

## COMMITTEE REPORT

**Item Number:** 6

**Application Number:** S/19/0703

**Ward:** Ridgeway

**Parish:** Wanborough

**Proposal:** The construction of a new road, to link the A419 Commonhead Roundabout to the proposed New Eastern Villages (NEV) development including improvements to the existing Commonhead Roundabout and Pack Hill, new junctions with Pack Hill, The Marsh and Wanborough Road, new footway/cycleway and associated earthworks, drainage works and landscaping.

**Location:** Land East Of The A419, Between Commonhead Roundabout And Land North Of Wanborough Road, Swindon

**Case Officer:** Mr Edward Snook

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**Applicant:**

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### Officer Report

#### 1 **Background**

- 1.1 This application has been brought before Planning Committee as it relates to the New Eastern Villages (NEV) strategic allocation.
- 1.2 The proposed NEV development is the largest strategic allocation in the Swindon Borough Local Plan 2026 (the Local Plan). The NEV is planned to deliver sustainable economic and housing growth including the provision of about 8,000 homes, 40 hectares of employment land and associated retail, community, education and leisure uses.
- 1.3 This application relates to the Southern Connector Road (SCR) which forms part of the strategic transport package for the NEV, as identified by Policy NC3 of the Local Plan.
- 1.4 Development at the NEV is coming forward in a series of planning applications submitted by separate developers and strategic land promoters. Planning

permission has been granted at Symmetry Park (up to 112,725 sq m floorspace of commercial development) and Redlands Farm (up to 370no. dwellings). Unit 1 of Symmetry Park was completed in November 2018. An outline application at South Marston and Rowborough (up to 2,380no. dwellings) has gained a resolution to grant permission from the planning committee. Current outline planning applications being considered by the Local Planning Authority (LPA) include Lotmead and Lower Lotmead (up to 2,500no. dwellings) and Great Stall East (up to 1,700no. dwellings).

## **2 Summary of Recommendation**

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

- (a) 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; and,
- (b) The agreement of strategic highway matters with Highways England, as outlined within Paragraph 8.44 of this report.

## **3 Proposal**

- 3.1 The proposed development comprises a new 7.3 metre wide single carriageway road, approximately 2.5km in length with new pedestrian and cycle paths, roundabout, crossroad junction, bridge, culverts and associated works including earthworks, drainage features, landscaping, fencing, signage and ecological mitigation.
- 3.2 The proposed road would provide a link from the New Eastern Villages (NEV) development to the Strategic Road Network (A419) at Commonhead roundabout and provide access to development within the NEV to the north of Wanborough Road.

### **Proposed route description (from south to north)**

- i. Partial signalisation of the eastern arm of Commonhead roundabout;
- ii. Alterations to an existing section of Pack Hill including widening and the provision of a new footway on the southern side;
- iii. Realignment of a section of Pack Hill and provision of a new three-arm roundabout junction on land to the north of Pack Hill. The proposed roundabout is lit with areas of tree planting and landscaping on and around the new roundabout. A small section of the existing highway accessed from Pack Hill would be closed to vehicles to form a pedestrian/cycle link;
- iv. From the proposed new roundabout, the SCR extends northwards. A new priority T-junction is proposed to provide access to The Marsh.
- v. Along the route, a new single-span bridge across Liden Brook and two new culverts over tributaries of the Liden Brook are proposed. The

- finished levels are proposed above the flood plain with additional allowance for climate change.
- vi. New flood attenuation areas are proposed upstream of the culverts to maintain existing flow rates.
  - vii. North of the culverts, the proposed SCR extends northwards and curves north-east through the proposed development area known as Foxbridge village that will form part of the NEV development. The proposed SCR continues north to connect with Wanborough Road.
  - viii. At Wanborough Road, a new signalised crossroad junction is proposed. Traffic movements at this proposed junction are restricted, as follows:
    - From north-east (proposed Lotmead village, NEV): Straight ahead towards Commonhead only.
    - From the south-east (Wanborough Road, Wanborough): Straight ahead to Covingham, and left turn onto the SCR only.
    - From south-west (proposed Foxbridge village and Commonhead): Straight ahead towards proposed Lotmead Village, and right hand turn towards Wanborough only.
    - From north-west (Wanborough Road, Covingham): Straight ahead towards Wanborough only.
  - ix. From the new crossroad junction, the proposed SCR curves through the proposed development area known as Lotmead village (part of the NEV) to connect with a field boundary to the north of Poplars Day Nursery.
- 3.3 The proposed SCR will incorporate a segregated pedestrian/cycle path on the north/east side of the carriageway and pedestrian route on the east/west side. Provision has also been made to ensure the existing Rights of Way link on their current alignment.
- 3.4 The drainage proposals for the proposed SCR comprise a new bridge across Liden Brook, as well as a number of culverts over existing watercourses. In addition to this, a series of swales, attenuation ponds and outfalls are proposed along the length of the SCR.
- 3.5 The application proposes a landscaping scheme which includes the following:
  - 5ha of woodland tree planting;
  - 3.3km of native species rich hedgerows;
  - 11.8ha of grassland;
  - 4.23ha of landscaping;
- 3.6 A majority of the route alignment reaches a maximum height above ground level of 1.2m, lowering to 0.6m in some places. At Liden Brook the ground levels reach a maximum level of 4.5m bridge crossing and a maximum of 1.9m within the Foxbridge development area.

## **4 The Site and Surroundings**

- 4.1 The application site is located to the east of the Swindon urban area and the A419. The site includes the eastern part of Commonhead roundabout, a section of Pack Hill, land between Pack Hill and Wanborough Road, a section of Wanborough Road and land to the north of Wanborough Road. The site is approximately 26 hectares in area, relatively flat and is mainly agricultural and grazing land with the exception of the existing highways that fall within the application site. The surrounding area is relatively rural, with isolated residential properties and farmsteads located to the east, between the application site and the village of Wanborough.
- 4.2 The northern half of the application site falls within the NEV strategic development area as defined on Figure 11 of the Swindon Borough Local Plan 2026 (Local Plan).
- 4.3 Part of the application site, located to the south of Pack Hill, is within the North Wessex Downs Area of Outstanding Natural Beauty ('AONB'). The whole application site is within the Vale of the White Horse Landscape Character Area.
- 4.4 The Liden Brook crosses the application site and flows in a northerly direction. The site lies mainly within Flood Zone 1, with some areas located within Flood Zones 2 and 3.
- 4.5 There are five Public Rights of Way (PRoW) within the surrounding area, four of which cross the application site. These include WA8, WA22, WA24 and WA25.
- 4.6 There are no designated heritage assets within the application site. Designated heritage assets that fall within 1km of the application site include a scheduled monument, listed buildings and three conservation areas. A scheduled monument identified as '*Site of Roman Town, W of Wanborough House*', also known as Durocornovium is located approx. 280m to the north of the application site. The Liddington Castle Scheduled Monument is located approximately 3km to the south. There are 18 listed buildings within the wider area, including a Grade I listed church, a Grade II listed telephone box, two Grade II listed milestones and 15 Grade II listed residential properties. The three conservation areas identified in the wider area are the Upper Wanborough, Lower Wanborough and Liddington conservation areas. Three non-designated heritage assets have also been identified within the wider area.
- 4.7 There are two Sites of Special Scientific Interest (SSSI) located in the wider area, although outside the application site (Coate Water and Burderop Wood). There is an extensive network of hedgerows in the locality, some of which cross the application site. A number of trees located within the application site are protected from a Tree Preservation Order (TPO) status.
- 4.8 The River Cole Local Wildlife Site (LWS) crosses the application site mid-way between Wanborough Road and Pack Hill and at the southern end at Pack Hill.

## 5 **Environmental Impact Assessment (EIA)**

- 5.1 A request for a screening opinion was received by the LPA in May 2016 in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended). Following consideration of the likely significant effects, the LPA advised that an Environmental Statement (ES) would be required to be submitted with the planning application. Following this, a scoping opinion was requested to determine the matters to be included in the ES. The LPA undertook consultation including with statutory agencies including Historic England, Highways England and the Environment Agency. The LPA issued a scoping opinion in December 2017 to advise on the matters to be addressed. Accordingly, the planning application was accompanied by an ES as required under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. Further environmental information has been submitted during the course of the application in response to requests from consultees. Further public consultation has been undertaken accordingly as detailed below in the 'Representations' section of this report. The LPA is satisfied that sufficient information has been provided to assess the environmental impacts of the proposed development.
- 5.2 The ES describes the environmental effects of the construction and operation of the scheme and identifies the adverse and beneficial impacts together with the measures (mitigation) that are proposed to avoid, reduce or offset these effects. A non-technical summary is also included in the submission that summarises the main points of the ES and its findings for each of the environmental topics covered.
- 5.3 The location of the application site within proximity to 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. Whilst this planning application proposes highway infrastructure and a majority of the other planning applications relate to residential and mixed-use development, it is necessary to consider the similar impacts.
- 5.4 The ES has evaluated the cumulative impacts of development for both construction and operational phases. It concluded that effects are likely for existing local residents, the historic environment, pedestrians, cyclists, road users, workers, PRow users, ground conditions and biodiversity. During construction, there could potentially be cumulative effects for traffic, noise, dust and landscape and visual impact. However, given the individual assessments have concluded that the identified impacts can be appropriately mitigated, the cumulative effects of the proposed development are unlikely to result in significant adverse effects.

## **6 Consultation**

- 6.1 The full planning application was validated by the LPA on 29<sup>th</sup> April 2019. In line with the EIA regulations, a 30 day public consultation was undertaken with the deadline comments being 4<sup>th</sup> June 2019. Following a review of the consultation

comments, the requested additional information. A revised submission was received on 19<sup>th</sup> July 2019, incorporating amendments to the Site Layout Plans and ES and associated appendices. The chapters of the ES amended included Landscape and Visual Impact Assessment; Biodiversity; Geology and Soils; Materials and Waste; and Road Drainage, Water and Flooding. A further 30 day public consultation, ending on 18<sup>th</sup> August 2019 was undertaken to enable consultees and stakeholders an opportunity to review the revised information. In response to these comments, a further submission of information was received on 20<sup>th</sup> September 2019 and was followed by a public consultation being undertaken to 23<sup>rd</sup> October 2019.

## **7 Representations**

- 7.1 Below is a brief summary of the most recent comments received in relation to the application. The date in brackets refers to when the latest comments were received. A full schedule of summarised comments is provided at Appendix A to this report.

### **Statutory and External Consultees**

- 7.2 Environment Agency (October 2019): No objection subject to conditions.
- 7.3 Highways England (November 2019): Highways England are committed to working positively and proactively with SBC to resolve the outstanding highway matters at the earliest possible opportunity. Should the Council be minded to approve the application at the forthcoming committee in December 2019, Highways England would be satisfied with a resolution to grant consent subject to the satisfactory agreement of strategic highway matters (to be confirmed in writing by Highways England).
- 7.4 Historic England (November 2019): No objection subject to conditions.
- 7.5 Natural England (October 2019): No objection.
- 7.6 Network Rail (June 2019): No objection.
- 7.7 North Wessex Downs AONB (August 2019): No objection subject to conditions.
- 7.8 Thames Water (June 2019): No objection subject to informatives.

### **Internal Consultees**

- 7.9 Arboriculture (October 2019): No objection subject to conditions.
- 7.10 Archaeology (November 2019): No objection subject to conditions.
- 7.11 Conservation (October 2019): Maintain previous issues raised with regard to the disagreement around the methodology used. As a result, the Conservation

Officer considers that the harm caused is underestimated which is, in his opinion, 'less than substantial' in many of the heritage assets.

- 7.12 Environmental Health (Contamination) (May 2019): No objection subject to conditions.
- 7.13 Environmental Health (Pollution) (June 2019): No objection subject to conditions.
- 7.14 Highways (November 2019): No objection subject to conditions.
- 7.15 Landscape (October 2019): No objection subject to conditions
- 7.16 Lead Local Flood Authority (LLFA) (October 2019): No objection subject to conditions.
- 7.17 Public Health (October 2019): No objection.
- 7.18 Rights of Way Officer (June 2019): Requested further clarification on the proposed development, which was submitted as part of the revised application.

### **Councillors**

- 7.19 Cllr Kevin Parry (July 2019): Objects to the proposed development on the grounds that the proposal is not dual-carriageway and that the Great Stall Bridge is shown on the plans.
- 7.20 Cllr Barbara Parry (July 2019): Objects to the proposed development on the grounds that the proposal is not dual-carriageway and that the Great Stall Bridge is shown on the plans.

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

- 7.21 Wanborough Parish Council (October 2019): The Parish Council would like to see a detailed construction plan showing how the impact on Wanborough will be mitigated during construction. This should include a timetable, possible road closures and proposed diversion routes, proposed construction compounds, proposed direction of construction traffic and how SBC will prevent rat running through Wanborough during construction period. The Parish Council also request that SBC consider a new junction on the southern boundary of the A419 at Dorcan.
- 7.22 Ashbury (Vale of White Horse) (October 2019): Although the proposed new road lies outside the parish boundary, the Parish Council state that the road will impact on the community.
- 7.23 Bishopstone Parish Council (June 2019): Support the proposed development in principle, however raise concerns with respect to traffic and construction impacts.

- 7.24 Covingham Parish Council (October 2019): Support the proposed development, and would like to ensure issues in relation to construction traffic and drainage are managed carefully.
- 7.25 Liddington Parish Council (June 2019): Request that construction of the proposed development is delivered to minimise the impact on local residents.
- 7.26 South Marston Parish Council (October 2019): No comment.
- 7.27 South Swindon Parish Council (October 2019): No comment.
- 7.28 Stratton St Margaret Parish Council (October 2019): Agree with comments made by Wanborough Parish Council and Woodland Trust.

**Third Party Representations:**

- 7.29 Alder King (on behalf of Danescroft LLP and David Wilson) (October 2019): Danescroft LLP raise no objection, however the objection from David Wilson remains.
- 7.30 Campaign to Protect Rural England (CPRE) (August 2019): Request further information to satisfy forward looking environmental lighting standards. Also query how the Inlands Farm development has been taken into account and query the staging plan which will permit the use of the SCR and permit access to the Commonhead roundabout so as to avoid complicated traffic queuing.
- 7.31 David Lock Associates (on behalf of Hannick Homes) (June 2019): Support the principle of the proposed development however raise concerns with the proposed alignment.
- 7.32 Residents: In relation to the following consultation stages, 4no. letters of objection were received in relation to the initial consultation of the application, 5no. in relation to the second and 3no. in relation to the third. The primary reasons for objecting to the application are as follows:
  - The proposed development raises concerns arising from additional traffic and pollution and amenity impacts;
  - Provisions need to be made to prevent rat-running;
  - The proposed SCR is out of scale and would have an impact on the landscape and AONB; and
  - A further bypass to the A420 should be proposed.
- 7.33 Swindon Cycle Group (May 2019): Support the proposed development.
- 7.34 Webb Paton (on behalf of various landowners) (June 2019): Object to the proposed development for reasons including:



- Appropriate access is retained to existing land;
- Appropriate infrastructure and boundary treatments are required;
- Temporary access to land during construction;
- Concerned that some of the existing fields will not drain effectively; and
- Dust and pollution, which could impact crops.

