Council to secure the required financial contribution to be used towards the implementation and monitoring of the New Eastern Villages Residential Travel Plan to facilitate modal shift away from the car.

Reason: in the interest of the safe and efficient operation of the A419 trunk road and M4 motorway. In accord with Policies TR1, TR2 and NC3 of the Swindon Borough Local Plan 2026.

## **26. Access to schools**

Concurrently with the submission of the reserved matters application(s) for each phase or sub phase of the development details shall be submitted to the local planning authority of measures to facilitate a safe pedestrian and cycle route to schools on and off site. No development shall take place on each phase or sub phase until the measures have been approved in writing by the local planning authority. The approved measures shall be carried out prior to the first occupation of a dwelling in the phase or sub phase and shall be retained thereafter.

Reason: In the interests of sustainable transport and highway safety. In accord with Policies TR1, TR2 and NC3 of the Swindon Borough Local Plan 2026.

## **27. Highway provision and construction**

No building shall be first occupied until that part of the road, including turning spaces and all other areas that serve a highway purpose, which provides access to the building, shall have been constructed in accordance with the approved plans. The service road as constructed shall be retained thereafter.

Reason: To ensure that the development is served by an adequate means of access to the public highway in the interests of highway convenience and safety. In accord with Policies TR1, TR2 and NC3 of the Swindon Borough Local Plan 2026.

## **28. Highway construction**

Within each phase of development, the construction of all proposed roads and footways and associated utilities, services and street furniture shall not commence

unless and until details of their design and construction have been submitted to and approved in writing by the local planning authority. The submitted details, accompanied by plans and sections where appropriate, shall include gradients, levels, retaining walls, visibility splays, materials, methods of construction and a timetable for implementation. Development shall be carried out as approved.

Reason: To ensure all roads, including those not offered for adoption, are laid and constructed to an approved standard before buildings are brought into use. In accord with Policies TR1, TR2 and NC3 of the Swindon Borough Local Plan 2026.

### **29. Parking**

No dwelling shall be first occupied unless and until space for car parking, together with the associated manoeuvring and turning space for that dwelling, has been laid out and made available for use in accordance with the reserved matter details approved pursuant to condition 1. The parking space, including garage space where provided, shall thereafter be kept available at all times for the parking of motor vehicles by the occupants of the dwelling and their visitors and for no other purpose.

Reason: To ensure vehicle parking provision is made in accordance with the Council's adopted standards and is available for use for that purpose in the interests of highway safety and residential amenity. In accord with Policies TR1, TR2 and NC3 of the Swindon Borough Local Plan 2026.

### **30. Non-residential parking**

No non-residential building shall be first occupied unless and until space has been laid out in accordance with the details approved pursuant to condition 1 for cars to be parked, for the loading and unloading of vehicles and for vehicles to turn so that they may enter and leave the premises in forward gear. Once provided that space shall thereafter be kept available at all times for those purposes.

Reason: To ensure vehicle parking provision is made in accordance with the Council's adopted standards and is available for use for that purpose in the interests of highway safety and to minimise disruption to residential properties and other non-residential premises. In accord with Policies TR1, TR2 and NC3 of the Swindon Borough Local Plan 2026.

### **31. Bicycle and motorcycle parking**

No dwelling shall be first occupied or non-residential building brought into use until bicycle and motor cycle parking has been provided and made available for use in accordance with details that first have been submitted to and approved in writing by the local planning authority. Once provided the parking facilities shall thereafter be retained in the approved form and kept available at all times for those purposes.

Reason: To ensure suitable bicycle and motor cycle parking is provided in accordance with the Council's adopted standards for occupiers of the dwellings and users of the non-residential buildings. In accord with Policies TR1, TR2 and NC3 of the Swindon Borough Local Plan 2026.

### **32. Size of Garages**

In order to count towards the required parking provision, the minimum internal dimensions of individual parking spaces and residential garages to be constructed in

connection with the development hereby permitted shall be in accordance with the Councils' adopted standards, without any internal obstructions. All garages shall thereafter be made available for use at all times for parking a vehicle.

Reason: To ensure satisfactory provision is made for vehicles in the interests of highway safety and residential amenity. In accord with Policies DE1 and NC3 of the Swindon Borough Local Plan 2026.

