

Officers Report

Planning Application No: 138491

PROPOSAL: Outline planning application for mixed use village extension comprising of up to 325 no. private and affordable dwelling units-Use Class C3, community meeting rooms-Use Class D1, with ancillary pub-cafe-Use Class A4 and sales area-Use Class A1, new landscaping, public and private open space with all matters reserved- resubmission of 134411.

LOCATION: Land to West of A1133 Newton on Trent Lincs

WARD: Torksey

WARD MEMBER: Cllr S Kinch

APPLICANT NAME: Mrs BM Arden

TARGET DECISION DATE: 16/01/2019

DEVELOPMENT TYPE: Major - Dwellings

CASE OFFICER: Jonathan Cadd

RECOMMENDED DECISION: Refuse permission

Non-technical summary:

The proposed development provides 325 houses, a community facility and business barn along with supporting open space and other features. Notwithstanding previous determinations, it is considered that the vast majority of the site would fall within the open countryside, designated category level 8 within policy LP2. The development does not accord with the restricted range of uses deemed appropriate for the countryside, or other policies and so falls contrary to policy LP2 and LP55 of the CLLP.

Should it be determined, however, that the development would fall within Newton on Trent, the development would represent a significant departure from the small scale development usually allowed within small villages, category level 6, of policies LP2 and LP4 and would therefore represent a substantial quantum of development in an unsustainable location.

Policy LP2 and LP4 provides some flexibility on the quantum of development allowed if clear local community support can be demonstrated. Despite further community consultation and a vote, clear local community support not been established for the scheme but rather a mixed view with a substantial minority of votes being cast against the proposal. The positive support of the parish council whilst important would not form a casting vote within policy LP2 as sufficient response has been received to ascertain the level of support and objection to the scheme. It is considered therefore that the proposal would be contrary to policies LP2 and LP4 of the CLLP as clear local community support has not been demonstrated.

In addition, to this Policy LP4 also requires developers to undertake a sequential approach to development sites in appropriate locations. The scale of development would mean that the development would fall within the least preferable site due to its

scale and would not meet the appropriate location test as the proposal would not retain the core shape and form of the settlement indeed it would practically double the number of dwellings in the village and its footprint into the countryside.

The application site measures approximately 18 hectares in area, and is located within a mineral safeguarding zone as designated within the Lincolnshire Minerals and Waste Local Plan Core Strategy and Development Management Policies. No assessment has been submitted to indicate that sand and gravel minerals would not be sterilised as a result of the proposal contrary to policy M11 nor that it could not be extracted before development or why the development could not be located elsewhere or indeed whether there are any overriding economic reasons that would outweigh the importance of mineral extraction at the site.

The location of the proposed development within Flood Zones 2 (medium probability) & 3 (high probability) is considered to place future occupiers and development at potential risk from flooding without adequate overriding reasons due the level of allocated, less vulnerable, sites available within the CLLP suitable for a housing led schemes, and is therefore contrary to the provisions of the NPPF and policy LP14 of the CLLP. The scheme does not include adequate reasons to limit the sequential search to Newton on Trent and would provide a scheme which would not generate a sustainable development, which even with enhancements to facilities and transport connections proposed would still be likely to cumulatively increase the level of car usage overall within the village with access to the majority of day to day services/ employment facilities away from the village. The proposal would also place existing village facilities under pressure and would not accord with the NPPF (033 Reference ID: 7-033-20140306) and create a significant sustainable extension to Newton on Trent.

Policies LP10 and LP11 seek development to provide an appropriate mix of housing types, sizes and tenures including affordable housing. The housing mix proposed is generally deemed acceptable in scale and type, however, the affordable housing tenure proposed has not been justified and may not meet the housing need for affordable homes within Central Lincolnshire contrary to the affordable rented tenure advocated within the adopted Development Contributions Supplementary Planning Document (adopted July 2018) and as justified by the Central Lincolnshire Strategic Housing Market Assessment 2015. Similarly, the retirement units should include a percentage of affordable homes to meet housing need.

Finally, strategic playing field contributions are required to meet a shortfall in need and standard at Saxilby with respect to the tennis courts contrary to policy LP24 of the CLLP.

Opposing this, the engagement and consultation with the community over the design and additional facilities provided by the proposal is positive even if it did not provide clear local community support for the proposal overall and should be given positive weight.

The flood risk assessment submitted is also positive would provide a development which would not only create a safe development for its life time without increasing risk elsewhere but would also reduce the level and extent of flood risk currently endured

by some adjoining residents in Newton on Trent. This should also be given positive weight.

The BREEAM accreditation for the development is very positive and indicates that the development itself would present energy efficient buildings with additional community and employment facilities, which the settlement does not currently have and would increase some transport options for existing and future occupiers alike. This should therefore be given positive weight within the planning balance.

However, this is not considered to offset the otherwise unsustainable credentials of a development of this scale, in a rural location.

The limited impact on the character of the area, highway safety and capacity, ecology and character of the area are noted and should be given limited positive weight in the planning balance.

Concluding whilst the positive elements of the scheme are recognised, together they do not outweigh the limitations of the scheme contrary to the sustainable spatial strategy of the development plan, adopted SPG on developer contributions, the Lincolnshire Minerals and Waste Local Plan Core Strategy and Development Management Policies and national policies of the NPPF supported by guidance within the NPPG.

Description:

The application seeks outline planning permission with all matters reserved (layout, scale, appearance, landscaping and access) for residential development of up to 325 houses (use class C3), community meeting room (use class D1 with ancillary public house/ café (class A4), and sales area (class A1). In addition to this, associated open space (approx. 5.5 ha), landscaping access roads and parking areas are proposed. Although not a matter under consideration the applicant indicates the main access road would be to High Street, Newton on Trent whilst an emergency access would be formed to the south west of the site onto the A57 along site the Anglian Water pumping station.

The application site is an open agricultural field to the north and west of Newton on Trent (a 'small village' under the settlement hierarchy in the Central Lincolnshire Local Plan (policy LP2)).

The site forms an inverted 'L' shape and is approximately 18 ha in size. The site appears generally flat but in actual fact falls west to east by approximately 2m (from 8m AOD to 6m AOD). The site is grazing land and is currently used to house free range chickens and accommodates multiple chicken sheds across the site and bird feed silos (to the west). The site is surrounded by mature hedging to the north and west with a similar hedge extending to the south. To the east is another hedge but with a substantial number of trees running alongside High Street. A small copse of trees also exists to the north eastern corner of the application site. To the east a rough tarmac dropped curb to High Street quickly changes to a farm track to enter the site. To the south west is another access. This is another farm track, with a rutted aggregate finish. This adjoins the tarmac road to the Anglian Water treatment works.

To the east is High Street, which runs to a priority junction with the A1133 to the east of the site. The road has a width of 7m and has grassed verge on either side, the footpath finishes 60m to the west of the site boundary. The road is lit.

The site fronts High Street and to the south eastern corner of the site are two dwellings, Barrowside and The Conifers, Newton on Trent, whilst further east across the A1133 is Furrowlands, an agricultural storage and wood storage plant. To the north are open fields although 212m to the north is the East Midland Sunfolk Caravan site and a pig farm. To the west are agricultural fields and to the south west adjoining the emergency access to the application site is the Anglian Water pumping station, a series of single storey buildings, plant and equipment. To the south are a series of smaller paddocks, larger open fields and further south residential properties fronting High Street (47m) and Dunham Road (239m) and Trent Lane (191m).

Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2017:

The development has been assessed in the previous application/appeal in the context of Schedule 2 of the Regulations and after taking account of the criteria in Schedule 3 it has been concluded that the development is not likely to have significant effects on the environment by virtue of its nature, size or location. Neither is the site within a sensitive area as defined in Regulation 2(1). This is a resubmission application and there are no significant physical nor policy changes since which would modify this conclusion. Therefore the development is not 'EIA development'.

Relevant history:

134411 Outline planning application for mixed use sustainable village extension comprising up to 325no. private and affordable dwelling units-Use Class C3, community meeting and community health rooms-Use Class D1, with ancillary pub-cafe-Use Class A4 and sales area-Use Class A1, new landscaping, public and private open space-all matters reserved. Refused 17 November 2016

Reasons:

1. The development is proposed within an area at risk of flooding contrary to the sequential approach to site selection, with the aim of steering development to those areas at lowest risk of flooding advocated by the National Planning Policy Framework. The Development does not comply with the saved policies of the West Lindsey Local Plan First Review (2006), most particularly STRAT 1.
2. Development of the scale proposed would result in the growth of this subsidiary rural settlement at unsustainable levels demonstrated by its inability to meet the infrastructure requirements. Future occupants of the development would be heavily dependent on private vehicles to access employment, retail and other basic facilities leading to a significant increase in car travel. The adverse impacts of development would significantly and demonstrably outweigh the benefits of development and the development does not meet the NPPF presumption in favour of sustainable development. Development does not

comply with the saved policies of the West Lindsey Local Plan First Review (2006), most particularly STRAT 1, STRAT 12, STRAT 19, SUS 1 and RES 6.

Following a 4 day Public Inquiry held in November/December 2017, an appeal was subsequently dismissed on 20th March 2018 (Appendix A)

M02/P/0159 Outline planning permission was granted for the erection of a village community centre and formation of a car park in 2002 on a square shaped area of land on the north eastern section of the site. Reserved Matters approval was subsequently granted in 2003 (Ref: M03/P/0057).

Representations, in summary:

Chairman/Ward member(s): *None received*

Newton on Trent Parish Council: (Summary) As with the previous application 138411, the Council continues to support this scheme.

The village, at present, lacks any amenities for communal meeting, except for the church, which is used mainly by the school. The village does not have a public house, and this development would provide much needed premises for communal activities and social drinking and eating.

Newton on Trent is "land locked" meaning that a car is needed for safe access to walking routes in the local area. The new development would provide open spaces and a trail, as the village green was lost to the village when the A57 was built, leaving only the verges around the perimeter of the village for such things as dog walking or personal exercise.

Newton on Trent Primary school would receive sustained support from new families coming to live in the village.

Council is also aware that there is good support from electors, evidenced by comments left on the website and an above average return of the latest survey.

Some concern was expressed at the likelihood of the area becoming "car dependent" as public transport fails to keep up with a growing population, so leading to much heavier traffic in the local area. However, the Council feels that, considering the whole picture, there are far more advantages than disadvantages, and so supports this project.