- 7.35 Wanborough Anti-Flood Group (May 2019): Queries raised in respect of the SCR being able to accommodate the traffic generated and the timing of delivery and puts forward suggestions.
- 7.36 Wilts & Berks Canal Trust (November 2019): Object on the grounds that the proposed development does not adequately safeguard the route of the canal.
- 7.37 Womble Bond Dickinson (on behalf of Mr A Brickell) (July 2019): Objects to the proposed development on the grounds that it does not appropriately facilitate development of adjoining land and the lack of consultation with the landowner.

## **8 Planning policy and statutory considerations**

- 8.1 Applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise as required by section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990.
- 8.2 Where a development proposal affects a listed building or its setting, section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires decision-makers to have special regard to the desirability of preserving the buildings or its setting or any features of special interest.
- 8.3 Where a development proposal affects a conservation area, section 72 of the Planning (Listed Buildings and Conservation Areas) Act requires that special attention be paid to the desirability of preserving or enhancing the character or appearance of Conservation Areas.
- 8.4 Regulation 122 of the Community Infrastructure Levy Regulations 2010 sets out the statutory tests for the relevance of planning obligations to the determination of planning applications.
- 8.5 The planning policy context is set out below, together with the key planning considerations relating to this proposal. The development plan policy for this application consists of the Swindon Borough Local Plan 2026 (adopted March 2015) and the Wiltshire and Swindon Waste Core Strategy (2009).
- 8.6 The policies of the Swindon Borough Local Plan 2026 (Local Plan) relevant to this application are:

- SD1: Sustainable Development Principles;
- SD2: Sustainable Development Strategy;
- SD3: Managing Development;
- DE1: High Quality Design;
- DE2: Sustainable Construction;
- TR1: Sustainable Transport Networks;
- TR2: Transport and Development;
- IN1: Infrastructure Provision;
- CM2: Active; Healthy and Safe Lifestyles;
- EN1: Green Infrastructure Network;
- EN2: Community Forest;
- 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; and
- NC3: New Eastern Villages including 'Figure 11: NEV Inset Diagram'

8.7 The policy of the Wiltshire and Swindon Waste Core Strategy relevant to this application is Policy WCS6 'Waste Reduction and Auditing'.

### **Material considerations**

8.8 Material considerations that are relevant in the determination of this application include the National Planning Policy Framework (NPPF) (February 2019 as amended June 2019) and national planning practice guidance (PPG). In addition, the adopted supplementary planning documents relating to development within the NEV are material considerations.

8.9 The NPPF details the national planning policies for England. It sets out the presumption in favour of sustainable development to ensure that a development proposal that accords with an up-to-date development plan is approved without delay. The planning system performs three roles in achieving sustainable development, namely the economic, social and environmental.

8.10 Paragraph 20 of the NPPF requires strategic policies to outline a strategy for development, ensuring sufficient provision is made for housing, community facilities, the natural environment and infrastructure, including transport.

8.11 Paragraph 102 of the NPPF states "*[T]ransport issues should be considered from the earliest stages of plan-making and development proposals, so that:...*  
*b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the*

*scale, location or density of development that can be accommodated;...*

8.12 Further to this, the primary chapters of relevance in the NPPF include:

- 5. Delivering a sufficient supply of housing
- 8. Promoting healthy and safe communities
- 9. Promoting sustainable transport
- 14. Meeting the challenge of climate change, flooding and coastal change
- 15. Conserving and enhancing the natural environment
- 16. Conserving and enhancing the historic environment

8.13 The Planning Practice Guidance (PPG) provides additional advice on the principles brought through the NPPF.

8.14 The Council has adopted a number of Supplementary Planning Documents (SPDs) which are material considerations for the purpose of making planning decisions on applications relating to the NEV. These include:

- New Eastern Villages Planning Obligations Supplementary Planning Document (2016):  
In accordance with the NPPF, the Planning Obligations SPD provides detailed advice and guidance on the relevant policies in the Local Plan, in particular Policies IN1 (Infrastructure Provision), SD3 (Development Management), NC3 (New Eastern Villages) and RA3 (South Marston). This SPD provides further information to understand the necessary infrastructure to support development proposals at the NEV and in the context of achieving comprehensive development across the whole site. This includes setting out the required infrastructure, the mechanism to secure the infrastructure and a method of apportioning the cost of strategic / shared infrastructure items (where appropriate). This SPD comprises the NEV Infrastructure Delivery Plan (NEV IDP), the NEV Illustrative Masterplan and proformas for each of the NEV villages and is relevant for all development proposals within the NEV allocation.
- New Eastern Villages Framework Travel Plan Supplementary Planning Document (2016);
- SuDS (Sustainable Drainage Systems) Vision for the New Eastern Villages Supplementary Planning Document (2017);
- New Eastern Villages Green Infrastructure Supplementary Planning Document (2017); and
- New Eastern Villages Island Bridge Vision Supplementary Planning Document (2017).

8.15 A number of adopted Swindon Conservation Area Appraisal and Management Plans are of relevance to this application, including Upper Wanborough (May 2006), Lower Wanborough (February 2009) and Liddington (April 2006). 'The Setting of Heritage Assets' (December 2017) produced by Historic England is also of relevance.

## Main issues

- 8.16 The main issues associated with this application include the principle of development and need for the scheme; traffic and transport; pollution (including air quality, noise and vibration); heritage; landscape and visual impact; biodiversity; geology and contamination; materials and waste; people and communities; drainage and water environment; climate change and cumulative impacts arising from the development.

## Principle of development

- 8.17 Paragraph 72 of the NPPF advises that *“The supply of large numbers of new homes can often be best achieved through planning for larger scale development, such as new settlements or significant extensions to existing villages and towns, provided they are well located and designed, and supported by the necessary infrastructure and facilities. ...”*
- 8.18 Policy SD1 of the Local Plan sets out the sustainable development principles that underpin the Local Plan, in the form of eight sustainable development criteria which seek to deliver the Sustainable Development Strategy identified within Policy SD2 of the Local Plan. Paragraph 3.7 of the Local Plan explains 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.
- 8.19 The development strategy for Swindon is defined in Policy SD2 of the Local Plan, and seeks to concentrate development at Swindon within the urban area, and at allocated strategic sites including the NEV. Policy SD3 of the Local Plan reflects the NPPF’s presumption in favour of sustainable development and the need for a positive approach to considering development proposals.
- 8.20 Policy NC3 of the Local Plan 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 at the NEV, including the expansion of South Marston village and Rowborough. Policy NC3 of the Local Plan sets out the requirements for development within the NEV and states, among other criteria, that the development shall provide *“...a new road link to the Commonhead roundabout...”* and *“...measures to minimise rat-running through existing adjacent villages and east Swindon...”*.
- 8.21 Further to this, the supporting text for Policy NC3 states *“It is important that a second access to the A419 is provided to disperse traffic from the development, and this will be provided in the form of a link road to the Commonhead roundabout from within the southern part of the development”* (para. 5.79). The supporting text also advises that *“Transport measures should also seek to avoid*

*rat-running through Wanborough and the existing communities of East Swindon, Stratton and Covingham including by the provision of the Commonhead link road” (para. 5.80).*

- 8.22 Figure 11 of the Local Plan (p.170) shows an indicative plan of the NEV strategic allocation including the development areas and key infrastructure. Figure 11 indicates the SCR as a connection to the Commonhead roundabout. The indicative route shown extends through the area of non-coalescence, which seeks to protect the character identity of the surrounding villages from unplanned and inappropriate development, north to the NEV boundary.
- 8.23 The proposed development is in accordance with Policy NC3 of the adopted Local Plan as it would deliver the requirement for a road link to Commonhead roundabout to provide access to the NEV and mitigate the potential for rat-running through existing communities.
- 8.24 The adopted New Eastern Villages 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. The Planning Obligations SPD includes the NEV Infrastructure Delivery Plan (NEV IDP) that identifies the infrastructure requirements to enable and support development at the NEV and the Illustrative Masterplan to provide further guidance in accordance with Policy NC3 of the adopted Local Plan.
- 8.25 Table 1 of the NEV Planning Obligations SPD summarises the infrastructure requirements for the NEV and includes the Southern Connector Road. The NEV IDP includes the Southern Connector Road (SCR) and describes this as a *“Highway link to the strategic road network (A419) Commonhead roundabout includes key link through the NEV Lotmead Village to connect to Wanborough Road from internal highway within the New Eastern Villages development”*. The NEV IDP also states the particular infrastructure item’s dependency to deliver the NEV. For the SCR it states, *“The development at the New Eastern Villages and existing east Swindon community are dependent on this scheme. This scheme is critical to ensure there is capacity on the transport network to enable housing and economic growth”* (page 20, NEV Planning Obligations SPD).
- 8.26 The proposed development is a requirement to enable and support the NEV development, as set out in Policy NC3 of the adopted Local Plan and the NEV Planning Obligations SPD. The principle of the proposed development is supported by the development plan.
- 8.27 Through the design process for the SCR, a number of different route alignments were considered, all of which affect agricultural land. The ES states that the agricultural land is classified as Subgrade 3b, and as a result is not considered to be the Best and Most Versatile (BMV) agricultural land. In addition, the proposed route alignment affects a number of agricultural holdings through the

separation of land parcels. Mitigation measures are proposed to ensure each of the landowners retaining land outside of the red line boundary continue to have appropriate access to their land. These include new farm accesses, accommodation features such as new gateways and boundary treatments.

### **Alternatives considered**

- 8.28 Chapter 3 of the ES outlines the potential routes considered for the proposed SCR. In addition to the environmental considerations such as heritage, archaeology, landscape impact and flood risk, the route alignment for the proposed Wilts and Berks Canal and the Thames Water pipeline also influenced the proposed route alignment. Further to this, a number of highway design requirements also informed the route design, including:
- Options to accommodate and manage the proposed traffic flows to the A419 Commonhead Roundabout;
  - Expected traffic demand;
  - Suitability of speed limits of 30mph, 40mph and 50mph were assessed;
  - Dualling the carriageway; and
  - Width of the road to accommodate footpaths/cyclepaths.
- 8.29 The key considerations with the route selection involved the crossing of Wanborough Road, as well as how the SCR would connect in with the existing road network. In reference to the junction with Wanborough Road, the key considerations related to the presence of archaeology including the Durocornovium Scheduled Monument (DSM) and Liden Brook and associated flood areas. The proposed crossing of Wanborough Road was selected between these areas to minimise any potential impact. Further consideration was given to the form of this junction, with the options including a flyover Wanborough Road, a priority junction for the SCR and a signalised junction. Following further consultation with relevant stakeholders, the signalised junction was identified as the preferred option. In terms of whether the proposed SCR would connect to Pack Hill, Purley Road or directly on to Commonhead Roundabout, the key considerations related to avoiding the potential impact to the Thames Water pipeline. In addition, the option of a new roundabout junction with Pack Hill was also considered as likely to have the least impact on other considerations including heritage assets, the canal alignment and the North Wessex Downs AONB.
- 8.30 The Localism Act (2011) introduced a requirement for developers of major applications to carry out pre-application consultation with communities. The submitted Record of Community Involvement (April 2019) outlines the nature of consultation undertaken, and how the responses received were considered through the design process. Key to this were a series of consultation events undertaken on 21<sup>st</sup> March 2016, 29<sup>th</sup> November 2017, 5<sup>th</sup> March 2018, 3<sup>rd</sup> April 2018 and 14<sup>th</sup> April 2019.

## **Phasing of Development**

- 8.31 Chapter 4 of the ES outlines the key elements of the proposed development and includes an Indicative Construction Phasing proposal (Table 4.1). This indicates that the overall construction period is likely to start in January 2020 and last for approximately 60 weeks. Works on a number of the sections could be completed in parallel, thereby reducing the overall delivery time. To enable this, two construction compounds are proposed, with these likely to be to the south of the proposed pack Hill roundabout with the other close to the proposed cross-roads at Wanborough Road.

## **Transport and Highways**

- 8.32 Section 9 of the NPPF promotes sustainable transport measures, particularly those which contribute towards the wider sustainability and health objectives.
- 8.33 Policies TR1 and TR2 of the Local Plan seek to ensure access for developments that is appropriate to the scale, type and location of the proposal without detriment to highway safety, traffic movement and the local environment. They also seek to reduce the need to travel and support and encourage sustainable, safe and efficient movements throughout the Borough. Policy NC3 of the Local Plan requires the provision of sustainable transport links including walking and cycling network improvements and the provision of a link road to Commonhead roundabout for the NEV.
- 8.34 The NEV Planning Obligations SPD outlines a number of strategic and local infrastructure needs, including the Southern Connector Road (SCR).

## **Transport Assessment**

- 8.35 The application is accompanied by a full Transport Assessment (TA) and associated technical notes and appendices, which have been reviewed. The NPPF (Paragraph 108) requires developments to provide sustainable transport opportunities; that safe and suitable access to the site can be achieved by all; and that improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development.
- 8.36 The TA considers the existing site and surrounding highway network, which included the M4, A419, A4259, A420 and other local access roads including Pack Hill, The Marsh, Wanborough Road and the B4192 Purley Road. An assessment of walking and cycling links has been undertaken, by way of a separate Walking, Cycling and Horse Riding Assessment and Review (WCHAR), together with an examination of existing and future accessibility by public transport in the vicinity. The TA considers the main link road and the junction of the SCR with Pack Hill in proximity to the Commonhead junction. Traffic modelling has been undertaken using Department for Transport approved software for Commonhead Roundabout; SCR / Wanborough Road; and SCR / Pack Hill. The scenarios modelled for each element include the baseline

situation, the SCR only and the cumulative impact including NEV development.

- 8.37 Commonhead Junction is subject to improvements, particularly a white lining scheme being provided as part of M4 Junction 15 works. Although exit blocking has been observed on the Commonhead Junction (which would impact on the Pack Hill junction by significantly reducing its theoretical capacity), the improvements to the Commonhead Junction are expected to overcome this issue. It is further understood that the existing blocking back issue occurs because of traffic diverting from the A419 southbound onto Commonhead Junction, then back onto the A419 southbound, in order to avoid peak hour queues over the flyover. This issue would be addressed by the wider improvement scheme for Junction 15 of the M4. The M4 Junction 15 scheme for Commonhead is indicated on WSP drawing *M4J15-WSP-SGN-0000-DR-HE-000004 P2*, which forms part of the M4 Junction 15 detailed design drawing pack. It is a white lining scheme. It has been discussed and agreed with Highways England that whilst this scheme for Commonhead is included as part of the Junction 15 works, should the SCR scheme come forward first, the SCR scheme would need to provide the white lining shown on the drawing so the SCR can tie into it. An appropriate condition has been recommended below.
- 8.38 The proposed SCR seeks to form a new junction with Pack Hill through the construction of a new roundabout. To accommodate these amendments a new access will be provided with The Marsh, which will have direct access on to the SCR. Concerns have been raised by residents that The Marsh could be used by road users as a rat-run through from Wanborough Road and the wider NEV to Commonhead.
- 8.39 The proposed SCR is key to the meeting the objective of Policy NC3 for the NEV, and seeks to provide the main route from the NEV to the strategic road network (A419) at Commonhead. The proposed design of the SCR and new junctions is to make the SCR the most attractive route from the NEV to Commonhead. Whilst the SCR forms part of the mitigation for potential rat-running, it does result in slight alterations to the southern end of The Marsh. It therefore has the capability of understanding how The Marsh is used by traffic on the network. To ensure rat-running does not become an issue, permanent automated traffic counters will be secured by condition to ensure the use of The Marsh is monitored, and reviewed, and therefore any mitigation such as the need to stop it up, can be implemented.
- 8.40 In addition, the design of the proposed cross-roads junction with Wanborough Road is designed to restrict traffic movements of the vehicles heading south along the SCR from the NEV. Vehicles will only have the option of heading straight over the junction, and continuing their journey along the SCR to Commonhead. This will prevent traffic from rat-running directly through Covingham, Wanborough and the villages beyond. The submitted TA and traffic modelling indicate that the SCR with Wanborough Road junction and SCR with Pack Hill junction would both operate within their capacity.



