

Committee Report

Item Number: 03

Application Number: S/OUT/17/1990

Ward: St Margaret And South Marston

Parish: South Marston

Proposal: Outline planning application (with means of access to the A420 not reserved) for up to 1,550 homes; education provision including a 10 form entry secondary school and a 3 form entry primary school with attendant sports pitches; a sports hub and open space; a park and ride; a local centre up to 1,000sqm including classes A1, A2, A3, A4, A5 and D1 uses; public open space/green infrastructure; new informal and formal recreation spaces and the formation of a new permanent access from the A420.

Location: Great Stall East, land south of A420 South Marston, Swindon

Agent:

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Applicant:

Capital Land EDA
C/O Agent

Officer Report

Summary of Recommendation:

That the Director of Strategic Development be authorised to **GRANT** outline planning permission subject to conditions and the completion of a legal agreement.

1 Background

- 1.1 This application relates to land south of the A420 Shrivenham Road, South Marston known as Great Stall East. It is part of the New Eastern Villages (NEV) strategic allocation.
- 1.2 The Swindon Borough Local Plan 2026 identifies the New Eastern Villages (NEV) as a strategic allocation 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 The planning application is accompanied by an Environmental Statement as the proposal constitutes development falling within Schedule 2 of the Environmental Impact Assessment Regulations, as an urban extension exceeding 0.5 hectares of land.

- 1.4 A revised description of development was agreed with the applicant in April 2020 and public consultation took place during April and May 2020 with respect to additional or further Environmental Information.
- 1.5 The application has been called to Planning Committee by South Marston Parish Council who objects to the proposals.

2 Summary of Recommendation

- 2.1 That the Director of Strategic Development be authorised to **GRANT** outline planning permission subject to :
 - (a) The completion of a legal agreement to secure the planning obligations that are material to the decision (as set out in section 9) of this report); and,
 - (b) The planning conditions set out in this report, with delegated authority to the Director of Strategic Development make reasonable amendments, additions or omissions to those conditions before issuing the decision as may be necessary.
- 2.2 The applicant has agreed to extend the period in which the application can be determined until 31st August 2020. In the event that a further extension of time is not forthcoming to enable the planning obligation to be completed and the decision issued, the Director of Strategic Development be authorised to refuse the application for the following reason:

The proposal has not secured the necessary infrastructure package required to mitigate the impact of the development, by means of a planning obligation and / or planning condition, to provide for the infrastructure needs arising from the development to meet the requirements for sustainable development to accord with policies NC3, RA3, IN1 and EN2 of the adopted Swindon Borough Local Plan 2026 and the provisions of the National Planning Policy Framework (NPPF).

3 The Proposal

- 3.1 The application seeks outline planning permission, with all matters reserved apart from the means of access to the development, for a mixed-use development, including the erection of up to 1,550 dwellings, an education campus, including a 10 form entry secondary school and a 3 form entry primary school, school sports pitches, a sports hub, formal and informal public open space, a site for a Park and Ride, a local centre including retail, food and drink and non-residential institutional uses (for example as a community centre) and a new permanent means of access from the A420.

- 3.2 The site is part of the New Eastern Villages (NEV) strategic allocation, located to the east of Symmetry Park and to the north of the proposed Lotmead village. Apart from seeking approval of the means of access to the site for the construction of a new eastern access, from the A420 (Shrivenham) Road, all other matters relating to the appearance, landscaping, layout and scale of the development are reserved for subsequent approval.
- 3.3 The outline application submission includes an Illustrative Masterplan (IM), a Planning Statement, parameter plans and a Design & Access Statement (DAS) to outline the possible form and layout of the development, the education provision including a site for a 10 form entry secondary school (without sixth form) and a site for a three form entry primary school. The proposed local centre of up to 1000 sq m seeks approval for uses within classes A1 (retail), A2 (financial and professional services), A3 (restaurants and cafes), A4 (drinking establishments), A5 (hot food takeaway) and D1 (non-residential) uses that could include clinics, health centres, day nurseries, museums, libraries, halls or places of worship. The application also makes provision for a site for a Park and Ride proposed to be located adjacent to the eastern access and land as public open space/green infrastructure, with informal and formal recreation spaces.
- 3.4 For information, from the 1st September 2020, a new use class E will replace classes A1, A2, A3 and B1. Consequently, land or buildings used within these classes will no longer require planning permission for changes within the new class E. A new class F1 is proposed to provide for uses including learning and non-residential institutions, with a new class F2 for local community use. This is specifically a shop selling essential goods (where the floor area does not exceed 280sqm and there is no other facility within a 1000 metre radius), or a hall or meeting place for the principal use of the local community, or an area or place for outdoor sport or recreation or an indoor swimming pool or skating rink. Cinemas, concert halls, public houses, wine bars and takeaways will become sui generis uses with no permitted change.
- 3.5 The Environmental Statement (including the submitted addenda) includes technical studies and assessment of the following impacts;
- The Landscape and Visual impact
 - Ecology and bio-diversity
 - Hydrology, Hydrogeology and Water Quality
 - Cultural Heritage
 - The Social and Economic context
 - Transport
 - Noise and Air Quality and
 - Ground Conditions
- 3.6 The site comprises approximately 86.4 hectares (ha), situated to the south of the A420 Shrivenham Road, with a northern boundary frontage to existing residential dwellings and to the A420. The IM illustrates an indicative site layout

and development structure framed by a central spine road that connects the new eastern access with the A420 to Symmetry Park to the west, with a parallel primary route to provide access to the residential parcels. The IM shows indicative links to the adjacent Symmetry Park employment site to the west and to the proposed Lotmead village to the south.

- 3.7 Adjacent to the site's northern boundary with the A420 Shrivenham Road and Longleaze Farmhouse, the IM illustrates an area for formal recreation, a sports hub of 5.9 hectares, with an indicative layout showing the potential to provide changing rooms/a sports building/pavilion, car parking and 3 adult sized pitches, 4 junior size and 4 mini-sized grass pitches. The school sites are located on the southern side of the site, comprising a primary school site of 2.9 ha to accommodate a 3 form primary school and an adjacent site of 10.2 ha to accommodate a 10 form entry secondary school. The IM further indicates various locations for green infrastructure comprising a total of 18.44 ha for general recreation, with 4.53 ha located outside the flood zone, 1.09 ha for allotments, of which 0.74 is located outside the flood zone and an area of 1.09 ha for equipped children's and teenage play areas. The general recreation land includes land required for the sustainable urban drainage systems (SUDs) and for biodiversity and habitats.
- 3.8 The DAS and character area parameter plan refers to housing densities of between 35 and 65 dwellings per hectare (dph) across four distinct character areas, ranging from the Meadow View Character Area of 3.28 ha at 35 dph, the village envelope (10.18 ha at 40 dph), Acorn Gate (15.63 ha at 47 dph) and the Neighbourhood Hub (4.48 ha at 65dph). The Building Height Parameter Plan indicates that the scale and massing of the development will range from areas of 2 storey, of 2.5 storey, of 2.5 storey with potential for some 3 storey, and limited potential for key 3.5 storey buildings to a maximum height of 12m. The highest building heights are located within the Neighbourhood Hub area in the centre of the site. The Meadow View character area proposes residential development up to 2.5 stories in height.
- 3.8 The application seeks to deliver high quality development as a gateway to Swindon along the A420 and has referred to the recommendations and report by the Committee on Climate Change "UK Housing Fit for the Future" (2019) and the principles in the "Living with "beauty"" report (2020) for innovative and sustainable design that incorporates new technologies to support sustainable living, to respond positively to the environment and the challenges of climate change.
- 3.9 The application proposes to deliver new homes that are low-carbon, energy and water efficient and climate resilient and adaptable to meet future occupancy needs with the objective of 'future proofing' the development. Whilst a strategic design code is not part of the application package, the DAS and accompanying parameter plans set out the principles for securing a deliverable high quality design for the proposed development and the application has referred to the Tadpole Garden Village development in Swindon as a base-line with the objective of delivering comparable standards.

4 The Site and Surroundings

- 4.1 The application site is located immediately south of the A420 (Shrivenham Road) to the east of Swindon and is agricultural land. It is to the south-east of South Marston and the Nightingale Lane junction and approximately 1.0 km east of the A419, with the White Hart junction being its closest point. The southern boundary is defined by the River Cole, which runs west to east. To the east beyond the Borough boundary with Oxfordshire at Acorn Bridge is the village of Bourton.
- 4.2 The site is rural in character, with mature trees, hedgerows and ditches located throughout the site along the majority of the field boundaries. The site is predominantly level at 89 – 90 m AOD, apart from an area of higher ground up to 96m AOD, located within the south-western part of the site. Adjacent to the southern boundary adjoining the River Cole, the ground levels are similar at 89 to 90m AOD.
- 4.3 The Environmental Statement refers to heritage assets, both designated and undesignated, located within identified inner and outer study areas, up to 5km from the site boundary. Longleaze Farmhouse, a designated heritage asset is located closest to the application site boundary. It is a thatched farmhouse dating from the 18th century and is a grade II listed building. It is located to the north of the application site boundary, adjacent to the A420 Shrivenham Road. Its special historic and architectural interest includes its vernacular built form characteristic of the period, including its retained thatched roof. Subsequently, the canal was constructed immediately adjacent to its northern side and historic mapping shows a draw-bridge that provided access to the farmhouse. To the west, adjacent to the site's north-western boundary is Lock Keeper's cottage, an early 19th century dwelling also located on the site of the former Wiltshire and Berkshire canal; this is a grade II listed building included for its historical and socio-economic interest.
- 4.4 The North Wessex Downs Area of Outstanding Natural Beauty (AONB) is protected by the Countryside and Rights of Way Act 2000 (CROW Act) and protects the land to conserve and enhance its natural beauty. The AONB is located approximately 3.5 km to the south of the application site. There are views of the AONB from the application site.

5 Site history

- 5.1 There is no relevant planning history relating to this site.

6 Procedural matters

- 6.1 The application is accompanied by an Environmental Statement (ES) as required under the Town and Country Planning (Environmental Impact Assessment) (EIA) Regulations 2017. Taken as a whole, it is considered that the environmental evidence meets the requirements of the EIA Regulations as sufficient information

has been provided to enable the environmental impacts of the application to be assessed.

7 Representations

- 7.1 A full schedule of comments received accompanies this report at Appendix A. The following is a brief summary of the consultation responses received.

Statutory and External Consultees

- 7.2 **Dorset and Wiltshire Fire and Rescue Service:** In response to the original proposals, the application fails to comply with the Council's requirements for infrastructure to adequately mitigate the impact on the fire authority to promote a safe community as evidenced by the adopted Wiltshire Fire and Rescue Service Community Risk Strategy.
- 7.3 **Environment Agency:** No objection, subject to two planning conditions relating to the flood risk zone based on the 1 in 100 year plus 70% climate change event; and secondly, requiring a scheme for the provision and management of a buffer zone alongside the River Cole.
- 7.4 **Highways England:** No objection subject to three conditions relating to the safe and efficient operation of the Strategic Road Network, the A419(T) and M4 Junction 15.
- 7.5 **Historic England:** No objection, but refer to the potential impacts on designated heritage assets and concurs with the Cultural Heritage Assessment that the proposals will not result in substantial harm to highly designated heritage assets via a change in setting.
- 7.6 **Natural England:** Raise concerns regarding bio-diversity gain and hedgerow mitigation and that no additional information on the local planning authority's Habitat Regulation Assessment decision with respect to previous advice on the potential for the development to impact on North Meadow special area of conservation.
- 7.7 **Network Rail:** No objection subject to conditions.
- 7.8 **NHS:** Healthcare infrastructure is required to support the site within the larger New Eastern Villages development, including a requirement for additional GP capacity equivalent to 2.5 whole time equivalent GPs and support services for Community and Mental Health provision. Financial contributions are required to deliver this additional capacity.
- 7.9 **North Wessex Downs AONB:** No response received.
- 7.10 **Oxfordshire County Council:** No objection in principle to the development as part of the overall New Eastern Villages expansion, but objects to the application as proper consideration has not been given to the potential transport impacts of

the proposal on Oxfordshire contrary to policy TR2 of the Swindon Local Plan and paragraph 2 of the National Planning Policy Framework.

- 7.11 **Sport England:** Object; whilst noting that further improvements have been made, a number of concerns remain relating to the pitch layout, accompanying facilities and lack of detail provided for the sports facilities.
- 7.12 **Thames Water:** No objection; subject to conditions relating to both foul water and fresh potable water supply.
- 7.13 **Vale of White Horse District Council:** Support in principle, in accordance with the Duty to Cooperate and published Statement of Common Ground for the Swindon Borough Local Plan. The amendments are noted for the development as part of housing growth proposed at the New Eastern Villages, as set out in Policy NC3 of the adopted Swindon Borough Local Plan 2026, subject to securing the timely provision of supporting infrastructure required to mitigate any significant impacts.
- 7.14 **Wiltshire and Swindon Council for the Protection of Rural England:** Object in response to the original plans due to the cumulative impact of the development and departure from local plan policy. Concern that the phasing of the development is impractical and that if the secondary school is not available until 600 - 700 homes are completed in conjunction with other NEV sites, school places will not be available. The proposed park and ride site is insufficient and the trigger for its delivery uncertain. Taking account of climate change a realistic figure should be used for assessing flood risk and for water conservation. The quality bus corridor should be provided in conjunction with the delivery of housing, to ensure modal shift.

Internal Consultees

- 7.15 **Arboriculture:** Object to the removal of a number of important hedgerows as the hedgerow patterns are a key landscape feature.
- 7.16 **Archaeology:** Recommend planning conditions to secure archaeological mitigation.
- 7.17 **Conservation:** Object as the development fails to preserve the setting of Longleaze farmhouse and this is contrary to the legislative and planning policy requirements.
- 7.18 **Education:** No objection, provided that the application makes provision for the required area of land for the delivery of the proposed 10 form entry secondary school to serve the development and wider New Eastern Villages.
- 7.19 **Environmental Health (Contamination):** No objection subject to conditions.
- 7.20 **Environmental Health (Noise):** Dwellings facing north towards the A420 will be subject to significant noise from the A420 and further acoustic assessment will be

required for measures to mitigate these impacts. There is no assessment of noise or lighting for the proposed sports pitches on nearby residential units. Noise and light pollution from the operation of these pitches should be considered as part of a further detailed acoustic assessment.

- 7.21 **Environmental Health (Pollution):** Further information is required to enable assessment of the air quality impacts and recommends a planning condition.
- 7.22 **Ecology:** Objection as despite the ecology surveys undertaken it is not evident that the findings have informed the site layout to accommodate protected species found; significant additional information is needed to show how protected species will be conserved within the site and net bio-diversity gain achieved.
- 7.23 **Forward Planning:** Objection, in relation to the original submission, to specific planning policy requirements and a lack of detail within the application; if the greater number of dwellings proposed compromises policy NC3 as a whole, both specifically at Great Stall East and across the wider NEV, there is harm to the development strategy.
- 7.24 **Local Highway Authority:** No objection subject to planning conditions.
- 7.25 **Housing:** Comment that the application should make provision for affordable housing based on 30% with a 70/30 split between rented (social and affordable rented) and intermediate (including low cost home ownership initiatives). Further comments will be reported at the meeting.
- 7.26 **Landscape:** Object as the proposals are incompatible with the adopted Green Infrastructure supplementary planning document and NEV master plan, including the substantial erosion of areas identified as green infrastructure with little alternative provision, including for open space and recreation.
- 7.27 **Lead Local Flood Authority (LLFA):** No objection, subject to planning conditions to secure the implementation of a drainage strategy in accordance with the adopted SUDs vision supplementary planning document.
- 7.28 **Public Health:** Public health evidence should be used to design and deliver more healthy places and new communities, including housing layout, access to health care and other social infrastructure and for health and well-being.
- 7.29 **Urban Design:** The overall spatial design is more logical and a key consideration is to provide connectivity with priority for pedestrians and cyclists. The nature and the design of the primary route is a concern as are the density and character areas proposed. It is recommended that the application proposal is referred to the Design Review Panel.

Parish Council (located within Swindon Borough unless otherwise stated):

- 7.30 **Bishopstone Parish Council:** No comments received.

- 7.31 **Bourton Parish Council** (Vale of White Horse): Raise serious concerns about the effects of such a large development on traffic flows on A420 and that the traffic plan is wholly inadequate in terms of measures to solve the present and future traffic problems on the A420 and makes no mention of measures to mitigate rat-running through nearby villages, especially Bourton. The lighting for the Park and Ride site needs to be carefully designed to avoid light pollution on the edge of Oxfordshire. Proposed housing densities adjacent to the countryside are not accepted and the phasing of the development should commence closest to Swindon where facilities are available for the new occupiers, not closest to Oxfordshire where there is no spare capacity.
- 7.32 **Covingham Parish Council**: No objection to revised proposals.
- 7.33 **Liddington Parish Council**: Comment that there is no water or sewerage infrastructure on this site and traffic modelling should take account of development to the east; there is concern that the traffic analysis does not take account of local roads in surrounding villages and the effect of rat running. A detailed travel plan should be in place for the construction phase to mitigate rat-running through rural villages.
- 7.34 **Nythe, Eldene and Liden Parish Council**: No objection, but comment that there will be a lag between new occupiers moving into the new housing and new infrastructure being available, including for school places that could result in increased pressure on Dorcan schools. .
- 7.35 **Shrivenham Parish Council** (Vale of White Horse District Council): Object and are very concerned about the development so near to the village. The main concern relates to the effects of substantial development on the traffic flow along the A420. The Parish Council is not convinced that the proposals will mitigate the effects of the extra traffic on the A420 and the application does not present a complete picture of present problems especially during peak hours. The measures in the travel plan are not realistic and do not take account of local conditions, nor the future traffic problems on the A420.
- 7.36 **South Marston Parish Council**: Object and have called this application to planning committee. Despite much discussion with Borough Officers, there are fundamental flaws with the plan. An acceptable footpath/cycle-way route map is required through the site for all NEV residents' needs before permission is granted in principle. There is no detailed consideration of footpath/cycle routes for either utility or recreational use, or how the internal routes coordinate with wider plans for the NEV, necessary for residents both north and south of the A420 to access the community facilities, particularly the school. Safe off-road routes are required to incentivise a switch from travel by car to sustainable transport modes. A safe off-road route crossing the railway line and A420 at footpath number 5 would enable users to access the proposed original site for the secondary school. Journeys to the school will be longer particularly from Rowborough. A clear, safe route is required to join the extended footpath around Symmetry Park to the school site, designed with minimum crossings of estate roads with contributions towards the second pedestrian bridge/tunnel towards

Rowborough. A direct route avoiding numerous stops could be provided through the river Cole parkway, from the eastern access to the proposed green bridge route across the A419, rather than the proposed recreational route, which is unacceptable. More dwellings at a higher density are proposed and the land for the river Cole parkway, the planting and the screening for existing dwellings has been reduced, with house-building proposed on areas known to flood every single year. The shortfall of green infrastructure is considerable, as is the reduced width of the river Cole parkway, the lack of woodland planting and the inability to provide for an effective screening for existing residents alongside the A420. In relation to flood risk, a huge body of water exists along the route of the old canal bordering the south of the A420 and as reported by residents this floods every year, often several times and photos show the surface water flooding. The application should assess the liability for flooding, but also the capacity for flood water, as vulnerable flooding points are on the A420 between old Vicarage Lane junctions and Acorn bridge and the river Cole culvert. The application should not rely on an inaccurate flooding map, nor can the capacity of the site to disperse and store water by using sustainable urban drainage measures be achieved given the degree of development and the location of facilities and housing. The flooding potential downstream of the site towards Acorn bridge has not been adequately assessed. There is one access to the A420 at the eastern end of the site, plus the access at the south across the river Cole into other NEV parcels; the application refers to an alternative access strategy without specifying the details but an additional road access to the A420 for construction traffic at the western end of the site, does not comply with the overall master plan for the NEV. If the route through Symmetry Park is closed to normal car traffic, then this application should be considered on the appropriateness of one access onto the A420 at the eastern end of the site.

