

REPORT FOR NORTHERN AREA PLANNING COMMITTEE

Date of Meeting	12 August 2026
Application Number	PL/2023/10331
Site Address	Land south of The Forty and North of Chelworth Road, Cricklade, Wiltshire
Proposal	Outline planning application (with all matters except access reserved) for up to 49 dwellings and associated works and provision of a cemetery together with access and associated works.
Applicant	Hannick Homes and Developments Ltd
Town/Parish Council	Cricklade Town Council
Electoral Division	Cricklade and Latton – Cllr Nick Dye
Type of application	Outline planning permission: Some matters reserved
Recommendation	That the Head of Development Management be given delegated authority to GRANT planning permission subject to conditions and satisfactory completion of a legal agreement.
Case Officer	David Millinship/Victoria Davis
Reason for the application being considered by committee	The application is before the Planning Committee at the request of the Local Division Member to consider environmental and highways issues. These relate to visibility being restricted at the access junction and concerns that Thames Water have declared capacity issues and the need to upgrade current infrastructure.

1. RECOMMENDATION

That planning permission be GRANTED subject to conditions, and subject to delegation to the Head of Development Management for the completion of a Section 106 legal agreement covering the matters set out in this report.

2. EXECUTIVE SUMMARY

Section 38(6) of the Planning and Compulsory Purchase Act 2004 and S70(2) of the Town and Country Planning Act 1990 require that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

The application seeks outline planning permission for a residential development of up to 49 dwellings on land south of The Forty and creation of cemetery on land to the north of

Chelworth Road. The two sites are not physically linked but both are within the red line development site area of the application.

The application is before the Planning Committee at the request of the Local Division Member to consider environmental and highways issues. These relate to visibility being restricted at the access junction and concerns that Thames Water have declared capacity issues and the need to upgrade current infrastructure.

There have been 103 letters raising objections relating to

- Transport and Highways
- Flooding and drainage concerns
- Overdevelopment and cumulative impact
- Conflict with planning policy
- Character and amenity
- Ecology and biodiversity impacts
- Dog park/open space concerns.

Cricklade Town Council object to the application citing conflict with the with development plan policies, development exceeding the town's identified housing requirement, the combined impact placing unsustainable pressure on infrastructure. Flood Risk, Highways Design, Landscape and Open Space provision were also raised as matters of concern.

Other than from the Climate team who are concerned that the scheme does not adequately address or mitigate the impacts of climate change, there are no technical objections from Council officers, including the LLFA, Highways Authority and Ecologist. The concerns of the Climate team are considered appropriately dealt with via the submission of an Energy Strategy to accompany a later reserved matters submission.

Both areas of the development occur outside of the settlement boundary for Cricklade. The proposed residential development would nonetheless be located with good access to local services, able to secure a genuine range of sustainable transport opportunities for future occupiers. The development would not result in conditions prejudicial to highway safety and would not place unacceptable impacts on the capacity of the local road network. There are no technical objections on Highways grounds.

The proposed development would be able to deliver a high-quality residential environment for the future occupants of the development with the site sufficiently sized to be able to provide on-site public open space, car parking and garden areas to meet the council's guidelines. Given the levels of separation achievable, the development would not result in unacceptable impacts to the residential amenities of neighbouring properties. The illustrative plans and details demonstrate that subject to detailed matters being appropriately considered at the reserved matters stage, the development can be designed to integrate effectively.

Sensitive ecological features within the site (mature trees of high quality, drainage ditches, hedgerows and grassland) have been surveyed with no significant habitat or species found. Mitigation and enhancement measures are proposed, and officers are satisfied the

biodiversity value of the site can be protected and enhanced in line with local and national policy. No technical objections with regard to on-site impacts on ecology or biodiversity remain.

The development site is within the zone of influence for the North Meadow Special Area of Conservation (SAC) and has potential to give rise to 'significant effects' on the European site. The development is therefore screened into a Habitat Regulations Assessment (HRA), which must be passed favourable if the development project can be supported. On-site mitigation has been proposed in the form of secure dog walking area, open space and the strategic mitigation payment will be secured calculation on a per dwelling basis.

The council's Ecology Team has undertaken Appropriate Assessment confirming the necessary mitigation for this development is: an on-site open space / Dog Training and Exercise Area with contributions towards compliance and visitor monitoring. Natural England has also confirmed no objection to the final mitigation proposals. Subject to the mitigation being secured by conditions / S106 the Appropriate Assessment concludes no adverse effects on the integrity of the North Meadow and Clattinger Farm SAC.

The site has areas at elevated risk of surface water flooding, predominantly centred around the existing network of drainage ditches. The Applicant's Flood Risk Assessment and Surface Water Drainage Strategy have been reviewed by the Lead Local Flood Authority (LLFA) and it has been confirmed that the development will be able to manage surface water on-site (up to the required designed flooding event) without increasing the risk of flooding to future occupiers or adjacent land, including roads. Full technical details will be secured and agreed by condition. As a result there is no technical objection from the LLFA in respect of surface water flooding or drainage.

Thames Water have identified foul water capacity issues in the area which presents some concern in respect of potential environmental risks. As such, a condition is considered necessary to ensure alignment of any occupation of dwellings with confirmation that sufficient offsite capacity exists and that as necessary, reinforcement works needed to serve this development have been completed.

The proposed cemetery site is considered to be able to be safely accessed from the public highway with landscape and ecological impacts able to be managed through planning conditions or details agreed at reserved matters stage.

The proposals (both the cemetery and residential) represent development of unallocated greenfield sites. However, given the absence of any technical objections, officers consider that impacts can be controlled by planning conditions or via planning obligations secured by Section 106 agreement. The benefits of securing new homes in an accessible location, along with other more minor benefits, outweigh the identified harms.

Officers consider there are no 'strong reasons' to refuse the application in relation to NPPF para. 11d(i). Crucially, Officers consider the development (as a whole) would positively contribute to the economic, social and environmental objectives of the area and there would be no overriding adverse impacts that would justify a reason to refuse the outline planning permission when assessed against the provisions of NPPF para. 11d(ii).

For these reasons set out in this report it is recommended that planning permission be granted subject to the completion of a Section 106 Agreement to secure necessary planning obligations and the imposition of the required conditions set out below.

Planning Obligations

(financial contributions and Public Open Space/Play areas to be calculated on a per dwelling basis)

- **40% affordable housing** - tenure mix of 60% of the units (12 units) being for Affordable Rented housing, 25% of the units (5 units) being provided as First Homes and the remainder of the units (3 units) being provided for Shared Ownership or alternative Affordable Housing Mix to be first agreed by the Housing Enabling team.
- **Highway improvements**, to include: Pedestrian crossing across The Forty, including footway to tie in with existing church Walk footway to the north east and to tie into existing footway to the east of the site access.
- **Public Open Space (POS)** including provision of onsite equipped play (or offsite contribution)
- **North Meadow SAC Mitigation** – delivery and long term management of on-site open space and dog walking area
- **North Meadows SAMM contribution - £39,347**
- **Leisure/Sports Pitches** – off-site contribution of **£13,524.00**
- **Public Rights of Way** – Contributions of **£5,400** towards maintenance and upgrading of the footpath network in the locality of the site
- **Waste and Recycling - £5,929** towards provision of bins and recycling boxes
- **Cemetery land** The developer will offer the freehold transfer of the cemetery land to Wiltshire Council, or another agreed organisation, for use as a cemetery. The offer will remain available for 10 years, after which, if no transfer has taken place, the land will remain in the developer's ownership. Any transferred land will be restricted to cemetery use.
- **S106 Monitoring fee (2.5% of contributions)**

Conditions

1. Outline commencement time limit
2. Approval of certain reserved matters
3. Reserved matters time limit
4. Approved Plans
5. Construction Management Statement
6. Landscape Ecological Management Plan
7. Construction Environmental Management Plan

8. Ecologic Monitoring – long term
9. Arboriculturally Method Statement (both site areas)
10. Surface Water Drainage
11. Foul Water Drainage (on site)
12. Ecological Parameters and Features – compliance within RM
13. Site Levels
14. Sustainable Energy Strategy – to include water efficiency measures
15. Ev Charging Strategy
16. External Lighting
17. Off -site foul network capacity
18. Water Efficiency - 110 lpppd
19. Visibility Splays
20. Double depth burials
21. Environmental Protection Cemetery
22. Borehole decommissioning
23. Dewatering
24. Unexpected contamination

3. PROPOSED DEVELOPMENT AND SITE DESCRIPTION/CONTEXT

The application site comprises two parcels of land; Land south of The Forty is proposed for residential development and Land north of Chelworth Road is proposed for the cemetery land. Both sites are located to the southwest of the market town of Cricklade (see Figure 1 below).



Figure 1 - Image from Applicant's Design and Access Statement

The residential development site is approximately 3.3ha in area with an existing vehicular access at the north-eastern corner from the public highway at The Forty. It comprises pasture/grazing land with boundaries comprised of drainage ditches edged by established hedgerows interspersed with mature/semi-mature hedgerow trees. To the northwest the site adjoins residential properties that face onto Chelworth Road (Lypiatt View). The eastern site boundary adjoins residential development to the east, the northern part of the site adjoining development facing onto The Forty and the southern part of the site adjoining a recent residential development known as 'Hitchings'.

The approximate northern quarter of the application site exists as a smaller paddock, separated from the wider open field by a hedgerow that runs in an east-west direction. Above-ground electricity cables pass over the southwestern area of the site. There are public rights of way in the vicinity of the site, Church Walk to the north (CRIC88), that provides a pedestrian link to the closest Primary School and the town centre, and a rural footpath (CRIC24), that bisects the adjacent field to the southeast before turning north and ending into Chelworth Road to the southwest of the cemetery site.

The Cemetery/Burial land occupies approximately 0.8ha with an existing field access at the southeastern point, onto the public highway at Chelworth Road. It comprises part of a wider field. The north and south boundaries are defined by mature hedgerows (the public highway to the south and open countryside to the north). To the east the site adjoins a paddock along the southern part of the eastern boundaries and the far ends of the long gardens of 60 and 61 The Fiddle along the north of the eastern boundary. To the west the site adjoins the remainder of the wider field. A PRoW (CRIC29) runs east-west through the fields, a short distance to the north of the site.

The application sites are not subject of any statutory or local landscape, ecological or heritage designations and the sites are located within Flood Zone 1 which has the lowest probability of flooding from river sources. Environment Agency records available to the council confirm areas at highway risk of surface water flooding across the northern area of the site, connecting into the existing drainage ditches that edge the site and extend to the south. The area is deemed as having negligible risk of groundwater flooding. The sites lie within the zone of influence around the North Meadow and Clattinger Farm Special Area of Conservation (SAC).

The proposal seeks outline planning permission with matters reserved except for access for two areas of development. All matters relating to appearance, landscaping, layout and scale kept as reserved matters. The residential element is for up to 49 dwellings and an area of land is proposed for a cemetery.

Although only an illustrative layout at this stage, the design approach to the residential site is led by the creation of three distinctive areas (shown in Figure 2 below). The northern parcel (as outlined in red on the site plan below) would provide a naturally landscaped area with secure dog walking and exercise areas. The central housing area (outlined in green below) would be the main area of built development, providing up to 49 dwellings and the southern parcel (edged in blue below) where additional public open space would be provided around natural and built drainage features.



Figure 2 - Extract from Indicative Landscape Plan

4. RELEVANT PLANNING HISTORY

Proposal / Summary

18/03448/FUL – New Field Access – Approved with conditions.

5. RELEVANT PLANNING POLICY AND GUIDANCE

National Planning Policy

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- National Design Guide

Development Plan

For the purposes of housing development, the development plan for Wiltshire comprises the Wiltshire Core Strategy (WCS) (adopted January 2015), saved policies of the North Wiltshire Local Plan and any made neighbourhood plans (the made Cricklade Neighbourhood Plan in this case).

In line with Section 38(6) of the Planning and Compulsory Purchase Act 2004, planning decisions must be made in accordance with the development plan unless material

considerations indicate otherwise. Though the development plan is considered as a whole, those parts deemed to be particularly relevant to this application are listed below:

The adopted **Wiltshire Core Strategy (WCS)**, with particular regard to :

- Core Policy 1 Settlement Strategy;
- Core Policy 2 Delivery Strategy;
- Core Policy 3 Infrastructure Requirements;
- Core Policy 19 Spatial Strategy: Royal Wootton Bassett and Cricklade Community Area;
- Core Policy 41 Sustainable Construction and Low-Carbon Energy;
- Core Policy 43 Providing Affordable Homes;
- Core Policy 45 Meeting Wiltshire's Housing Needs;
- Core Policy 46 Meeting the Needs of Wiltshire's Vulnerable and Older People;
- Core Policy 48 Supporting Rural Life;
- Core Policy 50 Biodiversity and Geodiversity;
- Core Policy 51 Landscape;
- Core Policy 52 Green Infrastructure;
- Core Policy 55 Air Quality;
- Core Policy 56 Contaminated Land;
- Core Policy 57 Ensuring High Quality Design and Place Shaping;
- Core Policy 60 Sustainable Transport;
- Core Policy 61 Transport & Development;
- Core Policy 62 Development Impacts on the Transport Network;
- Core Policy 64 Demand Management;
- Core Policy 67 Flood Risk.

North Wiltshire Local Plan (saved policies)

- H4 – Dwellings in the countryside;
- NE12 – Woodland;
- NE14 – Trees and the Control of New Development.

Cricklade Neighbourhood Plan (made in 2018) (CNP):

- H1 – Settlement boundary;
- H3 – Design of New Housing;
- H4 – Housing Mix;
- H5 – Affordable Housing;
- H6 – Housing for the Elderly and Disabled;
- H7 – Car parking;
- H8 – Drainage and Flood Risk;
- TT1 – Traffic Impact;
- LAF2 – Allotments;
- LAF6 – Cricklade Canal.

New Wiltshire Local Plan

At Full Council on 19 May 2026, the elected members of Wiltshire Council agreed to withdraw the emerging Wiltshire Local Plan. The said Plan has no material weight for the purposes of the application.

In accordance with Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2026, on 30th June 2026 Wiltshire Council published a notice of intention to prepare a new local plan for Wiltshire. The next stage is a Scoping Consultation which commences on 2nd September 2026. This plan is at a very early stage and carries no weight for decision making.