Local residents: As of 17/12/2018, 44 responses have been received 36 in support and 8 objecting:

Support: 1, 2(x3), 25, 26, 30 (x3), 33, 47, 55, 57, 61(x3), 73 High Street, 3, 5 Orchard Close, 4 (x3) Cockerels Roost, 9, 11 Dunham Close, Anvil House, Trent Lodge Dunham Road, Cobthorne Lincoln Lane, 8 The Grove, 1 Collingham Road (x2), Newton on Trent, The Rowans Sallie bank Lane Laughteron, 10, 12 Trent Port Road Marton, Cedar Lodge Monks Manor Drive Lincoln, 77 Wragby Road, Lincoln, 256 Springfield Road Chelmsford (own a property in Newton).

Comments in summary:

- Village consultation: 61% support the application – a clear democratic result.
- Facilities and services: The proposed extension to the village would benefit residents by providing new facilities and opportunities including meeting/ eating/ drinking places and pleasant areas to walk and relax outside. The community centre would provide something which we don't have for dance, sports and other social classes for which we currently have to go out the village for. Would provide greater facilities for children. Benefits would flow to other surrounding villages supporting them too.

The loss of village facilities over the years (pub) has been significant and fresh life is badly needed, especially if we want young people to remain to continue its existence. The church and school would also benefit. It would be an overall boost to the village.

Will create a fresh community cohesion lost for a number of years

Without this development the village will continue to die as remaining facilities close and public transport diverts away from village.

- Housing: Housing in villages is generally out of reach of young people therefore new housing will benefit area, especially the affordable housing proposed. New housing will bring families and young professionals into the village to boost school numbers and using existing play facilities, the village is currently just getting older.

Housing market is stagnated only because a) only a few houses available and b) the price of those available is over £200K why should locals be forced out village due to limited funds if parents can't help? If people are brought up in the countryside why shouldn't they be able to stay if they wish?

Considering moving into Newton and community and retirement facilities would be attractive.

For too long the only housing built is on adhoc land with only a few houses which are expensive and out of reach of locals and their children.

- Employment: New jobs created should be considered a significant benefit.

New business opportunities will boost the profile of the village and make it self-sufficient.

Proposal will increase footfall to post office/shop which would enhance its sustainability.

- Travel and Transport: The planned road access would direct traffic to the A1133 ensuring that village roads would not be greatly affected.

Increasing numbers of cars use the A1133 and A57 whether this development will occur or not – times change and this proposal should be grasped. New housing would assist to support additional bus services as there are only 5 services a day to Lincoln and only two return in the afternoon.

The walk to Laughterton is a significant benefit and would aid dog walking.

Development to the north east of the village will stop the current practise of rat running through from the A57 to the A1133.

- Amenity & character: One of the big benefits is that its location will mean minimal impact on residents during its 5 – 10 year build program.

Living opposite the site one respondent considers that countryside views would remain and will tidy up this portion of the village which is only used by a few people.

- Services and infrastructure: There will be no effect on the West Lindsey area as if this gets turned down then other development will be approved and so policing, NHS etc. will still be needed for that.

Objections (Summary) Dunham Lodge, The Conifers, 6, 6A, 9(x2), 37 High Street; 26 Dunham Road –

- Consultation: the village consultation was not carried out properly – some received no voting forms, others received two and after complaining some received the voting form after the deadline.

Much has been made of the level of support but 70 respondents is poor and nearly 40% whom responded objected – not what you would class as overwhelming support by any means.

Suggestion that the only people that want this are connected to the applicant and many don't live in village.

Also questions with respect to the probity of Parish Council.

There are questions regarding the validity of the vote and counting process.

Has the Community still been asked the question as stated in section 21 ["do you support a proposal for a development of up to 325 private and affordable dwelling units..."] of the appeal decision?

- Traffic & transport: The traffic concerns only one entrance/ exit from site A1133 and to village could lead to rat running to the A57 if junction is busy past the school which is dangerous at school times and includes lorries, school buses as well as tractors. At peak times the A57 and A1133 are always busy leading to problems leaving the village.

Newton crossroads – numerous accidents have taken place on the A57 and 300+ cars would cause major traffic issues as people will commute to the larger settlements. 700 cars would be generated each day on the same poor road system.

This will increase parking congestion at the school as people will drop children off in car creating an impasse at the start and end of the school day.

The creation of a car park to assist school and church traffic and remove current parking problems is unrealistic as this car park would be half a mile away from the facilities and unfortunately people will not walk this far so will not alleviate this issue.

Very poor bus service and development wouldn't assist this much.

- Scale and connectivity: It would not form part of the village it would be totally detached.

It would double the size of the village, if people want to live in large village they should go to the city or Saxilby.

- Quality of development: When site is sold to a builder the fear is that this would totally change what had been offer to something very different without the benefits.
- Amenity: Proposals would ruin view of countryside and peace and tranquillity of countryside.

Proposal will bring 1300 vehicle journeys to this end of the village each day creating an intolerable increase in noise and traffic pollution not to mention service traffic.

- Housing need: Houses in Newton do not sell fast, it has taken 11 months to sell a desirable dwelling at a much lower price than it was worth – no demand, housing stock always available on the market.
- Facilities and School: The school cannot cope with the influx of children. School can hold 70 children with a current roll of 52 and 325 houses is bound to bring in more than capacity. The school has seen the applicant's proposal and the governors rejected it. This is due to the lack of classroom space but also lack of room in the playground.

No prospects for older children other than to travel to senior school but Tuxford has stopped taking children from this side of the Trent and the other three schools are either at capacity (2) or have limited capacity.

It is noted that a cafe / pub is planned. This has been made to sound very appealing but I seriously question how realistic this opportunity is. The latest figures show that pubs are closing at a rate of 29 per day across the country,

this includes our own village pub which had to close because it was no longer financially viable. I fear that this venture has had inadequate research and is only included in the proposal to sugar coat and appease current residents.

- Planning policy: Been refused previously and by a government planning inspector, is sequentially unacceptable being out of line with the CLLP and does not have the support of the district Council, nor indeed a number of key transport providers.
- Employment: there are no sizeable employers in the village, Listers' staff all drive cars in and out of the village every day and do not seem to live here.

It is very unclear how adding this huge and vastly disproportionate extra 325 dwellings will help with any notion of further employment, services or infrastructure, let alone any new form of social cohesion. It will also add further burdens onto local healthcare providers, blue light services and the District and County Councils.

- Infrastructure: There are approximately 189 properties in Newton and the sewerage disposal system is close to capacity.
- Other:
- I do firmly believe in building and providing new housing (especially social housing, which this plan finally added a very small portion of) and the infrastructure to fulfil the needs of a growing population, but this must be done sensibly and in proportion. If this plan was at a scale of say 25 to 50 new houses I think there would be the 'considerable local support', as it stands, it shows a contemptuous lack of understanding of what is acceptable to not only the existing village but the services and organisations that support the welfare of communities. This application is no doubt taking considerable time and the limited resources of the District Council yet again, which is completely unnecessary.

LCC Highway and Lead Local Flood Authority: (Summary)

Highways

The principle of development is acceptable to the HLLFA. The submitted Transport Assessment is a reasonable representation of the likely impact on the highway network and demonstrates the modelled junctions have capacity to include the trip generation from this development. Local road network capacity and geometry is also sufficient to cope with the additional flows.

Further discussions with the County Council's Transport Services section is recommended with respect to the bus services contributions.

Whilst not matters under considerations concerns are raised with respect to access junction location and design, the provision of an emergency link, estate road layout and design and parking provision.

Guidance is also provided with respect to the need for agreements to provide bus stop and shelters, extension of 2m wide footpaths to Newton on Trent and the shared cycleway/footpath to Laughterton will require an s278 Highway Agreement and should terminate outside of Southlands Laughterton.

Drainage

It is shown that the site is generally at low risk from surface water flooding, with the exception of small pockets showing a medium to high risk. This is accepted by the HLLFA as not a significant cause for concern, however subsequent detailed applications for layout and drainage approval will require mitigation measures should these areas be developed. The HLLFA would make the following points on the drainage strategy:

- Limiting rate of discharge will be set at 1.4 l/s per hectare (24.8 l/s total) in line with TVIDB guidance as the receiving body.
- Further ground investigation at detailed application stage will be required to identify if any areas are suitable for some bespoke infiltration, although it is noted this may be unviable due to geology and water table levels. Therefore it is accepted the main drainage strategy for the site will take the form of swales and attenuation ponds for conveyance, treatment and storage.
- The areas of development on the indicative drainage strategy not shown with a roadside swale arrangement will require further SUDs drainage techniques incorporating into the layout on future detailed applications.
- Private curtilage run-off will require draining using sustainable techniques to complement the rest of the site drainage strategy.

Overall comments

Further discussions are required on the public transport and travel plan but no principle issues remain and conditions and advice notes are recommended.

Environment Agency: (Summary) We have reviewed the submitted flood risk assessment (FRA), and consider that it demonstrates that the development will be safe for its lifetime, without increasing flood risk elsewhere, i.e. the second part of the exception test is passed. Therefore, if it were deemed by your authority that the proposed development had passed the sequential test and first part of the exception test, we would have no objection subject to the imposition of planning conditions.

The conditions include a requirement to construct the development in accordance with the Flood Risk Assessment, Finished Floor Levels and ground level rises agreed, and retained access to maintain the EA flood dense. It also notes the need to ensure works to the south of the A57 are included in a s106 legal agreement due to their positioning on third party land outside the applicants ownership.

The EA also notes it is the responsibility of the Local Planning Authority to determine whether the sequential test is passed.

LCC Minerals & Waste Authority: (Summary) The proposed development has been identified as being located within a Minerals Safeguarding Area and is subject to Policy M11 (Safeguarding of Mineral Resources) of the Lincolnshire Minerals and Waste Local Plan (Core Strategy and Development Management Policies) adopted June 2016.

The authority notes: ‘...**All** applications for non-minerals development should be accompanied by a Minerals Assessment which shall be assessed by the Minerals Authority....’ This application does not include an assessment.

A Minerals Assessment should provide an appropriate assessment of the mineral resource, its potential for use in the forthcoming development and an assessment of whether it is feasible and viable to extract the mineral resource ahead of development to prevent unnecessary sterilisation. Where prior extraction of some or all of the mineral can be undertaken, the assessment should also include an explanation of how this will be carried out as part of the overall scheme. In addition the impacts of proximal sterilisation of minerals resources on adjacent land by the introduction of the development and or more sensitive receptors will need to be addressed as part of the assessment.

Archaeology: (summary of comments): Previous evaluations at pre application stage was for the most part negative across the site, however there was a concentration of Roman materials in Trench 4 (NW of the site) which appears to be connected with a corn dryer and also evidence of a high status building. With this in mind it is recommended that prior to development, the developer should undertake a scheme of archaeological monitoring and recording on all ground works in the northwest corner of the site. The exact details of the plots to be monitored will be finalised when the reserved matters application is submitted. **Conditions are therefore recommended.**

NHS: (summary of comments) The development of 325 dwellings is likely to increase the local patient population by 748 (based on an average 2.3 people per dwelling. Based on this new population and the Department of Health calculation in HBN11-01: Facilities for Primary and Community Care Services the increase in patients will place extra pressure on existing services and increased appointments which in turn impact on premises with extra consulting/ treatment room requirements. Practises most likely to be affected include The Glebe Practice, The Surgery (Willingham by Stow) and Trent Valley Surgery.