### **33. Car Share Scheme – provision of spaces**

Where a phase or sub-phase pursuant to Condition 9 has been identified to include provision for a car share scheme, of which 5 no. car parking spaces are to be provided across the development overall, as part of the submission of reserved matters for the relevant phase or sub-phase details outlining the provision for a car share scheme in accordance with the NEV Framework Travel Plan SPD shall be submitted and approved in writing. The car parking spaces for the car share scheme shall be constructed, laid out and made available for use prior to the first occupation of units within that phase or sub-phase and shall be retained thereafter for the parking of vehicles for the car share scheme.

Reason: In the interest of sustainable transport. In accord with Policies TR1, TR2 and NC3 of the Swindon Borough Local Plan 2026.

### **34. Electric vehicle charging points**

Concurrently with the submission of the reserved matters application(s) for each phase or sub phase of the development details shall be submitted to the local planning authority of electric vehicle charging points. Provision shall be made for the charging points to accommodate 60% of all dwelling units and additional charging points for non-residential and communal usage. No development shall take place within each phase or sub phase until the location and form of the charging points and a timetable for their provision have been approved in writing by the local planning authority.

Provision shall be made in accordance with the approved details and timetable and shall be retained at all times thereafter.

Reason: To ensure adequate facilities are provided to enable the use of electric cars and to improve air quality. In accord with Policies DE1, IN1 and NC3 of the Swindon Borough Local Plan 2026.

### **35. Construction period**

No development shall take place, including any works of demolition or site clearance, until a Framework Construction Method Statement has been submitted to and approved in writing by the local planning authority. Prior to the commencement of each phase of development a site specific Construction Method Statement, based on the principles established in the approved Framework Construction Method Statement, shall have been submitted to and approved in writing by the local planning authority. The Framework and the site specific Construction Method Statements shall take into account the construction mitigation measures identified in the Environmental Statement (ES) May 2015 and the June 2017 ES Addendum. Each site specific Statement shall provide for:

- a traffic management plan, which shall include construction vehicle routes to and from the site, arrangements for recording construction vehicle movements to and from the site and making those records available for inspection, details of temporary access

points and parking areas for construction vehicles, site operatives and visitors, a construction workers travel plan;

- loading and unloading of plant and materials;
- storage of plant and materials used in constructing the development;
- a scheme for the on-site maintenance and repair of plant, equipment and machinery;
- details of a procedure for wheel washing and vehicle wash down of all construction site traffic leaving the site;
- details of a procedure for removing debris from the highway at all times;
- temporary buildings, enclosures and staff facilities;
- details for the erection and maintenance of security and acoustic hoarding(s);
- measures to control the emission of dust, smoke, fumes and debris;
- a method statement for the control of noise and vibrations, including pile driving;
- contact details for the site manager and a procedure for liaison with the local community.

The approved site specific Construction Method Statement shall be adhered to throughout the construction period for that phase of development.

Reason: To reduce the potential impact on the public highway and residential amenity during the site preparation and construction phases of development. In accord with Policies TR1, TR2 and NC3 of the Swindon Borough Local Plan 2026.

### **36. Construction Environmental Management Plan – Ecological effects**

No development shall take place within each phase, until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall describe and set out measures and good practice to avoid or minimise construction stage ecological effects occurring to habitats and faunal species and shall be in accordance with the approach outlined in the Environmental Statement Chapter 12 'Ecology'. Development shall be carried out in accordance with the approved CEMP method statement.

Reason: To ensure the protection of wildlife and supporting habitat. In accord with Policies EN4, TR1, TR2 and NC3 of the Swindon Borough Local Plan 2026.

### **37. Waste Audit**

No development shall take place in each phase of development until a waste audit has been submitted to and approved in writing by the local planning authority. The waste audit for that phase shall include:

- an assessment of the type and volume of waste that the development process will generate (the development process comprises the construction process and any other operation necessary to bring the development into use);
- the steps to be taken in the development process to reduce, re-use and recycle waste, reduce the production of hazardous wastes, minimise the use of raw materials, and minimise the pollution potential of unavoidable waste;
- the steps to be taken to dispose of unavoidable waste in an environmentally acceptable manner;
- the steps to be taken to ensure maximum waste recovery once the development is completed and occupied; and
- proposals for the transport of waste created during the development process and subsequent use of the site.

Development shall be carried out in accordance with the approved waste audit.

Reason: To ensure compliance with Policy WSC6 of the Wiltshire and Swindon Waste Core Strategy.