- 7.37 **Stratton St Margaret Parish Council:** Object and reiterate the comments by Shrivenham Parish Council that the Travel Plan will not alleviate the extra input of traffic from this site onto the A420. Given the potential for over 3000 vehicles from the completed site plus the extra traffic from Symmetry Park and the South Marston/Rowborough development on the north side of the A420, the (transport measures) are simplistic and unsubstantiated ideas that fail to convince; the Parish Council is seriously disturbed by the lack of any practical suggestions in this Traffic Plan to solve the present and future traffic problems on the A420. The development will increase the pressure on the White Hart roundabout and the parish council supports Highways England proposal to limit development to 551 houses until the M4 junction 15 is developed. The Great Stall Bridge should be open to all traffic and the Stratton halt railway station could provide ideal transport links to new developments
- 7.38 **Wanborough Parish Council:** Object and raise serious concerns that a joined-up approach to consider the cumulative impact of growth on the A420 is required to take into account all other developments being built within Oxfordshire County Council, the Vale of White Horse and the Western Vale Villages, as otherwise traffic will divert and rat-run through surrounding villages. Given the outstanding legal appeal hearing pending for access to Symmetry Park, there is a possibility

that the proposed access onto the A420 will not be available. Until the outcome is confirmed the application should be judged on the appropriateness of a single access onto the A420 at the eastern end of the site. The phasing of the services and facilities should be provided early within the main build of houses so that these are in place ready for the new residents when they move in. The density and height of new houses should be lower around the outskirts and edges of the development to ensure that there is no detrimental impact on the surrounding countryside. It is clear that the applicant has increased the density of housing within the site, above that agreed in the Council's supplementary planning document. The Parish Council strongly object to the proposed increase in density and it should be reduced especially around the skirting edges of the development site. As the development is being built on the flood plain of the River Cole, which has seen serious flooding in recent years, with the effects of climate change, there is an objection to the number of houses proposed in this location. There is also concern that the playing fields for the school are located within close proximity of the flood zone. It is extremely important that the likely impact of flooding within the River Cole areas is addressed seriously and that mitigating measures are put in place to ensure that the proposed new houses and facilities on this site are not at risk of flooding. In addition, the run-off from this site should not have any adverse impacts further downstream. The Parish Council would like to see a wider green buffer along the River Cole to take into consideration any possible flooding from the river.

- 7.39 **Watchfield Parish Council** (Vale of White Horse): Object due to grave concerns about the effects of this development on traffic flow and congestion on the A420, as well as the documentation provided and the methodology used. There are concerns that all the committed development for the wider New Eastern Villages development as well as the infrastructure have been included in the capacity assessments undertaken. There is no reference to the Council's agreed assessment of capacity for the A420 nor the memorandum of understanding with Oxfordshire County Council on improvements to the A420. There are concerns relating to public transport and other sustainable modes of travel, including walking and cycling. The bio-diversity gains proposed are not realistic or credible within normal timescales and must be scrutinised as the headline conclusions are not adequately supported and the net gains do not take into consideration the timescales to achieve these gains; the likelihood is that habitat destruction and relocation will result in loss of fauna bio-diversity. As the projected target of 25 years to achieve created habitats and between 10 and 20 years for hedgerows, there is likely to be a net loss of bio-diversity up to that point, if fauna ever re-inhabits the area. Of the 62.92 hectares for habitat creation, 39.72 hectares is urban developed land with a sealed surface and no bio-diversity value. Responses to deal with inevitable increased cat predation are inadequate.

Third Party Representations:

- 7.40 **Ramblers Association** (Swindon and North East Wiltshire Group): The proposed network of walking routes within the development appears quite acceptable but earlier comments regarding the need for connections to

neighbouring areas are not addressed. For example, the pedestrian and cycle path within the country park needs to be extended northwards to the A420 to a point directly opposite the existing public bridleway SM7. Even more importantly, there is no indication of provision for walkers (and cyclists) from South Marston and Rowborough, including students travelling to and from the secondary school, to cross the A420 safely. The Carpenters Arms junction is unsuitable because of the need to pass under the railway bridge and since this junction is opposite Longleaze Farm, which is outside the application site, it is unclear how this route could operate as an entry point to the development.

- 7.41 **Stagecoach:** Support the application subject to conditions, to address remaining concerns, relating to the timing and phasing of delivery of the park and ride site, including agreed arrangements for a bus service, including to serve phase 1 of the development. Secondly, for the delivery of the spine road and arrangements to be agreed for bus stops. Thirdly, in relation to the detailed design of the spine road as an express bus route and a condition to ensure connectivity with adjoining portions of the New Eastern Villages, including Symmetry Park to the west and Lotmead to the south.
- 7.42 **Swindon Bus Company:** Support the western entrance to enable permeability through the site and wish to understand why the Gable Cross (Sainsbury's) roundabout, has returned to a signalised crossing before the roundabout on approaches, rather than a signalised roundabout. The proposed infrastructure costs note £15,000 per bus shelter and stop provision, as well as including an allowance for service information, but this sum does not include real time information and this should be factored into the costs. There are concerns about the location for of the Park and Ride site, as its location is designed to access Oxford and not Swindon and connections through and within Swindon should be prioritised rather than flows to Oxford.
- 7.43 **Wanborough Anti-Flood Group:** Concerns are raised with regard to the provision of essential infrastructure for waste and potable water supply. An incorrect approach has been used to address and mitigate flood risk to achieve greenfield run-off rates, noting that there have been previous flooding events including the river Cole backing up to Covingham, surface water flooding at Acorn Bridge on the A420 and flooding on-site. Other concerns relate to traffic generated from the development and the provision of community infrastructure such as health care and education.
- 7.44 **Wiltshire and Berkshire Canal Trust:** Object due to the impact on flooding throughout the catchment area which has not been considered adequately.
- 7.45 **Wiltshire Wildlife Trust:** Unable to support the application as further work is required to deliver essential green infrastructure (GI) and concern that the proposals are not consistent with the NEV GI SPD, including provision for biodiversity net gain.
- 7.46 **Local residents:** Several letters of objection have been received relating to the size of the development and to the already frequently gridlocked A420, with slow

moving, or static traffic due to the additional sets of traffic lights near the South Marston stretch, together with air pollution. Additional traffic lights will create major hold ups stretching back miles on the approach into Swindon. The proposals do not consider residents whose gardens are alongside the planned development, nor the effects on their privacy due to the height of buildings and a wider green corridor should be required. The historic route of the Wilts and Berks Canal should be protected, not as a footpath and cycle way. Proposed areas of housing and a children's play area should not be located so close to neighbouring occupiers, as play areas should avoid locations on or at the edge of the so-called village boundary in accordance with the Local Plan. There will also be the loss of an area of much treasured wildlife which is an escape for neighbours that live on this increasingly noisy and busy main road.

- 7.47 **Local residents:** The second neighbour objection refers to impacts on their historic dwelling, suggesting that it should be protected. It is pleasing that the revised plans finally take note of previous comments, in particular to the effect on Longleaze Farmhouse. Further comments relate to, firstly that the application does not clarify who will be responsible for the cost of the proposed planting of new trees/hedges along the boundary to the east of Longleaze Farmhouse, between the property and the proposed allotment area and will these costs be met by the developer? Secondly, previous comments concerning drainage impacts on the neighbour's septic tank have not been addressed. Thirdly, in relation to the field immediately to the east of Longleaze Farmhouse, where about a quarter of the land is identified as allotments and the rest for housing, this land has been flooded with photographs to show these events where water covered the majority of the field to a depth of nearly 2 feet, across the central two thirds. The proposal continues to propose building on this land, although it is subject to regular large scale flooding. The application does not respond to these concerns.

Adjacent local authority

- 7.48 **Oxfordshire County Council (OCC)** raise no objection in principle to the proposed development as part of the overall New Eastern Villages allocation in the Swindon Local Plan, but objects as proper consideration is not given to the potential transport impacts of the proposal on Oxfordshire, contrary to the Swindon Borough Local Plan policy TR2 and paragraph 32 of the NPPF. In summary the objection relates to the following reasons.
- a) The transport submission documents supporting the application are inadequate and a Transport Assessment should be submitted to provide a robust assessment of the proposals with a level of information and data appropriate for a development proposal of this scale.
 - b) In addition to the impact on the Townsend Road/A420 junction, the impacts of the development proposal on other strategic junctions on the A420 within Oxfordshire need to be assessed and adequate information provided of the assessment results; and
 - c) The proposed access arrangements require clarification.

8 **Planning Considerations**

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

The Planning Policy Context

National Planning Policy Framework (NPPF) (2019)

- 8.2 The National Planning Policy Framework (NPPF) (2019) does not change the statutory status of the development plan as the starting point for decision-making and states that proposed development that accords with an up-to-date Local Plan should be approved and development that conflicts should be refused unless other material considerations indicate otherwise. The NPPF constitutes guidance for local planning authorities and decision takers, both in drawing up plans and is a material consideration in determining planning applications.
- 8.3 The NPPF (2019) sets out the Government's planning policies for England and how these are to be applied. The presumption in favour of sustainable development means that development proposals that accord with an up-to-date development plan should be approved without delay; or where the Plan or relevant policies are out of date, to grant planning permission unless the policies in the Framework that protect areas or assets of particular importance provide a clear reason for refusing the development; or where any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework, taken as a whole.
- 8.4 The NPPF (2019) refers to the three roles of the planning system to achieve sustainable development; these are the economic, social and environmental roles. The roles are mutually dependant and to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system.
- 8.5 The NPPF also refers to the weight to be attributed to Neighbourhood Plans.
- 8.6 With respect to the current position of the Council's five year supply of housing land, in accordance with paragraph 11, the NPPF requires that permission should be granted unless:

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

Any adverse impacts would significantly and demonstrably outweigh the benefits

when assessed against the policies of the NPPF taken as whole.

- 8.7 The NPPF advises (paragraph 72) 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 that these are well located and designed and supported by the necessary infrastructure and facilities.
- 8.8 For larger scale development, the NPPF advises that planning policies should support a mix of uses to minimise the number and length of journeys needed for employment, shopping, leisure education and other activities and provide for high quality walking and cycling networks and supporting facilities. (para 104)

Swindon Borough Local Plan 2026 (2015)

- 8.9 The Swindon Borough Local Plan 2026 ('Local Plan') was adopted by Swindon Borough Council on the 26th March 2015 and forms part of the Development Plan for Swindon.
- 8.10 The following Local Plan policies that are relevant to this application include:
- SD1: Sustainable Development Principles
 - SD2: Sustainable Development Strategy
 - SD3: Managing Development
 - DE1: High Quality Design
 - DE2: Sustainable Construction
 - EC3: The Role of the Centres and Main Town Centre Uses
 - HA1: Mix, Types and Density
 - HA2: Affordable Housing
 - HA3: Wheelchair Housing
 - TR1: Sustainable Transport Networks
 - TR2: Transport and Development
 - IN1: Infrastructure Provision
 - IN2: Water Supply and Wastewater
 - CM1: Education
 - CM2: Active, Healthy and Safe Lifestyles
 - CM3: Integrating Facilities and Delivering Services
 - CM4: Maintaining and Enhancing Community Facilities
 - EN1: Green Infrastructure Network
 - EN2: Community Forest
 - EN3: Open Space
 - EN4: Biodiversity and Geodiversity
 - EN5: Landscape Character and Historic Landscape
 - EN6: Flood Risk
 - EN7: Pollution
 - EN9: Contaminated Land
 - EN10: Historic Environment and Heritage Assets

- EN11 Heritage Transport (Wilts and Berks Canal)
- NC3: New Eastern Villages (including Rowborough and South Marston Village Expansion)

Wiltshire and Swindon Waste Core Strategy (2009)

- 8.11 The adopted Wiltshire and Swindon Waste Core Strategy Policy WCS6 'Waste Reduction and Auditing' also forms part of the development plan and is relevant for all major development.

South Marston Neighbourhood Plan (SMNP)

- 8.12 The application site is mainly located within South Marston Parish and the north-eastern portion is located within the Wanborough Parish and the Bishopstone Parish areas. The South Marston Neighbourhood Plan (SMNP) was made in 2017; neighbourhood plans have not been made for Wanborough or Bishopstone Parishes.
- 8.13 The SMNP sets out how South Marston can develop in a sustainable way whilst meeting the desires and aspirations of local residents. The SMNP was accepted by referendum held on 5th October 2017 with a total 321 (46%) of registered electors recorded voting and 307 (95%) were in favour of the SMNP. The SMNP was made at the Full Council meeting on 9th November 2018; whilst the SMNP will be used in the determination of planning proposals in South Marston Parish, this application site is located outside the boundary of the SMNP Plan, as it only relates to that part of the Parish most closely related to the village, north of the Bristol to London railway line.

Community Infrastructure Levy (CIL) Charging Schedule (2015)

- 8.14 The Council adopted the Community Infrastructure Levy (CIL) Charging Schedule on 26th March 2015 and it became effective on 6th April 2015. The application site is located within Residential Zone 1 (Swindon's New Communities), which has a £0 CIL charging rate due to the strategic nature of the development.

Supplementary Planning Documents (SPDs)

- 8.15 The Council has adopted Supplementary Planning Documents (SPDs) including specific guidance for the New Eastern Villages; these SPDs are material considerations for the purpose of determining planning applications for development within the New Eastern Villages.

Swindon Residential Design Guide Supplementary Planning Document (SPD) (2016)

- 8.16 The adopted Swindon Residential Design Guide SPD ('Design Guide SPD') seeks to ensure that high quality design is realised through development

proposals in Swindon. The SPD sets out clear principles and guidelines to deliver high quality design and new development in accordance with the Council's strategic planning objectives on design quality.

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

- 8.17 The Inclusive Design Access for All SPD ('Access for All SPD') seeks to create sustainable communities which are places in which people want and are able to live and work, now and in the future. These sustainable communities should be well planned to meet the diverse needs of existing and future residents, be safe and inclusive, to offer equality of opportunity and good services for all.

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

- 8.18 The adopted New Eastern Villages (NEV) Planning Obligations SPD ('Planning Obligations SPD') sets out the Council's approach to securing planning obligations at the NEV to ensure the effective delivery of infrastructure to support sustainable growth by providing for the delivery of infrastructure in the right place and at the right time.

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

- 8.19 The NEV Framework Travel Plan SPD ('Travel Plan SPD') outlines the principles and suggested management mechanisms to secure travel plan measures for sustainable growth at the NEV by reducing the number of car trips for residential, work-based and educational uses within the NEV. This includes a well-connected layout to promote pedestrian and cyclist permeability between development islands with a network of green infrastructure corridors for dedicated non-vehicular routes, as well as providing priority for public transport vehicles, to reduce car dependency and achieve sustainable development.

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

- 8.20 The SuDS Vision for NEV SPD ('SuDS Vision SPD') takes forward both national and local policy for the management of surface water with guidance to incorporate SuDS within development proposals, to ensure an integrated and sustainable approach to drainage throughout the NEV allocation.

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

- 8.21 This SPD provides detailed guidance for the delivery of Green Infrastructure (GI) at the New Eastern Villages. GI is defined the network of multi-functional green space, urban and rural, which deliver a wide range of environmental and quality of life benefits for local communities. The NEV has the potential to provide for more than 300 hectares of GI and by providing an integrated network of GI it

seeks to maximise opportunities for a full range of open space to respond positively to the local landscape and topography. The SPD ('NEV GI SPD') outlines a number of key GI principles as guidance for the provision of GI within the NEV.

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

- 8.22 The NEV Island Bridge Vision SPD ('Bridge Vision SPD') provides a framework to provide links between the various NEV development islands, including a vision for connectivity for both vehicular and non-motorised users within green corridors, including for pedestrians and cyclists. It also provides guidance on the design for new bridges located within the NEV.

The Swindon Borough Local Plan 2026 (SBLP)

- 8.23 Policy SD1 (Sustainable Development Principles) of the SBLP identifies eight criteria for sustainable development to deliver the Plan's sustainable development strategy, as detailed in policy SD2 of the SBLP. The supporting text to policy SD1, at paragraph 3.7 of the SBLP, refers to ensuring that new development minimises and mitigates its impact, by providing adequate and accessible services and facilities for the occupiers of the new development and that overall it delivers a "balanced development" that respects social, environmental and economic needs to deliver balanced growth and change.
- 8.24 Policy SD2 of the SBLP defines the development strategy, by concentrating development at Swindon, by realising development opportunities at Swindon and at allocated strategic sites, including the NEV. Reflecting the NPPF and the presumption in favour of sustainable development, policy SD3 states that the Council will take a positive approach, working proactively and jointly with applicants, so that proposals may be approved wherever possible. Development will be sought that improves economic, social and environmental conditions, to promote health and well-being for those people living and working in Swindon Borough.
- 8.25 Policy NC3 (New Eastern Villages including Rowborough and South Marston village expansion) of the SBLP provides for 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. Policy NC3 provides for about 6,000 dwellings at the NEV south the A420 and about 1,500 dwellings at Rowborough (north of A420) and 500 dwellings at South Marston. The application site is located within the NEV boundary identified on the SBLP Policies Map.
- 8.26 Policy NC3 states that development will be brought forward through a design-led approach to housing density, with an overall housing density of 40 dwellings per hectare (dph), comprising about 6,000 dwellings south of the A420. Policy NC3 states that development shall provide for, inter alia, affordable housing, a high

quality public realm, sustainable transport links including 1000 space (3 hectare) Park and Ride, an extensive Green Infrastructure network, sports and leisure facilities, education and community facilities including a minimum of 8 forms of entry of secondary and primary provision respectively and measures to manage the demographic peak. The policy further states that development will respect landscape views to and from the North Wessex Downs Area of Outstanding Natural Beauty, will minimise the risk of flooding, that biodiversity including the River Cole corridors is protected and enhanced, that the historic environment is protected and enhanced, that a route for the Wilts and Berks Canal is safeguarded and the character and identity of neighbouring villages are protected.

- 8.27 The application illustrative master plan (IM) and accompanying parameter plans address a series of design objectives, including character areas, movement and access, building heights, green infrastructure and landscaping, open space, phasing and sustainable urban drainage. The IM shows an indicative layout for a mixed use development, for up to 1,550 dwellings, a Park and Ride site, land for both a secondary and a primary school, with their respective school pitches, a separate sports hub, comprising sports pitches and ancillary facilities, a local centre, green infrastructure including allotments, formal and informal recreation, and land within which drainage infrastructure will be provided. The IM shows the proposed new eastern road junction to the A420; separate technical drawings show the access to the A420 as a traffic light controlled T-junction.
- 8.28 The revised Design and Access Statement (DAS) alongside the IM, includes several parameter plans, including a development framework plan, a land budget plan, a density plan, a building heights plan, phasing plan, character areas, green infrastructure and movement framework. A draft Heads of Terms for a section 106 agreement, submitted as part of the application refers to the provision of affordable housing and other infrastructure, subject to the development's viability. The applicant submitted a revised viability assessment in April 2020, with further iterations in June and July. This has been reviewed independently by the Council's appointed viability consultant to inform the draft Heads of Terms for a section 106 agreement for the delivery of infrastructure and affordable housing, set out at section 9 below.