Supplementary Planning Documents/Guidance:

- Wiltshire Design Guide (adopted April 2024);
- Wiltshire Council's Waste Storage and Collection: Guidance for Developers Supplementary Planning Document, January 2017;
- Air Quality SPD (due to be Adopted in October 2025)

Other Relevant Policies and Documents

- Wiltshire Local Transport Plan 3 2011-2026, adopted 2015 - including the Car Parking Strategy and Cycling Strategy, adopted 2015;
- A Green & Blue Infrastructure Strategy for Wiltshire: Wiltshire's Natural Environment Plan 2022-2030;
- Wiltshire Local Cycling and Walking Infrastructure Plan (LCWIP);
- Wiltshire Council's Playing Pitch Strategy December 2024.

6. SUMMARY OF CONSULTATION RESPONSES

Consultation response received are summarised below with full responses being available online.

Cricklade Town Council: Objection

Most recent comments summarised as follows:

- Conflict with Development Plan Policies as site is outside of settlement boundary and would significantly exceed the town's identified housing requirement. The combined impact of this development along with other planned housing sites would result in overdevelopment and place unsustainable pressure on infrastructure;
- Flood Risk - The submitted Flood Risk Assessment is not considered robust and fails to provide confidence regarding drainage arrangements, particularly given the known flooding issues within Cricklade. Thames Water evidence indicates insufficient capacity at Cricklade Sewage Treatment Works;
- Highways concerns - Inadequate visibility at the proposed site access, Lack of pedestrian connectivity, including absence of pavement links. Concerns regarding overall highway safety;

- Design - Poor site design with cul-de-sac layout and no connectivity to adjacent developments. Concern that the scheme is being assessed in isolation, rather than cumulatively with nearby development;
- Landscape - Result in loss of rural land and countryside and erode the visual and physical separation between settlements;
- Open Space - The proposed dog walking area is considered inappropriate. Town Council has preference for alternative uses such as: Wildlife habitat (e.g. pond); Community orchard and/or Children's play space;
- Potentially unclear or inconsistent supporting information.

Previous Town Council comments on earlier design iterations raised very similar objections but also acknowledged that some improvements to the scheme (as it had originally been submitted) had been forthcoming. Particularly, the Town Council confirmed that setting the built development back from The Forty, creating an open space buffer along the roadside and including bungalows in the scheme following TC's were welcomed improvements.

The proposal to provide land for a new cemetery is supported by the Town Council, as there is a demonstrated local need (existing cemetery capacity expected to be exhausted within 10 years). This is recognised as a valuable community benefit, and the Town Council supports the transfer of the cemetery land to them for long-term management with flexibility in its future use if required.

Environment Agency: No objection subject to conditions

Most recently note that the housing site falls within the climate change (2070-2125) layer on the Flood Map for planning. However, they note that the applicant's Flood Risk Assessment (FRA) confirms the main risk of flooding would be from surface water so advise that the Lead Local Flood Authority (LLFA) are consulted.

Planning conditions requested to predominantly control the cemetery development with regards groundwater, decommissioning of boreholes, contaminated land, surface water quality, water efficiency and pollution prevention.

Natural England: No objection subject to conditions and legal agreement

Initially objected due to impact on the North Meadow SAC. Following submission of a revised site design including SANG and completion of a favourable Appropriate Assessment (AA) by the council's Ecology Team the objection was removed subject to the mitigation being secured as recommended within the AA.

Thames Water: No objection

Advise in 2023 response they do not have any objection to the planning application, subject to no surface water connecting into the public network.

Informative suggested: *Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.*

2025 update: In response to a later Developer Enquiry (March 2025) Thames Water confirm that the foul network will not have capacity to serve the development and that conditions may be needed subject to timing of delivery.

WC Archaeology: No objection

Initial objection as it was considered the development had potential to encounter archaeology on site. Following on-site investigations and submission of a report Archaeology were content that the archaeological potential of the application area was sufficiently characterised and they were able to withdraw the objection previously lodged. No further archaeological work was advised to be required either prior to determination of the application or as a condition of any consent which may be granted.

WC Climate: Object

The climate team actively and strongly encourages developers of all scales to put the mitigation of and adaption to climate change as a golden theme to run through their development project. This will mean different things depending on the scale of the project, but to support the transition to a low carbon future, radical reductions in greenhouse gas emissions over the existing status quo will be required.

This scheme is not demonstrably taking the opportunities to provide a development that, when considered against the policies of the development plan as a whole, addresses and mitigates the impacts of climate change.

WC Drainage (Lead Local Flood Authority): Support subject to conditions

Initially had concerns over the ability for the development to be able to manage the surface water without increasing the risk of flooding to neighbouring land. Response made to most recent details supports approval subject to conditions to secure full final details and implementation of foul and surface water drainage systems. Updated FRA has been reviewed and is accepted.

WC Ecology: No objection subject to conditions and legal agreement

The scheme was originally not submitted with details to demonstrate that sensitive ecological features on site could be protected and/or enhanced nor were sufficient details provided to demonstrate no 'significant effects' on the North Meadow SAC would occur.

Following the submission of a number of surveys and a redesigned scheme providing secure dog walking areas as suitable alternative recreation space Ecology were able to complete an Appropriate Assessment under the Hab Regs confirming suitable mitigation can be secured.

Conditions are required to secure a number of details to ensure on-site ecology/biodiversity can be protected and enhanced and legal agreement required to secure the mitigation on site and contributions towards North Meadow recreation strategy.

WC Arboriculture: No objection subject to conditions and details to be approved at reserved matters stage. Notes that two separate Arboricultural Impact Assessments have been provided for the residential development comprising 49 units, together with associated access, parking and landscaping along with provision of cemetery and access and

associated works. Details of hedgerow removal must be confirmed at RM stage. Notes that footings of all properties should be in line with NHBC guidelines. Note high uptake of water for certain tree species and not requirement for adequate spacing between trees and properties. Mitigated planting for loss of trees on site should be provided as part of the landscaping scheme for this proposal and an Arboricultural Method Statement should accompany any reserved matters application.

WC Highways: No objection subject to conditions and obligations.

No objection to the proposed housing site or cemetery access subject to conditions to secure implementation. Requirement for standard conditions to secure car (including EV) and cycle parking. Need for a legal agreement to secure the pedestrian link into Hitchings and crossing link into Church Walk. Crossing from The Forty to Church Walk should be an informal crossing with a change in road colour which will act as a visual instruction to drivers as provided with updated plan R-21-0181-GA-001 D.

Conditions necessary in relation to visibility splays, prevention of private water entering the highways, details of cemetery layout and parking, details of EV parking.

July 2026 update note: WC Highways confirm earlier comments continue to represent the authority's position on highways safety and capacity.

WC Public Rights of Way: No objection subject to contributions being secured for PROW upgrades. No recorded Public Rights of Way are within this site. The historic route of the Wilts and Berks Canal is very close to the Western boundary of the site and the proposed new route for the canal is some 200m to East of this development. A s106 contribution of £550 per property (index linked) to go towards the restoration of the canal and its tow path should be secured. It is also requested for a condition to secure a new Public Footpath from this development to link with CRIC23 or CRIC24 to provide direct access to the Public Rights of Way Network. A s106 contribution of £5,400 for upgrades to the following Public Rights of Way CRIC23, CRIC24 and CRIC29 is also requested, given the increase in use these Public Rights of Way will experience should this application be granted planning permission.

WC Public Open Space and Leisure: No objection subject to leisure contributions and legal agreement to secure delivery and management of onsite play and POS.

Suitably worded clauses secured by s.106 legal agreement can ensure that appropriate levels of on-site provision of PoS or contributions towards off-site provision can be secured once full reserved matters details of the layout and scale are known.

Financial contributions of £13,524.00 would be required towards off-site sports pitches provision. The Leisure Infrastructure Manager has confirmed that funding should be directed towards upgrading of pitches and/or ancillaries at Cricklade Cricket Club and/or other sports provision within the vicinity of the land.

WC Public Protection: No objection

WC Landscape: No objection subject to conditions

Conditions to secure full details of all landscaping including timetable for implementation and mechanisms to secure future maintenance.

WC Urban Design: No objection subject to condition

No objection to the principle. A condition should secure a footpath link to the land to the south of the site as likely to also come forward for development.

WC Waste and recycling: No objection subject to contributions

Contribution to be secured by s.106 to pay for bins and recycling boxes per dwelling.

WC Education: Initial requested early years contribution but updated sufficiency date has now changed. Latest comments June 2026 are below -

The application form indicates that there are 49 units proposed with 19 of those being affordable which equals 38.7 % - slightly less than 40% which equates to 19.6 units which we would normally round up to 20 and then apply the 30% Education discount. Either way the discount remains at 6 units. However, there are no contributions for primary or secondary requested for this application. We were only seeking a contribution for 6 Early Years (EY) places, which has been reviewed to confirm they are still required. Our sufficiency data has changed since the original application consultation, and the 2023 application no longer has a requirement for Early Years places.

This would mean no contributions would be required for the application. Therefore, if no S106 is yet signed as the 2023 application has not been determined, please can the request for EY places for this development be withdrawn.

7. SUMMARY OF REPRESENTATIONS

In accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), the application was publicised by way of:

- Neighbour notification letters sent to adjoining and nearby properties;
- A site notice displayed near the site; and
- An advertisement placed in the local press.

These methods were used to inform interested parties and provide a period of 21 days for comments to be submitted.

Below is a summary of the representations received during the consultation period. Only material planning considerations have been taken into account in the assessment of this application. Non-material issues, such as property values or private legal disputes, cannot be considered in the determination process.

North Wiltshire Swifts – Comment

- Ecological Assessment proposes general bird boxes (para 5.3.63) but it lacks specific provision for integrated nest bricks (e.g. swift bricks);
- Misses opportunities to support key declining species (swift, house sparrow, starling);

- Wiltshire Local Plan (Draft 2023) requires integration of nest bricks (minimum 2 per dwelling) and supports BS 42021:2022 guidance (integral nest boxes);
- 1:1 ratio of nest bricks per dwelling (widely accepted standard);
- This represents a **low-cost, effective biodiversity enhancement** aligned with local and national policy objectives.

Cricklade Court Leet – Objection

- Concern that requirements of the Conservation of Habitats and Species Regulations 2017 have not been met, particularly in-combination effects taking all proposed residential development into account;
- Individual assessment approach fails to capture cumulative impacts;
- Reliance on the North Meadow SAC Interim Mitigation Strategy considered inadequate for Cricklade;
- There has been a lack of effective mitigation in past developments with earlier schemes provided limited or no mitigation;
- Evidence of unquantified recreational impacts on North Meadow SAC;
- No alignment local housing need for the development and no coordinated site selection;
- Further speculative developments should be resisted until plan-led approach is established.

Wilts & Berks Canal Trust – Comment

- The former North Wilts Branch of the Wilts & Berks Canal runs along the western edge of the site and the adjacent section is now incorporated into neighbouring residential curtilages;
- Mention or assessment of canal is largely omitted from submitted documentation, only briefly referenced in the Historic Environment Desk-Based Assessment;
- Canal route is protected under Wiltshire Core Policy 53 (Wiltshire's Canals) for historic interest and potential restoration.
- The Core Strategy Policy is not referenced in the Planning Statement;
- It is noted the current canal restoration masterplan does not include this specific section, due to urban development constraints to the north and infilling of a former tunnel;
- The masterplan proposes alternative alignment to the south and east of Cricklade;
- Future Opportunities include: the retention of original route as a walking and cycling route;
- The development proposals should recognise and acknowledge the historic canal route, reflecting its proximity within detailed design considerations.

The application was advertised by direct letter sent to neighbours and a site notice (displayed near the land). Several rounds of re-consultation have also taken place since the original advertisement of the application. 165 responses to the public consultation were received (several of that number were additional comments received from members of the public in response to re-consultations).

Summary of public objections (the full responses are available within the application file online):

- **Transport and Highways**

- The Forty, The Fiddle and Chelworth Road are narrow rural lanes, often single-track, with limited width for passing vehicles, absence of continuous paths/pavements creates significant risk for pedestrians, cyclists, horse riders and mobility users and existing use by walkers, families and recreational users would be compromised by increased traffic;
- Development (49 dwellings) expected to generate significant numbers of additional vehicles, plus deliveries and visitor traffic that local roads cannot support and the Transport Assessment is considered to underestimate traffic volumes and peak-time movements;
- Construction traffic (particularly HGVs) and future vehicle movements considered inappropriate for local road capacity;
- Dangerous junctions highlighted, particularly:
 - Blind junction at The Forty/Purton Road.
 - Blind bends at The Forty/The Fiddle/Chelworth Road.
 - Proposed site access located near sharp bends;
- Cemetery use likely to generate further traffic, including funeral processions and visitor parking pressures;
- Pedestrian access to the cemetery and wider site considered unsafe and impractical.
- Additional concern that the dog exercise area/park could attract non-resident traffic;
- Existing walking routes (notably Church Walk) would be degraded.

- **Flooding and drainage concerns**

- Existing, well-documented flooding issues on The Forty, The Fiddle and Chelworth Road with evidence of surface water flooding and historic events affecting nearby properties;
- Concerns that the Flood Risk Assessment is incomplete and fails to account for known infrastructure (e.g. poorly maintained existing culverts, ditches and road infrastructure not designed for the number of houses);
- Potential impact of raised site levels and run-off on neighbouring properties;
- Existing sewerage network already under pressure, with incidents of sewage surcharge reported;
- Thames Water capacity constraints cited, with limited allowance for additional dwellings.

- **Overdevelopment and cumulative impact**

- Proposal seen as disproportionate, significantly increasing housing numbers locally;
- Cumulative impact with other proposed developments in Cricklade not adequately considered;
- Perceived strain on overall town infrastructure (schools, services, utilities) considered insufficient for cumulative growth.