### **38. Construction and delivery hours to sites during construction**

No work, including the waiting of vehicles undertaking deliveries and collections during the construction phases, shall take place outside the following hours:

- 0730 to 1830 Monday to Friday
- 0830 to 1300 Saturdays; and
- Not at all on Sundays, Bank Holidays and Public Holidays.

In addition there shall be no deliveries and collections during the construction phases between 0800 and 0900 hours and between 1700 to 1800 hours on weekdays (Monday to Friday excluding public holidays).

Reason: To protect residential amenity and highway safety. In accord with Policies TR1, TR2 and NC3 of the Swindon Borough Local Plan 2026.

### **39. Archaeological mitigation strategy**

Prior to the submission of the first reserved matters application a final detailed archaeological Mitigation Strategy is required to be submitted to and agreed in writing by the Local Planning Authority. Before any development commences on a phase or sub-phase, written programmes of archaeological investigation (site specific Written Schemes of Investigation) that shall be in general accordance with the approved Mitigation Strategy will be submitted and approved in writing by the local planning authority. The programme of investigation shall include on-site work and off-site work, provision for analysis, publication and archiving of the results and a timetable for implementation.

The programme of archaeological investigation for that phase or sub-phase shall be carried out in accordance with the approved details.

Reason: The area is known to be of archaeological importance and to ensure that any matters of archaeological interest are investigated and recorded in accordance with Policies EN10 and NC3 of the Swindon Borough Local Plan 2026.

### **40. Preservation in situ**

No development take place until the areas of archaeological importance (non-designated) that will be preserved in situ have been identified and details have been submitted to and approved in writing by the local planning authority. Where an area of archaeological importance has been identified to be preserved in situ, no development within this phase or sub-phase shall take place until (i) a method statement for carrying out works of development, and (ii) a heritage management plan to show how the surviving archaeological remains which are to remain in situ are to be preserved, have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure areas of known archaeological importance are preserved in situ and appropriately managed in the long term in accordance with Policies EN10 and NC3 of the Swindon Borough Local Plan 2026.



## Flood risk mitigation

### 41. Environment Agency (EA) Condition 1 – Floodplain restoration

The development hereby permitted which is located within existing Flood Zone 2 or 3 must not be commenced until such time as a scheme for the restoration of the floodplain to the Liden Brook has been submitted to, and approved in writing, by the local planning authority. The scheme 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.

Reason: This approach is supported by paragraph 163 of the National Planning Policy Framework (NPPF) and adopted policies EN6 and NC3 of the Swindon Borough Local Plan 2026, to ensure there is no increase in flood risk elsewhere.

### 42. EA Condition 2 – Compliance with Flood Risk Assessment

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:

- 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.

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.

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.

### 43. EA Condition 4 – River crossing details

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 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.

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.

#### 44. **EA Condition 5 – River corridor survey**

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 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 of development and implemented prior to occupation.

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.

#### 45. **EA Condition 6 – Ecological buffer zone**

No development within any 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.

The scheme shall include:

- 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.

Reason: This condition should be informed by the results of the River Corridor Survey (see condition 5). 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.

#### 46. **EA Condition 8 - Contamination 1**

No development shall commence within each phase, until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the local planning authority. This strategy will include the following components:

1. A site investigation scheme, based on the preliminary risk assessment to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.
2. The results of the site investigation and the detailed risk assessment referred to in (1) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
3. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 170 of the National Planning Policy Framework and adopted policies EN9 and NC3 of the Swindon Borough Local Plan 2026.

#### 47. **Strategic Surface Water Management Scheme**

Prior to the approval of the first reserved matters, a detailed 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:

- 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;
- 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;
- Detailed drainage plan showing the location of the proposed SuDS features;
- Detailed cross sections and construction details of the proposed SuDS measures;
- Details of how the scheme shall be maintained and managed after completion;
- Details of how water quality shall be maintained during and after construction;

- 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 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 1).

The scheme shall be implemented in accordance with the approved details and timetable.

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.

#### **48. Surface Water Management Scheme (Phases)**

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 31), and include all supporting information as listed in the Condition.

The scheme shall be implemented in accordance with the approved details and timetable.

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 Policies EN6 and NC3 of the adopted Swindon Local Plan 2026.

