

Dear Sir,

I would like to make an official objection to the inclusion of site 3565 in the Trowbridge Site Allocation plan. I intend to organise my objection into a number of factually based and referenced categories. I shall make reference to documents and illustrations in the course of my objection and quote from them. Full copies and/or supporting material to which I make reference will be included in annotated appendices at the conclusion of this document. This is not meant to be a full and complete documented objection, as a number of my neighbours have raised a rich and varied collection of arguments, but just a statement of the facts that I have been able to gather in support of specific arguments.

Premise

I intend to prove through evidence-based arguments that the proposal to build on land designated as 3565 is flawed, under-researched and in one specific instance illegal. I intend to divide my argument into the following categories:

- Environmental
- Historical
- Access
- Ecological
- Unacceptable peril
- Infrastructure
- Unwarranted destruction of green space
- Procedural anomalies
- Economic hardship

Although evidence for one category will be referenced in another if applicable.

Environmental

Many strong arguments exist that this site holds an important place in the regional environment. In addition to acting as an area of great natural beauty used by locals with the historical blessing of the landowner it acts as a safety valve for the egress of the Lambrok Stream. In the proposal document there is a recognition that a part of the land acts as a floodplain.

The proposal assumes that this can be easily worked around, and that an engineering 'fix' is possible. This may well be the case, however, I intend to present evidence demonstrating beyond doubt that such a 'fix' would not be cost-effective and would wantonly destroy elements of the natural and historical landscape in order to build unsustainable housing on an unsuitable site.

1. The extent of the floodplain and seasonal flooding is greater than that notified by or to the Environment Agency. The photograph below evidences this assertion :

Rep
784

Rep
784



This photograph was taken from approximately this point on the satellite image:



The building in the background being Southwick Court Farm and the wooden structure in the middle ground the corral indicated on the same photograph.

In appendix A I attach further photographic evidence of the spread of the floodwater.

The notified height differential between this point and the lowest point on the floodplain is approximately two metres. Given the spread of the flood water beyond the notified level 2 & 3 floodplain this is clearly a far greater risk to property and the public than has heretofore been recognised or acknowledged officially.

2. Surface water from The Sandringham Road, Windsor Drive, Holyrood Close, Balmoral Road and Boundary walk area currently drains into the ditch connecting the Lambrok. I have suspicions that some surface water drainage from Silver Street Lane also enters the system at this point.

Currently, during times of extended rainfall, this system backs up and drains in Sandringham Road cease to drain and begin to expel water from the system into roads and gardens. Any additional water entering the system, whether it be from site 3565 or from further upstream will exacerbate this situation. Whilst I am aware that any scheme must take this into consideration, it must be nigh on impossible to guarantee that all additional drainage including runoff from additional impermeable surfaces such as concrete and tarmac is dealt with.

Further complicating this situation is the underlying geology of the area, most notably the solid clay substrate. I understand that current regulations require a minimum of one metre of unsaturated soil for any soak away, and that any additional heavy flow be kept separate from current drainage by means of storage ponds. Whilst such a solution may be possible it underlines the fundamental unsuitability of the site and raises questions about its sustainability in relation to the current built form. Appendix F contains photographs taken on the day in which the drainage pits were dug (18/07/17) and pictures of the same pits two days later (20/07/17). These images clearly show that very little if any soak-away has occurred, fractionally lower water levels could be at least partly due to evaporation given the dates and prevailing weather conditions. They also clearly demonstrate the quantity of clay in the underlying earth.

3. Site 3565 is also home to post-medieval earthworks. I will address their value below, but their nature is pertinent to this discussion. Their function, going back many hundreds of years, was to trap and hold surface water. The fact that these constructs were successful for many years without the addition of any additional material such as stone, brick or concrete attests to the impermeability of the underlying clay. Disturbingly at least one of the soil test pits has been dug into these earthworks, not only causing damage, but creating erroneous data about the nature of the ground. I have reported this (email attached in Appendix B).
4. Even in dry periods there are many areas of the site which are subject to pooling surface water. Notably one situated around the area of the second drainage test ditch to the South of the site (I assume that the function of the

Rep
784

ditches must be to assess either BRE 157 or 365) and one in the centre of the lower part of the field. This picture was taken in August of this year:



Rep
784

5. The National Planning Policy framework clearly states that :

The identification of functional floodplain should take account of local circumstances and not be defined solely on rigid probability parameters. However, land which would naturally flood with an annual probability of 1 in 20 (5%) or greater in any year, or is designed to flood (such as a flood attenuation scheme) in an extreme (0.1% annual probability) flood, should provide a starting point for consideration and discussions to identify the functional floodplain.

Evidence presented here clearly demonstrates the extent of the floodplain and the impact that it has on the existing environment and should be included in the applicants environmental statement or in an amendment made by the Council Planning body (full text included in Appendix H).

Historical

As mentioned above, site 3565 is home to post-medieval earthworks. These have had only superficial exploration and cataloguing and are therefore covered in section 169 of the National Planning and Policy Framework (full text in appendix G).

In an email dated 21/6/17 the County Planning archaeologist confirms that only superficial and preliminary work has taken place on either the known features or in search of any other potential archaeological features. A possible consequence of this further study would be to have a PPG16 order enacted as outlined in the NPPF 2016.

Rep
786

These earthworks are materially connected with the Grade II* listed Southwick Court farm and can be argued to be integral to its place in the natural and developed landscape. This additionally impacts on the listing of the property itself and the context in which it sits. In addition to their relevance to the site as included in the proposal their importance is compounded by their relative rarity and by the permanent loss that would result from their destruction.

As the County Planning Archaeologist said in an email dated 21st June 2017:

“I have previously provided screening opinion advice for this site to the planning team. I highlighted that The Wiltshire and Swindon Historic Environment Record shows that a number of features have been plotted within the proposed development site which relate to a post-medieval water meadow system. Southwick Court Farm lies immediately south of the proposed development site and contains a number of important heritage assets including a medieval moated site with a medieval farmstead of which the farmhouse is a Grade II* Listed Building (national ref. 1194818) dating from 1567 to 1599. I therefore raised the need to have a full assessment of the impacts on the heritage assets in particular on the water meadows and Grade II* Listed Building.

Without further assessment I cannot advise on the appropriateness of the development but I would say that putting 180 houses will have an impact on a number of heritage assets.”

To the best of my knowledge such an assessment has not yet been carried out and at the time of writing the deadline for submissions to the consultation period expires in three weeks.

Access

Access to the site appears to be unclear. The initial Proposal document included, in appendix G, the suggestion that access should be through the current built form. Conversations with the teams both surveying and conducting groundworks on behalf of the potential developer and the omission of that phrase from the documents shown publicly during the exhibition on 26th July 2017 in County Hall would suggest that this element has been dropped. However, should this have been an oversight I would like to present the following evidence:

1. To ‘break through the current built form’ would require building across a ‘ransom strip’ put in place to prevent such a move when the current housing was built. This would require compulsory purchase from the owner and in the words of Councillor Berry:

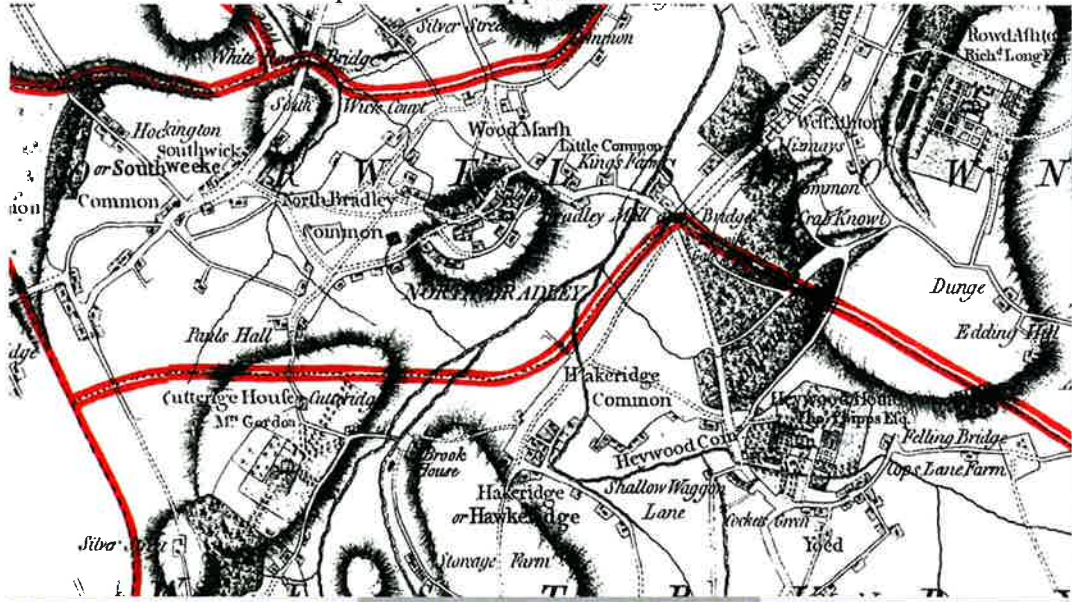
“There is no compulsion to develop”
2. To access the site from Silver Street Lane would require cutting through the existing hedgerow. The 1997 Hedgerow act make this illegal. The act confers