The Principle of Development

- 8.29 As set out above, in accordance with the NPPF, the decision taker should approve development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies most important for determining the applications are out of date, to grant planning permission unless:
- i) The application of policies in the NPPF to protect areas of assets of particular importance provide a clear reason for refusing the development proposed; or

- ii) Any adverse impacts of doing so, would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- 8.30 The NPPF defines assets of “particular importance” as those relating to for example, habitat sites, an Area of Outstanding Natural Beauty or National Park, designated heritage assets and areas at risk of flooding. With respect to out of date policies, these are defined and include policies for the provision of housing, in situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites with the appropriate buffer; or where the Housing Delivery Test indicates that the delivery of housing was substantially below the housing requirements over the previous three years.
- 8.31 For the purposes of the policies for the supply of housing in the SBLP, the Council cannot demonstrate a five year supply of deliverable housing and therefore in the context of this application it is considered that the policies relating to the supply of housing that are out of date, include SD2 (the Sustainable Development Strategy) and NC3 (New Eastern Villages). However, in accordance with the NPPF, whilst these policies may be out-of-date, it is for the decision-taker to determine the weight to be attributed to them, taking account of any adverse impacts when assessed against the Framework as a whole.
- 8.32 Whilst in accord with the Local Plan the development is part of the NEV strategic site to develop a sustainable new community in accordance with policies SD1, SD2 and NC3. The scale of development proposed of 1550 homes exceeds the scale of development (1100 dwellings) that was anticipated in the NEV Planning Obligations SPD and the IM departs from the NEV illustrative master plan forming part of the NEV Green Infrastructure SPD, including with respect to the location and extent of green infrastructure and the location of the school sites.
- 8.33 However, the site is a key element of the NEV providing the secondary school and Park and Ride site for the whole NEV and is spatially important linking South Marston and Rowborough to the north of the A420 with the remainder of the NEV to the south, including Lotmead village, Symmetry Park and the other villages. In addition to the strategic infrastructure that is proposed to serve the wider NEV, other important benefits include the new housing and affordable housing, the primary school site, the sports hub and other open space and recreational land. Following the independent viability review, the proposal is to provide affordable housing on the basis of 15% on a tenure split mix of 50% rented and 50% intermediate housing. Whilst this does not accord with policy HA2 that refers to 30% provision, subject to viability, with a tenure split of 70% rented and 30% intermediate housing, this proposal is acceptable based on the development’s viability which is reduced in view of the land made available for strategic infrastructure, and which has been independently assessed.
- 8.34 In terms of compliance with national and local planning policies, the weight to be attributed to this element of the proposal is qualified, by the extent to which the reduced level of affordable housing provision within the development will contribute to meeting identified housing needs. However, in addition to affordable

housing, the application provides other important benefits, including the provision of education facilities for the new community and for the wider NEV, open space, a sports hub and the proposed ecological enhancements. These benefits including providing land for secondary education are particularly important, as it will provide the secondary education needs not only for the application site, but for the other villages within the wider NEV for secondary-aged students. The primary school makes provision for primary-aged students from the development site. It is considered that these are important and significant benefits that are necessary for sustainable development and are required in accordance with policy NC3 of the SBLP, serving the needs of the new community at the NEV.

- 8.35 The NPPF requires that these benefits are weighed against any harm, such as the impact on sensitive land designations, heritage assets, the risk of flooding and the transport impacts, including significant impacts on the transport network and on highway safety. These matters and other relevant planning considerations are considered in further detail (section 11) below.

Development quantum, mix of uses, phasing and density

- 8.36 The adopted New Eastern Villages (NEV) Planning Obligations Supplementary Planning Document (NEVPOSPD) provides detailed guidance for each of the identified villages within the NEV. Taking policy NC3 forward, the guidance within the NEVPOSPD outlines the expected/anticipated development quanta for the Great Stall East village and the other NEV development areas. The NEVPOSPD describes the development quanta for land south of the A420 of about 6,000 dwellings. It apportions about 1100 dwellings at Great Stall East, as other land within the village is safeguarded for a ten-form entry secondary school, a two form entry primary school, a Park and Ride site, a local centre, a sports hub and open space; the development quanta is based on an average proposed density of 40 dwellings per hectare (dph).
- 8.37 The NEVPOSPD apportioned development to the Great Stall East village based on the extent of the known flood risk at the time the SPD was adopted in 2017. The application is supported by a revised Flood Risk Assessment and new hydrological modelling that has been assessed and accepted by the Environment Agency. The development seeks to re-model the site's topography and this will alter the extent of the site that is at risk of flooding. These changes will alter the site's capacity, such that it could accommodate additional residential development, resulting in the proposed increase in housing to 1550 dwellings. During the course of considering the application, significant amendments and revisions have been made to the scheme, so that the mix of uses accords with policy NC3 and the NEVPOSPD, even though the quanta of residential development and the proposed densities do not. The application proposes an additional 450 dwellings above the quanta of development anticipated in the NEVPOSPD (1100 dwellings) resulting in an average density of 46 dph, compares to 40dph anticipated in the NEVPOSPD. The illustrative character area parameter plan indicates a range of densities from 65 dph, within the Neighbourhood Hub area, around the village centre, to 47 dph within the Acorn Gate character area, to 40 dph within the Village Envelope area and to a density

of 35 dph within the Meadow View character area. Table 1 below shows the proposed distribution of dwellings within these four character areas.

Table 1. Proposed character types, areas and densities

Character Type	Density	Land area	Proposed plots
Neighbourhood Hub	65 dph	4.48ha	291 dwellings
Acorn Gate	47 dph	15.63ha	735 dwelling
Village Envelope	40 dph	10.18ha	409 dwellings
Meadow View	35 dph	3.28ha	115 dwellings
Total	-	-	1,550 dwellings

- 8.38 The areas of land proposed for the primary and secondary schools within the land budget are sufficient to accommodate the educational development required in accordance with the Council's adopted education standards, apart from the fact that the land budget parameter plan illustrates that 1.03ha of the total secondary school site (10.2ha in total) is located within the flood risk zone. Following further advice from the local education authority agreement has been reached with the applicant that through the section 106 agreement, a site for the whole of the secondary school of 10.2 ha, will be provided that is located in flood zone 1, (outside of the flood risk zone), or a suitable equivalent, unless the Department of Education advises the Council that it would accept a reduced or altered site, or if a suitable scheme of mitigation is agreed with the Council.
- 8.39 The revised proposals make provision for a site for a Park and Ride of 1.5ha of which 0.4ha is located within the flood risk zone. This compares to the site area anticipated within the NEVPOSPD that refers to a 3ha site for a 1000 space Park and Ride site. The reduced site area proposed as part of this application of 1.5 ha would provide sufficient land for a site of about 400 spaces.
- 8.40 The proposed sports hub is a necessary infrastructure requirement to make provision for the recreational and sporting needs of the new community; the NEVPOSPD requires a fully serviced sports site, to provide a minimum of 4 adult sized grass playing pitches, with ancillary services including changing room facilities, parking and a clubhouse with secured public access.
- 8.41 The revised IM provides a layout that accommodates 3 adult pitches (one adult sized rugby pitch and two adult sized football pitches, together with four junior football pitches, five mini-junior sized pitches) a bowling green and an indicative area for a car park and sports pavilion. The applicant has provided an alternative summer sports layout to demonstrate that summer sports, including cricket could be accommodated. These pitches and associated facilities are proposed on a site of 5.98ha that slightly exceeds the minimum policy requirement for formal recreation for sports pitches of 5.83ha. The proposed sports hub is discussed in

more detail below.

Education need and provision

- 8.42 The revised application refers to the provision of a ten-form secondary school (without sixth-form provision) and to a three form entry primary school. As described above, whilst the IM indicates that 1.03ha of the proposed total land budget for the secondary school of 10.2 ha is located within the flood risk zone, agreement has been reached with the applicant to provide a site which is acceptable to the Local Education Authority. It is anticipated that this site will include the part of the land shown for secondary education uses on the IM that falls outside of the flood risk area. The site will be secured through a planning obligation in the S106 legal agreement. At the current time, the school provider is unknown but this may be through a future programme for free schools by the Department of Education. A separate site of 2.9ha for the primary school is shown on the IM. Provision for early years education will be accommodated partly within the primary school and partly by a private sector provider that could be located within the local centre. The development will ensure that the secondary school site is secured as part of the planning application, which is essential for education provision serving the site and the wider NEV, as well as making appropriate provision for primary and early years education.
- 8.43 The revised proposals include improved provision for education, through increasing the original size of the secondary school site and by providing for the needs of community-based formal recreation/sports within a separate sports hub, that are spatially and operationally separate from the school's sports fields, the Council requires a 10.2 ha site, that is not restricted by any constraints, that could affect the delivery of the school, or place additional financial burdens on the Council. This includes the risk of flooding, so that the site that is provided enables a secondary school design and layout to be brought forward that meets the educational needs of the development and the wider NEV.
- 8.44 In terms of the phasing of the educational development and the timing of the primary, secondary and early years provision, the application does not include a programme/timetable for the delivery of the educational facilities as part of the application. However, the Education Commissioner has recommended that the primary school site is transferred and made available on first occupation, with the secondary school site likely to be required slightly later in the development programme. Details of the phasing for education and the programme for delivery will be controlled through the section 106 agreement, to ensure that the educational needs of the development are delivered, as required by the Council's development strategy in accordance with policies IN1, NC3 of the SBLP and the POSPD.

Community facilities, local centre/retail

- 8.45 The application includes provision for a village centre on land comprising 0.2 ha and the IM indicates an area appropriately located within the centre of the site

adjacent to the proposed school sites. Although proposed in a different position to that indicated on the Council's NEV illustrative master plan (within the Great Stall village pro-forma in the NEVPOSPD) the scale of provision for the local centre and for community facilities accords with policy NC3 of the SBLP.

GI, public open space, recreation, great western community forest

- 8.46 The application includes new green infrastructure (GI), including formal and informal recreation. The land budget identifies areas for outdoor sport, general recreation, allotments, children's play and other green infrastructure including sustainable urban drainage and habitats, but has not identified a specific land budget for the community forest. The NPPF (2019) defines GI as a network of multi-functional green spaces, urban and rural, which are capable of delivering a wide range of environmental and quality of life benefits for local communities
- 8.47 The NEV GI SPD provides guidance and a framework to secure the delivery of GI throughout the NEV and is a material planning consideration in the determination of all applications within the NEV. The SPD addresses the GI principles of policy NC3 to identify opportunities across the NEV for an extensive GI network, including open space for the new residential development. The NEV GI SPD also considers the landscape biodiversity and archaeology impacts; that open space will be delivered through s106 planning obligations and the SPD encourages partnership working, to secure long term sustainability of GI, through management and maintenance by engagement with all interested parties.
- 8.48 The NEV GI SPD states that within the NEV, open space of public value will form an integral part of GI, with a range of different typologies, from formal sports pitches, to open areas for informal recreation, to country parks. These open space typologies provide a strategic network of accessible, multifunctional sites, including parks, woodland, informal open spaces, nature reserves and historic sites, as well as linkages such as river corridors and floodplains, wildlife corridors and greenways.
- 8.49 The application proposals have been assessed in the context of the Council's adopted standards (Appendix 3 to the SBLP), the guidance in the NEV GI SPD and the accompanying illustrative NEV GI Masterplan. The revised IM does not follow the NEV GI Masterplan or the proposed distribution of open space, as the IM proposes built development that encroaches the GI areas shown on the NEV GI Masterplan. Whilst the application provides the overall quanta of GI in accordance with the Council's adopted standards, the IM has located a significant proportion of the proposed land for general recreation, within the flood risk area. This is partly due to the fact that the revised IM includes a site for the sports hub, but is also a consequence of the increased housing capacity proposed. The proposed areas for tree planting and informal open space land are located within the southern/ western river corridor edge of the site, rather than distributed across the site. In comparison to the distribution of GI that the NEV GI Masterplan, this constitutes a reduction of about 50% of the GI areas that were anticipated for this part of the NEV. The layout provides a more narrow GI buffer area, that may be more difficult to maintain and that may have a more

limited amenity and wildlife value.

- 8.50 The area proposed for the country park shown on the IM has not demonstrated how it would fulfil its primary amenity function as a destination within the NEV. The NEVGISPD anticipated that the country park would be a key component of the Great Stall East village. The proposed open space corridor adjacent to the River Cole, has not included any ancillary facilities for visitors, nor a “destination” play area. The NEV GI SPD identified these elements as key components to provide open space for new occupiers, fully integrated and co-ordinated with other NEV development islands. However, the siting, form and the extent of the proposed open space corridor adjacent to the River Cole is a consequence of the increased housing capacity proposed, necessary to improve the scheme’s financial viability. As a result, it is considered that the absence of the country park, as envisaged in the NEV GI SPD, including ancillary facilities, taken together with the overall reduction in the areas proposed for GI, is harmful.
- 8.51 With respect to the Great Western Community Forest (GWCF) the NEVGISPD states that proposals will deliver GWCF objectives through new planting schemes on site, or through other related projects. Where delivery on-site is not possible, planning obligations will be secured for the River Meadows, as part of an extensive GI network within the NEV. The NEVGISPD sets out the extent of woodland required to meet the objectives of the GWCF; this comprises about 10.3ha of new woodland within the site, or where the GWCF target of a 30% increase in woodland planting is not met on-site, to make provision for off-site planting to compensate for the loss of woodland planting potential. The application provides 6.62ha of new woodland in total, comprising 6.13ha of new woodland located within river corridor GI area within the flood zone 2 (medium probability of flooding between 1 in 100 and 1 in 100 annual probability of flooding including the allowance for 70% climate change) plus an additional 0.49ha of woodland, located within flood zone 1 (low probability of flooding, as land with less than a 1 in 1000 annual probability of flooding).
- 8.52 The revised Design and Access Statement (DAS) asserts that the IM and the revised proposals for GI accord with the SPD’s requirement to protect, conserve and enhance the existing landscape character; the proposals retain the majority of the site’s network of historic hedgerows and hedgerow trees, located within areas of proposed public open space and GI corridors. It is considered that whilst the revised GI parameter plan has improved provision for GI, compared to previous iterations and has addressed some of the landscape objections raised, overall the provision of GI, including new woodland planting for the Great Western Community Forest does not comply with the NEV GI SPD. Due to the additional 450 dwellings proposed, above the level of development of 1100 dwellings anticipated at the site, it is considered that there are harmful impacts to both the extent of GI overall and as a departure from the NEV GI SPD, the NEV illustrative master plan, and policies EN1, EN2 EN3 and NC3 of the SBLP.
- 8.53 Table 2 below shows the proposed open space illustrated on the land budget parameter plan, that shows that the majority of the proposed general recreation space is within the flood zone.

Table 2. Proposed GI land budget

GI Typology	Area within flood zone	Area outside of flood zone	Area in total
Outdoor sport	0ha	5.99ha	5.98ha
General recreation	13.91ha	4.53ha	18.44ha
Allotments	0.35ha	0.74ha	1.09ha
Equipped areas of plan (LEAPs and NEAPs)	0ha	1.09ha	1.09ha
Total GI area	14.65ha	11.96ha	26.6ha
Total gross site area	15.99ha	71.84ha	87.8ha

- 8.54 The improvements made within the revised IM to increase the overall quanta of open space provided from 15.23ha previously, to 18.44 ha is welcome, but it is noted that as about three-quarters of the land is within the flood risk area (zones 2 and 3) adjacent to the Rover Cole, it may not be fully useable due to surface water flooding. The location of parts of the NEV within medium (zone 2) and high-risk (zone 3) flood zones is identified in the NEV GI SPD. Although the flood risk areas may present opportunities to develop and enhance the green corridors for biodiversity, leisure and sustainable travel corridors, there is a concern that by locating a high proportion of the GI within the areas liable to flood, some areas of open space may be unusable and unsustainable.

The sports hub and playing pitches

- 8.55 The revised IM provides a sports hub of 5.98ha, including land for a car park and to accommodate a sports pavilion/building for community use. Notwithstanding the significant improvements made to the IM for formal recreation/sport provision for the new community, which Sport England (SE) have welcomed, their previous objection remains. (See above, in section 7) SE has referred to their published guidance for new developments (Active Design) produced in conjunction with Public Health England, to create environments within which new communities are able to be more active, more often, to benefit general health and well-being. The Active Design principles seek to facilitate and implement the Government's policy to promote healthy communities through good urban design. The value of active neighbourhoods is noted by the Council's Public Health Officer.
- 8.56 SE has consulted with several national governing bodies for sport, including the Football Association, the English Cricket Board and the Rugby Football Union and it recommends that the sport and playing pitches should comply with national standards and with the Council's Playing Pitch Strategy. SE remain concerned

that insufficient detail is provided for sport and that for example, the indicative location for a pavilion may sterilise a large part of the site, unless it is re-located to overlook pitches to either side. Other concerns raised by SE relate to a lack of detail for the pavilion and car park or large enough/suitable for their proposed use. This detail could include illustrating access for vehicles to the proposed allotments, possible ball strike due to their proximity and that Locally Equipped Area of Play (LEAP) are not located close to a car park or pitches.

- 8.57 Other concerns raised by SE relate to the playing pitch layout being too restricted and lacking details for a summer sports layout, including cricket. SE have requested further information to demonstrate that the site's topography and ground conditions are considered, so to maximise available space. SE recommend that the site is "future-proofed" for example for lighting or the future installation of an Artificial Grass Pitch and together with details for the site's future maintenance, including an on-site maintenance shed. However, this goes beyond the scope of the IM and the proposals for grass pitches. In conclusion SE recommend that whilst noting the significant improvements made to address sports provision, further details, including the environmental sustainability strategy underpinning the sports provision are required. It is preferable that all issues are fully resolved and illustrated on the IM, but it is considered that as this is an outline planning application, for a large mixed use development that combines different land uses and spatial components, exceptionally these matters could be controlled by a combination of clauses within the section 106 agreement and by planning conditions. This will enable the objections and concerns raised by SE to be addressed, so that the sports hub is delivered in accordance with both national and local guidance and best practice.
- 8.58 On this basis and in the wider context of the site and the layout overall, it is noted that improvements to the IM include locating all of the land for outdoor sports outside of the flood zone and no longer seeking to rely on double-counted all-weather sports pitches, previously shown on an earlier IM iteration. The provision for outdoor sports shown on the revised IM, including separate school playing pitches and for the sports hub is clear and unambiguous and the layout will ensure that these spaces will operate and function independently, in accordance with the Council's policy and guidance for the NEV. In conclusion, whilst the IM does not show sufficient detail for the sports hub, to accord with policies NC3, EN3 and Local Plan appendix 3 (Open Space Standards) it is considered that exceptionally, additional details are controlled and brought forward through a combination of the section 106 agreement and planning conditions.

Ecology/biodiversity

- 8.59 In accordance with policies EN4 and NC3 of the SBLP all development shall protect and enhance biodiversity and provide net local biodiversity gain. Furthermore, the New Eastern Villages Green Infrastructure supplementary planning document (NEVGIDPD) states that development should demonstrate how it will positively contribute to net local biodiversity gain. The Council's consultant ecologist has advised that despite the evidence in the ecology surveys

to identify a range of protected species, it is not evident how the findings have informed the site layout and biodiversity mitigation, as the focus is mainly on the construction phase of the development, not the post-development period. Several planning conditions are recommended to ensure that appropriate biodiversity gains and mitigation are provided to accord with the Council's development strategy to bring forward a sustainable new community at the New Eastern Villages in accordance with local plan policies EN4, NC3 and the NEV GI SPD.

- 8.60 The Council's Consultant Ecologist and Natural England have commented in relation to the impact from this site on the North Meadow and Clattinger Farm Special Area of Conservation (SAC). Natural England states that it is;

"working in conjunction with Swindon BC and Land Use Consultant to determine the extent to which developments within Swindon BC should consider Habitat Regulations Assessment. From initial meetings it would appear this proposal falls within the scope required assessment". (Natural England email dated 7th May 2020).

- 8.61 The first step would be to screen for likely significant effect and if significant effects are not ruled out, an Appropriate Assessment is required. The submitted ES concluded that owing to the distance between the application site and the SAC, the development would not have likely significant effects upon the SAC and that no further assessment is required. Officers agree that no further assessment is required given the distance from the site being over 10km.. Natural England also advised that they are advising the Council more generally regarding Habitats Regulation Assessments of the development impacts on the North Meadows and Clattinger Farm SAC.

Landscape and visual impact

- 8.62 Policy EN5 of the SBLP, states that proposals for development will be permitted where the intrinsic character, diversity and local distinctiveness of the landscape are protected, conserved and enhanced. In applying this requirement, development proposals should demonstrate how landscape character assessments have been considered, including landscape form, features and topography, the contribution to biodiversity and wildlife and to views, visual amenity and landscape setting.
- 8.63 The majority of the application site is located within the Mid-Vale Ridge National Character Area (MVR), extending from the Vale of Aylesbury along the Vale of the White Horse to Swindon; the eastern corner of the site is located within Upper Thames clay vales (UTCV) that continues north and southwards, towards the Cotswold and the North Wessex Downs respectively. The submitted landscape assessment states that there is no physical boundary or differentiation in character between this part of the site and the remainder of the application site.
- 8.64 The application site is located approximately 3.5km to the north of the boundary

of the North Wessex Downs Area of Outstanding Natural Beauty (AONB), with the ridgeline or escarpment and elevated downlands 3km further north. The AONB is to the south, partly within Swindon Borough and its landscape is predominantly a chalk land of scarp slopes and moulded clip slopes that reflect the underlying chalk geology. The Countryside and Rights of Way Act 2000 provides the legal duty for all relevant authorities to have regard to the primary purpose of AONBs to conserve and enhance the natural beauty. National guidance confirms that great weight should be attached to conserving the landscape and scenic beauty in AONBs that have the highest status of protection in relation to landscape and scenic beauty. This AONB provides opportunities for wide panoramic views over the vale and over Swindon.