#### **49. Detailed SuDS Maintenance and Management Plan**

No phase of development shall be occupied until a surface water drainage maintenance scheme for the surface water infrastructure serving that phase, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be in accordance with current best practice and include a timetable for the maintenance and for resolving any defects that arise in future. The scheme shall subsequently be maintained in accordance with the approved details and timetable.

Reason: To ensure the effective implementation and maintenance of drainage features in accordance with Policies EN6 and NC3 of the adopted Swindon Local Plan 2026.

#### **50. Noise**

Within each phase of development that includes the provision of residential units no development shall commence until a scheme for protecting the proposed the noise-sensitive development from noise shall have been submitted to and approved in writing by the local planning authority. The scheme shall include measures to ensure indoor ambient noise levels comply with the noise levels contained in BS 8233:2014, namely: resting 35 dB LAeq, 16 hour; dining 40 dB LAeq, 16 hour; sleeping 30 dB LAeq, 8 hour; 45 dB LAF, max; and 50 dB LAeq, 16 hour in external amenity spaces. The scheme shall also include details of any measures for mechanical ventilation where the specified internal noise levels in bedrooms and living rooms can only be achieved with windows shut. No residential units shall be occupied in that phase until all works which

form part of the approved scheme have been completed, a pre-occupation validation noise survey has been undertaken to demonstrate the effectiveness of the measures in reducing external noise to an acceptable level and a certificate of compliance has been submitted to the local planning authority. All works which form part of the approved scheme shall be retained in the approved form thereafter.

Reason: To mitigate harm from nearby noise sources and to ensure the development provides an acceptable living environment for residents. In accord with Policies EN7 and NC3 of the Swindon Borough Local Plan 2026.

#### **51. Noise – Commercial premises**

Within 3 months of the occupation of each commercial premises, a BS 4142:2014 (or later versions) assessment should be submitted to the local planning authority that demonstrates the impact of operational noise on nearby residential premises has been mitigated to such an extent that the rating level of any noise source does not exceed 5dB below the background level (LA90), as determined by a BS 4142:2014 assessment.

Reason: In the interests of residential amenity. In accord with Policies EN7 and NC3 of the Swindon Borough Local Plan 2026.

#### **52. Commercial Ventilation**

Within each phase of development, no development of a non-residential building shall commence unless and until details of all proposed extraction and ventilation systems shall have been submitted to and approved in writing by the local planning authority. The standard achieved shall be nil odour at the nearest residential property. Before the commencement of the first use of the non-residential premises the mitigation measures shall be installed in accordance with the approved details. Mitigation shall be retained in the approved form to achieve the stated standard without modification thereafter.

Reason: In the interests of amenity. In accord with Policies EN7 and NC3 of the Swindon Borough Local Plan 2026.

#### **53. BREEAM (Building Research Establishment Environmental Assessment Method)**

No development of a non-residential building shall take place until a pre-assessment BREEAM report - which is based upon an approved BREEAM plan for provision of non-residential buildings - prepared by an accredited BREEAM Assessor, indicating that the building is capable of achieving the applicable 'excellent' rating as a minimum, shall have been issued to the local planning authority. All non-residential buildings shall be constructed to meet the applicable approved BREEAM rating as a minimum. No later than 6 months after the occupation of any non-residential building, a certificate following a post-construction review, shall be issued by an approved BREEAM Assessor to the local planning authority, indicating that the relevant BREEAM rating has been met. In the event that such a rating is replaced by a comparable national measure of sustainability for building design, the equivalent level of measure shall be applicable to the proposed development.

Reason: To ensure that the development is carried out in accordance with sustainable construction standards. In accord with Policies DE2 and NC3 of the Swindon Borough Local Plan 2026.

**54. Slab levels**

No development shall take place on each phase until full details of the proposed site levels (above ordnance datum), together with the finished floor slab levels of the proposed buildings and structures (including roads, bridges and footpaths), in relation to existing ground levels have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure the finished levels are acceptable in the interests of visual amenity. In accord with Policies DE1 and NC3 of the Swindon Borough Local Plan 2026.

**55. Materials**

Prior to the commencement of works in connection with each phase of development, pursuant to condition 4, details of all external facing materials shall have first been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall be carried out and retained thereafter in accordance with these approved details.

Reason: To ensure that the appearance of the development is satisfactory. In accord with Policies DE1 and NC3 of the Swindon Borough Local Plan 2026.

**56. Lotmead Cottages – Boundary treatments**

No development shall commence until details of the boundary treatments/landscaping for the boundary of Lotmead Cottages has been submitted and agreed by the Local Planning Authority.