- 8.41 Sections 6.3 and 6.4 of the TA consider the study area for the assessment. As this application is for the infrastructure delivery and whilst it will alter surrounding traffic flows, this will not be to the same degree as the impact derived from the NEV. The assessment of this likely wider impact is incorporated with the individual NEV sites planning applications.
- 8.42 The TA also includes models for the capacity of the SCR and Commonhead Junction and the SCR and Wanborough Road Junction, and Officers raise no concern with respect to these. Whilst the Local Highway Authority (LHA) has raised a number of points with regard to minor details of the scheme, such as the precise length of a merging lane and road markings, sufficient justification has been submitted to demonstrate that an appropriate scheme can be delivered within the parameters of the planning application and therefore these elements are proposed to be resolved by planning condition.
- 8.43 Section 7.6 assesses the proposed roundabout serving the interchange between Pack Hill and the SCR. The findings of this assessment illustrate that the junction design operates in all scenarios. For clarity however, the modelling excluded the proposals outside the current NEV boundary on the site known as 'Inlands Farm' and the proposals for a science park. Assessment of this particular development proposal's impact upon this roundabout will need to be undertaken for that application and any upgrade of the proposed junction carried out at a cost to that developer.
- 8.44 Highways England currently has concerns that the proposed scheme at Commonhead Junction could prejudice the safe and efficient operation of the A419, and does not sufficiently accommodate the SCR connection. Officers are continuing to engage with Highways England on the capacity assessment, design/layout and safety review of Commonhead Junction, and Highways England has advised that there is a high level of confidence that a safe and sufficient scheme can be agreed. To this end, Officers are seeking approval from Planning Committee to continue working on these proposals with Highways England, and delegate the final decision and conditions to the Head of Planning, Regulatory Services and Heritage.

#### Road Speed

- 8.45 It is noted that the SCR has a proposed speed of 40mph. At the southern end (Pack Hill) and northern end (Foxbridge), it is anticipated that lower speeds would be experienced. Speed survey information from Automatic Traffic Counts have indicated 85<sup>th</sup> percentile speeds of 29.5mph along the existing alignment of Pack Hill in proximity to Commonhead due to the existing bend imparting speed control.
- 8.46 Although part of an existing road alignment, if this is considered as part of the SCR, this may require a Departure from Standard to be approved at the detailed design stage for the Pack Hill section. To the north, the SCR may be subject to further revisions at the detailed design stage to facilitate development at

Foxbridge Village. Further details are required to be submitted and agreed by planning condition.

Pedestrian Cycle Provision / Public Rights of Way (PRoW)

- 8.47 Policy TR1 of the Local Plan, seeks to promote safe and healthy lifestyles through maximising opportunities to cycle and walk; reducing severance caused by transport corridors and the dominance of the car on the streetscene; and overlooking and surveillance of bus stops, car parks, footpaths and cycleways. Policy CM2 of the Local Plan seeks to promote active, healthy and safe lifestyles through increasing opportunities to walk and cycle and encouraging more sustainable travel choices.
- 8.48 The application site crosses four existing Public Rights of Way (PRoW), including WA8, WA22, WA24 and WA25. These PRoW broadly cross the site in an east-west direction connecting Wanborough to the A419. There is currently crossing provision for these PRoW across the A419. A further PRoW (LN6) links with Pack Hill towards the south of the application site.
- 8.49 The Council's Rights of Way Officer initially raised concerns with the proposed development, primarily with respect to the need for further detail on the relationship between the proposed SCR and existing paths. For instance, further clarification on the need to provide adequate gated access and crossing points, materials surfacing and obstructions to existing routes. In addition, the Rights of Way Officer requested that the proposed development also provide a pedestrian/cycle bridge across the A419 to reduce the barriers for users of the PRoW.
- 8.50 Further information has been submitted through the application process to provide clarification on the provisions for the existing PRoW. Whilst the proposed scheme does cross a number of existing rights of way, the revised plans demonstrate that appropriate measures such as gates and dropped kerbs are proposed to ensure pedestrians can continue to use the PRoW. Given the current rural character of these PRoW, these provisions are considered appropriate. Whilst the plans indicate a potential conflict with regard to an existing RoW and a proposed balancing pond, a planning condition requiring further details to be submitted is imposed to ensure that the proposed balancing pond will not affect the existing RoW.
- 8.51 With regard to the northernmost PRoW (WA25), this is likely to be located within the Foxbridge area allocated for residential development. To ensure the infrastructure is appropriately futureproofed for future development, ducting is proposed to be installed with the SCR to enable the construction of a full pedestrian crossing the future. The full design details for the materials, gate details and ducting will be secured by planning condition.
- 8.52 Whilst Officers note the request for a pedestrian bridge to be provided over the A419, this planning application is seeking planning permission for the

implementation of a road, rather than for residential development, and as a result is not generating additional pedestrian movements in its own right. Notwithstanding this, the existing PRow are currently severed by the A419. As a result of the SCR, there are no proposed amendments to the journey length of the proposed rights of way, and no significant changes in gradient or alignment. In addition, the proposed SCR would provide new extensive pedestrian and cycle links connecting existing PRow to Wanborough Road in the north and Commonhead Roundabout in the south, where there are safe crossings to the western side of the A419 and Swindon Urban Area. As a result, this will provide positive benefits for the pedestrian and cycle network, in accord with Policy TR1 of the Local Plan.

### Other matters

- 8.53 The proposed SCR is primarily located through agricultural fields, and therefore it is inevitable that some of the existing field patterns and boundary treatments will be altered or severed. To ensure appropriate access to the adjacent land, appropriate access, primarily in the form of setback gates, has been provided directly from the SCR.

### Summary

- 8.54 Overall, the Scheme is considered safe, inclusive and accessible; it also promotes health and wellbeing with a high standard of amenity for existing and future users. Subject to resolving the outstanding issues with Highways England, the proposed development is therefore considered to comply with the national transport objectives, Policies TR1, TR2 and NC3 of the Local Plan and the relevant SPD's.

### **Landscape Character and Visual Impact**

- 8.55 Paragraph 8 of the NPPF states that the environment has an important role in achieving sustainable development, particularly through the protection and enhancement of the natural, built and historic environment. Paragraph 170 of the NPPF states that valued landscapes should be protected and enhanced, and that the intrinsic character and beauty of the countryside should be recognised. Further to this, Paragraph 172 of the NPPF states *“[G]reat weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues.”* Paragraph 172 also states that permission for major development should be refused *“other than in exceptional circumstances where it can be demonstrated that the development is in the public interest”*.
- 8.56 Policy EN5 of the Local Plan seeks to protect the intrinsic character, diversity and local distinctiveness of landscape within Swindon Borough. Development shall only be permitted where it satisfactorily takes account of landscape character. Policy EN5 also seeks to ensure that the proposed development does

not have an inverse impact on the North Wessex Downs Area of Outstanding Natural Beauty ('AONB') or its setting, and that accords with the relevant criteria set out in the AONB Management Plan. The North Wessex Downs AONB stretches south from Pack Hill, and therefore the southern section of the proposed development (between Commonhead and the proposed roundabout at Pack Hill) is located within the AONB.

- 8.57 The site and surrounding area is primarily characterised by a number of woodlands, with fields generally bordered by hedgerows and frequent hedgerow trees. Fields are primarily agricultural in nature, with irregular field patterns. The application site is entirely located within the Vale of White Horse Character Area (Landscape Character Areas SPG; 2004), which is primarily flat and open, generally with small scale settlements and extensive views to the south of the North Wessex Downs AONB. The AONB is primarily characterised by a large tract of chalk down land which meets the Thames and Chilterns AONB to the east. The A419 lies to the west of the application site, with the Swindon urban area located beyond this, whilst Wanborough village is to the east.
- 8.58 As outlined above, the SCR forms a key highway link for the NEV strategic allocation, with the northern section of the road located within the proposed NEV development. The principle of the New Eastern Villages (NEV) strategic allocation was tested through the Swindon Borough Local Plan 2026 Examination in Public (EiP), and was found to be sound. The potential impact on the North Wessex Downs AONB was considered during the EiP, and through Policies NC3 and EN5, sufficient assessment of the impact of each development on the surrounding landscapes has been thoroughly evaluated.
- 8.59 The ES details the methods used to establish the landscape character of the area and visual receptors within the study area and then sets out the potential impacts upon the receptors during construction and operation, and assesses the potential effects. More specifically, it considers the proposed development in the wider landscape setting, with particular attention to views from the south and the AONB. Mitigation measures are also provided along with a summary of the residual effects.
- 8.60 The Landscape Officer initially raised concerns with the proposed submission, principally in terms of the terminology used within the ES. In addition, it was recommended that additional woodland planting areas be identified as mitigation. The AONB has no objection in principle to the proposed development, however has suggested that some of the landscaping proposals should be amended so that the tree planting is more sporadic to be consistent with the existing character.
- 8.61 The ES describes the methodology for undertaking the Visual Impact Assessment that seeks to understand the impact of the proposed development on the landscape character and visual amenity. The terminology initially used within the submitted assessment is consistent with the other chapters within the ES. Notwithstanding this, to address the Landscape Officers concerns and to

ensure descriptors used for the magnitude of effect are consistent with Landscape and visual effects assessment (IAN 135/10), a further table (Table 6) was included within Appendix 10.2 of the ES (September 2019).

- 8.62 In terms of amendments to the design of the SCR, the revised submission proposes a reduced ground level in places along the route as well as a reduced span for the proposed bridge over Liden Brook; albeit the height of proposed bridge remains the same. Whilst these elements do potentially reduce the scale of the visual elements of the proposed development, they are not considered to materially alter the assessment of the landscape or visual assessment. Some minor amendments have been made to the assessment approach, whilst additional tree planting and landscape mitigation throughout the proposed scheme has been incorporated.
- 8.63 Officers consider that the amendments to the submitted ES and wider landscape proposals, have overcome the key concerns raised. As a result the Landscape Officer and AONB Board have no objections to the proposed scheme.

#### Landscape Character

- 8.64 Chapter 10 of the submitted ES identifies the key landscape effects as being the loss of vegetation, which would alter the existing pattern and scale of the existing landscape character, introduce new elements to the landscape, such as the new road and bridge/culvert structures and new vehicle movements that would alter the existing character. In addition, a key consideration is the impact on the character and setting of the AONB.
- 8.65 The southern section of the SCR, between Commonhead and the new roundabout at Pack Hill, is located within the AONB, whilst other elements of the SCR are considered to be located within the setting of the AONB. The surroundings of the AONB are important to its landscape character and quality, including views out of the AONB and views towards or into it from surrounding areas. The location and scale of the proposed development is such that it is considered to affect views into and out of the AONB, and as a result these must be carefully assessed to ensure that they conserve and enhance the natural beauty and landscape character of the AONB.
- 8.66 To overcome the potential effects identified within the ES, the alignment of the road has been selected to minimise impacts on existing tree planting, for instance the existing belt of woodland to the east of the A419. A number of the other potential route options would connect to Purley Road, which is further to the south, and therefore would have involved a new section of road being formed within the AONB. This route would have potentially had a greater impact on the character of the AONB.
- 8.67 The overall landscape strategy seeks to maintain the pattern of hedged fields and scattered copses, which reflect the existing character. Where sections of hedgerows and tree planting are required to be removed, the landscape strategy

proposes the planting of new hedgerows with trees alongside the highway to enclose adjacent fields and reinstate a sense of enclosure and scale. Some open sections of road also allow for driver orientation and experience of the passing landscape.

- 8.68 Further to this, the ES identifies a number of other mitigation measures. For instance, to reflect the existing relatively open landform, a number of small new woodland areas are proposed, with native tree planting, species rich grassland and shrubs. These seek to mitigate the impact of the development, whilst also creating additional landscape and wildlife features.
- 8.69 Whilst a number of established trees will be removed as a result of the proposed development, a majority of these, with the exception of a row of trees to the north of the proposed bridge, are relatively isolated and as a result their loss will not significantly impact the landscape character. In total, there will be a net increase of approximately 1,270m of hedgerows and linear tree belts, and a net increase of tree cover of 4.55 ha. As part of revisions to the landscape strategy, additional planting is proposed, particularly to the east of the proposed new roundabout, to further mitigate views from Wanborough and the east. In addition, further planting has been included between the northern section of the SCR and the properties located on the northern side of Wanborough Road. Although the mitigation planting would not be as mature as the vegetation removed, once established it is considered that it would largely restore the pattern, scale and sense of enclosure of the landscape.
- 8.70 As outlined earlier within the report, a number of embankments are required to serve the bridge and culvert structures over Liden Brook. These will be approximately 3m above the existing ground level, which is already lower than the current ground levels for a majority of the other parts of the site; and therefore are not considered to form significant features within the landscape context. The most prominent features resulting from the proposed development are likely to be any higher vehicles using the SCR route, which is likely to have a relatively minor intermittent impact.
- 8.71 Wanborough Road is currently unlit and has a relatively rural character, with hedgerows on either side. Both the new roundabout junction to the north of Pack Hill and the new junction with Wanborough Road will be lit, and as a result will be more visible from surrounding land, particularly at night. The tree planting and landscaping around these sections of the SCR will provide screening from surrounding land. By virtue of the NEV strategic allocation coming forward, some elements of the proposed SCR, particularly towards the north including the new junction with Wanborough Road, will be within areas of proposed residential development. As a result of this new development, the character of the landscape in these areas is likely to change further in the future. Through the proposed mitigation for the proposed development, including vegetation and woodland planting, efforts have been made to ensure the impact on the existing landscape character is minimised.

