

## **Representations to the Chiseldon Neighbourhood Plan Regulation 16 Consultation**

**March 2025**

Consultation Period: Friday 13th of December 2024 to Friday 7th of February 2025

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## Received Comments

### Comment

#### National Highways

Dear Forward Planning team

Thank you for providing National Highways with the opportunity to comment on the submission version of the Chiseldon Neighbourhood Development Plan. National Highways is responsible for operating, maintaining and improving the strategic road network (SRN) which in this case comprises the M4 motorway which passes along the northern boundary of the plan area. The A345 passes north-south through the plan area providing a direct connection to M4 junction 15. As you will be aware, junction 15 can experience congestion particularly during the network peak periods.

However, we consider that the Plan's proposed policies are unlikely to lead to a scale of development which would adversely impact on the safe and efficient operation of the M4 and we therefore have no specific comments to make, although we have noted references within the plan to the potential to secure improvements to cycle crossings of the M4 including at Junction 15. In general terms, it will be necessary for any large scale development that may come forward within the Plan area to be supported by an appropriate assessment of traffic impacts which should consider the operation of the SRN in line with national planning practice guidance and DfT Circular 01/2022. Where proposals would result in a severe congestion or unacceptable safety impact, mitigation will be required in line with current policy. We therefore also look forward to working with Swindon Borough Council as it develops its transport evidence base to support the emerging Local Plan.

These comments do not prejudice any future responses National Highways may make on site specific applications as they come forward through the planning process, which will be considered by us on their merits under the prevailing policy at the time.

Kind regards

#### Historic England

Dear Forward Planning team

We have been made aware by Chiseldon Parish Council that the Chiseldon Parish Neighbourhood Plan has been submitted to your authority for Examination and is out for Regulation 16 consultation (see email thread below).

This is to confirm that there are no issues associated with the Plan upon which we wish to comment.

Kind regards

| Historic Places Adviser

#### NHS Property Services

Dear Forward Planning Team,

NHS Bath and North East Somerset, Swindon and Wiltshire ICB thank Swindon Borough Council for the opportunity to comment on the Chiseldon Neighbourhood Plan. We have reviewed the Draft Plan and confirm that the ICB have no comments to make at this time.

**Ramblers Swindon & North East Wiltshire Group**

Dear Planning Team

The following representation is made on behalf of Ramblers Swindon & North East Wiltshire Group.

We welcome the inclusion in the Plan of proposed improvements to the cycle and pedestrian network in the parish and support most of the individual proposals listed in Figure 14. However, the following proposal gives us concern.

“8. Metalling the NCR45 cycle path to Marlborough, which currently turns into mud during autumn to spring”.

As number 8 is not shown on the map it is unclear whether this is intended to refer to NCR45, the Old Ridgeway, or NCR482, the Chiseldon to Marlborough Railway Path. As NCR45 does not go to Marlborough we suspect that the intended reference is to NCR482, the railway path. Either way, while we agree that some surface improvements would be beneficial (particularly in the case of the Old Ridgeway), we are strongly opposed to the metalling of leisure paths through the open countryside in the National Landscape, where we believe a black tarmac surface is inappropriate and incongruous. While Ramblers does not represent horse riders and has no authority to speak on their behalf, it is also an unsuitable surface for those users.

On the assumption that the intended reference is to the railway path, we object to any proposed metalling of the section between the Three Trees Farm Shop and the southern parish boundary (and of course the continuation southwards to Marlborough) and would like to see this proposal removed from the Plan.

Regards

Dear Sirs,

We have the following comments on the Chiseldon Neighbourhood Plan.

Para 44. There should be no presumption that ‘major housing is likely to occur’. That is a matter for the Swindon Local Plan.

Para 47 and 49. The fact that ‘40 people’ attended a meeting should not be regarded as ‘the community’. It is a very small sample.

Para 58. ‘the quantum of development identified in the local plan’. There is no development identified in the Local Plan.

Para 59. Says ‘development in the countryside outside the village will be permitted’. This is a misrepresentation of the Local Plan policy.

Para 108. Pinkcombe House which in the early part of last century was the golf clubhouse for the local golf course (now closed) is not mentioned as a heritage asset and should be added.

Dear Sir or Madam

Please find below my reasons to oppose the draft Reg 15 Chiseldon Neighbourhood Plan.

In preparation for sharing my concerns about the draft Reg 15 Chiseldon Neighbourhood Plan I have discussed with some parish residents - their and my hopes & concerns.

I have set out below my comments and reasons why I ask you now to either reconsider or ultimately reject the draft Reg 15 Chiseldon Neighbourhood Plan.

But first, I would highlight that I highly value having a say in local plan development, as this offers all residents & stakeholders the opportunity of ensuring that our voices are represented in shaping Chiseldon’s future, not just the voices of the Parish Councillors.

1. Community Concerns: I, like many residents that I have spoken with, feel that the draft NP does not adequately represent our hopes (ambition for Chiseldon) our interests, nor does it address our concerns. I feel the draft Reg 15 Chiseldon Plan fails to deliver the aspirations of the community. The absence of a raft of community-centred &

community-led policies may well lead to developments that do not align with the community's vision for the future.

2. Environmental Impact: any proposed developments, due to the lack of effective policies in the NP, could have detrimental effects on local ecosystems and encroach upon local green spaces. Preserving the natural environment within the Parish is crucial for maintaining biodiversity and the overall health of the area.

3. Infrastructure Strain: The draft NP fails to comment on any meaningful way upon the infrastructure within the Parish. The draft NP may result in placing additional excessive pressure on existing infrastructure, such as roads, public transport, schools and GPs. Many of which are inadequate or unsafe currently. Without adequate plans for change and improvements, this NP will deliver more congestion and reduced quality of life for residents. The absence of any policies driving a commitment to improve the health and wellbeing of the community or the safe use of pavements and roadways currently is noted.

4. Lack of Transparency: Some fellow residents have expressed their frustration to me over the perceived lack of transparency in the planning process at CPC, to which I concur. This has led us to distrust the Councillors and have a view that decisions are being made without sufficient public input. The NP is a prime example of this as community engagement was all-but non-existent and has instead been driven by a closed mindset comprised of Parish Councillors, Council Clerk and the paid Consultants rather than community residents.

5. Economic Viability: I have concerns regarding the economic viability & feasibility of the draft NP. The plan has no mention of how it would seek to attract the necessary investment or support, (ie from businesses to drive local employment for example). The failure to address this in the draft plan could result in abandoned projects, wasted resources and a failure of the Parish to achieve its vision for 2037.

6. Cultural Heritage Preservation: The draft NP overlooks the importance of preserving Chiseldon's historical and cultural heritage. I believe that policies in the draft NP will fail to deliver a changing community (for example the undeniable need for community & affordable housing) balanced with the need to maintain the character and identity of the community.

7. Inadequate Consultation: I believe that a significant portion of the community feel that they were not adequately consulted during the planning process. Genuine engagement with residents is essential for creating a neighbourhood plan that truly reflects our needs and desires. This draft NP fails spectacularly in this regard as it does not represent the hopes & aspirations of the community of Chiseldon Parish.

8. Potential for Overdevelopment: There is a risk that the draft NP, having not identified potential land sites, could lead to overdevelopment, resulting in a loss of 'community feel' and increased density that may not be sustainable as the NP would have to dovetail & conform with the SBC Local Plan which is currently being re-written.