Reason: In the interests of the amenity of local residents. In accord with Policies DE1 and NC3 of the Swindon Borough Local Plan 2026.

**57. Wheelchair Accessible Housing**

Not less than 2% (rounded up) of the total residential development shall be provided as Wheelchair User Homes and, as a minimum, meet the standards specified within Part M4 (3) Category 3 of the Building Regulations 2010 (2015 edition). Wheelchair user dwellings provided for sale on the open market should, as a minimum, meet the standards for wheelchair adaptable homes specified within Part M4 (3) (2a) of the Building Regulations 2010 whereby the building 'will allow simple adaptation of the dwelling to meet the needs of occupants to use wheelchairs'. Homes shall provide ramped access with flush thresholds into all doorways, doorway widths and use of a bathroom, toilet and kitchen at entry level as well as sufficient space to enable internal circulation, through-the-floor lift vertical circulation and for kitchens and bathrooms to be fully adapted in the future for use by wheelchair user occupiers in accordance with a plan or schedule, which shall have first been submitted to and approved in writing by the Local Planning Authority. For wheelchair user homes provided as social or local authority housing, the dwellings should, as a minimum, meet the standards for wheelchair accessible homes specified within Part M4 (3) (2b) of the Building Regulations 2010 whereby the building will 'meet the needs of occupants who use wheelchairs' from the point of completion. Homes shall provide ramped access with flush thresholds into all doorways, doorway widths, space for internal circulation, a fitted through-the-floor lift and a fully adapted bathroom, toilet and kitchen (all at entry

level), in accordance with a plan or schedule, which shall have first been submitted to and approved in writing by the Local Planning Authority. These design features and provisions shall be retained for so long as the buildings hereby permitted remain in use as dwelling houses. This requirement shall be implemented as a cumulative total across the site triggered for every 50th dwelling submitted for approval. Wheelchair user homes will be provided as one or two storey dwellings only and meet the current specialist housing need within the Borough.

Reason: for reasons of inclusivity and accessibility. In accord with Policies DE1, HA3 and NC3 of the Swindon Borough Local Plan 2026.

## **Utilities and Waste Infrastructure**

### **58. Broadband**

No dwelling or building in non-residential use shall be occupied until broadband has been provided on site and made available to each dwelling or building in non-residential use.

Reason: To ensure access to appropriate broadband infrastructure in accordance with Policies IN3 and NC3 of the Swindon Borough Local Plan 2026.

### **59. Waste storage/collection areas**

The reserved matters application(s) for each phase shall include details of waste storage/collection areas which allow for the convenient storage of waste and unrestricted access at all times. The waste storage/collection areas shall be provided in accordance with the approved details prior to the occupation of each unit and shall be retained thereafter at all times.

Reason: In the interest of amenity. In accord with Policies DE1, IN1 and NC3 of the Swindon Borough Local Plan 2026.

### **60. Fire hydrants**

No development shall commence on each phase or sub phase until a scheme and specification for the provision and location of fire hydrants, to include installation arrangements and the timing of installation, shall have been submitted to and approved in writing by the local planning authority. Development shall take place in accordance with the approved scheme prior to the first occupation of any associated development.

Reason: To reduce the risk from fire in the interest of public safety and local resilience and to enhance the public realm. In accord with Policies DE1, IN1 and NC3 of the Swindon Borough Local Plan 2026.

### **61. Canal route**

No works shall be carried out within phases or sub phases that include the safeguarded canal corridor, as defined by the details approved under Condition 9 (Phasing Programme), until details have been submitted to and approved in writing by the local planning authority to demonstrate how the canal route will be safeguarded. The safeguarded alignment shall be in broad accordance with the alignment on the illustrative masterplan (PL 146.1-PLA-00-XX-DR-U-0002 S4 Issue P02).

Reason: To ensure the safeguarding of the canal corridor in accordance with Policies EN11 and NC3 of the Swindon Borough Local Plan 2026.

**62. Street Lighting and Street Furniture**

No development shall commence within each phase, until a scheme including the detailed design, specification, external appearance and timing of installation of the street lighting and other street furniture has been submitted to and approved in writing by the local planning authority. The scheme shall include details of the furniture design in each street context and specification and installation between the frontage and the adopted highway. The street lighting and street furniture shall be implemented in accordance with the approved scheme.