- 8.65 The submitted landscape visual impact assessment (LVIA) notes that whilst the AONB has a very high degree of sensitivity, there are currently no public views from the application site area to the AONB. Although it is proposed to remove a number of existing hedgerows, the extent of hedgerow removal has been significantly reduced in the revised IM iteration. Existing hedgerows form strong linear landscape features and are identified in the LVIA as key landscape features that are of high to moderate value. It is considered that where hedgerows are proposed to be retained, these landscape features should be integrated into the open spaces, especially those that are proposed to be located within narrow open space corridors, adjacent to development parcels lacking links to movement networks, as these could provide links for cyclists or pedestrians. Built forms of development frontages should be orientated towards retained hedgerows, to ensure that the linear open space corridors within which retained hedgerows are located, are of sufficient width and form to be sufficiently robust to co-exist alongside the new built development and provide opportunities for usable amenity spaces that can be used by residents and by wildlife. It is considered that further details for the retention of hedgerows and the form and layout of linear corridors could be controlled by planning condition through the implementation of the Strategic Design Code and more detailed proposals for the retention and protection of existing landscape features.
- 8.66 In terms of the wider landscape impact, including to the AONB whilst the alignment of the central area of open space in a direction towards the AONB is welcome, the Landscape Architect has recommended that the proposed linear areas of GI could be better aligned, to make stronger connections with the Ridgeway landscape of the AONB. This was not addressed as part of the revised parameter plans. The misalignment, combined with the narrowness of the open space corridors noted above, does result in an ineffective landscape connection with the AONB, necessary to protect the wider landscape context, in accordance with policy NC3 of the SBLP and the adopted NEVGISPD to create a sense of place by promoting and framing outward views of the landscape. In conclusion, it is considered that the proposals will have a harmful landscape impact contrary to policies EN5 and NC3 of the SBLP and the adopted NEVGISPD.

Flooding and drainage including surface water flooding

- 8.67 Policies EN6 and NC3 of the SBLP require the risk and impact of flooding to be minimised and that all development proposals provide a drainage strategy incorporating sustainable drainage systems, to ensure that run-off rates are attenuated to greenfield run-off rates. The Council's adopted supplementary planning document "Sustainable Drainage Systems (SuDS) Vision for the NEV provides guidance in accordance with the NPPF, to incorporate sustainable drainage systems for major developments, unless clear evidence shows that this would be inappropriate. The submitted revised Flood Risk Assessment (FRA) refers to the Council's adopted SPD for sustainable drainage, used to inform the application drainage strategy. The drainage strategy and FRA is also based on updated hydrological modelling.
- 8.68 The FRA describes that the SuDS attenuation features (basins) proposed on site are designed to accommodate the flows from a 1 in 100 year +40% climate change storm event as directed by the Environment Agency, with discharge limited to green field run off rates to the existing watercourse network. The site is currently open agricultural land divided by numerous field boundaries and field ditches, some of which have become silted and disused. The SuDS strategy proposes to retain many of these original ditches that will be cleared and improved to be used within the drainage scheme, mainly to provide drainage for parcels of development land. The FRA describes that the drainage strategy for each development parcel will include a minimum of two elements of the SuDS system to attenuate flows and to provide improved water quality, before discharging to either the main infrastructure or to the adjoining watercourses and ultimately the River Cole or disused former Canal. The drainage strategy may include within the design for each development parcel systems such as rainwater butts, rain gardens, permeable paving, swales, reed beds, green roofs, grey water recycling and detailed proposals will be determined at the detailed design stage for each parcel and controlled by planning conditions.
- 8.69 The FRA describes that the main distributor roads that pass though the development from East to West and North to South will be designed where possible, to follow the site's existing topography and to drain into shallow swales/basins to attenuate flows and to improve water quality. Indicative section drawings illustrate the design of the swales and of the drainage basins. The surface water drainage strategy for the Park and Ride site is designed to be attenuated to greenfield run-off rates for the 1 in 100 plus 40% storm event. The drainage design for the new access to the A420 Shrivenham Road includes a number of swales to accommodate additional flows linked to the main distributor road swales, to be discharged at a controlled rate equivalent to greenfield run off. The FRA further describes a traditional kerb and gully system along the A420 and to fully investigating the existing surface water drainage features along the A420 for a fully functional system of surface water drainage across the site frontage. It notes that where failings are identified, measures to mitigate and carry out remedial works will be agreed with the Highway Authority. In terms of proposals for the future adoption of drainage infrastructure, the FRA states that sewers will be offered to Thames Water for adoption and that until drainage infrastructure is adopted by public bodies the it will be maintained by the developer/land-owners. Full details of the strategy for the management and

maintenance of drainage systems will be controlled and agreed through relevant planning conditions. The Lead Local Flood Authority has reviewed the revised proposals and recommend no objection in terms of surface water flooding.

- 8.70 With respect to fluvial flood risk, the Environment Agency (EA) raise no objection to the revised proposals subject to conditions. The EA recommend that following their previous response (14th October 2019) further discussions and reviews have taken place of additional and updated fluvial flood modelling to establish the expected extent of flooding on this site. The EA advises that the revised modelling is accepted and the level and extent of fluvial flooding presented is appropriate for use within the FRA. The EA recommends that it is now satisfied that the development is at minimal risk of flooding during a 1% annual probability event with a suitable allowance for climate change. It has been demonstrated that the site can be developed to ensure no built development will take place within the 1% annual probability flood extent with a 70% allowance for climate change. Indicative plans shows that green infrastructure and open space will be located within this extent and it is important that no ground level raising takes place within these areas to ensure flood risk will not increase to the rest of the site or surrounding areas. A small area of the proposed school site is shown to fall within the 70% climate change extent and again there should be no built development or ground level raising within this area. The EA reiterates previous advice (21st June 2019) that any future expansion or overflow of the park and ride site would not be acceptable within Flood Zone 3b. Car parking is classified as Less Vulnerable in accordance with table 2 of the Flood Zones and flood risk tables of the planning practice guidance on flood risk and coastal change and this type of development is not compatible with this flood zone and should not be permitted. The EA recommends that the proposal will be acceptable provided that two planning conditions are imposed, relating to the implementation of the flood risk assessment and secondly to the provision of a buffer zone to the River Cole. The EA recommends that without these conditions it would object to the proposal due to its adverse impact on the environment.
- 8.71 The LLFA has raised no objection, subject to several planning conditions that are recommended, including one condition to specifically address surface water flooding concerns on land to the rear of Longleaze Farm, that are referenced in the third party objections. This includes condition 42, relating to the un-named tributary of the South Marston Brook, that flows through the site from the boundary with Symmetry Park, to assess the full catchment, its capacity and the extent of the flood extents, including the 1 in 1000 storm events. On this basis, it is considered that the application will provide a sustainable drainage strategy in accordance with policies EN6 and NC3 of the SBLP and the adopted SUDs Vision SPD, specifically to the Council's strategy to bring forward a sustainable urban extension for the New Eastern Villages, in accordance with the NPPF.

Heritage impacts, including archaeology

- 8.72 Proposals for development affecting heritage assets shall conserve and where appropriate enhance their significance and setting, in accordance with the Planning (Listed Buildings and Conservation Areas) Act 1990. Policy EN10

states that all Swindon's historic environment shall be sustained and enhanced. Further, development located in the vicinity of a listed building will not be permitted, where there will be an adverse impact on those elements that contribute to their special architectural or historic significance including their setting.

- 8.73 The heritage assessment submitted as part of the Environmental Statement, as amended has described the nature and extent of known heritage assets or areas of archaeological potential which may be affected by the proposed development. It has assessed the importance of these assets, the development's impact and the measures proposed to mitigate these impacts. In relation to archaeology, previous investigations found evidence of pre-history activity, including from the Bronze and Iron ages, Roman finds and evidence of a medieval settlement within the local area. The heritage assessment has identified seven heritage assets within the proposed development area, including two identified through trial trenching. The assessment includes limited information relating to the 'other' non-designated heritage assets. The Wiltshire and Swindon Historic Environment Record (HER) records the location of two out-farms within the proposed development area; one of these is associated with the grade II listed farmstead at Longleaze Farm. The assessment states that Longleaze Farm is a heritage asset of low to medium importance.
- 8.74 Longleaze Farmhouse, is a grade II listed Farmhouse dating from the 18th century and its special historic and architectural interest includes its vernacular built form which is characteristic of the period, retaining its thatched roof (previously likely long-straw). These contribute to its historic and aesthetic significance, together with its siting, location and relationship to its landscape that also contribute to its significance by relating its function within the wider agrarian setting. From the early 19th century, the canal was constructed immediately to the north and a 'draw bridge' provided access to the farmhouse as shown on historic mapping. Whilst the Environmental Statement refers to Longleaze Farmhouse, there is no supporting visual evidence to inform this assessment, although there is a reference to buildings to the south inhibiting the association of the farmhouse to the agrarian landscape beyond.
- 8.75 The NPPF (2019) (Annex 2 Glossary) defines setting, as follows;
- "The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral."
- 8.76 The NPPF (2019) (Annex 2 Glossary) defines significance, for heritage policy as follows:
- "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. For World Heritage Sites, the cultural value described

within each site's Statement of Outstanding Universal Value forms part of its significance."

- 8.77 The Council's Conservation Officer has suggested that the buildings within the setting of the farmhouse located to the south and east, may include aspects of buildings shown on 19th century mapping. Whilst these may not be as historic as the host farmhouse, they are typical of farmsteads, being ancillary and subordinate structures, including their appearance and function. The surrounding land, that is the open agrarian setting of this designated heritage asset, including how it is experienced, is not limited to the north and east. The Conservation Officer has advised that the assessment within the ES of the contribution of the setting of the farmhouse is an underestimate, as it concludes that the harm to the setting of Longleaze Farm will be slight.
- 8.78 The revised IM proposes to retain a 15m "stand-off" or buffer from the boundary of Longleaze Farm which is about 60m from the dwelling itself. The DAS notes that the boundary will be enhanced with native planting and that development will be kept clear of open views to the east of the dwellings, whilst development to the south will be lower density and lower storey heights. The Conservation Officer has advised that the heritage assessment relies on the distance between the proposed development and Longleaze Farmhouse, rather than considering the experience of the asset. For this reason, the Conservation Officer has recommended that the consideration given to mitigating harm that is identified, has not been appropriately considered, in accordance with Historic England's published guidance (The Setting of Heritage Assets Historic Environment Good Practice Advice in Planning 2017).
- 8.79 The revised Framework parameter plan shows built development located close on the eastern side and the Conservation Officer has recommended that this significantly impacts the acknowledged agrarian setting of Longleaze Farmhouse. The revised IM proposes to locate the sports pitches to the south and to the west and whilst the Conservation Officer recommends that in comparison to housing development in this location, the pitches are less harmful, the arrangement of built development near to the farmhouse will compound rather than minimise the negative effects on the setting of the listed building. There are no details, for example of any flood-lighting which could affect setting.
- 8.80 In conclusion, it is considered that harm will be caused to the significance of the farmhouse, as the development has failed to preserve the special historic interest of the grade II listed building, in accordance with the Act (the Planning Listed Building and Conservation Areas 1990). The proposed development will significantly erode the agrarian landscape that is associated with Longleaze Farmhouse, negatively affecting its setting and the contribution made to its significance. It is not considered that the proposals will preserve or enhance the setting of the farmhouse (Longleaze Farmhouse) nor that all opportunities have been taken to utilise the heritage asset to inform place-making. In accordance with the NPPF (paragraph 193) great weight should be afforded to the consideration of development on heritage assets. Where harm is identified the

NPPF requires that any harm to the significance of a designated heritage asset requires clear and convincing justification.

- 8.81 Taking account of the statutory duty to have regard to the desirability of the preservation of listed building and their setting, re-iterated in the NPPF and in local plan policy EN10, it is considered that the proposal would result in harm to the setting of the listed building and that this harm is less than substantial. Further, it is considered that the opportunities for place-making have not been taken with regard to other non-designated heritage assets including the former canal line and features, nor the inter relationship of assets to positively respond to the historic environment.
- 8.82 Local Plan policy EN10, reflecting the NPPF, requires that any harm to the significance of a designated heritage asset should be justified and that proposals will be weighed against the public benefits of the proposal. The public benefits are considered later in the report.
- 8.83 With respect to archaeology, the Council's archaeological advisor identifies that the site is located within an area of some archaeological potential. An archaeological evaluation, by means of desk assessment, geophysical survey and trial trenching, has already been undertaken. This has identified several areas of the site where there are features of archaeological significance which will require mitigation in the form of excavation prior to any ground works starting on site. A detailed mitigation strategy for archaeology is required as this is not set out in the Environmental Statement. The archaeological advisor recommends that a planning condition be attached to any grant of consent to secure firstly, an agreed archaeological mitigation strategy; and secondly the implementation of the agreed programme of archaeological mitigation, to include the excavation of key areas of interest identified in the evaluation as detailed above.

Strategic transport impact, including Park and Ride

- 8.84 Highways England (HE) has provided several responses to this application since the original submission in 2017. The initial response recommended conditions but this was subsequently revised, partly due to the time that had elapsed and various changes including to background traffic levels and developments granted along the A419 corridor. The changes resulted in the requirement for further assessments to ensure that the proposed improvements to the strategic road network are sufficient to accommodate the development, in particular, the improvements to White Hart Junction.
- 8.85 HE undertook a cumulative development impact assessment of all live applications across the NEV allocation, including Great Stall East, using their up-to-date VISSIM traffic model of the A419 corridor, for a forecast opening year of 2022 in accordance with Department for Transport advice (Circular 02/2013). Subsequently, HE has tested the proposed development at Great Stall East only (i.e. without any other live application at NEV or in the Swindon area, except Symmetry Park).

- 8.86 In both the cumulative development and development-specific impact testing, HE advise that their assessments have demonstrated that there is a critical interaction between future performance of the A420 Gablecross junction and the safe operation of the A419 WHJ during network peak periods. This interaction is two-way in that the planned Gablecross improvement (particularly the introduction of traffic signals) manages the A420 eastbound traffic queues to prevent exit blocking at White Hart, but also gates traffic on the A420 westbound to manage the conflict between A420 westbound flows and the A419 WHJ northbound off-slip flows. The A420 Gablecross improvements are planned to be delivered by the Council in 2021 as part of the Local Growth Fund transport package and are expected to be open to traffic from the earliest phases of the proposed development.
- 8.87 Following the assessment work, HE provided a further response to this application to confirm no objection to this application, subject to three planning conditions. The planning conditions restrict occupations until a travel plan coordinator is appointed, ensures that no more than 250 dwellings are occupied until the Gablecross roundabout improvements have been implemented and, that no more than 730 dwellings are occupied until the improvement works at M4 Junction 15 are implemented.
- 8.89 HE provided further advice in relation to the Gablecross improvement works, as HE optimised the proposed signal timings at the A420 Gablecross for the assessments to reduce and manage vehicle queuing on the A419 at WHJ during network peak periods. As the A420 Gablecross improvement works progress, HE has recommended that it and the Council will need to enter into an operational agreement for the A420 Gablecross traffic signal timings and specification, together with a maintenance strategy. This is to ensure the traffic signals continue to operate in such a way as to prioritise the safe operation of the A419 at White Hart Junction.
- 8.90 In terms of sustainable development, HE refer to the fact that the application proposes to provide both a primary and a secondary school, with the secondary school serving the wider NEV. A Park and Ride is also proposed in proximity to the A420 access. HE has referred to the assessment for the current adopted Local Plan for the full NEV allocation, that assumed a high-level of self-containment and a reduced external vehicle trip rate on the basis of traffic internalisation within the wider NEV sites (i.e. journeys contained within NEV to access employment and education provision), alongside modal shift from single occupancy vehicle use to walking, cycling and high quality public transport provision. HE has advised that the opening year assessments it has undertaken have sought to reflect the phased delivery of education and sustainable transport facilities, and the likely effect on travel demands. On this basis, and to ensure that the predicted traffic effects of the development proposals are managed to an extent which is broadly consistent with the adopted Local Plan and the HE opening-year assessments, HE strongly advise that the Park and Ride and education provision should be delivered within the earliest phases of the

development build-out and recommend a further planning condition relating to the implementation of the Travel Plan to facilitate modal shift away from the car.

Local transport impact

- 8.91 A key component of the Council's development strategy to deliver a sustainable new community at the NEV, as set out in Local Plan policies and the adopted supplementary planning documents are the proposed sustainable transport measures, both strategic and local; these are detailed in policy NC3 of the Local Plan. These include links for walking and cycling, good connectivity, both within the development and to the surrounding area and public transport services to connect with Swindon and internally within the development. The strategic transport improvements and new infrastructure for the NEV relate to improvements to the Oxford Road/Drakes Way and the Covingham Road/Dorcan Way transport corridors; a new green bridge across the A419 to provide for walking, cycling and public transport; a new link road (the southern connector road SCR) to the Commonhead roundabout and A419 interchange; new and improved access to the A420 Oxford Road/Shrivenham Road; and measures to minimise rat-running through existing adjacent villages and east Swindon. These transport and highway issues are considered below.

Site layout and connectivity

- 8.92 The application seeks consent for the means of access to the development, whilst all other matters including the appearance, the landscaping, the layout and scale of the development (the "reserved matters") are reserved for later approval. Detailed drawings show the proposed new eastern junction to the A420 (Shrivenham Road). As part of the parameter plans, the submitted movement framework plan shows an indicative hierarchy of roads, based on a central main avenue running east to west to link with Symmetry Park, with a southern spur to link to Lotmead Village to the south. Branching from this main avenue are a network of streets, roads and lanes, with an indicative pedestrian friendly/cycle network. The proposed development connects with the highways constructed within the Symmetry Park site that is adjacent to the application site. The use of the highways within the Symmetry Park site that provide connections at the southern and eastern boundaries is the subject of a hearing in the Court of Appeal in October 2020. This is a challenge against a High Court judgement handed down in July 2019 that confirmed the public use of the highways in Symmetry Park. On the basis of the High Court judgement, these highways are public and the proposed development is designed to connect to these highways, in accordance with the NEV Illustrative Masterplan.
- 8.93 During the course of the application's submission a revised Transport Assessment was submitted during the summer of 2019, a supplemental Technical Note (autumn of 2019) and a revised Travel Plan was submitted in June 2020. These provided revised transport modelling, analysis and relevant accident data. The revised package of transport evidence has responded to

previous objections and concerns raised by the Local Highway Authority. The Transport Development Management Officer has reviewed this supplemental and revised transport information and recommends that planning permission be granted, subject to planning conditions relating to the safe and efficient operation of the local highway network.

Connectivity, including footway and cycleway network

- 8.94 Connectivity for pedestrian footway and cycleway is shown indicatively on the submitted IM and on the submitted movement framework plan. These illustrative proposals accord with the Council's strategy for connectivity, detailed and to be secured, through the implementation of the adopted supplementary planning document the New Eastern Villages Island Bridge Vision (NEVIBVSPD). The application and the indicative IM does demonstrate and illustrate connectivity at various locations identified in the NEVIBVSPD (for example at locations 9 and 10) to provide connectivity to the adjacent Symmetry Park and towards the eastern edge of the development site. Further, the revised proposals align with connectivity to the south (bridge 4) and with the indicative master plan for the Lotmead parcel of development to the south. A more detailed consideration of footpath and cycleway routes utility and recreational use will be fully assessed and considered at the reserved matters stage, both in respect of this application for Great Stall East and the proposals for land north of the A420. The IM has demonstrated that there is adequate space within the site to link to wider active travel routes, planned for the NEV, including to South Marston and the wider NEV and details for additional crossing points on the A420 will be brought forward for delivery through the detailed design and movement strategy that is required to be submitted for approval prior to the first submission of a reserved matters application. Whilst plans show roadside cycle ways and footpaths, these link to existing cycle ways along the A420 corridor and would connect to safe off-road connections, (including those north and south of the A420), which would be considered further as part of the detailed design.
- 8.95 In addition, the proposals have considered connectivity and accessibility, as the revised DAS addresses and refers to Public Rights of Way to the north of the A420 and to the potential to continue these routes through the application site as recreational routes. The application refers to a number of public rights of way (PROW) located within a relatively close distance of the site and the IM indicates cycleway provision will be made along the River Cole corridor; however there are no details of connections to the wider PROW network. The application does not include an assessment of the quality of existing routes, provide details of routes for pedestrians, cyclists or horse riders to connect to the wider area in a phased approach, whilst the development is carried out. However, it is considered that this can be controlled by planning conditions, to ensure that a full strategy to detail connectivity for all users is in place and is implemented to provide these connections, so that the development is fully integrated as part of the delivery of the wider New Eastern Villages in accordance with the Bridge Vision SPD.

