

Emily Porter

From: Mark Sommerville
Sent: 11 September 2023 17:32
To: Ronald Moss
Cc: emma.geater@countrysidepartnerships.com;
emma.gillespie@countrysidepartnerships.com; Emily Porter
Subject: RE: Lotmead - S73 Application
Importance: High

Hello Ron,

Please see my responses below in green.

Please could we have answers to the questions posed tomorrow?

Kind regards,

Mark

Mark Sommerville MA (Hons) MSc MRTPI
Associate Director
Planning

Savills, Embassy House, Queens Avenue, Bristol, BS8 1SB



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From: Ronald Moss <RMoss@swindon.gov.uk>
Sent: 11 September 2023 17:10
To: Mark Sommerville <MSommerville@savills.com>
Subject: RE: Lotmead - S73 Application

EXTERNAL EMAIL: Be cautious when opening attachments or clicking links

Afternoon Mark ,

Can I start by asking for you to send another link to the ES addendum as the current one has expired. Our admin team will probably be better positioned to open all the files successfully, so I will send the information on to them when I get the new link. I have put a link below to the full package. We are, however, frustrated that this information was provided to you on 1st September and no action has been taken since then, particularly given the requirement for 30 days consultation. Please can you confirm that you will expedite this information being uploaded to the Council's website, provided to relevant consultees and advertised in the newspaper this week?

<https://we.tl/t-ldmonFiaCX>

I will say understanding the discrepancy between the outline planning permission being for up to 2500 dwellings and the recent indication that Countryside see an absolute maximum possible capacity of 2100 dwellings on the site with a proposal running contrary to our required SuDs requirements is going to be key for us moving forwards. When I get the opportunity I will be looking at the information submitted an outline stage, while the urban designer is also viewing your overlay plans to consider the indicated development capacities. Please can we have some assurances on timescales for your review and the urban designer's review?

I can confirm that the drainage officer has viewed your latest information and raised the question that in providing a comparison you are not correctly using the approved SuDs drawing. He states the options that he has seen are based on pipe to pond solutions, just one with more ponds shown and a few token swales, and one showing the site significantly raised to ensure it operates above the flood plain, but they both ignore a large amount of existing ditches on the site so are going against an agreed SuDS train, catchment based approach as per national guidance and the approved FRA addendum. I will discuss with the team and revert to you.

We will also come back to you regarding your email relating to viability as of 8th September.

On the matter regarding a condition on future SuDs features, our point is that we don't we consider that a condition would work here.

Is there any other feedback from your internal meeting?

I trust this information is of assistance.

Regards,

Ron Moss

From: Mark Sommerville <MSommerville@savills.com>

Sent: 07 September 2023 17:11

To: Ronald Moss <RMoss@swindon.gov.uk>

Cc: emma.geater@countrysidepartnerships.com; emma.gillespie@countrysidepartnerships.com; Emily Porter <emily.porter@savills.com>

Subject: RE: Lotmead - S73 Application

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Hello Ron,

Thank you for your reply. I will discuss this with CSS and revert as soon as possible.

Please could you answer my other questions below?

Have you been able to meet as an internal team?

Kind regards,

Mark

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Associate Director
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From: Ronald Moss <RMoss@swindon.gov.uk>

Sent: 07 September 2023 16:40

To: Mark Sommerville <MSommerville@savills.com>

Subject: RE: Lotmead - S73 Application

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Afternoon Mark,

On the matter of viability it came up in discussion yesterday. Fair to say that I think that there is some difficulty understanding how we have an approved outline application for up to 2500 dwellings and yet you are saying that even without compliance with the SuDs strategy and as a maximum you will manage to provide some circa 2100 dwellings. If we assume not unreasonably that the maximum figure is optimistic, then it is probably going to be around 2000 dwellings i.e 80% of the number as approved.

Janet before going on leave indicated that the site had been purchased and it has to be assumed that the vendor would have requested a price reflecting the potential for up to 2500 dwellings. Also you have repeatedly run a narrative that if the SuDs drainage strategy is disregarded everything else is then all fully aligned on the site. I would

suggest that the prospect of providing only circa 80% of the 2500 approved dwellings (the number as viability tested) means that this is possibly not the case.

I can confirm that I am looking at the submissions that accompanied the outline application to see if I can understand how we have got to this situation , but you are also welcome to give your thoughts.

Regards,

Ron Moss

From: Mark Sommerville <MSommerville@savills.com>

Sent: 04 September 2023 17:24

To: Ronald Moss <RMoss@swindon.gov.uk>

Cc: emma.geater@countrysidepartnerships.com; emma.gillespie@countrysidepartnerships.com; Emily Porter <emily.porter@savills.com>

Subject: RE: Lotmead - S73 Application

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Hello Ron,

Thank you for your response.

Please see my comments below in green.

Please could you also confirm that you are happy with the meeting notes?

Thanks,

Mark

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From: Ronald Moss <RMoss@swindon.gov.uk>

Sent: 04 September 2023 16:09

To: Mark Sommerville <MSommerville@savills.com>

Subject: RE: Lotmead - S73 Application

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Mark,

In response to your queries I can inform you of the following :-

- 1) I have receipt of your email. **Thanks.**
- 2) There is a difficulty opening the Environmental statement addendum . I get a message 'The destination path is too long' . **I think this may be an issue where you are trying to save the files into a long chain of folders within folders. Can I suggest downloading to your desktop and trying to access from there? If you are still having problems please let us know.**

Please can you advise when the newspaper advert will be placed? As I mentioned below, we are happy to assist with this if it helps.