Reason: In the interests of highway safety and amenity and to ensure a high quality and consistent design for common structures throughout the NEV. In accord with Policies DE1 and NC3 of the Swindon Borough Local Plan 2026.

**63. Thames Water – Waste Water**

No properties shall be occupied until confirmation has been provided that either:- 1. All wastewater network upgrades required to accommodate the additional flows from the development have been completed; or- 2. A housing and infrastructure phasing plan has been submitted and approved to allow additional properties to be occupied. Where a housing and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.

Reason: Network reinforcement works are likely to be required to accommodate the proposed development. In accord with Policies IN2 and NC3 of the Swindon Borough Local Plan 2026.

**64. Thames Water – Potable**

No properties shall be occupied until confirmation has been provided that either:- all water network upgrades required to accommodate the additional flows from the development have been completed; or - a housing and infrastructure phasing plan has been agreed with Thames Water to allow additional properties to be occupied. Where a housing and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.

Reason: The development may lead to no / low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development. In accord with Policies IN2 and NC3 of the Swindon Borough Local Plan 2026.

**65. No external storage**

No goods or materials of any kind shall be stacked or stored, or processes undertaken outside any unit within the employment, retail, commercial or institutional areas. There shall be no storage of oils, fuels or chemicals on the site other than in storage facilities constructed in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest public safety and preventing pollution. In accord with Policies EN7 and NC3 of the Swindon Borough Local Plan 2026.



## Informatives

### 1. Environment Agency

This development may require an Environmental Permit from the Environment Agency. The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
- on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activitiesenvironmental-permits> or contact our National Customer Contact Centre on 03708 506 506 (Monday to Friday, 8am to 6pm) or by emailing [enquiries@environmentagency.gov.uk](mailto:enquiries@environmentagency.gov.uk).

### 2. Thames Water – Surface Water Drainage

With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. The contact number is 0800 009 3921.

Reason: To ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

### 3. Thames Water - Public Sewer Crossing

There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted for extensions to existing buildings. The applicant is advised to visit [thameswater.co.uk/buildover](http://thameswater.co.uk/buildover).

### 4. Thames Water - Waste

This site forms part of the New Eastern Villages Development. Thames Water have commissioned a catchment study to determine the infrastructure requirements for

accommodating the development. The applicant is requested to contact Developer Services to discuss the options for connecting this site to the public foul sewer system.

### **5. Street Naming and Numbering**

In addition to this consent, under the Town Improvement Clauses Act 1847 the applicant is required to contact SBC's Street Naming & Numbering Officer as soon as possible with regard to registering new or changes to the official address of any properties within this development.

### **6. Works in Highway**

In addition to this consent, the proposed development will require separate Local Highway Authority approval for the construction of works in the highway. The Applicant is required to obtain this approval before works commence and is therefore recommended to contact Swindon Borough Council's Street Works Management Department in this respect as soon as possible.

### **7. Bats**

There is a risk that bats may occur at the development site. Many species of bat depend on buildings for roosting, with each having its own preferred type of roost. Most species roost in crevices such as under ridge tiles, behind roofing felt or in cavity walls and are therefore not often seen in the roof space. Bat roosts are protected all times by the Conservation of Habitats and Species Regulations 2010 (as amended) even when bats are temporarily absent because, being creatures of habit, they usually return to the same roost site every year. Planning permission for development does not provide a defence against prosecution under this legislation or substitute for the need to obtain a bat licence if an offence is likely. If bats or evidence of bats is found during the works, the applicant is advised to stop work and follow advice from an independent ecologist or to contact the Bat Advice Service on 0845 1300 228, email [enquiries@bats.org.uk](mailto:enquiries@bats.org.uk) or visit the Bat Conservation Trust website.

### **8. Great Crested Newts**

The applicant is advised that Great Crested Newts are protected by the Wildlife and Countryside Act (1981) and have European Protection under the Conservation Regulations (1994). The European protection afforded to this species means that a licence may be required from the Department of Environment, Transport and the Regions for the works you propose. English Nature can be contacted at [www.english-nature.org.uk](http://www.english-nature.org.uk).