- **Conflict with planning policy**

- Site lies outside the settlement boundary, contrary to the Cricklade Neighbourhood Plan and Wiltshire Core Strategy;
- Claim that the proposal accords with the NPPF is disputed; Applicant has applied policies selectively or incorrectly;
- No evidence of local need to support policy for housing at this site.
- **Character and amenity**
 - Development would fundamentally alter the rural character of The Forty and The Fiddle;
 - Loss of a valued, tranquil recreational environment for residents and visitors;
 - Concerns about coalescence and erosion of countryside setting.
- **Ecology and biodiversity impacts**
 - Loss of greenfield habitat used by wildlife, including protected bat species and birds;
 - Mitigation measures (e.g. bat boxes) considered insufficient to offset habitat loss;
 - Conflict with national policy favouring protection of biodiversity and use of brownfield land.
- **Dog park/open space concerns**
 - Proposed dog area lacks clarity on management, maintenance and suitability (e.g. fencing);
 - Reduction in previously indicated open community space to accommodate for the dog park (for a specific use only).
- **Cemetery-specific concerns**
 - Lack of detailed layout and insufficient information to properly assess impacts;
 - Concerns over access, traffic, parking and suitability of location;
 - Potential negative effects on nearby residents and local amenity;
 - Perception that cemetery inclusion is used to justify housing development rather than to meet an identified local need.
- **General comments**
 - The many revisions and additional documents submitted have not addressed local concerns;
 - Several of the submitted documents are incorrect or make assumptions that are not based on local evidence/circumstances.

8. PLANNING CONSIDERATIONS

In accordance with Section 70 (2) of the Town and Country Planning Act 1990, Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:

If regard is to be had to the development plan for the purposes of any determination to be made under the planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.

In accordance with this statutory requirement, this application has been assessed against the relevant policies of the Development Plan, including the Wiltshire Core Strategy (2015) and, where applicable, any relevant made, or emerging, Neighbourhood Plans.

Consideration has also been given to the policies of the National Planning Policy Framework (NPPF) as a material consideration in the assessment.

Key Issues

- Environmental Impact Assessment (EIA) Screening
- Principle of Development
- Scale, Design and Landscape Impact
- Heritage and Archaeology
- Energy and Sustainability
- Access, Parking and Sustainable Transport
- Public Rights of Way
- Ecology and Biodiversity
- Residential Amenity and Open Space
- Drainage and Flood risk
- Affordable Housing and Housing Mix
- Planning Obligations (Section 106 Agreement)

9. ASSESSMENT

9.1 Environmental Impact Assessment (EIA) Screening

In accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended), the local planning authority has considered whether the proposed development constitutes EIA development. No formal EIA screening opinion was issued prior to the submission of the application. The requirement for EIA has therefore been considered by the Local Planning Authority as part of the determination of the application.

The proposal falls within the definition of development under Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, specifically Table 10 (b) 'Urban Development Projects'. National guidance provides thresholds and criteria for the identification of Schedule 2 development requiring Environmental Impact Assessment and indicative values for determining significant effects. The guidance is clear that it should not be presumed that developments above the indicative thresholds should always be subject to assessment, or those falling below these thresholds could never give rise to significant effects. Each development will need to be considered on its merits.

The application site itself does not fall within any especially sensitive environmental locations and is not the subject of any international or national designations relating to environmental protection. The location within the North Meadows SSSI/SAC zone of influence is relevant however for the scale of development and given the distance from the protected site, and scale of development proposed, it is considered the impacts area capable of being considered within the application process and within scope of the Interim Mitigation Strategy. The proposal involves up to 49 dwellings under the 150dwelling threshold where EIA may be required, and the overall site area (3.3ha) is below the 5ha threshold for urban development projects. The urbanising effects resulting in the greatest characteristic change will occur within the residential area within the southern part of the site though this is not seen in an isolate position, given the backdrop of the existing settlement. When considering the national

EIA guidance on indicative criteria and thresholds for where urbanising effects of development projects may warrant EIA (as a result of their physical scale of the development, potential increase in traffic, emissions and noise) this proposal for up to 49 dwellings is not considered likely to result in 'significant effects' in the context of EIA regulations therefore EIA is not required.

Having undertaken screening in accordance with the EIA Regulations, the Local Planning Authority is satisfied that the proposal does not constitute EIA development, as it is not likely to give rise to significant environmental effects by virtue of its nature, scale or location.

9.2 Principle of Development

In Wiltshire, the location and scale of developments are guided by the Settlement Strategy set out in Core Policy 1 of the Wiltshire Core Strategy. This policy establishes a clear hierarchy of settlements, prioritising Principal Settlements (Chippenham, Trowbridge, Salisbury), Market Towns, Local Service Centres (including Cricklade), and Large and Small Villages.

Core Policy 2 (Delivery Strategy) of the WCS complements this approach by directing new housing growth to the most sustainable locations, primarily within the defined settlement boundaries with development outside these limits generally only supported in exceptional circumstances, such as rural exception sites or where specific policies apply (as outlined in paragraph 4.25 of the adopted Wiltshire Core Strategy).

The current proposal is located on greenfield land adjacent to the built-up area of Cricklade, which is classified as a Local Service Centre. The application proposal therefore relates to residential development on a site that is not allocated for housing within the Wiltshire Core Strategy. However, due to the council's current housing land supply position (less than 5 years). Core Policies 1 and 2 can be considered to be out-of-date, with weight applied to them dependent on the consistency with the NPPF (this is considered in greater detail within the Planning Balance section of the report below).

Cemeteries are typically located at the edge of settlements where sufficient land can be made available whilst maintaining appropriate separation from existing residential development. Additional cemetery space is identified as a community objective within the made Cricklade Neighbourhood Plan, which seeks additional open space provision including cemetery space. Whilst the Plan contains no specific development management policy relating to cemetery provision, officers consider the proposal would assist in delivering this locally identified community objective. In this instance officers are satisfied that the site's relationship to Cricklade, combined with the identified local need makes the principle of cemetery use acceptable in this location.

There is a made Neighbourhood Plan in force, it forms part of the statutory development plan and must be taken into account when assessing the principle of development. In this case the proposal site is not allocated for development and is excluded from the built-up area of the settlement. The settlement boundary wraps around the residential site on almost three sides and the cemetery site is entirely excluded from it.

Paragraph 14 of the NPPF states that in situations where the presumption (at paragraph 11(d)) applies to applications involving the provision of housing, the adverse impact of allowing development that conflicts with a neighbourhood plan is likely to significantly and demonstrably outweigh the benefits should be refused. As the Cricklade Neighbourhood Plan was made in 2018, it is over 5 years old. It also does not include any specific housing allocations to meet local needs, instead relying on more general policies supporting smaller infill developments within the settlement boundary. Therefore, the protections that exist within NPPF paragraph 14 do not apply to this application.

The NPPF does not specify how much weight should be afforded to policies that are 'out-of-date' due to a lack of a 5yrHLS. As such, it is a matter for the decision-maker to judge the particular circumstances of each case, and how much weight should be given to out-of-date policies related to the delivery of housing. The consistency of out-of-date policies with the planning policy advice of the NPPF and the extent of the lack of 5yrHLS are material considerations. A larger HLS shortfall places a greater need for additional unplanned housing sites to meet this need.

On consideration of the above, the proposal overall would conflict with the development plan when considered against settlement strategy policies but acceptability must be assessed through the statutory planning balance taking account of paragraph 11(d) NPPF.

The following sections of the report assess the proposal against the site constraints, expected impacts and benefits before a final planning balancing exercise can be undertaken.

5-Year Housing Land Supply (5yrHLS) and the status of the Development Plan

The Council's ability to demonstrate a five-year supply of deliverable housing land is a material consideration in the determination of planning applications for residential development.

The National Planning Policy Framework, as revised in December 2024, reintroduced the requirement to meet a five-year housing land supply (5yrHLS) requirement in all circumstances. The accompanying Planning Practice Guidance on Housing Needs Assessment, setting out the housing requirement to be used in the calculation, was revised on the same date. This resulted in a substantial increase in the county-wide 5yrHLS to be met over and above the previous calculation. Based on this calculation Wiltshire Council can currently demonstrate 2.8 years' housing land supply which represents a substantial shortfall.

In accordance with Paragraphs 78 and 11(d) of the National Planning Policy Framework (NPPF), for applications involving the provision of housing, where there is a shortfall in the supply of deliverable housing sites, the most important policies for determining the application should be considered out-of-date. The current housing land supply shortfall is a factor that must be considered in the planning balance. The weight that can be applied to the most important policies for determining this application should be assessed and applied in the light of the shortage in housing land supply, relative to the identified impacts and benefits of the proposed development.

The presumption in favour of sustainable development (often referred to as the 'tilted balance') should be applied and permission should be granted unless protection policies set out in footnote 7 of the NPPF apply, or the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits.

It is recognised that this proposal would deliver benefits including 49 new homes, 40% of which would be affordable housing. In addition, it provides economic benefits during construction as well as through spending of new residents on occupation. Biodiversity related gains as well as the provision of cemetery land. The development would also be CIL liable, these contributions (as well as those for transport, sports provision, POS and waste containers) are not considered to be a benefit as these are required to provide infrastructure directly related to the development. The tilted balance assessment involves consideration of the site-specific impacts of development and any harm arising which are discussed in the relevant sections of this report below.

Best and most versatile agricultural land

The NPPF requires that decisions should contribute to and enhance the natural and local environment by recognising the economic and other benefits of the best and most versatile agricultural land. The application site land is identified as grade 3 which is 'good to moderate quality' agricultural land. The proposal would result in the loss of approximately 3.3 hectares of what could be best and most versatile agricultural land and as such, the loss of this land should weigh against the proposal in the planning balance.

Whilst the irreversible loss of BMV land is a material consideration and weighs against the proposal, the extent of the land affected is small in scale and represents only a minor reduction in the overall availability of such land. The loss would not materially affect the viability or productivity of a wider agricultural holding and, in this case, is afforded limited weight in the planning balance.

9.3 Scale, Design and Landscape Impact

The National Planning Policy Framework (NPPF), particularly Chapter 12: Achieving well-designed places, stresses the importance of good design in development proposals. Paragraph 135 of the NPPF indicates that planning policies and decisions should ensure that developments are visually attractive, functionally effective, and contribute to the overall quality of the built environment, and result in healthy communities. Good design should be an integral part of the planning process and should ensure that developments complement their surroundings. The National Design Guide also builds on these aims.

Wiltshire Core Strategy Core Policy 57: Ensuring High Quality Design emphasises that all new developments, must demonstrate a high standard of design that enhances the local character of Wiltshire. Major developments should include detailed design statements that reflect the local context. The adopted Wiltshire Design Guide expands on policy CP57, and provides a framework to ensure that development is sensitive to the distinctive character of Wiltshire's built and natural environment.

The landscape character of the area is assessed within the North Wiltshire Landscape Character Assessment (LCA). The landscape surrounding Cricklade is classified as the Thames Valley Floor. Described as:

...predominantly a flat landscape, punctuated by lines or small clumps of willows and other wetland trees. The agricultural use of the land includes both arable and wet pasture, with open water ditches as well as hedges in defining field boundaries... Biodiversity is high in relation to the wet features of the landscape, especially the meadows near Cricklade... The flatness of the area generally restricts views to the field boundaries close to the viewer.

Cricklade is noted as being at the edge of this landscape, located on higher ground with the majority of the most sensitive landscape features of the character area located to the north of the town.

The landscape character area (as a whole) is considered to be highly sensitive to change. The LCA stating that:

The overriding sense of tranquillity, and the feeling that this is a landscape imprinted with history, could easily be lost through insensitive landscape change, especially new development.

The overall objectives for the area are to conserve the distinctive low lying valley floor character and its associated water based, riparian and built features. Relevant to the application site would be:

- to conserve wetland features including open ditches;
- conserve hedgerows and mature trees, including allowing new trees to emerge in existing hedges, and discourage field amalgamation;
- Enhance the sense of place through use of appropriate building materials in respect of new development;
- Discourage development which would detract from the sense of remoteness and the quiet rural character.

Residential Phase

The application site is considered to be in a less-sensitive area of the landscape character area. The LCA confirms that much of the area is remote from settlements, noting Ashton Keynes being the exception with Cricklade located at the edge of the area. The wet meadows landscape to the north of Cricklade is considered to be a very sensitive area (not solely in landscape terms – see Ecology section of the report below). The landscape to the north of Cricklade, as well as the wetland meadows, also features several historic landmarks including the canal and various sites linked to roman occupation of the area.

The application site, sitting to the south of Cricklade is considered to be within a less-sensitive area in landscape character terms, being directly linked to the built-up area of the town it does not feel remote. It does however share several features with the wider area and the LPA must be satisfied that important features are able to be conserved and enhanced where possible. The site is bounded and crossed by a network of open ditches, generally

bounded by established hedgerows interspersed by mature trees, including several Willows that are characteristic of the Thames Valley LCA.

Whilst the proposal is outline, the landscape masterplan indicates an approach that would conserve the hedgerows, all trees of sufficient quality/health and drainage ditches (to be maintained as part of the surface water strategy) as well as enhancing tree planting along boundaries and within the site. The illustrative site layout shows the houses closest to the field boundaries facing outwards, with front elevations, mostly overlooking site roads before giving over to planted landscape strips and then the field hedgerows. Final layout details would be agreed at reserved matter stage, but assuming this layout approach follows through to reserved matters the LPA would be satisfied that the buildings would be mostly set in from the field hedgerows and trees with the ability for planting to be enhanced in public, managed areas of the site, rather than domestic gardens where occupiers could remove trees or shrubs over time. The enhanced tree and hedge planting around the buildings, would both conserve and enhance features of the site that are important to the LCA.

Typical of the landscape character of the wider area, the flat topography of the site and surrounding land means there are very few opportunities to openly view the site in wider views most being from short-range vantage points. The site is relatively well-screened by adjacent buildings, field boundary hedges and trees. The most available public views are from the public highway at The Forty and the footpath link that connects into Hitchings. The proposal retains open space directly adjacent to The Forty within the Northern Parcel, with the hedgerows to the north and south to be retained and enhanced through additional hedgerow tree planting. Although illustrative at this stage, the LPA is satisfied that the development site be afforded adequate screening by natural features that can also be enhanced.

The greatest impact (in wider landscape terms) will arise from the construction of the dwellings and associated domestic infrastructure. Clearly, the development as a whole will change the character of the field into a suburban housing development. With regard to this impact on wider landscape view, the LPA has less concerns over highways and drainage infrastructure, due to the low height of such works, but the dwellings will be more visible due to being taller than some of the adjacent hedgerows. The LPA acknowledges that, whilst the site is greenfield land, a significant proportion of the proposed Housing Area would infill a green gap between residential properties at Lypiatt View (to the west) and Hitchings (to the east). It is an extension of the settlement into open countryside, but the LPA considers that in landscape terms it would have the visual impact of a large infill development, rather than a more linear extension directly into open countryside.

