

Response to S/OUT/13/1555 from South Marston Parish Council

The following abbreviations are used in our response:

APS: Addendum to the Planning Statement (October 2013) April 2016

DFF: revised Development Framework Plan (LHL-147 Rev W)

LP: Swindon Local Plan 2026

NEV: New Eastern Villages strategic development area

SMNP: The draft South Marston Village Neighbourhood Plan

General

We are confident that the points of objection and requirements set out below are appropriate to ensure compliance with the LP and would not result in the development becoming undeliverable, economically unviable or otherwise vulnerable to delay or challenge.

These comments follow extensive discussions with both the Borough and developers HHT during the years prior to the submission of this revised application.

We have no adverse comments on the densities, indicative layout or affordable quotas for the housing. We note, however, that the NEV housing allocation for South Marston in the Local Plan is for no more than 500 houses, and other NEV land parcels coming forward for development include significant areas to the west adjacent to Thornhill Road (Oxleaze Farm) and the site behind the hotel. The 500 houses proposed by HHT at South Marston will therefore significantly exceed the allowable quantum in the Local Plan. This should in particular be borne in mind if the housing area is extended due to the alternative plan for the school being activated.

The following covers the areas which underpin our **OBJECTION** to this application.

Roads

We **OBJECT** to the line of the 'Main Street' linking Old Vicarage Lane with Thornhill Road which conflicts with LP Policy RA3:

- A significant part of its length travels across open countryside and is not '*within the boundary of the expanded village*'
- Regardless of any 'design' factors, the 'street' and its junction with the proposed northernmost road to Rowborough will '*form a bypass for Rowborough traffic*' avoiding the A420.
- It does not '*contribute to the integration of the expanded village*'.

We also object to the line of the Main Street on the following grounds:

- The Landscape and Visual impact Assessment identifies the visibility of this road from existing public access routes. The spur road to the land adjacent to Oxleaze and a significant section of the Main Street will both bisect what will be green infrastructure land, reducing its benefit for public enjoyment.
- The junction of the Main Street with the spur road is located at the point where a well-used bridleway joins a single lane road access to 3 dwellings at South Marston Farm and 2 dwellings at Southview Cottages. There are no indications as to how this junction can be accommodated in a way that respects the existing vehicle rights of way and safeguards the passage of horses, cyclists and pedestrians. The junction will require the removal of sections of hedgerow (H9(c) and H17(c) in Appendix A12e) that are more than 100 years old and which follows an ancient route to Manor

Farmhouse. Furthermore, the junction will inhibit the creation of part of the cycle network envisaged in the SM Neighbourhood Plan.

- The cost of providing and screening the Main Street and the spur road cannot be recouped through housing development fronting the roads. We suggest that if the SMNP route alignment was adopted, both are unnecessary and a waste of construction costs; money that would be better spent on funding essential infrastructure.

In support of their diversion from the Local Plan and the SMNP guidelines on the route of the Main Street, the developers offer a number of arguments, each of which is tackled below.

- The developers maintain the preferred option of an access onto Thornhill Road, as proposed within the SMNP, is undeliverable because relevant land at Oxleaze Farm is owned by a third party. This land also lies within the NEV strategic allocation and, as you are aware, the owner has offered access to the applicants on a non-ransom basis but they have declined to contact him. The applicant cannot properly argue that such a route is not deliverable when they have failed to pursue that offer.
- The developers also argue against the SMNP proposed route of the 'Main Street' as they say delivery should not be put at risk by the need for a third party to complete the section across the Manor Farm bridleway using S237 of Town and Country Planning Act 1990 (as amended). The Borough's legal department has agreed the appropriateness of using S237 in this case, and SBC has confirmed within their draft SPD Infrastructure Delivery for the New Eastern Villages that they will complete the link using this approach. This gives sufficient certainty, and we cannot accept the developer's identifying this as a risk to delivery.
- In making this case, the developers ignore the fact that an identical situation exists at Rowborough where 2 proposed roads cross a private right of way between Rowborough Farm and Prior's Farley¹ and the owners have objected to the proposal. This is inconsistent with their assertion in respect of the Manor Farm bridleway. If the developers consider their proposals for the road network at Rowborough to be deliverable, the route as proposed by the SMNP for the Main Street in South Marston must also be deliverable.
- The developers further argue that the proposed road network is necessary to allow a bus transit route from Rowborough. We cannot accept this – a bus route would be equally possible with the proposed route shown in the SMNP and, in addition, it would connect up with more housing developments in South Marston than with the developer's proposed route.