By considering these factors, it becomes clear why I, like many across Chiseldon Parish, believe that the draft Reg 15 Chiseldon Neighbourhood Plan should be reconsidered or ultimately rejected.

I trust my comments are helpful.

## Appended Comments

Date: 06 February 2025  
Our ref: 496732  
Your ref: Chiseldon Neighbourhood Plan



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Swindon Council

**BY EMAIL ONLY**

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Dear

**Chiseldon Neighbourhood Plan - Regulation 16 Consultation**

Thank you for your consultation on the above dated 13 December 2024 .

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Natural England is a statutory consultee in neighbourhood planning and must be consulted on draft neighbourhood development plans by the Parish/Town Councils or Neighbourhood Forums where they consider our interests would be affected by the proposals made.

**Natural England does not have any specific comments on this draft neighbourhood plan.**

However, we refer you to the attached annex which covers the issues and opportunities that should be considered when preparing a Neighbourhood Plan and to the following information.

Natural England does not hold information on the location of significant populations of protected species, so is unable to advise whether this plan is likely to affect protected species to such an extent as to require a Strategic Environmental Assessment. Further information on protected species and development is included in [Natural England's Standing Advice on protected species](#) .

Furthermore, Natural England does not routinely maintain locally specific data on all environmental assets. The plan may have environmental impacts on priority species and/or habitats, local wildlife sites, soils and best and most versatile agricultural land, or on local landscape character that may be sufficient to warrant a Strategic Environmental Assessment. Information on ancient woodland, ancient and veteran trees is set out in Natural England/Forestry Commission [standing advice](#).

We therefore recommend that advice is sought from your ecological, landscape and soils advisers, local record centre, recording society or wildlife body on the local soils, best and most versatile agricultural land, landscape, geodiversity and biodiversity receptors that may be affected by the plan before determining whether a Strategic Environmental Assessment is necessary.

Natural England reserves the right to provide further advice on the environmental assessment of the plan. This includes any third party appeal against any screening decision you may make. If a Strategic Environmental Assessment is required, Natural England must be consulted at the scoping and environmental report stages.

For any further consultations on your plan, please contact: [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk).

Yours sincerely  
Team

## Annex 1 - Neighbourhood planning and the natural environment: information, issues and opportunities

### Natural environment information sources

The [Magic](#)<sup>1</sup> website will provide you with much of the nationally held natural environment data for your plan area. The most relevant layers for you to consider are: **Agricultural Land Classification, Ancient Woodland, Areas of Outstanding Natural Beauty, Local Nature Reserves, [National Parks \(England\)](#), National Trails, Priority Habitat Inventory, public rights of way (on the Ordnance Survey base map) and Sites of Special Scientific Interest (including their impact risk zones)**. Local environmental record centres may hold a range of additional information on the natural environment. A list of local record centres is available from [the Association of Local Environmental Records Centres](#) .

**Priority habitats** are those habitats of particular importance for nature conservation, and the list of them can be found [here](#)<sup>2</sup>. Most of these will be mapped either as **Sites of Special Scientific Interest**, on the Magic website or as **Local Wildlife Sites**. Your local planning authority should be able to supply you with the locations of Local Wildlife Sites.

**National Character Areas** (NCAs) divide England into 159 distinct natural areas. Each character area is defined by a unique combination of landscape, biodiversity, geodiversity and cultural and economic activity. NCA profiles contain descriptions of the area and statements of environmental opportunity, which may be useful to inform proposals in your plan. NCA information can be found [here](#)<sup>3</sup>.

There may also be a local **landscape character assessment** covering your area. This is a tool to help understand the character and local distinctiveness of the landscape and identify the features that give it a sense of place. It can help to inform, plan and manage change in the area. Your local planning authority should be able to help you access these if you can't find them online.

If your neighbourhood planning area is within or adjacent to a **National Park** or **Area of Outstanding Natural Beauty** (AONB), the relevant National Park/AONB Management Plan for the area will set out useful information about the protected landscape. You can access the plans on from the relevant National Park Authority or Area of Outstanding Natural Beauty website.

General mapped information on **soil types** and **Agricultural Land Classification** is available (under 'landscape') on the [Magic](#)<sup>4</sup> website and also from the [LandIS website](#)<sup>5</sup>, which contains more information about obtaining soil data.

### Natural environment issues to consider

The [National Planning Policy Framework](#)<sup>6</sup> sets out national planning policy on protecting and enhancing the natural environment. [Planning Practice Guidance](#)<sup>7</sup> sets out supporting guidance.

Your local planning authority should be able to provide you with further advice on the potential impacts of your plan or order on the natural environment and the need for any environmental assessments.

### Landscape

Your plans or orders may present opportunities to protect and enhance locally valued landscapes. You may want to consider identifying distinctive local landscape features or characteristics such as ponds, woodland or dry stone walls and think about how any new development proposals can respect and enhance local landscape character and distinctiveness.

If you are proposing development within or close to a protected landscape (National Park or Area of Outstanding Natural Beauty) or other sensitive location, we recommend that you carry out a landscape assessment of the proposal. Landscape assessments can help you to choose the most appropriate sites for development and help to avoid or minimise impacts of development on the landscape through careful siting, design and landscaping.

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<sup>1</sup> <http://magic.defra.gov.uk/>

<sup>2</sup> <https://www.gov.uk/government/publications/habitats-and-species-of-principal-importance-in-england>

<sup>3</sup> <https://www.gov.uk/government/publications/national-character-area-profiles-data-for-local-decision-making>

<sup>4</sup> <http://magic.defra.gov.uk/>

<sup>5</sup> <http://www.landis.org.uk/index.cfm>

<sup>6</sup> <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

<sup>7</sup> <http://planningguidance.planningportal.gov.uk/blog/guidance/natural-environment/>

## Wildlife habitats

Some proposals can have adverse impacts on designated wildlife sites or other priority habitats (listed [here](#)<sup>8</sup>), such as Sites of Special Scientific Interest or [Ancient woodland](#)<sup>9</sup>. If there are likely to be any adverse impacts you'll need to think about how such impacts can be avoided, mitigated or, as a last resort, compensated for.

## Priority and protected species

You'll also want to consider whether any proposals might affect priority species (listed [here](#)<sup>10</sup>) or protected species. To help you do this, Natural England has produced advice [here](#)<sup>11</sup> to help understand the impact of particular developments on protected species.

## Best and Most Versatile Agricultural Land

Soil is a finite resource that fulfils many important functions and services for society. It is a growing medium for food, timber and other crops, a store for carbon and water, a reservoir of biodiversity and a buffer against pollution. If you are proposing development, you should seek to use areas of poorer quality agricultural land in preference to that of a higher quality in line with National Planning Policy Framework para 112. For more information, see [Guide to assessing development proposals on agricultural land](#)<sup>12</sup>.

## **Improving your natural environment**

Your plan or order can offer exciting opportunities to enhance your local environment and should provide net gains for biodiversity in line with the [National Planning Policy Framework](#). If you are setting out policies on new development or proposing sites for development, you should follow the biodiversity mitigation hierarchy and seek to ensure impacts on habitats are avoided or minimised before considering opportunities for biodiversity enhancement. You may wish to consider identifying what environmental features you want to be retained or enhanced or new features you would like to see created as part of any new development and how these could contribute to biodiversity net gain and wider environmental goals.

