

## Representation Form

 <p><b>SWINDON</b> BOROUGH COUNCIL</p>	<p><b>Swindon Borough Council Local Plan</b></p> <p>Publication Stage (Regulation 19) Revised Proposed Submission Version Representation Form</p>	<p>Ref:</p> <p><b>(For official use only)</b></p>
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**Please return to Swindon Borough Council by 5:00pm 16 September 2021:**

**By E-mail to:** [forward.planning@swindon.gov.uk](mailto:forward.planning@swindon.gov.uk) or

**By post to:** Planning Policy, Swindon Borough Council, Wat Tyler House,  
Euclid Street, Swindon, SN1 2JH

For your comments to be taken as a formal submission you are required to state your name and address. In line with the Data Protection Act 2018, Swindon Borough Council will treat and protect your data in accordance with the Act. If you wish to withdraw or amend your personal data, you will need to contact Swindon Borough Council's Planning Policy team either by email ([forwardplanning@swindon.gov.uk](mailto:forwardplanning@swindon.gov.uk)) or in writing: Planning Policy, Swindon Borough Council, SN1 2JH. For further information on how your data is handled please visit [https://www.swindon.gov.uk/directory\\_record/23261/planning\\_policy\\_privacy\\_notice](https://www.swindon.gov.uk/directory_record/23261/planning_policy_privacy_notice)

**Please note it is not possible for representations to be anonymous. Your comments and your name (and organisation/job title, if relevant), will be publicly available.**

This form has two parts –

Part A – Personal Details: need only be completed once.

Part B – Your representation(s). Please fill in a separate Part B sheet for each representation you wish to make.

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# Part A

## 1. Personal Details\*

## Agent's Details (if applicable)

*\*If an agent is appointed, please complete only the Title, Name and Organisation (if applicable) boxes below but complete the full contact details of the agent in 2.*

Title	MRS	
First Name	DEANNE	
Last Name	ROSE	
Job Title (where relevant)	TOWN CLERK	
Organisation (where relevant)	HIGHWORTH TOWN COUNCIL	
Address Line 1		
Line 2	3 GILBERTS LANE	
Line 3	HIGHWORTH	
Line 4		
Post Code	SN6 7FB	
Telephone Number	01793 762377	
E-mail Address	Clerk@highworthtown council.gov.uk	

## 2. Request for further notification

If you wish to receive notification of Local Plan progress, please specify and tick here:

1. Specified address (e.g. E-mail)	✓
2. Submission of the Local Plan for examination	✓
3. Publication of the recommendations of the Planning Inspector	✓
4. Adoption of the Swindon Borough Local Plan 2036	✓

How did you **first** find out about this consultation?

Council e-newsletter	<input type="checkbox"/>	Other social media	<input type="checkbox"/>	Local newspaper (printed)	<input type="checkbox"/>	Don't remember	<input type="checkbox"/>
Council social media	<input type="checkbox"/>	Local news website	<input type="checkbox"/>	Local Radio	<input type="checkbox"/>		

Other (Please state):       SBC CABINET COMMITTEE AGENDA JULY  
2021

## Part B – Please use a separate sheet for each representation

Name or Organisation:

3. To which part of the Local Plan does this representation relate?

Paragraph  Policy  Policies Map

4. Do you consider the Local Plan is:

4.(1) Legally compliant	Yes	<input type="text"/>	No	<input type="text" value="√"/>
4.(2) Sound	Yes	<input type="text"/>	No	<input type="text" value="√"/>
4.(3) Complies with the Duty to co-operate	Yes	<input type="text"/>	No	<input type="text" value="√"/>

Please tick as appropriate

### 5. COMMENTS

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

#### **NPPF regulations**

The NPPF requires Local Plans to “be shaped by early, proportionate and effective engagement” with local communities, as well as statutory consultees. (Paragraph 16). It further states that local planning authorities “should collaborate to identify the relevant strategic matters which they need to address in their plans”. This includes engaging with their local communities and relevant bodies. (Paragraph 25).

The NPPF requires Local Plan Reviews “to be underpinned by relevant and up to date evidence”. It stipulates that such evidence should be adequate, proportionate and focused to justify the policies being put forward” (Paragraph 31).

The NPPF states “planning policies and decisions should aim to achieve healthy, inclusive and safe places which: c) enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of safe and accessible green infrastructure, sport facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling”. (Paragraph 92)

The NPPF states “Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:”

“The loss resulting from the proposed development should be replaced by equivalent or better provision in terms of quantity and quality in a suitable location” (Paragraph 99(b)).

100. Planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails.

101. The designation of land as Local Green Space through Local and Neighbourhood Plans allows communities to identify and protect green areas of particular importance to them. Designating land as Local Green Space should be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs, and other essential services. Local Green Spaces should only be designated when a Plan is prepared or updated and be capable of enduring beyond the end of the Plan period.

102. The Local Green Space designation should only be used where the green space is: a) in reasonably close proximity to the community it serves; b) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and c) local in character and is not an extensive tract of land.