At reserved matters stage the LPA will also be able to fully assess building heights across the site. However, it should be noted that the original drainage strategy proposed the raising of land levels within the Housing Area to ensure floor levels can be set above any potential flooding. The LPA had some concern over the proposed levels changes as the original flood modelling suggested a central raised plateau would be required to be created, with levels raised in height (in some areas) up to 1.5-2 metres. In combination with two-storey buildings the higher land levels could have resulted in the residential development being noticeably taller than the dwellings occupying the adjacent sites, increasing visual impact.

Revised details have confirmed that ground levels are required to be raised across the central parts of the Housing Area, but not consistently at one level across the site and lower than originally assessed. Levels should also be able to be further reduced at detailed design stage, subject to the technical design of the highways and housing drainage. A site cross-section has been provided illustrating a 'worst-case' scenario with the proposed dwelling closest to the north-eastern edge of the Housing Area a maximum of one metre taller (at ridge height) than the closest neighbouring dwelling at Magnolia House (The Forty). The illustrative site plan suggests the new houses would be separated from the adjacent houses by distances of around 20-25 metres with mature hedgerow and trees lining the intervening site boundaries. Any public views of the new houses in relation to neighbouring buildings would therefore be somewhat mitigated.

The indicative section plan also includes the developer's tallest house type and highest likely ground levels, at the northern point of the Housing Area. Alternative house types (including potentially single-storey-bungalows) can be agreed within the more sensitive areas at reserved matters stage. As such, the LPA is satisfied there is no in-principle reason why the built form cannot be agreed to an acceptable scale and design at a later stage. The LPA also accepts that by leaving the Northern Parcel free of any notable buildings (providing accessible green space) any visual impact of the development on views from The Forty will be marginal. The LPA considers an acceptable palette of materials can be agreed at reserved matters stage (or by condition) to ensure that any buildings that are available in glimpsed views blend in to the adjacent developments and respect the landscape character of the area.

In terms of more local , street scene visual impacts, the creation of a relocated, larger site access at The forty will introduce a more suburban feature into the central area of the site. The existing access is proposed to be closed and the land planted with trees and hedgerow to infill any remaining gap. The majority of the existing trees and hedgerow skirting the northern site boundary, other than those required to be removed to create the access, are proposed to be retained and enhanced with additional tree planting within the open space of the Northern Parcel area. As such, it is expected there would be some short-term impact whilst new planting is established. Management and maintenance specifications can be secured by condition, along with a timetable for completion of the landscaping works. The LPA is therefore satisfied that no unacceptable harm to the character of the street scene at The Forty will occur.

The construction phase has some potential to cause harm to existing trees and hedgerows. Either directly if they are required to be removed or indirectly by parking of vehicles, storage of materials and certain processes being undertaken in proximity to the trees to be retained. An Arboricultural Impact Assessment (AIA) has been submitted with tree protection measures, including exclusion zone fencing and 'no-dig' areas proposed. The AIA is based on the illustrative landscape plans, but is considered to demonstrate that important trees can be conserved. The council's Arboricultural Officer offers no objection at this stage, but requests that an Arboricultural Method Statement is submitted at reserved matters stage to cover both site areas.

Conditions are recommended by the Landscape Officer to ensure that full details of site landscaping and building and hard-surfacing materials can be either agreed at reserved matters stage or by separate planning condition as well as being implemented to an agreed timetable (i.e. prior to occupation or an agreed planting season). The Landscape Officer also suggests that legal mechanisms to achieve the successful establishment, maintenance and ongoing management of any finally approved landscaping scheme should be secured. Conditions to secure site planting details and protection and enhancement of sensitive ecological features are necessary and a Landscape and Ecological Management Plan (LEMP) also required to be agreed by condition. These measures are considered to secure the controls sought by the Landscape Officer.

In broad principle, a residential development of the scale proposed at this site is not considered to be unacceptable as landscape impacts will be able to be mitigated along with the conservation and enhancement of key existing landscape features. The backdrop of contemporary development is a factor. The landscape design has been kept as a reserved matter, but sufficient detail has been submitted to demonstrate that an acceptable landscape design strategy can be agreed. While there will be some visual change and loss of countryside, this can be mitigated as far as possible through detailed design. Overall, the development would be able to comply with the aims of Core Policies 51 and 57 of the WCS.

Cemetery

At this stage, only very limited details of the cemetery have been made available to the LPA. As such, undertaking a full assessment is difficult, but not impossible. An Arboricultural Impact Assessment (AIA) has been submitted confirming the removal of two trees (Field Maples) and a section of hedgerow to implement the new access. No other details of internal site works have been submitted.

The LPA expects the visual impacts would be broadly limited to the new access and a change to the rural character of the site, due to the placement of headstones, site roads, car parking and manoeuvring areas. The cemetery site has established hedgerow and tree planting along the northern and southern boundaries so views of infrastructure from the public highway and footpath (to the north) will be predominantly screened with the main views into the site from the new access. The LPA does not expect any particularly tall buildings or structures to be required so preserving and enhancing hedgerow and tree planting would be a broadly acceptable landscape strategy.

The cemetery site location is considered to be more prominently visible as a greenfield site situated in a distinctively rural setting, beyond the built-up area of the settlement. A housing (or commercial) development involving new buildings, with potential to effect the skyline, would be considered in broad terms to be far more impactful in this location than the proposed Residential Site (that would be experienced more as an infill). However, the built form reasonably expected to be required in association with a cemetery would be predominantly low in height and far less impactful even without mitigation. However, the LPA will aim to secure landscape mitigation expected in the form of enhanced natural screening along boundaries and hedgerow and tree planting within the site. The LPA does not expect any significant impacts on the skyline arising from the cemetery development.

It is also reasonable to expect that landscape impact will not occur over the short-term but rather increasing over the longer-term as more burials take place and infrastructure is required to be implemented. The LPA is satisfied this will allow time for new planting to establish and suitably worded conditions can agree landscaping details, hard-surfacing materials, a timetable for implementation (either at reserved matters or separately) and management/maintenance details.

Overall, although some adverse visual impact is expected to occur, the LPA is satisfied it would not be severe and can be managed over time by suitably worded conditions. No substantial conflict with the aims of Core Policy 51 and 57 of the WCS would occur.

9.4 Heritage and Archaeology

Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a statutory duty on decision makers in considering whether to grant consent for works that affect a listed building or its setting to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant planning permission for works which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses

Core Policy 58 states that development should protect, conserve and where possible enhance the historic environment. Designated heritage assets and their settings will be conserved and where appropriate enhanced in a manner appropriate to their significance including buildings and structures of special architectural or historic interest. Section 16 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

The site lies approximately 350m to the south west of Cricklade Conservation Area boundary. There are no listed buildings in the vicinity, the closest being the Orthostatic Wall to the Chimneys, 185m north east, and Greystones, 17 and 18 The Forty all over 250m distant from the site.

Given the level of separation and the limited intervisibility between the development and the designated heritage assets, there is limited potential for any adverse impact upon the setting of these buildings and structures.

The Council Archaeologist reviewed the proposal and requested that a geophysical survey and trial trench evaluation was undertaken in addition to the submitted Historic Environment Desk Based Assessment. Following on-site investigations and submission of a report Archaeology were content that the archaeological potential of the application area was sufficiently characterised and they were satisfied that no further archaeological work would be required.

9.5 Energy and Sustainability

WCS Core Policy 41 identifies how sustainable construction and low-carbon energy will be integral to all new development in Wiltshire. Major developments are required to include a Sustainable Energy Strategy. It is relevant to note that the energy performance standards referred to in CP41 for new homes is the 'Code for Sustainable Homes' which was removed by government in 2015. There is no replacement standard that Core Policy 41 will apply to at this time. Chapter 14 of the NPPF, paragraphs 161 - 169 deals with climate change related matters. In particular, paragraph 163 indicates that proposals should take into account the full range of potential climate change impacts, and paragraph 164 stipulates that new development should avoid vulnerability to the range of impacts, and help to reduce greenhouse gas emissions. Climate change adaption is integral to design related policies at local and national level.

Full details of the building design are not included at outline stage. As of April 2026, building regulations has placed a stricter requirement on individual buildings to be constructed to meet higher energy efficiency standards. This Council Climate team raise concern that the scheme is not demonstrably taking the opportunities to provide a development that addresses and mitigates the impacts of climate change.

With limited information available at outline stage in relation to the site layout, building design, landscaping, water management it is not possible to secure detailed and specific measures. It is however considered appropriate to include a planning condition which ensure that Sustainable Energy Strategy is submitted alongside the later reserved matters application to demonstrate low-carbon strategy for the development as a whole including consideration of site layout, building materials, renewable energy provision, EV charging, green and blue infrastructure and water usage. Subject to the recommended condition it is considered that a low-carbon design that is resilient to the impacts of climate change can be secured in accordance with CP57, 41 and the NPPF.

9.6 Access, Parking and Sustainable Transport

Core Policies 60 'Sustainable Transport' and 61 'Transport and New Development' of the WCS seeks to ensure that new developments are located within sustainable locations and are designed to encourage the use of sustainable transport options. Policies require that proposals are capable of being served by safe access to the highway network. Core Policy 64 'Demand Management' expects the provision of car parking associated with well designed new residential development will be based on minimum parking standards as set out Wiltshire Councils Parking Strategy

The Wiltshire Local Transport Plan (2011–2026), including the Car Parking Strategy and Cycling Strategy, provides further guidance on the design and provision of transport infrastructure. The Wiltshire Local Cycling and Walking Infrastructure Plan (LCWIP) and associated design standards (2022) set out expectations for the delivery of high-quality active travel infrastructure in new developments.

The NPPF covers this matter in Chapter 9. In particular, paragraph 110 and 115 are “key policies” for the purposes of para. 11d(ii) footnote 9, and indicate that significant development should be focussed in sustainable locations which offer a genuine choice of transport modes, and where safe and suitable access can be achieved for all users.

CNP policy H7 states that: Residential development should meet the Wiltshire Council parking standards. The design and landscaping of car parking spaces or areas should respect the character of the development and its immediate area and minimise visual intrusion. The following design guidelines should be complied with:

- Parking provision to the front of a dwelling should be designed to minimise the visual impact and keep some appearance of garden space; and
- Communal parking areas should serve no more than 6 homes.
- Communal parking areas should integrate with the surrounding development and be low maintenance without loose surfacing materials.

The Cricklade Neighbourhood Plan (CNP) identifies several areas of local concern with regards to highways and transport matters. There is a concern over increased industrial and commercial development within the plan area, especially of a type that would generate a greater number of HGV movements.

Heavy Goods Vehicles and the Development

The construction phase is likely to generate significant numbers of HGV movements. This may be sporadic, linked to various subphases but expected to be linked to early stage groundworks, particularly when site levels are being prepared and materials deliveries take place. This will require some level of management and the LHA has requested a pre-commencement condition to agree details of a Construction Management Statement (CMS). The CMS would secure relatively standard details with regards to contractor parking, materials storage, wheel washing, dust/debris control etc. It is acknowledged that HGV routes can be difficult to enforce and can be subject to outside influences, such as local road closures or traffic accidents, that are outside of the control of a developer. However, the LPA understands the existing problems with HGV traffic in the area and considers it is necessary to secure mitigation as far as possible against further adverse impacts on the public highway network within Cricklade that would arise as a result of the construction of the development.

Although it would be desirable to avoid the majority of HGV traffic accessing the site via Cricklade Town Centre (the mini-roundabout at High st./Calcutt St. being a local problem area for HGV traffic), this is unlikely to be practical for all deliveries or construction stages of the development. The shortest route to the site from a major/trunk road is from the A419 to the east of Cricklade, via Calcutt St./High St. and The Forty. It is likely that some construction deliveries will be required to use this route and there may be occasions where higher than average numbers of HGV traffic will be required to access the site via the town centre. The CMS should be required to detail how these events are managed (i.e. timings to avoid school drop-off, pick-up times, use of banksmen at highway pinch-points for specific deliveries). Subject to agreeing methods for the control of delivery routes, the LPA is satisfied that an acceptable level of mitigation against larger construction traffic vehicles can be secured.

Once the development has been built out and occupied, it is reasonable to expect that HGV movements associated with the development would be minimal. Most likely, HGV movements would be limited to refuse collections and large deliveries. It is reasonable to accept that refuse and delivery vehicles already operate within the local highway network in and around Cricklade. These routes could be adjusted to accommodate for the residential development at The Forty.

Site Access and Operational Considerations

The Residential Site has an existing vehicular access from the public highway at The Forty that is proposed to be closed off with a new access located in a more central point of the Northern Parcel as the main site access. The new access comprises the creation of a 6m wide carriageway with a 2m wide footpath link into the adjacent Hare's Chase and Hitchings developments and introduction of an informal pedestrian crossing point to ensure the development is connected into the protected footpath route of Church Walk.

The Local Highway Authority (LHA) has confirmed the most recent revised access design would provide a safe access point for both vehicles and pedestrians associated with the development. The footpath link into Hare's Chase and the crossing demarcation to link to Church Walk are considered to be necessary to ensure safe pedestrian access and should be secured by legal agreement. The Forty has no dedicated footways so providing links into the protected routes that extend north and to the south is essential to link the site safely into local walking and cycling routes.

It is noted that the council's Urban Designer has offered no in-principle objection to the scheme subject to a condition to secure a footpath link into the parcel of land to the south (currently subject of planning application PL/2025/07863). However, given that permission has not been granted on the other site officers do not consider that securing a footpath link by condition is necessary or reasonable at this stage. Details of a link can be negotiated at reserved matters stage, as appropriate.

Visibility splays at the new access can be achieved that would exceed the minimums required for the 30mph speed limit of The Forty. Concerns have been raised over the ability for the Applicant to maintain the splays. It has been suggested that the vis-splay to the east crosses privately owned land. In response, the Applicant has provided Land Registry documents to prove the land is not within third-party ownership (the contentious area is part of the highway verge). The LHA has also offered no objection to the proposed access design, subject to the use of conditions and a legal agreement to secure its implementation.