We ask that the route is revised to comply with LP RA3 and with SMNP Policy 6.

Road Access from Rowborough

We **OBJECT** to the construction of two roads to connect Rowborough with Old Vicarage Lane:

- We do not accept that the traffic modelling work produces the required demonstration of the need for two roads between Rowborough and Old Vicarage Lane (APS 3.35). The traffic modelling looked

¹ Land Registry Title WT249930 contains the following entry in the Charges Register:

(16.06.2006) By an Assent dated 7 December 1942 made between (1) Herbert Ernest Wildern and Alfred Thomas Routledge and (2) Cecil George Wildern the land was vested subject as follows "And subject also to the right of the owner of Priors Farley Farm and his successors in title and his and their tenants to pass and repass with or without horses carts and other vehicles over and along the existing roadway or track between the points marked C and D on the said plan"

only at whether a road connecting through to the A420 would generate rat running traffic across South Marston. It does not model for the second road. We note that for the modelling at the Carpenter's Arms junction, no provision is made for delays caused by cyclists and pedestrians getting through the narrow tunnel. Furthermore, these conclusions are contrary to the conclusions set out in the JMP technical Note commissioned by the Borough and quoted in the SMNP Justification Schedule.

- We dispute that the second access will contribute significantly or at all to enhanced foot and cycle connections or safety. Rowborough cyclists and pedestrians seeking to access the NEV facilities will, on these proposals, use the southern link to get to the Carpenter's Arms tunnel. The tunnel represents an unacceptable danger to them. They should have purpose built routes under the railway and across the A420 south of Rowborough. Until such safe access can be demonstrated for pedestrians and cyclists from Rowborough to the NEV and, in particular the secondary school, the application should be rejected.
- The northern road does not contribute to non-vehicle traffic in any other way. Pedestrians and cyclists should be able to use the existing Rowborough and Nightingale Lanes to travel to South Marston and to reach the new footpath connection at Footpath 5 and thence to the new District Centre.
- The second access to Rowborough is opposed as it compromises the green infrastructure buffer between the 2 villages and brings Rowborough traffic the opportunity to rat-run through the new residential areas, in conflict with LP Policy RA3.
- The developers claim two roads are supported by the LP Indicate map Figure 14. In fact, as was made clear at the Local Plan Examination in Public, these two alignment arrows offered options for the route of a single road. We would also remind the developers that adherence to the letter of the Local Plan would also mean that their housing quantum should be less than 500 dwellings, given an outline application has already been submitted for the hotel site.
- We dispute the argument at APS 3.38 that the two routes would "allow the delivery of a true public transport loop (which employs the shortest route and avoids duplicated sections of road on the route)". The DFP shows that there is no housing along either road and therefore no utilitarian advantage. Further, the loop will become redundant as soon as the major link to the A420 via the new tunnel under the railway is built, creating an expensive interim solution of little practical value

A420 Junction Design (Carpenters)

We **OBJECT** to the design of the southern junction with Old Vicarage Lane/link through to the A420.

- The design of the junction at the A420 at the Carpenters Arms must include linked signals north of the tunnel which control entry travelling south. There is no evidence provided in the modelling that supports the assumption that driver behaviour can be relied upon to guarantee northbound priority and no tailback onto the A420. Any perceived difficulty negotiating the A420 from Gablecross to Rowborough will encourage Rowborough traffic to use the Main Street as an alternative to avoid the Carpenters Arms tunnel.
- Although the application designates the Carpenters Arms junction plan as a route for foot and cycle traffic, the proposals make no arrangements for such use. Pedestrians in particular will be at risk as they negotiate this whole stretch, particularly under the bridge. This will be the direct route from most of Rowborough to the secondary school. No sane parent would permit their child to take this risk.