- 8.72 The NPPF attaches great weight to conserving and enhancing the AONB. The section of the proposed SCR located within the AONB is relatively short and would not be significantly altered from its existing form and appearance as a road. The proposed roundabout, which would be lit to the south is located within the setting of the AONB, would be visible from higher land within the AONB to the south. Whilst this would result in a change to the character of the landscape, the proposed mitigation would integrate the proposed development in to the surrounding landscape, whilst the proximity to the lit sections of the A419 will limit the impact of the lit areas. Whilst both the AONB Board and Landscape Officer have suggested minor amendments to the detail of the landscaping scheme, neither have an objection to the proposed development in terms of its impact on the existing character of the landscape.

#### Visual Impact and Amenity

- 8.73 Within Chapter 10 of the ES, the assessment looks at the effects and impacts upon residential properties and other surrounding sensitive receptors. The key impacts from the proposed scheme include the loss of existing vegetation; the introduction of new elements to the landscape, such as the new road and bridge/culvert structures; and new vehicle movements along the proposed SCR.
- 8.74 The relatively flat nature of the site and intervening hedgerows and trees are such that views from Lower Wanborough and the nearby public rights of way (PRoW) to the application site, are unlikely to be significantly harmed. Further to the south, the land in the AONB gains elevation to the Scarp and High Downs LCA (Landscape Character Areas SPG, December 2004) resulting in enhanced views of the application site.
- 8.75 Along a majority of the length of the SCR, the road level will approximately be 1m above the existing ground level. Towards the central section of the proposed SCR, the existing land levels drop to Liden Brook and a number of nearby tributaries, resulting in the proposed road level rising to approximately 3 metres above the current land levels to accommodate the proposed bridge structure and culverts. Comparatively however, this is not significantly different in height to a large proportion of the SCR length. In addition, the gradient of the embankments will be 1:3, which reduces the visual impact of the road and result in the proposed development blending more in to the surrounding landform. Further to this, it minimises intrusion in to views from adjacent land, such as the PRoW which cross the application site.
- 8.76 The primary visual impact from the higher sections of the SCR relates to the vehicles using the road. Areas of tree planting are proposed at intervals along the SCR, whilst the position of the A419, which is a raised, lit dual-carriageway approximately 100m to the east of the application site, is such that the characteristics of the proposed development are not considered to significantly harm views from the south and east. It is acknowledged that will take time to establish some forms of mitigation such as tree planting, and this impact must therefore form a part of the balance of considerations.

## Summary

- 8.77 As identified above, it is considered that the proposed development would have an impact on visual amenity and the existing pattern and form of the landscape character. The wider mitigation proposals are considered to provide appropriate enhancements such that these impacts would be minimised, whilst there are no objections from the AONB Board or Landscape Officer. As a result, the proposed development is considered to accord with Policies EN5 and SD1 of the Local Plan. As the proposal is for major development partly falling within the AONB, Officers will address the public interest of the proposed development and the exceptional circumstances in determining accordance with para. 172 of the NPPF. This is addressed in the 'Concluding Comments and Planning Balance' section of this report.

## **Green Infrastructure, Community Forest, Biodiversity and Ecology**

- 8.78 Paragraph 8 of the NPPF states that the environment has an important role in achieving sustainable development, particularly through the protection and enhancement of the natural, built and historic environment. Paragraph 170 of the NPPF states that the planning system should aim to conserve and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible.

## Green Infrastructure (GI)

- 8.79 The NPPF (Annex 2: Glossary) defines green infrastructure 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*”. As outlined within the GI SPD, GI can provide health and recreation benefits for the new and existing communities, as well as having wider ecological benefits. Further to this, the PPG states “*to ensure that these benefits are delivered, green infrastructure must be well planned, designed and maintained*” (Paragraph: 028 Reference ID: 8-028-20160211).
- 8.80 Policy EN1 of the Local Plan states development shall protect and enhance green infrastructure and assets which includes the requirement that development must provide for the protection and integration of visually or ecologically important existing trees, hedges and woodlands, including ancient or veteran trees.
- 8.81 The Green Infrastructure (GI) Strategy for Swindon 2010-2026 seeks to prioritise the development of and investment in GI 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).
- 8.82 The proposed development is for a new road link. It does not affect any of the



existing corridors of GI, as allocated within Local Plan Policy EN1, nor is it required to provide additional GI or open space. Notwithstanding this, the proposed development provides opportunities for small areas of woodland planting, sustainable drainage systems and biodiversity to be open to the public. This could be in the form of a section of pathway and/or bench allowing access for pedestrians and cyclists using the SCR. A proposed condition is recommended to control the detailed design of these elements.

### Biodiversity and Ecology

- 8.83 Policy EN4 of the Local Plan states that development will avoid direct and indirect negative impacts upon biodiversity and geodiversity sites, as identified on the Policies Map. It also states that all development shall protect and enhance biodiversity and provide local biodiversity gain. The PPG states that *“biodiversity enhancement in and around development should be led by a local understanding of ecological networks, and should seek to include:*
- *habitat restoration, re-creation and expansion;*
  - *improved links between existing sites;*
  - *buffering of existing important sites;*
  - *new biodiversity features within development; and*
  - *securing management for long term enhancement.”*  
(Paragraph: 017 Reference ID: 8-017-20140306)
- 8.84 The application site is located 1.2km from Coate Water SSSI and 2.3km from Burdrop Wood SSSI. Given the distance between these sites and the proposed SCR, in addition to the intervening habitats such as the A419 and there is no connectivity of watercourses to Liden Brook, the ES outlines that no significant impact is predicted to these sites.
- 8.85 There are three non-statutory Local Wildlife Sites (LWS) which have the potential to be affected by the SCR. The submitted ES identifies that there could be potential impacts to the River Cole LWS, in particular in terms of the loss of bankside vegetation and riparian habitats, particularly where the bridge over Liden Brook (a tributary of the River Cole) will be constructed. The installation of this proposed bridge would result in approximately 0.03% of the total bankside vegetation within the River Cole LWS being lost. It is therefore considered that the effects of this are likely to be restricted to the immediate area, and not degrade the overall value of the River Cole LWS. The distances from the site and intervening habitats are such that the ES does not predict the proposed development would have a significant impact on the Day House Copse and Wanborough Meadows LWS's.
- 8.86 Chapter 11 of the ES identifies a number of potential impacts arising from the proposed development. These include the loss of 0.44ha of mixed deciduous woodland. Whilst this would be a direct loss of woodland, given this is poorly managed, reasonably isolated and a small proportion of the woodland available;

and significant additional woodland planting is proposed, it is considered that appropriate mitigation is provided to overcome this loss.

- 8.87 Other effects from the proposed scheme include the loss of some trees with bat roost potential, as well as the loss or damage to foraging areas. To mitigate these potential impacts bat boxes are proposed as well as the lighting strategy being conditioned. Hedgerows and landscaping on the proposed embankments will be planted to ensure bats fly at safe height over the road.
- 8.88 The construction footprint would not impact any main badger setts or great crested newt breeding ponds, although it does adversely impact a number of habitats, including the loss of two outlying badger setts as well as being within the zone of influence of newt habitats. The location of the existing badger group territories and probability of low traffic levels at night is such that no negative impacts of significance are anticipated. Whilst the proposed SCR might present a barrier for some existing species such as badgers, otters and great crested newts, the proposed bridge and culverts will include appropriate ledges for these species to pass through, whilst dropped kerbs will facilitate newt crossings; hence reducing habitat fragmentation and road mortalities. The size of a number of these species territories, in addition to further tree planting and species specific fencing will persuade badgers, otters and other species away from the proposed road.
- 8.89 The route alignment is such that short sections of bankside vegetation will be lost, which could impact the habitats for species such as otters and great crested newts. Given the potential areas to be lost are relatively minor in the context of the species habitat areas, no significant effects are anticipated. Woodland planting is proposed along the banks of the Liden Brook to maximise invertebrate potential which will support fish populations and, therefore, prey availability, for otters.
- 8.90 The ES states that the proposed SCR will result in the loss of open grassland, having a negative impact on ground nesting birds, in particular to those which are territorial such as the lapwing and skylark. The proposed planting and landscaping scheme will be similar in nature to those being lost to reduce any impact. The site area is such, that new opportunities for appropriate skylark and lapwing habitats would not be possible onsite. It has been identified that mitigation would be required for two pairs of skylarks and one pair of lapwing. Due to the habitat requirements of these species, land with specific features is required. A number of options have been explored including land on the downs to the south of Swindon and the cost of mitigation calculated. A planning condition is recommended requiring a Mitigation Strategy to be submitted and implemented by the applicant.
- 8.91 Due to other recent surveys nearby suggesting the distribution of dormouse in the locality could have changed since the initial assessment, a further survey is being undertaken. Given the ES demonstrates that the proposed landscape strategy would result in an overall net gain of suitable dormouse habitats and

ensure connectivity with off-site habitats, and therefore a condition is recommended to control the further survey and necessary mitigation.

- 8.92 Chapter 11 of the ES states that the proposed development predominantly bisects habitats of low ecological value, such as short grazed grassland. The proposed landscaping scheme is considered to improve connectivity through new hedgerow and woodland networks and improve the diversity of the habitats. The proposed development results in a net gain in overall habitat provision, as well as linear habitat provision. More specifically these include the installation of bat boxes to increase roosting opportunities for bats. To ensure created habitats become established and are of biodiversity value, a monitoring programme should be established. This programme, in addition to the proposed mitigation measures identified within the ES and associated appendices are recommended to be controlled by planning condition.

### Trees and Hedgerows

- 8.93 Paragraph 175 of the NPPF states “...*c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; ...*”
- 8.94 Policy EN1 of the Local Plan states “... *Development that would result in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland will only be permitted where the need for, and benefits of, the development in that location clearly outweigh the loss*”.
- 8.95 There are no special designations located within or around the application site. There are nearby areas of woodland, which benefit from substantial tree cover, including Warneage Wood and the new community forest to the south of Pack Hill.
- 8.96 The submitted ES identifies that the proposed development would result in the direct loss of one veteran (T172) and two TPO trees (T48 and T49). Further to this, a total of 55 other trees will need to be removed to deliver the proposed development. A further veteran tree (T110) would potentially have its root protection area encroached into by a proposed swale, however this is not anticipated to affect the ability for the tree to be retained. All other veteran trees identified within the Arboricultural Impact Assessment (September 2019) are located outside of the construction footprint and do not have protection areas which overlap with potentially damaging activities. In addition, 2.03km of hedgerow, of which 727m is considered to be ecologically important and 7m of which is historically important is proposed to be removed. Given the proposed development would result in the loss of hedgerows and a veteran tree, there is no scope to directly mitigate against the impact of this loss. The PPG (Paragraph: 034 Reference ID: 8-034-20190721) states that where the loss of any ancient or veteran trees is exceptionally permitted, a suitable compensation

strategy should be secured. These compensation measures could include the “planting new native woodland or wood pasture” and “planting individual trees that could become ancient or veteran trees in future” (PPG, Paragraph 034).

- 8.97 As identified earlier within this report, the site selection process sought to avoid, or minimise the impact on a number of considerations including biodiversity, heritage and flooding. Given the location of these constraints, and the competing interests, the route selection has sought to avoid as many adverse impacts as possible. In this instance however, it has not been possible to avoid all veteran or TPO trees and hedgerows alongside the other key considerations such as areas of archaeology and flood zones.
- 8.98 A majority of the trees which are proposed for removal are not specifically associated with other groups of trees which given them particular biodiversity value, whilst the trees themselves lack ecological interest by way of associated bat roosts or any other features. Given the extensive landscaping and planting proposed, including the 5ha of native woodland planting and 3.3km of new hedgerow, a majority of the adverse impacts resulting from the loss of trees and hedgerows are considered to be sufficiently mitigated. Whilst in the short term there will be a deficit of veteran trees, some of the mitigation tree planting species are envisaged to gain ancient or veteran status in the medium to long term. These forms of compensation are considered to accord with those identified within the PPG (Paragraph 034).
- 8.99 As part of the first consultation of the application, the Woodland Trust objected to the proposed development on the grounds that there would be a direct loss and detrimental impact to a number of trees with ancient or veteran status. This objection is on the basis that a number of trees identified on the Ancient Tree Inventory. It is noted that of the trees identified by the Woodland Trust as being veteran or ancient, T172 is not included within Appendix 1 of their comments. As part of the application submission, an arboricultural assessment was undertaken by the applicants which considered the Ancient Tree Inventory and involved a detailed assessment of the current status of the trees. As discussed above, significant attempts were made to avoid and minimise the potential loss of ancient or veteran trees and hedgerows, however alongside the other constraints, the scheme could not avoid the loss of one veteran tree. The Council’s Ecology Officer supports the recommendations made in the ES, whilst there is no objection to the application from Natural England.
- 8.100 The proposed development would result in the complete loss of a single veteran tree, which is therefore not possible to completely mitigate against. Whilst the proposed scheme will provide substantial biodiversity net gain, Officers do consider that there would be harm as a result of the loss of the veteran tree, in accord with NPPF Paragraph 175. The loss of this irreplaceable habitat, can only be permitted if there are wholly exceptional reasons and a suitable compensation strategy. The need for and benefit of the proposed development, in this particular location, must clearly outweigh the loss. This is further discussed in the ‘Concluding Comments and Planning Balance’ section below.

### Great Western Community Forest (GWCF)

- 8.101 Policy EN2 of the Local Plan requires development to contribute directly towards the objectives of the Great Western Community Forest (GWCF). This will be achieved by ensuring a net increase in tree cover through planting; the creation or enhancement of habitats for biodiversity; and by ensuring access for local communities to local woodlands. The NEV GI SPD also identifies a number of opportunities for woodland planting at the NEV.
- 8.102 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.
- 8.103 In the context of the NEV, the proposed SCR seeks to enable the delivery of the strategic allocation. As part of the scheme the proposed development proposes a significant increase in woodland planting in the form of woodland belts as well as specimen trees. It also seeks to create and enhance biodiversity opportunities, as well as provide access for the public to these small pockets along the SCR length. The specific design of these will be controlled by condition. The proposed development is therefore considered to meet the objectives of the Community Forest, in accord with Policy EN2 of the Local Plan.

### Summary

- 8.104 Whilst the proposed development would result in an adverse impact to a number of species and their habitats, the proposed mitigation is considered to ensure that an overall biodiversity gain is achieved in accord with the requirements of the NPPF and the Local Plan Policies. With respect to the impact on existing trees and hedgerows, the development would result in the loss of a veteran tree, as well as a number of other trees and hedgerows. As a result there must be wholly exceptional reasons for the development and a suitable compensation strategy. These matters are discussed further within the 'Concluding Comments and Planning Balance' section below.

### **Flooding and Drainage**

- 8.105 Paragraph 155 of the NPPF states *"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."*
- 8.106 Policies NC3 and EN6 of the Local Plan seek to minimise the risk of flooding within the development and at existing neighbouring communities. They also state that all developments must assess local flooding and drainage issues, and

incorporate Sustainable Drainage Systems (SuDS) where mitigation is required.