Parking and vehicle manoeuvring

The illustrative site plan suggests there is more than sufficient space to provide for the levels of parking and vehicle manoeuvring required by the CNP policies and WTP3 Parking Standards. Matters relating to individual design of parking areas would be considered at reserved matters stage, with detailed layout and landscaping matters to be considered.

Cemetery access

The Cemetery site is proposed to be served by a new access has been proposed with a number of area traffic calming measures. The LHA consider the proposed traffic calming measures are not required in order to bring forward a satisfactory access from the public highway at Chelworth Road. The access design includes a 6m width carriageway with bell-mouth onto the public highway. Vis-splays of 50m in both directions can be secured and tracking for cars and large refuse vehicle profiles are provided.

The LHA has also raised questions over the likely vehicle movements and trip attraction of a cemetery and queries parking and internal road layouts. However, the LHA has offered no objection in principle to the land use or proposed access. The change of use from pasture to a cemetery will increase traffic, but with a safe access allowing vehicles to enter and exit the site in a forward gear the LPA is satisfied this can be managed without harm to the safety or operation of the public highway. Matters relating to the internal layout and parking would be subject to later consideration at reserved matters stage (layout, appearance and landscaping). The LPA considers the access proposal is acceptable.

Highways drainage considerations

Third-party comments and concerns raised by the Town Council and Division Ward Member highlight there are public highway areas of Cricklade that are prone to flooding and there is significant concern over new development adding to the risk of flooding within the public highway network. The Env. Agency flood modelling data highlights there are areas of higher risk surface water flooding within the site and adjacent land but The Forty adjacent to the site is not highlighted as being within the higher risk surface water flooding area (likely due to the existing drainage ditch network that directs water through the site to the southeast). The surface water flooding areas within the site will require management to prevent displacement to adjacent land and the wider public highway.

The LHA has requested a condition to ensure the public highway is protected from surface water run-off from the site (LHA describe this as 'private water'). This is unnecessary as an independent condition, as it will be included within the drainage condition. Crucially, at outline planning stage the Applicant has submitted a Drainage Strategy that confirms there will be various technical options available to manage surface water without causing increased risk of flooding on or off-site. This is assessed in greater detailed below, with full technical drainage details to be secured by condition. The CMS condition can require details of surface water management during the construction phase.

Summary of transport and highways considerations

The LPA is considering the principle of the development along with main site access details for both the Residential and Cemetery sites. The site is located in a sustainable location that would provide future occupiers with a genuine range of transport options to access local services. The LHA has raised no in principle concerns to the proposed land uses and/or site locations with regards to the impact on the wider public highway network. The LHA also confirms the proposed access details are acceptable subject to conditions and use of a legal agreement to secure implementation of the accesses and pedestrian improvements to serve the residential site.

9.7 Public Rights of Way

The Public Rights of Way Team has confirmed there are recorded Public Rights of Way (PRoWs) within the site. The historic route of the Wilts and Berks Canal is close to the Western boundary of the site and the proposed new route for the canal is some 200m to East of this development. A s106 contribution of £550 per property (index linked) to go towards the restoration of the canal and its tow path is requested.

The restoration of the canal is linked to the Cricklade Country Way project (that received funding from the Big Lottery Fund as part of the Living Landmarks scheme in 2007). The funding secured plans for restoration of the North Wilts Canal from Mouldon Hill Swindon to Cricklade. The Wilts & Berks Canal Trust confirm the Masterplan for restoration of the canal (for public access including navigation) does not include the length of historic canal adjacent to the western site boundary, because the route is blocked by urban development further north and due to the infilling of a former tunnel. Instead, the trust is proposing an alternative alignment to the South and East of the town. That does not preclude retaining sections of the original route for cycling and walking, but the trust has no plans for such development at this time.

CNP policy LAF6 supports proposal for the new canal and nature conservation projects along its route. However, other than noting that “The work is programmed to be carried out in stages, each of which will require significant funding.” WCS Core Policy 53 states that proposals for the formation of a new Cricklade Canal will be supported. Proposals for recreational and nature conservation measures along its route will be particularly supported. There is no policy requirement for the canal project to be funded by s.106 contributions. Future occupiers of the proposed development may indirectly benefit from walking and cycling routes linked to the new canal, but there is no policy basis or direct impact in this case that would justify a contribution at this time. As such, Officers do not consider securing funding of the canal project through s.106 is necessary to make the development acceptable. As the development would not prejudice the route currently safeguarded for canal restoration no conflict with the aims of Core Policy 53 is identified and the

It is also requested for a condition to secure a new Public Footpath from this development to link with CRIC23 or CRIC24 to provide direct access to the Public Rights of Way Network. As stated above, the council’s Urban Designer has also suggested a link to the land to the south of the site should be secured (location of CRIC24). However, at this stage there is no certainty that development of the land to the south would be forthcoming and securing a link into the PRoW network, whilst desirable, is not considered necessary at this stage. The layout details to be submitted at reserved matters can include a link, should it be justified.

A s106 contribution of £5,400 for upgrades to the following Public Rights of Way CRIC23, CRIC24 and CRIC29 is also requested, given the increase in use these PRoWs will experience, particularly CRIC23 (Church Walk - that will provide access to Bath Rd play area, the leisure centre and the town centre, should this application be granted planning permission. This is considered to be reasonably related to the impacts of the development and necessary to ensure mitigation is secured.

9.8 Ecology and Biodiversity

Core Policy 50 of the WCS Development proposals must demonstrate how they protect features of nature conservation and geological value as part of the design rationale.

NE12 of the NWLP states that areas of ancient and semi-natural woodland should be protected. NE14 of the NWLP states that development that would result in the loss of trees, hedges, lakes/ponds or other important landscape or ecological features will be considered unacceptable and where features are retained planning conditions will be imposed to protect them in the interests of public amenity.

Section 15 of the NPPF requires that the planning authority ensures protection of important habitats and species in relation to development and seeks enhancement for the benefit of biodiversity through the planning system.

Biodiversity Net Gain (BNG) is an approach to development seeking to ensure that habitats for wildlife are left in a measurably better state than they were before the development. As of 12 February 2024 (2 April 2024 for smaller sites) BNG is mandatory in England under the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). This means developers must deliver a BNG of 10% to ensure development will result in more or better quality natural habitat than there was before development.

This application was received on 28 November 2023 prior to requisite dates introducing the mandatory requirement to demonstrate BNG. Therefore, this proposal is not required to demonstrate 10% BNG. The proposal is however required to demonstrate compliance with CP50 and the NPPF in ensuring no net loss of biodiversity, biodiversity gain where possible and protection of sensitive species.

The Conservation of Habitats and Species Regulations 2017 (Hab Regs) at Article 9 states that:

The appropriate authority, the nature conservation bodies and, in relation to the marine area, a competent authority must exercise their functions which are relevant to nature conservation, including marine conservation, so as to secure compliance with the requirements of the Directives.

The Hab Regs confirm that, for the purposes of the Regulations, “competent authority” includes any local authority (in this case Wiltshire Council). Wiltshire Council therefore has a legal duty to comply with the Directives of the Hab Regs. Most relevant to this application are the requirements of Regulation 63 (Assessment of implications for European sites and European offshore marine sites).

The Hab Regs legislate that, to determine if a plan or development project may affect the protected features of a habitats site (Special Area of Conservation for example), before deciding whether to undertake, permit or authorise it a Habitat Regulations Assessment (HRA) must be undertaken. There are several distinct stages of a HRA, including screening a project (including planning applications) to determine whether it is likely to have a ‘significant effect’ on that site. Where the potential for likely significant effects cannot be excluded, a competent authority must make an appropriate assessment of the implications

of the plan or project for that site, in view the site's conservation objectives. The competent authority may agree to the plan or project only after having ruled out adverse effects on the integrity of the habitats site.

Considerations of on-site impacts

The planning application has been submitted with a range of supporting documents including:

- Indicative Ecological Parameters Plan.
- Technical Note: Ecology Response.
- Ecological Assessment. August 2025.
- Arboricultural Impact Assessment.
- Tree Constraints Plan.
- Dog Training & Exercise Area Proposals.
- Indicative Landscape Masterplan.

The submitted details highlight that the site has some potential (albeit fairly low) to provide habitat for foraging/commuting bats, badgers, hedgehogs and Great Crested Newts (GCNs) although no evidence of these species occupying the site was found. The reports also identify key ecological features to be retained, including trees, boundary hedgerows, and scrub, providing a 3m buffer from the edge of the existing habitat to the private residential curtilage. Full details of how these areas will be protected and enhanced will be assessed at reserved matters stage, but the LPA is satisfied that the approach to retaining and enhancing these features is acceptable and can be secured by suitably worded conditions or agreement of reserved matters details.

The council's Ecologist has reviewed the submission at various stages through the assessment and has raised some concerns within earlier consultation responses. However, following the submission of additional information and revised surveys, final comments confirm that the level of detail relating to on-site impacts and impacts to neighbouring sites can be managed by conditions ensuring compliance with the various surveys in addition to planning conditions to secure full details of reasonable avoidance measures and mitigation within a Construction Environment Management Plan (CEMP) and details to ensure the site is maintained and enhanced through agreement of a Landscape Ecological Management Plan (LEMP). Locations of biodiversity features to be integrated into the buildings must be detailed at reserved matters stage (or can be secured by planning condition).

North Meadow and Clattinger Farm Special Area of Conservation

The development lies within the inner zone of influence (0-4.2km) for the North Meadow National Nature Reserve (NNR)/Site of Special Scientific Interest (SSSI) component of the European designated site of the North Meadow and Clattinger Farm Special Area of Conservation (SAC), notified as an exceptional example of lowland meadow with a very high proportion of the surviving UK population of snake's head fritillary. The development is screened into Appropriate Assessment under the Habitat Regulations 2017 (as amended) on account of its potential to cause adverse effects on the integrity of the SAC through increased recreational pressure, alone or in-combination with other plans and projects.

The North Meadow and Clattinger Farm Interim Recreation Mitigation Strategy 2023-2028 sets out a rationale based upon evidence of visitor access patterns (to the SAC) which would allow residential development to come forward within the Zone of Influence areas providing appropriate mitigation is secured.

Firstly, it is important to clarify the composition of the North Meadow and Clattinger Farm Special Area of Conservation (SAC). It is divided into two separate units:

- North Meadow, that bounds Cricklade to the north;
- Clattinger Farm, near Ashton Keynes and Somerford Keynes.

North Meadow is a Site of Special Scientific Interest (SSSI) and a National Nature Reserve (NNR), which includes almost 4km of designated pathways around the site to facilitate access, open to the public. Clattinger Farm SSSI is managed by Wiltshire Wildlife Trust as a nature reserve. As Clattinger Farm is under private ownership, it is not considered to be subject to damaging recreational pressure. Recreational impacts on Clattinger Farm are therefore not predicted to arise from the proposed development, and therefore Clattinger Farm SSSI is screened out of further Appropriate Assessment.

The main issue is therefore the impact of the development on the North Meadow component of the SAC. The council's Ecologist has confirmed the proposed development is of a scale that raises concerns relating to adverse effects both alone and in-combination with other development projects. In particular, the following applications:

- PL/2025/07863, which borders the proposed site to the southeast, for a further 43 dwellings (currently under consideration by the LPA);
- PL/2021/10404 for a further 49 dwellings on land at Common Hill, Cricklade (currently under consideration by the LPA); and
- PL/2022/04776 for up to 70 holiday lodge units within the Cotswolds Water Park area (recently allowed at appeal).

Taken together, the schemes would result in a total of 211 units of accommodation (dwellings or overnight accommodation) within approximately 4.3 km of the SAC. Given the number of units proposed at each location, their proximity to the SAC, and the fact that these schemes approach or exceed the 50-dwelling threshold identified in the Interim Recreation Mitigation Strategy, there is the potential for likely significant effects on the SAC as a result of the following:

- Increased recreational pressure, disturbance to qualifying habitat and species as a result of increased human presence and in combination recreational effects arising from other residential developments within the 4.2 km inner zone, resulting in cumulative pressure that could undermine the conservation objectives of the SAC.

It is considered that the application should be subject to an Appropriate Assessment under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended). The Council's Ecologist has undertaken an Appropriate Assessment of the predicted effects of impacts associated with this development project. These have been summarised as:

- Recreational Walking - Unmitigated recreational pressure would result in a decline in habitat condition through trampling, soil compaction and altered flooding dynamics, adversely affecting the structure and function of the qualifying lowland hay meadow habitat and undermining the conservation objectives of the SAC;
- Dog Walking - Unmitigated recreational pressure would increase the frequency and intensity of dog walking by local residents at the designated site, leading to elevated nutrient enrichment from dog fouling. This would result in the eutrophication of meadow soils, reduced species diversity and a decline in characteristic flora, including snake's-head fritillary, thereby adversely affecting the structure and function of SAC habitats;
- Litter - Increased visitor numbers increase the risk of littering within the SAC, including food waste, packaging and dog-related items. Litter can directly damage vegetation, introduce contaminants, with the potential to undermine habitat quality and interfere with conservation management objectives;
- Interference with hay production - Increased recreational use resulting from higher local population levels can interfere with hay production through dog fouling, dog toys left within the grassland, trampling of standing vegetation, and flattened grasses.;
- Interference with grazing - Increased recreational pressure, particularly from free-roaming dogs, has the potential to disrupt grazing livestock, alter grazing patterns and reduce the effectiveness of grazing management;
- Picking of Flowers - Unmitigated recreational pressure would result in repeated disturbance of flowering plants (particularly during snake's-head fritillary flowering season), undermining long term population stability and conflicting with the SAC conservation.

The proposed development includes the creation of on-site alternative recreational opportunities to reduce or divert potential recreational pressure away from the North Meadow SAC. The provision of an on-site Dog Training and Exercise Area within the Northern Area of the site is designed to meet residents' day-to-day recreational needs, including dog walking as well as providing a public facility for general use. The inclusion of these areas has been informed by the Applicant's submitted Ecological Assessment and Dog Training & Exercise Area Proposals (4th February 2025). It is acknowledged that occasional visits to North Meadow SSSI may still occur, but these will be mitigated through the agreed measures set out within the Interim Mitigation Strategy. Financial contributions (number of dwellings basis) would be required to be secured by legal agreement in line with the Interim Recreation Mitigation Strategy to secure the mitigation actions within the SAC.