103. Policies for managing development within a Local Green Space should be consistent with those for Green Belts

**Highworth Town Council consider “a suitable location” to be in the Town of Highworth itself.**

### **Highworth Neighbourhood Plan**

This site is allocated as open space within the Highworth Neighbourhood Plan which was ‘made’ in 2017. This was supported by the Conservation Area Appraisal and Management Plan (CAAMP). This allocation contravenes these documents which are part of the Development Plan.

**The proposed wording from Swindon Borough Council of the Development Management policies that are applicable with this site.**

### **Policy DM19 Transport and Development**

3. New development should be located and designed to reduce the need to travel and to facilitate the highest feasible use of sustainable transport modes, prioritising walking and cycling, and provide the potential to maximise bus travel.

4. New development will be permitted only where it makes safe and effective arrangements for access by all modes of transport and does not create traffic safety issues elsewhere.

### **Policy DM 20 Infrastructure Requirements Resulting from Development**

Proposals for development will not be permitted unless the infrastructure, including enhancement or extension of existing infrastructure, made necessary as a result of the development is provided either through direct provision or appropriate financial contributions. Such infrastructure needs should consider:

- a. the cumulative impact with other developments;
- b. the impacts of the development on existing infrastructure, environment, and the local community; and
- c. the long-term management and maintenance of infrastructure and mitigation measures delivered as a result of the development.

### **Policy DM 22 Water Supply and Wastewater and Sewerage Infrastructure**

1. Developers will be required to demonstrate that there is adequate water supply, waste water capacity and surface water drainage both on and off the site to serve the development and that it would not lead to problems for existing or new users. 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 appropriate, planning permission for developments which will result in the need for off-site upgrades will be subject to conditions to ensure the occupations are aligned with the delivery of the necessary infrastructure upgrades.
2. Proposals for sensitive development, such as residential use, within 800m of a Sewage Treatment Works will require the applicant to consult Thames Water on the need for an odour impact assessment, in line with Policy DM35 'Pollution'.

### **Policy DM26 Green Infrastructure**

7.9.1 "The policy seeks to protect and create (and ensure the maintenance of) a multifunctional and connected green infrastructure network. The policy seeks to ensure that within developments green infrastructure is designed in such a way that opportunities to provide connectivity with existing green infrastructure at Boroughwide and local level are taken forward. This policy will increase the level and diversity of community participation in the planning, development, and enjoyment of Swindon's green infrastructure. It is important that access to the green infrastructure network recognises its function and use."

7.9.2" The protection and expansion of trees and woodland could make a significant contribution to climate change adaptation and mitigation (13) and the policy seeks to protect this resource."

### **DM28 Protecting Open Space**

Public open space assets defined on the policies map will be protected from development unless:

3. the proposed development is ancillary to and protects the main open space function of the site; or
4. the proposed development is of community facility the benefits of which outweigh the loss of open space; or

5. the development of a small part of a larger area will provide enhancements to the quality of the remaining open space, without compromising the integrity or role of the open space as a whole; or
  6. the proposed development is supported by an open space appraisal which shows that the open space is surplus to requirements because there are sufficient open spaces in the ward to meet quality requirements in Appendix 1 and there are alternative open spaces of satisfactory quality within the walking catchments set out in Appendix 1; or
  - e. the proposed development will re-provide open space of at least equivalent size, quality and accessibility, the benefits of which to the community will outweigh the loss.
3. There will be a presumption in favour of retention of undesignated open space, which will include allotments.
- Development should not result in the loss of or jeopardise use and enjoyment of undesignated open space.
- 5.The quality of existing open space should not be eroded by insensitive development on adjoining land.

**Policy DM 29 Open Space in New Development**

7. Playing pitches should be provided in accordance with the needs identified in the adopted Swindon Borough Playing Pitch Strategy.

**Policy DM 30 Biodiversity**

8. All development shall minimise its impact upon and must secure measurable net gains for biodiversity, including protecting, restoring, and establishing coherent ecological networks that are more resilient to current and future pressures, including through the design and layout of buildings.
9. The effect of development proposals on the sites and species identified in the table below must be assessed and protection commensurate with their designation or status (identified in the table below) and in accordance with national policy will be given.
10. National policy and applicable legislation on habitats and biodiversity – including the ‘mitigation hierarchy’ of avoid, mitigate, compensate – will be applied in the determination of planning applications. Irreplaceable habitat should not be lost unless there are wholly exceptional reasons, and a suitable compensation strategy exists.
11. All developments must secure a minimum of 20% measurable net gains for biodiversity or as set out in legislation, whichever is the greater. Net gain should, where possible, seek to link to adjoining priority habitats, or support nearby priority species.