Footpaths and Cycleways

We **OBJECT** to the Footpaths and Cycleways strategy which underpins the road access proposals.

There is no provision for satisfactory or safe access on foot from Rowborough to the NEV south of the A420, to include the proposed Secondary school. The proposal that pedestrians and cyclists should use the Carpenter's Arms tunnel and junction is unacceptable (APS 3.34). The tunnel is not wide enough to accommodate a raised footpath. This issue is not capable of resolution as a reserved matter, since it requires an alternative access through the railway embankment between Carpenters Arms and the proposed new road tunnel under the railway, together with appropriate cycle/footways alongside the A420. The application should not be granted until a safe and credible pedestrian and cycle route is put in place.

The application fails to adequately adopt the SMNP cycle network set out at Policy 8.

Conditions to be placed on any grant of outline planning permission

Notwithstanding our objections above, should permission be granted, we request this is accompanied by conditions as outlined, with the justification, below.

Access road to the Village Centre

The illustrative plan accompanying the application indicates additional road links that would come forward at detailed application stage. There are several of these that we regard as essential. Should the outline application be granted and irrespective of the route of the Main Street, we wish for parts of the design of the road network to be confirmed by conditions placed on the outline permission:

- the road link north of Manor Farm, via the village centre and southward across the bridleway must be constructed; it is essential to comply with Policy RA3 to support the integration of the expanded village and the reduction of traffic at Pound Corner. See SMNP Policy 6
- Road links must be enabled from the development parcel south of Thornhill Industrial Estate westward into Oxleaze Farm, northward into Thornhill Road Industrial Estate and eastward into Manor Farmyard, all of which will be the subject for future housing development. Similarly, we would wish to see a road link enabled to the boundary of the housing development south of the hotel site. All are required to ensure appropriate connectivity (Policy NC3) and reduce traffic on existing village roads (Policy RA3) as well as compliance with SMNP Policy 4 & 6.

Whereas the current outline application focuses mainly on road accesses to the development sites, there is scope for discussion with the developers on minor adjustments to the line of the roads internal to the development on which we would like further discussion with the developers:

- Realigning the Main Street Connections so that it enters the housing parcel south of the hotel.
- As outlined in our overall objection to the Main Street, detailed plans are required for the design of the junction of the Main Street with the spur road to maintain existing vehicle accesses, to guarantee safety for pedestrians, horses and cyclists and to allow for landscaped screening between the road and the existing bridleway and proposed cycleway.

Delivery of Primary Road Access to Rowborough

If outline permission is granted, then it is essential that the main Rowborough access is secured early in the build-out of Rowborough. The route via a tunnel under the railway should provide proper vehicle, foot and cycle access to the NEV south of the A420 and, in particular, the proposed secondary school. We strongly suggest that this should be by way of a condition stipulating a trigger point of no more than 500 completed houses at Rowborough.

Education

It is not accepted that 2 small schools at South Marston would be viable (APS 3.3). Whilst the logic of presenting this as a fall-back position is understood, the development is not sustainable if it relies on this solution to the increased primary education requirement. The cost of construction and/or maintenance of duplicate facilities to support two schools is not cost effective. Should this outline permission be granted, we wish to see a condition that the alternative separate school plan should only be progressed if it is approved by Swindon Borough Council, following exploration of all other options of providing adequate accommodation at the existing school in South Marston. In addition, please note our general comment at the start of this response – there should be no justification for extending the housing areas further south as a result of the alternative school plan being progressed because it is in conflict with the Local Plan allowance of up to 500 houses in the strategic allocation at South Marston.

Footpath/Cycleway network

Whilst the following may be tackled at reserved matters stage, it is worth mentioning here. We wish to see the Rights of Way network more closely match the proposed network in the Neighbourhood Plan, which we believe meets the requirement of Policy NC3 for adequate connectivity for non-motorised traffic. In particular:

- A cycleway/bridleway from Rowborough should reach OVL, where a safe crossing point would carry over OVL and thence by a direct route to join Footpath 5 and the ramped bridge over the railway.
- We wish to see diversion of Footpath 5 to lie within the application site as it borders South Marston Farm, so that it can be upgraded to a cycleway.