Opportunities for environmental enhancement might include:

- Restoring a neglected hedgerow.
- Creating a new pond as an attractive feature on the site.
- Planting trees characteristic to the local area to make a positive contribution to the local landscape.
- Using native plants in landscaping schemes for better nectar and seed sources for bees and birds.
- Incorporating swift boxes or bat boxes into the design of new buildings.
- Think about how lighting can be best managed to reduce impacts on wildlife.
- Adding a green roof to new buildings.
- Providing a new footpath through the new development to link into existing rights of way.

Site allocations should be supported by a baseline assessment of biodiversity value. The statutory [Biodiversity Metric](#) may be used to understand the number of biodiversity units present on allocated sites. For small development allocations the [Small Sites Metric](#) may be used. This is a simplified version of the statutory [Biodiversity Metric](#) and is designed for use where certain criteria are met. Further information on biodiversity net gain including [planning practice guidance](#) can be found [here](#)

You may also want to consider enhancing your local area in other ways, for example by:

- Setting out in your plan how you would like to implement elements of a wider Green Infrastructure Strategy (if one exists) in your community.
- Assessing needs for accessible greenspace and setting out proposals to address any deficiencies or enhance provision. Natural England's [Green Infrastructure Framework](#) sets out further information on green infrastructure standards and principles
- Identifying green areas of particular importance for special protection through Local Green Space designation (see [Planning Practice Guidance](#)<sup>13</sup>).
- Managing existing (and new) public spaces to be more wildlife friendly (e.g. by sowing wild flower strips in less used parts of parks or on verges, changing hedge cutting timings and frequency).

<sup>8</sup> <https://www.gov.uk/government/publications/habitats-and-species-of-principal-importance-in-england>

<sup>9</sup> <https://www.gov.uk/guidance/ancient-woodland-and-veteran-trees-protection-surveys-licences>

<sup>10</sup> <https://www.gov.uk/government/publications/habitats-and-species-of-principal-importance-in-england>

<sup>11</sup> <https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>

<sup>12</sup> <https://www.gov.uk/government/publications/agricultural-land-assess-proposals-for-development/guide-to-assessing-development-proposals-on-agricultural-land>

<sup>13</sup> <https://www.gov.uk/guidance/open-space-sports-and-recreation-facilities-public-rights-of-way-and-local-green-space>



- Planting additional street trees.
- Identifying any improvements to the existing public right of way network, e.g. cutting back hedges, improving the surface, clearing litter or installing kissing gates) or extending the network to create missing links.
- Restoring neglected environmental features (e.g. coppicing a prominent hedge that is in poor condition, or clearing away an eyesore).

Natural England's [Environmental Benefits from Nature tool](#) may be used to identify opportunities to enhance wider benefits from nature and to avoid and minimise any negative impacts. It is designed to work alongside the statutory [Biodiversity Metric](#) and is available as a beta test version.



**Chiseldon Neighbourhood Development Plan  
2022 – 2037 Submission Draft**

**August 2024**

**Regulation 16 Consultation**

**On behalf of Hannick Homes and Developments Ltd. February 2025**

## **1.0 Introduction**

- 1.1 This representation is submitted in response to the Chiseldon Neighbourhood Development Plan (NDP) Regulation 16 consultation, which closes on Friday, 7 February 2025. It has been prepared by Hannick Homes and Developments Ltd ('Hannick').
- 1.2 Hannick is an established SME housebuilder based in Swindon, operating in the South of England for over 45 years. We continue to pursue a range of development opportunities and regularly submit representations to ensure that emerging policies align with national policy and do not unduly restrict new development.
- 1.3 We have submitted an outline planning application (reference S/OUT/24/0982) to Swindon Borough Council for the erection of up to 42 dwellings, along with open space, landscaping, and associated infrastructure on land at Hodson Road. All matters except access are reserved. Hannick has previously engaged with Chiseldon Parish Council and the Steering Group to discuss this site. A redline plan is provided in Appendix 1.

## **2.0 Consultation Response**

- 2.1 Hannick commends Chiseldon Parish Council and the Steering Group for their efforts in preparing the Neighbourhood Development Plan (NDP) to guide the future development of the Parish.
- 2.2 We have reviewed the NDP, Design Codes and Guidance, and Housing Needs Assessment and broadly support the proposed approach and policies set out in the draft documents.
- 2.3 Our specific comments on individual policies are outlined below.

## 3.0 Policy 1 – Housing Mix

- 3.1 Policy 1 of the NDP sets out the housing mix required for new development within Chiseldon Parish. While we broadly support its wording, supporting text, and evidence base, it is essential to ensure that the policy remains deliverable in accordance with national guidance, including the National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG). The PPG clearly states that viability must be considered when preparing Neighbourhood Plan policies and that requirements should not undermine deliverability.
- 3.2 We therefore welcome the inclusion of Criterion B1, which allows for site-specific variations to the First Homes discount percentage where viability concerns arise. We also support the requirement for a viability assessment where necessary to justify such variations.
- 3.3 We note the inclusion of Criterion D, which requires new dwellings to conform to Building Regulations M4(2) (Accessible and Adaptable Dwellings) and M4(3) (Wheelchair User Dwellings) to ensure accessibility at all life stages. M4(2) requires step-free access, wider doorways, and adaptability for future needs, while M4(3) provides full wheelchair accessibility, including larger circulation spaces and step-free access. These standards must be secured through planning conditions.
- 3.4 The Swindon Local Plan Policy HA3: Wheelchair Accessible Housing requires that, for proposals of 50 dwellings or more, at least 2% must be suitable for wheelchair users. If Policy 1 intends to require all new dwellings to meet M4(2) and M4(3) standards, it is crucial to assess the viability and deliverability of such a requirement.

## 4.0 Policy 2 – Sustainable Transport

- 4.1 Policy 2 states that developments should seek to deliver improvements identified in Figures 13 and 14 on pages 37 and 38 of the NDP. The supporting text expands on the need for better cycle routes, safer pedestrian pathways, and improved access to public transport, while also addressing community concerns regarding traffic congestion and rat-running.
- 4.2 Hannick supports the wording of Policy 2, its supporting text, and evidence base. We consider that the development of Land at Hodson Road could help facilitate some of the identified improvements, particularly enhancements to National Cycle Route (NCR) 45 and the Hodson Road crossing.

## 5.0 Policy 3 - Biodiversity and Nature Recovery

- 5.1 Policy 3 requires that applicants for development must, where biodiversity net gain (BNG) is a requirement, provide evidence in planning applications demonstrating that biodiversity net gain and local nature recovery have been fully considered in scheme design. The policy wording has been updated to include specific measures, such as BNG requirements for new developments, the creation of green corridors, and the mapping of priority habitats and nature recovery networks to guide development. Hannick supports the wording, supporting text, and evidence for this policy.
- 5.2 Regarding Land at Hodson Road, we intend to achieve the required Biodiversity Net Gain (BNG) on-site. However, if this is not feasible, we will collaborate with Swindon Borough Council to explore off-site BNG opportunities within Chiseldon Parish, prioritising nature recovery areas identified in Figure 15 or the Local Nature Recovery Map (page 41) of the NDP.