Rep
786

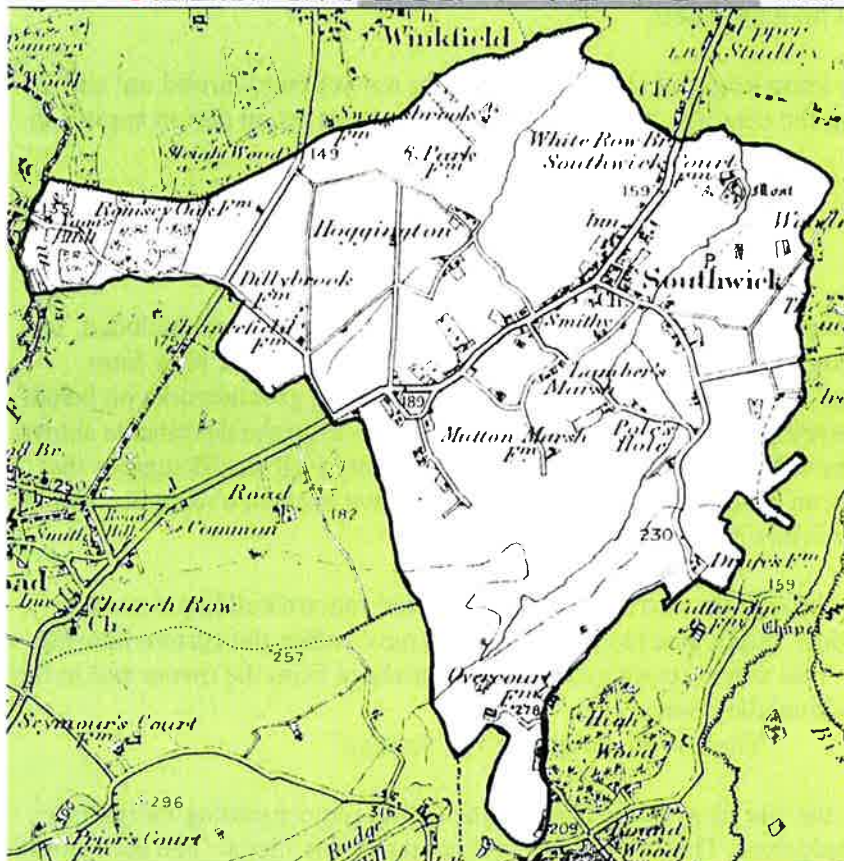
Rep
787

the status of 'important' for a number of criteria See appendix D. This hedgerow meets those criteria in the following ways:

- It appears on the Ordinance Survey revision map of 1890 (below) as an historic Parish Boundary, and in the Andrews and Dury's map of 1793 (also below; detail only) dividing as it did and still does Trowbridge and Southwick. The original can be found in Wiltshire and Swindon History Centre and is reproduced in Appendix C.



Rep
787



It therefore marks a pre-1850 parish or township boundary (criterion a)

- It incorporates an archaeological feature (post medieval earthworks) as noted in the Proposal and confirmed by the Planning Archaeologist (email in appendix C) (criterion 2/3).
- The hedgerow is associated with a pre-1600 estate or manor (criterion 4)
- Contains certain categories of species of bird, animals or plants listed in the Wildlife and Countryside Act or Joint Nature Conservation Committee (JNCC) publications.
- Runs alongside a bridleway, footpath, road used as a public path, or a byway open to all traffic and includes at least 4 woody species, on average, in a 30m length and has at least 2 of the associated features listed at (i) or (v) below. The associated features are:
 - i. A bank or wall supporting the hedgerow.
 - ii. Less than 10% gaps.
 - iii. On average, at least one tree per 50m.
 - iv. At least 3 species from a list of 57 woodland plants.
 - v. A ditch.
 - vi. A number of connections with other hedgerows, ponds or woodland.
 - vii. A parallel hedge within 15m.

The act states that the hedgerow cannot be removed and can only be temporarily broken through if the work is for defence of the realm or for public safety reasons and only if there is no other access. If a breakthrough has to occur it must be no wider than 20 metres and replaced as soon as the work is complete.

Furthermore it is clearly stated that:

“The presumption is in favour of protecting and retaining important hedgerows” (The hedgerow regulations 1997 1.7)

The explanation of the document can be found in its entirety in appendix D.

3. Any vehicular access via Silver Street Lane would significantly increase traffic around the sensitive area of The Grove School (c.f. Unacceptable Peril).

If, as has been suggested by surveyors and ground workers employed by Barratt Homes, this option no longer features I understand that the alternative solution is to access the site from the A361. According to both the survey team and ground workers (photo in appendix F) this would involve building a road and culvert directly across the notified flood plain which would serve not only the proposed housing, but the satellite educational facility. In objection to this I would like to present the following evidence:

1. The size and severity of the existing floodplain has been significantly underestimated as can be seen in this photograph:

Rep
787



Rep
787

Further evidence of this is to be found in appendix A.

This would render the required size and scale of the road and culvert to be disproportionate. In order to meet planning and environmental requirements relating to lifetime security from flooding this access point would perform be over engineered to a staggering extent. This further underlines the unsuitability of the site.

2. As seen in the satellite photo below the proposed cut-through and associated grubbing out of the hedgerow would take place as illustrated :



Not only does this potential access drive across the floodplain and major waterway (The Lambrok) but through the same Important Hedgerow. As can clearly be seen, not only is the hedgerow one and the same as the previously identified protected and Important hedgerow, it has further protection by its direct association with the Listed building. By extension this association further protects the entire run of hedgerow as laid down in the 1997 Hedgerow Act (see appendix D).

In addition to the inelegance of the access, the following direction is included in Guidance for developing on notified flood plains:

- Wherever possible, safe access routes should be provided that are located above design flood levels and avoiding flow paths. Where this is not possible, limited depths of flooding may be acceptable, provided that the proposed access is designed with appropriate signage etc to make it safe. The acceptable flood depth for safe access will vary depending on flood velocities and the risk of debris within the flood water. Even low levels of flooding can pose a risk to people in situ (because of, for example, the presence of unseen hazards and contaminants in floodwater, or the risk that people remaining may require medical attention).

Paragraph: 039 Reference ID: 7-039-20140306

Revision date: 06 03 2014

Access to the site is therefore limited to either locating a suitable existing break in the hedgerow further to the South, possibly mirroring the trackway leading to Southwick Court or cutting through private property belonging to Bramble Farm. These restrictions further illustrate the unsuitability of the site for development.

Ecological

Site 3565 currently acts as a habitat for a number of species which are notified. They include confirmed populations of Bechsteins bat, water voles and Red Kites. Furthermore the associated ecosystem serves to support and maintain those species. The removal of any significant component of this integrated ecosystem would inevitably lead to the unsustainability of many others.

In addition, the existence of this 'green corridor' acts as a vital element of the connectivity of the surrounding countryside. Regular sightings are made of animal species using this throughway from foxes to Red Deer. Taken into account with the habitats of the more endangered species such as the bats this natural corridor both supports and sustains many species in both a local and transitional context.

Rep
787

Rep
788

In the Natural England reply to the initial planning enquiry by Wiltshire Council it is stated that:

“Natural England does not hold information on the location of significant populations of protected species, so is unable to advise whether this proposal is likely to affect such populations to an extent sufficient to require an EIA. It remains the case, however, that the developer must provide information supporting this application sufficient for your authority to assess whether protected species are likely to be affected and, if they are, whether sufficient mitigation, avoidance or compensation measures be put into place.”

Any information provided by the developer is not yet in the public domain, however, I believe that information provided in this letter and those of many other individuals should be included in the process of commissioning an EIA.

Rep
788

Unacceptable peril

1. The development of Sandringham Road, Windsor Drive, Holyrood Close and Balmoral Road was built in 1972/3. At the time of its construction national considerations relating to flood plains was limited. As a consequence many of the properties on both Balmoral Road and Sandringham Road are currently adjudged to be at risk of flooding. This flooding is brought about by the abstraction of surface water from the built environment into a stream feeding the Lambrok which, in addition to natural and man-made drainage from fields between Trowbridge and Southwick, brings about regular flooding.

A consequence of this flooding is to be seen on Sandringham Road, where brown water is forced back through the drainage pipes to be expelled in properties and their gardens. This is a situation which happens on a regular basis at the current time. Any disturbance of current drainage patterns cannot but further this flooding. In their letter to planning dated 16th May 2017 hotlink:

<http://unidoc.wiltshire.gov.uk/UniDoc/Document/File/MTYvMTIyNzkvTlVULDk3OTEzMg==>

Leachfields make a case that all surface water generated by the proposed development off Blind Lane in Southwick will be abstracted before reaching the Lambrok Stream. Unless this is absolutely 100% successful with no drain off into arable land and with sufficient contingency to counteract the loss of drainage into unsaturated land the situation further downstream will be worsened.

Rep
784

Should any other built form be introduced to the current drained environment without the capacity to hold and disperse significantly above 100% of current capacity this situation will also be exacerbated. Drainage plans will allow for surface dispersal but additional runoff is an inevitable consequence of replacing a semi-permeable landscape with one which is impermeable. As stated in the Environmental section of this objection, test pits and professionals alike have attested to the superficial nature of the soil in this area. The underlying clay is impermeable and the smallest percentage of unforeseen water entering the current drainage system will overwhelm a system which regularly fails.

Current guidelines relating to building in flood affected areas require a lifetime certainty that flooding will not occur, this expectation is nominally 100 years:

“Residential development should be considered for a minimum of 100 years, unless there is specific justification for considering a shorter period. For example; the time in which flood risk or coastal change is anticipated to impact on it, where a development is controlled by a time-limited planning condition.”

The lifetime of a non-residential development depends on the characteristics of that development. Planners should use their experience within their locality to assess how long they anticipate the development being present for. Developers would be expected to justify why they have adopted a given lifetime for the development, for example, when they are preparing a site-specific flood risk assessment. The impact of climate change needs to be taken into account in a realistic way and developers, the local planning authority and Environment Agency should discuss and agree what allowances are acceptable.”

Paragraph: 026 Reference ID: 7-026-20140306

Revision date: 06 03 2014

Not only is this not possible to apply to potential building on this field due to disturbances upstream but it actively infringes this recognised guidelines for the current built form. Houses built less than fifty years ago are currently at annual risk of flood events. Any development on land upstream will worsen this situation and remove the right to lifetime certainty as set out above.

A report by Sky News ran as follows:

“Councils are no longer forced to take other local authorities' housing allocations if it conflicts with national policy. That would mean less pressure to build on flood plains for planners, who have long been expected to help town halls meet house-building targets. Many hope the new guidelines will

Rep
784

Rep
784

also ensure experts' advice plays a greater role in the planning process... Environment Agency figures given to Sky News show that is not always the case. In 2012-13, applications for 560 residential properties across England and Wales were approved in areas of flood risk, against the agency's advice. "

2. Any development on site 3565 will bring families with children. As developed in detail in the sections relating to environment, access and infrastructure, schooling is an issue which will require significant forward planning. Currently Southwick School and North Bradley School are full. Leachfields in their letter regarding the development of land off Blind Lane in Southwick (as above) recognise this tacitly by their offer to give money to Walwayne Court School. I am certain that to make this offer they have completed all of their due diligence on the availability of school places in the area and that the only available option is to work with a school four miles away (creating a round trip total of sixteen miles by car for every family).