This development would put additional demands on the existing GP services for the area and additional infrastructure would be required to meet the increased demands.

The Clinical Commissioning Group (CCG) is working towards a move to a population based delivery of care model (Neighbourhood model.) For the Gainsborough area, the CCG is working towards developing a Primary Care hub as part of the work to consolidate the Primary Care services in the area. As such, the s106 funding from this planning application would go towards the development of facilities and relocation of primary care provisions at John Coupland Hospital, to increase consultation capacity and accessibility to primary care in the area, however, if this is not deemed CIL compliant as such then, as before the surgeries at Saxilby and Torksey would be the appropriate location for support.

The contribution requested for the development is £205,562.50 (£632.50 x 325 dwellings).

LCC Education: (based on 283 dwellings i.e. not including proposed over 55s housing).

The table below relates the number of places available in local schools from/for the proposed development:

Type	Children produced by scheme	Sufficient places 2019/20 (Y/N/Partial)	Places to be mitigated	Contribution sought
Primary	56	Partial	35	£394675
Secondary	53	N	53	£0
Sixth-form	10	N	10	£0
			Total	£394675

As this is an outline application a formulaic approach will be used in an s106 legal agreement. This could result in a higher contribution if a higher proportion of large houses are built. This would only be finalised at reserved matters stage.

NB Secondary and Sixth Form contributions will be dealt with through CIL provisions.

Primary contributions will be spent in the following way:

Type	Amount	Scheme
Primary	(see below)	Towards either an extension of Newton on Trent or towards two additional classrooms and a studio hall at Saxilby Primary

The costs requested in relation to this development are either:

- The full costs of the extension at Newton on Trent Primary as these are not likely to be typical of a normal school extension, and there is no ability to pool contributions for expansion of this school as the current scheme would use all capacity created; or
- The standard formula contribution towards Saxilby Primary School (detailed below) plus a contribution towards transporting children to and from the school. The cost of this, commuted for a 15 year period, is a total of £484,500 (£32,300 per annum for the 35 children that there is insufficient capacity available for at Newton on Trent Primary).

The below table indicates the number of pupils generated by the proposed development. This is on the basis of research by Lincolnshire Research Observatory utilised to calculate Pupil Production Ratio (PPR) multiplied by the number of homes proposed.

House Type Known (if	No. of Properties	PPR Primary	Primary Pupils	PPR Secondary	Secondary Pupils	PPR Sixth Form	Sixth form pupils
2 bed		0.09		0.09		0.018	
3 bed		0.17		0.17		0.034	
4+ bed		0.33		0.27		0.054	
Unknown (discounting over 55s housing)	283	0.2	56.6	0.19	53.77	0.038	10.754
Total (rounded down)	283	-	56	-	53	-	10

Capacity us assessed using the County Council's projected capacity levels at 2021/22, this is the point when it is reasonable to presume that the development would be complete or well on the way.

Type	Local school/ school planning area	Pupils generated	Sufficient places available 2019/20 (Y/N/Partial)	Places to be mitigated
Primary	Saxilby Primary planning area	56	Partial	35
Secondary	Lincoln south secondary planning area	53	N	53
Sixth-form	Lincoln South Secondary Planning Area	10	N	10

As the development would result in a direct impact on local schools, a contribution is therefore requested to mitigate the impact of the development at local level. This is a recognisable and legitimate means of addressing an impact on infrastructure, accords with the NPPF (2012) and fully complies with CIL regulations; we feel it is necessary, directly related, and fairly and reasonably related in scale and kind to the development proposed in this application.

Type	Places to be mitigated	Contribution per place*	Sub-total	Local multiplier**	Total contribution
Primary	35	£12257	£428,995	0.92	£394675
Secondary	53	£18469	£978857***	0.92	£900548***
Sixth-form	10	£20030	£200300***	0.92	£184276***
Total	-	-	£428995	-	£394675

*current cost multiplier per pupil place based on National Cost Survey

**to reduce cost and to reflect Lincolnshire's lower than average build cost compared to national average

***reduced to zero as currently on WLDC's Regulation 123 list

It is suggested that s106 monies are paid at the halfway point in the development to allow timely investment by the County Council whilst not adversely affecting the developer's viability.

Lincolnshire Police: (In summary) Do not have any objections but offer advice on natural surveillance, parking provision, public open space and communal areas, lighting and footpaths.

Natural England: (Summary): No objection based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on Designated Sites or Protected Landscapes and has no objection. Natural England's advice on other natural environment issues including the welcoming of green infrastructure on site (trails, green spaces, green roofs, community and education space, tree planting, orchards, outdoor play space etc. Natural England recommends that these be linked together for form green corridors linking to large green space and the wider natural environment. It is recommend that the Sustainable Urban Drainage (SuDs) areas which are shown on the masterplan incorporate biodiversity enhancement measures.

It is recommended that a suitably worded condition(s) be imposed to ensure further detail is provided to be addressed through a subsequent full application. The use of method statements for working in close proximity to the most sensitive receptors and/or an overall landscape management plan would allow any mitigation, compensation and enhancements measures to be successfully implemented.

Further advice is provided to maximise the multi functions of green infrastructure including improved flood risk management, accessible green space, climate change adaption and biodiversity enhancement, landscape, protected species, local sites and priority habitats and species, ancient woodland/ veteran trees, general environmental enhancements, access and recreation and rights of way and the biodiversity duty.

Lincolnshire Wildlife Trust: Summary: We wish to support the ecological ethos of the proposed development and we also support the details provided in Section 7 (Landscape and Ecology) of the Masterplan (October 2018, N0282-1 R01 Rev D) and the details provided in the Landscape and Ecological Management Plan (15/04/16 Doc Ref: INF_N0282_R02). We are especially happy to see that there will be a long-term financial commitment to achieving the desired outcomes of the LEMP and that these will involve monitoring and adaptive management. If the scheme goes ahead as proposed, we would be keen to explore opportunities to monitor results in terms of both biodiversity and the wider determinants of health and well-being for residents.

Further comments and advice covers: types of seeds/ planting proposed, maintenance of hedgerows, grassed areas and meadows.

Nottinghamshire County Council: Summary

- Highways & Transport

In dealing with planning applications the Highway Authority and Local Lead Flood Authority will evaluate the applicants proposals specifically related to highway and flood risk matters only. As a consequence developers may in cases where their initial

proposal raise concern or are unacceptable amend their initial plans to incorporate revisions to the highway and flood risk measures that they propose. The process behind this can be lengthy and therefore any initial comments on these matters may eventually be different to those finally made to the Local Planning Authority. In view of this and to avoid misleading information comments on planning applications made by the Highway Authority and Local Lead Flood Authority will not be incorporated into this letter.

- Minerals

Though this development is outside the Nottinghamshire County area, it is within approximately 650m (at its closest extent) of a Minerals Safeguarding and Consultation Area for sand and gravel within Nottinghamshire. At this distance it is unlikely that this proposed development would sterilise a potential future extraction area. Therefore, there are no safeguarding concerns in respect to this site and the County Council does not wish to raise any objections to the proposal from a minerals perspective.

- Waste

There are no existing waste sites within the vicinity of the site whereby the proposed development could cause an issue in terms of safeguarding existing waste management facilities.

- Strategic Highways

There are a number of village communities in Nottinghamshire close to Newton on Trent which already suffer from adverse environmental impacts caused by HGV traffic. Collingham village, which straddles the A1133, is a case in point and where an overnight EWR has been introduced to limit the detrimental impacts of HGV through traffic. In considering this application, it is recommended that an HGV routing agreement is entered into by the applicant with both Nottinghamshire County Council and Lincolnshire County Council such that HGV construction traffic is directed to use the most suitable routes in both Nottinghamshire and Lincolnshire to gain access to and from the application site.

- Ecology

The County Council has no ecology comments to make on this application as it is not envisaged that it will give rise to any significant ecological impacts within Nottinghamshire. The Local Planning Authority should seek ecological advice from within their own county.

- Developer Contributions

Bus Service Support - It is assumed that Lincolnshire County Council will provide a separate submission with their comments and requirements in respect of this application.

At this time it is not envisaged that contributions towards local bus service provision will be sought by Nottinghamshire County Council.

Infrastructure

At this time it is not envisaged that contributions towards local bus stop infrastructure provision will be sought from Nottinghamshire County Council, but requirements will be included as part of a response from Lincolnshire County Council.

Lincolnshire Fire & Rescue: objects on grounds of inadequate water supply for fire-fighting. To remove this objection 4 hydrants will be required supported by the Anglian Water mains network and dwellings will need to conform to Building Regulations 2000 part B5.

Relevant Planning Policies:

Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Here, the development plan comprises the provisions of: The Central Lincolnshire Local Plan (April 2017); and the Lincolnshire Minerals & Waste Local Plan (2018).

- Central Lincolnshire Local Plan (CLLP) 2017 <https://www.n-kesteven.gov.uk/central-lincolnshire/local-plan/>

The following are considered the most relevant policies:

LP1: A presumption in favour of sustainable development

LP2: The spatial strategy and settlement hierarchy

LP4: Growth in villages

LP5: Delivering prosperity and jobs

LP6: Retail and town centres in Central Lincolnshire

LP9: Health and well being

LP10: Meeting accommodation needs

LP11: Affordable housing

LP13: Accessibility and transport

LP14: Managing water resources and flood risk

LP15: Community facilities

LP17: Landscape, townscape and views

LP18: Climate change and low carbon living

LP21: Bio diversity and geodiversity

LP24: Creation of new open space, sports and recreation facilities

LP25: The historic environment

LP26: Design and amenity

LP55: Development in the countryside

- Lincolnshire Minerals & Waste Local Plan Core Strategy & Development Management Policies (adopted June 2018) (LMWLPCS) <https://www.lincolnshire.gov.uk/residents/environment-and-planning/planning-and-development/minerals-and-waste/>

The following policy is considered relevant:
MW11: Safeguarding of minerals resources

- Neighbourhood Plan

Newton on Trent does not have a neighbourhood plan at this time.