## 6.0 Policy 4 – Local Green Space

- 6.1 Policy 4 designates land as Local Green Space, as shown in Figures 16 and 17 and Appendices 4 and 5. The NDP provides detailed justifications for these designations, ensuring alignment with the National Planning Policy Framework (NPPF) criteria. The policy has also been updated to include a new designation at Burderop Park in response to community feedback.
- 6.2 Site 2 in Policy 4 (Home Close Nature Area and Wildlife Corridor (West)) is located adjacent to our site at Hodson Road. However, the development of our site would not result in any loss of designated Local Green Space in this location.

## 7.0 Policy 5 – Design

- 7.1 Policy 5 requires that all planning applications demonstrate conformity with the Chiseldon Design Codes and Guidance (2023). Having reviewed the Design Codes and Guidance Document, Hannick broadly supports the policy, its supporting text, and evidence base. The development of Land at Hodson Road would seek to comply with this policy where appropriate.
- 7.2 The policy places greater emphasis on sustainability, requiring new developments to incorporate low-carbon design features, such as permeable paving and solar panels, while adhering to stricter guidelines on artificial lighting to minimise environmental impacts. The enhanced focus on green infrastructure mandates the preservation and enhancement of biodiversity, linking wildlife corridors and integrating well-connected green spaces within development layouts.
- 7.3 The policy also strengthens requirements for safe walking and cycling routes and ensures that new developments fit the area's historic character. Stricter controls on building materials and layouts encourage the use of traditional materials.

Layouts should reflect the organic patterns of the area, avoiding uniform designs and maintaining features such as low rubble stone walls and landscaped boundaries. Developments should blend with existing settlement patterns, including detached or semi-detached housing with varied setbacks and greenery.

## 8.0 Policy 6 – Non-designated Heritage Assets

8.1 Policy 6 identifies non-listed structures and buildings in Chiseldon Parish that, alongside designated heritage assets, are considered worthy of protection. We support the wording of Policy 6, its supporting text, and evidence base and do not propose any amendments or alternative wording.

## 9.0 Policy 7 – Play equipment and play areas

9.1 Policy 7 states that existing play equipment and play areas in Chiseldon will be preserved in accordance with the Swindon Borough Local Plan. The policy also requires that new play equipment be designed in line with the considerations outlined in paragraphs 114 on pages 53 and 54 of the NDP.

9.2 Hannick broadly supports this policy, and the current planning application for Land at Hodson Road will comply with its requirements where relevant.

## 10.0 Policy 8 – Community Facilities

10.1 Policy 8 of the NDP identifies Community Facilities in Chiseldon Parish. Hannick supports the wording of Policy 8, its supporting text, and evidence base, and does not propose any amendments or alternative wording.

## 11.0 Conclusions

- 11.1 Hannick commends Chiseldon Parish Council and the Steering Group for their efforts in bringing forward the Neighbourhood Development Plan (NDP). We have reviewed the NDP, Design Codes and Guidance, and Housing Needs Assessment and broadly support the approach and policies set out in these documents.
- 11.2 The current outline planning application for Land at Hodson Road (S/OUT/24/0982) has been designed to comply with relevant NDP policies where applicable.
- 11.3 We look forward to working collaboratively with Chiseldon Parish Council and the Steering Group to deliver the development of Land at Hodson Road alongside the preparation of the NDP.



Appendix 1 – Site Location Plan, Land at Hodson Road



## **INTRODUCTORY COMMENTS ON THE “DRAFT REG 15 CHISELDON PARISH NEIGHBOURHOOD PLAN”**

As we all know, unlike ‘Local Plans’ (like the SBC ‘Local Plan’), which are examined against the statutory test of “soundness” (e.g. is the plan positively prepared, justified, effective and consistent with national policy) neighbourhood plans (NPs) are only examined against 7 “basic conditions” and are not examined against the ‘soundness’ tests.

That said, a neighbourhood plan still attains the same legal status as a local plan (and other documents that form part of the statutory development plan) once it has been approved at a referendum.

Neighbourhood Planning is therefore, for a community, a very important process and the resultant NP a very significant set of legal documents designed to help influence the future planning of the Parish.

### **ASPIRATIONS OF THE COMMUNITY OF CHISELDON PARISH**

It is my opinion that the current draft Reg 15 version of Chiseldon Parish Neighbourhood Plan should not proceed to referendum. Why? Because it does not, as is, best serve the aspirations of the Community of Chiseldon Parish as a whole and presently the draft NP fails to meet a number of the ‘basic conditions’ required (Town and Country Planning Act 1990, Independent examination Paragraph 8) whereby:

#### **A draft (NP) order must meet each of the following ‘basic conditions’ —**

- (a)** having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the order,
- (b)** having special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses, it is appropriate to make the order,
- (c)** having special regard to the desirability of preserving or enhancing the character or appearance of any conservation area, it is appropriate to make the order,
- (d)** the making of the order contributes to the achievement of sustainable development,
- (e)** the making of the order is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area),
- (f)** the making of the order does not breach, and is otherwise compatible with, obligations, and
- (g)** prescribed conditions are met in relation to the order and prescribed matters have been complied with in connection with the proposal for the order.

### **INTRODUCTORY REMARKS:**

I have outlined my concerns and reasons that I believe that the draft Regulation 15 Chiseldon Parish Neighbourhood Plan should not go forward to referendum.

But before that I wish to take the opportunity to comment upon three points, minor as they may appear, but important none-the-less.

First, a best-in-class Neighbourhood Plan is a community-led planning commitment shaped, crafted & prepared by the community. The draft Reg 15 Chiseldon Neighbourhood Plan is sadly a Parish Council led, and created, document that forgets right from the outset that this is a community planning commitment rather than Parish Council commitment. The introductory paragraphs should be from the Steering Committee lead not the Parish Council Chairperson.

Secondly, a best-in-class Neighbourhood Plan sets out what the plan is for and includes some or all of the following... ‘This is a plan, prepared by a local community to help influence the future planning of the Parish and can be used to:

- Develop a vision for the future of the neighbourhood (what sort of place do you want to be in 15-20 year’s time?)
- Decide where new homes, shops, offices and other development should be built
- Identify and provide the infrastructure needed to support new development
- Identify and protect important elements of the built and natural environment
- Protect and enhance community facilities
- Influence what new buildings should look like ,to fit in with local character

- Link planning with other aspects of local life (such as getting around, flood risk, public health, community support and so forth)

Cognisant that the the draft Reg 15 Chiseldon Neighbourhood Plan was produced by Planning Consultants engaged, and paid for, by Chiseldon Parish Council it is surprising to note that this 'draft' fails to even set out this guiding ambition for the plan.

Third, as the draft Reg 15 Chiseldon Neighbourhood Plan states itself there was a very low level of community engagement in creation of the draft Reg 15 Chiseldon Neighbourhood Plan (more on this issue to follow below).