The only other option for schooling will be The Grove School. This school currently has some spaces, but would necessitate either a significant car journey, or a walk on existing footpaths. The area around the school has significant parking restrictions which are being toughened. Already parents line Silver Street Lane and Balmoral Road with their vehicles as evidenced below:

Rep
789

And this situation will be exacerbated when the restrictions change. A major road safety issue is building without the influx of a greater number of children and vehicles either passing through Silver Street Lane or 'ferrying' students to and fro.

Building on site 3565 will create traffic, parking and most importantly child safety issues. In terms of the criteria of sustainability this is surely a significant negative which must be considered.

Infrastructure

The topic of infrastructure is a challenge for all involved. During the Cabinet meeting of 20/6/17 the question was specifically raised and the answer was simple, if developers are asked to commit to infrastructure development before the building of houses they will not build the houses. Whilst this appears to contradict the publicly stated policy that building should not be developer-led, crucially the outcome is inevitably poorer service for all. Without going into great detail on a case-by-case basis, the example of the Health Centre on Paxcroft Mead is exemplary. Developers had permission to build granted on the premise that a Health Centre be provided, this then became a supermarket and local health resources were stretched that little bit further. With the stipulation that Local Government cannot control Health Services many infrastructure elements render this site less than optimal.

- Rep
789
1. As mentioned in unacceptable peril, a significant infrastructure requirement is education. Trowbridge is currently running with a slight surplus of primary school places and less so with secondary. After a career in education I understand the management of school funding. Schools will not receive funding for pupils until they walk through the door. Local Authorities are reticent about building more schools or extensions thereto due to the inexorable rise of Academies and the prospect that the significant financial commitment involved in building a new school is at risk of being taken out of public ownership.

I understand from the surveyors from Waddington Homes who have already been at work on the proposed site that their outline plan involves the building of a satellite school, to be managed by The Grove School on the adjacent field. This presupposes both vehicular access and significant service access to the proposed site and the funding of the build and on costs of staff and resources. This is notoriously uneconomic as a process and the likelihood here is that such an enterprise is more readily managed by The Mead cluster who can bring economies of scale to the process. The drawback here being that The Mead cluster is not under LA control and any public investment would be irrevocably lost in double-quick time.

Accessible education for anyone living on the proposed development would therefore be a major issue.

2. Access to transport links is another feature which renders this site unsuitable for development. According to sustainability criteria an optimal walking distance of 1.0 kilometres to the nearest railway station is to be desired. This site is significantly beyond that distance and will as a consequence add to traffic congestion both inside the town and on its main transport arteries, not to mention the additional demands on parking near the station.

Unwarranted destruction of green space

- Rep
790
1. Despite the proposal splitting site 3260 from site 3565 to create two entities of 17.6 hectares and just over 4 hectares the total developed land within the proposal is significantly above the 20 hectares stipulation for certain requirements in planning law. I have had assurances that the Governmental and NGO's will be viewing the sites in the proposal as a single entity.

With restrictions imposed upon the proposed site(s) in terms referenced in Environment, Historical and Ecology sections. The site will be a mish-mash of access, building and ancillary systems. In terms of the loss of a single, continuous buffer at the junction of village and town the loss is catastrophic. A significant piece of land with social, historical and economic value is potentially being carved up.

Procedural anomalies

Rep
791

As documented in appendix B I have sent a number of emails requesting information and confirmation of contacts. Many of these mails have been a significant length of time in the system before any response. Some have been left unanswered and some have not addressed the questions raised. In recognition of this, which I presume to be a mixture of time and work pressure during a time of significant annual leave, I wrote to Councillor Sturgis and requested an extension of time to gather information and fact from Council sources. I have re-sent this request and am still to receive a reply (mails attached in appendix B). Sadly I feel that I have no alternative but to air this one-way conversation publicly and raise the following procedural queries:

1. If, as committed during the Cabinet meeting of 20/6/17 by Baroness Scott, Council resources are to be committed to independently verify data presented by developers what is this and when is it to be gathered? Surely in order to fully consider all information in a proposal such as this the information must be gathered in advance of any decision? At the time of writing, the consultation process is more than half way complete and, to the best of my knowledge not a single Council officer has visited the site, let alone performed any physical works.
2. In a series of emails (Appendix B) I have proved that geoconsulting.eng, acting as agents for potential developers, and themselves based in Devon have placed soil sample trenches on top of historical earthworks. I have submitted to planning a series of OS coordinates and altitude readings for all of the test pits. With the underlying geology comprising thick clay, the placing of these sampling trenches on top of man-made features will inevitably create erroneous data, Drainage rules clearly state that any soak-away must be into a minimum of one metre of unsaturated soil. To take these samples from what is effectively piled-up topsoil, which would itself be levelled for any development, is meaningless. I have attempted to have this recognised with little success. I have attached approximations of the wells, drainage pits and soil sample pits along with indicative public footpaths and byways in

Appendix E along with the closest OS coordinates and altitudes along with dated photographs of the drainage progress in these pits.

- Rep
791
3. Given the commitment made publicly in the Cabinet meeting of 20/6/17 that the process would be transparent and not developer-led not a single Council groundwork has been attempted. In contrast sub-contractors for Barratt Homes (geoconsulting.eng and Waddington Homes) have made at least five in-depth works on site 3565 and adjacent fields (see photos in appendix F). Whilst the landowner has the perfect right to commission any fieldworks that she wishes any uncontested data could only be developer-led and totally reliant on a developer vested interest. If this process is not to be developer-led it would be reassuring for this data to be ruled inadmissible in anything relating to decision-making in this process.
 4. In their letter to Wiltshire Council in January 2017 in response to an enquiry Natural England concluded that this site is marginal. This response was, in part, informed by a lack of information provided to them. They have been interested to learn of the nature of the Important hedgerow, the extent and rarity of the post-medieval earthworks and the far greater extent of the notified floodplain. Is there no requirement for Council officers to pass on this information rather than leaving this to members of the public?
 5. The National planning frameworks clearly states that:

157. Crucially, Local Plans should:

- Rep
792
- plan positively for the development and infrastructure required in the area to meet the objectives, principles and policies of this Framework
 - be drawn up over an appropriate time scale, preferably a 15-year time horizon, take account of longer term requirements, and be kept up to date
 - be based on co-operation with neighbouring authorities, public, voluntary and private sector organisations
 - indicate broad locations for strategic development on a key diagram and land-use designations on a proposals map
 - allocate sites to promote development and flexible use of land, bringing forward new land where necessary, and provide detail on form, scale, access and quantum of development where appropriate
 - identify areas where it may be necessary to limit freedom to change the uses of buildings, and support such restrictions with a clear explanation
 - identify land where development would be inappropriate, for instance because of its environmental or historic significance
 - contain a clear strategy for enhancing the natural, built and historic environment, and supporting Nature Improvement Areas where they have been identified

Rep
792

Point seven above is applicable in this instance due to both the environmental and historical issues related to this site, specifically relating to the larger than notified flood plain and issues relating to rare historical earthworks and the Important and protected hedgerow.

- 6. In relation to the standpoint of the Council being adamant that any building work relating to housing not be developer-led is there any justification for advertisements such as this:

“Land Requirements

Ashford Homes are currently developing.

If you have land in either a greenfield or brownfield location, with or without planning permission, which you are thinking of selling, please do not hesitate to contact us.

Our Management team will be pleased to offer advice on any planning related and technical matters.”

This would appear to indicate that much activity cannot be anything but developer-led. In the Officer’s report relating to the development of the nearby solar farm (15/04570/FUL) the final paragraph reads:

“A question was asked by a member of the public as to why the applicant put a notice in the paper advising landowners to come forward and not the public which is a procedural matter for submitting applications.”

This remains a question hanging in the air some two years later.

Rep
793

- 7. National Planning Policy Framework provides the following instructions:

- 155. Early and meaningful engagement and collaboration with neighbourhoods, local organisations and businesses is essential. A wide section of the community should be proactively engaged, so that Local Plans, as far as possible, reflect a collective vision and a set of agreed priorities for the sustainable development of the area, including those contained in any neighbourhood plans that have been made.

• Infrastructure

162. Local planning authorities should work with other authorities and providers to:

- assess the quality and capacity of infrastructure for transport, water supply, wastewater and its treatment, energy (including heat), telecommunications, utilities, waste, health, social care, education,

flood risk and coastal change management, and its ability to meet forecast demands

- take account of the need for strategic infrastructure including nationally significant infrastructure within their area

166. Local Plans may require a variety of other environmental assessments, including under the Habitats Regulations where there is a likely significant effect on a European wildlife site (which may not necessarily be within the same local authority area), Strategic Flood Risk Assessment and assessments of the physical constraints on land use⁴. Wherever possible, assessments should share the same evidence base and be conducted over similar timescales, but local authorities should take care to ensure that the purposes and statutory requirements of different assessment processes are respected.

- **Historic Environment**

169. Local planning authorities should have up-to-date evidence about the historic environment in their area and use it to assess the significance of heritage assets and the contribution they make to their environment. They should also use it to predict the likelihood that currently unidentified heritage assets, particularly sites of historic and archaeological interest, will be discovered in the future. Local planning authorities should either maintain or have access to a historic environment record.

170. Where appropriate, landscape character assessments should also be prepared, integrated with assessment of historic landscape character, and for areas where there are major expansion options assessments of landscape sensitivity.

A functional floodplain is a very important planning tool in making space for flood waters when flooding occurs. Generally, development should be directed away from these areas using the Environment Agency's catchment flood management plans, shoreline management plans and local flood risk management strategies produced by lead local flood authorities.

The area identified as functional floodplain should take into account the effects of defences and other flood risk management infrastructure. Areas which would naturally flood, but which are prevented from doing so by existing defences and infrastructure or solid buildings, will not normally be identified as functional floodplain. If an area is intended to flood, eg an upstream flood storage area designed to protect communities further downstream, then this should be safeguarded from development and identified as functional floodplain, even though it might not flood very often.

Paragraph: 015 Reference ID: 7-015-20140306

Rep
793

Rep
793

Highlighted references serve to further prove that the site nominated as 3565 is unsuitable for development of any nature. A complete set of requirements relevant to this objection can be found in Appendix G.