### **9. Badgers**

The applicant is made aware that under the protection of Badgers Act (1992), it is illegal to kill, injure, take or cruelly ill-treat a badger, or damage destroy or obstruct access to a badger sett, or disturb a badger whilst it is occupying a sett. If any construction work using heavy machinery is required to be completed within 30 metres of the sett, lighter machinery within 20 metres or hand tools within 10 metres, a licence will be required from English Nature. English nature can be contacted on [www.english-nature.org.uk](http://www.english-nature.org.uk)

### **10. CIL Liable Development**

CIL Liable Development: This development constitutes Community Infrastructure Levy (CIL) liable development. CIL is a mandatory financial charge on development. For more

information on CIL visit [www.swindon.gov.uk/cil](http://www.swindon.gov.uk/cil) or telephone the SBC CIL Team on 01793 466289 or 466397 or email [cil@swindon.gov.uk](mailto:cil@swindon.gov.uk) . To avoid additional financial penalties the requirements of the impact of CIL must be managed before development is commenced and subsequently payment made in accordance with the requirements of the CIL Demand Notice issued. Information on possible exemptions that may be capable of being applied for can be found at: [https://www.planningportal.co.uk/info/200126/applications/70/community\\_infrastructure\\_levy](https://www.planningportal.co.uk/info/200126/applications/70/community_infrastructure_levy) and <https://www.gov.uk/guidance/community-infrastructure-levy>. CIL remains relevant in the event that planning permission is allowed by Planning Appeal.

### **11. Wiltshire Fire and Rescue Sprinklers**

The applicant's attention is drawn to the contents of the Wiltshire Fire and Rescue Service letter dated 22<sup>nd</sup> November 2013 and the recommendations contained therein in relation to the installation of sprinklers.

### **12. Main Rivers – maintenance**

Main Rivers and under the jurisdiction of the EA (Environment Agency) and it is on their annual maintenance programme. Although under the jurisdiction of the EA, the ownership and maintenance responsibilities fall to the landowners (riparian owners) either side of it (responsible up to the centreline of the brook). It is important that the brook/rivers, along with the drainage channel to the east of the development area, is included in the maintenance management plan for the development as there is no long term commitment from the EA to maintain it and the developer may wish to liaise with other riparian owners to ensure the responsibility is shared.

**APPENDIX A - Consultation responses received**

**(Please refer to separate document)**

**APPENDIX B****Infrastructure Package (including infrastructure to be delivered on site by the developer)**

<b>Obligation</b>	<b>Delivery / Contribution Secured</b>
<b>Housing</b>	
Affordable Housing	20% (10% identified in the shortfall table)
<b>Education</b>	
Lotmead Primary School	£6,500,000
Lower Lotmead Primary School	£6,500,000
Secondary Learning Campus (Build and Land)	£7,972,143
<b>Green Infrastructure (GI) / Landscape</b>	
Community Forest	On-site delivery of 17.14 hectares (residual shortfall of £419,312.20)
Allotments	On-site delivery
Children's Play	On-site delivery
Green Infrastructure Maintenance	Secured through S106
Public Art	Secured through design codes/detailed design (£609,668 identified in shortfall table)
Nature Reserve	On-site delivery
Sports Facilities	On-site delivery
<b>Transport</b>	
White Hart Junction	£8,740,363
Great Stall Bridge	£4,591,836
Southern Connector Road	£5,622,947
A420 Improvements	£1,535,259
West of A429 Improvements	£2,358,964
Wanborough Traffic Calming	£340,000
Express Bus	Not secured due to viability (£1,170,853 identified in shortfall table)
Bus Service	£1,901,250
NEV Travel Plan	£680,331
Traffic Regulation Order	£50,000
NEV Bridge Vision	Contribution of £687,387 and on-site delivery of highways to connect the NEV sites
Park and Ride (Build and Land)	£237,656 secured towards land (£1,608,774 towards construction identified in shortfall table)
<b>Community Facilities</b>	
Libraries	Not secured due to viability (£542,490 identified in shortfall table)
Lotmead Local Centre/Community Hub	On-site delivery
Lower Lotmead Local Centre/Community Hub	On-site delivery
Sports Hub	On-site delivery
Health	£2,468,139

On-site Waste Provision	£360,921
Leisure Facility	Not secured due to viability (£164,141 towards land identified in shortfall table)
<b>Total Financial Contributions Secured</b>	<b>£50,547,196</b>

**Note:** A shortfall table identifying those contributions not secured due to viability reasons will be included in the S106 agreement. This will inform the allocation of external funding received to those infrastructure items that have been partly or not met as a result of the viability challenge.