## **REASONS WHY THE DRAFT REGULATION 15 CHISELDON PARISH NEIGHBOURHOOD PLAN SHOULD NOT GO FORWARD TO REFERENDUM**

### **LOW LEVEL OF COMMUNITY ENGAGEMENT**

***Question: the draft Reg 15 Chiseldon Neighbourhood Plan sets out the woefully low levels of community engagement... causing concern... the 'plan', as is, does not constitute the required or necessary level of 'community engagement' to ensure all views are captured and represented. Is the 'plan' acceptable given the low level of community engagement?***

In the draft Reg 15 Chiseldon Neighbourhood Plan "engagement" is best described as:

- the initiating Steering Group held on 22 September 2021 (the composition is described as being 'mainly the Parish Councillors at this stage')
- followed by a single event held a a local hotel where less than 40 people from across the Parish (of over 2,600 residents) attended
- a single half hour presentation was given to those attending the hotel event
- a SWOT analysis was undertaken (with those attending)
- from this analysis the Steering Committee formed a Vision for Chiseldon Parish for 2037
- comments in the PC newsletter

This low level of 'engagement' cannot possibly constitute the required or necessary level of 'community engagement' to ensure all views are captured and represented.

Community engagement is a "powerful tool" which can change behaviour, creating inclusivity, optimism, and opportunities. Poor levels of engagement such as documented in the draft Reg 15 NP leads to "community disengagement" and resentment and consultation-fatigue.

NPs are "rooted in civic engagement & collaborative democracy" (Conservative Party, 2010) such that community engagement in the development of NP is a vital requirement.

For Chiseldon Parish the absence of a clear and communicated 'statutory consultation statement/strategy' has contributed to woefully low levels of community engagement.

Chiseldon Parish Council whom form the majority of the Steering Committee, as drivers for the creation of the NP, should have, in my opinion, learned from the lessons of other NP development projects (and historic low levels of engagement) and established details of 'who was to be consulted, how they would be consulted, and the methodology to be followed such that any resident could make specific recommendations' and communicated these clearly.

In the few and inadequate attempts to engage with the community Chiseldon Parish Council (NP Steering Committee) relied only upon social media and their website as further 'engagement channels' - each being one-way and with limited opportunity to engage, listen and learn about the views of the community. A number of poorly attended meetings does not equip any Steering Committee to adequately represent the community. The approaches taken to engage by the Steering Committee were not effective nor creative. It suggests that those involved in the NP development at this stage failed to fully seek engagement with the community... throwing into question the extent to which the draft Chiseldon Reg 15 NP actually represents the aspirations of the community, as currently the draft NP represents only the aspirations of the very few who turned up.

If the CPC team had considered more fully

- What engagement methods did you use?
- Frequency of community engagement activities
- What percentage of our community were involved?
- Barriers to engagement

...we might have seen more engagement and a meaningful and 'owned' NP.

Instead Chiseldon Parish Council's (the Steering Committee) preferred 'hands-off approach' delivered near historically low levels of community engagement when compared to other NP development teams.

In the 'Step by Step Road Map Guide' to neighbourhood planning, Locality (2018) states that "The idea behind neighbourhood plans is that they are community-led" emphasising that without community engagement "neighbourhood planning is meaningless" (2018).

Being at the heart of NP, the importance of community engagement cannot be overstated.

At the last 'consultation' on the draft Chiseldon Parish NP less than 10 people from a population in excess of 2,600 participated. I believe Chiseldon Parish Council have failed to engage with the community to the extent that the current draft Reg 15 NP has resulted primarily from being driven by a couple of Parish Councillors, the Parish Clerk and the Consultants who the Parish Council has paid to create the Chiseldon Parish NP.

I believe the Parish Council (Steering Committee) failed to focus effectively upon on vitally important role and the purpose of community engagement in developing the NP.

I believe that having failed to define and establish community engagement standards the current draft Reg 15 Chiseldon Parish NP has been cobbled together by a small group of Councillors and Consultants rather than residents of the Community and - most importantly - it cannot be claimed to represent the views of the community - whether that be about policies, plans, the vision or closer to many people's interests 'housing development'. It is well recognised across the Parish that certain Parish Councillors are pushing for housing development to occur quite to the contrary of the wishes of dozens and dozens of Chiseldon Parish residents. To hear the Chair of the Planning Committee state that "without more housing the village {she meant Parish, of course} will die" smacks of bias with regard to some planning applications that is totally unacceptable.

It is my recommendation that the Chiseldon Parish NP should not proceed to referendum, as is, because the methodology followed by CPC has resulted in such low levels of community engagement as to result in a meaningless NP that does not represent a large enough proportion of Chiseldon Parish Community.

#### **THE DRAFT REG 15 CHISELDON PARISH NEIGHBOURHOOD PLAN FAILS TO MEET ESTABLISHED 'BASIC CONDITIONS' REQUIRED FOR NEIGHBOURHOOD PLANS**

***Question: does the draft Reg 15 Chiseldon Neighbourhood Plan fully and accurately meet the established 'Basic Conditions' required for Neighbourhood Plans?***

I have already raised my concerns at the appropriate earlier stages of the development of the NP with CPC and their consultants.

In re-submitting my comments, observations and suggestions to you now I recognise that whilst NP 'basic conditions' don't even broadly resemble 'soundness' criteria - and that this in itself presents issues both for the community, the Parish as a whole and for the Local Council - they are the 'conditions' under which NP are assessed going forwards. That is vitally important when considering the Draft Reg 15 Chiseldon Parish Neighbourhood Plan, as it fails to meet the established 'basic conditions' required for Neighbourhood Plans.

It is true that Neighbourhood Planning is fraught with challenges - many of which water down the effectiveness of the NP for the community that it is designed to represent.

The first of which I wish to highlight... and ask that you consider:

1 of the 7 'basic conditions' - and the one that most frequently causes issues - is the requirement that the NP is in "**general conformity with the strategic policies contained in the development plan for the area**".

At present it is impossible for the Chiseldon Parish Neighbourhood Plan to meet this 'basic condition' as SBC Local Plan is being completely re-written now and will not be 'found/made' before the Chiseldon Parish NP goes to referendum.

To state in the Chiseldon Parish NP that there is general conformity between Chiseldon Parish NP and SBC Local Plan whilst is a broad question of planning judgment it is simply impossible to conclude that draft Reg 15 Chiseldon Parish NP and SBC Local Plan conform given the two conflicting development timelines.

The question of whether or not the draft Reg 15 Chiseldon Parish NP, as a whole, complies with the SBC Local Plan, as a whole, remains. I do not believe SBC Planning Authority nor an Inspector could possibly say they do. It is materially important to note that there is no SBC Local Plan - so to ensure that Chiseldon NP meets, and is aligned with SBC LP, is absurd. The Chiseldon NP will, without doubt, need updating the moment that SBC Local Plan is 'sound/made'.

The Chiseldon Parish NP itself does not have to be found to be "sound", (nor does it need to meet the objectively assessed needs contained within the SBC Local Plan) but it does have to obtain the support of a majority in a referendum.

It is important to note that whenever a situation arises whereby a NP progresses ahead of a Local Plan, through the examination process, difficulties inevitably arise. That is likely to be the case here, for numerous reasons.

### **THE DESIGNATION OF 'LOCAL GREEN SPACES' IN THE DRAFT REG 15 CHISELDON PARISH NEIGHBOURHOOD PLAN**

***Question: do the LGSs contained within the draft Reg 15 Chiseldon Neighbourhood Plan fully and accurately represent Chiseldon Parish community ambitions and help promote health and well being?***

With regard to the designation of 'Local Green Spaces' in the current draft version of Chiseldon Parish NP - almost all are within the boundary of the Chiseldon village.

Few, if any are from the Hamlets that form an important part of the character of the Parish.