- 8.107 The SuDS Vision SPD provides further guidance to developers to inform planning applications at the NEV, primarily focusing on the management of surface water. The SPD 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.
- 8.108 After reviewing the original submission, the Environment Agency (EA) objected to the proposed development on the grounds that it would fall within a flood risk that is inappropriate for the Flood Zone and that the submitted Flood Risk Assessment (FRA) did not adequately assess the flood risks posed by the development. To address the objection from the EA, further clarification was provided with respect to the nature of the proposed development and how it is considered as 'Essential Infrastructure' within the PPG (Paragraph: 066 Reference ID: 7-066-20140306), which results in it being compatible with Flood Zone 3b.
- 8.109 In addition, a Technical Note (15/10/19) was submitted to address Paragraphs 157-162 of the NPPF which outlines the requirements in relation the sequential and exception tests. This technical note explains that the sequential test criteria have been met through the evaluation of the nature of development and its location. By virtue of this development being essential infrastructure and partly located within Flood Zone 3b, the exception test is required to be carried out. Paragraph 160 of the NPPF states that to pass the Exception Test, it must be demonstrated that the proposed development would provide wider sustainability benefits and that it would be safe for its lifetime, without increasing the risk of flooding elsewhere. The sustainability benefits outlined include that the proposed SCR would serve the largest strategic allocation identified within the Local Plan, whilst the mitigation proposals including the bridge and culverts over Liden Brook and the use of SuDS throughout the scheme are considered to sufficiently mitigate the impact of the development and ensure it will be safe for its lifetime without increasing the risk of flooding elsewhere.
- 8.110 Following a review of the initial submission, the Lead Local Flood Authority (LLFA) requested additional information in reference to discharge rates and the positioning and effectiveness of the proposed Sustainable Drainage Systems (SuDS). The revised submission included the relocation of the swales to the foot of the embankment, reduced the ground levels and provided further justification on discharge rates. In addition, the bridge over Liden Brook has been reduced in size, and now has an overall span of 11m. Further clarification was also provided within the FRA and drainage strategy identifying all of the attenuation features being located outside of the flood zones.
- 8.111 As a result of the amendments and additional information submitted as part of the application, the EA and the LLFA raise no objections with the proposed development and have recommended planning conditions. The application is

therefore considered to provide sufficient justification to ensure the risk of flood from the proposed development will be sufficiently mitigated, in accordance with Policies EN6 and NC3 of the Local Plan and the NPPF.

### **Design and Layout**

- 8.112 An underlying theme within the NPPF is the creation of healthy and inclusive communities. It states that *“good design is a key aspect of sustainable development”* (para 124). Policy DE1 of the Local Plan requires a high standard of design and includes a number of design principles that the development should meet. The proposal will be assessed in terms of the site’s context and character, the layout, form and function particularly with regards to the orientation, scale, massing, materials and detailing. Further to this, Policy SD1 requires development to be of a high quality of design to address the objectives of sustainable development.
- 8.113 The Access for All SPD states that inclusive design to support inclusive communities *“is about making places everyone can use and aims to remove the barriers that create undue effort and separation to enable everyone to participate equally, confidently and independently in everyday activities”*.
- 8.114 The proposed development forms a primary route from the strategic road network in to the NEV, and therefore represents one of the key gateways. Accordingly, there are opportunities for the scheme to contribute to the character and public realm of the wider NEV. Officers consider, in particular, that the new roundabout at Pack Hill, the proposed bridge across Liden Brook and the entrance to the Foxbridge development represent ideal opportunities to incorporate public art. The public art should relate to the wider NEV, and reflect the surrounding character and landscape, such as the AONB. It should also be distinctive to enhance legibility. A planning condition is recommended to require a public art strategy to be submitted.
- 8.115 The scheme therefore complies with the provisions of the NPPF and Policies DE1 and SD1 of the Local Plan.

### **Residential Amenity, Pollution, Contaminated Land and Climate Change**

- 8.116 Paragraph 170 of the NPPF states *“[P]lanning policies and decisions should contribute to and enhance the natural and local environment by: ... e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability...”*.
- 8.117 Further to this, Paragraph 180 of the NPPF states that *“[P]lanning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the*

*development. In doing so they should:*

- a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life;*
- b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and*
- c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.”*

- 8.118 Policy DE1 of the Local Plan requires development proposals to protect amenity in terms light, privacy, outlook, noise, disturbance, smell, pollution and space. Policy EN7 of the Local Plan also seeks to protect existing uses and proposed developments from inappropriate levels of pollution. Policies EN8 and EN9 of the Local Plan state that development on land that is either unstable or contaminated, shall only be permitted where an appropriate evaluation of the precise nature of the instability or contamination has been undertaken, and that any required mitigation measures have been suitably identified.
- 8.119 The application site is located east of the A419, approximately 1km west of Wanborough village. There are a number of isolated properties and farms located along The Marsh, closer to the application site. The northern section of the road would provide access to an area of planned residential development, and is therefore considered to be compatible with the surrounding land uses. Whilst the southern section passes through countryside, the characteristics are akin to the A419 which is located to the west of the application site.
- 8.120 Chapter 8 of the submitted ES reviews the potential impacts from the proposed development in terms of noise and vibration. It identifies that there are potential impacts on the residents of Meadow House, located to the west of the proposed scheme. Whilst the closest section of the proposed SCR to Meadow House is already operating as a highway, the use of this section is likely to intensify as a result of the proposed SCR and delivery of the NEV. As a result, mitigation measures such as the construction of a boundary wall are proposed to ensure the amenity levels of the residents are not significantly impacted by the proposed development. The location of the proposed SCR in relation to other residential properties is such that there are not considered to be any significant impact on the amenity levels of any other properties.
- 8.121 The application site is not within or adjacent to an Air Quality Management Area (AQMA) and is unlikely to have any significant effects on any other sensitive areas, such as Sites of Special Scientific Interest (SSSI). Chapter 7 of the submitted ES identifies a number of human health receptors, such as dwellings and farms within 200m of the proposed development, which could be adversely impacted from dust during the construction phase. Appropriate mitigation would be secured through the Construction and Environmental Management Plan (CEMP) to ensure none of the nearby receptors suffer significant effects in terms



of air quality. In addition, a dust action plan is also required by planning condition. Once the proposed SCR is operating, there is not considered to be a significant effect on the current air quality levels, and as a result no mitigation is considered necessary.

- 8.122 The application site is primarily agricultural land. Chapter 12 of the ES identifies that there is a potential issue with arsenic concentrations in the Lower Greensand sandy soils along parts of this route. Previous land contamination data for this area has found elevated levels of natural arsenic associated with the near surface soils around The Marsh. In situ, and relatively undisturbed, this is unlikely to present any issues, however consideration must be given to the reuse or displacement of soils and therefore the Construction and Environmental Management Plan (CEMP) must address this. A planning condition is recommended to require the submission of a CEMP prior to the commencement of development, and specifically requires additional measures in relation to the reuse of soil.
- 8.123 Chapter 16 of the ES identifies the potential impacts the proposed development could have on climate and its vulnerability to climate change. The key impacts identified relating to the effects on climate is the likely increase in emissions from vehicles, however these are considered unlikely to cause significant effects to the climate or significantly affect the UK's ability to meet its emissions reductions targets. In terms of the impacts relating to the vulnerability of climate change, providing mitigation measures such as best practice construction techniques and the careful selection of materials to ensure they can withstand changes in temperature are implemented, it is not considered that there are likely to be any significant impacts arising from the proposed development.
- 8.124 Officers are satisfied that the application has properly considered and assessed the impacts of the proposed development on nearby properties. The proposed development is therefore considered to be compatible with the existing and proposed surrounding land uses in that it would not cause material harm to the amenity levels of the existing and future residents, particularly in terms of noise, light and smell. The potential affects relating to air quality and climate change have also been fully considered. The proposed development is therefore considered to comply with the requirements of Policies DE1, EN7 and EN9.

### **Materials and Waste**

- 8.125 Local Plan Policy IN2 seeks to ensure development proposals take account of the capacity of existing off-site water and sewerage/waste water treatment infrastructure and the impact of development proposals on them.
- 8.126 Chapter 13 of ES assesses the effects associated with the use of materials and generation of waste associated with the proposed scheme. The primary elements the identified include the types and quantities of materials required for the project; details of the source of materials; waste that requires treatment, and is proposed for storage and re-use; and the impacts arising from any issues

identified. The ES summarises and concludes that the construction for the proposed road requires a large amount of raw materials and would generate some waste. Mitigation measures proposed include the re-use of materials from trenches and drainage features for the embankments, wherever possible, and the setting of waste and recycling targets for the scheme, in order to achieve a high recycling rate.

- 8.127 The proposed development does not seek to discharge any foul water or surface water on to the public network, and as such Thames Water have no objection to the proposed scheme.
- 8.128 Officers are satisfied, that subject to appropriate conditions, any impacts would be managed and that the proposed development satisfies the relevant policy requirements detailed above.

### **Canal Alignment**

- 8.129 Policy EN11 of the Local Plan requires developments to safeguard the indicative canal alignment, as identified on the Local Plan Policies Map, by ensuring the integrity of the canal alignment is protected; ensuring that where affected, the alignment is protected or an alternative alignment is provided; and ensuring associated infrastructure of development does not prejudice the delivery of the canal.
- 8.130 As outlined in the Chapter 3 (Alternatives Considered and Design Development) of the ES, the safeguarded canal alignment was considered throughout the design stages of the SCR route. One of the key considerations was understanding any potential implications if the proposed SCR route was required to cross the safeguarded canal, as this would be likely to require the SCR design to accommodate appropriate bridge or tunnel structures. A large proportion of the SCR route is located to the east of the safeguarded canal alignment, and as a result this route selection process has minimised the number of occasions where these two linear alignments would potentially need to cross one another. The key area where the routes would need to cross over one another is to the south, where the proposed roundabout with Pack Hill would be located.
- 8.131 Since the adoption of Figure 11 within the Local Plan, the Wilts and Berks Canal Trust (WBCT) have undertaken further work to understand the key constraints and environmental considerations with regard to delivering the canal. This has resulted in the preferred alignment shifting from the route illustrated on Figure 11 of the Local Plan. The WBCT has undertaken consultation on the current proposed alignment. The submitted 'SCR Proposed Route Overview Plan' (Rev P05 – 19/09/19) illustrates the revised canal alignment as of September 2019.
- 8.132 In terms of the potential relationship with the proposed SCR and Pack Hill roundabout, the revised canal alignment is located approximately 40m to the east of the safeguarded route at the point at which it would cross Pack Hill. Whilst the proposed SCR would result in the Pack Hill alignment being shifted to

the north to join the roundabout, this would not present any additional infrastructure for the WBCT to provide, as the proposed canal would need to include a tunnel beneath Pack Hill regardless of its position. Notwithstanding this, there are a number of opportunities which could be brought around delivering the SCR and canal alongside one another such as the shifting of soil and workforces, and as such the Council are open to continuing to work proactively with the WBCT.

- 8.133 The proposed development is considered to comply with the requirements of Policy EN11 of the Local Plan in that the canal alignment would be protected and that the proposed development would not prejudice its delivery.

### **Historic Environment**

- 8.134 The NPPF states that the historic environment contributes to the role of sustainable development by contributing to protecting and enhancing our natural, built and historic environment. Further to this Chapter 16 of the NPPF, states that local policy should provide *“a positive strategy for the conservation and enjoyment of the historic environment...”*
- 8.135 NPPF Para 189 states that *“[I]n determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance”*.
- 8.136 Paragraph 193 of the NPPF states that *“[W]hen considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be)”*.
- 8.137 Further to this, Paragraph 194 of the NPPF states *“[A]ny harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification”*. Significance is defined in the NPPF as *“the value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset’s physical presence, but also from its setting.”*
- 8.138 The PPG advises that *“[H]eritage assets may be affected by direct physical change or by change in their setting. Being able to properly assess the nature, extent and importance of the significance of a heritage asset, and the contribution of its setting, is very important to understanding the potential impact and acceptability of development proposals”* (Paragraph: 007 Reference ID: 18a-007-20190723).
- 8.139 Policy EN10 of the Local Plan seeks to ensure the historic environment in

Swindon is sustained and enhanced. It also states that development affecting heritage assets should conserve and where appropriate enhance their significance and setting; whilst archaeological sites should be preserved in a manner appropriate to their significance.

- 8.140 As can be seen from the comments of Historic England and the Council's Conservation Officer, issues were initially raised with the approach and assessment of the impact of the proposed development on the heritage assets, concluding that there was insufficient evidence provided to understand the impact of the proposal on the significance of any heritage assets and their setting. The issues raised warranted further work to be undertaken and resulted in a number of amendments being made to ES Chapter 9 and associated supporting documents including Appendix 9.5 – Settings Assessment. These amendments were submitted as part of the revisions. These included additional clarification confirming that intangible elements had also been considered as part of the assessment and a review of the impact of the proposed development on the setting of a number of listed buildings and conservation areas, the Roman Town of Durocornovium and Liddington Castle.
- 8.141 It is evident from the consultation responses received that there are some differences of opinion about the methodologies used in making the assessments. However, in line with paragraph 189 of the NPPF, the level of detail the applicant has now submitted has described the significance of the asset to a degree that is considered, by Officers, to be sufficient to understand the potential impact of the proposal of their significance.
- 8.142 Once that level of detail has provided the understanding, it is then possible to make the assessment as to the degree of harm to the significance of the asset as a whole and establish whether paragraphs 195, 196 and 197 of the NPPF would apply.

#### Archaeology

- 8.143 The Local Plan Policies Map identifies a Scheduled Monument, known as Durocornovium (DSM), located to the north of the application site. Liddington Castle Scheduled Monument (LCSM) is located approximately 3km to the south. Further to this, previous archaeological investigations have suggested that the Wanborough area is an area of known or potential archaeological interest, and therefore a number of assessments including geophysical survey and ground excavation were required prior to the determination of the application.
- 8.144 The submitted ES (including addendums) identifies through the geophysical survey that a number of previously unknown findings were located within the application site, as well as the surrounding area. In response to these findings, the route alignment considered a number of areas of potential archaeology. The ES identified the key areas of archaeological potential, and outlined which areas should be preserved in situ and which areas required further evaluation.

Planning conditions are recommended requiring the submission of a detailed mitigation strategy and management plan.