The proposed eastern access

- 8.96 The New Eastern Villages illustrative master plan shows the provision of a new junction access to the A420, at the eastern end of the site, together with an east-west link within the site to the adjacent Symmetry Park and the District Centre to the west and to the southern connector road (SCR) through links to the Lotmead village to the south. Previously, the application as originally submitted proposed two primary access points to the A420, an eastern and a western access, but the revised proposals and the recent traffic modelling were undertaken on the basis of the eastern access to the A420 and the description of the development has been modified to remove the western access from the proposals. Highway links to the NEV to the west from the development, would be provided through Symmetry Park and to the south through Lotmead village and will be required to be made highways maintainable at public expense. The Transport Development Management Officer has recommended that the proposed access arrangements for a single eastern access to the A420 and links to the neighbouring NEV development areas are accepted by the Local Highway Authority, as these access arrangements accord with the Council's accessibility strategy for the NEV (as illustrated on the NEV master plan and by local plan policy NC3. The Personal Injury Accident data provided for the most recent 5 year period (60 months) for both Swindon and Oxfordshire County Council's area has been provided and assessed and the Local Highway Authority recommend that this analysis illustrated that there is no evidence to suggest that there are inherent safety issues with the local highway network.

Proposed bus-only route

- 8.97 The IM shows a bus only route along the core express east-west link to connect to the District Centre to the west, through Symmetry Park in accordance with the NEV illustrative master plan and the village pro-forma for Great Stall East, in the NEVPOSPD. Additional details will be required to be submitted for approval to demonstrate in greater detail how the proposed layout will ensure that the bus-only part of the route is designed so that it cannot be used by general through-traffic, to provide a dedicated fast route for buses only. This is necessary as otherwise insufficient protection of the route for the core express bus link could duplicate the role of the A420 (Shrivenham Road), by attracting a significant quantum of general traffic to the bus-only route. This would reduce and diminish its effectiveness as a public transport priority corridor and adversely affect the accessibility for the whole New Eastern Villages for public transport and affect the overall effectiveness of the core express bus link to provide sustainable transport links to local services and the wider Swindon area.

The location of the education facilities and local centre

- 8.98 The application illustrative master plan (IM) shows an indicative location for education facilities (the secondary and primary schools), but these are in a different location to that shown on the NEV illustrative master plan. However, the revised proposals do locate the schools adjacent to the core express bus route, to enable buses to access the primary and secondary schools. A direct access for buses will enable a more appropriate form of urban design and enable bus movements to be linked to general pedestrian and cycle traffic, including pupils

and students accessing the schools, including students travelling to the secondary school from other “villages” in the NEV. Provision will be required for drop-off facilities for the primary school, as whilst some primary-age pupils will walk or cycle to school, others may arrive by car, including shared journeys with parents en-route to work. Additional details will be required of the school drop-off facilities as part of subsequent reserved matters applications to be controlled by planning conditions.

Park and Ride

- 8.99 Policy NC3 of the Local Plan identifies the requirement for the provision of a site for a new Park and Ride, of 1000 spaces on 3 hectares of land. This provision is amplified through the New Eastern Villages Planning Obligations SPD (NEVPOSPD) and the NEV illustrative master plan that shows an indicative location for the Park and Ride at the eastern end of the application site. The village pro-forma in the NEVPOSPD for the Great Stall East village identifies that land should be provided for a Park and Ride site in accordance with local plan policy NC3; this is part of the wider NEV to provide sustainable transport links for the new community, including commuting routes and links with the proposed District centre and employment areas. The objectives for the Park and Ride are to achieve modal shift for existing journeys that use the A420, to bus transit; secondly, to reduce traffic flows through the Gablecross and the White Hart junctions and on to the town centre; thirdly, to accommodate frequent routes between Oxford and Swindon; and finally, to create a high degree of bus visibility throughout the New Eastern Villages, through a prominent location adjacent to the A420, to enable the early implementation of a high quality bus service for the new community.
- 8.100 As described above, the purpose of the Park and Ride is to draw traffic travelling east towards Swindon, away from using private cars, to using a transport mode by bus to reduce congestion on the A420 (Shrivenham Road) and to avoid undermining planned improvement works at the Gablecross and White Hart junctions. The provision of the Park and Ride would also have the effect of bringing back (repatriating) traffic travelling towards Oxford to the east, through the additional use of existing bus services between Swindon and Oxford (currently Stagecoach route S6 and formerly the route 66 bus), increasing patronage for the service, improving its commercial viability, longevity and the potential to increase the frequency of the service. The inclusion and location of the Park and Ride site at the eastern end of the site is key to achieving the Council’s sustainable transport objectives, including picking up Swindon in-bound traffic from the east (Oxford direction) before it would arrive at sensitive junctions and roads, including at the Gablecross and the White Hart junctions. The eastern location for the Park and Ride will also enable routes to the town centre to be directed through Great Stall East and the proposed NEV internal routes, to maximise use of the bus services for new occupiers, by ensuring that the bus route from the Park and Ride passes a maximum number of new dwellings, without reducing the efficiency of the service.
- 8.101 In conclusion, the Local Highway Authority recommend that on the basis of the

traffic modelling originally undertaken to support the application for 1700 dwellings previously proposed, it has demonstrated that traffic associated with that higher level of development would not have an unacceptable impact on the local highway network. The revised application proposal for a lower number of dwellings (1550) will have a lesser impact during the network morning and evening peak hours, compared to that previously modelled within the transport evidence. Overall, the Transport Development Management Officer has recommended that proposals are acceptable to the Local Highway Authority, subject to the completion of appropriate legal agreements to provide transport related infrastructure under Section 278 and 38 of the Highways Act 1980 and Section 106 of the Town and Country Planning Act 1990, together with a number of transport and highway-safety related planning conditions. The revised transport and highway related elements of the development, including the access strategy and the transport evidence that has assessed the impacts of the development on the local and the strategic highway network are considered to be acceptable and will provide appropriate sustainable transport measures in accordance with the Council's adopted planning policies, the guidance in the NEV supplementary planning documents and the NPPF (2019).

The loss of agricultural land

- 8.102 The application site is currently in use as agricultural land and the Environmental Statement notes that the land is not of the highest quality agricultural land, some being grade 3 (good to moderate) and some grade 4 (poor). As a result, although the proposed development would result in the loss of agricultural land, taking account of the fact that the land has been allocated for development in the Local Plan as part of the New Eastern Villages strategic urban extension, it is considered that the wider benefits of bringing forward the development outweigh the loss of this agricultural land in this particular instance.

Site layout and urban design

- 8.103 In accordance with policies DE1 and SD1 of the Local Plan, new development should provide a high standard of design and sustainable new development. The IM and parameter plans refer to a series of design objectives, including legibility, movement and access, habitats and biodiversity, green infrastructure and landscaping, open space, sustainable urban drainage, acoustic and air quality and phasing. These details were revised through the submission of the amended framework plans, illustrative master plan and supporting Design and Access Statement. The revisions have sought to address concerns raised relating to compliance with policy DE1 of the Local Plan, the adopted New Eastern Villages (NEV) Illustrative Masterplan and the adopted Swindon Residential Design Guide SPD, to ensure that the proposals are properly integrated within the wider strategic New Eastern Villages master plan and aligned with the adjoining development parcels at Lotmead and Symmetry Park
- 8.104 The revised IM provides a design based around a village core, located at the junction of the East-West route with the proposed southern spur to Lotmead village. This location at the intersection of the main avenue primary route, is the

optimum location for the mix of uses, including opportunities for facilities to be grouped or clustered together, such as the schools, local retail floor space, usable open space and higher density development. The proposed clustering of uses will provide a well-located “nodal point” or village core for better accessibility, to support public transport and local community facilities and to provide for a sustainable urban form, through the application of sustainable development principles as set out in policy SD1 of the Local Plan, including for healthy, safe and inclusive communities.

- 8.105 The Urban Design Officer has advised that the overall spatial conceptual design framework indicated on the IM has been revised to provide a more logical form of development block configurations with a more regular shape, with better connections and being more simply laid out than the previous iteration of the masterplan. A key consideration for connectivity for all modes of transport, is to afford the highest priority to pedestrians and cyclists. In this regard, the Urban Design Officer has advised that the nature and design of the primary route through the development should be developed for low design speeds of 20mph, especially in the vicinity of the central neighbourhood hub to ensure its pivotal role for its place-making function.
- 8.106 There are concerns that the proposed density of development and distribution of character areas and the dwelling numbers illustrated as ‘maximum’ or ‘up-to’ figures are overly high and in some cases, unprecedented for major development sites within Swindon. The overall development quantum proposed of 1550 net dwellings relies on achieving the character area densities as ‘average’ not as ‘up-to’ levels across the site. To assist the wider design process, the Urban Design Officer has recommended that the proposals could be presented to a Design Review Panel, as this would assist the applicant and their design team to improve the design quality and character, landscape, viability, highways and sustainability through its master planning. However, notwithstanding this, it is recommended that design quality is secured through several planning conditions, to ensure connectivity, the design of active streets to prioritise pedestrian movements and achieve a high level of place-making quality. The design of the boulevard would benefit from providing development on both sides which is more efficient in layout terms. The main avenue street should be designed to accommodate a series of access points for the development parcels, with as much development frontage as possible located along the route. This and other aspects of the detailed design can be controlled through a Design Code planning condition which has been recommended, to address strategic design objectives (Local Plan policy NC3) and to secure high quality design (Local Plan policy DE1).
- 8.107 The proposals for new character areas are based on providing a range of housing typologies; whilst this would create some limited differentiation, in accordance with national and local policies for a development of this scale, character should be provided through links to and a positive response to the site’s existing context; it should demonstrate how identity and a “sense of place” would be provided, including how existing landscape features are incorporated, to create new distinctive character areas across the site.

- 8.108 As set out above, it is considered that the densities proposed for some of the land parcels are ambitious, as these will require a high number of apartments to achieve these figures; the application suggests up to 300 one and two bedroom apartments. It will be difficult to achieve these levels in terms of designing a site layout that accords with the Council's adopted car parking standards and when compared to similarly-sized strategic development sites in Swindon, for example the Tadpole Garden Village (1695 dwellings and associated facilities and infrastructure). The densities across Tadpole Garden Village range from around 25dph at the edges to just over 40dph around the local centre, but that development does not include such a high number of apartments, in comparison to this application. The Urban Design Officer has advised that the proposed overall average density of 65dph for the entirety of the Neighbourhood Hub represents a density that will be very difficult to achieve and this proposed density has so far not been achieved anywhere in Swindon by a national house builder, who generally provide densities ranging from 40 to 45dph.
- 8.109 In response, the applicant has stated that the intention is to deliver a high quality development, on the application site, which serves as a gateway to Swindon along the A420. Based on the recommendations by the Committee on Climate Change and the report "UK Housing Fit for the Future" (2019) and the principles set out in the "Living with Beauty" report (2020) the proposals will incorporate innovative and sustainable design by using new technologies to support sustainable living, to respond positively to the challenges of climate change and the environment. The applicant has stated that new homes will be built to be low-carbon, energy and water efficient and to climate resilient standards and adaptable to meet future occupancy needs with the objective of 'future proofing' the development. A strategic design code was not submitted as part of the application package but the submitted revised DAS and accompanying parameter plans set out the principles for securing a deliverable high quality design for the proposed development. The applicant has referred to the development at the Tadpole Garden Village as a base-line and the applicant's objective is to deliver comparable standards.
- 8.110 The applicant has referred to the arrangement and detailing of the built form to create identity to individual neighbourhoods. These include the definition of four residential character areas within the overall development framework and character area plans. The applicant's agent has described that the urban core will be active, contemporary and community focused so that there are opportunities for social interaction as part of a permeable and well connected centre for the village. Traditional building materials are proposed to be used, including brick, render and stone with special materials used for the schools and commercial buildings. The transition from the core to the rural fringes will be reflected through the use of materials such as railings, walls, hedges to natural green infrastructure at the village edge. Distinctive neighbourhoods will be created within a unifying broader framework using a palette of materials to create a distinct sense of place, with variation in housing typologies, scale and density to provide interest and identity.
- 8.111 It is considered that these matters can be controlled and implemented through

the implementation of a Strategic Design Code, by a planning condition that specifically references the design quality of the development. In addition, the detailed height, form, siting appearance and layout of development, including for the residential development parcels will be assessed and controlled at the detailed design stage. This will ensure that there are no adverse impacts on the amenity of existing neighbouring occupiers nearby, including the siting and layout of pedestrian and other movement routes. This will enable the detailed design of the development to be brought forward through the combination of a Strategic Design Code and more detailed Character Area Design Codes, in accordance with the adopted supplementary planning document, the Swindon Residential Design Guide, to ensure that a high quality design is provided, with a design-led approach in accordance with policies DE1 and NC3 of the Local Plan.

Infrastructure delivery and mitigation

- 9.1 A draft Heads of Terms relating to financial contributions and other infrastructure necessary to mitigate the impact of the development, in accordance with the Community Infrastructure Regulations has been submitted. These relate to affordable housing, education, transport, community and health infrastructure, green infrastructure/open space and other matters identified within the Environmental Statement that cannot be secured by planning conditions. The draft Heads of Terms are based on the overall viability of the proposals which have been independently reviewed by the Council's independent advisor. In accordance with policy IN1 (Infrastructure Provision) all development shall, within the context of economic viability, make provision to meet the cost of new infrastructure necessary for the development, to mitigate the impact of the development and contribute to the delivery of strategic infrastructure to address the cumulative impacts of development.
- 9.2. The Council has adopted a Community Infrastructure Levy charging schedule and the economic viability of development is a material planning consideration. The Council carried out an independent Financial Viability Assessment (FVA) of the costs of infrastructure required as part of the NEV development. The FVA demonstrated that the NEV is broadly deliverable with the required level of contributions for the costs of infrastructure set out in the NEVOSPD. In circumstances where an applicant considers that the planning obligations required would render a development unviable, the applicant is required to submit, well in advance of the determination of the planning application, a full financial viability assessment carried out by an appropriately qualified and independent financial professional adviser.
- 9.3 The FVA has been reviewed and the Council's independent consultant has advised that a fully policy compliant scheme, that makes provision for all infrastructure identified for the NEV is not viable. The independent review has further confirmed that the assumptions adopted in the applicant's viability appraisal, are reasonable and that the sales values adopted reflect the higher build cost allowance. As a result of the independent review, the values attributed to costs and values within the applicant's viability appraisal were reduced, including development and finance costs. Based on the independent viability

appraisal, the Council's independent consultant has advised that the development proposal is unviable in relation to the full policy compliant infrastructure requirements, both in terms of the 30% affordable housing provision and full section 106 contributions. The applicant's compromise viability model has resulted in a section 106 package that provides 15% affordable housing, together with an enhanced package of section 106 monies, of £7.25m towards the primary school and further monies for transport mitigation. In accordance with the policy requirements, the applicant is able to deliver a reduced percentage of affordable housing (15%) and contributions to meet some but not all of the priority 1 and none of the priority 2 infrastructure requirements. This would provide satisfactory mitigation of the impacts of the development, in accordance with the NPPF and Local Plan policies, such that the scheme is financially viable. Therefore, it is considered that the s106 package detailed in the table below, is compliant with the tests under Regulation 122 of the CIL Regulations 2010, and is required to mitigate the impact of the development. Taking into account all material considerations, officers recommend that the package is necessary to make the development acceptable in planning terms, it is directly related to the development and is fairly and reasonably related in scale and kind to the development.

Table of agreed contributions

Infrastructure Item	Proportionate contribution secured	Prioritisation Matrix
Primary education capital cost	£ 7.25m	1
Primary education land	Site of 2.9ha	1
Secondary education capital cost	£ 0	1
Secondary education land	Site of 10.2ha	1
Park and Ride	Site of 1.1 top 1.5ha	1
NEV Travel Plan	£415,989	1
Footpath number 5	£ 348,341.61	1
Affordable Housing	15% (233 dwellings)	1
Total	£8,014,330.61	

- 9.4 Based on the viability assessment which has been independently reviewed, the table above shows the proposed package of infrastructure to mitigate the impact of the development. This is limited to some priority 1 items, but excludes any financial contributions towards the strategic transport schemes as detailed in the table below.

Table of infrastructure requirements not provided

Infrastructure Item	Proportionate contribution required	Prioritisation matrix
Secondary Education capital cost	£6,225,666.91	1
Community Forest	£1,067,771.71	2
NEV nature Park	£1,338,937.50	3
Strategic Transport Package (White Hart Junction, Southern Connector road, great stall bridge, A420 improvements, West of A419, express bus network)	£17,105,625.00	1
Public Art	£372,775.00	3
Health	£1,509,118.75	2
Library	£331,700.00	3
Leisure	£776,755.13	3
Waste kerbside collection	£117,412.50	1
Total	£28,845,762.50	

- 9.5 The application proposals have made provision for infrastructure in accordance with policies NC3, SD3 and IN1 of the Local Plan and the adopted NEVOSPD on the basis of the scheme's financial viability. Whilst the financial contributions are limited, the proposals provide for key elements of the essential infrastructure necessary for sustainable development at the NEV as well as making provision on-site for the needs of the proposed occupiers of the development, in terms of open space, formal and informal recreation and education provision. The shortfall in priority 1 infrastructure provision weighs against the proposal but has to be considered in the overall balance, with the weight attributed to it determined by the findings of the viability assessment.

Other matters, including those raised in the third party representations

- 10.1 The third party representations and other consultation responses received are set out in appendix A to this report.
- 10.2 The representations include objections raised by Oxfordshire County Council (OCC) and by the Parish Councils. In summary these relate to inadequate transport evidence, increased traffic flows and congestion, including on the A420 and that the proposals depart from the statement of common ground signed by the Council and OCC, the Vale of White Horse District Council and the Western Vale Villages. Concerns are also expressed that the capacity of development has been increased, resulting in an increase in density and dwelling numbers above the threshold of 1100 anticipated in the NEVOSPD; other concerns relate to the lack of a link to the Southern Connector Road and the lack of spare capacity

within local infrastructure to provide local services for the proposed new residents. Paragraphs 8.84 onwards of this report deal with the transport matters.

- 10.3 The Ramblers (Swindon and North-East Wiltshire Group) have raised concerns regarding the provision of safe and convenient walking and cycling routes throughout the NEV for both leisure and practical purposes, for example to schools, including safe links over the A420. This matter is addressed in paragraph 8.95
- 10.4 The Wiltshire and Swindon Campaign to Protect Rural England (CPRE) object to the proposals due to the cumulative impact of development at the NEV, the departure of the application proposals from the form of development islands in the Local Plan, the absence of details for new green infrastructure and planting, the adequacy of the buffer between the NEV and the AONB, a lack of compatibility and co-ordination for the green infrastructure for each development island and the departure from the master plan principles, density and individual identity of the distinct villages. This report deals with the matters raised and whilst officers acknowledge that there is some deviation from the NEV Illustrative Masterplan (as part of the NEVPOSPD), all matters are considered in the planning balance as set out in section 11 below.
- 10.5 The Wilts and Berks Canal Trust comment that insufficient consideration has been given within the application to the complex drainage and flood protection of the whole of the catchment area between the scarp of the Downs to the south and the railway line to the north. The integration of the canal within the individual proposals for the NEV is that it adds protection to the whole development area, rather than one individual parcel or village area and to the wider flood plain. In this context, it is noted that the alignment of the safeguarded route for the canal through policy NC3, is located outside of the application site edged red.
- 10.6 The objections received from local residents relate to the scale of the development and to existing congestion on the A420. Other concerns relate to air pollution, the impact on the historic route of the Wilts and Berks canal, the impact on privacy and amenity resulting from the location of footpaths and cycle ways and the impact from the height of buildings which is proposed too close to neighbour's boundaries. Other points of concern relate to the impact on a heritage asset, the lack of consultation by the Council and by the applicant with local residents and the impact on local drainage infrastructure which has not been considered. Officers are satisfied that the required consultations have been carried out and the matters relating to the transport impact, the canal, the impact on amenity and heritage assets are dealt with in this report in the relevant sections. With respect to drainage and surface water flooding, the objections and comments received from local residents have been carefully considered. The revised drainage strategy is based on sustainable drainage principles to retain existing ditches to providing a sustainable drainage system in accordance with the Council's adopted policy and guidance including the adopted NEVSuDs SPD. The drainage strategy will be controlled and implemented through several planning conditions, as recommended by the LLFA.