Time and time again the Parish Council focuses upon only the Village to the detriment of the Hamlets. The current draft Chiseldon NP is another example of this selectiveness. This NP should represent the Parish not just the village of Chiseldon.

The National Planning Policy sets a very high bar for designating 'local green spaces', and it is widely acknowledged that the designation LGS should be used only sparingly.

The Chiseldon Parish NP list of local green spaces in the draft Reg 15 NP are often no more than small strips of waste or unproductive land chosen, I believe, only to lessen the chance of house building rather than to protect community-valuable green spaces for the health and well being of the community.

The draft Reg 15 Chiseldon Parish NP 'LGS designations' list also makes no mention of whether these 'green spaces' are 'capable of enduring beyond the plan period. That is another shortcoming.

It is essential that we look again at the list of LGS contained within the draft Chiseldon Parish NP. It is, in my opinion, far from adequate, as is, and should give cause for concern.

I feel, in summary, that the current draft Reg 15 Chiseldon Parish NP 'LGS designations' should be rejected, as is, and that a requirement put in place for a community-led (Parish wide) assessment of more appropriate areas for consideration (as LGS) be submitted. But until such time I suggest that the current list of LGS should be deleted from the NP and a new methodology used to establish LGS considered - and that the draft Reg 15 Chiseldon Parish NP be suspended in the meantime - and that the Chiseldon Parish NP should not proceed to referendum (as is), because it does not best serve the aspirations of the Community of Chiseldon Parish, in so far as LGS alone is concerned.

### **POLICIES IN THE DRAFT REG 15 CHISELDON NEIGHBOURHOOD PLAN**

***Question: do the Policies contained within the draft Reg 15 Chiseldon Neighbourhood Plan fully and accurately conform to SBC's Local Plan?***

NPs must comply with national policies and local plans. SBC, as planning authority is re-writing their Local Plan as we speak.

It is important to acknowledge therefore that the draft Reg 15 Chiseldon Neighbourhood Plan can quickly become out of date if, as is without doubt likely to be the case given that SBC, the LPA is reviewing, updating and modifying its Local Plan as we speak.

There are lots of well documented cases whereby NP policies were dismissed by the Planning Inspector just six months after referendum as they did not align with policies in the Local Plan. This is undoubtedly the likely outcome with regard to Chiseldon NP as SBC are rewriting their Local Plan (and Chiseldon

PC/Steering Committee are pressing ahead with a NP)... and so it is almost guaranteed that the Chiseldon NP is most likely to fail to align with the new / emerging SBC Local Plan.

Now, to consider the robustness of the process that Chiseldon Parish Council/Steering Committee have adopted concerning the methodology for developing the NP... I note there is no mention what-so-ever about 'reviewing' 'amending' or 'updating' the NP as and when SBC Local Plan is created. The costs of engaging consultants has been borne by residents across the Parish with what appears to be little if any thought given to the ongoing costs of maintaining and updating the Chiseldon NP and the waste of money should the draft not go to referendum due to the position regarding SBC Local Plan re-development.

Thinking ahead with regard to 'External Examination', legislation currently requires NPs to be independently examined by an 'appropriately qualified' person, to check compliance with basic conditions.

Records show that less than 1% of NP that have passed referendum and which then went on to 'independent examination', required only minor modifications. Almost all (99%) of NP required significant policy changes or deletions. I have seen no plan or methodology or process set out by Chiseldon Parish Council/Steering Committee to anticipate and plan for such changes, should the need arise. To read draft Reg 15 Chiseldon NP policies, as is, suggests that in the absence of SBC Local Plan the current policies have been purposefully self-regulating, curtailing and watering-down the community-led policies to meet anticipated examination requirements with the risk that this approach has compromised local preferences and community aspirations favouring instead to comply with the administrative needs of the NP process. Housing being perhaps the most contentious of all.

#### **DETAILED EXAMINATION OF THE POLICIES IN THE DRAFT REG 15 CHISELDON NEIGHBOURHOOD PLAN**

***Question: are the Policies contained within the draft Reg 15 Chiseldon Neighbourhood Plan going to deliver the ambition for Chiseldon in 2037?***

Detailed examination of the policies contained within the draft Reg 15 Chiseldon Parish NP give rise to concerns that the Chiseldon Parish NP policies are weak, ill thought thorough and do not reflect the character and aspirations of the Parish.

Currently the policies contained within the draft Reg 15 Chiseldon Parish NP cannot be said to represent the views of the community - instead they are a mismatch of compromised policies each watered down to such an extent as to be so 'generalised' rather than specific to and designed to address & deliver the needs and aspirations of the Chiseldon community. How it can be claimed that these policies comply with national policies and local plans when the SBC Local Plan does not exist... is simply ludicrous. To water a set of policies down to be so generalist and weak such that they may concur with SBC's policies makes them totally ineffective.

There should be robust, community centred policies that will help deliver the aspirations and Vision for Chiseldon Parish. Those set out in the draft Reg 15 Chiseldon NP are not the enabling policies that the community need to see adopted.

The absence of a set of robust community-led policies within the Chiseldon Parish NP is therefore a huge concern.

For example, currently, **no policies exist in the Chiseldon NP that set out and serve the undeniable need for an appropriate mix between open market and affordable housing in residential development schemes in and around the Parish of Chiseldon.**

Whilst the draft reg 15 Chiseldon NP mentions that Chiseldon Parish is largely rural **the draft Reg 15 Chiseldon NP does not incorporate any policy that is applicable for/to planning applications for rural exception sites.**

Additionally, there is **no mention in the draft Reg 15 Chiseldon NP whether a sustainability appraisal is required.** Why?

Whilst there is no legal requirement for a neighbourhood plan to have a sustainability appraisal Chiseldon NP should however demonstrate how the NP plan will contribute to achieving sustainable development.

Chiseldon parish sits within the North Wessex Downs Area of Outstanding Natural Beauty (AONB). AONBs have the same protected status as National Parks and SBC have a duty of regard to protect all protected landscape. Section 82 of the Countryside and Rights of Way Act 2000 (CROW Act)

The draft Reg 15 Chiseldon NP should have been assessed to determine whether the plan is likely to have **significant environmental effects (known as a “screening” assessment)**. As many know one of the basic conditions that will be tested by the independent examiner is whether the making of the neighbourhood plan is compatible with obligations, including under the Strategic Environmental Assessment Directive. Currently it is not compatible with those obligations.

### **THE DRAFT REG 15 CHISELDON NP & THE COMMUNITY HOUSING NEEDS**

***Question: are there proposed Policies contained within the draft Reg 15 Chiseldon Neighbourhood Plan designed to address the community housing needs?***

Where the draft Reg 15 Chiseldon NP additionally lets down the community is when it comes to housing needs.

Chiseldon Parish residents are no different to residents in parishes across the country in seeking clarity from their neighbourhood plan regarding allocation of potential sites for development.

The draft Reg 15 Chiseldon NP can, and should, allocate sites for development. As a qualifying body, CPC/Steering Committee, should carry out an appraisal of options and an assessment of individual sites against clearly identified criteria.

CPC Councillors are often heard complaining that unless “we do something, something - vis-a-vis house building - will be done to us”.

Clearly as SBC develop their LP they will, as the planning authority, allocate sites in and across the borough including within the Parish of Chiseldon.