- 8.145 Chapter 9 and the associated appendices state that the significance of the LCSM, lies in its age (Bronze Age - early Iron Age) and setting amongst other prehistoric sites and monuments along the Ridgeway. Its prominent position is inherent to its former form and function as a defensive structure in that it enables clear views both of it and from it. Whilst the SCR would be located approximately 3km from distance from the proposed SCR, its prominent position within the wider open landscape is such that the application site and surrounding fields are considered to contribute to its setting. The proposed development is not considered to detract from the primacy of the hillfort, however Officers consider the inclusion of a new road, with lit junctions would have an effect on its significance. Officers therefore conclude the harm to the significance of the LCSM from the development within its setting would be on the lower end of less than substantial. This harm would therefore need to be weighed against the public benefits of the proposed.
- 8.146 Durocornovium (DSM) is located towards the northern end of Wanborough Road, to the east of the A419. Chapter 9 of the ES states the eastern edge of the DSM is located approximately 330m from the proposed crossroads of the Wanborough Road and the SCR. Further to this the ES outlines the primary way to of experiencing the DSM is from the roman road (Wanborough Road), which is characteristically straight and offers a rural feeling when approached from the south. The ES concludes that by virtue of the proposed development not altering the straightness of the road, it is considered that the proposed scheme would not harm the significance of the DSM.
- 8.147 Whilst Historic England (HE) raise no objection to the proposed development in principle, HE consider a key contributor to its setting of the DSM is the approach from the south along Wanborough Road where the landscape is rural in character with no footpaths or lighting and bounded closely by grass verges and hedgerows. The straightness of the road as it approaches the town is also considered to contribute towards its setting. As a result, HE consider that the proposed development would result in 'less than substantial harm' to the significance of the DSM. This would principally be as a result of the new cross road junction of the SCR and Wanborough Road, where the hard surfacing, street lighting, traffic signals and signage, would have an urbanising effect on the setting of this heritage asset.
- 8.148 Through the design of the proposed SCR, a number of other alternatives for the route alignment and crossing of Wanborough Road have been considered. The initial design of the SCR crossed Wanborough Road further north-west, which would have had been closer to, and potentially had a greater impact on the setting of the DSM. Other engineering solutions such as a bridge over Wanborough Road would also have potentially had a greater impact on its setting. Whilst the introduction of a crossroad with streetlights and traffic signals would have an impact on the existing character and setting of the DSM, the

proposed design, such as retaining the straightness of Wanborough Road and mitigation such as additional landscaping, is considered to reduce these adverse impacts as much as feasibly possible. Officers therefore consider that the proposed development would impact the existing character of Wanborough Road, which in turn would result in harm, on the lower end of 'less than substantial', being caused to the DSM. This harm would therefore need to be weighed against the public benefits of the proposed development.

### Built Heritage

- 8.149 With regard to listed buildings, Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the decision maker to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Where a development proposal affects a conservation area, section 72 of the Planning (Listed Buildings and Conservation Areas) Act requires that special attention be paid to the desirability of preserving or enhancing the character or appearance of Conservation Areas.
- 8.150 The wider surrounding area contains a number of designated heritage assets including the Conservation Areas of Upper Wanborough, Lower Wanborough and Liddington. The ES individually assesses the impact of the proposed development on the significance on each of these heritage assets, and concludes that no harm will arise. This is primarily due to the proximity to the A419 and Swindon urban area and the limited views of the application site from the conservation areas, as a result of the topography, intervening trees, hedgerows and buildings.
- 8.151 A number of historic buildings are also located within the vicinity of the application site. Appendix 9.5 of the ES individually assesses the significance of the heritage assets and whether their setting would be impacted by the proposed development. The closest of these heritage assets are Foxbridge Farmhouse and Moat Cottage/Lake Cottage, all of which are Grade II listed buildings, and are located approximately 400m from the application site. St Andrew's Church is a Grade I listed building located in Upper Wanborough, and is visible from parts of the application site. A number of non-designated heritage assets are located between the application site and Wanborough. The ES concludes that the distance of the assessed historic buildings from the application site, in addition to the topography and intervening vegetation, is such that the proposed development would not cause harm to the significance of any of these heritage assets from the development within their setting.
- 8.152 In terms of the methodology used in the submitted ES and associated Setting Assessment, the Conservation Officer suggested a holistic approach be taken to fully appreciate the contribution or experience of the designated asset, including its setting. The Conservation Officer considers the greenfield land surrounding the conservation areas and a number of the listed buildings to be intrinsic to their setting and contribute towards their significance and therefore concluded that by

virtue of this land being developed for the proposed SCR, the proposed development would cause some harm to the significance of a number of historic buildings and conservation areas from development within their setting.

- 8.153 Officers have reviewed the submitted information and comments received from consultees in relation to the impact on heritage assets. The proposed development would form a new road between Commonhead Junction and the proposed NEV to the north of Wanborough Road. Whilst the scale of development is not substantial vertically, sections of the proposed road would be between 1m and 4m above the existing ground level, whilst a number of bridges and culverts and substantial landscaping is proposed. It is therefore considered by Officers that these physical changes to the landscape, in addition to any potential noise and visual changes from the presence of vehicles using the new road, would impact the significance of the setting of a number of heritage assets, in particular the Upper Wanborough Conservation Area, Foxbridge Farmhouse and Moat Cottage/Lake Cottage. Whilst the ES identifies the distances between the application site and heritage assets, as well as intervening vegetation and buildings, Officers are of the view that the tranquillity and way the heritage assets are experienced would be affected by the proposed development, and therefore the level of harm would be on the lower end of 'less than substantial'.

### Summary

- 8.154 As discussed above, a full assessment of the impact of the proposed development on the heritage assets has been undertaken. Historic England and the Conservation Officer both conclude that the ES underestimates harm to the heritage assets, although consider the degree of harm to be "less than substantial". It is recognised by Officers that there would be some harm to the significance of the conservation areas, listed buildings and Scheduled Monuments from development within their setting, however in all cases the proposed development would largely preserve the character and quality of the fabric of heritage assets and therefore that harm would be 'less than substantial'. The factors discussed above, in addition to the mitigation proposed by the scheme is such that the harm in all cases would be on the lower end of 'less than substantial'.
- 8.155 NPPF Paragraph 196 deals with 'less than substantial harm', and states "*Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use*".
- 8.156 In accordance with the requirements of the NPPF and the Planning (Listed Buildings and Conservation Areas) Act 1990, the heritage assets have been assessed in terms of their significance. It has been concluded that harm, on the lower end of 'less than substantial' would be caused to the significance of a number heritage assets by the proposed development which is within their setting. The less than substantial harm caused to the significance of the heritage

assets from development within their setting must therefore be given great weight and importance and weighed against any public benefits of the scheme. This is further discussed in the 'Concluding Comments and Planning Balance' Section.

### **Construction Stage**

- 8.157 The submitted ES and associated appendices assess the potential impact of the proposed development on each of the relevant considerations including landscape, ecology and amenity of nearby residents, during the construction phase. In terms of the effects on visual amenity and noise, the properties most likely to be affected are those closest to the proposed scheme. Whilst in most cases there is some intervening trees and vegetation, in some cases it is considered that the occupiers of the nearby properties may be impacted by construction machinery, in terms of noise and movements. In particular, Meadow House is likely to be impacted by noise and visual impact due to the proximity to the proposed SCR. Further detailed mitigation in the form of additional landscaping and boundary treatments is likely to be required, the detailed design of which will be controlled by condition.
  
- 8.158 The key impact on climate change relates to the emission from construction vehicles and those moving soil. The key mitigation measures include re-using material where possible and adopting a design which minimises the need for excavation and moving material. These will be controlled by condition.
  
- 8.159 As part of construction phase, construction compounds and associated lighting will be located away from highly visible areas. These are proposed to be located on the south-east corner of the proposed junction between the proposed SCR and Wanborough Road and to the south of the proposed roundabout within Pack Hill. A condition is recommended to require the developer to submit a Construction and Environmental Management Plan (CEMP). This will seek to control the measures outlined above, as well as other elements of the construction process such as issues from dust and vibration, vehicle movements and loading, and construction traffic routes to and from the site.
  
- 8.160 To ensure existing biodiversity and ecology habitats are also protected, a Landscape and Ecological Management Plan is also proposed which will include measures such as ensuring appropriate buffers are implemented around water bodies. In addition, existing vegetation to be retained will be protected from construction activities.

### **Other Matters**

- 8.161 A number of representations received from local Councillors, residents and land owners refer to potential impacts on traffic, highway safety, surrounding landscape, archaeology, amenity and flooding. These matters have been addressed earlier within the report. Other comments include:



- The proposed SCR should be a dual-carriageway;
- Can the roundabout accommodate the Inlands Farm development coming forward;
- Through any Compulsory Purchase Order (CPO), the land for the proposed canal should also be secured;
- The proposed SCR should be constructed at the same time as the canal;
- A bypass from Commonhead to the A420 should be proposed;

8.162 Officers are required to assess the material planning considerations before them. A Design Statement has been submitted with the application to identify the optimum design and alignment. In regards to the development proposed at Inlands Farm, this is subject to a separate planning application. Whilst some comments refer to other suggested proposals, these do not form part of this planning application.

8.163 A number of residents and land owners within and adjacent to the application site have provided comments on the submitted application. These include comments from proposed developers who have interest in potential residential development opportunities within the NEV. Objections from Alder King (representing Danescroft LLP and David Wilson) and David Lock (representing Hannick Homes) primarily raised objections relating to the vertical and horizontal alignment of the proposed SCR and the location of some proposed mitigation due to its potential impact on the wider masterplanning of the area. To address this, the applicant opted to revise elements of the proposed development, including reducing the ground level. Officers also requested the submission of a submitted Design Statement (October 2019) to outline the key reasons for the design of the proposed development. The statement concluded that the proposed route for the SCR is the optimum route that has been designed to deliver the objective of the proposed development whilst having minimum overall negative effects. The statement, under the heading 'Optimum Design', states, *"The proposed horizontal and vertical alignment of the Proposed Scheme represents the optimum design in terms of balancing the design objectives and engineering challenges of the Scheme, with the physical constraints set out below. These include a scheduled monument, archaeological areas, the floodplain, the high underground water table, the topography of the area, landscape value, drainage infrastructure and the safeguarded canal alignment* (page 3, *Southern Connector Road – Design Statement*, Atkins, 10<sup>th</sup> October 2019). On the 30<sup>th</sup> October 2019, Danescroft LLP withdrew their objection although the objection from David Wilson remains. The acceptability of the proposed development, taking into account the development plan and material considerations is assessed in this report.

8.164 Within the letter of 25<sup>th</sup> October 2019, Alder King suggest that this planning application contributed to revising the proposed canal alignment. For the avoidance of doubt, the Wilts and Berks Canal Trust has been working independently on the proposed canal alignment and Officers have not been involved with its production.

- 8.165 Other land owners, represented by Webb Paton and Womble Bond Dickinson have raised a number of other objections including the following:
- That appropriate access from the SCR to land retained by the land owner has not been provided.
  - That suitable infrastructure such as pathways, cattle pens, gates and boundary treatments has not been proposed.
- 8.166 These matters have either been addressed within the report, addressed by the proposed planning conditions or relate to the land agreement which is not material to this planning application.

## **9 Concluding Comments and Planning Balance**

- 9.1 Developments are required to be determined in accord with the Development Plan, in this case the Swindon Borough Local Plan 2026 (Local Plan), under Section 38(6) of the Planning Act unless material considerations, including the NPPF, indicate otherwise. The NPPF (Paragraph 8) refers to sustainable development, principally being through economic, social and environmental considerations, each of which are mutually supportive.
- 9.2 Local Plan Policy NC3 identifies the principle for the scheme coming forward to enable the delivery of the New Eastern Villages (NEV). There is an acknowledged need to meet the Borough's housing and economic requirements for growth in accordance with the Local Plan. The proposed Southern Connector Road (SCR) is a significant proposal within the Local Plan required to deliver a significant amount of housing. It forms a key part of the strategic transport package to enable the sustainable delivery of the NEV, and is therefore considered to be fully supported by the overarching objectives of the policies within the NPPF. The proposed development is also considered to contribute towards progressing the Strategic Objectives outlined within Part 3 of the Local Plan.

### **Impact and Harm**

- 9.3 With regard to more specific matters, Officers have assessed the proposed development in accordance with the NPPF and relevant Act, and consider the proposed development to have the potential to result in harm to a number of heritage assets through development within their setting. Officers and Historic England agree that this harm is considered to be on the lower end of 'less than substantial harm'. The NPPF states that "*great weight should be given to the asset's conservation*" (Paragraph 193), and that the "*harm should be weighed against the public benefits of the proposal*" (Paragraph 196). Policy EN10 of the Local Plan states that any harm to the significance of a heritage asset must be justified and weighed against the public benefits, having considered reasonable efforts to mitigate the extent of the harm to the significance of the asset. Whilst the proposed development would not directly affect or harm the fabric of any

heritage asset, it would result in harm to the significance of a number of heritage assets from development within their setting. As the likelihood of harm has been identified to heritage assets, and therefore great weight must be attributed to this harm. In accord with Policy EN10 of the Local Plan and Paragraphs 194 and 196 of the NPPF, it then falls as to whether there is clear and convincing justification for the identified harm, when taking in to account the public benefits of the proposed scheme. This balance is addressed in the paragraphs below.

- 9.4 The proposed application would result in the loss of a single veteran tree (T172). Paragraph 175 c) of the NPPF states that *“development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists”*. Policy EN1 of the Local Plan also states that development that will result in the loss of a veteran tree, will only be permitted where the need for, and benefits of, the development in that location clearly outweigh the loss. The footnote for Paragraph 175 c) of the NPPF states that an example of a wholly exceptional reason could be an infrastructure project *“where the public benefit would clearly outweigh the loss or deterioration of habitat”*. The public benefits of the scheme are discussed below.
- 9.5 The proposed development affects the AONB and whilst a limited proportion of the application site falls within the AONB, Officers address the requirements of paragraph 172, as the proposal affects the setting. The public benefits of the scheme are discussed below.
- 9.6 There would also be some impact on nearby properties which will experience some levels of visual and noise pollution, however it is anticipated that with mitigation measures these are not considered to be significant. In addition, the proposed development would result in a number of identified changes to the pattern and form of the landscape character. There would also be some effect in terms of visual impact, primarily where the proposed SCR would be raised over the Liden Brook and nearby watercourses. Once the mitigation measures have been fully implemented, the adverse impact on these considerations is considered to be minor, and therefore carry little weight. It is also important to consider the scheme will enable delivery of a large number of homes at NEV. The actual impact of the NEV was considered in strategic terms during the preparation of the Local Plan and each development in the NEV will be assessed for its landscape impact as planning applications come forward.
- 9.7 As identified with the Design Statement, the route alignment has undergone a comprehensive selection process. It is also important to note that the route selection process balanced a range of potential effects identified including heritage, veteran trees and flood zones. Therefore while not every assessed route would have the same effect on heritage assets, other routes were rejected for reasons identified and outlined within the application submission.