Planning balance and concluding comments:

- 11.1 The development forms part of the NEV strategic urban extension as an allocated strategic site in the SBLP and it will make an important contribution to the Borough's housing supply. Whilst the scale of development exceeds the level anticipated in the adopted NEVPOSPD, taking account of the fact that the site is required to deliver significant infrastructure necessary for sustainable development across the NEV, it is considered that the revised proposals have broadly addressed the sustainable development principles set out in Local Plan policies and within the adopted supplementary planning documents. It is acknowledged however that there is a shortfall in greenspace provision with the development parcel extending into areas shown as strategic gaps between development areas of the NEV masterplan.

Of critical importance to the NEV, the development makes provision for education, including providing a site for a new secondary school serving the wider NEV and for primary education; land for both the primary and secondary schools will be transferred to the Council through a section 106 agreement.

- 11.2 With respect to the secondary school, whilst the IM shows a site of 9.17 ha located outside of the flood risk zone, the applicant has agreed to provide a site of 10.2 ha located in flood zone 1, or suitable equivalent, unless the Department of Education otherwise accept a reduced or altered site, or if a suitable scheme of mitigation is agreed with the Council, for example. The transfer of the secondary school site to the Council will be controlled through the section 106 agreement and the School Place Planning Manager has accepted the applicant's proposal to transfer a site, of 10.2 ha wholly within flood zone 1 (or suitable equivalent unless otherwise agreed by the Department of Education). This will ensure that if, as anticipated the Council subsequently transfers the land for a new school to the appointed operator, the delivery of the secondary school site will not put the Council at any additional financial risk, for example being required to mitigate the flood risk area, or to provide additional land. The applicant's proposed form of wording, including an alternative option, should a suitable scheme of mitigation be agreed by the Council, will ensure that the development can be brought forward in broad accordance with the IM. Your officers consider that this is a pragmatic and practical response to both address the legitimate concerns raised by the local education authority, whilst also ensuring that the development including the secondary school site and associated infrastructure required for the whole NEV, is brought forward and secured as part of this development. It is considered that this is a significant and important benefit to be accorded considerable weight in the planning balance as it is necessary for the sustainable development of the NEV, in accordance with the NPPF and local plan policy NC3.
- 11.4 The layout makes provision for sustainable transport, including the site for a Park and Ride. This is part of the transport strategy for the wider NEV, for sustainable

transport links for the new community, including commuting routes, links with the proposed District centre and employment areas. The key objectives of the Park and Ride to achieve modal shift for existing journeys that use the A420 requires the Park and Ride site to enable bus transit, including the early implementation of a high quality bus service for the NEV. It is considered that the Park and Ride site is a significant and important benefit, necessary for sustainable transport and it is afforded significant weight in the planning balance in accordance with the NPPF and local plan policy NC3.

- 11.5 With respect to heritage impacts, on the basis of the available evidence, it is considered that the development would have less than substantial harm on the setting of the designated heritage asset Longleaze Farm. Reflecting the NPPF, policy EN10 requires that any harm to the significance of a designated heritage asset should be justified and that proposals will be weighed against the public benefits of the proposal. It is considered that the public benefits, namely the provision of housing including affordable housing, the secondary and primary school sites, the sports hub and the Park and Ride site, are significant public benefits that there is a clear and convincing justification for the development in the public interest. Improvements to the setting of the heritage asset could be made which is a matter that weighs against the proposal, however overall, the public benefits are considered sufficient to outweigh the harm identified.
- 11.6 In relation to the strategic and local highway network, the revised evidence base, including the transport modelling has adequately assessed the impact on the highway network, including the strategic network. The proposals accord with the Council's policies and strategy for sustainable transport, including the inclusion of a site for a Park and Ride, albeit not at a scale that accords with the local plan and the adopted supplementary planning documents. It is considered that the proposals for sustainable transport, including providing the quality bus corridor to link to Symmetry Park to the west and to the District Centre at Great Stall West is a further important public benefit that should be afforded significant weight in the planning balance.
- 11.7 The proposals have provided a strategy for a sustainable urban drainage system, in accordance with the Council's adopted policies and guidance; the application has included proposals for ecology to be implemented through a landscape and ecology management plan and these public benefits are afforded significant weight.
- 11.8 The revised IM and accompanying parameter plans have improved the design of the development to demonstrate indicatively a form of layout and design to ensure accessibility, permeability and connectivity. The application commits to providing high quality development and this will be controlled and implemented at the detailed design stage, through both Strategic and Character Area Design Codes to ensure that important landscape features retained to inform the site's layout provide a high standard of design and place-making. The application has made provision for open space and playing field/sports within a sports hub for healthy communities. These benefits, including for public health and well-being are afforded significant weight, particularly in conjunction with the high quality

design proposed the development.

- 11.9 Lastly, based on a full viability appraisal, that has been independently reviewed, the application includes proposals to deliver infrastructure necessary to mitigate the impact of the development in accordance with the local plan and the adopted supplementary planning documents. Whilst the infrastructure package falls significantly short of the full expectations detailed in the NEVPO SPD, the site is constrained by the need to provide land for necessary strategic infrastructure for the wider NEV, including the secondary school and Park and Ride. Therefore, whilst these issues, including the proposals for affordable housing are finely balanced, the site is a key part of the Council's development strategy, necessary to bring forward the wider NEV, as a sustainable new community.
- 11.10 On the basis of the development plan, the proposal is broadly aligned with the requirements of the Local Plan particularly policy NE3. There are shortcomings with regard to heritage impacts, green infrastructure, design and infrastructure, that do not fully accord with policies SD1, SD2, DE1, EN4, EN6, EN10, HA2 and NC3. On balance however and having regard to the viability appraisal, it is accepted that there is limited potential for increased compliance and on balance, the proposal overall is considered to accord with the objectives of the development plan as a whole.
- 11.11 With regard to the Framework, particularly given the Council's housing supply position, the development broadly accords with its overall aspirations. With regard to the requirement to protect areas or assets of particular importance, which relate in this case to heritage assets, flood risk and the AONB, it is considered that subject to conditions, there would be limited conflict with paragraph 11d(i) of the Framework and overall, the adverse impacts identified are not sufficient to significantly and demonstrably outweigh the benefits of delivering additional housing, including 15% affordable provision, a secondary school that is necessary to serve the wider NEV and a site for the Park and Ride, that will widen and improve the sustainable transport choices for the NEV and for Swindon as a whole.
- 11.12 Whilst some conflict remains with the Council's NEV Planning Obligations SPD and other concerns, including green infrastructure and design which are material considerations that weigh against the proposal, given the viability assessment and the general compliance with the development plan and the Framework, these matters do not indicate that a decision other than to approve the application should be reached. Therefore in these circumstances and taking account of the very particular planning constraints that are affecting the delivery of the site, the scale of infrastructure that is provided and the effects on viability, it is recommended that the Director of Strategic Development is authorised to grant outline planning permission, subject to the completion of a section 106 agreement and subject to planning conditions, as detailed below.

Recommendation

- 12.1 That the Director of Strategic Development be authorised to **GRANT** outline

planning permission, subject to the completion of a section 106 planning obligation, for the delivery of the secondary and primary school sites, the Park and Ride site and the financial contributions set out at paragraph 9.3 above subject to the following conditions;

- 1.2 Or, in the event that a further extension of time is not forthcoming to enable the planning obligation to be completed and the decision issued, the Director of Strategic Development be authorised to refuse the application for the following reason:

The proposal has not secured the necessary infrastructure package required to mitigate the impact of the development, by means of a planning obligation and / or planning condition, to provide for the infrastructure needs arising from the development to meet the requirements for sustainable development to accord with policies NC3, RA3, IN1 and EN2 of the adopted Swindon Borough Local Plan 2026 and the provisions of the National Planning Policy Framework (NPPF).

Planning Conditions

Scope of application and time limits

1. Time Limit for Development

The development hereby permitted shall be commenced either before the expiration of 3 years from the date of this permission or before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: To enable the Council to review the suitability of the development with Section 92 of the Town and Country Planning Act 1990.

2. Reserved Matters

No development shall take place within each development phase or sub phase, before all the reserved matters for that phase or sub phase have first been submitted to the Local Planning Authority for approval in writing. The reserved matters are the layout, scale, appearance, and landscaping of the development.

Reason: To accord with Section 92 of the Town and Country Planning Act as the application is in outline.

3. Timing of Reserved Matters

The details of the layout, scale, appearance and landscaping of the development herein known as the “reserved matters” for each development phase or sub-phase by the Local Planning Authority, shall be approved prior to the commencement of any development within that phase or sub-phase. The first application for the approval of reserved matters shall be submitted to the Local Planning Authority before the expiration of 2 years from the date of this permission. All subsequent reserved matters applications shall be submitted no later than 12 years from the date of this permission.

Reason: To enable the Council to assess and review the suitability of the development in accordance with section 92 of the T and C P Act 1990 (as amended)

4. Approved plans and documents

The development hereby permitted shall be carried out in accordance with the following approved plans and documents unless otherwise in accordance with the conditions of this planning permission:

Flood Risk Assessment and Surface Water Drainage Strategy rev 3 (MJA Consulting) and accompanying appendices 1 – 14 inclusive received 7th August 2020.

Green Infrastructure Strategy Figure 5.15 rev H, received 17th June 2020.

Framework Travel Plan (ref 19/0316/5881/WL rev D), received 2nd June 2020.

Landscape Character Addendum v3 (MHP) consultants briefing note)

Illustrative Masterplan Figure 1.3 rev H

Development Framework Figure 1.4 rev G

Phasing Plan Figure 1.6 rev F

Building Height Plan 1.7 rev F

Land Use budget Figure 1.8 rev H

Character Areas Figure 1.9 rev G

Movement Framework Plan Figure 5.17 rev A

Appendix 6.12 Addendum and Minor Updates

Environmental Statement Chapter 3 update (April 2020)

Design and Access Statement issue 6 (MHP Design Ltd ref 20001), all received 7th April 2020.

Access drawings: Eastern access phase 1 (5881-100A general arrangement); Eastern access phase 2 (general arrangement 5881-101A); and construction access HGV tracking (5881-103A), all received 6th November 2019.

Ecology Briefing Note Environmental Statement Addendum (Ecology Solutions), received 4th November 2019

Revised ES Chapters

Environmental Statement; chapter 8 Cultural Heritage

Vegetation affected Figure 5.14 rev D

River Cole sections figure 5.15, all received 4th November 2019.

Strategic transport letter from Bellamy Roberts received 28th Oct 2020

Fig 1.10 rev B ecological habitats, received 27th September 2019

Transport Assessment (reference GDB/MT/5060/TA.2), received 26th July 2019.

Environmental Statement and appendices, received 11th March 2019

Supplementary Planning Statement, received 11th March 2019.

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

5. Scale of Development

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

- The residential content of the development shall not exceed 1,550 dwellings;
- The development of at least one local centre/community hub (excluding land in use as a primary or secondary school) comprising up to 1,500 square metres of gross internal floor area) within Class A1 (retail/shops, Class A2 (financial and professional services), Use Class A3 (restaurants and cafes), Use Class A4

(drinking establishments) or Use Class A5 (hot food takeaways) or Use Class D1 (non-residential institutions) as defined within the Town and Country Planning (Use Classes) Order 1987 (as amended). In addition, no retail/shop unit (Use Class A1) shall be greater than 600 square metres gross internal floor area;

- A Park and Ride site of no less than 1.5 hectares comprising at least 400 spaces
- A site for a ten form entry secondary school being a minimum of 10.2 hectares
- A site for a three form entry primary school being a minimum of 2.9 hectares
- Land as open space of which no less than 4.53 hectares shall be located outside land identified as being at risk of flooding.

Reason: To ensure the development is brought forward in accordance with the approved application.

Phasing and implementation

6. Phasing Details

Prior to the submission of the first reserved matters application, a phasing programme and plan for the delivery and implementation of the development, to demonstrate how the development, including the strategic infrastructure shall be implemented in phases or sub-phases, shall be submitted to the Local Planning Authority for approval in writing. The phasing programme and plan shall include the following elements:

- a) The location of the development parcels;
- b) The major/secondary distributor roads/routes to and within the site, including a defined hierarchy of the road network, the timing of provision and opening of access points within and to the site, in broad accordance with the movement parameter plan (Movement Framework Plan rev A figure 5-17 ref. 20001)
- c) The phased access strategy delivery and associated phased housing delivery;
- d) The phased delivery of the education facilities, the local centre, community facilities, car share provision space and the park and ride site;
- e) Pedestrian/cycle connectivity and public transport to the site and links with committed parcels of development, including alterations to existing public transport routes to accommodate the defined phases of development within the site;
- f) The strategic foul water and surface water drainage systems and features and the strategic drainage, including SUDS implementation;
- g) The strategic landscaping, the sports hub and facilities, the open spaces, general recreational areas, community forest planting and allotments;
- h) The environmental mitigation measures for biodiversity, heritage, flooding and noise.

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

Reason: To ensure that each phase or sub-phase and associated infrastructure provision and environmental mitigation is carried out and delivered to mitigate the development.

7. Broad Accordance with Masterplan

All reserved matters and Design Codes for the implementation of the development shall be brought forward in broad accordance with the Illustrative Masterplan (Illustrative master plan rev H (fig 1 – 3) ref 20001; and the Design and Access Statement (issue 6

MHP Design April 2020); and the Development Framework Plan (rev G fig 1 – 4 ref, 20001; and the Parameter Plans (insert details/date)

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

8. Strategic Design Code

Prior to the submission of the first reserved matters, a Strategic Design Code broadly in accordance with the Environmental Statement, the principles of the approved Illustrative Masterplan and Development Framework Plan, the DAS, the approved parameter plans and the Swindon Residential Design Guide SPD (or other subsequent adopted design guidance), shall be submitted to and approved in writing by the Local Planning Authority. The Strategic Design Code shall include:

- a) The vision and character of the development including an overall site layout plan pursuant to conditions 5 and 6 above, to show the distribution of all principal land uses throughout the site, including residential, retail, education, community facilities/areas of mixed use, open space and recreation, sports pitches and facilities, the means of access thereto, the general alignment of the distributor roads, the access/movement route hierarchy and parking strategy (including route characteristics and broad design);
- b) The design quality of the development to incorporate principles for UK Housing Fit for the Future (Committee on Climate Change) to deliver low carbon, energy and water efficient, climate resilient and adaptable development by sustainable design.
- c) The design approach for the overall site, including the four individual character areas, urban form and architectural principles for the new communities/neighbourhoods, the quality and sustainable design objectives for key areas including local centres, the green infrastructure, SUDS and heritage assets;
- d) A Movement Framework to illustrate routes for vehicular transport, footpaths, cycle paths and bridleways to link all areas of the development to open space, community facilities, school/s, existing public footpaths and cycle paths and the other communities within the New Eastern Villages;
- e) The foul, surface and land drainage strategy to include surface water source control attenuation measures and balancing, sewers and connections and use of sustainable urban drainage systems.

Thereafter the reserved matters submissions for each phase shall accord with and demonstrate compliance with the approved Strategic Design Code.

Reason: The Strategic Design Code is required to provide for the design quality of the development and a holistic approach to each phase of this strategic development, to enable the subsequent Design Codes and reserved matters to be considered and determined by the Local Planning Authority in the context of an overall design quality framework for the site, consistent with the principles set out in Policy NC3 of the Swindon Borough Local Plan 2026.

9. Character Area Design Codes

A Design Code relating to each Character Area as defined in the Strategic Design Code, shall be submitted to and be approved in writing by the Local Planning Authority prior to the submission of the first reserved matters application within that Character Area. Each Design Code shall be in accordance with the Strategic Design Code

approved pursuant to condition 8 above, the approved Design & Access Statement and Swindon Residential Design Guide SPD, and shall include detailed design guidance for that specific Character Area in respect of:

- a) The overall vision, character, setting, mix of uses, and density range of the parcel of development;
- b) How the character and identity of the development parcel will be established and strengthened through consideration of the public realm. Streets, open spaces, green infrastructure, retained and proposed planting, open spaces and play areas;
- c) The approach to public art throughout the development and within individual character areas;
- d) The form, legibility framework, block types, building typologies and architectural styles, location of affordable housing, the palette of materials, slab levels, building heights, building lines, boundary treatments, recycling and waste provisions, Inclusive Design and Secure by Design principles;
- e) The hierarchy, typology and treatments of all elements of the movement networks and green infrastructure located within the development including streets, bridleways, pedestrian and cycle paths, open spaces, retained and proposed planting, play areas and open space areas, the public realm, external lighting and street furniture including street trees;
- f) The provision of direct, safe and accessible connectivity to the rest of the New Eastern Villages development areas and to the facilities and existing residential areas in broad accordance with the Access and Movement Plan, Development Framework Plan and Illustrative Master Plan;
- g) Principles of transport and traffic matters, including car, bicycle, motorcycle parking, the traffic management and service principles;
- h) Sustainable Drainage Systems (SuDS) to connect to the strategic drainage network including the details of the conservation of flora and fauna and tree and hedgerow retention and protection;
- i) Noise attenuation measures.

Each application for reserved matters shall be accompanied by a statement of compliance and a checklist to demonstrate how the development accords with the Design Code or Codes. The development approved shall be carried out in accordance with the approved Design Codes.

Reason: To ensure a holistic approach to co-ordinate and deliver high quality design in accordance with Policy DE1 and Policy NC3 of the Swindon Borough Local Plan 2026.

Landscape and Ecology

Landscape

10. Framework Landscape, Ecology and Arboricultural Management Plan (FLEAMP)

Prior to the approval of the first reserved matters application a Framework Landscape Ecology and Arboricultural Management Plan (FLEAMP) shall be submitted to and approved in writing by the Local Planning Authority. The FLEAMP shall provide an overarching management plan for the development and shall:

- a) Identification of specific biodiversity and landscape features, habitats and objectives to achieve the overarching aim;
- b) Measures to enhance the biodiversity of the identified main ecological features/River Cole/habitats
- c) The design principles, location, function, buffer zones and of wet features (ponds and SuDS), including connectivity of water features.
- d) Provide a strategy for the delivery of net biodiversity gain/enhancement and the creation of new priority habitat including mitigation, using the Natural England biodiversity metric and protective measures during construction, long term protection objectives, habitat connectivity, a maintenance schedule and proposals for allowing and restricting public access;
- e) The management plan context, responsibilities and rationale; and,
- f) Provide a programme, to include measures for monitoring and review.

The development shall be laid out and made available for use in accordance with the approved FLEAMP. The submitted FLEAMP shall accord with the approved Open Space Strategy.

Reason: To ensure biodiversity, green infrastructure and assets are protected, integrated with the development and enhanced in accordance with Policies SD3, EN1 and NC3 of the Swindon Borough Local Plan 2026. The FLEAMP shall also ensure the development provides access to nature to promote human well-being and afford educational opportunities.

11. Landscape, Ecology and Arboricultural Management Plan (LEAMP)

Each reserved matters application shall be accompanied by a Landscape, Ecology and Arboricultural Management Plan (LEAMP) or equivalent. The LEAMP shall be informed by the FLEAMP approved under Condition 10 above and include updated Phase 2 ecological surveys where the last Phase 2 ecological surveys undertaken for the site are more than 2 years old. The LEAMP shall include:

- a) Details of the retention of any species receptor sites identified by the Phase 2 ecological surveys for the site;
- b) Details of protection for water courses and aquatic habitats, including for physical and chemical disturbance or pollution;
- c) Details of the landscape management objectives, extent and type of new planting; and
- d) Details of any new habitat created on site, the management responsibilities and maintenance schedules for all landscaped and habitat areas (except privately owned domestic gardens).