Rep
794

8. Despite public commitments to hold a Public Presentation outside of the School Holiday time; a commitment made some three months ago; it now appears that this will be "impossible". This was either known at the time of the publishing of the minutes, and has been kept from the public, or else the commitment was never made with any degree of conviction.

Rep
795

Economic Hardship

I am very clear that the devaluation of property is not an issue which the Council can concern itself about. However, Mr Marshall, the tenant farmer based at Bramble farm, has made no secret of the fact that the loss of this field designated 3565 would put him out of business. The field is used for the grazing of his cattle for a part of the year and is harvested for hay during the summer months. Without this hay his business would not be viable.

Whilst this may appear to be acceptable collateral damage as a price for the housing it must be taken into the wider context of the proposal. The proposal suggests that all other fields between Southwick and Trowbridge be retained as a 'green buffer'. There is no mention of the ongoing costs of the County Council funding the upkeep of this buffer by which I can only draw the conclusion that they expect the current regime to continue. However, no farming means no maintenance of the land without a significant open-ended financial commitment from the Council.

The loss of this managed landscape in its entirety does mitigate against the sustainability of any development on this site.

Summary

As a series of bullet-points the evidence presented in this objection can be broadly summarised as follows:

Rep
784

- The land suffers from serious flooding already currently impacting severely on the built form around it. Any further water entering the drainage system will exacerbate this and will break the Environment Agency 'Lifetime surety' to be free of flooding for *at least* 100 years for homes already existing.
- Photographic evidence (Appendix F) clearly illustrates the quantity of clay underlying the site and the innate inability of the geology to safely remove current surface water without the addition of additional surface run-off.

Rep 788

- Bird and animal species will be denied an ecological niche which has been in existence for a documented 100+ years.

Rep 786

- Extremely rare post-medieval earthworks will be destroyed (earthworks which have already suffered damage from ill-informed exploratory work).

Rep 786

- The field system and managed landscape associated with a grade two listed building will be destroyed.

Rep 790

- Public access to land which has been used as a public resource with the support of the landowner and on which residents have had their ashes scattered for a minimum of 40 years will be removed.

Rep 787

- Access to the potential site cannot be through the Important and protected hedgerow. Access can only be from the A361 directly past the grade two star listed building.

Rep 793

- Poorly informed exploratory work will inevitably lead to erroneous data in support of the application.

Rep 784

- Location in relation to the current built form will create unacceptable peril for existing and incoming residents.

Rep 795

- Short and medium term economic impacts will render the entire managed field system derelict.

Rep 789

- Public services and access to significant public transport hubs are out of specified range of this development. Traffic and education will be specifically impacted.

Rep 791

- Procedural anomalies relating to the process itself are rife. The indications being that this parcel of land has been added in a rushed manner to the Proposal without due diligence on its suitability having been performed. Furthermore all attempts to activate the commitments made by Councillors by County Officers have been met with negativity and inaction.

Rep 791

- There is no active support for this site from either, Local Council, Environment Agency, Natural England, Historic England or the County Planning Archaeologist despite such active support being voiced for other sites within the Proposal. In fact in a response from Natural England the case officer said :

“I have briefly looked at the conclusions/recommendations in the Trowbridge Community Area Topic Paper and have noted that Site 3565 (Land east of the A361 at Southwick Court), is considered to be a less sustainable options for development, and that five moderate adverse effects have been identified in relation to this site.”

As NPPF demands:

“If a planning application fails to score positively against the aims and objectives of the Local Plan Sustainability Appraisal or Local Plan policies..... planning permission should be refused.”

In conclusion, I believe that I have fulfilled the requirement laid out in the meeting of 20/6/17 by Councillor Sturgis that any objection should be based in fact. I have attempted to submit photographic evidence, documentary evidence and appropriate quotations from statutory instruments which support my assertion that the land is unsuitable whilst exposing flaws in the original arguments contained within the proposal. Any and all material quoted and enclosed here can be made available in the original format (capture dates for images for example) should that be required. I have attempted to reference any quotations from documents and/or include the source material within an appendix.

Please accept this objection in the spirit in which it has been researched and compiled and please feel at liberty to contact me should any statements or assertions contained herein require further attribution or context.

Yours respectfully

Graham Hill

Addendum

On the 12th of September 2017 I contacted the Environment Agency to thank the planning case officer for 3565 for her assistance in preparing my objection. During the course of our conversation she informed me that a fresh flood map for the site had been prepared in the light of more complete evidence.

A significant portion of my initial objection was that the notified floodplain for the area (estimate below) was far less than the actual. I presented the same evidence as documented in my objection.



Rep
784

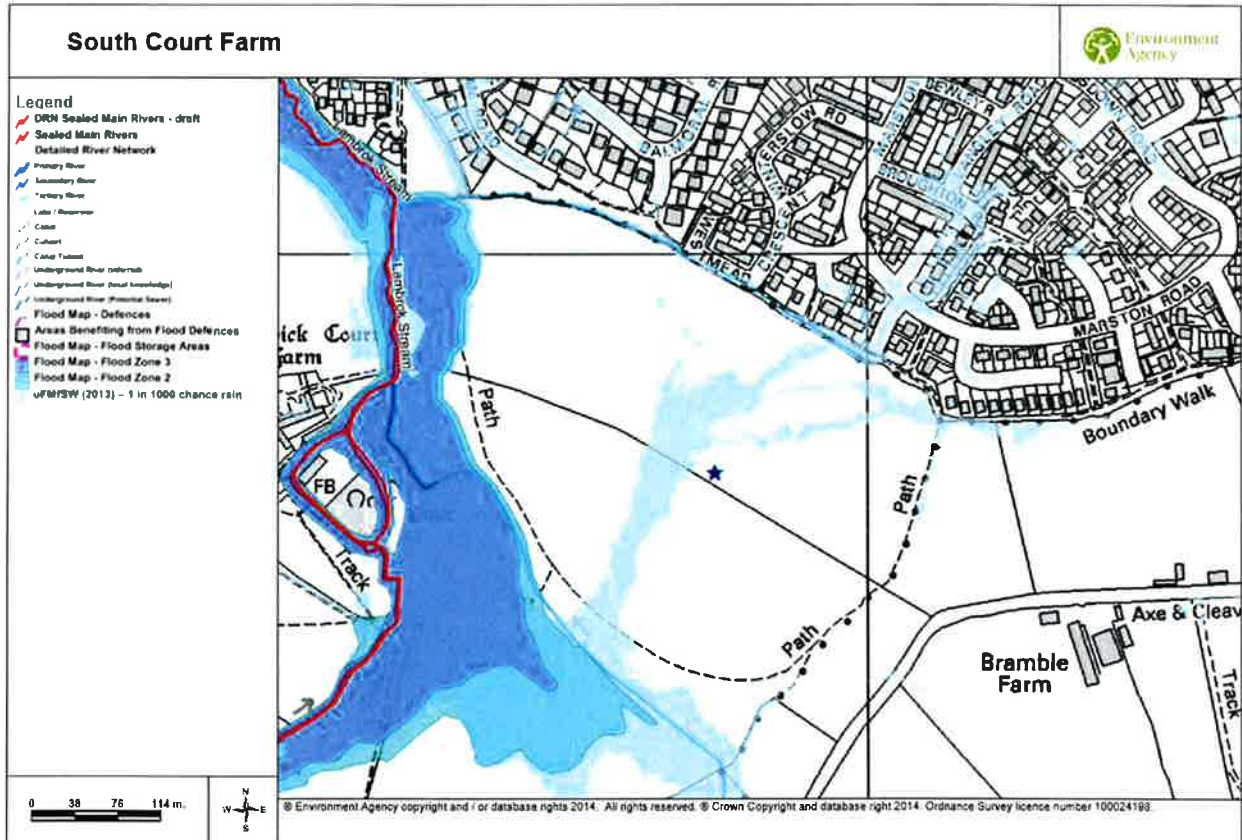
The areas in blue indicate the level two floodplain whilst the areas marked in red are level three.

As a consequence of changes in the new flood map the total area of floodplain has increased dramatically and the problematic surface water in the central part of the site has now been recognised. The size and positioning of the new notified area further supports evidence provided in the main body of my submission and specifically relates to:

- Access to the site – any direct access from the A360 must surely now be impossible due to the size and spread of the level 3 notification.

- The exacerbation of existing flooding and unacceptable peril – a part of Sandringham Road is now notified as level 2 floodplain and ANY development impacting on that is precluded.
- Unsuitability of the site – Excess surface water and absence of options for acceptable drainage in the central part of the site should render it unfit for development.

Environment Agency current flood map



Additionally this confirms that much of the test work completed by Geoconsulting.eng took place either within the margins of the level three floodplain or entirely beyond the affected area of surface water. This would serve to further invalidate the accumulated data that they have collected in submission of any application.

Rep 784

Appendix A

Flood photographs





1
1





Appendix BEmail correspondence

First mail sent 11/8/17, second mail sent 18/8/17 no reply to either has been received.

Dear Councillor Sturgis,

Please excuse me writing to you again. I am not sure whether the email that I sent to you last week arrived safely, so have attached it for your information. Since we are a further week into the public consultation and the issues persist I believe that the questions raised are if anything even more valid.

Thank you again for your consideration in this matter.

Regards

Graham Hill

Dear Councillor Sturgis,

I am writing to request an extension to the consultation period for the Site Allocation Proposal (currently due to conclude 23/9).

My reason for so doing is in the interests of both fairness and accuracy.

During the Cabinet meeting in which this matter was discussed it was very clearly stated by Baroness Scott that the process would be underpinned by independent gathering and verification of data to substantiate or refute data submitted by developers. You yourself were adamant that the process of development was not and could not be developer led, but that any opposition or counter-argument should be factual.

In the same meeting, the open display in County Hall in Trowbridge was raised as an issue as taking place within school holiday time when a great many people would be away. An additional date for this display was added (although the date is yet to be made public) and this was gratefully acknowledged. However, the self-same issue has arisen in the attempts to gather facts and data to form cohesive counter-arguments.

Your colleagues in both Local and National Government departments and NGO's have been extremely helpful and supportive to the extent that they are able, however, they have been hamstrung. In many cases the individual holding information or the key to process has been either on leave, about to go on leave and so unable to follow a process to its conclusion within stipulated time frames or snowed under coping with the workload of colleagues already on leave.