- Development Contributions Supplementary Planning Document (adopted July 2018)<https://www.n-kesteven.gov.uk/central-lincolnshire/local-plan/supplementary-planning-documents-and-guidance-notes/>
- West Lindsey Character Assessment
- National guidance

National Planning Policy Framework (NPPF) 2018

<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

National Planning Practice Guidance (NPPG)

<https://www.gov.uk/government/collections/planning-practice-guidance>

Main issues

- *Principle of housing in this location: spatial hierarchy position, and community support*
- *Sustainability, infrastructure provision and housing need (inc. housing mix and affordability)*
- *Flood risk & sequential test*
- *Minerals & Waste*
- *Design and Character*
- *Residential amenity*
- *Highway & parking*
- *Ecology*
- *Open space*
- *Heritage and Archaeology*

Assessment:

- *Principle of housing in this location, community support & housing need*

Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

The Central Lincolnshire Local Plan was adopted in April 2017. This has been assessed by Planning Inspectors as sound. The latest assessment¹ shows there is a 5 year supply of housing land plus 20% buffer through its allocations.

At the time of writing, the Government has yet to publish the Housing Delivery test results, and the Housing Delivery Test is not yet engaged under paragraph 215 of the NPPF (2018).

In terms of para 11d) of the NPPF the policies of the CLLP are therefore deemed to be up to date and as such the presumption in favour of housing development is not activated and, in line with para. 2 of the NPPF and planning law, development should proceed in accordance with the development plan and residential development should not be given enhanced weight within the planning balance.

It is therefore important to consider the proposal in line with policies: LP2, LP3 and LP4, which provide a sustainable spatial strategy for Central Lincolnshire.

Policy LP2 indicates that the spatial strategy will focus on delivering sustainable growth for Central Lincolnshire that meets the needs for homes and jobs, regenerates places and communities, and supports necessary improvements to facilities, services and infrastructure. Development, it notes, should create strong, sustainable, cohesive and inclusive communities, making the most effective use of previously developed land (except where that land is of high environmental value), and enabling a larger number of people to access jobs, services and facilities locally...

The policy directs decisions on investment in services and facilities, and on the location and scale of development, will be assisted by a Central Lincolnshire Settlement Hierarchy. This strategy seeks to concentrate growth in the main urban areas and in settlements that support their roles, with remaining growth being delivered elsewhere to support the function of other sustainable settlements and to help meet local needs.

Newton on Trent is classified within policy LP2 as a small village (category 6) within the hierarchy. The policy states:

'Unless otherwise promoted via a neighbourhood plan or through the demonstration of clear local community support****, the following applies in these settlements:

- they will accommodate small scale development of a limited nature in appropriate locations**.
- proposals will be considered on their merits but would be limited to around 4 dwellings, or 0.1 hectares per site for employment uses.'

** throughout this policy, the term 'appropriate locations' means a location which does not conflict, when taken as a whole, with national policy or policies in this Local Plan (such as, but not exclusively, Policy LP26). In addition, to qualify as an 'appropriate location', the site, if developed, would:

¹ See <https://www.n-kesteven.gov.uk/central-lincolnshire/planning-policy-library/>

- retain the core shape and form of the settlement;
- not significantly harm the settlement's character and appearance; and
- not significantly harm the character and appearance of the surrounding countryside or the rural setting of the settlement.

Policy LP4 also provides guidance on the overall quantum of development allowed within category 5-6 settlements. Newton on Trent has a growth level of 10% but this is subject to a known strategic constraint (flood risk) which will need to be overcome if development will be allowed to come forward. For this reason, no growth has been attributed to these villages to meet the growth targets identified within policy LP3.

In each settlement in categories 5-6 of the settlement hierarchy, a sequential test will be applied with priority given as follows:

1. Brownfield land or infill sites, in appropriate locations**, within the developed footprint** of the settlement
2. Brownfield sites at the edge of a settlement, in appropriate locations**
3. Greenfield sites at the edge of a settlement, in appropriate locations**

Proposals for development of a site lower in the list should include clear explanation of why sites are not available or suitable for categories higher up the list.

A proposal within or on the edge of a village in categories 5-6 of the settlement hierarchy should be accompanied by demonstrable evidence of clear local community support** for the scheme if, in combination with:

- a. other development built since April 2012;
- b. any extant permissions; and
- c. any allocated sites,

the proposal would increase the number of dwellings in a village by more than 10% or, where relevant, the identified growth level in the above table;

Local communities can, through Neighbourhood Plans or other means, deliver additional growth over the levels proposed by this Policy.

Since the appeal for 325 houses (ref. no. 134411) was dismissed last year the applicant has sought to provide additional information to show clear local community support for a larger quantum of housing than is usually permitted within the general hierarchical spatial strategy for housing growth within small villages as advocated within policy LP2 and LP4 of the Central Lincolnshire Local Plan. Whilst noting the role community support can play in policy LP2 Small Villages, and will be returned to, it must first be determined whether indeed this development would be located within/ adjoining the village of Newton on Trent or whether it should be considered as open countryside (category 8).

The site is located on farmland currently used for organic chicken farming. The site fronts the High Street and is opposite two detached dwellings Barrowside and the Conifers. The community hub shown on the indicative plan is also roughly in line with Dunham Knoll to the western side of High Street although the application site is divided

from this property by two paddocks some 59m in width. Whilst opposite the site across the A1133 is Furrowlands this is an agricultural use and is considered to be detached from the continuous built up area of the settlement. Policy LP4 states: **** throughout this policy and Policy LP4 the term 'developed footprint' of a settlement is defined as the continuous built form of the settlement and excludes:*

- a. individual buildings or groups of dispersed buildings which are clearly detached from the continuous built up area of the settlement;*
- b. gardens, paddocks and other undeveloped land within the curtilage of buildings on the edge of the settlement where land relates more to the surrounding countryside than to the built up area of the settlement;*
- c. agricultural buildings and associated land on the edge of the settlement; and*
- a. outdoor sports and recreation facilities and other formal open spaces on the edge of the settlement.*

The scale of the development site is such that it covers approximately 18ha in area with a curtilage perimeter of 1.890km (excluding emergency access and amended junction to High Street), however of this only 60m (3%) fronts High Street with the remaining 1.830km (97%) adjoining land classified as open countryside. Therefore whilst there could be an argument that a small portion of the site would adjoin the village of Newton on Trent the vast majority falls within open countryside. This is further underlined when an aerial photograph (appendix B) is considered. As such it is considered that, due to the extremely limited portion of the site which could be determined as adjoining the village (LP2 and LP4) the site should not be determined with reference to (policy LP2) hierarchy category 6. Small Villages but category 8. Countryside. Such a position is supported in part by the comments of Planning Inspector Sherratt in the previous appeal (appendix A) who stated: para 30:

...The masterplan indicates a continuation of the High Street into the appeal site aimed at reflecting and continuing the form of the existing village, although there is no continual flow of development from the existing to the new, resulting in some detachment. The westward projection into the countryside would be far greater than currently exists at the south of the village. It is difficult to reconcile how the core shape of the village can be retained when the extension would occupy a site area not dissimilar to the existing village...

The scale of the development is such, that it far exceeds the “small scale development of a limited nature” envisaged for category 6 (small villages) settlements and is not retained within the developed footprint (as defined within LP2) of this small village. The consequence of the scale of the proposal is such that it cannot be contained within the developed footprint and results in a significant extension into countryside (tier 8).

It can be noted that during consideration of previous application 134411, policies relating to development within the countryside, were not engaged. Whilst officers are respectful of previous considerations/ determination it is considered that its altered position with reference to the Central Lincolnshire Local Plan policies and through assessment of the physical nature of the site has been suitably justified and this proposal should be determined in accordance with both CLLP policies LP2 and LP55.

Policy LP2 category 8. Countryside indicates that unless allowed by: a) policy in any levels 1-7 in **policy LP2**; or b) any other policy in the Local Plan (such as LP4, LP5, LP7 and LP57), development will be regarded as being in the countryside and as such restricted to:

- that which is demonstrably essential to the effective operation of agriculture, horticulture, forestry, outdoor recreation, transport or utility services;
- renewable energy generation;
- proposals falling under policy LP55; and
- to minerals or waste development in accordance with separate Minerals and Waste Local Development Documents.

It is considered that the proposal for 325 dwellings for market and social housing would not meet any of the policy requirements under policy LP2 category 8, nor would it meet the test under policies LP4 (for the reasons outlined above), LP5, LP7 and LP57 and would not therefore accord with policy LP55 and the Local Plan spatial strategy which would weight against the proposal within any planning balance.

Given the stance advocated previously by the Local Planning Authority, however, it is still open to the committee, if they disagree with the above, to consider the development wholly as an addition to a small village under policies: LP2 (category 6.) and LP4 of the CLLP. Indeed, as a fall back this is considered important to consider such an option in any case.

As has been noted above policies LP2, LP3 and LP4 provide (as identified through para. 3.2.4 of the CLLP) the strategic spatial approach to development growth within Central Lincolnshire based on an assessment of sustainability. The approach of the CLLP to the spatial strategy for growth has been assessed at examination and been found to be sound (para 126 of the CLLP Planning Inspectorate Report 2017. This includes the assessment of settlements on the basis of their size (dwelling numbers), Inspectors Youle and Birkinshaw stating (para 79):

‘...the availability of services in a particular village can vary over time and the overall size of a village is a reasonable way of deciding its position in the hierarchy. It also has the advantage of being a relatively straightforward and constant measure to count on a consistent basis. Furthermore, in very broad terms, larger settlements will generally tend to provide more services than smaller ones.’

They further note at para. 89: *‘We have not been provided with any clear evidence that shows a direct link between particular growth levels and the maintenance or enhancement of particular services in the Large, Medium or Small Villages. However, as a matter of planning judgement a reasonable level of growth has been allowed for in these rural villages and this will be likely to help support their vitality, as sought by the Framework. Furthermore, Policies LP2 and LP4 allow for more growth to come forward in Small and Medium villages, for example if advanced through a Neighbourhood Plan or with the benefit of demonstrable community support.’*

Finally, para 114 indicates that: *‘The size limits for individual development proposals (typically up to... 4 dwellings in Small Villages) are based on reasonable planning judgements and should help ensure that the scale of individual developments is*

proportionate to the village...To provide flexibility in small villages, and in recognition that some small villages have a range of employment opportunities and good access to services, the policy should be amended to specify that 'around' 4 dwellings would be acceptable...'

For Newton on Trent development will generally be limited, through policy LP2, to small scale development of a limited nature in appropriate locations**. Whilst development will be considered on its merits, it notes that proposals will be limited to around 4 dwellings. Policy LP4 is also relevant in that it permits Newton (subject to overcoming the strategic constraint of flooding) to grow by 10% in the number of dwellings over the plan period. As of the 4th December 2018 remaining latent capacity within the village amounted to 16 dwellings².