If SBC as the local planning authority is intending to allocate sites in the Chiseldon Parish then CPC should work constructively with SBC Planning team to enable the Chiseldon NP to make timely progress - and avoid the risk of ‘waiting to see what happens’, as appears to be the preferred approach of CPC.

If asked/requested by CPC then SBC as the local planning authority should share evidence with those preparing the neighbourhood plan, in order for example, that every effort can be made to meet identified local need through the neighbourhood planning process. There is no evidence in the Chiseldon Parish NP that this has happened cooperatively.

It is quite reasonable that Chiseldon NP may, for example, allocate (additional or) alternative sites to those in the SBC Local Plan where this is supported by evidence to demonstrate need above that identified in the Local Plan.

Through engagement with the community (and land owners) the draft Reg 15 Chiseldon NP could have sought to propose allocating alternative sites to those set out in the old (and the emerging) SBC Local Plan, having discussed these with SBC as local planning authority and explored why CPC considers any allocations in the SBC Local Plan to be no longer appropriate.

Chiseldon Parish Council as Steering Committee driving the NP development has missed an opportunity to do just this.

To do so would have better served the Chiseldon Parish community not just now, but in the longer term too.

### **Chiseldon NP will be constrained by the strategic development needs that will be set out in the SBC Local Plan**

Instead any Chiseldon NP will be constrained by the strategic development needs that will be set out in the SBC Local Plan, whereas had site-allocation been led by the Parish Council the NP could have positively sought to support local development and take a fair community-led approach to housing development.

As it is the absence of any site allocation will led to inevitable conflict between policy in the Chiseldon Parish neighbourhood plan and policies contained within the SBC Local Plan (Note: it is important to acknowledge conflict in policies that arise must be resolved in favour of the policy which is contained in

the last document to become part of the development plan... which in this case is most likely to be SBC's).

## **RECOMMENDATION**

So in summary, it is my opinion that the current draft Reg 15 version of Chiseldon Parish Neighbourhood Plan should not proceed to referendum, because it does not, as is, best serve the aspirations of the Community of Chiseldon Parish as a whole and it fails to meet a number of the 'basic conditions' required (Town and Country Planning Act 1990, Independent examination Paragraph 8) whereby:

A draft (NP) order must meet the following basic conditions —

- (a) having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the order,
- (b) having special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses, it is appropriate to make the order,
- (c) having special regard to the desirability of preserving or enhancing the character or appearance of any conservation area, it is appropriate to make the order,
- (d) the making of the order contributes to the achievement of sustainable development,
- (e) the making of the order is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area),
- (f) the making of the order does not breach, and is otherwise compatible with, obligations, and
- (g) prescribed conditions are met in relation to the order and prescribed matters have been complied with in connection with the proposal for the order.

I trust these observations are helpful.

Yours sincerely,



REPRESENTATIONS TO CHISELDON PARISH COUNCIL'S  
NEIGHBOURHOOD PLAN REGULATION 16 CONSULTATION

Prepared on behalf of Burderop Estate  
February 2025

1.1 These representations are made by Howard Cole Limited on behalf of the Burderop Estate in response to Chiseldon Parish Council's Neighbourhood Plan Regulation 16 Consultation Draft and its supporting documents:

- Chiseldon Design Codes and Guidance;
- Chiseldon Housing Needs Assessment; and
- Accompanying Plans and Maps. 1.2 The Burderop Estate is a private agricultural and sporting estate on the edge of the Marlborough Downs and includes much of Chiseldon Parish. The Estate has been owned by the Calley and Langton family since 1614, and currently extends over 1,800 acres of grassland, arable and woodland. The Estate has had and continues to have an ongoing constructive relationship with the Chiseldon community and its elected representatives.
- 1.3 We welcome the Parish Council's commitment to produce its Neighbourhood Plan. It is recognised that such a challenge requires significant investment of time and resources, and we applaud the Parish Council and Members of the Steering Group's leadership in undertaking this process. With that in mind, these submissions have been made in a spirit of constructiveness and collaboration, as we seek to ensure that a robust and resilient neighbourhood plan is put in place.
- 1.4 The Estate can confirm that there was consultation with regard to the proposed Local Green Space in summer 2023 as required by the National Planning Practice Guidance. The Estate also has no objections to the proposed areas of Local Green Space as set out at Policy 4 and Appendix 4 in the Regulation 16 Neighbourhood Plan.
- 1.5 We note that the Regulation 16 Neighbourhood Plan makes no allocations for development as encouraged by NPPF Paragraph 74 and accepts that this is a decision for the parish council to make. Instead, the Neighbourhood Plan has opted to provide a framework of policies to assist in development management, once planning applications are made.
- 1.6 Policy 1 provides a framework to achieve an appropriate mix of housing to meet the needs identified in the Housing Needs Assessment. We also note that Policy 1 makes provision for the viability of any submitted scheme to be considered in terms of the housing mix with reference to the 'first homes' discount requirements. We welcome this approach.
- 1.7 The Estate also supports the list of Community Facilities set out in the table at Policy 8.
- 1.8 In summary therefore, the Burderop Estate welcomes the Regulation 16 Chiseldon Neighbourhood Plan and its content.
-



Neighbourhood Plan Team, Swindon  
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31 January 2025

## Swindon Council – Chiseldon Parish Neighbourhood Development Plan 2022 -2037 Submission draft

Dear Sir/Madam,

Thank you for allowing Thames Water Utilities Ltd (Thames Water) to comment upon the above.

As you will be aware, Thames Water are the statutory water supply and sewerage undertaker for the Swindon Borough and are hence a “**specific consultation body**” in accordance with the Town & Country Planning (Local Planning) Regulations 2012.

We have the following comments on the consultation in relation to our water supply and sewerage undertakings:

### **Policy Omission – Water Supply and Sewerage/Wastewater Infrastructure**

Paragraph 106 sets out that “*Thames Water has requested that the following text be included in the CNDP.....*” However, it is not clear if this is going to be done or not.

We therefore repeat our comments below as it is important that these policies are included:

A key sustainability objective for the preparation of Local Plans and Neighbourhood Plans should be for new development to be co-ordinated with the infrastructure it demands and to take into account the capacity of existing infrastructure. Paragraph 20 of the revised National Planning Policy Framework (NPPF), 2024, states: “*Strategic policies should set out an overall strategy for the pattern, scale and quality of development, and make sufficient provision for... infrastructure for waste management, water supply, wastewater...*”

Paragraph 11 states: “*Plans and decisions should apply a presumption in favour of sustainable development. For plan-making this means that:*

*a) all plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects”*

Paragraph 28 relates to non-strategic policies and states: “*Non-strategic policies should be used by local planning authorities and communities to set out more detailed policies for*

*specific areas, neighbourhoods or types of development. This can include allocating sites, the provision of infrastructure...*

Paragraph 26 of the revised NPPF goes on to state: *“Effective and on-going joint working between strategic policy-making authorities and relevant bodies is integral to the production of a positively prepared and justified strategy. In particular, joint working should help to determine where additional infrastructure is necessary....”*

Paragraph 27 states: *“Once the matters which require collaboration have been identified, strategic policy-making authorities should make sure that their plan policies align as fully as possible with those of other bodies where a strategic relationship exists on these matters, and take into account the relevant investment plans of infrastructure providers, unless there is a clear justification to the contrary. In particular their plans should ensure that:*

*a) a consistent approach is taken to planning the delivery of major infrastructure, such as major transport services/projects, utilities, waste, minerals.....”*

The web based National Planning Practice Guidance (NPPG) includes a section on ‘water supply, wastewater and water quality’ and sets out that Local Plans should be the focus for ensuring that investment plans of water and sewerage/wastewater companies align with development needs. The introduction to this section also sets out that *“Adequate water and wastewater infrastructure is needed to support sustainable development”* (Paragraph: 001, Reference ID: 34-001-20140306).

