



Cricklade Court Leet

The Manorial Court for the Hundred and Borough

Oliver Phippen
Planning Department
Wiltshire Council
Bythesea Road
Trowbridge
Wiltshire
BA14 8JN

24 August 2026

Dear Mr Phippen,

Mac Mic Planning Application PL/2026/02134 Land North and South of Stones Lane, and North of Malmesbury Road, Cricklade

1. Introduction and purpose of this supplementary representation

Cricklade Court Leet Charity submitted representations on the application on 26 May 2026. Those representations remain applicable. This supplementary response is confined to matters arising from the Environmental Statement and associated Shadow Habitats Regulations Assessment now submitted.

We are pleased to see the ES recognises the recreational effects of this application on North Meadow SAC as a significant environmental issue. We do, however, consider that further information is required before the cumulative effects and proposed mitigation can be assessed with the necessary certainty.

2. The Secretary of State expressly required cumulative recreational effects to be assessed

In the Screening Direction dated 16 April 2026, issued following consultation with Natural England, the Secretary of State concluded that the proposal was likely to have significant ecological effects requiring further assessment through EIA. The Direction specifically required further assessment of cumulative impacts on designated ecological sites, *"including cumulative recreational impacts on the SSSIs and SAC"*.

We therefore ask Wiltshire Council to identify where and how the submitted ES provides the cumulative recreational assessment required by the Screening Direction.

3. The ES identifies the relevant developments but does not appear to assess their recreational effects as an interacting system

Para 2.24 Table 2 of the ES Part 1 identifies 4 development schemes to be assessed as committed cumulative developments.

Para 9.59 reviews the Ecological Impact Assessments (EIAs) of each of these developments and concludes that if each mitigates its own effects there can be no cumulative adverse effect on North Meadow SAC. **That establishes that each development proposes mitigation. It does not necessarily establish how those mitigation measures will perform collectively.**

We have been unable to identify any assessment of the interaction of the proposed mitigation measures. We consider that the behavioural interaction between Mac Mic and the other relevant mitigation schemes needs to be understood before Wiltshire Council can conclude, with no reasonable scientific doubt remaining, that the development will not adversely affect the integrity of North Meadow SAC. In particular the following should be considered:

- cross-use between SANG/HSA areas
- effect of shared rights of way
- route choice towards North Meadow
- movement between developments
- combined recreational capacity

Natural England's consultation response dated 14 August 2026 now directly reinforces this concern. Although Natural England does not object to the application in principle, it wishes to examine the effectiveness of the SANG in the context of other proposals and the existing access network, expressly identifying Sustrans Route 45, Bridleway Cric 34, Footpaths Cric 35 and 36 and the Thames Path. It states that at present it is unable to confirm that there will not be an adverse effect on North Meadow either alone or in combination with other projects.

4. The 17 March 2026 sHRA does not provide a substantive project-specific in-combination assessment

The sHRA correctly recognises on page 15 that Mac Mic could cause likely significant recreational effects **alone and in combination**.

However, when it reaches section 4.5, *Specific Consideration for the In-Combination Test*, the reasoning is essentially that Mac Mic's effects will be avoided or fully mitigated and therefore there will be no adverse effect alone or in combination.

The in-combination conclusion appears to follow from the assumed effectiveness of the Mac Mic mitigation rather than from an assessment of the interaction between Mac Mic and the other relevant developments and their mitigation measures.

The date of the sHRA is **17 March 2026**, whereas the Secretary of State's Screening Direction requiring cumulative recreational effects to be further assessed is dated **16 April 2026**.

We therefore consider that Wiltshire Council should determine whether an updated sHRA or addendum is required taking account of the Secretary of State's direction, the July ES and the current position of the neighbouring developments.

5. The mitigation should be assessed as part of a recreational network rather than as isolated parcels

The July 2026 draft Recreation Mitigation Study prepared by LUC for Cotswold District Council, considering recreational mitigation within the 0–4.2 km Inner Zone of the North Meadow and Clattinger Farm SAC Interim Recreation Mitigation Strategy 2023–2028 (NMIMS) provides new insight. It recognises that proximate SANG/ANRG sites and their connecting routes can operate as a mitigation network rather than simply as isolated parcels. Natural England's project-specific advice of 14 August 2026 is consistent with that approach.

Taken together, the Natural England response and the LUC study point to the same practical issue: the effectiveness of the Mac Mic SANG depends not only upon its own design and location, but also upon how it will function alongside neighbouring recreational mitigation and the connected access network. The relevant question is whether those interactions will influence route choice and visitor behaviour in a way that supports, rather than undermines, diversion from North Meadow.