A 325 house estate plus community and business facilities would clearly significantly exceed the moderate levels of sustainable growth, envisaged for a small settlement. The scheme would therefore fall to be refused when considered in relation to the spatial strategy for growth in Central Lincolnshire. Policy LP2 & LP4, indicates, however, that proposals which include a demonstration of clear local community support*** can exceed these standard scale thresholds.

The applicant undertook a public consultation exercise through planning application ref. no. 134411, to seek to identify community support for the proposals and identify the particular requirements of the community to assist in the design of the development. At the following appeal Inspector Sherratt commended this consultation exercise describing it as comprehensive but, at para 22, also stated:

'...it does not expressly confirm support for the resultant scheme or overall scale of development submitted. That is what the policies require. In my view the exercise that was undertaken, as comprehensive and commendable as it is, could not be described as one which demonstrated community support for the proposal, generated via a thorough, but proportionate, pre-application community consultation exercise, directed at a development of the scale proposed. Rather, it is a comprehensive engagement exercise required as part of the accreditation for BREEAM, to establish the needs, goals and desires of the community so that they could inform the masterplan for development. I therefore find conflict with Policies LP2 and LP4 in this regard.'

This current application includes additional consultation undertaken in an attempt to address the stated shortcoming. The three week consultation exercise (10th – 31st May 2018) was undertaken prior to the application as required by policy LP2 and included a leaflet and voting slip outlining the scheme (as now submitted) sent to all businesses & services (52), residents within Newton on Trent Parish (167) and parish councils (7). This included a unique number so that responses through the Newton on Trent 2014 web site or at a physical post box at exhibitions could be received and counted. Posters were displayed at the village shop, school, church and parish notice boards whilst the web site included full details, plans and reports. Finally, a public exhibition was held at the church on Thursday evenings and all day on Saturday throughout the

² See <https://www.west-lindsey.gov.uk/my-services/planning-and-building/planning-policy/housing-growth-in-medium-and-small-villages-policy-lp4/>

consultation period. Additional voting slips could be obtained from the applicant and different coloured slips were available from the public exhibitions.

The voting slip asked the following question: 'Do you support the Outline planning application for a sustainable phased mixed use garden village extension to Newton on Trent comprising up to 325 private and affordable dwelling units, community meeting rooms with ancillary pub/café and sales area, new landscaping, public and private open space and employment space on land to the west of the A1133/ Newton on Trent.' The response required a Yes or No box to be ticked.

Although questions have been raised by objectors with respect to the probity of the process, it is considered that the unique numbering system utilised ensured that only one vote per household/ business could be achieved, similarly the question and response required was clear and unambiguous. The nature and coverage of leaflets/ voting slips sent out and publicity undertaken is considered to represent a fair and proportionate process as required by policies LP2 & LP4 of the CLLP.

The voting slips and comments were received from a total of 77 households/ properties, a response rate of 34% from the 226 leaflet/ voting slips sent out. The response to the question whether to support the development of 325 houses etc. as noted above received the following responses:

TOTAL OF ALL RESPONSES		
No. of consultees	226	100%
No. of responses	77	34%
No. of Yes	48	62%
No. of No	29	38%

We have sought additional clarity on the actual responses to the consultation vote relating to actual responses forming the vote from individuals. At the time of writing we have not yet received this information.

The majority of responses have returned positive but does this amount to clear local community support? Policy LP2 provides a definition for the '****demonstration of clear local community support' as meaning:

'...at the point of submitting a planning application to the local planning authority, there should be clear evidence of local community support for the scheme, with such support generated via a thorough, but proportionate, pre-application community consultation exercise...'

It cannot be disputed that the majority of responses received have indicated support for the proposals, however, this is not the test required by policy LP2. This is aptly summed up by one objector to the scheme whom indicated:

'For this 'new' application, much has been made of the considerable local support for the scheme, as per the table below (author above) representing households in the village – 70 respondents is poor and still nearly 40% of those responding object – not what you would class as overwhelming support by any means.'

This underlines the issue of concern. It is recognised that the applicant has done her best to solicit a comment from local residents but nevertheless 66% of consultees contacted have not responded. It cannot be concluded that this lack of a response equals support for a proposal, merely a lack of objection and at best it is a consideration of neutrality. Neutrality is not required by policy LP2 but clear local community support is. The lack of response therefore is a consideration against this proposal.

The policy test is not of a simple majority vote but a demonstration of clear community support. In this case a substantial proportion of those responding, 38%, object to the proposal. This demonstrates that there is substantial objection to this proposal within the village, which whilst a minority in simple numerical terms it is large enough to determine that there is not demonstrable local community support but a clear division of views within the village over this development. On this basis it is considered that community is split with substantial factions supporting and objecting to the proposal.

The responses to the formal planning application are less substantial, which is not unusual given the scale of correspondence and the number of site notices posted, however, it is worth noting that of those individual households responding, excluding responses received outside of the Parish of Newton on Trent, 37% of individual responses received oppose the development whilst 63% supported it, very roughly mirroring the applicants consultations (NB this excludes additional responses from households posting multiple responses or those outside the Parish) and again showing substantial division within the village.

The definition of clear local community support included within Policy LP2 also includes the sentence:

If, despite a thorough, but proportionate, pre-application consultation exercise, demonstrable evidence of support or objection cannot be determined, then there will be a requirement for support from the applicable Parish or Town Council.

The active participation of Parish Council within policy LP2 is only therefore pivotal when insufficient response to a consultation exercise has been received to make any clear determination of support or objection to a planning application. It is not a 'deciding vote' where a clear but balanced response to a consultation has been received, therefore the positive response of Newton on Trent Parish Council is important and will need to be considered within the planning balance but is not considered as the deciding authority of community support in this instance.

The proposal therefore, and despite the additional work undertaken, fails to demonstrate clear local community support and should therefore be determined in strict accordance with the spatial strategy outlined within LP2 and LP4, which has already been found to be contrary to these policies.

- *Sustainability, infrastructure provision and housing need (inc. housing mix and affordability)*

The spatial strategy of the CLLP has been noted as being sustainable taking account of the advice within the NPPF and the nature, facilities and connections settlements

have within its area. The development's failure to comply with policies LP2 and LP4 of that Plan is a serious failure but nonetheless the application is proposed as a sustainable garden village extension which would provide 325 high quality energy efficient houses, which would support existing social and retail facilities and provide / enhance others thus enhancing the sustainability of Newton On Trent overall. The applicant has undertaken a substantial amount of work to show how the proposal would seek to accord with the BREEAM Communities Sustainability Assessment and achieve an aspiration very good/ excellent rating.

Policy LP18 (Climate Change and Low Carbon Living) of the CLLP indicates Development proposals will be considered more favourably if the scheme would make a positive and significant contribution towards one or more of the following (which are listed in order of preference):

- Reducing demand: by taking account of landform, location, layout, building orientation, design, massing and landscaping, development should enable occupants to minimise their energy and water consumption, minimise their need to travel and, where travel is necessary, to maximise opportunities for sustainable modes of travel;
- Resource efficiency: development should (a) take opportunities to use sustainable materials in the construction process, avoiding products with a high embodied energy content; and (b) minimise construction waste;
- Energy production: development could provide site based decentralised or renewable energy infrastructure. The infrastructure should be assimilated into the proposal through careful consideration of design. Where the infrastructure may not be inconspicuous, the impact will be considered against the contribution it will make;
- Carbon off-setting: development could provide extensive, well designed, multi-functional woodland (and, if possible, include a management plan for the long term management of the wood resource which is produced), fenland or grassland. The Central Lincolnshire Biodiversity Opportunity Mapping (or subsequent relevant document) should be used to guide the most suitable habitat in a particular area.

Proposals which address one or more of the above principles (whether in relation to an existing development or as part of a wider new development scheme) which are poorly designed and/or located and which have a detrimental impact on the landscape, the amenity of residents, or the natural and built environment, will be refused.

Each one of these points will be considered in turn.

Reducing demand

The layout and design of the site is not a matter under consideration at this outline stage and as a result only limited assessment can be made, however, supporting documentation underlines the importance of passive heating and the reliance on natural phenomena such a heating from the sun and ventilation from the breeze. As a result it is considered that there is sufficient opportunity to maximise these aspects at reserved matters stage and this should be given positive weight.

The policy, however, also requires location to be a consideration to 'minimise their (*occupiers*) need to travel and, where travel is necessary, to maximise opportunities for sustainable modes of travel.'

As has been noted above the settlement hierarchy within the CLLP has been based on size of settlement with, in general, larger settlements supporting more services, facilities and connections. The hierarchy within policy LP2 and LP4 is therefore based on housing numbers with Newton on Trent being a "small village" i.e. 50 dwellings plus but smaller than a medium village of 250 dwellings plus (in actual fact 167 dwellings). Notwithstanding the strategic constraint from the River Trent in Newton's own case, in general, such villages are only capable of very limited growth to: '*allow for steady growth to occur without overwhelming a village and its services, whilst not leading to an absence of growth that might starve services and lead to an imbalance of population*' para 3.14 of the Central Lincolnshire Settlement Hierarchy & Growth Distribution Study (2016).

The CLLP has assessed Newton on Trent as a small village (level 6), in the hierarchy with only a limited growth attributed to it. It is a concern that the proposal would not accord with the sustainable principles approved by the CLLP, policies LP2 and LP4 and would overwhelm the village and its services and lead it to unacceptable levels of travel on a day to day basis. The 325 houses, community and business units proposed therefore appears contrary to this sustainable approach.

Policy LP13 also indicates: *All developments should demonstrate, where appropriate, that they have had regard to the following criteria:*

- a. Located where travel can be minimised and the use of sustainable transport modes maximised;*
- b. Minimise additional travel demand through the use of measures such as travel planning, safe and convenient public transport, walking and cycling links and integration with existing infrastructure;*
- c. Should provide well designed, safe and convenient access for all, giving priority to the needs of pedestrians, cyclists, people with impaired mobility and users of public transport by providing a network of pedestrian and cycle routes and green corridors, linking to existing routes where opportunities exist, that give easy access and permeability to adjacent areas;*
- d. Ensure allowance is made for low and ultra-low emission vehicle refuelling infrastructure.*

Para 72 of the NPPF notes that the supply of large numbers of homes can often be achieved through planning for large scale development, such as new settlements or significant extensions to existing villages and towns, provided they are well located and designed and supported by the necessary infrastructure and facilities. The policy continues:

'b) ensure that their size and location will support a sustainable community, with sufficient access to services and employment opportunities within the development itself (without expecting an unrealistic level of self-containment), or in larger towns to which there is good access;...'

It is accepted that the village has facilities that offer a range services, retail, education and employment options. These distances are noted below in metres, along with other uses related to day to day or important general needs elsewhere.