The council's Ecologist confirms the landscape proposals demonstrate that the Dog Training and Exercise Area accords with the majority of the 'must haves' and 'should haves' within the Site Quality Checklist (Appendix 1) of Natural England's Guidelines for the Creation of Suitable Alternative Natural Greenspace (SANG) (August 2021). Natural England has also confirmed support for the proposed mitigation approach. Full details of the timescale for implementation and management of the mitigation areas will be required to be agreed through a legal agreement. The areas must be able to be monitored and maintained for the lifetime of the development (or 70 years) in order to function as suitable mitigation. The details of the site planting and layout can be secured through reserved matters or planning condition, but implementation and management (including a monitoring fee to be paid to the

council) must be secured by legal agreement to ensure enforcement of management by the LPA if needed.

Overall, the council's Ecologist confirms the proposed on-site measures, together with the associated financial contributions, have been designed to sufficiently address the recreational needs of the development (when considered alone or in combination with other projects), thereby reducing any reasonably expected recreational pressure on the North Meadow and Clattinger Farm Special Area of Conservation, provided the mitigation is properly implemented and maintained.

Subject to the recommended conditions and planning obligations, the development therefore complies with the provisions of Regulations 9 and 63 of the Hab Regs, the aims of Core Policy 50 of the WCS and the planning policy advice of the NPPF.

9.9 Residential Amenity and Open Space

The National Planning Policy Framework (NPPF), particularly Paragraph 135, stresses that planning decisions should ensure developments provide a high standard of amenity for existing and future users.

Point vii of Core Policy 57 of the Wiltshire Core Strategy requires new development to have regard to the compatibility of adjoining buildings and uses, regard to the impact on the amenities of existing occupants, and ensure that appropriate levels of amenity are achievable within the development itself, including the consideration of privacy, overshadowing, vibration, and pollution (e.g. light intrusion, noise, smoke, fumes, effluent, waste or litter).

Section 9 of the Wiltshire Design Guide aims to ensure that all new dwellings meet Nationally Designed Space Standards (NDSS) and provides guidance on the size(s) of outdoor amenity spaces.

The illustrative site layout shows a layout of buildings that is broadly outwards facing from the site. Site roads and landscape are shown to wrap around most of the site perimeter, with enhanced tree and hedge planting strengthening already existing tree and hedge lined boundaries. From the illustrative plans it can be discerned that the greatest impact is likely to be caused to the occupiers of the dwellings at Hitchings and The Forty that skirt the northeastern boundary of the site. For the most part the new dwellings would be set in front-to-rear or side-to-rear relationships with separation distances suggested at between 27.5-30 metres between the eastern proposed dwellings and the dwellings at Hitchings to the northeast, 30-40 metres between the western proposed dwellings and neighbouring properties at Chelworth Rd.

The closest neighbouring dwelling to any of the proposed buildings would be Magnolia House at The Forty (approx. 16-17 metres from the northernmost proposed dwelling). A mature willow tree provides a dense natural screen at this point of the site, and the illustrative layout suggests the buildings would not be directly oriented towards each other. In any case, the scale and layout of the houses would not be formally agreed until reserved

matters stage. The Applicant has confirmed the layout and scale of the proposed houses can be changed to meet the LPA's requirements so a lower height dwelling could be secured for the northmost plot and locations of any windows with potential to overlook neighbouring properties can be fully considered.

There may be some disruption during the construction phase, but some details of mitigation can be secured through a construction management plan condition (see highways section) as details of noise and dust controls can be secured in addition to the other requirements in relation to parking/deliveries/HGV routes.

The Public Protection team suggested a condition to secure an assessment of road noise however given the surrounding residential context and proximity to sources of traffic noise it is not considered that such a request would be reasonable. This is in line approach taken by the Inspector in relation to the adjoining site where no such noise assessment was considered necessary. Similarly while the Public Protection teams request for Air Quality Assessment to be provided, there is no policy basis or other evidence to suggest this would be justified based on the scale of development in this location.

Provision of Allotments

CNP policy LAF2 states that: New residential development of 10 dwellings or over should provide land for allotments on the basis of a minimum of 50m² for every 10 dwellings. The provision of the necessary land for new allotments will be supported both on-site, or off-site as appropriate to the development concerned. The Wiltshire Core Strategy provides the wider policy framework that supports the delivery of community infrastructure and open space where justified. Para. 96 of the NPPF notes that "Planning policies and decisions should aim to achieve healthy, inclusive and safe places... for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling."

In this case, for the development to provide a 50m² an overall area of up to 250 sqm of allotment space would be required. The illustrative proposals do not include provision of any allotment land.

The development benefits from reasonable access to surrounding walking and cycling routes, public open space, local shops and sports facilities. Policy compliant open space is also to be secured on-site (with the exact details to be agreed at RM stage) and the scheme delivers a dog walking and exercise facility which is to be available for wider community use. Appropriate domestic garden in accordance with the Wiltshire Design Guide minimum standards will be secured for each dwelling at reserved matters stage so there is no potential for insufficient level of private and public green space to be a concern for this development. Furthermore, given that the scheme includes to provision of land for a cemetery, it is not considered appropriate to insist on allotment provision in this case.

It is noted that the examiner to the Neighbourhood plan requested the wording of this policy to 'should' rather than 'will be required' to reflect that this should not be a mandatory requirement. As such, the additional requirement to secure allotment space is not considered to be necessary to make this development acceptable.

Overall, the site is considered to be able to support a layout and scale of development that would not cause harm to neighbouring residential amenities subject to appropriate conditions to manage construction impacts and appropriate design being secured at reserved matters stage.

9.10 Flood Risk and Drainage

Core Policy 67 of the WCS outlines that all new development will include measures to reduce the rate of rainwater run-off and improve rainwater infiltration to soil and ground (sustainable urban drainage) unless site or environmental conditions make these measures unsuitable.

Sustainable Drainage Systems (SuDS) are required for all major developments and must:

- Manage runoff near its source.
- Improve water quality.
- Support biodiversity and amenity.
- Be integrated into the site layout and green infrastructure.

Section 14 of the NPPF expects that when determining any planning applications, local planning authorities should ensure that development is directed away from areas at highest risk of flooding and where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere. Paragraph 173 requires that a sequential risk-based approach should be taken to individual applications in areas known to be at risk now or in future from any form of flooding. The sequential test should be applied to 'Major' and 'Non-major' development proposed in areas at risk of flooding, as set out in paragraphs 173 to 174. Paragraphs 175, 176 and 180 set out exemptions from the sequential test.

Planning Practice Guidance is clear that in applying paragraph 175 a proportionate approach should be taken. The following is stated-

Where a site-specific flood risk assessment demonstrates clearly that the proposed layout, design, and mitigation measures would ensure that occupiers and users would remain safe from current and future surface water flood risk for the lifetime of the development (therefore addressing the risks identified e.g. by Environment Agency flood risk mapping), without increasing flood risk elsewhere, then the sequential test need not be applied.

Where appropriate, applications should be supported by a site-specific flood-risk assessment. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:

- a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;
- b) the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment;

- c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;
- d) any residual risk can be safely managed; and
- e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.

The site has areas highlighted at being at elevated risk of surface water flooding. These are generally located in and around the existing drainage ditch network that skirts the site boundaries and crosses the site, between the Northern Parcel and Housing Area, extending into more central areas of the existing site with greater rainfall flooding events. Officers understand the surface water in the wider area flows across the site drainage ditch network from northwest to southeast connecting into the wider network of ditches and ponds in the local area. Groundwater risk is generally deemed to be low in the area.

The surface water drainage strategy broadly aims to retain and enhance the existing perimeter drainage ditch system, and includes the creation of a wet meadow/pond area in the southern parcel to reduce run-off from the site into the downstream ditch network. Surface water run-off from highways and domestic areas will also be managed with overall run-off from the site reduced, although details of the technical design of systems to serve the built areas of the site are not known at this stage.

Initial comments made by the Lead Local Flood Authority (LLFA) raised concerns about the ability for the development to be able to address this flood risk without exposing future residents of the site to flood risk or causing an increased risk of flooding off-site. The Applicant has subsequently undertaken additional localised flood modelling to more accurately quantify the flood risk to the site. The LLFA has reviewed the revised details (on several occasions) and are satisfied that it has been demonstrated that a viable drainage strategy, which will not increase flood risk elsewhere can be achieved, subject to the full technical details being agreed.

The LLFA confirm the applicant is proposing betterment with regards the discharge rates from the development; runoff will not be increased as a result of the development, and can be reduced to 3.7l/s maximum - this provides significant improvement compared to the existing situation in line with the council's betterment policy.

It is noted that the initial strategy suggested raising land levels within the development to ensure the finished floor levels of the new dwellings out of any potential future surface water flooding areas. Officers had some concerns over this approach, both in relation to flood risk and possible landscape visual impacts of development being built upon a platform as indicated (see design and landscape report section above). However, further discussion with the LLFA and additional information submitted by the Applicant has confirmed that land levels would not be required to be raised uniformly and to the extent first indicated (the initial modelling being based on worst-case scenarios). A revised site section showing broadly lower levels across the site has been submitted.

Overall, the LLFA is satisfied the localised modelling (including climate change allowances) and the surface water strategy currently proposed confirms the development would remain safe for its lifetime without increase flood risk off site. As such, no sequential test is required,

providing full technical details of the final design of the surface water drainage system are secured by planning condition.

The latest consultation response from the Environment Agency in May 2026 suggests that according to the latest national flood mapping for planning the site could be brought into Flood Zone 2, due to climate change. Flood Zone 2 is an area at medium risk of river flooding, the site currently being at the lowest risk (Flood Zone 1). The LLFA has confirmed that the localised flood modelling undertaken by the Applicant included climate change allowances that consider the effects of the EA's future modelling projections. The detailed localised modelling data confirms the site would not be brought into Flood Zone 2 during its expected lifetime (considered to be a minimum of 100 years), particularly as the development will improve the capacity of the site to manage and dispose of any flood water. As such, the LLFA is satisfied that the site specific FRA is a more accurate analysis of flood risk and on that basis, subject to detailed design flood risk can be appropriately managed across the site whilst not increasing flood risk off site

Foul Water

In terms of foul drainage, foul water from the proposed dwellings shall be collected through a traditional gravity drainage system and directed to a pump station located in the south of the site. This will direct flow via a proposed foul rising main to the existing public foul sewer located in The

Forty, to the north of the site.

Thames Water raised no objection to the application in their 2023 response but in response to the developer enquiries received in March 2025 have confirmed an inability of the existing foul infrastructure to accommodate the foul flows from the development. They confirm they will model & plan foul network upgrades in the event permission is granted and have provided indicative timeframes for the modelling and reinforcement works, suggesting conditions aligned to occupancy may be necessary.

There is a legal right under the Water Industry Act for developers to make a connection to a foul network and an undertaker cannot refuse this right for reasons relating to lack of capacity. The fact that a right exists under the Water Industry Act to connect the development means that where there is unplanned development, the sewerage undertaker has no control over the volume of connections that may be made to its system, meaning that it will not necessarily be in a position to ensure that adequate capacity is available at the right time and in the right places. This presents some concern in respect of potential environmental risks and is good reason to impose conditions on major housing schemes which align occupation of residential units with confirmation that capacity will be provided where it is not currently in place.

In this case officers are aware that the area has been subject to adverse effects related to surface water and sewer capacity issues, this is reported by the Town Council and a number of local residents with local experience. Accordingly, there is concern that this development has potential to exacerbate an existing issue unless properly controlled. As such, a condition is considered necessary to ensure alignment of any occupation of dwellings with

confirmation that sufficient offsite capacity exists and/or that as necessary, reinforcement works needed to serve this development have been completed.

Overall, subject to the recommended conditions the development can be delivered to be safe from flooding without increasing the risk of flooding elsewhere in accordance with the aims of Core Policy 67 of the WCS and the planning policy advice of the NPPF.

9.11 Affordable Housing and Housing Mix

Affordable Housing

Core Policy 43 requires that on sites of five or more dwellings, affordable housing provision of at least 30% (net) will be provided within the 30% affordable housing zone and at least 40% (net) will be provided on sites within the 40% affordable housing zone. Only in exceptional circumstances, where it can be proven that on-site delivery is not possible, will a commuted sum be considered.

Para. 65 of the NPPF states that provision of affordable housing should not be sought for residential developments that are not major developments, other than in designated rural areas (where policies may set out a lower threshold of 5 units or fewer). The NPPF supersedes the Council's position on the threshold for AH requirements.

Cricklade is located within the 40% zone, confirmed by CNP policy H5. CP43 also confirms that the type and tenure of Affordable Housing will be negotiated on a site-by-site basis in line with the provision of CP45 (Meeting Wiltshire's housing needs). Affordable housing units will be dispersed throughout a development and designed to a high-quality, so as to be indistinguishable from other development.

The Council's Housing Enabling Team has reviewed the proposal and confirms there is a requirement to provide 20 affordable units within a scheme of 49 dwellings. This would meet the policy requirement and would assist in addressing the need for affordable housing. The Affordable Housing should be secured, at nil subsidy, in a s.106 Agreement. In order to meet the policy requirements of CP43, CP45 and the Gov't's First Homes policy, an indicative Affordable Housing tenure mix is suggested to include 60% of the units (12 units) being for Affordable Rented housing, 25% of the units (5 units) being provided as First Homes and the remainder of the units (3 units) being provided for Shared Ownership. The s106 would allow final Affordable Housing Mix to be agreed in consultation with the Housing Enabling team as appropriate.

Housing Mix

As well as securing Affordable Housing to appropriate amounts and tenures, the housing mix of the entire site should be reflective of local needs. CNP policy H4 and Core Policy 34 of the WCS aim to ensure that new residential development is delivered with a mix of housing size and type, to reflect that of the demonstrable need for the community within which a site is located. CNP policy H4 states that: New housing developments should demonstrate the extent to which they address current and future housing needs in the Plan area. New

residential developments that meet other policies in this Plan will be supported where they have a concentration on the provision of 1, 2 and 3-bedroom dwellings.

In addition, Core Policy 46 also aims to support the provision, in suitable locations, of new housing to meet the specific needs of vulnerable and older people. Although more focused on specialist types of housing CP46 does not prevent accessible and adaptable units from being provided. CNP policy H6 also highlights the local need for older persons housing stating that proposals for new residential development should address the local need for housing older and disabled people. The provision of single storey accommodation or other suitable housing types for elderly or disabled persons will be supported.