As such the ten week time period in which the public are able to gather information is not ten weeks, but far shorter. In view of the entire Proposal having taken two

years to draft this is in no way an equitable 'right of reply'. I understand now that this should have probably been raised at the cabinet meeting, and that the timing is probably due in part to the pre-election purdah as I believe you alluded to in explanation, however, I do not believe that the difficulties of operating within this window were foreseen either by the public or members of the Cabinet.

In conclusion I would be grateful if you could give full consideration to the request herein and grant an extension to the period of the consultation especially considering the delay that has already been enforced upon it.

Kind regards

Graham Hill

Sent from Mail for Windows 10

Emails to County Hall

From: Graham Hill
Sent: 11 August 2017 15:40
To: *Name redacted*
Subject: RE: Land survey at site H2.6

Dear *Name redacted*,

Thank you for your reply. It is heartening to know that we have some input into the process at a meaningful level.

I do have an element of my original enquiry to which I would value a response. In my original email I asked :

During the Cabinet Meeting in June when the Site Allocations Plan was discussed Cllr. Sturgis was adamant that any building should not be developer led and Baroness Scott committed to independent surveys of the site (both statements are recorded on the video minute of the meeting).

Since we are now a fortnight into the consultation process is it possible to share some form of timetable and scale of testing planned for the site? Under normal circumstances I would leave this enquiry until later in the process, but in light of both individuals being so adamant that independence should be seen to be operating I wondered whether you could help with this enquiry.

As I alluded to in my original contact, I appreciate that normal operating procedure may not call for this degree of independent gathering of data, but in view of the

commitment made by the Leader of the Council, together with the slapdash methodology of the 'professionals' I need to ask again for this commitment to be met. As a member of the public directly affected by this proposal I should not have to gather grid reference and altitude data and point out that some data has been erroneously gathered.

I am genuinely frightened that erroneously gathered data could lead to a worsening of the flooding currently experienced by residents when the drains back up from the Lambrook and disgorge brown water into their property. I am genuinely sorry to burden you with this, as I realise that you are stuck in the middle of this irregular situation.

Thank you again for your time.

Regards

Graham Hill

Sent from [Mail](#) for Windows 10

From: *Name redacted*
Sent: 11 August 2017 15:14
To: [Graham Hill](#)
Subject: RE: Land survey at site H2.6

Dear Mr Hill

Thank you for your email and attachments dated 4 August. My colleagues and I welcome the information you've provided.

Whilst I acknowledge the clear concerns expressed, I must stress that Wiltshire Council has not instructed the investigative works undertaken to date. At this stage, our evidence has been drawn from statutory consultees (e.g. the Environment Agency, Wessex Water et al); and dialogue with our own drainage experts.

We understand that the landowner/prospective developer is gathering their own evidence, which they are entitled to do. We assume they will submit the results of this work in due course. At that point, we will test the veracity of their findings through further detailed dialogue with our drainage engineers. Your submitted evidence will prove useful in that regard.

Regards

Name redacted

From: Graham Hill [REDACTED]
Sent: 04 August 2017 15:32
To: *Name redacted*
Subject: FW: Land survey at site H2.6

Dear Mr. *Name redacted*,

Your colleague was kind enough to forward my attached mail to you earlier this week. I thought that to add a little meat to the bones of my concerns it might help to provide you with some factual evidence. In addition to the photograph that is attached (taken at grid reference 846/559 altitude 90.8 metres) I have also attached a list of grid references and altitudes for all of the test works so far completed on the field in question.

There are three concerns that I have with the nature of the data gathering:

- The test pits congregate around the area significantly away from the floodplain, with just a few sites in the higher regions of that flood area. These only represent approximately 60% of the area identified in the land allocation proposal and appear to be avoiding the more contentious sections of the 'dry' area along with the lowest areas in closest proximity to the Lambrook itself.
- As can be seen in the altitude figures, the topography of the area is anything but level with significant undulations. Not all of the test pits are in the locations which are most prone to flooding, in fact many are in areas which remain relatively dry, even in the worst flooding events.
- Most disturbingly of all, the company responsible for these pits, geoconsiltingeng, are based in Devon. Perhaps if they were locally based they would know of the post-medieval earthworks in the field (acknowledged in the proposal) and would have avoided digging some of their test pits ON THE SUMMIT OF THE EARTHWORKS. These earthworks were created by the removal of topsoil from the immediately adjacent clay substrate. Any data gathered as to soil depth and density, especially the requirement for one metre of unsaturated soil to be present before any form of soakaway is enabled, will be completely invalidated.

Whilst I do not suggest that these testing point locations and altitudes are motivated by a desire to produce favourable results, there is a legitimate concern that this professional survey may have missed points through ignorance which, if these are the only rigidly applied criteria, may lead to a totally erroneous set of assumptions. I am concerned that the old adage of 'garbage in, garbage out' might result in unfortunate conclusions for all concerned.

I hope that this has made a little sense of our following up the commitments made by members of the cabinet for which we are clearly in their debt.

I would be more than happy to walk a member of the planning team across the land in question if that might prove to be productive for you. Thank you again for your time.

Regards

Graham Hill

Sent from Mail for Windows 10

From: [Developmentmanagement](#)
Sent: 02 August 2017 09:09
To: [REDACTED]
Subject: FW: Land survey at site H2.6

Good morning Mr Hill

Thank you for your enquiry below. This has been forwarded to our Spatial Plans Department, for [Name redacted](#)'s attention and response to you. Name redacted can be contacted by email, as follows: Name redacted@wiltshire.gov.uk.

Kind regards

Shelley Allen

From: Graham Hill [REDACTED]
Sent: 31 July 2017 10:22
To: DevelopmentmanagementNorth
Subject: Land survey at site H2.6

Good morning,

I was wondering whether you could help me. I am writing in connection with the land off Boundary walk and identified in the site allocations plan as H2.6.

In the past fortnight we have had a number of works performed on the site by a company called geoconsultingeng. They have been working for Waddington Homes, themselves an offshoot of Barratt Homes. These works have included soil sampling in test pits, detailed survey work within the notified flood plain and tests on both drainage and water table which I assume to be BRE 157 and 365 tests (or close associates).

Photographic evidence of far more extensive flooding than the interactive Environment agency map suggests (attached photo is at the top of the floodplain with a further approx.. 2 metre drop to the right of shot, the property in the background is Southwick Court) is coming to light. During the Cabinet Meeting in June when the Site Allocations Plan was discussed Cllr. Sturgis was adamant that any building should not be developer led and Baroness Scott committed to independent surveys of the site (both statements are recorded on the video minute of the meeting).

Since we are now a fortnight into the consultation process is it possible to share some form of timetable and scale of testing planned for the site? Under normal circumstances I would leave this enquiry until later in the process, but in light of both individuals being so adamant that independence should be seen to be operating I wondered whether you could help with this enquiry.

Thank you very much for your time, I appreciate that a query like this can be a pain.

Regards

Graham Hill

Sent from Mail for Windows 10

Emails written to Geoconsulting.eng

(no replies received)

Hi,

I met one of your team in fields adjacent to Southwick Court in Wiltshire today. I noticed that a pair of pits have been dug, one to the high side of a notified flood plain (almost certainly on the level 1-2 boundary and certainly not in the level 3 area) and the other in a flat spot in the centre of the field. I am not sure of your monitoring schedule, but I can inform you that at 5pm on the day that they were dug there were significant ingresses of water. The higher one being within about 14 inches of the top of the pit. I have photographs if you require them. Would you be able to make a copy of your report available for public scrutiny?

Thank you very much for your time

Regards

Graham Hill

Hi,

further to my email via this site yesterday. I'm sorry if your operative was startled this morning. I was with a photographer and reporter from the local paper and he may have felt uncomfortable. He was unable to confirm whether you are acting on behalf of the Local Council. Whilst I understand that there is an element of client confidentiality involved is it possible to confirm that so that it might be possible to avoid a separate investigation by another Council Department.