The draft LUC study also forms part of current work on recreational mitigation across the Inner Zone. Its network approach reinforces the need to understand how major development-specific mitigation close to North Meadow will operate alongside wider strategic provision.

The Court Leet is not suggesting that there must legally be one combined AA for all relevant plans and projects; rather, the AA for Mac Mic must adequately assess the system within which its mitigation will actually operate.

6. Compliance with NMIMS does not remove the need for project-specific assessment

The Mac Mic sHRA places substantial reliance on compliance with NMIMS and concludes that, because the development is designed to comply with the Strategy, it would “by definition” be acceptable under the Habitats Regulations.

Natural England's consultation response of 14 August 2026 provides important clarification. Although it considers the proposal broadly in accordance with NMIMS, Natural England states that it is nevertheless necessary to consider the specific locational features of the proposed mitigation and is presently unable to confirm that there will not be an adverse effect on North Meadow either alone or in combination. Compliance with NMIMS therefore cannot, by itself, establish the effectiveness of the proposed mitigation.

This project-specific concern is reinforced by Natural England's separate advice recorded in the Bellway AA that residential growth within the Inner Zone significantly exceeds that anticipated when NMIMS was prepared. The Council therefore needs both to assess the effectiveness of Mac Mic's particular mitigation and to satisfy itself that the strategic assumptions upon which NMIMS relies remain appropriate to the current development trajectory.

7. Essential governance, monitoring and funding parameters should be defined and secured at outline stage.

For the mitigation to remain effective for the full period for which it is required as Habitats Regulations mitigation, it must be deliverable and adequately secured. The relationship between the 30-year HMMP period identified in the ES and the duration for which the SANG is required as Habitats Regulations mitigation should also be made clear.

Natural England has also requested clarification of the wider landownership because it considers that the SANG presently offered may not represent the most effective location. The eventual mitigation therefore needs to be shown both to be effective and to be deliverable within land over which the necessary long-term control can be secured.

Mac Mic's sHRA currently says only that creation of the SANG is envisaged to be developer-funded and future management would be funded through a management fee on the new dwellings.

Experience with the neighbouring Newland Stones Farm development illustrates the practical difficulty which can arise where the fundamental management, governance, monitoring and funding structure for recreational mitigation remains unresolved until Reserved Matters.

These difficulties are best avoided by the applicant establishing at this stage:

- management/governance model and mechanism for appointing an accountable operator and fallback arrangements if the appointed management body fails to perform adequately or ceases to operate;
- duration of mitigation;
- management and maintenance funding mechanism, including indexation/review;
- recreational-effectiveness monitoring;
- measurable outcomes;
- responsibility for deciding whether mitigation is succeeding;
- and process and funding for corrective action.

The LUC report emphasises in para 6.8 the importance of regular monitoring to the effectiveness of mitigation delivery. It may also be helpful in that it reviews governance model options and provides indicative estimates of SANG creation and long-term maintenance costs.

The study therefore illustrates that long-term recreational mitigation involves substantive governance, monitoring and financial arrangements rather than simply the identification of a future management fee.

Established SANG practice also indicates that fragmentation can create long-term management and funding risks. The 2021 Hart, Rushmoor and Surrey Heath SANG study favours linking smaller SANGs into networks and emphasises the need to secure responsibility and funding for both the individual sites and the network as a whole. This appears relevant at Cricklade, where several relatively small recreational mitigation areas may ultimately be separately owned, managed and funded. The Council should therefore be satisfied that the proposed Mac Mic arrangements are financially resilient at the scale of this development and have appropriate fallback arrangements.

8. Further information and requested action

The sHRA records "North Meadow 1" as Favourable. Our previous representation drew attention to more recent Natural England feature-condition assessments recording the Lowland Neutral Grassland feature as **Unfavourable–Declining** (17 September 2025) and *Fritillaria meleagris* as **Unfavourable–Recovering** (17 March 2026). We ask Wiltshire Council to reconcile these sources and ensure that its AA is based upon the current condition evidence relevant to the SAC qualifying feature and its supporting processes.

The sHRA identifies potentially significant operational hydrological effects but states that the exact drainage specification will come forward at Reserved Matters before concluding that SuDS will avoid adverse effects. We ask the Council to identify what parameters and controls need to be fixed at outline stage in order to provide the necessary certainty that the subsequent drainage design cannot adversely affect the hydrological processes supporting North Meadow SAC.

Recent experience at the neighbouring Stones Farm development illustrates the practical importance of this issue. Although detailed drainage and floodplain matters were deferred by the outline permission to a pre-commencement condition, the Environment Agency now objects at Reserved Matters on the information currently submitted because the floodplain consequences of features forming part of the detailed HSA landscape — including ponds, bunds and fencing — have not been adequately demonstrated.