No development within each phase shall commence until the LEAMP for that phase has been approved in writing by the Local Planning Authority.

Thereafter development on each phase shall be implemented in accordance with the approved LEAMP. No development, works or other activities to the identified receptor sites shall be progressed other than in accordance with the works for ecological enhancement and management as set out in the approved LEAMP. The approved management and maintenance schedules shall be adhered to at all times.

Reason: To protect wildlife and supporting habitats and to secure opportunities for biodiversity enhancement. In accord with policies EN1, EN4, EN5 and NC3 of the Swindon Borough Local Plan 2026.

12. Bats

No trees shall be felled or reduced, before a survey has been undertaken to confirm whether or not bats or bat roosts are present. If bats or their roosts are present, bat mitigation measures shall be submitted to the Local Planning Authority for approval in writing. Such mitigation measures as may be approved shall be implemented in accordance with the approved details prior to any tree reduction or tree felling works.

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

13. Tree Retention

Reserved matters applications shall accord with the details of trees and hedgerows contained within the Arboricultural Assessment (Environmental Statement Appendix 5.6 BoskyTrees)

Each reserved matters application shall submit an updated Arboricultural Assessment to assess trees and hedgerows to be retained on the site. The works pursuant to any phase of the development hereby permitted shall comply with the approved updated Arboricultural Assessment and tree and hedgerow retention proposals. Any tree or group of trees, or hedgerow identified and shown to be retained or other vegetation, which is shown to be retained in accordance with the above details, that is removed, dies or becomes seriously diseased or damaged shall be replaced in the first available planting season with a species, details of which shall first be submitted to and approved in writing by the Local Planning Authority. Any replacement trees and hedgerows shall thereafter be maintained.

Reason: To ensure the protection of trees and hedgerows on the land.

14. Tree Protection measures; implementation

All trees indicated to be retained on the plans identified within the Arboricultural Impact Assessment approved pursuant to condition 13 above, shall be protected in accordance with BS 5837:2012 "Trees in relation to design, demolition and construction – Recommendations". No development shall commence within any phase of development unless and until;

- (i) details of temporary protective fences to safeguard the trees, hedges or other vegetation to be retained on the site within that phase shall have been submitted to and approved in writing by the Local Planning Authority; and
- (ii) the approved fencing shall have been erected in accordance with BS 5837:2012 and the approved details. The approved protection measures shall be maintained to the required standard throughout the development, or development phase or sub-phase, or until the Local Planning Authority has confirmed in writing that the protective fencing measures can be removed.

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

15. New Landscaping and planting protection

All landscaping shall be carried out in accordance with the reserved matters approved scheme for each phase or sub-phase of the development; any planting carried out in accordance with these approved details and the Landscape, Ecology and Arboricultural Management Plan (LEAMP), that within a period of 5 years from the date planted, dies, are removed or becomes seriously damaged or diseased, shall be replaced in the next planting season with other(s) of similar size and species. details of which shall first be submitted to and approved in writing by the local planning authority. Any replacement trees and hedgerows shall thereafter be maintained. Notwithstanding the provisions of Part 2 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no fence, wall or other means of enclosure shall be erected, within the root protection area of any existing hedgerow or tree that is shown to be retained, other than those fences or means of enclosure shown on the plans within the reserved matters approved pursuant to this outline planning permission.

Reason: To safeguard all features of landscape interest in the interests of maintaining biodiversity.

Green Infrastructure and Open Space

16. Sports Pitches

Prior to the commencement of development of the sports hub, the sports pitches and sports facilities, the following details shall be submitted to and approved in writing by the Local Planning Authority:

- a) A detailed assessment of ground conditions of the land proposed for that new playing field land identified as outdoor sports on (insert open space parameter plan drawing number) (including drainage and topography) to identify constraints which could affect playing field quality and quantity; and
- b) A detailed scheme for the delivery of the pitches, outlining the layout, orientation and construction specification to demonstrate that the playing fields are laid out and constructed to an appropriate standard, including drainage.
- c) Details of the sports pavilion(s), changing facilities, fencing, lighting and parking provision.
- d) A timetable for delivery in accordance with the approved phasing programme in accordance with condition 6 above.

The works shall be carried out in accordance with the approved scheme and the timetable and programme for delivery that has first been approved by the Local Planning Authority in writing.

Reason: To ensure that appropriate site surveys are undertaken for playing pitches and the associated facilities and that any ground condition constraints are identified and mitigated to ensure provision of an appropriate quality playing fields to accord with Local Plan Policy EN3.

Commercial and Retail Uses

17. Retail Provision

No more than 600m² of retail floorspace within class A1 of the Use Classes Order (measured as gross floor area cumulatively across the outline application site, edged red, including any mezzanine floorspace) shall be provided until a Retail Impact Assessment to assess the impact on the viability of the town centre and other centres has been submitted to and approved by the Local Planning Authority in writing. Any retail development across the whole site above 600m² (gross floor area) shall come forward in accordance with the conclusions of the approved Retail Impact Assessment. Notwithstanding the provisions of the Town and Country (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no individual retail unit (Class A1) within the development hereby permitted shall exceed a gross internal floorspace of 600m² (including mezzanine floorspace).

Reason: To ensure there would not be an adverse impact on Swindon Town Centre or hierarchy of centres in accordance with Swindon Borough Local Plan 2026 Policy EC3.

18. Permitted Development Rights – Retail

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), the proposed retail unit(s) shall only be used as a shop and not be used for any other purpose.

Reason: To protect the vitality and viability of the local centre retail function.

19. Building Research Establishment Environmental Assessment Method (BREEAM)

Non residential buildings should as a minimum, be designed to achieve "Excellent" in accordance with the BREEAM standard 2018 (as amended) Prior to the first occupation of any non-residential development, a BREEAM design stage certificate issued by the British Research Establishment (BRE) shall be submitted to the Local Planning Authority. The certificate shall demonstrate that the development will attain a standard of "Excellent" in accordance with the BREEAM standard 2014 (as amended). The development shall be carried out only in accordance with the certificate standard and upon completion of construction a post-construction review shall have been carried out by a licensed assessor, which shall confirm that the development meets the above standard.

Reason: To ensure that the development is carried out in accordance with sustainable construction standards.

Sustainable Transport and Highways

20. Movement Strategy

Prior to the first submission of an application for reserved matters approval and in conjunction with the approved phasing strategy, a Movement Strategy shall be submitted to the Local Planning Authority for approval in writing. The Movement Strategy shall include the following details.

- i) To demonstrate how any existing and proposed cycle-ways/ paths/ footpaths including Public Rights of Way will be maintained open for use by the general public to pass and repass, including through phased construction works for each phase, sub-phase or development parcel;
- ii) Proposals for each planned new cycle path/footpath, including links to existing Public Rights of Way, the programme for delivery to serve development parcels and to provide connections leading to the wider New Eastern Villages, to coordinate with their delivery.
- iii) The provision of movement infrastructure, including for the primary and secondary schools, the local centre and areas of public open space.

Each cycle path/footpath shall be constructed and made available for use in accordance with the Movement Strategy and the development phasing strategy, in accordance with a geometric and construction specification that has been first submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure safe and sufficient sustainable access proposals are provided through construction and operational phases of development, to consider existing highway users, development occupiers and adjacent residents in interests of highway safety and in compliance with Local Plan Policy TR1 and TR2.

21. Highways England – A420 Gablecross

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

a) The improvement works at the A420 Gablecross roundabout, as shown in drawing NEVG CJ-ATK-HGN-GCJ-DR-D-0006_P06 (A420 Corridor and Gablecross Junction Option 2A General Arrangement, dated 26 April 2019), have been implemented in full and are open to traffic; or

b) An alternative scheme providing the same or greater benefit as a) above has been submitted to and approved in writing by Swindon Borough Council in consultation with Highways England, that has been approved and implemented in full, to ensure that the predicted traffic effects at the A419 White Hart Junction caused by the development are mitigated to at least the same extent as (a).

Reason: in the interest of the safe and efficient operation of the A419 trunk road and the A420 between White Hart junction and Gablecross junction.

22. Travel Plan

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

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

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

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

23. M4 junction 15 and A419

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

a) A contract for the construction of the works for the improvement of Junction 15 of the M4 and the A419 has been let. The works shall include:

- i) A419 Commonhead southbound merge to M4 Junction 15; a TD22 Type E Lane Gain; to provide 3 lanes between Commonhead and Junction 15;
- ii) The removal of the bus layby on the A419 southbound carriageway on the approach to M4 Junction 15;
- iii) The M4 Junction 15 roundabout – widening of the circulatory on the southern side between the off and on slips; and
- iv) The M4 Junction 15 roundabout – provision of a dedicated left slip from the A419 southbound to the eastbound on slip

Or:

b) Details of an alternative scheme to provide the same or greater benefit as a) above in terms of offsetting the unacceptable impacts of the development, has been submitted to and approved in writing by the Local Planning Authority in consultation with Highways England and a contract for the construction of the works for the alternative scheme has been let and the approved scheme completed in full.

It is the responsibility of the developer to seek confirmation at the appropriate time that the relevant contract has been let.

Reason: in the interest of the safe and efficient operation of the A419 trunk road and M4 motorway to ensure the safe and efficient operation of the Strategic Road Network.

24. Shrivenham Road/Oxford Road/A420 Junction

Notwithstanding the submitted details, no development shall commence until, a detailed design of the vehicular access to the A420 (Shrivenham Road), together with details of secondary vehicular access points (to the Park and Ride facility, the schools, sports facilities and local centre, have been submitted to the Local Planning Authority for approval in writing, in consultation with the Local Highway Authority. The detailed access proposals shall be supported by Stage 1 / 2 Road Safety Audit(s) and a non-motorised user Audit and specify visibility splays, vehicle tracking, signal design, signing and lining and make provision for the vehicle and pedestrian access requirements of adjacent properties, including turning of vehicles and road crossing, through both construction phase and operational phase. The access proposals to serve the construction phase shall be completed in all respects in accordance with the approved plans and the Framework Construction Method Statement pursuant to condition 37, before any other works are undertaken and before the first occupation of any dwelling and shall thereafter be maintained to serve the development.

Reason: To ensure safe and sufficient access proposals are provided for the construction and operational phases of development, in the interests of highway safety and in compliance with Local Plan Policy TR1 and TR2.

25. Access to schools and local facilities by non-vehicular modes

Concurrently with the submission of the reserved matters, details shall be submitted to the Local Planning Authority of measures to provide safe pedestrian and cycle routes to schools and local facilities for each phase or sub-phase of the development. No development shall take place within each phase or sub-phase until the details of the routes have been approved in writing by the Local Planning Authority and are laid out, constructed and made available for use before the first occupation of any dwelling within that phase or sub-phase. The safe routes for cyclists and pedestrians shall be retained thereafter.

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

26. Highway provision and construction

Concurrently with the submission of the reserved matters, the construction of the proposed estate roads, cycle paths and footways and associated utilities, services, tree pits and street furniture within each phase or sub-phase of the development shall not commence until details of their design and construction have been submitted to the local planning authority and approved in writing. The development shall be implemented in accordance with the approved details and shall be retained thereafter.

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

27. Car Parking

No dwelling shall be occupied or other building brought in to use until car parking provision for that use, in accordance with the approved Design Code(s), together with associated manoeuvring and turning space have been provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. The parking spaces shall be constructed, laid out and made available for use prior to the first occupation of each unit and shall be retained and maintained thereafter for the parking of private motor vehicles.

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

28. Cycle and motorcycle parking and storage

Before the first occupation of each commercial, community or multiple occupancy building, provision shall be made for any bicycle and motorcycle storage that accords with approved design code(s). Any bicycle storage and motorcycle parking provision shall thereafter be retained for the storage of bicycles and parking of motorcycles in connection with the development hereby permitted.

Reason: To ensure satisfactory provision is made for bicycle storage and motorcycle

parking at all times. In accord with Policies TR1, TR2 and NC3 of the Swindon Borough Local Plan 2026.

29. Size of Garages

The minimum internal dimensions of individual parking spaces and residential garages to be constructed in connection with the development hereby permitted shall be in accordance with the Councils' adopted standards, without any internal obstructions. All garages shall thereafter be made available for use at all times for parking a vehicle.

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

30. Car Share Scheme – provision of spaces

Details outlining the provision for a car share scheme in accordance with the NEV Framework Travel Plan SPD shall be submitted and approved in writing for each phase or sub-phase, identified pursuant to Condition 6 (phasing) to include provision for a car share scheme. The scheme shall provide for 5 no. car parking spaces across the development overall, as part of the submission of reserved matters for the relevant phase or sub-phase. The car parking spaces for the car share scheme shall be constructed, laid out and made available for use prior to the first occupation of units within that phase or sub-phase and shall be retained thereafter for the parking of vehicles for the car share scheme.

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

31. Electric vehicle charging points

Each reserved matters application for development shall provide details of electric vehicle charging points in accordance with the Council's adopted standards. The location and form of the charging points shall be submitted to the Local Planning Authority for approval in writing and thereafter implemented in accordance with the approved plans and maintained as such thereafter.

Reason: To accord with proposals and the commitment to phase out conventional diesel and petrol cars and the consequent development of non-carbon electric vehicles to improve air quality. In accord with Policies DE1, IN1 and NC3 of the Swindon Borough Local Plan 2026.

32. Turning Facilities

Concurrently with the reserved matters, details of sequencing details for the delivery of 'roads/routes' as approved under Condition 6 (Phasing), together with the provision of vehicular turning facilities, shall be submitted to the Local Planning Authority for approval in writing in consultation with the Local Highway Authority. No dwellings or other non-residential buildings shall be occupied before these details have been agreed by the Local Planning Authority and the facilities have been constructed and are available for use.

Reason: In the interests of highway safety.

33. Non-residential servicing

No commercial or other non-residential building shall be occupied or otherwise used for any purpose until provision has been made within the site for the unloading of goods in accordance with details that have first been approved in writing by the Local Planning Authority. Once provided the loading areas shall be retained and maintained in the approved form without modification.

Reason: In the interests of highway safety and to minimise disruption to nearby residential properties in accordance with policy TR2 of the Swindon Borough Local Plan 2026.

34. Street lighting and utilities

No development shall commence until a scheme for street lighting, utilities and street furniture has been submitted to the Local Planning Authority for approval in writing in consultation with the Local Highway Authority. The street lighting and utilities scheme shall include a detailed design specification, the appearance of street lighting, utilities and other street furniture, together with a specification and timetable for installation. The development shall be implemented in accordance with the approved street lighting/utilities design and specification.

Reason: In the interests of amenity and highway safety and to ensure a high quality and consistent design for common structures throughout the Swindon New Eastern Villages in accordance with policy NC3 of the Swindon Borough Local Plan 2026.

35. Refuse storage and collection

Concurrently with the reserved matters, details of safe and convenient waste storage and collection areas shall be submitted to the Local Planning Authority for approval in writing in consultation with the local Highway Authority. No dwellings or other non-residential buildings shall be occupied before the waste storage and collection areas have been constructed and made available for use and these waste facilities shall be retained thereafter at all times.

Reason: In the interest of amenity and Highway Safety in accordance with policy TR2 of the Swindon Borough Local Plan 2026.

36. Framework Construction Method Statement

No development shall take place, including any preparatory works including those to construct the access to the A420, together with any other any works of demolition or site clearance, until a Framework Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. Prior to the commencement of each phase of development a site specific Construction Method Statement, based on the principles established in the approved Framework Construction Method Statement, shall have been submitted to and approved in writing by the local planning authority.

The Framework Construction Method Statement and the site specific Construction Method Statements shall take into account the construction mitigation measures identified in the Environmental Statement (ES) and the ES Addendum. Once agreed, the construction mitigation measures shall be implemented prior to the commencement of any construction and the development shall be implemented in accordance with the approved construction method statement.

The Construction Method Statement for each phase or sub-phase shall include:

- i) A traffic management plan, to include construction vehicle routes to and from the site, a method statement to record construction vehicle

- movements to and from the site, making provision for those records to be made available to the Local Planning Authority for inspection, temporary signage to direct construction traffic to the site, details of temporary access point(s) and parking areas for construction vehicles, site operatives and visitors, and a site construction workers travel plan;
- ii) Provision for the loading, unloading and storage of plant and materials;
- iii) Provision for the storage of plant, equipment and materials used to construct the development;
- iv) Details of a scheme to make provision for on-site maintenance and repair of plant, equipment and machinery and details of petrol and oil interceptors to be provided;
- v) Details of a procedure for wheel washing and vehicle wash down for all construction site traffic leaving the site for all vehicles, contractors and sub-contractors;
- vi) A method statement and details of a procedure to remove debris from the highway at all times;
- vii) Details of all temporary buildings, structure, enclosures and staff facilities;
- viii) Details of the erection and subsequent maintenance of security and acoustic hoardings;
- ix) A method statement for measures to control the emission of dust, smoke, fumes and debris and for the control of noise, vibration and air pollution, including pile driving (in accordance with BS: 5228), dust, smoke, fumes and debris during construction;
- x) Contact details to report regularly to the Local Planning Authority of the site construction manager, including contact arrangements for the on-site management of contractors and sub-contractors; and a method statement for a community liaison procedure with local residents and interested persons, to be made available throughout the implementation of the development.

Reason: To mitigate the impacts of development on the public highway during the site preparation, implementation and construction phases of development in accordance with policy TR1 of the Swindon Borough Local Plan 2026.

37. Environmental Construction Management Plan (Ecological effects) (ECMP)

Prior to the commencement of works of any development on any phase or sub-phase hereby permitted, including site clearance, site preparation or demolition works, a Construction and Environmental Management Plan (ECMP) for that development, phase or sub-phase of development shall be submitted to the Local Planning Authority for approval in writing, before any operations commence on site. Each phase or sub-phase of the development shall be implemented in accordance with the approved ECMP mitigation measures and the approved mitigation measures shall be implemented prior to the commencement of any construction within the phase and shall be implemented in accordance with the approved ECMP throughout the construction period of that phase. The ECMP shall provide:

- i. Details of measures for the treatment of environmentally sensitive areas and including how the environment will be protected during the construction works to include:

- a) The appointment of an appropriately qualified Ecological Clerk of Works and the written results of a site walk-over, carried out by the Ecological Clerk of Works, before any operations are commenced, to assess that the status of the Site for habitats and species has not significantly altered since planning consent and following approval of the FLEAMP; if the walk-over shows that the ecological status of the site has changed these changes are to be reported to the Local Planning Authority in writing, before any works commence on site.
- b) The measures to be used during the construction works to minimise and reduce the environmental impact of the works (both potential disturbance and pollution);
- c) A map or plan to identify specific habitat areas to be specifically protected (identified in the ecological report) during the works together with details of those protection measures.
- d) Details of any mitigation necessary for protected species;
- ii. A scheme for storage/recycling/disposing of any waste resulting from construction works;
- iii. Details of the measures proposed for the transport of waste off-site resulting from the development process and subsequent use of the site;
- iv. A method statement for the mitigation and management of any pollutants, hazardous materials and contamination protection methods; and,
- v. Details of the persons/ bodies responsible for specific activities controlled by the ECMP, including their appropriate qualifications for the activity undertaken or being supervised (e.g. Ecological Clerk of Works).

Reason: To mitigate and reduce potential impacts on the natural environment and the public highway and to ensure the protection of the environment during the site preparation and construction phase(s) of development in accordance with policies TR1 and EN4 of the Swindon Borough Local Plan 2026.

38. Construction and delivery hours to sites during construction

No work, including any vehicles waiting on the public highway that are undertaking deliveries and collections to the site during the construction phases, shall take place outside the following hours:

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

No deliveries or collections associated with the construction and site preparation phases shall be undertaken between 0800 and 0900 or 1700-1800 on weekdays (Monday – Friday, excluding Public Holidays).

Reason: To protect residential amenity and highway safety.