### Public Benefits

- 9.8 With respect to the public benefits of the scheme, the adopted Local Plan outlines the Council's strategy for growth within the Borough. Policy NC3 of the Local Plan outlines the key policy requirements to enable the delivery of the NEV, including the need for a link from the Commonhead Junction to the NEV. This supports the objectives within Paragraphs 102 and 104 of the NPPF. Given the Government's objective to significantly boost the supply of homes (NPPF, Paragraph 8), the proposed development advances the objectives of the NPPF through supporting the delivery of housing within the NEV that is planned to deliver about 8,000 homes, making a significant contribution to meeting the Boroughs housing supply through the delivery of this key Local Plan allocation, including affordable housing and wheelchair accessible housing in line with the Council's strategy. The SCR forms an essential part of the access strategy for the entire NEV development whilst also providing direct access to unlock land for the development of at least 4,500 homes within the NEV. Officers attribute significant weight to this in the decision making process.
- 9.9 In addition to the delivery of new homes, the NEV also delivers employment growth and the supporting infrastructure such as health, education, shops and leisure facilities. The economic benefits arising from the proposed NEV development can only be realised if the necessary supporting infrastructure, including the SCR is in place to support the delivery of the NEV allocation. The construction of the proposed SCR and the homes and other development that it would enable would result in new jobs in the construction industry.
- 9.10 In addition to the proposed SCR being part of the strategic transport package to serve the NEV, the pathways on each side would provide key links and opportunities for pedestrians and cyclists to and from the planned new communities. In line with Policy TR1 of the Local Plan this would support and encourage sustainable transport methods. Along the route of the SCR, there will be opportunities for public art and public realm which would enhance character and appearance of the area in accord with Policy DE1 of the Local Plan.
- 9.11 A number of the environmental improvements are proposed as part of the scheme with further details secured by condition, including 5ha of woodland tree planting and 3.3km of hedgerow planting. These would also contribute to mitigating the impact of the proposed development on the heritage assets and landscape. The application submission identifies a biodiversity net gain as a result from the proposed development, therefore supporting the objectives of Paragraph 170 of the NPPF and Policy EN4 of the Local Plan.
- 9.12 Given the extent and impact of these public benefits, in particular the contribution to enabling the delivery of the NEV, it is considered that great weight should be attributed to them.
- 9.13 Turning to the impact on the significance of the heritage asset the application, Officers are satisfied that clear and convincing justification for the less than substantial harm to the heritage assets has been demonstrated given the

reasons for the route selected and the need for the proposed scheme. The scheme is therefore in accordance with Paragraph 194 of the NPPF. With regard to Paragraph 196 of the NPPF, Officers consider the public benefits are such that they outweigh the harm identified to the significance of the heritage assets.

- 9.14 With respect to the loss of the veteran tree, as stated in Paragraph 9.4 above, there must be exceptional reasons for the application to not be refused and a suitable compensation strategy in place. Given the proposed development is an infrastructure project that provides significant public benefit as identified above and delivers a critical strategic element of the Borough's planning strategy, Officers consider that there are exceptional reasons for the loss of the veteran tree. Officers are also satisfied that a suitable compensation strategy is proposed as part of the scheme in accord with those identified within the PPG (Paragraph: 034 Reference ID: 8-034-20190721) including substantial new tree and hedgerow planting as well as the planting of trees which could become veteran or ancient in future.
- 9.15 With respect to the impact on the AONB, Officers consider that there are exceptional circumstances given that the proposed development would deliver critical infrastructure in accordance with the Borough's planning strategy and deliver significant public benefits, as identified above and therefore the requirements of the NPPF are met.
- 9.16 The development would be sustainable in economic and social terms as it would enable the delivery of a large number of new dwellings at the NEV strategic allocation, which in itself forms a significant contribution to the Borough's housing supply in accordance with the adopted Local Plan. This provision would also result in an increased choice of housing, including affordable housing which would contribute towards meeting the needs for the new local communities. In relation to the environmental dimension, benefits would be realised in relation to some environmental matters including biodiversity gain and increased woodland planting, but harm in relation to others including to heritage assets and the loss of a veteran tree. These are considered to be outweighed by the public benefits of the scheme.
- 9.17 Taking the three dimensions together, Officers consider that the social and economic benefits are of such importance that they would outweigh the environmental harm caused to heritage assets and the veteran tree. Having regard to the other environmental considerations including the proposed net biodiversity gain and mitigation measures, the proposed development accords with the NPPF as a whole and represents sustainable development.
- 9.18 Officers consider that a suitably robust route selection process has taken place to conclude that there is no alternative route that would avoid the harm identified without creating further harms of their own. Overall, having applied the tests under Sections 66 and 72 of the Planning Listed Buildings Conservation Areas Act 1990, the Local Plan Policies, the NPPF and any other material considerations, Officers conclude that the need for the scheme and the public

benefits it derives would clearly outweigh the identified loss or harm. Officers therefore recommend that that planning permission should be granted.

## **10     Recommendation**

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

- (a) 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; and,
- (b) The agreement of strategic highway matters with Highways England, as outlined within Paragraph 8.44 of this report.

## **Planning Conditions**

### Time Limit

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
Reason: To comply with the requirements of Section 91 (1) of the Town & Country Planning Act 1990.

### Approved Plans

2. The development hereby permitted shall be carried out in accordance with the plans listed below:
  - SCR Proposed Route Overview Plan drawing number NEVSCR-ATK-HML-SCR-DR-D-0019 rev P05 received 20.09.19

### Further Supporting Statements submitted October-November 2019:

- Design Statement (Atkins letter 10.10.19)
- Sequential and Exception Test Technical Note (Atkins 15.10.19)
- Great Crested Newt Survey Summary (Atkins Technical Note 21.10.19)
- Outline Archaeological Management and Mitigation Strategy (Atkins 22.11.19)
- Walking, Cycling and Horse-Riding Assessment Report (Atkins 25.10.19)
- Walking, Cycling and Horse-Riding Review Report (Atkins 25.10.19)

### Revised submission 20.09.19:

- Environmental Statement Appendix 10.6 Arboricultural Impact Assessment (Addendum September 2019)
- Environmental Statement Appendix 10.2 Assessment Criteria and Terminology (Addendum September 2019)
- Environmental Statement Chapter 11 Biodiversity (Addendum September 2019)
- Environmental Statement Chapter 14 People and Communities (Addendum September 2019)
- Environmental Statement Appendix 9.5 Settings Assessment (Addendum September 2019)
- SCR Transport Assessment Addendum Transport Report v 1.0
- SCR Transport Assessment Addendum Report v 1.0 - Appendices
- Drawing reference NEVSCR-ATK-ELS-SCR-DR-L-0123 rev P06 Environmental Mitigation Proposals (sheet 5 of 5)
- Drawing reference NEVSCR-ATK-HML-SCR-DR-D-0018 rev P06 General Arrangement (sheet 5 of 5)
- Drawing reference NEVSCR-ATK-HML-SCR-DR-D-0019 rev P05 Proposed Route Overview Plan

### Revised submission 19.07.19:

- Environmental Statement Chapters 3, 4, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 and 19 and associated Figures and Appendices (details below):

- Environmental Statement Chapter 3 - Alternatives Considered and Design Development (Addendum July 2019)
- Environmental Statement Chapter 4 - The Proposed Scheme (Addendum July 2019), including Appendix 4.1 (Parts 1 and 2) and Figure 4.1 Environmental Constraints Plan.
- Environmental Statement Chapter 9 - Cultural Heritage (Addendum July 2019), including Figures 9.1, 9.2 and 9.3 and Appendix 9.5 Settings Assessment (Addendum).
- Environmental Statement Chapter 10 - Landscape Visibility Impact Assessment (Addendum July 2019), including Figures 10.4, 10.6 (sheets 1- 18), Figure 10.7, Appendix 10.4 Assessment of Effects on Landscape and Appendix 10.5 Assessment of Effects on Visual Amenity.
- Environmental Statement Chapter 11 - Biodiversity (Addendum July 2019) and Appendix 11.16 Biodiversity Calculations.
- Environmental Statement Chapter 12 – Geology and Soils (Addendum July 2019)
- Environmental Statement Chapter 13 – Materials and Waste (Addendum July 2019)
- Environmental Statement Chapter 14 – People and Communities (Addendum July 2019)
- Environmental Statement Chapter 15 - Road Drainage and Water Environment (Addendum July 2019) and Appendix 15.1 Flood Risk Assessment and Drainage Strategy (Parts 1 to 4) and Appendix 15.2 Water Framework Directive Assessment.
- Environmental Statement Chapter 16 - Climate Change (Addendum July 2019) and Appendix 16.1 Carbon Calculator.
- Environmental Statement Chapter 17 – Cumulative Effects (Addendum July 2019)
- Environmental Statement Chapter 18 – Environmental Commitments (Addendum July 2019)
- Environmental Statement Chapter 19 – Summary of Significant Effects (Addendum July 2019)
- Environmental Statement Volume 1 Non-Technical Summary (Addendum July 2019) and Summary of Changes.
- General Arrangement; drawings NEVSCR-ATK-HML-SCR-DR-D-0014 rev P05, NEVSCR-ATK-HML-SCR-DR-D-0015 rev P05, NEVSCR-ATK-HML-SCR-DR-D-0016 rev P05, NEVSCR-ATK-HML-SCR-DR-D-0017 rev P05 and NEVSCR-ATK-HML-SCR-DR-D-0018 rev P05.
- Cross Sections; drawings NEVSCR-ATK-HGN-SCR-DR-D-0026 rev P03 (sheet 1 of 2) and NEVSCR-ATK-HGN-SCR-DR-D-0027 rev P03 (sheet 2 of 2)
- Environmental Mitigation Proposals; drawings NEVSCR-ATK-HGN-SCR-DR-L-0119 rev P05 (sheet 1 of 5), NEVSCR-ATK-HGN-SCR-DR-L-0120 rev P05 (sheet 2 of 5), NEVSCR-ATK-HGN-SCR-DR-L-0121 rev P05 (sheet 3 of 5), NEVSCR-ATK-HGN-SCR-DR-L-0122 rev P05 (sheet 4 of 5) and NEVSCR-ATK-HGN-SCR-DR-L-0123 rev P05 (sheet 5 of 5).
- Kerb and footways; drawings NEVSCR-ATK-HKF-SCR-DR-D-0001 rev P03, NEVSCR-ATK-HKF-SCR-DR-D-0002 rev P03, NEVSCR-ATK-HKF-SCR-DR-D-



0003 rev P03, NEVSCR-ATK-HKF-SCR-DR-D-0004 rev P03 and NEVSCR-ATK-HKF-SCR-DR-D-0005 rev P03.

- Lighting; drawings NEVSCR-ATK-HLG-ZZ-DR-LE-0001 rev P03, NEVSCR-ATK-HLG-ZZ-DR-LE-0002 rev P03, NEVSCR-ATK-HLG-ZZ-DR-LE-0003 rev P04, NEVSCR-ATK-HLG-ZZ-DR-LE-0006 rev P03, NEVSCR-ATK-HLG-ZZ-DR-LE-0007 rev P03 and NEVSCR-ATK-HLG-ZZ-DR-LE-0008 rev P03.
- Plan and Profiles; drawings NEVSCR-ATK-HML-SCR-DR-D-0133 rev P03, NEVSCR-ATK-HML-SCR-DR-D-0133 rev P03, NEVSCR-ATK-HML-SCR-DR-D-0134 rev P03, NEVSCR-ATK-HML-SCR-DR-D-0135 rev P03, NEVSCR-ATK-HML-SCR-DR-D-0136 rev P03, NEVSCR-ATK-HML-SCR-DR-D-0137 rev P03 and NEVSCR-ATK-HML-SCR-DR-D-0138 rev P03.
- Public Right of Way Crossings; drawings NEVSCR-ATK-HKF-SCR-DR-D-0006 rev P02 and NEVSCR-ATK-HKF-SCR-DR-D-0007 rev P02.
- Site Clearance; drawings NEVSCR-ATK-HSC-SCR-DR-D-0001 rev P03, NEVSCR-ATK-HSC-SCR-DR-D-0002 rev P03, NEVSCR-ATK-HSC-SCR-DR-D-0003 rev P03, NEVSCR-ATK-HSC-SCR-DR-D-0004 rev P03 and NEVSCR-ATK-HSC-SCR-DR-D-0005 rev P03.
- Proposed Site Layout; drawing NEVSCR-ATK-HML-SCR-DR-D-0019 rev P03
- Site Location Plan (and Existing Site Layout Plan); drawing NEVSCR-ATK-HGN-SCR-DR-D-0030 rev P03.
- Structures; drawings NEVSCR-ATK-SBR-SCR-DR-C-0014 rev P02, NEVSCR-ATK-SBR-SCR-DR-C-0015 rev P04, NEVSCR-ATK-SBR-SCR-DR-C-0016 rev P02, NEVSCR-ATK-SBR-SCR-DR-C-0017 rev P04, NEVSCR-ATK-SBR-SCR-DR-C-0018 rev P02 and NEVSCR-ATK-SBR-SCR-DR-C-0019 rev P02.
- Traffic Light Signals; drawings NEVSCR-ATK-HSN-SCR-DR-D-0011 rev P03, NEVSCR-ATK-HSN-SCR-DR-D-0012 rev P03, NEVSCR-ATK-HSN-SCR-DR-D-0013 rev P03, NEVSCR-ATK-HSN-SCR-DR-D-0014 rev P03 and NEVSCR-ATK-HSN-SCR-DR-D-0015 rev P03.
- Typical Cross Sections and Earthworks; drawing NEVSCR-ATK-HML-ZZ-DR-D-00071 rev P01.

Reason: To define the scope of the development hereby permitted, in accordance with section 72 of the Town and Country Planning Act 1990.

#### Construction Phasing Plan

3. No works, including any site clearance or demolition works, shall take place until a Construction Phasing Plan, showing the scheme into defined work phases has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development hereby approved shall not proceed other than in accordance with the approved Construction Phasing Plan.

Reason: It is necessary that the stages of development and the provision of associated infrastructure follow a coordinated sequence and in order to minimise construction impacts.

#### Construction Method Statement (CMS)

4. No development shall take place, including any works of demolition or site clearance, until a Construction Method Statement has been submitted to and

approved in writing by the local planning authority. The Construction Method Statement shall provide for:

- i. A traffic management plan to include:
  - a) construction vehicle routes to and from and within the site with distance details;
  - b) arrangements for recording construction vehicle movements to and from the site, including registrations and time of arrival/departure and making available those records for inspection;
  - c) details of temporary access points and parking areas for construction vehicles, site operatives and visitors;
  - d) contact details for site manager and a liaison procedure with the local community; and
  - e) a construction workers travel plan.
- ii. for the loading, unloading and storage of plant and materials, including swept paths of vehicle movements within the site;
- iii. a scheme for the on-site maintenance and repair of plant and other equipment/machinery, including locations for storage of those items;
- iv. details of a procedure for wheel washing and vehicle wash down of all site construction traffic leaving any of the construction sites;
- v. a device for removing debris from the highway to ensure the highway is clear at all times and is on 24 hour call out (excluding those days where construction is not permitted);
- vi. notwithstanding the approved layout plans, details for the location of construction compounds and details of temporary buildings, enclosures and staff facilities;

The approved Construction Method Statement shall be adhered to throughout the construction period.

Reason: To reduce the potential impact on the existing public highway during the site preparation and construction phases of development.