Travel Framework

We would point out that the application notes the bus route 66 through the village, which was withdrawn in 2015. There is now no bus service other than along the A420. It is also worth noting that the Parish Council would prefer to see a proportion of bus route 7 journeys to and from Highworth diverted through the village as this would offer greater opportunities for bus travel rather than a simple loop from Swindon.

SUDs strategy

Whilst more detailed plans for implementing the SUDs strategy will happen subsequent to grant of outline permission, we believe that Flood Risk is not adequately addressed by the documentation that accompanies this application and wish to see early revision of this.

An application must not increase the rate or amount of flow off the development site onto someone else's land. Whilst the developers have appropriately identified the need for surface water drainage measures,

they seem to have concentrated on what might be achieved by the proposed drainage channel from the back of Manor Park, across the bridleway to Red House and then down to the Carpenters Arms, where it will be held in a basin on the west side of the road to control its flow 'off site' to the east. Unfortunately, there are other 'off-site' areas in the middle of the proposed development, which are in line with the flow of surface water across the development area. These seem to have received little or no consideration

The development area behind Thornhill Industrial Estate, including the spur road access to the south, means that relevant off-site areas that are vulnerable to increased surface water run-off will exist at Thornhill Industrial Estate, Ash Gardens, Manor Park, Manor Farmhouse, Manor Farmyard, Southview Cottages and the Bridleway itself. There appears to be little in the documents that acknowledge that relevant measures will be necessary to protect these parcels of land from increased out-flow. None of the photos used in the report cover these areas. They have ignored the surface water flooding on the bridleway at Manor Farm which is identified on the Environment Agency Surface Water Flood map, as well as other areas of natural flow across their development site such as flooding at South Marston Farm. It is interesting to note that the archaeological investigation was inhibited at Manor Farm (trenches 4-14) because the trenches were unexpectedly full of water.

'The site retained a high water table throughout the evaluation, waterlogging all features other than those in trenches 10, 15 and 16.' (Appendix 8b 6.2)

Secondly, the current flow paths of water across the development site use ancient swales with an outflow on Old Vicarage Lane opposite Manor Cottages, often causing severe flooding on the road and around these houses. The diversion of surface water southwards to the basin opposite the Carpenters Arms will succeed only if it is appropriately designed, with drainage and culverts also provided alongside the route of the Main Street and other new roads. If this is not considered in detail, the proposed allotment site will be under water for significant parts of the year.

We request a condition on permission, if granted, that no development should take place unless an acceptable flood risk strategy is submitted that addresses the above.

Landscaping

We note the report on green infrastructure, in particular the landscape and Visual Impact Assessment which demonstrates the impact of visibility of roads and housing from public viewpoints. Significant screening will be required. It is of particular relevance to the proposed alignment of the road network where significant lengths of roadway cross what will be green infrastructure for the enjoyment of the public. We suggest that the usual condition regarding reserved matters for landscaping specifically mentions the need to protect the visual amenity of users of public land.

Water supply and sewerage

We understand that Thames Water is likely to require an upgrade to the supply of fresh water and an upgraded sewage network as a 'Grampian type' condition. We would like to stress that the current utilities networks cannot cope with any significant development, and that the upgrades need to be in place prior to the building start.

Traffic Calming

We request that any S106 agreement drawn up subsequent to any grant of outline planning permission specifically addresses the need for contributions to traffic management on existing roads, including the

requirement for 20 mph zone as recommended in the JMP report and design of appropriate traffic calming measures.

Green Infrastructure ownership

The application provides significant areas of green infrastructure, with the assumption that this will be transferred to a management company, or similar. We would like to ensure that this becomes part of the S106 agreement associated with this outline application, so that it is guaranteed to continue in perpetuity. Further, we would wish to be party to negotiating such agreement both because it will dovetail with likely Parish Council obligations and to ensure quality of delivery within the parish.

SMPC 13.06.2016