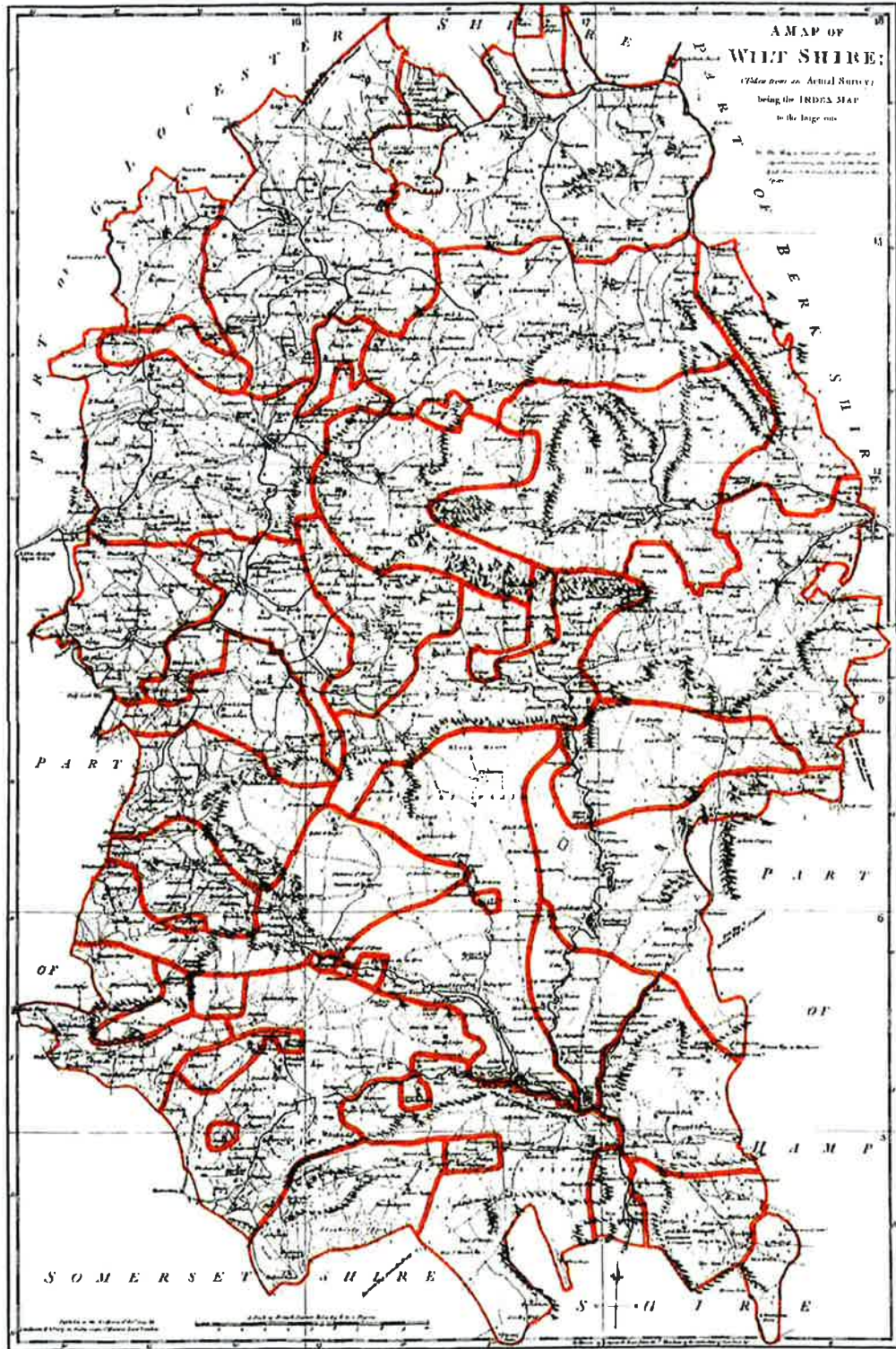
Thank you

Regards

Graham Hill

Rep 787

Appendix C



Appendix D**Important Hedgerows: The Criteria**

The Regulations specify in detail how the criteria are met. Here is a simplified guide.

1. Marks a pre-1850 parish or township boundary.
2. Incorporates an archaeological feature.
3. Is part of, or associated with, an archaeological site.
4. Marks the boundary of, or is associated with, a pre-1600 estate or manor.
5. Forms an integral part of a pre-Parliamentary enclosure field system.
6. Contains certain categories of species of bird, animals or plants listed in the Wildlife and Countryside Act or Joint Nature Conservation Committee (JNCC) publications.
7. Includes (in County Durham):
 - a. At least 6 woody species, on average, in a 30m length.
 - b. At least 5 woody species, on average, in a 30m length and has at least 3 associated features.
 - c. At least 5 woody species, on average, in a 30m length including a black-poplar tree, or a large-leaved lime, or small-leaved lime, or wild service-tree.
 - d. At least 4 woody species, on average in a 30m length and has at least 4 associated features.
8. Runs alongside a bridleway, footpath, road used as a public path, or a byway open to all traffic and includes at least 4 woody species, on average, in a 30m length and has at least 2 of the associated features listed at (i) or (v) below. The associated features are:
 - i. A bank or wall supporting the hedgerow.
 - ii. Less than 10% gaps.
 - iii. On average, at least one tree per 50m.
 - iv. At least 3 species from a list of 57 woodland plants.
 - v. A ditch.
 - vi. A number of connections with other hedgerows, ponds or woodland.
 - vii. A parallel hedge within 15m.

Regulations 2(3) and 4

SCHEDULE 1

ADDITIONAL CRITERIA FOR DETERMINING "IMPORTANT" HEDGEROWS

PART I

INTERPRETATION

In this Schedule—

"building" includes structure;

"Record Office" means—

(a)

a place appointed under section 4 of the Public Records Act 1958(1) (place of deposit of public records),

(b)

a place at which documents are held pursuant to a transfer under section 144A(4) of the Law of Property Act 1922(2) or under section 36(2) of the Tithe Act 1936(3), including each of those provisions as applied by section 7(1) of the Local Government (Records) Act 1962(4), or

I

a place at which documents are made available for inspection by a local authority pursuant to section 1 of the Local Government (Records) Act 1962;

“relevant date” means the date on which these Regulations are made;

“Sites and Monuments Record” means a record of archaeological features and sites adopted—

(a)

by resolution of a local authority within the meaning of the Local Government Act 1972(5), or

(b)

in Greater London, by the Historic Buildings and Monuments Commission(6);

“standard tree”—

(a)

in the case of a multi-stemmed tree, means a tree which, when measured at a point 1.3 metres from natural ground level, has at least two stems whose diameters are at least 15 centimetres;

(b)

in the case of a single-stemmed tree, means a tree which, when measured at a point 1.3 metres from natural ground level, has a stem whose diameter is at least 20 centimetres;

“woodland species” means the species listed in Schedule 2; and

“woody species” means the species and sub-species listed in Schedule 3, and any hybrid, that is to say, any individual plant resulting from a cross between parents of any species or sub-species so listed, but does not include any cultivar; and references to the documents in paragraph 6(3)(b) and (4) are to those documents as at the relevant date, without taking account of any subsequent revisions, supplements or modifications.

PART II

CRITERIA

Archaeology and history

1. The hedgerow marks the boundary, or part of the boundary, of at least one historic parish or township; and for this purpose “historic” means existing before 1850.

2. The hedgerow incorporates an archaeological feature which is—

(a)

included in the schedule of monuments compiled by the Secretary of State under section 1 (schedule of monuments) of the Ancient Monuments and Archaeological Areas Act 1979(7); or

(b)

recorded at the relevant date in a Sites and Monuments Record.

3. The hedgerow—

(a)

is situated wholly or partly within an archaeological site included or recorded as mentioned in paragraph 2 or on land adjacent to and associated with such a site; and

(b)

is associated with any monument or feature on that site.

4. The hedgerow—

(a)

marks the boundary of a pre-1600 AD estate or manor recorded at the relevant date in a Sites and Monuments Record or in a document held at that date at a Record Office;

or

(b)

is visibly related to any building or other feature of such an estate or manor.

5. The hedgerow—

(a)

is recorded in a document held at the relevant date at a Record Office as an integral part of a field system pre-dating the Inclosure Acts(8); or

(b)

is part of, or visibly related to, any building or other feature associated with such a system, and that system—

(i)

is substantially complete; or

(ii)

is of a pattern which is recorded in a document prepared before the relevant date by a local planning authority, within the meaning of the 1990 Act(9), for the purposes of development control within the authority's area, as a key landscape characteristic.

Wildlife and landscape

6.—(1) The hedgerow—

(a)

contains species listed or categorised as mentioned in sub-paragraph (3); or

(b)

is referred to in a record held immediately before the relevant date by a biological record centre maintained by, or on behalf of, a local authority within the meaning of the Local Government Act 1972(10), and in a form recognised by the Nature Conservancy Council for England, the Countryside Council for Wales(11) or the Joint Nature Conservation Committee(12), as having contained any such species—

(i)

in the case of animals and birds, subject to sub-paragraph (2), within the period of five years immediately before the relevant date.

(ii)

in the case of plants, subject to sub-paragraph (2), within the period of ten years immediately before the relevant date;

(2) Where more than one record referable to the period of five or, as the case may be, ten years before the relevant date is held by a particular biological record centre, and the more (or most) recent record does not satisfy the criterion specified in sub-paragraph (1)(b), the criterion is not satisfied (notwithstanding that an earlier record satisfies it).

(3) The species referred to in sub-paragraph (1) are those—

(a)

listed in Part I (protection at all times) of Schedule 1 (birds which are protected by special penalties), Schedule 5 (animals which are protected) or Schedule 8 (plants which are protected) to the Wildlife and Countryside Act 1981(13);

(b)

categorised as a declining breeder (category 3) in "Red Data Birds in Britain" Batten LA, Bibby CJ, Clement P, Elliott GD and Porter RF (Eds.), published in 1990 for the

Nature Conservancy Council and the Royal Society for the Protection of Birds (ISBN 0 85661 056 9); or

I
categorised as “endangered”, “extinct”, “rare” or “vulnerable” in Britain in a document mentioned in sub-paragraph (4).

(4) The documents referred to in sub-paragraph (3)I are—

(a)

of the books known as the British Red Data Books:

1.

“Vascular Plants” Perring FH and Farrell L, 2nd Edition, published in 1983 for the Royal Society for Nature Conservation (ISBN 0 902484 04 4);

2.

“Insects” Shire DB (Ed.), published in 1987 for the Nature Conservancy Council (ISBN 0 86139 380 5); and

3.

“Invertebrates other than insects” Bratton JH (Ed.), published in 1991 for the Joint Nature Conservation Committee (ISBN 1 873701 00 4); and

(b)

of the books known as the Red Data Books of Britain and Ireland:

“Stoneworts” Stewart NF and Church JM, published in 1992 for the Joint Nature Conservation Committee (ISBN 1 873701 24 1).

7.—(1) Subject to sub-paragraph (2), the hedgerow includes—

(a)

at least 7 woody species;

(b)

at least 6 woody species, and has associated with it at least 3 of the features specified in sub-paragraph (4);

I

at least 6 woody species, including one of the following—

black-poplar tree (*Populus nigra* ssp *betulifolia*);

large-leaved lime (*Tilia platyphyllos*);

small-leaved lime (*Tilia cordata*);

wild service-tree (*Sorbus torminalis*); or

(d)

at least 5 woody species, and has associated with it at least 4 of the features specified in sub-paragraph (4),

and the number of woody species in a hedgerow shall be ascertained in accordance with sub-paragraph (3).

(2) Where the hedgerow in question is situated wholly or partly in the county (as constituted on 1st April 1997) of the City of Kingston upon Hull, Cumbria, Darlington, Durham, East Riding of Yorkshire, Hartlepool, Lancashire, Middlesbrough, North East Lincolnshire, North Lincolnshire, Northumberland, North Yorkshire, Redcar and Cleveland, Stockton-on-Tees, Tyne and Wear, West Yorkshire or York(14), the number of woody species mentioned in paragraphs (a) to (d) of sub-paragraph (1) is to be treated as reduced by one.

(3) For the purposes of sub-paragraph (1) (and those of paragraph 8(b))—

(a)

where the length of the hedgerow does not exceed 30 metres, count the number of woody species present in the hedgerow;

(b)

where the length of the hedgerow exceeds 30 metres, but does not exceed 100 metres, count the number of woody species present in the central stretch of 30 metres;

I

where the length of the hedgerow exceeds 100 metres, but does not exceed 200 metres, count the number of woody species present in the central stretch of 30 metres within each half of the hedgerow and divide the aggregate by two;

(d)

where the length of the hedgerow exceeds 200 metres, count the number of woody species present in the central stretch of 30 metres within each third of the hedgerow and divide the aggregate by three.