Facility	Distance from centre of site (approx. in metres)
Post Office (NoT)	550
Primary School/ Nursery (NoT)	500
Church (NoT)	550
Playground (NoT)	850
Bus stops (NoT)	850 (reduced to 300m with s106)
Furrowlands including Merlin Logistics (NoT)	372
Football pitch (NoT)	415
Medical Centre Torksey	4700
Medical Centre Saxilby	8500
Saxilby Primary School	7800
Co-op (Saxilby)	8000
Saxilby Rail Station	7400
Lea Road Station, Gainsborough	13500
Gainsborough Town Centre	14500
Lincoln City Centre	16500

NoT – Newton on Trent or the immediate environment.

The current village provisions are limited, the post office is small and although contains retail goods these are very small and at best could only be considered for very limited top up shopping with residents needing to travel to Saxilby or one of the other villages some distance away for anything beyond the most basic of goods. The village store/post office at Laughterton has closed. The nearest supermarkets are located within Gainsborough and Lincoln.

Similarly, as noted by the County Council, the village school has limited capacity and would require the majority of children from the development to be bused to Saxilby for schooling. There is currently no bus suitable for this, and it is likely that the education authority would need to fund this. Although, the application indicates expansion could be accommodated at the school through expansion, permission would be likely to be required and options are limited with constraints on the site, including the need for immediate open amenity space for pupils and the settling of the Grade II* Church of St Peter. Therefore instead of enhancing the sustainability of the village it could well be the case that it would instead place extra strain onto an existing facility or would increase travel requirements to other schools. It is noted, however, that a contribution requested from the Education Authority covers both eventualities but includes the need to expand Saxilby and support travel to this school. This will amount to £394665.00 and this will need to be agreed as part of an s106 agreement. It highlights, however, the unsustainable nature of the proposal.

The nearest medical centres within the area are at: The Surgery, Willingham by Stow, the Trent Valley Surgery at Torksey (AM only)/Saxilby (AM & PM) and Glebe Surgery,

Saxilby. These facilities have limited facilities are under significant pressure. There are no waiting lists at these surgeries and they are obliged to take new patients even if at capacity. The NHS is therefore proposing a Primary Care Hub at the John Coupland Hospital Gainsborough to provide additional capacity within West Lindsey. Questions have been raised with respect to the direction of monies to Gainsborough and whether this would meet CIL 122 tests and as a result it is recommended that the Saxilby and Torksey surgeries are also considered for funding. All surgeries would require travel and not necessarily easily achieved by public transport further underlining the limited sustainability of Newton on Trent. It is also noted that to facilitate the Primary Care Hub to accommodate the additional patients generated the NHS request £205562.50. This should form part of an s106 of the application is to be supported.

The applicant also draws on the potential to support the post office to be retained. It is likely that additional trade would be generated by the houses proposed but there are no guarantees that this would automatically be case and as it is within private ownership there are other considerations or business decisions which could take precedence. Similarly, whilst the hub would provide opportunities for social activities and would perhaps be in the gift of the applicant to maintain, there are again no guarantees that this would be successful in the same way as the pub within the village wasn't.

Finally, jobs; the level of employment opportunities within the local area, even taking account of the business hub and any enhancements to broadband and homeworking would still only account for a small proportion of the overall proposed number of residents (17% currently) that it is estimated would be generated from the site leading to an increasing need to travel to the main centres of Gainsborough, Lincoln or indeed further afield. It is estimated that only 7% would have no place of employment at all meaning of those whom are likely to work 76% of those future residents will have to travel. This is a substantial amount of people travelling either for work, school or other daily needs.

The applicant has sought to address these concerns through the provision of additional footpaths aiding access to the school, church, play areas and post office but also a longer distance pedestrian/cycle path to Laughterton with its facilities. Finally, the applicant offers a substantial sum of money to enhance the currently bus service (including new bus stops within 300m of the centre of the site).

Currently the timetabled stagecoach service 106 leaves Newton on Trent for Gainsborough at 09:37, 11:37, 13:24 and 18:04 for Gainsborough Bus station (approx. 1 hour journey) Monday to Saturday with services to Lincoln at 10:28, 12:28, 14:08 and 16:42 Mon to Sat with no evening or Sunday services either way. The call connect service (no. 100G) is a demand service that runs between Gainsborough and Saxilby (and vice versa) hourly from 07:30 to 18:30 (Monday to Friday) 08:30 to 17:30 (Saturday). This service requires pre-booking and journey times cannot be guaranteed as they are dependent on the location of pick-up and drop off of customers. There are also single return school services to Tuxford (Monday – Friday), a single return Tesco service (Wednesday only) and the Edwinstowe Shopper (Friday only return).

The application recognises the poor offer currently available and negotiations with both LCC Transport Officers but also Stagecoach has sought enhancements. It is recognised that the current no. 106 has capacity and is currently poorly utilised. It was noted that Stagecoach wish to consolidate this service with an enhanced 100 half hourly service. In addition to this, it is recommended that a semi timetabled minibus service with 50% of services being timetabled and others being demand based connects with the 100 at say Saxilby. This would create would create a better service to Newton on Trent and allow commuter services to both Lincoln and Gainsborough. It was noted that the consolidation of the 106 with the 100 would be a viable commercially and therefore this scheme and any s106 contribution would only be used towards the semi - flexible service to outlining villages (including Newton on Trent) and other opportunities for tailored service to meet particular destinations such as Rampton Hospital or the power stations on the Trent. This should be given a positive weighting in the planning balance.

It is accepted that through discussions that the enhanced bus service would create some benefits, however, the commercial changes to the 100 and 106 service have yet to take place and it is unknown when or whether they will be implemented as these are decisions for the operator. Similarly, it is unclear as to the level of direct service from Newton on Trent to Gainsborough, Saxilby and/or Lincoln and their times. The flexible minibus is positive with some direct timetabled connections with the 100 or rail services but any change required at Saxilby (although some services could run directly to Gainsborough) or elsewhere would be off putting to some, equally given the nature of call connect service journey times to and from connecting services can vary which again is likely to be off putting to some when the direct alternative would be more convenient. Should such services occur the travel plan still indicates that 55% of the residents would travel by car (rising to 68% when including car passengers). This still a very significant proportion of journeys by unsustainable modes and only 2% would use public transport. Travel plan measures proposed if successful would only reduce this by 5%.

It is interesting to note, however, when the wider Torksey Ward is considered, the 2011 Census data appears to indicate that of those currently aged 16 – 74 (minus those not in employment) the census indicates 10% work from home, 75% drive to work, 5.5% are car passengers, and 1% ride a scooter travel with only 2% using public transport (Nomis – Area E05005716: Torksey). Similar, percentages are also found for the Super Output area West Lindsey 007C, including Newton on Trent. This indicates: 10% work at home, 73% travel to work by car, 7% are passengers with only 2% using the bus or train.

Similar services were considered by Inspector Sherratt in the previous appeal whom stated (para. 38) when considering the sustainability overall scheme:

'However, the proposed village extension would accommodate almost double the number of dwellings of the existing village. Even assuming the success of measures to reduce the average number of car trips made, the development would still significantly increase the number of households and in turn, the number of car journeys overall to and from the village. Any reduction in the reliance on the private car achieved for existing residents would be more than offset by the overall increase in car travel resulting from the new development...'

As the scheme has not significantly changed from the previous proposal and whilst some positive benefits could be attributed to the potential changes to bus services it is not considered that these are so substantial with respect to the likely modal shift that they can be given great weight within the overall planning balance.

Together, it is considered that the existing village amenities, connections to Laughterton, proposed on site facilities and enhanced bus service would therefore offer some sustainable benefits to future residents but that these benefits would not in any way be equal to, and would be more than offset by the scale of development proposed, which would lead to an increase and over reliance on motor vehicles and outweigh any positive benefits. It must also be argued that the CLLP policies and allocation also offer more sustainable options to meet the development need in central Lincolnshire without developing within Newton on Trent. As such therefore it is argued that on balance, despite the potential benefits the design and layout would bring, the proposal would be contrary to the sustainable provisions of this part of LP18 and should be weighed against the proposal in the planning balance.

Resource Efficiency

With respect to energy and resource efficiency the application focuses on a fabric first approach, i.e. constructed to utilise a minimal amount of energy due to design, materials and features rather than renewable energy generation. Dwellings will be built to code Level 4 overall (although the energy efficiency levels would equate to level 5) and where possible code level 5+ / Passivehaus standards. Of the 325 houses proposed the applicant indicates that 48 homes would be Eco Exemplar homes. Community buildings will be built to BREEAM Non-Domestic standard achieving very good/ excellent level. Equally buildings would be suitable for retro fitting with renewable energy features such as solar panels, heat pumps, wind power although these will not be constructed by the applicant and would be for the occupier to install.

The development will include one, possibly two electric car charging points at the site. Given most electric vehicles can plug into the house mains utilising a standard plug, this is not deemed unreasonable, but should permission be granted it is recommended that all properties have electric connections to the garage or a secure external plug and charging point be added to the community and business hub.

This must be welcomed and weighs in favour of the development in line with policy LP18, although it should also be noted that it is expected that building regulations will soon require this to be modified so that 'the new national technical standard' will be a minimum equivalent of a CSH level 4. Nevertheless it remains a benefit.

Energy production

The applicant has considered carefully the options for renewable energy production and whilst there would be capacity to retro fit features to individual buildings there are no significant proposals being made. Instead, it has been found that the fabric first approach to limiting energy usage provides a more sustainable approach.

Carbon off-setting

The application site currently provides limited tree cover with the exception of the small copse to the north eastern corner of the site. The applicant proposes 5.5ha of open space of which approximately 2 ha would be woodland and this along with tree planting throughout the site would provide some carbon off setting. Although a potential it is not thought that the woodland areas would be managed for sustainable fuel production i.e. wood pellets but would nonetheless provide significant benefits for existing and future residents alike. In a similar way, the significant planting of trees, gap planting hedgerows, amenity open spaces and swales are also proposed to be designed to enhance biodiversity on a site which currently has limited value to wildlife. Together, it is considered that these proposal would accord with policy LP18 in this manner.

Housing need including affordability and custom build housing

Policy LP10 indicates that: *'Developers are expected to provide housing solutions that contribute to meeting the housing needs of the housing market area, as identified in the latest Strategic Housing Market Assessment (SHMA) and in any other appropriate local evidence. This means new residential development should maintain, provide or contribute to a mix of housing tenures, types and sizes to help support the creation of mixed, balanced and inclusive communities.'*

More specifically, to cater for the needs of less mobile occupants, including older people and disabled people, and to deliver dwellings which are capable of meeting peoples' changing circumstances over their lifetime, proposals for 6 or more dwellings (or 4 or more dwellings in small villages) must deliver housing which meets the higher access standards of Part M Building Regulations (Access to and use of buildings) by delivering 30% of dwellings to M4(2) of the Building Regulations, unless the characteristics of the site provide exceptional reasons for delivery of such dwellings to be inappropriate or impractical. Proposals which voluntarily deliver more than 30%, or deliver the 30% requirement to the higher M4(3) standard will be supported.