As the application is for outline permission, with all matters kept in reserve except for site access, the housing mix cannot be fully assessed. It is noted that the Applicant has revised the illustrative site plans throughout the assessment to include potential bungalow plots that could be delivered to meet building regs M4A standards (accessible and adaptable housing). There is a demonstrable need for adapted housing in the area. On all schemes which provide more than 10 Affordable Housing units, it is requested that 10% of affordable units are provided as adapted units in order to help meet this need. These units should be provided as ground floor flats / bungalows to Building Regulations M4(2) standards with a level access shower provided

Officers consider the residential development of the site could be brought forward in a number of ways and it is not considered necessary to agree a final housing mix at outline stage. Overall, subject to the use of an appropriately worded planning obligation to secure the required amount and tenure of affordable housing, officers are satisfied the development is able to comply with the aims of Core Policies 43 and 46, CNP policies H4 and H6, and the planning policy advice of the NPPF.

9.12 Section 106 Contributions/Obligations & Community Infrastructure Levy (CIL)

Wiltshire Council has a Planning Obligations Supplementary Planning Document. This should be read in conjunctions with the WCS (primarily Core Policy 3 'Infrastructure Requirements') and the Wiltshire CIL charging schedule. This SPD identifies the planning obligations that will be sought by the council for development that generates a need for new infrastructure and should be a material consideration in planning applications.

In addition to this, Wiltshire Council has adopted CIL. The Community Infrastructure Levy (CIL) is a charge that local authorities in England and Wales can put on new development in their area to raise funds to help deliver the infrastructure necessary to support development. The development will represent chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule.

A legal agreement under s106 of The Act will be necessary in respect of the following matters and the applicant has agreed to these heads of terms subject to drafting of the s106

- **40% affordable housing** - tenure mix of 60% of the units (12 units) being for Affordable Rented housing, 25% of the units (5 units) being provided as First Homes and the remainder of the units (3 units) being provided for Shared Ownership or alternative Affordable Housing Mix to be first agreed by the Housing Enabling team.
- **Highway improvements**, to include: Pedestrian crossing across The Forty, including footway to tie in with existing church Walk footway to the north east and to tie into existing footway to the east of the site access.
- **Public Open Space (POS)** including provision of onsite equipped play (or offsite contribution)
- **North Meadow SAC Mitigation** – delivery and long term management of on-site open space and dog walking area
- **North Meadows SAMM contribution - £39,347**
- **Leisure/Sports Pitches** – off-site contribution of **£13,524.00**
- **Public Rights of Way** – Contributions of **£5,400** towards maintenance and upgrading of the footpath network in the locality of the site
- **Waste and Recycling - £5,929** towards provision of bins and recycling boxes
- **Cemetery land** The developer will offer the freehold transfer of the cemetery land to Wiltshire Council, or another agreed organisation, for use as a cemetery. The offer will remain available for 10 years, after which, if no transfer has taken place, the land will remain in the developer's ownership. Any transferred land will be restricted to cemetery use.
- **S106 Monitoring fee (2.5% of contributions)**

Education Contributions

WCS Core Policy 3 identifies education as an 'essential infrastructure'. Para. 100 of the NPPF states that: It is important that a sufficient choice of early years, school and post-16 places are available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education.

The council's Education Team had originally confirmed that a contribution was required to be secured towards Early Years Education with no contributions needed towards primary and secondary level education. However, a recent review has confirmed sufficiency data has changed since the original application consultation, and the application no longer has a requirement for Early Years places. As such, there is no requirement for the development to pay contributions to mitigate for any impact on local education facilities.

S106 Monitoring Fee

To ensure proper and effective management of planning obligations the Council will monitor development sites to ensure obligations are met as and when 'triggers' set are reached. A monitoring fee is thus necessary to cover the admin costs of monitoring which otherwise would not be required were no development to take place. The fee is directly related to the costs of monitoring the s106 that would be attached to this planning permission and is calculated at 2.5% of the total sum of contributions. In this case the monitor fee will be secured, prior to the commencement of the development, to be agreed once reserved matters details are approved (when the full amount of contributions is able to be calculated).

10. CONCLUSION – the 'planning balance'

The starting point for determining planning applications is the development plan, which in this case is the WCS. The above report confirms that the proposed development conflicts with a number of Development Plan policies because the application site is beyond settlement limits and in an area classed as countryside and is not, therefore, Development Plan compliant.

In circumstances where a council cannot demonstrate a 5yrHLS NPPF para. 11d(i) and (ii) are engaged. 11d(i) aims to protect areas or assets of particular importance. The site is located within the zone of influence for a Special Area of Conservation (North Meadow) but mitigation has been designed into the scheme and is able to be secured so the area will be protected from harm. No strong reasons to refuse the application have been identified against 11d(i). The application should be determined against the aims of para. 11d(ii), granting permission unless:

any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

The NPPF does not specify how much weight should be afforded to policies that are 'out-of-date' due to a lack of five-year supply of housing. As such it is a matter for the decision-maker to judge the particular circumstances of each case, and how much weight should be given to out-of-date policies related to the delivery of housing.

In terms of considering how much weight to apply the housing policies of the WCS, the extent of the lack of five-year housing supply is considered. The higher the shortfall, the greater the need for additional unplanned housing sites to meet this need.

A consideration of the benefits associated with the development are set out below:

Provision of Market Housing

The NPPF sets out the Government's objective of significantly boosting the supply of homes. The provision of up to 49 new dwellings would make a significant contribution to this objective. The proposal would provide a benefit in helping to address the five-year housing

supply. The weight to be afforded to this benefit for new housing in this location, adjacent to the existing settlement boundary and with good access to a number of facilities and public transport, is afforded **significant weight**.

Provision of Affordable Housing

The delivery of affordable housing is a key policy objective at both national and local levels. Wiltshire Council has a shortfall in affordable housing delivery, and the provision of new affordable homes contributes directly to meeting identified local needs. The provision of 40% affordable housing up to 20 units is afforded **significant weight**.

Socio-Economic Benefits

The proposal will generate economic benefits during both the construction and operational phases. This includes direct employment in the construction sector, supply chain benefits, and increased local spending by future residents. These benefits align with paragraph 85 of the NPPF, which supports the role of housing in promoting economic growth and resilience. This benefit is afforded **moderate weight**.

Cemetery Provision

The cemetery provision would serve the existing and future population therefore it is reasonable to treat it as a social/community benefit which should be afforded **moderate weight**.

A consideration of the harm associated with the development are set out below::

Conflict with Spatial Strategy

The NPPF and policies CP1 & 2 of the adopted WCS promote a plan led spatial strategy focussed on existing sustainable settlements, facilities and services. Whilst Wiltshire Council cannot currently demonstrate a five-year supply of deliverable housing land, this does not render development plan policies relating to the principle of development irrelevant; such policies remain capable of attracting significant weight where they align with the National Planning Policy Framework in directing growth to the most sustainable locations. The weight is tempered by the substantial shortfall of housing supply however and as such the conflict is afforded **moderate weight** in this planning balance

Landscape and Visual Impact

The proposal would result in localised visual harm through the loss of countryside as this field Cricklade, though this is mitigated to some extent by the sites position and parameter plan suggesting significant set back from the road and the backdrop of existing residential development. The proposal will urbanise the site through a permanent and irreversible change the character of this land, particularly when viewed along The Forty. The level of harm in this context is considered to attract **moderate weight**.

Loss of BMV Agricultural Land

The loss of BMV land weighs against the proposal, however as the extent of the land affected is small in scale and such would not materially affect the viability or productivity of a wider agricultural holding. In this case the level of harm is afforded **limited weight** in the planning balance.

Matters given neutral weight in the planning balance:

Highways and Public rights of Way impacts – Although impacts would occur to the local highway network (including PRoWs), the mitigation to be secured would reduce any harm. Similarly, improved connectivity between the site and adjacent walking and cycling routes would not provide wider public benefits over and above addressing the mitigation required to make the development acceptable. Impact is therefore neutral.

Ecology/Biodiversity impacts – The ecologically sensitive areas of the site have been surveyed and can be adequately protected. However, the housing development would result in the loss of existing grassland. The on site proposal is considered to provide appropriate alternative recreation space along with the SAMM payment to mitigate impacts on the North Meadow SAC.

Other S106 contributions and obligations sought in respect of infrastructure, POS, sports facilities and waste containers are required directly in relation to supporting the development and as such are neutral factors. Similarly, the payment of Council Tax is a neutral factor.

Summary

Given the conflict with the policies of the development plan, the key test is whether the adverse impacts of granting permission significantly and demonstrably outweigh the benefits. The proposal would be contrary to the housing settlement and delivery policies CP1, CP2 and CP19 of the WCS and saved policy H4 of the NWLP. It is accepted that the Council's 5YLS position and the terms of NPPF para.11d mean that in considering applications outside the limits of development, this conflict should not automatically translate to refusal of the application. No strong reason for refusal is identified in respect of the relevant policies at 11d(i).

On consideration of the relevant harms and benefits identified above it is concluded that although conflict with the development plan attracts moderate adverse weight along with limited landscape harm and loss of agricultural land, the substantial housing supply and affordable housing benefits, together with socio-economic benefits, cemetery provision and absence of technical objections, mean adverse impacts do not significantly and demonstrably outweigh benefits.

The appropriate mitigation should be secured by the planning conditions and Section 106 planning obligations as recommended throughout this report. In the context of paragraph 11d(ii), the presumption in favour of sustainable development therefore applies. Accordingly, it is recommended that planning permission be granted.

11. RECOMMENDATION

That planning permission be GRANTED, subject to delegation to the Head of Development Management for the completion of a Section 106 legal agreement covering the matters set out in this report, and subject also to the planning conditions listed below.

CONDITIONS

1 OUTLINE TIME LIMIT

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

REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2 APPROVAL OF CERTAIN RESERVED MATTERS

No development shall commence for any phase of development until details of the following matters (in respect of which approval is expressly reserved) for that phase have been submitted to, and approved in writing by, the Local Planning Authority:

- The scale of the development;
- The layout of the development;
- The external appearance of the development;
- The landscaping of the site.

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

REASON: The application was made for outline planning permission and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 5 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

3 RESERVED MATTERS TIME LIMIT

An application for the approval of all of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

4 APPROVED PLANS

The development hereby permitted shall be carried out in accordance with the following approved plans and documents

Site Location Plan

(received 28 November 2023)

Site Access General (R-21-0181-001.D)

Cemetery Site Access (R-21-0181-005.B)

(both received 3 May 2024)

REASON: For the avoidance of doubt and in the interests of proper planning

5 CONSTRUCTION MANAGEMENT STATEMENT

No development shall commence on site for any phase of development (including any works of demolition), until a Construction Management Statement (CMS) for that phase has been submitted to and approved in writing by the local planning authority. As a minimum, the CMS shall include details (to include scale plans where appropriate) of the following:

- the parking of vehicles of site operatives and visitors;
- Heavy Goods Vehicle (HGV) delivery routes to and from the site and measures to manage HGV traffic required to access the site via High Street/Calcutt Street in Cricklade (i.e. timings to avoid school traffic, use of banksmen at the mini-roundabout to ensure safe vehicle manoeuvring);
- arrangements for the loading and unloading of plant and materials (to include locations and timings);
- storage of plant and materials used in constructing the development;
- the cutting or other processing of materials on site;
- the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- wheel washing and vehicle washdown facilities;
- measures to control the emission of dust and dirt during construction;
- temporary surface water drainage/management details for the construction phase to prevent run-off to the public highway or adjacent land;
- a scheme for recycling/disposing of waste resulting from demolition and construction works;
- the location of generators and temporary site accommodation
- Where piling is required this must be continuous flight auger piling wherever practicable to minimise impacts.

The development shall not be carried out otherwise than in accordance with the approved CMS details without the prior written permission of the Local Planning Authority.

REASON: To minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase in accordance with the aims of Core Policies 61 and 62 of the Wiltshire Core Strategy and the planning policy advice of the National Planning Policy Framework.

6 LANDSCAPE AND ECOLOGICAL MANAGEMENT PLAN

No development shall commence on site for any phase of development until a Landscape and Ecology Management Plan (LEMP) for that phase has been submitted to and approved in writing by the Local Planning Authority. The LEMP will adhere to the SANG guidelines and include long term objectives and targets, management responsibilities and maintenance schedules for each ecological feature within the development.

The LEMP shall be implemented in full and for the lifetime of the development in accordance with the approved details.

REASON: To ensure the long-term management of landscape and ecological features retained and created by the development, for the benefit of visual amenity and biodiversity for the lifetime of the scheme in accordance with the aims of Core Policy 50 of the Wiltshire Core Strategy and the planning policy advice of the National Planning Policy Framework.

7 CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN (CEMP) (ECOLOGICAL RECEPTORS)

No development shall commence on site for any phase of development, including demolition, ground works/excavation, site clearance, vegetation clearance and boundary treatment works, until a Construction Environmental Management Plan (CEMP) for that phase has been submitted to the local planning authority for approval in writing. As a minimum, the CEMP shall include details of the avoidance, mitigation and protective measures to be implemented before and during the construction phase, including but not necessarily limited to, the following:

- Identification of ecological protection areas/buffer zones and tree root protection areas and details of physical means of protection, e.g. exclusion fencing;
- Working method statements for protected/priority species, such as nesting birds, badgers, great crested newts, bats and reptiles;
- Mitigation strategies already agreed with the local planning authority prior to determination, such as for great crested newts, bats, badgers and nesting birds; this should comprise the pre-construction/construction related elements of strategies only;
- Work schedules for activities with specific timing requirements in order to avoid/reduce potential harm to ecological receptors; including details of when a licensed ecologist and/or ecological clerk of works (ECoW) shall be present on site; and
- Key personnel, responsibilities and contact details (including Site Manager and ecologist/ECoW).

The development shall be carried out in strict accordance with the approved CEMP thereafter.

REASON: To ensure adequate protection and mitigation for ecological receptors prior to and during construction, and that works are undertaken in line with current best practice and industry standards and are supervised by a suitably licensed and competent professional ecological consultant (where applicable) to ensure compliance with the Conservation of Habitats and Species Regulations 2017 (as amended), Core Policy 50 of the Wiltshire Core Strategy and the planning policy advice of the National Planning Policy Framework.