With regard to the meeting notes :-

Probably worth us flagging up again that the sentence below would give no certainty that any further SuDs features would be included, even if put into a condition.

. The application commits CSS to continue to explore all opportunities to increase the number of SuDS features at detailed design, subject to this not compromising residential capacity. **Can you suggest a means of further exploration that you consider would give you the necessary comfort?**

On the viability matter I think points need clarifying. What I was very keen to understand at the meeting was whether you were seeking to run a viability argument. Whilst your comments were slightly at variance at times to those of the Countryside representatives , my conclusion was that this is not the argument being put forward. Your argument is simply that less dwellings would be provided should SuDs drainage in accordance with the original drawings go ahead and that you are happy that the viability works for your current scheme. At no point was any confirmation given that with any reduced number of dwellings , that your proposal could be proven to be unviable. I note in your written meeting notes that you state as below.

MS added that what we are stating in the cover letter is that the s73 proposals are viable. Therefore we do not consider that any formal viability testing is required, nor do we consider that the applicant needs to provide evidence as to what the "tipping point" of viability is (with regard to unit numbers.)

For the argument that you are putting forward I see no reason to contest this statement.

To summarise, CSS's position is that development pursuant to what is proposed as part of this s73 application and the Revised FRA Addendum Drainage Strategy, achieving at or close to 2,109 would be viable. If the Council were to refuse this s73, with the effect of insisting on a drainage strategy pursuant to the Original FRA Addendum, CSS would consider that the maximum residential capacity of 1,898 to be unviable under the existing outline permission. Should such a scenario arise, CSS would look to submit a separate application to revisit the scheme's viability and s106, supported by a comprehensive viability appraisal at that stage. Given these circumstances, we do not believe that any viability testing is required as part of this application.

On my re consultation I am not aware that you have made any changes to the proposal and have simply sought to justify the submission as originally proposed . Please say if you consider this assumption to be incorrect. As it currently stands I will be looking for the drainage officer , landscape officer and design officer to view the recent submissions for our internal meeting. **We agree with this.**

Finally I can confirm that I am having the internal meeting this week. **Thank you. Could you advise when this is scheduled? Could we arrange a call with you as soon as possible after to receive feedback? Please could you provide your suggested availability.**

Regards ,

Ron Moss

From: Mark Sommerville <MSommerville@savills.com>

Sent: 04 September 2023 08:37

To: Ronald Moss <RMoss@swindon.gov.uk>

Cc: emma.geater@countrysidepartnerships.com; emma.gillespie@countrysidepartnerships.com; Charles McClea <CMcClea@savills.com>; Matt Lindon <matt.lindon@savills.com>; Emily Porter <emily.porter@savills.com>

Subject: RE: Lotmead - S73 Application

Importance: High

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Good Morning Ron,

Please could you confirm receipt of the email and documents within the link below, and provide a response to the questions we have raised?

Kind regards,

Mark

Mark Sommerville MA (Hons) MSc MRTPI
Associate Director
Planning

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From: Mark Sommerville

Sent: 31 August 2023 17:26

To: rmoss@swindon.gov.uk

Cc: emma.geater@countrysidepartnerships.com; emma.gillespie@countrysidepartnerships.com; Charles McClea <CMcClea@savills.com>; Matt Lindon <matt.lindon@savills.com>; Emily Porter <emily.porter@savills.com>

Subject: Lotmead - S73 Application

Hello Ron,

I write to you regarding EIA matters and actions following our meeting last week relating to the s73 application.

With regard to EIA, we included an EIA Statement of Conformity at the outset of the s73 application, however following the recent legal advice obtained from Counsel, CSS has decided to submit an ES Addendum to ensure any consent issued pursuant to the s73 is as robust as possible and guard against risk of JR. This is available within the link below.

<https://we.tl/t-Q1YHZwDDAs>

In light of this submission, please can you treat the EIA Statement of Conformity as superseded?

This more detailed assessment results in the same overall conclusions being drawn, ie that there are no new adverse significant environmental effects arising from the s73, in comparison to the conclusions drawn within the Environmental Impact Assessment work submitted and approved as part of the outline.

As per the EIA Regs, CSS recognise that this submission of further information triggers the need for a period of 30 days consultation, running from the appropriate publication triggers (uploading online, circulation to consultees and publication of an advert in a local newspaper). CSS would be grateful if you could expedite these three steps to commence the 30 days as soon as possible. If we can be of assistance in arranging the newspaper advert, please let us know.

Returning to the discussion at our recent meeting, it was discussed that you would be arranging an internal workshop to review the updated s73 material during w/b 4th September. Please could you confirm that this has been arranged?

I have also reattached a copy of the meeting notes and actions we issued for your review. Please could you review and confirm that they represent an accurate reflection of the meeting? Could you also confirm your availability for a meeting with CSS w/b 11th September?

Please could you acknowledge receipt?


Kind regards,

Mark

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Associate Director
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