Where possible, higher accessible homes should be located close to any existing or proposed centre (as defined in Policy LP6) and public transport connections.'

Similarly, the CLLP seeks to meet housing needs for Central Lincolnshire including affordable and specialist housing. Policy LP11 of the Local Plan indicates, that, outside the Lincoln strategy area and SUEs, 20% of housing within a development will be required to be affordable. The Central Lincolnshire Developer Contribution SPD (2018) indicates that this will be required on site and only in exceptional circumstances will the provision of affordable housing on an alternative site or equivalent financial contribution will be considered. For West Lindsey this means a minimum of 70% affordable housing should be in the form of affordable rent housing.

The outline nature of the application precludes a detailed analysis of house size and mix but the applicant indicates a range of dwellings from 1 to 5 bedroom sizes with a mix of apartments, small terraces, semi-detached and detached dwellings including some bungalows. This is positive and it is recommended that conditions be placed on any approval to require the housing mix to be agreed with the Local Planning Authority at reserved matters stage.

The application also indicates that 30% of the dwellings would be built to M4(2) standards. This too is positive and could be conditioned. However, as noted above, Policy LP10 indicates where possible higher accessible homes should be located close to any existing or proposed centres and public transport connections. Newton on Trent has poor connections and facilities as noted previously and even with the improvements to public transport services, footpaths and facilities proposed would still provide few options to access day to day needs without a motor vehicle. Newton on Trent therefore compares poorly with other substantial allocated housing sites.

As indicated above Central Lincolnshire has a 5 year supply of housing land through formal designations or through a percentage growth in appropriate villages within the settlement hierarchy (policies LP2, LP3 and LP4). The need for this overall quantum of housing in this location to meet housing need is therefore low. This is perhaps indicated by the information submitted indicating that only 18 households within the village wished to move in the next 5 years. In addition to this, there are currently only 6 requests on the council's Custom Build Register for self-build plots within West Lindsey and only one within the Torksey/ Hardwick area. Such evidence therefore indicates that the vast majority of households would be brought in from outside of the village, which does not indicate a particular need within the village to be met and as a result the application should be considered as a significant housing led scheme rather than a Newton on Trent specific proposal to meet a specific housing need which is clearly not evidenced in the submission.

Central Lincolnshire Strategic Housing Market Assessment 2015 indicates a need for 676 new affordable homes per annum. For West Lindsey this means 181 homes. The application provides 20% affordable houses in the form of low cost home ownership and social rented accommodation. Both of these fall within the Affordable Housing definition within the NPPF but this would not, however, meet the requirements of the adopted SPD which seeks to meet the need within Central Lincolnshire through affordable rented accommodation (70%) with a preference for on-site provision.

The current need (a snap shot in time only) for property in Newton On Trent as identified through the West Lindsey Homes Choice Register indicates only one household registered with a local connection to Newton on Trent (although they haven't indicated a particular wish to staying in the village) with a further 27 households indicating an interest in Newton. It should be noted, however, that this is potentially not the only village that these people are interested in and there could be more. All require affordable rented accommodation.

The need for the low cost homes offered by the applicant has not been clearly justified. Generally, the lower cost of housing within Central Lincolnshire limits the need for such accommodation. The need for affordable rented property however has been evidenced through the Central Lincolnshire Strategic Housing Market Assessment 2015. In a similar manner it is noted that social rented accommodation is offered on later phases of the proposal but this is not a product that has been found to be viable within West Lindsey previously as rents are lower than those offered under the affordable rent product thus limiting its attractiveness to registered providers whom generally do not take up such accommodation within West Lindsey. It is important to note that the location of the site remote from services and facilities is not one that it is

attractive to registered providers of such accommodation. This is not likely to have changed since the submission of the previous application.

Similarly, off site provision offered is usually deemed less suitable as it would provide a less diverse community on site, but also across the district limiting the options for residents needing this type of accommodation. Maintaining the spatial growth strategy as advocated by policies LP2 and LP4 would allow developments to come forward in sustainable locations where the full offer of affordable housing can be achieved.

As a result the proposal falls contrary to policy LP11 of the Local Plan and the adopted SPG on contributions. It is also recognised that the application provides evidence that Registered Providers do not wish to build affordable houses within Newton on Trent due to the lack of facilities and connections. This is recognised but is perhaps an indication to the overall concerns raised with respect to the sustainability of the location even with the proposed improvements proposed.

The application indicates that a large number of market retirement properties (42 units) will also be provided. Need for such accommodation within Central Lincolnshire is noted but evidence suggests, and LP11 requires, that this is required across all tenures and as such affordable rented retirement units need to be considered within the housing mix. Again the Homes Choice Register for those indicating an interest in or association with Newton indicates 9 out of the 27 households are over 55 and would require affordable rented accommodation. Similar concerns are also raised in respect to the sustainability of the Newton for those residents without a motor vehicle and the ability to meet their daily needs compared to other larger settlements with better facilities within walking distance. This includes social and health facilities. Without easy access to these facilities it is questionable whether such facilities would be suitable.

- *Flood risk & sequential test*

It is a requirement of Policy LP14 that all development proposals will be considered against the NPPF, including application of the sequential and, if necessary, the exception test. Paragraph 155 of the NPPF indicates that 'Inappropriate development in areas of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.'

In this instance, the application site is located within flood zones 2 (medium probability) and 3 (high probability) and as such it would be usual to apply the sequential test to consider whether there were any other alternative sites in less vulnerable locations available. The NPPG³ (033 Reference ID: 7-033-20140306) indicates:

'the area to apply the Sequential Test across will be defined by local circumstances relating to the catchment area for the type of development proposed. For some developments this may be clear, for example, the catchment area for a school. In other cases it may be identified from other Local Plan

³ See <https://www.gov.uk/guidance/flood-risk-and-coastal-change#Sequential-Test-to-individual-planning-applications>

policies, such as the need for affordable housing within a town centre, or a specific area identified for regeneration. For example, where there are large areas in Flood Zones 2 and 3 (medium to high probability of flooding) and development is needed in those areas to sustain the existing community, sites outside them are unlikely to provide reasonable alternatives.'

It is usual for housing led developments to be assessed at a district level as general housing need can be met across a local authority area and this is deemed to be correct in this instance. This decision, contrary to the more restrictive search area advocated within the application (predicated on the level of community support received for this scheme and facilities provided for Newton), is justified based on: a) the development plan is up to date, b) the application for 325 houses, which has no evidenced justification to be based solely within Newton on Trent (limited need for market housing in this location, affordable housing and retirement housing has been shown) and c), Community support (whether demonstrated or not in this instance) does not negate the requirements of policy LP14 and the NPPF for a full sequential assessment to be undertaken. In particular distinction should be made within any determination to reduce a search area between: 'community need' for a development, and 'community support'. Community support is not noted within either LP14 nor the NPPG as a reason for reducing the sequential test search area. The examples given within the NPPG are such that a 'need' requires to be met whereas in this development the proposal is desirable, to a percentage of the village/ parish, and this is not required to sustain the existing community and place substantial new development within designated flood zones.

Taking this wider search area it is considered that there are a significant number of less vulnerable sites readily available to accommodate the housing development either as a whole or disaggregated into a smaller number of smaller sites as identified through sites allocated within the CLLP and the sequential test is therefore not been met.

Guidance is further provided within para 159: 'If it is not possible for development to be located in zones with a lower risk of flooding (taking into account wider sustainable development objectives), the exception test may have to be applied.' It should therefore be noted that the exception test is only engaged, where the sequential test has been passed.

For the exception test to be passed it must demonstrate that:

'a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and

b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.' (para 160).

As the sequential test has been deemed not to have been passed there is no requirement to consider the exceptions test, however, it is worth recognising with respect to part a) of the test that whilst the wish for community facilities, additional footpaths/ open space and support for existing facilities has been outlined there is no

demonstration that the level or type of housing required would be justified as enabling development in order to achieve this. This weighs against approval in the planning balance. It is, however, worth noting b) that the proposed development has been shown to be safe for the lifetime of the development and that this has been supported through a site specific flood risk assessment. The Environment Agency has not objected to the scheme following additional work before the previous appeal.

Works to ensure the site is safe will include a substantial portion of the ground levels of the site being raised to 7.95 AOD in the west to 6.74m AOD in the east. In addition, this also includes a 10m portion of land being increased to 8.3m AOD immediately adjoining the toe of the EA defence to the east of the site. An 8m wide easement would be formed within this area with planting but no development allowed. Further to this, the proposed residential dwellings finished floor levels (FFL) would be set 150mm to 300mm above ground levels. This would be sufficient to withstand a 1 in 100 year flood event including 30% climate change event combined with a 1 in 5 year tidal event. With the increased FFL the housing would also be above a 1 in 1000 event.

In addition to this, an enhancement to the existing Environment Agency flood defence bund to the North West of the site would take place. This would increase a low spot (10 – 20m in length) in the defence to a 8m AOD bund consist across its full extent. The bund would then link as a whole to the defence around the Anglian Water treatment plant creating a continuous defence, whilst to the south of the A57 further low spots would be enhanced to a final level of 7.575m AOD. This is land in private ownership but agreement in principle has been gained. Should the application be supported this will need to be required through an s106 agreement.

The outcome of these works is such that Newton on Trent would have a continuous defence against a 1 in 100 year event for the first time and the defence would also ensure flood levels and the extent of flooding within Newton on Trent would be reduced during a 1:100 year plus climate change event.

In the event, of a major flood the applicant has indicated a requirement to sign up to the EA Flood Warning System and has shown an evacuation route to Flood Zone 1 area, albeit with small sections being with Danger to Some zones. The Environment Agency, however, has accepted this and indeed the flood risk assessment showing that the site would be safe for its life time and the risks to adjoining land would not be increased but slightly decreased. This element despite the overall failure of the sequential test with should be given positive weight within the planning balance.

A surface water drainage strategy has been identified for the site by the applicant. This includes a series of sustainable urban drainage features including, swales, pervious pavements and ponds for conveyance, treatment and storage. This would allow for a limited rate of discharge 1.4 l/s per ha (24 l/s total), in line with the receiving body requirements to the Newton Drain and then the Torksey Main Drain. Infiltration is likely to be limited due to basal mud stone and in places water close to the surface being found.

This approach has been supported by the Lead Local Flood Authority in principle although they are likely to press for further swales and other features within the site than shown in the master plan but this can be agreed at reserved matters stage.