#### Construction and Environmental Management Plan (CEMP)

5. Prior to the commencement of works of any development on any phase hereby approved under Condition 3, including any works of demolition or site clearance, a Construction and Environmental Management Plan (CEMP) for that phase of development shall be submitted to and approved in writing by the Local Planning Authority. This shall deal with the protection of any vulnerable areas, such as watercourses on and off site during the works. The Construction and Environmental Management Plan shall include:
  - i. a timetable for implementation;
  - ii. details of petrol and oil interceptors to be provided;
  - iii. details of security and acoustic hoardings, including erection of;
  - iv. measures to control and manage site waste management;
  - v. a method statement outlining specific measures to be adopted for the control of noise and vibrations, including pile driving (in accordance with BS: 5228), dust, smoke, fumes and other air borne pollutants and debris during construction;
  - vi. artificial lighting shall be designed, installed and maintained in full compliance with the obtrusive light limitations for exterior lighting installations for

- environmental zone 2 of The Institution of Lighting Professionals (ILP):  
Guidance Notes for The Reduction of Obtrusive Light GN01:2011.
- vii. details of all mitigation measures outlined within ES Volume 1 Chapter 11 Biodiversity Rev 3.0 (Atkins) and associated Appendices;
  - viii. measures for the treatment of environmentally sensitive areas and how the environment will be protected during the works to include:
    - a) Site walkover survey by a suitably experienced Ecological Clerk of Works to ensure that the status of the Site for habitats and species has not significantly altered since planning consent;
    - b) A Precautionary Working Method Statement (PWMS) for badger;
    - c) The measures to be used during the development in order to minimise and reduce the environmental impact of the works (considering both potential disturbance and pollution);
    - d) A map or plan showing habitat areas to be specifically protected (identified in the ecological report) during the works; and,
    - e) Any necessary mitigation for protected species during construction.
  - ix. any pollution and contamination protection methods required during construction;
  - x. programme of land reinstatement for tree planting during construction;
  - xi. details of any archaeological areas to be protected from construction activities and preserved in situ; and
  - xii. details of the persons/ bodies responsible for particular activities to be controlled by the CEMP including to demonstrate suitably qualified for the activity they are undertaking or supervising (e.g. Ecological Clerk of Works).

The approved CEMP shall be adhered to throughout the construction period and shall be implemented in accord with the approved timetable. A monitoring report outlining compliance with the CEMP shall be submitted to the local planning authority every 6 months from this conditions discharge.

Reason: To ensure the protection of wildlife and secure opportunities for the enhancement of the nature conservation value of the site in line with national planning policy, by prevention of unnecessary disturbance and pollution of any sensitive features.

#### Full Technical Design Details

6. For each work phase approved under condition 3, detailed drawings of the following aspects of the scheme numbered i-v and a detailed timetable for implementation, in broad accordance with the approved plans shall be submitted to and be approved in writing by the Local Planning Authority before the works approved in that work phase are begun;
  - i. new access points to/from the SCR;
  - ii. full highway technical design details;
  - iii. street furniture and equipment (including signals, control equipment, signage, benches);
  - iv. bus stop infrastructure; and
  - v. utility infrastructure to enable the future installation of pedestrian crossing facilities

The development shall be carried out in accordance with these approved details.

Reason: To ensure the appearance of the development is satisfactory.

### Landscape Scheme

7. No development shall take place until a hard and soft landscape scheme, to include a timetable for implementation, in broad accordance with the approved Environmental Mitigation Plans (as detailed in Condition 2) has first been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include:
  - i. all hard landscaping and surfaces (including existing and proposed finished ground levels, paving, surfaces, edge details)
  - ii. soft landscaping (including all trees, hedgerows and other planting) showing existing planting to be retained and new planting (including numbers, density, size, species and positions), root barriers to enable planting to be carried out in close proximity to underground services, flood retention ponds, ground and earth modelling;
  - iii. boundary treatments including any gates, fences, walls (including samples where appropriate);
  - iv. public art and public realm;
  - v. a programme for implementation.

The development shall be carried out in accordance with these approved details and shall be implemented in accord with the approved timetable.

Reason: To ensure the appearance of the development is satisfactory.

### Landscape Maintenance

8. All hard and / or soft landscape works shall be carried out in accordance with the details approved under Condition 7. The works shall be carried out prior to the use of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. Any trees or plants indicated on the approved scheme which, within a period of five years from the date of the development being completed, die, are removed or become seriously damaged or diseased shall be replaced during the next planting season with other trees or plants of a species and size to be first approved in writing by the Local Planning Authority. All hard landscape works shall be permanently retained in accordance with the approved details.

Reason: To ensure that the landscape scheme is implemented and maintained.

### Protection of retained trees and other vegetation during the construction period

9. No work of any kind shall take place within a work phase approved under condition 3 until the Local Planning Authority has approved in writing for that work phase the location and design of protective fences in accordance with BS5837 for trees and other vegetation to be retained and the approved protective fencing details have been erected. The approved fence(s) shall be in place before any equipment, machinery or materials are brought on to the site for the purposes of the development and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Within the fenced area(s) there shall be no scaffolding, no stockpiling of any materials or soil, no machinery or other equipment parked or operated, no traffic over the root system, no changes to the soil level, no excavation of trenches, no site huts, no fires lit, no dumping of toxic chemicals and no retained trees shall be used for winching purposes. If any retained

tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the council.

Reason: To protect the retained trees and other vegetation from damage during construction and in recognition of the contribution which the retained trees and vegetation give and will continue to give to the amenity and ecology of the area.

#### Construction and delivery hours to site during construction

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

- 0730 to 1800 Monday to Friday;
- 0800 to 1300 Saturdays; and
- Not at all on Sundays, Bank Holidays and Public Holidays.

Reason: To protect residential amenity and highway safety.

#### EA4 – Landscape and Ecological Management Plan (LEMP)

11. No development shall take place until a Landscape and Ecological Management Plan (LEMP), including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas, has been submitted to and approved in writing by the local planning authority. The landscape and ecological management plan shall be carried out as approved.

The scheme shall include the following elements:

- i. Habitats which will be removed, retained, created and enhanced as informed by the ecological surveys outlined within ES Volume 1 Chapter 11 Biodiversity Rev 3.0 (Atkins) and which will need to be updated every two years;
- ii. Details of all recommendations and mitigation measures outlined within ES Volume 1 Chapter 11 Biodiversity Rev 3.0 (Atkins) and associated Appendices;
- iii. Details of treatment of site boundaries and the buffers around water bodies e.g. fencing and/or planting;
- iv. Details of provision for animal passage, including otters, through all water course crossings during periods of high flow, especially the Liden Brook bridge. If natural banks are expected to become inundated under bridges during flood conditions, ledges should be provided in accordance with the Design Manual for Roads and Bridges;
- v. Details of the long term monitoring to ensure that the provisions provided result in a net gain, and confirmation of a commitment to amend aspects of site management should site conditions mean that the biodiversity features are not providing the net gain anticipated;
- vi. Details of management responsibilities for the biodiversity features identified in ES Volume 1 Chapter 11 Biodiversity Rev 3.0 (Atkins) across the whole site in the long term and, if necessary, commitment that the features will be

managed coherently across the site if separate management companies are employed.

Reason: To ensure the protection of wildlife and supporting habitat. Also, to secure opportunities for enhancing the site's nature conservation value in line with national planning policy and adopted policy EN4 of the Swindon Borough Local Plan 2026.

#### Lighting Strategy

12. Prior to the commencement of development, a Lighting Strategy for all street lighting to include details of location, detailed design, external appearance and a lighting level contour plan to assess light spill impacts on ecology, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with these approved details.

Reason: To ensure the proposed does not have a adverse impact on ecology and amenity.

#### Ecological Mitigation Strategy (EMS)

13. Prior to the commencement of development, an Ecological Mitigation Strategy for ground nesting birds including details of the location, design, programme, management and maintenance responsibilities, shall be submitted to and agreed in writing by the local planning authority. The approved EMS shall be implemented in accordance with the approved timetable.

Reason: To ensure appropriate mitigation for ground nesting birds.

#### EA1 – Flood Compensation

14. No development shall take place until details to provide full floodplain compensation on a level for level basis 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.

Reason: To prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided.

#### EA2 – Watercourse Crossing

15. No development shall take place until the details of main river crossings have been submitted to, and approved in writing by, the local planning authority. The details should maintain the following as a minimum:

- i. Sufficient capacity for the 1% AEP plus 70% climate change event as outlined within the FRA
- ii. Soffit levels above the 1% AEP plus 70% climate change event with 600mm freeboard for debris

The scheme shall be fully implemented and subsequently maintained, in accordance with the approved details.

Reason: This condition is applied to ensure there are no detrimental impacts to flood storage or flood flow routes as a result of loss of floodplain storage.

#### EA3 – Flood Risk

16. The development permitted by this planning permission shall be carried out in accordance with the flood risk assessment reference 5182474 dated July 2019

produced by Atkins and the following mitigation measure detailed within the FRA which states that the road will have a finished level above the 1% AEP plus 70% climate change flood level as per section 6.4 of the FRA.

The mitigation measure shall be fully implemented and subsequently maintained, in accordance with the approved details.

Reason: To ensure that during a flood event there is not an unacceptable risk to the health and safety of users and an increased burden is not placed on the emergency services.

#### Archaeology – Mitigation

17. No development shall take place until a Written Scheme of Investigation (WSI) for all of the archaeological mitigation works has been submitted to and approved in writing by the Local Planning Authority. No development shall take place except in accordance with the approved details.

Reason: To ensure the preservation and conservation of any archaeology on site.

#### Archaeology – Mitigation Strategy

18. No development shall take place until a Detailed Mitigation Strategy for all of the archaeological zones identified in the approved Outline Archaeological Mitigation and Figure 9.3 of the ES Chapter 9 (Atkins) to enable mitigation by preservation in situ, archaeological excavation, trial trenching and monitoring has been submitted to and approved in writing by the Local Planning Authority. The Detailed Strategy will be in line with the agreed Outline Mitigation Strategy. No development shall take place except in accordance with the approved details.

Reason: To ensure the preservation and conservation of any archaeology on site.

#### Archaeology – Preservation and Management

19. No development shall take place until a detailed Archaeological Management Plan is approved for all areas of the development site will be preservation in situ indicated on Figure 1 of the Outline Mitigation Strategy has been submitted to and agreed in writing by the Local Planning Authority. No development shall take place except in accordance with the approved details.

Reason: To ensure areas of known archaeological significance are preserved in situ and appropriately managed in the long term.

#### Surface Water Drainage

20. Notwithstanding the proposed layout plans, development shall not begin until a detailed surface water drainage scheme for the site, in broad accordance with the approved drainage strategy drawings NEVSCR-ATK-ZZ-DR-C-0001 P02, NEVSCR-ATK-ZZ-DR-C-0002 P02 and NEVSCR-ATK-ZZ-DR-C-0003 P02 and the SuDS Vision SPD, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include, but not be limited to:

- Evidence that the proposed flows from the site will discharge at or below greenfield runoff rates, as set out in the SuDS Vision SPD;

- Details of how the drainage scheme has incorporated SuDS techniques to manage water quantity and maintain water quality in line with current best practice;
- Detailed drainage plan showing the location of the proposed SuDS and drainage network with exceedance flow routes clearly identified;
- Details to demonstrate the proposed SuDS measures have been designed in accordance with best practice guidance including the latest SuDS Manual C753;
- General arrangement, which should be coordinated with the landscape proposals and the masterplan;
- Detailed drainage calculations for all rainfall events up to and including the 1 in 100 year plus climate change to demonstrate that all SuDS features and the drainage network can cater for the critical storm event for its lifetime;
- Details of how the scheme shall be maintained and managed after completion;
- Any surface water drainage systems offered for adoption will be designed to SBC standards as part of the detailed design and relevant technical approval processes.

Reason: To ensure flood risk is not increased to the site and that the development does not increase the risk of flooding elsewhere.

#### Noise Mitigation

21. Prior to the commencement of works, a noise report and details of the proposed noise barrier (fencing or wall) required for noise mitigation for Meadow House shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include the position, dimensions and finish of the noise barrier and the maximum level of noise that the barrier shall mitigate in accordance with the submitted noise report. The proposal shall thereafter be implemented in accordance with the approved details prior to the operation of the development hereby permitted.

Reason: In the interests of amenity.

#### Commonhead Junction

22. Prior to the commencement of development, details of the design and implementation of the white-lining improvement scheme to Commonhead Roundabout in broad accordance with Drawing No. M4J15-WSP-SGN-0000-DR-HE-000004 P2, shall be submitted to and approved in writing. The agreed scheme shall be implemented prior to the first use of the development hereby permitted.

Reason: To ensure that the Southern Connector Road and its effect on the operational capacity and condition of safety on the Commonhead Roundabout is accommodated in accordance with Local Plan Policy TR1, TR2 and NE3.

#### Permanent Automated Traffic Counters

23. Permanent automated traffic counters should be provided along the Marsh prior to commencement of construction of the Southern Connector Road and surveyed at intervals not exceeding 6 months for the first 3 years post operation. Should the resultant traffic count information illustrate a material increase in traffic above what



may be considered natural growth, then consultation will be undertaken to establish whether access between the Southern Connector Road and the Marsh should be 'stopped up' to vehicle egress at a point to be agreed following public consultation. Reason: To deter inappropriate through traffic routing via Wanborough Village, contrary to the aims of Local Plan Policies TR1, TR2 and NE3.

## **Informatives**

### CIL - Outside Meaning of Development

The development proposed does not constitute Community Infrastructure Levy (CIL) liable development as the proposed works fall outside the 'meaning of development' for CIL purposes in accordance with the Community Infrastructure Levy (England and Wales) CIL Regulations 2010 (as amended) Regulation 6.

### Thames Water – Public Sewers

There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes.

<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>.

### Thames Water – Strategic Water Main

The proposed development is located within 5m of a strategic water main. Thames Water do NOT permit the building over or construction within 5m, of strategic water mains and have contacted the developer in an attempt to agree how the asset will be diverted / development will be aligned. We have been unable to agree a position in the time available and as such Thames Water request that the following condition be added to any planning permission. No construction shall take place within 5m of the water main. Information detailing how the developer intends to divert the asset / align the development, so as to prevent the potential for damage to subsurface potable water infrastructure, must be submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any construction must be undertaken in accordance with the terms of the approved information. Unrestricted access must be available at all times for the maintenance and repair of the asset during and after the construction works. Reason: The proposed works will be in close proximity to underground strategic water main, utility infrastructure. The works has the potential to impact on local underground water utility infrastructure. Please read our guide 'working near our assets' to ensure your workings will be in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>. Should you require further information please contact Thames Water. Email: [developer.services@thameswater.co.uk](mailto:developer.services@thameswater.co.uk).

### 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.

### 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. Further information and contact details for Natural England can be found on <https://www.gov.uk/government/organisations/natural-england>.

### 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 Natural England. Further information and contact details for Natural England can be found on <https://www.gov.uk/government/organisations/natural-england>.

### Environmental permitting regulations (EPR):

This development may require an Environmental Permit from the Environment Agency under the terms of the Environmental Permitting (England and Wales) (Amendment) (No. 2) Regulations 2016 for any proposed works or structures, in, under, over or within 8 metres of the top of the bank of designated 'main rivers'. This was formerly called a Flood Defence Consent. Some activities are also now excluded or exempt. An environmental permit is in addition to and a separate process from obtaining planning permission. Further details and guidance are available on the GOV.UK website: <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>.

### 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.

Rights of Way

The applicant is advised that any works affecting existing Rights of Way may require separate approval. The applicant is advised to contact Martin Fry (MFry@swindon.gov.uk).

## **APPENDIX A**

### **Summary of Representations Received**