We recognise that the circumstances of the two schemes are not identical. The point is the practical risk of deferring parameters which may subsequently require material alteration of the mitigation landscape.

Where the later drainage solution could materially affect the layout, usability or management of the SANG itself, those interactions should also be taken into account in determining what needs to be fixed at outline stage.

Before completing its Appropriate Assessment, we respectfully ask Wiltshire Council to satisfy itself that the submitted information provides:

- a current in-combination development schedule identifying the planning status and mitigation relied upon for each relevant plan or project;
- an effective and deliverable SANG layout, taking account of landownership/control and its interaction with neighbouring development and the surrounding access network;
- a substantive assessment of the interaction within the recreational/mitigation network;
- an updated or supplementary sHRA addressing the April Screening Direction and subsequent evidence;
- confirmation that the assumptions and mitigation framework of NMIMS remain adequate for the current development trajectory within the Inner Zone;
- a sufficiently defined, financially sustainable and legally secured delivery framework for SANG management, monitoring, funding and corrective action.

If the Council considers that the Environmental Statement does not provide sufficient information on the significant cumulative environmental effects, we ask it to request the necessary further information under Regulation 25 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. Separately, insofar as further information is required to complete the Appropriate Assessment with the necessary certainty, we ask the Council to require that information from the applicant and to consult Natural England upon any materially updated assessment.

9. Conclusion

Cricklade Court Leet does not suggest that the Environmental Statement has failed to identify recreational pressure or the relevant neighbouring developments. Our concern is narrower: the submitted assessment identifies the individual components but does not appear to demonstrate

how the developments, their recreational mitigation areas and the connecting access network will operate together.

Given the Secretary of State's express requirement to assess cumulative recreational impacts, we consider that this question should be resolved before Wiltshire Council reaches its Appropriate Assessment conclusion.

These concerns are now reinforced by Natural England's consultation response of 14 August 2026. Natural England is itself seeking further assessment of the effectiveness and location of the proposed SANG in the context of neighbouring proposals and the surrounding access network and is presently unable to confirm that adverse effects on North Meadow can be excluded, either alone or in combination.

Yours sincerely,

The image shows two handwritten signatures in black ink. The signature on the left is 'C Smith' and the signature on the right is 'J Barratt'. Both are written in a cursive, flowing style.

Clive Smith B.Ed (Hons), C.Ed.
High Bailiff

John Barratt BSc (Hons) Env Sci
Court Hayward

Copy To:

Niall Machin - Ecology Manager, Wiltshire Council

Joe Richardson – Planning Officer Wiltshire Council

Cllr Adrian Foster – Cabinet Member for Strategic Planning, Development Management and Housing, Wiltshire Council

Cllr Mark Clarke - Chairman Cricklade Town Council

Cllr Nick Dye - Wiltshire Councillor for Cricklade & Latton and Portfolio Holder for Flooding and Water Quality

Dr Roz Savage MP - South Cotswolds constituency (Case Ref: RS6167)

Nick Squirrell - Senior Officer Conservation and Planning, Natural England

Charlotte Targett - Senior Reserve Manager, Natural England

Appendix:

1. LUC (July 2026), *Draft Cotswold Recreation Mitigation Study*, prepared for Cotswold District Council, Supporting Document 42 to the Cotswold Local Plan, Cabinet 6 August 2026. Copy attached.

References:

1. Secretary of State Screening Direction, Proposed Residential Development of up to 315 dwellings at Malmesbury Road/Common Hill/Stones Lane, Cricklade, PCU/EIASCR/Y3940/3377957, 16 April 2026.
2. Mac Mic Strategic Land, Environmental Statement – Part 1, July 2026 — particularly Chapter 2/Table 2 and Chapter 9.
3. Ecology Solutions Ltd, Shadow Habitats Regulations Assessment, Land at Malmesbury Road, Cricklade, Final, 17 March 2026, ref. 10619.SHRA.dv2.
4. Wiltshire Council, Appropriate Assessment, PL/2025/07863, Land North-West of the B4553, Cricklade, 5 August 2026.
5. Environment Agency consultation response, PL/2026/00347, Stones Farm, 11 August 2026.
6. Natural England, North Meadow, Cricklade SSSI – Condition of Features, accessed August 2026.
7. Hart District Council, Rushmoor Borough Council & Surrey Heath Borough Council (2021), Hart, Rushmoor and Surrey Heath SPA Mitigation Project Report, January 2021.
8. Natural England, consultation response PL/2026/02134, ref. 546186, 14 August 2026.

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