## **Policy CC1 Adaptation to Climate Change**

1. All new development, including building conversions, refurbishments, and extensions, should seek to minimise the carbon and energy impacts of their design and construction. Proposals must demonstrate that they are seeking to limit greenhouse emissions through location, building orientation, design, landscape, and planting, taking into account any nationally adopted standards.
2. All new development should be designed to improve resilience to the anticipated effects of climate change. Proposals should incorporate measures that address issues of adaptation to climate change taking account of best practice. These include resilience to increasing temperatures, rainfall and wind speeds, and the need for water conservation and storage.

### **Swindon Borough Council has set out key strategic Objectives which guide the Local Plan. (Page 6, section 3.2). Those that are particularly relevant to this allocation are: -**

Strategic Objective 1: High Quality Sustainable Development – to improve the image of Swindon, enable inclusive communities and address climate change by the provision of high quality, well designed and sustainable development.

Strategic Objective 2: Infrastructure - to meet the infrastructure needs for and arising from the growth of Swindon (including health and community needs) in a timely and coordinated manner and being adequately funded.

Strategic Objective 4: Housing - to meet Swindon Borough Council's housing needs by the provision of well-designed sustainable housing, at sustainable locations and at a range of types and densities according to local needs and circumstances, and that promotes the effective use of land.

Strategic Objective 5: Education - to meet the need for education provision arising from the anticipated growth in population and to enable an improvement in skills and qualifications, particularly through the provision and support of tertiary education opportunities

Strategic Objective 6: Community and Health - to promote healthy lifestyles and to meet the need for community and health facilities arising from growth and demographic change in the Borough

Strategic Objective 7: Transport - to support Swindon's growth on a sustainable basis through the provision of a transport network that ensures walking, cycling and public transport offer the most attractive choices, and is efficient safe, affordable, accessible, and easy to understand.

Strategic Objective 8: Culture and Leisure - to enable the provision of cultural and leisure facilities commensurate with Swindon's size and growth in population and realise Swindon's potential as a regional leisure destination

Strategic Objective 9: Green Infrastructure - to provide an attractive and inspirational environment to live, work, learn and play, by the provision of a far-reaching network of connected and multi-functional green spaces linked to the wider countryside.

**Highworth Town Council would like to comment on the allocation as follows: -**

12. The site is leased to Highworth Town Council and therefore it cannot be developed without the consent of Highworth Town Council.
13. The site is protected open space, being a football pitch within the Highworth Neighbourhood Plan. It is already highlighted within the Playing Pitch Strategy 2016-2021 that there is a shortage of 12.5 full size pitches or 4-5 3G pitches which are floodlit with secure community use.
14. There are major concerns regarding the capacity of the sewerage systems and supply of water.
15. It is noted there is a large foul sewer pipe running the length of the field.
16. The disruption to wildlife habitats.
17. Existing Highway Infrastructure is inadequate e.g., the Fox Roundabout junction from all directions, the high street traffic lights from all directions etc. Following traffic surveys from previous applications they have already been identified as functioning above capacity and at a severe level. There is no detailed Infrastructure delivery plan to identify S106 developer contributions needed to support this site.
18. Developer contributions have not been identified through a comprehensive Infrastructure Delivery Plan. This is a fundamental evidence-based document that is expected with all the development occurring within the Town and should be available for scrutiny alongside the Plan.
19. The car parking in Highworth is already a problem and an increase of this number of cars will undoubtedly cause harm.
20. The site is not served by a cycle route.
21. The existing public footpath must be protected.
22. The site abuts the very busy A361 where there is a known problem with vehicles speeding down the hill. There have been many near misses with pedestrians crossing the road at the pedestrian crossing.
23. The Doctors Surgery is already at capacity with very long waiting times for an appointment.

Highworth Town Council would like to make comment without prejudice on the Policy as follows: -

The criteria for this allocation must include the following to support the NPPF and objectives set by Swindon Borough Council: -

Change

24. Safe and appropriate Highway access off the A361.

To be added-

- e) To ensure that a comprehensive flood assessment is carried out and the necessary work carried out to ensure the site and surrounding area is not subject to flooding. This should also consider the impact of the weather through climate change.
- 25. The design of the site to respect the neighbouring properties.
- 26. Provides high quality development of mixed type, to accommodate local need, that is designed to reduce the carbon footprint in recognition of climate change, and that respects the location.
- 27. Adequate financial contributions to improving the Highway network in Highworth to ease congestion and improve road safety caused by the development.
- 28. A financial contribution to the improvement of educational facilities in Highworth.
- 29. Pedestrian and cycle links connecting the site to the Town.
- 30. The loss of open space resulting from the proposed development will be replaced by equivalent or better provision in terms of quantity and quality in a suitable location within Highworth.

(Continue on a separate sheet /expand box if necessary)

## 6. MODIFICATIONS

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

As above.

(Continue on a separate sheet /expand box if necessary)

**Please note** In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

**After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.**

7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

**No**, I do not wish to participate in hearing session(s)

**Yes**, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Highworth Town Council consider that the Local Plan Review must be subject to scrutiny and presenting their concerns in front of the Inspector is the best way to achieve this objective given their role in representing the whole community.

**Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.