Thames Water therefore recommends that developers engage with them at the earliest opportunity (in line with paragraph 26 of the revised NPPF) to establish the following:

- The developments demand for water supply infrastructure;
- The developments demand for Sewage/Wastewater Treatment and network infrastructure both on and off site and can it be met; and
- The surface water drainage requirements and flood risk of the development both on and off site and can it be met.

Thames Water offer a free Pre-Planning service which confirms if capacity exists to serve the development or if upgrades are required for potable water, waste water and surface water requirements. Details on Thames Water’s free pre planning service are available at: <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Water-and-wastewater-capacity>

In light of the above comments and Government guidance we consider that the Neighbourhood Plan should include a specific reference to the key issue of the provision of wastewater/sewerage and water supply infrastructure to service development proposed in a policy. This is necessary because it will not be possible to identify all of the water/sewerage infrastructure required over the plan period due to the way water companies are regulated and plan in 5 year periods (Asset Management Plans or AMPs). We recommend that the Neighbourhood Plan include the following policy/supporting text:

***“Where appropriate, planning permission for developments which result in the need for off-site upgrades, will be subject to conditions to ensure the occupation is aligned with the delivery of necessary infrastructure upgrades.”***

***“The Local Planning Authority will seek to ensure that there is adequate water and wastewater infrastructure to serve all new developments. Developers are encouraged to contact the water/waste water company as early as possible to discuss their***

***development proposals and intended delivery programme to assist with identifying any potential water and wastewater network reinforcement requirements. Where there is a capacity constraint the Local Planning Authority will, where appropriate, apply phasing conditions to any approval to ensure that any necessary infrastructure upgrades are delivered ahead of the occupation of the relevant phase of development.”***

## **Water Efficiency**

The Environment Agency has designated the Thames Water region to be “seriously water stressed” which reflects the extent to which available water resources are used. Future pressures on water resources will continue to increase and key factors are population growth and climate change.

Water conservation and climate change is a vitally important issue to the water industry. Not only is it expected to have an impact on the availability of raw water for treatment but also the demand from customers for potable (drinking) water. Therefore, Thames Water support the mains water consumption target of 110 litres per head per day (105 litres per head per day plus an allowance of 5 litres per head per day for gardens) as set out in the NPPG (Paragraph: 014 Reference ID: 56-014-20150327) and support the inclusion of this requirement in the Policy.

Thames Water promote water efficiency and have a number of water efficiency campaigns which aim to encourage their customers to save water at local levels. Further details are available on the our website via the following link:

<https://www.thameswater.co.uk/Be-water-smart>

It is our understanding that the water efficiency standards of 105 litres per person per day is only applied through the building regulations where there is a planning condition requiring this standard (as set out at paragraph 2.8 of Part G2 of the Building Regulations). As the Thames Water area is defined as water stressed it is considered that such a condition should be attached as standard to all planning approvals for new residential development in order to help ensure that the standard is effectively delivered through the building regulations.

Within Part G of Building Regulations, the 110 litres/person/day level can be achieved through either the ‘Calculation Method’ or the ‘Fittings Approach’ (Table 2.2). The Fittings Approach provides clear flow-rate and volume performance metrics for each water using device / fitting in new dwellings. Thames Water considers the Fittings Approach, as outlined in Table 2.2 of Part G, increases the confidence that water efficient devices will be installed in the new dwelling. Insight from our smart water metering programme shows that household built to the 110 litres/person/day level using the Calculation Method, did not achieve the intended water performance levels.

We therefore consider that there should be a policy covering water efficiency.

Proposed policy text:

***“Development must be designed to be water efficient and reduce water consumption. Refurbishments and other non-domestic development will be expected to meet BREEAM water-efficiency credits. Residential development must not exceed a maximum water use of 105 litres per head per day (excluding the allowance of up to 5 litres for external water consumption) using the ‘Fittings Approach’ in Table 2.2 of Part G of Building Regulations. Planning conditions will be applied to new residential development to ensure that the water efficiency standards are met.”***

## **Comments in Relation to Flood Risk and Sustainable Drainage Systems**

The National Planning Practice Guidance (NPPG) states that a sequential approach should be used by local planning authorities in areas known to be at risk from forms of flooding other than from river and sea, which includes "Flooding from Sewers".

Flood risk sustainability objectives and policies should also make reference to 'sewer flooding' and an acceptance that flooding can occur away from the flood plain as a result of development where off site sewerage infrastructure and capacity is not in place ahead of development.

With regard to surface water drainage it is the responsibility of the developer to make proper provision for drainage to ground, watercourses or surface water sewer. It is important to reduce the quantity of surface water entering the sewerage system in order to maximise the capacity for foul sewage to reduce the risk of sewer flooding.

Limiting the opportunity for surface water entering the foul and combined sewer networks is of critical importance to Thames Water. Thames Water have advocated an approach to SuDS that limits as far as possible the volume of and rate at which surface water enters the public sewer system. By doing this, SuDS have the potential to play an important role in helping to ensure the sewerage network has the capacity to cater for population growth and the effects of climate change.

SuDS not only help to mitigate flooding, they can also help to: improve water quality; provide opportunities for water efficiency; provide enhanced landscape and visual features; support wildlife; and provide amenity and recreational benefits.

With regard to surface water drainage, Thames Water request that the following paragraph should be included in the Neighbourhood Plan "***It is the responsibility of a developer to make proper provision for surface water drainage to ground, water courses or surface water sewer. It must not be allowed to drain to the foul sewer, as this is the major contributor to sewer flooding.***"

Also to mitigate flood risk both on and off-site: "***surface water drainage system discharge rates should be restricted to the equivalent Greenfield Qbar runoff rate or as close as practically possible, but never greater than 2 litres per second per hectare (2l/s/Ha).***" in line with CIRIA guidance.

## **Site Allocations**

There are no new allocations in the draft Neighbourhood Plan and the level of information does not enable Thames Water to make an assessment of the impact the proposed development will have on the waste water/sewerage network infrastructure and sewage treatment works. To enable us to provide more specific comments we require details of the type and scale of development together with the anticipated phasing.

We recommend Developers contact Thames Water to discuss their development proposals by using our pre app service via the following link: <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Water-and-wastewater-capacity>

It should be noted that in the event of an upgrade to our sewerage network assets being required, up to three years lead in time is usual to enable for the planning and delivery of the

upgrade. As a developer has the automatic right to connect to our sewer network under the Water Industry Act we may also request a drainage planning condition if a network upgrade is required to ensure the infrastructure is in place ahead of occupation of the development. This will avoid adverse environmental impacts such as sewer flooding and / or water pollution.

We recommend developers attach the information we provide to their planning applications so that the Council and the wider public are assured wastewater and water supply matters for the development are being addressed.

We trust the above is satisfactory, but please do not hesitate to contact David Wilson on the above number if you have any queries.

Yours faithfully,

Thames Water Property Town Planner