8 ECOLOGICAL MONITORING PLAN

No development shall commence on site for any phase of development until an Ecological Monitoring Plan (EMP) for that phase has been submitted to and approved in writing by the Local Planning Authority (LPA). As a minimum, the EMP shall include:

- details of the monitoring methods, frequency and duration;
- performance indicators and measurable targets;
- reporting procedures; and
- proposed remedial measures where monitoring identifies that ecological objectives are not being met.

Monitoring shall be undertaken in accordance with the approved EMP for the duration specified. A Monitoring Report shall be submitted to the LPA at the intervals set out in the EMP, summarising results, compliance with ecological objectives, and any required remedial actions.

REASON: To evidence compliance to Wiltshire Recreational Mitigation Strategy and to accord with the Conservation of Habitats and Species Regulations 2017 (as amended), Core Policy 50 of the Wiltshire Core Strategy and the planning policy advice of the National Planning Policy Framework.

9 ARBORICULTURAL METHOD STATEMENT

No development shall commence on site for any phase of development including demolition, ground works/excavation, site clearance, vegetation clearance and boundary treatment until an Arboricultural Method Statement (AMS) for that phase has been submitted to and approved in writing by the local planning authority.

The AMS shall be informed by the approved Arboricultural Impact Assessment (13 December 2023. SJ Stephens Associates. Project No. 2134) and Tree Constraints Plan (August 2023. SJ Stephens Associates. Drawing No. 2134-02) and the guidance of BS5837 (Trees in relation to design, demolition and construction– Recommendations).

The development shall be carried out in strict accordance with the approved AMS thereafter with any tree protection fencing or exclusion zones set out/installed prior to the commencement of any construction or ground disturbing works.

REASON: To ensure that all retained trees are protected and that works do not adversely impact upon the important natural landscape features of the site in accordance with the aims of Core Policies 50, 51 and 52 of the Wiltshire Core Strategy and the planning policy advice of the National Planning Policy Framework.

10 SURFACE WATER DRAINAGE

No development shall commence on site for any phase of development until a detailed surface water drainage scheme for that phase has been submitted to and approved in writing by the local planning authority. The submitted details shall include:

- A clearly labelled drainage layout plan showing the pipe networks and any attenuation ponds. The plan should show any pipe node numbers referred to within the drainage calculations;
- A plan showing the cross sections and design of any attenuation pond and its components;
- A manhole / inspection chamber schedule to include cover and invert levels;
- Calculations that demonstrate the 1 in 30 year + climate change rainfall is contained within the drainage system without causing flooding to any part of the site;
- Calculations that demonstrate that the 1 in 100 year plus climate change rainfall event does not cause flooding to any building (including a basement) or utility plant;
- Calculations that demonstrate the proposed drainage design provides a sufficient level of treatment so as to mitigate the risk of pollution to SPZ2 and SPZ3;
- Plans to demonstrate that the site has been designed to ensure that flows in excess of the 1 in 100 year rainfall event are managed in exceedance routes that minimise the risks to people and property;
- a sensitivity analysis on the network considering surcharged outfall conditions to ensure that any flooding resulting from a surcharged outfall will not affect people or property;
- The applicant is proposing to re-profile the site as part of the development. The re-profiling will remove topographic depressions within the site which are currently subject to surface water flooding. The applicant must provide evidence that adequate storage for displaced surface water flows can be provided elsewhere within the site;
- Given the depth of the attenuation basin, we would expect to see the basin designed in accordance with the health and safety requirements set out in Chapter 36 of the CIRIA SuDS Manual C753;
- In the trial pit TP03, it was observed that the groundwater was encountered at 0.80 m bgl on 22nd June 2023. Hence, the applicant should provide details of this groundwater strategy at the same level of granularity as the surface water drainage strategy;
- The applicant must demonstrate that a min. 30% betterment can be provided on all discharge rates, including the 1 in 1 year greenfield rate, as per Wiltshire Council's betterment strategy;
- If a value other than 0m³/ha is selected for the MADD value, the applicant will need to provide quantitative evidence to demonstrate that this is appropriate;
- The applicant must provide details of the proposed ground reprofiling, and an assessment of how this will impact flood risk. It is accepted that this can only be provided as part of detailed design. The applicant will have to demonstrate that flood risk is not increased to people or property within the proposed development, or on adjacent land; and
- An operation, management and maintenance plan (including frequency of maintenance activities) for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime

The development shall be carried out in accordance with the approved details. The sustainable drainage system shall be managed and maintained thereafter in accordance with the approved management and maintenance plan.

REASON: To ensure that the proposal is provided with a satisfactory means of drainage and does not increase the risk of flooding or pose a risk to public health or the environment.

11 FOUL DRAINAGE – ONSITE

No development shall commence on site for any phase of development until details of the works for the disposal of sewerage including the point of connection to the existing sewer for that phase have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the approved sewage disposal measures have been fully implemented for that phase in accordance with the approved details.

REASON: To ensure that the proposal is provided with a satisfactory means of drainage and does not increase the risk of flooding or pose a risk to public health or the environment.

12 ECOLOGICAL PARAMETERS

The reserved matters submitted pursuant to Condition 2 shall be accompanied by a statement which demonstrates how the proposed layout broadly complies with the approved Ecological Parameters Plan [Indicative Ecological Parameters Plan. October 2024. Ecology Solutions Limited] (EPP). Any deviation must be adequately justified and based on additional surveys as necessary.

Plans shall also include details of the number, design and locations of ecological enhancements such as roosting bat features, bird boxes and habitat piles/hibernacula.

The approved details shall be implemented prior to occupation of the development. These features will continue to be available for the target species for the lifetime of the development.

REASON: To protect the ecologically sensitive features of the site in accordance with the aims of Core Policy 50 of the Wiltshire Core Strategy and the planning policy advice of the National Planning Policy Framework.

13 SITE LEVELS

The reserved matters submitted pursuant to Condition 2 must be accompanied by the following information relating to existing and proposed levels;

- Ground and finished floor levels at regular intervals across the site including along all site boundaries (existing and proposed)
- Cross-sectional views that show how the proposed development relates to adjacent boundaries, ground levels and buildings.
- the datum used to calibrate the site levels;

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

REASON: To ensure the development is in keeping with the landscape character of the area in accordance with the aims of Core Policies 50, 51 and 57 of the Wiltshire Core Strategy and the planning policy advice of the National Planning Policy Framework.

14 SUSTAINABLE ENERGY STRATEGY

The reserved matters submitted pursuant to Condition 2 shall be accompanied by a Sustainable Energy Strategy. The Strategy shall include details of the energy efficiency measures (such as use of renewable energy to provide electricity/heat, building orientation & insulation, rainwater harvesting and EV charging). The development shall be carried out in accordance with the approved Strategy.

REASON: To ensure the development contributes to climate change mitigation and adaptation and accords with Core Policies 41 and 57 of the Wiltshire Core Strategy

15 EV CHARGING STRATEGY

The reserved matters submitted pursuant to Condition 2 shall be accompanied by an Electric Vehicle Charging Strategy to include the number/type/location/means of operation and a programme for the installation and maintenance of Electric Vehicle Charging Points and points of passive provision for the integration of future charging points.

The Electric Vehicle Charging Points as approved shall be installed prior to occupation of each respective building or dwelling.

REASON: To promote sustainable travel, aid in the reduction of air pollution levels and help mitigate climate change

16 EXTERNAL LIGHTING

The reserved matters submitted pursuant to Condition 2 shall be accompanied by a detailed External Lighting Scheme. No external light fixture or fitting will be installed within the application site unless details of proposed new lighting have been submitted to and approved by the Local Planning Authority in writing. The submitted details will demonstrate how the proposed lighting will impact on bat habitat compared to the existing situation.

The plans will be in accordance with the appropriate Environmental Zone standards set out by the Institution of Lighting Professionals (ILP) Guidance Notes on the Avoidance of Obtrusive Light (GN 01/2021) and Guidance note GN08/23 "Bats and artificial lighting at night", issued by the Bat Conservation Trust and Institution of Lighting Professionals or any subsequent/replacement guidance in place at the time of the submission of details.

REASON: To avoid illumination of habitat used by bats.

17 OFF SITE FOUL NETWORK CAPACITY

No dwelling within the development hereby permitted shall be occupied until either:

Written confirmation that foul water capacity exists off site to serve the development (including the completion of foul water network upgrades required to accommodate the additional flows as necessary) has been submitted to and approved in writing by the local planning authority; or

A development and infrastructure phasing plan has been submitted to and approved in writing by the local planning authority in consultation with the sewerage undertaker. Where a development and infrastructure phasing plan is approved, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan, unless otherwise agreed in writing with the local planning authority.

REASON: To ensure that the proposal is provided with a satisfactory means of drainage and does not increase the risk of flooding or pose a risk to public health or the environment.

18 WATER EFFICIENCY

No dwelling within the development hereby permitted shall not be occupied until the Building Regulations optional requirement of a water consumption rate of no more than 110 litres per person per day has been complied with.

REASON: In order to meet the demands of climate change and protect water resources.

19 VISIBILITY SPLAYS

No part of the residential development hereby approved shall be first brought into use/occupied, until the visibility splays serving the site access onto The Forty, shown on approved plan no. R-21-0181-GA-001 Rev.D (Site Access General Arrangement) have been provided with no obstruction to visibility at or above a height of 600mm above the nearside carriageway level. The visibility splays shall be maintained in that state thereafter.

REASON: To ensure a safe access to the development in the interests of highway safety.

20 CEMETERY – DOUBLE-DEPTH BURIAL

No development shall commence in respect of the cemetery phase until detailed information demonstrating suitability of double depth burials, where these are proposed, has been submitted to and approved in writing by the local planning authority, including:

- Proposed grave construction methods and materials
- EA Remedial Targets Methodology (RTM) Tier 1 Risk Assessment addressing potential impacts on groundwater and nearby field drains

There shall be no double-depth burials within the cemetery at any time unless and until details to determine the suitability of double-depth burials has been submitted to and approved in writing by the Local Planning Authority.

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

REASON: To ensure that double-depth burials do not pose a risk to groundwater quality.

21 CEMETERY – ENVIRONMENTAL PROTECTION MEASURES

No burial shall take place within 10 metres of any field drain, including:

- Ditches or open land drains that receive surface water run-off.
- Buried pipes or gravel-filled channels used to drain surface water from fields.

The base of each grave shall be located at least 1 metre above the highest anticipated annual groundwater level, as determined by a site-specific hydrogeological assessment.

REASON: To protect the quality of controlled waters.

22 BOREHOLE DECOMMISSIONING

A scheme for managing any borehole installed for the investigation of soils, groundwater or geotechnical purposes shall be submitted to and approved in writing by the local planning authority. The scheme shall provide details of how redundant boreholes are to be decommissioned and how any boreholes that need to be retained, post-development, for monitoring purposes will be secured, protected, and inspected.

The scheme as approved shall be implemented prior to the occupation of any part of the permitted development.

REASON: To ensure that redundant boreholes are safe and secure, and do not cause groundwater pollution or loss of water supplies.

23 DEWATERING

If, during development, dewatering is required, then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a Dewatering Strategy has been submitted to, and approved in writing by, the local planning authority. The development shall be carried out in accordance with the approved Strategy.

REASON: To protect the quality of controlled waters

24 UNEXPECTED CONTAMINATION

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this contamination

will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved before the recommencement of development

REASON: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources

INFORMATIVES

1

This permission shall be read in conjunction with an Agreement made under Section 106 of the Town and Country Planning Act, 1990 and dated xxx

2

The applicant is advised that the development hereby approved may represent chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. If the development is determined to be liable for CIL, a Liability Notice will be issued notifying you of the amount of CIL payment due. If an Additional Information Form has not already been submitted, please submit it now so that we can determine the CIL liability. In addition, you may be able to claim exemption or relief, in which case, please submit the relevant form so that we can determine your eligibility. The CIL Commencement Notice and Assumption of Liability must be submitted to Wiltshire Council prior to commencement of development. Should development commence prior to the CIL Liability Notice being issued by the local planning authority, any CIL exemption or relief will not apply and full payment will be required in full and with immediate effect. Should you require further information or to download the CIL forms please refer to the Council's Website <https://www.wiltshire.gov.uk/dmcommunityinfrastructurelevy>.

3

The consent hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a license may be required from Wiltshire's Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway.

The off-site works will require the Developer to enter into a S278 Agreement, and a S38 Agreement will be required for the on-site works. Early contact is recommended with the Sustainable Transport Team with regard to securing the full approval of the details to enable the Agreements to be progressed, and to avoid delays in the commencement of the works

4

Wiltshire Council is the land drainage authority under the Land Drainage Act 1991. Land drainage consent is required if a development proposes to discharge flow into an ordinary watercourse or carry out work within 8m of an ordinary watercourse. An ordinary watercourse is a watercourse that does not form part of a main river. The term watercourse includes all rivers and streams and all ditches, drains, cuts, culverts, dikes, sluices, sewers (other than public sewers within the meaning of the Water Industry Act 1991) and passages, through which water flows.

Wiltshire Council's land drainage bylaws and the land drainage consent application form and guidance notes can be found on the Council website.

5

The applicant should note that the grant of planning permission does not include any separate permission which may be needed to erect a structure in the vicinity of a public sewer. Buildings are not normally allowed within 3.0 metres of a Public Sewer although this may vary depending on the size, depth, strategic importance, available access and the ground conditions appertaining to the sewer in question.

The point of connection to the public network is by application and agreement with Thames Water and subject to satisfactory engineering proposals constructed to current adoptable standards. The developer should contact the local development team agree proposals for the Section 104 adoption or Section 106 connection and submit details for technical review prior to construction.

6

Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.

7

The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence. If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996

8

Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

9

The applicant should note that under the terms of the Wildlife and Countryside Act (1981) and the Conservation of Habitats and Species Regulations 2017 (as amended) it is an offence to disturb or harm any protected species including for example, breeding birds

and reptiles. The protection offered to some species such as bats, extends beyond the individual animals to the places they use for shelter or resting. Please note that this consent does not override the statutory protection afforded to any such species. In the event that your proposals could potentially affect a protected species you should seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England prior to commencing works. Please see Natural England's website for further information on protected species