(4) The features referred to in sub-paragraph (1)(b) and (d) (which include those referred to in paragraph 8(b)) are—

(a)

a bank or wall which supports the hedgerow along at least one half of its length;

(b)

gaps which in aggregate do not exceed 10% of the length of the hedgerow;

I

where the length of the hedgerow does not exceed 50 metres, at least one standard tree;

(d)

where the length of the hedgerow exceeds 50 metres but does not exceed 100 metres, at least 2 standard trees;

(e)

where the length of the hedgerow exceeds 100 metres, such number of standard trees (within any part of its length) as would when averaged over its total length amount to at least one for each 50 metres;

(f)

at least 3 woodland species within one metre, in any direction, of the outermost edges of the hedgerow;

(g)

a ditch along at least one half of the length of the hedgerow;

(h)

connections scoring 4 points or more in accordance with sub-paragraph (5);

(i)

a parallel hedge within 15 metres of the hedgerow.

(5) For the purposes of sub-paragraph (4)(h) a connection with another hedgerow scores one point and a connection with a pond or a woodland in which the majority of trees are broad-leaved trees scores 2 points; and a hedgerow is connected with something not only if it meets it but also if it has a point within 10 metres of it and would meet it if the line of the hedgerow continued.

8. The hedgerow—

(a)

is adjacent to a bridleway or footpath, within the meaning of the Highways Act 1980(15), a road used as a public path, within the meaning of section 54 (duty to reclassify roads used as public paths) of the Wildlife and Countryside Act 1981(16), or a byway open to all traffic, within the meaning of Part III of the Wildlife and Countryside Act 1981(17), and

(b)

includes at least 4 woody species, ascertained in accordance with paragraph 7(3) and at least 2 of the features specified in paragraph 7(4)(a) to (g).

Rep 791

Appendix E

Test wells



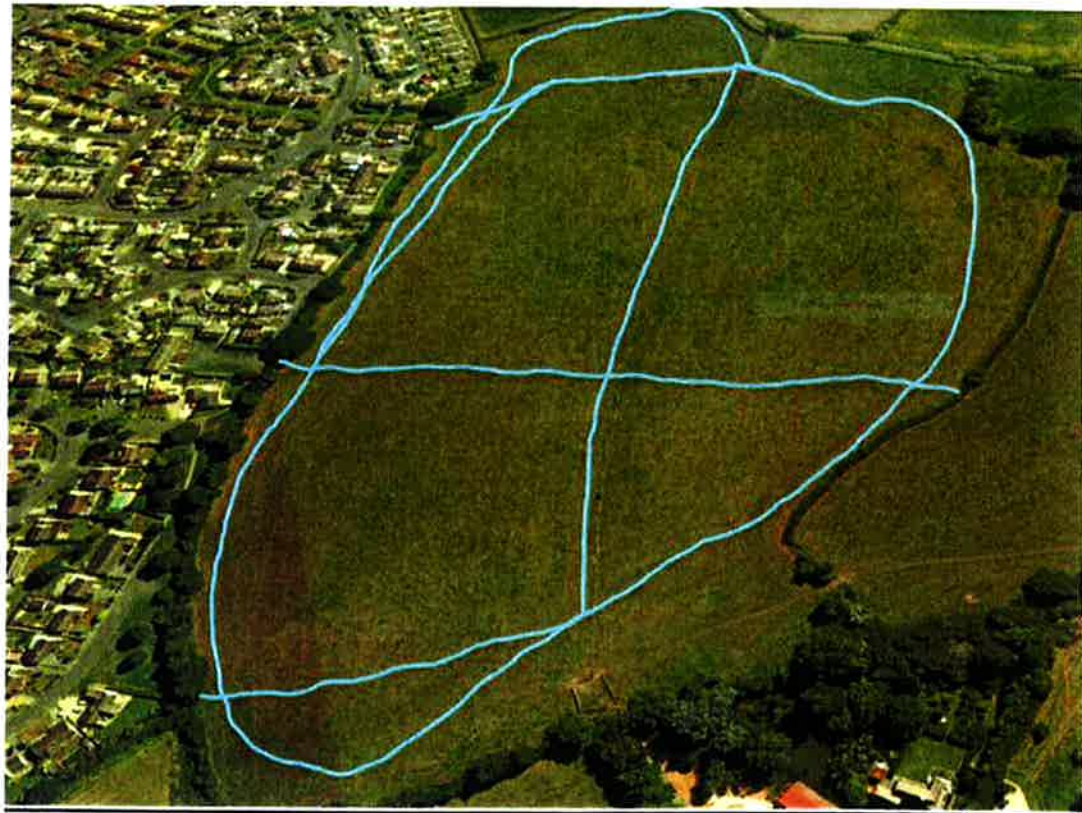
Drainage pits



Soil sample pits



Footpaths



Rep 791

Drainage pit images

Location of drainage pits

All images 18/07/17





Rep 791





Rep 791



Images of drainage pits

All images taken 20/07/17

Floodplain pit



Rep 791

Upper Pit



Location of test earthworks**All datapoints have prefix ST**

	<u>Easting</u>	<u>Northing</u>	<u>Altitude</u>
--	-----------------------	------------------------	------------------------

Drainage pits

<u>Top pit</u>	<u>848</u>	<u>557</u>	<u>95.7m</u>
-----------------------	-------------------	-------------------	---------------------

<u>Floodplain pit</u>	<u>846</u>	<u>560</u>	<u>88.8m</u>
------------------------------	-------------------	-------------------	---------------------

Test Wells

<u>Top</u>	<u>849</u>	<u>566</u>	<u>99.2m</u>
-------------------	-------------------	-------------------	---------------------

<u>Middle</u>	<u>850</u>	<u>559</u>	<u>98.7m</u>
----------------------	-------------------	-------------------	---------------------

<u>Floodplain</u>	<u>845</u>	<u>559</u>	<u>82.6m</u>
--------------------------	-------------------	-------------------	---------------------

Soil sample pits

	<u>845</u>	<u>559</u>	<u>85.4m</u>
--	-------------------	-------------------	---------------------

	<u>847</u>	<u>559</u>	<u>91.0m</u>
--	-------------------	-------------------	---------------------

	<u>850</u>	<u>558</u>	<u>86.5m</u>
--	-------------------	-------------------	---------------------

	<u>849</u>	<u>557</u>	<u>87.7m</u>
--	-------------------	-------------------	---------------------

	<u>850</u>	<u>556</u>	<u>92.4m</u>
--	-------------------	-------------------	---------------------

	<u>850</u>	<u>557</u>	<u>92.9m</u>
--	-------------------	-------------------	---------------------

	<u>851</u>	<u>558</u>	<u>90.0m</u>
--	-------------------	-------------------	---------------------

	<u>849</u>	<u>558</u>	<u>87.5m</u>
--	-------------------	-------------------	---------------------

	<u>848</u>	<u>559</u>	<u>97.7m</u>
--	-------------------	-------------------	---------------------

Appendix F

18/07/17



21/07/17



25/07/17



Appendix G

National Planning Policy Framework extract

National planning policy framework

154. Local Plans should be aspirational but realistic. They should address the spatial implications of economic, social and environmental change. Local Plans should set out the opportunities for development and clear policies on what will or will not be permitted and where. Only policies that provide a clear indication of how a decision maker should react to a development proposal should be included in the plan.

155. Early and meaningful engagement and collaboration with neighbourhoods, local organisations and businesses is essential. A wide section of the community should be proactively engaged, so that Local Plans, as far as possible, reflect a collective vision and a set of agreed priorities for the sustainable development of the area, including those contained in any neighbourhood plans that have been made.

Infrastructure

162. Local planning authorities should work with other authorities and providers to:

- assess the quality and capacity of infrastructure for transport, water supply, wastewater and its treatment, energy (including heat), telecommunications, utilities, waste, health, social care, education, flood risk and coastal change management, and its ability to meet forecast demands
- take account of the need for strategic infrastructure including nationally significant infrastructure within their area

Environment

165. Planning policies and decisions should be based on up-to-date information about the natural environment and other characteristics of the area including drawing, for example, from River Basin Management Plans. Working with Local Nature Partnerships where appropriate, this should include an assessment of existing and potential components of ecological networks. A sustainability appraisal which meets the requirements of the European Directive on strategic environmental assessment should be an integral part of the plan preparation process, and should consider all the likely significant effects on the environment, economic and social factors.

166. Local Plans may require a variety of other environmental assessments, including under the Habitats Regulations where there is a likely significant effect on a European wildlife site (which may not necessarily be within the same local authority area), Strategic Flood Risk Assessment and assessments of the physical constraints on land use⁴. Wherever possible, assessments should share the same evidence base and be

conducted over similar timescales, but local authorities should take care to ensure that the purposes and statutory requirements of different assessment processes are respected.

167. Assessments should be proportionate, and should not repeat policy assessment that has already been undertaken. Wherever possible the local planning authority should consider how the preparation of any assessment will contribute to the plan's evidence base. The process should be started early in the plan-making process and key stakeholders should be consulted in identifying the issues that the assessment must cover.

168. Shoreline Management Plans should inform the evidence base for planning in coastal areas. The prediction of future impacts should include the longer term nature and inherent uncertainty of coastal processes (including coastal landslip), and take account of climate change.

Historic Environment

169. Local planning authorities should have up-to-date evidence about the historic environment in their area and use it to assess the significance of heritage assets and the contribution they make to their environment. They should also use it to predict the likelihood that currently unidentified heritage assets, particularly sites of historic and archaeological interest, will be discovered in the future. Local planning authorities should either maintain or have access to a historic environment record.

170. Where appropriate, landscape character assessments should also be prepared, integrated with assessment of historic landscape character, and for areas where there are major expansion options assessments of landscape sensitivity.

Health and well-being

171. Local planning authorities should work with public health leads and health organisations to understand and take account of the health status and needs of the local population (such as for sports, recreation and places of worship), including expected future changes, and any information about relevant barriers to improving health and well-being.

How should a Strategic Flood Risk Assessment be used to identify the functional floodplain?