39. Waste Audit

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

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

The development shall be carried out in accordance with the approved waste audit.
Reason: To comply with policy WSC6 of the Wiltshire and Swindon Waste Core Strategy.

Heritage

40. Archaeology – Written Scheme of Investigation and Mitigation

Prior to the commencement of development in each phase or sub-phase, a detailed Written Scheme of Investigation for all of the archaeological zones identified within that phase or sub-phase, in Appendix 8.5 of the Environmental Archaeological Desk based assessment (LEOS/001/1223) and areas of highway infrastructure within areas shown in Appendix 8.5 figure 1, shall be submitted to and approved in writing by the Local Planning Authority to enable mitigation by archaeological excavation, trial trenching and monitoring. The development shall be carried out in accordance with the approved Written Scheme of Investigation.

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

41. Archaeology – Mitigation Strategy

Prior to the commencement of development in each phase or sub-phase, a detailed scheme of archaeological mitigation for the development shall be submitted to the Local Planning Authority for approval in writing by to ensure the preservation in situ of areas of archaeological importance as indicated in Figure 1 of the Outline Archaeological desk based assessment (LEOS/001/1223). 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 and during the construction phase of the development.

Environmental

42. Flood Risk from Ordinary Watercourse (LLFA)

Prior to the submission of any reserved matters, a detailed Hydrological Assessment of the unnamed tributary of the South Marston Brook, flowing through the site from the boundary with Symmetry Park, through land identified as Parcel F within the Flood Risk

Assessment (Flood Risk Assessment and Surface Water Drainage Strategy rev 3 (MJA Consulting) and accompanying appendices 1 – 14 inclusive), to the culvert under the A420, shall be submitted to the local planning authority for approval in writing. The Assessment shall include the following;

- a) The full catchment area flowing to the watercourse and through to the South Marston Brook;
- b) To identify all culverts and watercourses that connect from 3rd party land;
- c) The capacity of the watercourse and its associated structures through the site and any key structures under the A420 and through the Railway Embankment;
- d) An assessment of how the watercourse confluences with the South Marston Brook and how the water levels of the main river affects the flows into it;
- e) The flood extents in the 1 in 30, 1 in 100 year (including appropriate allowance for climate change) and 1 in 1000 year storm events;
- f) Any proposed mitigation to manage any affected areas of development to ensure flood risk is not increased elsewhere; and
- g) A maintenance management plan to ensure the watercourse, where it is associated with the site boundary, will be maintained post development.

The scheme shall subsequently be implemented in accordance with the approved details before the development is occupied and the watercourse (and associated floodplain) retained post development with a corridor for maintenance.

Reason: To ensure development does not increase the risk of flooding elsewhere; in accordance with Paragraph 155 of the National Planning Policy Framework (NPPF) and Policy EN6 of the adopted Swindon Local Plan 2026.

43. Strategic Surface Water Management Scheme

Prior to the approval of the first reserved matters, a detailed Strategic Surface Water Management Scheme for the site, in accordance with the approved MJA Consulting Flood Risk Assessment (FRA) and Surface Water Drainage Strategy REF: PPB/19:0117/5881 – V3 06/08/20, and Drainage Strategy Drawings 5881:200 REV E & 5881:201 REV E, shall be submitted to, and approved in writing by the Local Planning Authority. The scheme shall include:

- a) Evidence that the proposed flows from the site will be restricted to the 1 in 1 year greenfield rate of 2.60 l/s/ha for all events up to and including the 1% AEP + climate change event;
- b) Details of how the drainage scheme has been designed to incorporate SuDS techniques to manage water quantity and maintain water quality as set out in the FRA and Drainage Strategy, and in accordance with adopted policy and best practice guidance including the New Eastern Villages SuDS Vision SPD and the SuDS Manual C753;
- c) Detailed drainage plan showing the location of the proposed SuDS features;

- d) Detailed cross sections and construction details of the proposed SuDS measures;
- e) Details of how the scheme shall be maintained and managed after completion;
- f) Details of how water quality shall be maintained during and after construction;
- g) Detailed drainage calculations for all rainfall events up to and including the 1 in 100 year plus climate change event to demonstrate that all SuDS features can cater for the critical storm event for its lifetime;
- h) The submission of evidence relating to accepted outfalls from the site, particularly from any third party network owners; and
- i) The sequencing for implementation in accordance with the approved Phasing Plan.

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

Reason: To ensure development does not increase the risk of flooding elsewhere; in accordance with Paragraph 155 of the National Planning Policy Framework (NPPF) and Policy EN6 of the adopted Swindon Local Plan 2026.

44. Surface Water Management Scheme (Phases)

Prior to the approval of any related reserved matters, a detailed Surface Water Management Scheme for each phase or sub-phase of development, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be in accordance with the details approved as part of the strategic scheme (Condition 43), and shall include all supporting information as listed in the Condition.

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

Reason: To ensure development does not increase the risk of flooding elsewhere; in accordance with Paragraph 155 of the National Planning Policy Framework (NPPF) and Policy EN6 of the adopted Swindon Local Plan 2026.

45. Detailed SuDS Maintenance and Management Plan

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

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

46. Environment Agency – Flood Risk Mitigation

The development shall be carried out in accordance with the submitted flood risk assessment (ref: PPB/19:0117/5881, rev: 2 dated 06.04.2020 and prepared by MJA Consulting) and the following mitigation measures:

- a) No land raising or built development shall take place within the 1% AEP plus 70% climate change extent.
- ii) Finished floor levels shall be set a minimum of 300mm above existing ground levels within development phases adjacent to the floodplain.

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants.

47. Environment Agency Water Courses

No development shall take place until a scheme for the provision and management of a buffer zone of at least 10m width alongside the River Cole and ponds on site shall be submitted to and agreed in writing by the local planning authority. Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the local planning authority. The buffer zone shall be free from built development including lighting, domestic gardens and formal landscaping. The scheme shall include:

- i) Plans to show the extent and layout of the buffer zone
- ii) Details of any proposed planting scheme to include native species
- iii) Details to demonstrate how the buffer zone will be protected during development and managed/maintained over the longer term including adequate financial provision and the named body responsible for management, plus production of the detailed Landscape Environment Management Plan proposed
- iv) Details of any proposed footpaths, fencing, lighting, mitigation measures against pet predation and increased recreational disturbance.

Reason: Development that encroaches on watercourses, ponds or wetlands has a potentially severe impact on their ecological value. Populations of the priority species, the rare Crystal moss animal, which may be present in the vicinity of this development could be severely and permanently impacted by physical disturbance or pollution of its aquatic habitat if measures are not put in place to avoid this. Further, artificial lighting disrupts the natural diurnal rhythms of a range of wildlife using and inhabiting the river and its corridor habitat. Land alongside watercourses, wetlands and ponds is particularly valuable for wildlife and it is essential this is protected.

48. Thames Water – Waste Water

No properties shall be occupied until confirmation has been provided, to the Local Planning Authority in writing that either:

- i) All wastewater network upgrades required to accommodate the additional flows from the development have been completed; or
- ii) A housing and infrastructure phasing plan is agreed with Thames Water in conjunction with the Local Planning Authority, to enable additional properties to be occupied.

Where a housing and infrastructure phasing plan is agreed, no occupations shall take place, other than in accordance with the agreed housing and infrastructure phasing plan.

Reason: Network reinforcement works are likely to be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid sewage flooding and/or potential pollution incidents.

49. Thames Water - Potable Water

There shall be no occupations beyond the 49th dwelling, until confirmation has been provided in writing that either:

- i) All water network upgrades required to accommodate the additional flows to serve the development have been completed; or
- ii) A development and infrastructure phasing plan has been agreed with Thames Water, in conjunction with the Local Planning Authority, to allow additional development to be occupied.

Where a development and infrastructure phasing plan is agreed, no occupation of those additional dwellings shall take place other than in accordance with the agreed development and infrastructure phasing plan.

Reason: The development may lower / no water pressures and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development. Any necessary reinforcement works will be necessary in order to avoid low / no water pressure issues.

50. Contamination 1 – Site Investigation

Prior to the commencement of works for any phase or sub-phase of development approved by this planning permission, a scheme for that phase of development to includes the following components to deal with the risks associated with contamination of the site, shall be submitted to and approved in writing by the Local Planning Authority:

- i) A preliminary risk assessment which has identified:

- all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site (including groundwater contamination and the mobilisation of contamination to the water).
- ii) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- iii) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- iv) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express written consent of the Local Planning Authority. The scheme shall be implemented as approved.

Reason: Previous activities at this site may have resulted in contamination. Former canal features, railways and source associated with former farm buildings/agricultural usage could also be a potential source of contamination.

51. Contamination 2 - Verification

No occupation of any dwelling on each phase or sub-phase of development shall take place until a verification report to demonstrate the completion of works set out in the approved remediation strategy for that phase and the effectiveness of the remediation, shall be submitted to and approved in writing, by the Local Planning Authority. The report shall include results of any sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: To ensure that contamination at the site is remediated, such that the site does not pose a risk to controlled waters. In accordance with Paragraph 109 and 121 of the NPPF.

52. Contamination 3 - Remediation

If, during development, contamination not previously identified is found to be present at the site then no further development in that phase or sub-phase shall be carried out until the developer has submitted a remediation strategy to the Local Planning Authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Local Planning Authority. The remediation strategy shall be

implemented as approved.

Reason: To ensure that any unexpected contamination encountered during the developments is suitably assessed and dealt with, such that it does not pose an unacceptable risk to ground or surface water. In accordance with Paragraph 109 and 121 of the NPPF.

Noise

53. Noise 1 – Residential Amenity

Prior to the commencement of any development, a noise assessment in accordance with BS 4142:2014 (or later versions), the scope of which shall have first been agreed in writing by the Local Planning Authority, shall be undertaken to determine the impact of noise sources on the development hereby granted, and the findings submitted to and approved in writing by the Local Planning Authority. Where the rating level of any noise source exceeds 5dB below the background level (LA90), as determined by the assessment, a scheme of mitigation to protect the amenity of the future occupants of the development shall be submitted to and approved in writing by the LPA. The agreed mitigation measures shall be implemented in accordance with the approved details and thereafter be permanently maintained.

Reason: To mitigate any harm arising from nearby noise sources and to ensure the development will provide an acceptable living environment for residents.

54. Noise 2 – Internal and External Noise Levels

The proposed residential units shall be designed to meet the internal and external ambient noise levels contained in British Standard 8233:2014 (or later versions) that require:

- Resting 35dB LAeq,16hour
- Dining 40dB LAeq,16hour
- Sleeping 30dB LAeq,8hour
- 45dB LAFmax not to be exceeded more than 15 times per night in the bedrooms
- 50dB LAeq,16hour in external amenity spaces

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

55. Noise 3 – Mechanical Ventilation

Where the specified internal noise levels in bedrooms and living rooms can only be achieved by closing windows, supply air mechanical ventilation (MVHR) shall be provided to the room to a standard of ventilation to be agreed in writing by the Local Planning Authority. All supply air ventilation systems shall be supplied with heat recovery to reduce energy loss in winter and shall be supplied with a heat recovery bypass in summer. All supply air ventilation systems shall have a standard and boost facility. All the controls on mechanical ventilation systems shall be easily and practically accessible by the occupants of the dwelling.

Reason: To ensure an acceptable living environment is provided for all occupiers of the development. In accord with Policies EN7 and NC3 of the Swindon Borough Local Plan 2026.

56. Noise 4 – Validation Survey

No dwelling shall be occupied until a pre-occupation validation noise survey has been submitted to the Local Planning Authority, for approval in writing, to demonstrate that noise mitigation measures are effective in reducing external noise to an acceptable level and a certificate of compliance by an approved acoustic assessor is submitted to the Local Planning Authority to demonstrate compliance with the standards required under BS 8233:2014 that are achieved. The Local Planning Authority shall identify a sample not exceeding 5% of dwellings to be surveyed. The survey shall demonstrate compliance with the following criteria:

- Resting 35dB $L_{Aeq,16hour}$
- Dining 40dB $L_{Aeq,16hour}$
- Sleeping 30dB $L_{Aeq,8hour}$
- 45dB L_{AFmax} not to be exceeded more than 15 times per night in the bedrooms
- 50dB $L_{Aeq,16hour}$ in external amenity spaces

Reason: To ensure an acceptable living environment is provided for all occupiers of the development. In accord with Policies EN7 and NC3 of the Swindon Borough Local Plan 2026.

57. Noise 5 – non-residential uses

Prior to the first occupation of any non-residential buildings a BS 4142:2014 (or later versions) noise assessment shall be undertaken to consider the impact of operational noise from plant on residential premises. Where the rating level of any noise source exceeds 5dB below the background level (LA_{90}), as determined by a BS 4142:2014 assessment, a scheme of noise mitigation should be submitted to the Local Planning Authority for approval in writing and subsequently implemented and maintained in accordance with the approved details.

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

58. Non-residential uses; ventilation

No non-residential premises shall be occupied, until details of all necessary associated extraction or ventilation systems have first been submitted to and approved in writing by the Local Planning Authority. Any necessary agreed mitigation measure shall be installed prior to the first use of the premises and thereafter retained in accordance with the approved scheme.

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

59. Air Quality

Prior to the commencement of any development, an air quality assessment, the scope of which shall have first been agreed in writing by the Local Planning Authority, shall be undertaken to determine the impact of the development on air quality and shall be submitted to the Local Planning Authority for approval in writing. Where the air quality assessment identifies air quality impacts, a scheme of air quality mitigation, future monitoring and reporting shall be submitted to and approved in writing by the Local Planning Authority. The agreed scheme of mitigation shall be implemented in accordance with the approved details and thereafter be permanently maintained.

Reason: To mitigate any impacts to air quality arising from the development to ensure the development will provide an acceptable air quality environment.

General Control

60. Finished floor/Slab levels

Prior to the commencement of the development of each phase, or sub-phase full details of the existing and proposed site levels, (above ordnance datum), together with the finished floor slab levels of all buildings, roads, bridges, footpaths and other structures shall be submitted to the Local Planning Authority for approval in writing. The development shall be implemented in accordance with the approved details.

Reason: To ensure that the finished floor slab levels details and heights of development are satisfactory. In accord with Policies DE1 and NC3 of the Swindon Borough Local Plan 2026.

61. Tree protection

Notwithstanding the provisions of Part 2 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no fence or other means of enclosure shall be erected within the root protection area of any existing hedgerow or tree other than as shown on the plans within the reserved matters approved pursuant to this outline planning permission.

Reason: To ensure the protection of trees and hedgerows on the land in accordance with the Green Infrastructure strategy.

Accessible housing

62. Wheelchair Accessible Housing

Not less than 2% of the total residential development, including the open market housing, shall be constructed as wheelchair accessible user housing in accordance with Approved Document Part M4 (3) (2016). These homes will include level or ramped access to the front entrance and flush thresholds into all internal doorways. Doorway widths, internal circulation space, through-the-floor lift(s) and bathrooms, toilets and kitchens shall be designed to provide for wheelchair user occupiers in accordance with a plan and schedule. The plan and schedule, including the dimensions of lift apertures, shall be submitted alongside the first reserved matters application for approval by the Local Planning Authority. Each application for approval of reserved matters shall demonstrate compliance with the approved plan and schedule. These accessible design features and provisions shall be retained for so long as the buildings hereby permitted remain in use as dwelling houses.

Wheelchair user dwellings provided for sale on the open market should, as a minimum, meet the standards for wheelchair adaptable homes specified within Part M4 (3) (2a) of the Building Regulations 2010 whereby the building 'will allow simple adaptation of the dwelling to meet the needs of occupants to use wheelchairs'. For wheelchair user homes provided as affordable social or local authority housing, the dwellings should, as a minimum, meet the standards for wheelchair accessible homes specified within Part M4 (3) (2b) of the Building Regulations 2010 (as amended) whereby the building will

‘meet the needs of occupants who use wheelchairs’ from the point of completion. The design features and provisions for accessibility shall be retained for so long as the buildings hereby permitted remain in use as dwellings. The requirement shall be implemented as a cumulative total across the site, both market housing and affordable housing, triggered for every 50th dwelling submitted for the approval of reserved matters. Wheelchair accessible user homes will be single or two storey dwellings only to meet current specialist housing need within the Borough.

Reason: In the interests of providing accessible homes to meet the identified needs of older people and people with disabilities in accordance with policy HA3 of the Swindon Borough Local Plan 2026.

Utilities

63. Dorset and Wiltshire Fire and Rescue

The Development hereby permitted shall not commence until details for the provision of a water supply network and/or hydrants to meet the fire-fighting needs of the development (to include installation arrangements and the timing of installation) have been submitted to the Local Planning Authority for approval in writing. Each reserved matters application shall include a scheme and specification for the provision and location of fire hydrants, if required to serve that area, which will have first been submitted to and approved in writing by the Local Planning Authority. No development shall take place other than in accordance with the approved scheme.

Reason: To reduce the risk from fire in the interests of public safety and local resilience.

64. Broadband

No dwelling shall be occupied, until broadband provision has been provided on site.

Reason: To ensure access to appropriate broadband infrastructure in accordance with Policy IN3.

Post construction control

65. No external storage

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

Reason: In the interest public safety and preventing pollution.

Informatives/ Advisory Notes

1. Strategic Road Network: Advice to applicant by Highways England

The improvement works at the A420 Gablecross roundabout include the provision of traffic signals which will need to be optimised to ensure the predicted traffic effects of the wider NEV development at A419 White Hart Junction are safely managed.

Highways England and Swindon Borough Council will need to enter into an operational agreement which sets out the A420 Gablecross traffic signal timings and specification, along with a maintenance strategy, to ensure the traffic signals continue to operate in such a way as to prioritise the safe operation of the A419 at White Hart Junction.

2. Environmental Permit: Advice to applicant by the Environment Agency

The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any activities which will take place:

- i) On or within 8 metres of a main river (16 metres if tidal)
- ii) On or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
- iii) On or within 16 metres of a sea defence
- iv) Involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- v) In a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact the Environment Agency National Customer Contact Centre on 03708 506 506 (Monday to Friday, 8am to 6pm) or by emailing enquiries@environment-agency.gov.uk.

The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and the Environment Agency advise the applicant to consult with it at the earliest opportunity.

3. Thames Water – Surface Water Drainage: Advice to applicant by Thames Water

The application indicates that surface water will not be discharged to the public network and as such Thames Water has no objection, however approval should be sought from the Lead Local Flood Authority. Should the applicant subsequently seek a connection to discharge surface water into the public network in the future then we would consider this to be a material change to the proposal, which would require an amendment to the application at which point Thames Water would review its position.

4. Thames Water – Waste 1: Advice to applicant by Thames Water

The developer can request information to support the discharge of condition 49 by visiting the Thames Water's website at thameswater.co.uk/preplanning.

5. Thames Water- Waste 2: Advice to applicant by Thames Water

This site forms part of the New Eastern Villages Development. Thames Water have commissioned a catchment study to determine the infrastructure requirements for accommodating the development. The applicant is requested to contact Developer Services to discuss the options for connecting this site to the public foul sewer system through the Thames Water Pre-planning service utilising the link below.

<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Water-and-wastewater-capacity>

6. Thames Water: Assets. Advice to applicant by Thames Water

The proposed development is located within 15m of Thames Water's underground water assets and as such the development could cause the assets to fail if appropriate measures are not taken. Please read the Thames Water guide 'working near our assets' to ensure your workings are 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 by email: developer.services@thameswater.co.uk

7. Street Naming and Numbering

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

8. 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.

9. 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 or visit the Bat Conservation Trust website.

10. Great Crested Newts

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

11. Badgers

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

12. CIL Liable Development

This development constitutes Community Infrastructure Levy (CIL) liable development. CIL is a mandatory financial charge on development. For more information on CIL visit www.swindon.gov.uk/cil or email cil@swindon.gov.uk. To avoid additional financial penalties the requirements of the impact of CIL must be managed before development is commenced and subsequently payment made in accordance with the requirements of the CIL Demand Notice issued. Information on possible exemptions that may be capable of being applied for can be found at: https://www.planningportal.co.uk/info/200126/applications/70/community_infrastructure_levy and <https://www.gov.uk/guidance/community-infrastructure-levy>. CIL remains relevant in the event that planning permission is allowed by Planning Appeal.

13. Wiltshire Fire and Rescue Sprinklers

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

END OF LIST