The definition of Flood Zone 3b in [Table 1](#) explains that local planning authorities should identify areas of functional floodplain in their Strategic Flood Risk Assessments in discussion with the Environment Agency and the lead local flood authority. The identification of functional floodplain should take account of local circumstances and not be defined solely on rigid probability parameters. However, land which would naturally flood with an annual probability of 1 in 20 (5%) or greater in any year, or is designed to flood (such as a flood attenuation scheme) in an extreme (0.1% annual probability) flood, should provide a starting point for consideration and discussions to identify the functional floodplain.

A functional floodplain is a very important planning tool in making space for flood waters when flooding occurs. Generally, development should be directed away from these areas using the Environment Agency's catchment flood management plans, shoreline management plans and local flood risk management strategies produced by lead local flood authorities.

The area identified as functional floodplain should take into account the effects of defences and other flood risk management infrastructure. Areas which would naturally flood, but which are prevented from doing so by existing defences and infrastructure or solid buildings, will not normally be identified as functional floodplain. If an area is intended to flood, eg an upstream flood storage area designed to protect communities further downstream, then this should be safeguarded from development and identified as functional floodplain, even though it might not flood very often.

Paragraph: 015 Reference ID: 7-015-20140306

Revision date: 06 03 2014

Should a Level 2 Strategic Flood Risk Assessment take account of existing flood defences?

See the [Environment Agency's](#) advice on development and flood risk.

Paragraph: 016 Reference ID: 7-016-20140306

Revision date: 06 03 2014

How should the assessment cover flood defence breaching and overtopping, and risk to people behind flood defences?

See the [Environment Agency's](#) advice on development and flood risk.

Paragraph: 017 Reference ID: 7-017-20140306

Revision date: 06 03 2014

The sequential, risk-based approach to the location of development

What is the sequential, risk-based approach to the location of development?

This general approach is designed to ensure that areas at little or no risk of flooding from any source are developed in preference to areas at higher risk. The aim should be to keep development out of medium and high flood risk areas (Flood Zones 2 and 3) and other areas affected by other sources of flooding where possible.

Application of the sequential approach in the plan-making process, in particular application of the Sequential Test, will help ensure that development can be safely and sustainably delivered and developers do not waste their time promoting proposals which are inappropriate on flood risk grounds. According to the information available, other forms of flooding should be treated consistently with river flooding in mapping probability and assessing vulnerability to apply the sequential approach across all flood zones.

Waste and mineral planning authorities should apply the sequential approach to the allocation of sites for waste management and, where possible, mineral extraction and processing. It should also be recognised that mineral deposits have to be worked where they are (and sand and gravel extraction is defined as ‘water-compatible development’ in [table 2](#), acknowledging that these deposits are often in flood risk areas).

However, mineral working should not increase flood risk elsewhere and needs to be designed, worked and restored accordingly.

Mineral workings can be large and may afford opportunities for applying the sequential approach at the site level. It may be possible to locate ancillary facilities such as processing plant and offices in areas at lowest flood risk. Sequential working and restoration can be designed to reduce flood risk by providing flood storage and attenuation. This is likely to be most effective at a strategic (county) scale.

Paragraph: 018 Reference ID: 7-018-20140306

Revision date: 06 03 2014

The aim of the Sequential Test

What is the aim of the Sequential Test for the location of development?

The Sequential Test ensures that a sequential approach is followed to steer new development to areas with the lowest probability of flooding. The [flood zones](#) as refined in the Strategic Flood Risk Assessment for the area provide the basis for applying the Test. The aim is to steer new development to Flood Zone 1 (areas with a low probability of river or sea flooding). Where there are no reasonably available sites in Flood Zone 1, local planning authorities in their decision making should take into account the [flood risk vulnerability of land uses](#) and consider reasonably available sites in Flood Zone 2 (areas with a medium probability of river or sea flooding), applying the [Exception Test if required](#). Only where there are no reasonably available sites in Flood Zones 1 or 2 should the suitability of sites in Flood Zone 3 (areas with a high probability of river or sea flooding) be considered, taking into account the flood risk vulnerability of land uses and applying the Exception Test if required.

- Note: Table 2 categorises different types of uses & development according to their vulnerability to flood risk. Table 3 maps these vulnerability classes

Rep 793

against the flood zones set out in Table 1 to indicate where development is 'appropriate' and where it should not be permitted.

Within each flood zone, surface water and other sources of flooding also need to be taken into account in applying the sequential approach to the location of development.

Paragraph: 019 Reference ID: 7-019-20140306

Revision date: 06 03 2014

Applying the Sequential Test in the preparation of a Local Plan

This is illustrated in diagram 2 (below). As some areas at lower flood risk may not be suitable for development for various reasons and therefore out of consideration, the Sequential Test should be applied to the whole local planning authority area to increase the possibilities of accommodating development which is not exposed to flood risk. More than one local planning authority may jointly review development options over a wider area where this could potentially broaden the scope for opportunities to reduce flood risk and put the most vulnerable development in lower flood risk areas.

Paragraph: 020 Reference ID: 7-020-20140306

Revision date: 06 03 2014

Diagram 2: Application of the Sequential Test for Local Plan preparation

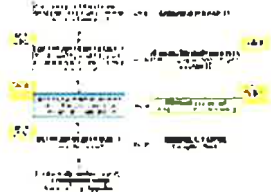


Diagram 2: application of the Sequential Test for Local Plan preparation

PDF, 189KB, 1 page

This file may not be suitable for users of assistive technology. Request an accessible format.

If you use assistive technology (such as a screen reader) and need a version of this document in a more accessible format, please email alternativeformats@communities.qsi.gov.uk. Please tell us what format you need. It will help us if you say what assistive technology you use.

Notes to Diagram 2:

Other sources of flooding also need to be considered.

See [Table 1](#), [Table 2](#), [Table 3](#) and [Diagram 3](#).

See [guidance on applying the sequential test to individual applications](#).

See [further guidance on the role of sustainability appraisal in the sequential test](#).

Paragraph: 021 Reference ID: 7-021-20140306

Revision date: 06 03 2014

What is the role of sustainability appraisal in the sequential test?

A local planning authority should demonstrate through evidence that it has considered a range of options in the site allocation process, using the Strategic Flood Risk Assessment to apply the Sequential Test and the Exception Test where necessary. This can be undertaken directly or, ideally, as part of the sustainability appraisal. Where other sustainability criteria outweigh flood risk issues, the decision making process should be transparent with reasoned justifications for any decision to allocate land in areas at high flood risk in the sustainability appraisal report. The Sequential Test can also be demonstrated in a free-standing document, or as part of strategic housing land or employment land availability assessments.

Paragraph: 022 Reference ID: 7-022-20140306

Revision date: 06 03 2014

The Exception Test

What is the Exception Test?

The Exception Test, as set out in [paragraph 102 of the Framework](#), is a method to demonstrate and help ensure that flood risk to people and property will be managed satisfactorily, while allowing necessary development to go ahead in situations where suitable sites at lower risk of flooding are not available.

Essentially, the 2 parts to the Test require proposed development to show that it will provide wider [sustainability benefits to the community that outweigh flood risk](#), and that it will be [safe for its lifetime](#), without increasing flood risk elsewhere and where possible reduce flood risk overall.

Paragraph: 023 Reference ID: 7-023-20140306

Revision date: 06 03 2014

Rep 793

How can wider sustainability benefits to the community that outweigh flood risk be demonstrated?

Evidence of wider sustainability benefits to the community should be provided, for instance, through the sustainability appraisal. If a potential site allocation fails to score positively against the aims and objectives of the sustainability appraisal, or is not otherwise capable of demonstrating sustainability benefits, the local planning authority should consider whether the use of planning conditions and/or planning obligations could make it do so. Where this is not possible the Exception Test has not been satisfied and the allocation should not be made.

Paragraph: 024 Reference ID: 7-024-20140306

Revision date: 06 03 2014

What needs to be considered to demonstrate that development will be safe for its lifetime?

Wider safety issues need to be considered as part of the plan preparation. If infrastructure fails then people may not be able to stay in their homes. Flood warnings and evacuation issues therefore need to be considered in design and layout of planned developments. In considering an allocation in a Local Plan a level 2 Strategic Flood Risk Assessment should inform consideration of the second part of the Exception Test. See further [information on making development safe from flood risk](#) and on [what is considered to be the lifetime of development](#).

Rep 784

Appendix H**Preparing an Environmental Statement****Who is responsible for preparing the Environmental Statement?**

The applicant is responsible for preparing the Environmental Statement.

Paragraph: 034 Reference ID: 4-034-20140306

Revision date: 06 03 2014

What information should the Environmental Statement contain?

There is no statutory provision as to the form of an Environmental Statement. However, it must contain the information specified in Part 2 of Schedule 4, and such of the relevant information in Part 1 of Schedule 4 as is reasonably required to assess the effects of the project and which the applicant can reasonably be required to compile. It may consist of one or more documents, but it must constitute a "single and accessible compilation of the relevant environmental information and the summary in non-technical language" (Berkeley v SSETR [2000] 3 All ER 897, 908).

The applicant does not need to consult anyone about the information to be included in an Environmental Statement. However, local planning authorities will often possess useful local and specialised information and may be able to give preliminary advice on those aspects of the proposal that are likely to be of particular concern to them. It may also be helpful to an applicant preparing an Environmental Statement to obtain relevant environmental information from the statutory consultation bodies (regulation 15), and also to consult any appropriate non-statutory bodies that also have relevant information.

Whilst every Environmental Statement should provide a full factual description of the development, the emphasis of Schedule 4 is on the "main" or "significant" environmental effects to which a development is likely to give rise. The Environmental Statement should be proportionate and not be any longer than is necessary to assess properly those effects. Where, for example, only one environmental factor is likely to be significantly affected, the assessment should focus on that issue only. Impacts which have little or no significance for the particular development in question will need only very brief treatment to indicate that their possible relevance has been considered.

Where alternative approaches to development have been considered, the Environmental Statement should include an outline of the main alternatives studied and the main reasons for the choice made, taking into account the environmental effects.

The Environmental Statement may, of necessity, contain complex scientific data and analysis in a form which is not readily understandable by the lay person. The main findings must be set out in accessible plain English in a non technical summary to

ensure that the findings can more readily be disseminated to the general public, and that the conclusions can be easily understood by non-experts as well as decision makers (paragraph 5 of Part 2 of Schedule 4).

Paragraph: 035 Reference ID: 4-035-20140306

Revision date: 06 03 2014