- *Minerals & Waste*

The Site is located within a sand and gravel minerals safeguarding area and Petroleum Exploration Development Licence (PEDL) Block within the adopted (June 2016) Lincolnshire Minerals and Waste Local Plan Core Strategy (LMWLPCS).

This document forms part of the development plan for Central Lincolnshire. Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

Sand and gravel resources are considered to be of current or future economic importance where shown within minerals safeguarding areas of the plan. Non mineral development should not sterilise mineral resources nor prevent mineral extraction from adjoining land. The application site at 18ha in size and is mainly within the open countryside and could therefore represent a resource which requires protection from sterilisation.

Policy M11 of the LMWLPCS indicates that applications for non-mineral development will be permitted in a safeguarding area provided it would not sterilise mineral resources or prevent future minerals extraction on neighbouring sites. All non-mineral applications for development within Mineral Safeguarding Areas should be accompanied by a mineral assessment. A Minerals Assessment should provide an appropriate assessment of the mineral resource, its potential for use in the forthcoming development and an assessment of whether it is feasible and viable to extract the mineral resource ahead of development to prevent unnecessary sterilisation.

Where prior extraction of some or all of the mineral can be undertaken, the assessment should also include an explanation of how this will be carried out as part of the overall scheme. In addition the impacts of proximal sterilisation of minerals resources on adjacent land by the introduction of the development and or more sensitive receptors will need to be addressed as part of the assessment.

Where mineral resources would be sterilised by a proposal, Policy M11 sets out the tests that need to be met in order to enable planning permission to be granted. This includes, but not exclusively: why prior extraction would be impractical, why the development could not be sited elsewhere, whether there is an overriding need for the development to meet local economic need and why this could not be reasonable sited elsewhere or the development is, or forms part of, an allocation in the development plan. Exceptions to the policy are noted but do not relate to this proposal.

The applicant has not submitted a minerals assessment with the application and therefore the scheme is contrary to policy M11 of the LMWLPCS and should be refused on these grounds. It is considered that the proposal as noted above is contrary to planning policy issues in principle and is recommended for refusal. Should the application be refused, the applicant would be at liberty to consider all matters in the round and determine whether the additional work should be undertaken at that stage. A technical reason for refusal on these grounds is therefore recommended to recognise this particular situation.

The development also falls within the Petroleum Exploration Development Licence (PEDL) Block, however, no mineral safeguarding areas are identified as such prospects can only be identified after extensive exploration activity. In any event, oil and gas deposits are found at much greater depths than other minerals exploited within the county and are therefore less threatened by surface development (para 5.89 of the policy M11). It is notable that the Minerals and Waste Authority have not objected to the development on petroleum grounds only sand and gravel.

Members should be aware that neither the previous application nor appeal took account of the minerals resource as identified by the LMWLPCS. The Core Strategy was adopted at the time of both determinations and the safeguarding areas were shown on proposals maps and it is therefore unclear as to why this was not taken into account although it is noted that no representations were received at the time from the Minerals Authority.

Nonetheless, this is a new planning application and there is a statutory duty to determine the application against the provisions of the up to date development plan (including the Core Strategy), as well as the provisions of the NPPF (para. 20) as a significant material consideration.

- *Design and Character*

Policy LP26 notes that all development... must achieve high quality sustainable design that contributes positively to local character, landscape and townscape, and supports diversity, equality and access for all. The policy divides into two, design principles and amenity considerations

In a similar manner policy LP17 seeks: *'To protect and enhance the intrinsic value of our landscape and townscape, including the setting of settlements, proposals should have particular regard to maintaining and responding positively to any natural and man-made features within the landscape and townscape which positively contribute to the character of the area, such as (but not limited to) historic buildings and monuments, other landmark buildings, topography, trees and woodland, hedgerows, walls, water features, field patterns and inter-visibility between rural historic settlements. Where a proposal may result in significant harm, it may, exceptionally, be permitted if the overriding benefits of the development demonstrably outweigh the harm: in such circumstances the harm should be minimised and mitigated.'*

The application is outline in nature with all matters reserved, including appearance, it is therefore difficult to assess the proposals design or impact on the surrounding area in any detail, however, it is possible to assess the general impact of 325 houses, community facilities/ business hub on the surrounding area and village.

The applicant has provided an LVIA which assesses the impact on the character of the area in detail using a 5km zone of influence and determining particular viewpoints of importance, receptors including public vantage points and historic assets.

The site is designated within the adopted West Lindsey Character Assessment as being within the Trent Valley area. This character area runs along the eastern margins of the River Trent from Gainsborough to just south of Newton on Trent. Characteristics

of the area include a robust network of hedgerows with some significant woodland and small park land to provide a sense of enclosure. Views are relatively contained although the power stations to the west of the Trent, their associated transmission lines along the Trent have a wider impact.

The LVIA indicates that the application site and surrounding area does not fit particularly well within this classification but nonetheless exhibits a number of features stated including robust hedgerows and enclosed views and the dominating presence of Cottam Power Station.

The views of the site from public vantage points are largely limited by mature field hedgerows, existing development and intervening fields reducing the impact of development from these areas. This is not to say there would not be any impact as the development of 325 single and two storey homes across an 18 ha site would be visible and would extend the village into the open countryside but that these views would be more limited, softened by existing and proposed landscaping and subject to detailed designs the impact would be largely localised. As such and subject to details being agreed at reserved matters stage the proposal would not appear contrary to policies LP17 and LP26.

- *Residential amenity*

A number of concerns have been raised with respect to residential amenity. As noted above LP26 has two distinct strands – design principles but also amenity considerations. The policy states: *‘The amenities which all existing and future occupants of neighbouring land and buildings may reasonably expect to enjoy must not be unduly harmed by or as a result of development.’* A list of criteria is noted to assess proposals by.

The nature of the majority of the site, located away from the village would significantly reduce the impact on residential amenity both in terms of construction and during its occupational life. In addition to this, the access to the site is such that it would allow the vast majority of vehicles to access the A1133 and the A57 without travelling through the village which would again be a benefit.

It is clear, however, that a small number of properties closest to the entrance of the site and the community hub would experience an increase in activity and nuisance. Whilst acknowledging this, the Environmental Protection Team have not raised an issue with traffic noise and levels of traffic generally. This together with the position of nearby properties would not be so significant in overall terms as to create an unacceptable impact. Full details of the access would be required at reserved matters stage providing further level of assessment. In a similar manner whilst raising some concerns with respect to the community hub, the master plan indicatively shows the unit an acceptable distance from nearby properties. Conditions requiring details of acoustic performance of such a facility, any potential mitigation including hours of operation, amplified music and location of car parking could be added to any approval to ensure such a facility does not create a nuisance.

Construction traffic and general activity which could create substantial noise and nuisance could also be the subject of conditions including hours of operation,

measures to reduce noise, dust and vibration and even construction vehicle routing to limit the impact on existing residents.

Finally, it is noted that some residents would also lose cherished views of the countryside. Whilst no one has a right to a view, all properties would have some remaining open space, landscaping or fields between them and the proposed development again limiting harm. This would also ensure that future dwellings would not dominate existing properties.

It is considered, therefore, that the proposal subject to conditions would not be likely to represent an unacceptable impact on residential amenity in accordance with policy LP17 of the CLLP.

- *Highways & parking*

Policy LP13 indicates that: *'All developments should demonstrate, where appropriate, that they have regard to the following criteria:*

- a) That are located where travel can be minimised and the use of sustainable modes maximised.*
- b) Minimise additional travel demand through the use of measures such as travel planning, safe and convenient public transport, walking and cycling links and integration with existing infrastructure;*
- c) Should provide well designed, safe and convenient access for all, giving priority to the needs of pedestrians, cyclists, people with impaired mobility and users of public transport by providing a network of pedestrian and cycle routes and green corridors, linking to existing routes where opportunities exist, that give easy access and permeability to adjacent areas;*
- d) Ensure allowance is made for low and ultra-low emission vehicle refuelling infrastructure.'*

Any development, the policy notes, that has severe transport implications will not be granted planning permission unless deliverable mitigation measures have been identified, and arrangements secured for their implementation, which will make the development acceptable in transport terms.

The positioning of the development at Newton on Trent and the access to public transport has been considered above and as a result this section will focus on the impact on motor vehicle traffic on the existing network.

Many of the objections received noted the potential for accidents and congestion with many vehicles travelling through the village at times when the school and the church is at their busiest. These concerns are understandable but are not supported by the evidence submitted and the tests which apply to through Policy LP13 and indeed the NPPF, para. 109, which indicates that development should only be prevented on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The applicant has assessed the nature of the proposed estate and using comparable data from other similar sized development and shown that in total there would be

approximately 264 vehicle movements in and out of the estate during the morning peak, and 284 in the evening peak or 4-5 additional vehicles travelling on the local highway network every minute during peak hours. The direction of traffic using the local highway network is anticipated to be as follows:

Route	Percentage of traffic
A1133 (north)	39.36
A57 (east)	42.19
A1133 (south)	6.16
A57 (west)	11.79
Total	100.00

Given the likely use of routes noted (based on census detail of employment destinations), substantial numbers of vehicles (18 am peak, 19 pm peak) are unlikely to drive through the village to access the wider network and would not reach a level of impact that could be classified as severe. In accordance with guidance provided by the Local Highway Authority the applicant has assessed the impact additional traffic would have on key junctions at: High Street/ A1133, the A57/A1133 and the A57/Dunham Road. At all of these junctions in 2028 (when the development is expected to be completed) it has been shown, taking into account natural increases in traffic levels that the impact of the additional traffic from the development would not lead any junction to operate above its capacity. The busiest would be the A57/A1133 and even in this case queue levels at the 2028 would only increase from two cars at peak hours to three cars as a result of the proposal. This cannot therefore considered severe.

It should be noted that although all matters are reserved, the applicant has provided detailed plans at the junction of the site and High Street. Again figures show such a design would operate well within capacity, however the Highways Authority has objected to the change in priority in favour of the site on safety grounds. This is not an issue to refuse the application upon as it is not a matter under consideration, however, should the committee seek to support this proposal an advice note outlining concerns should be including for information.

In the same way concern has been raised with respect to the emergency access proposed which if not correctly designed will be used as a rat run to an access on the A57 which whilst safe is not ideal for significant traffic. As such therefore an advice note to this effect on any approval is recommended.

Accident data has also been assessed and shown that there 9 PIA records in the local area in the last 5 years, an average of 1.8 per year. None were fatal but 2 were classified as serious. The review shows that there are no clear patterns or common causes for these accidents and there was a reduction compared to the previous 5 years when there were 16 PIAs recorded. This improvement is likely to be due to highway enhancements at the A1133/A57 junction in that period. It is not considered therefore that the road network in this area is unsafe. This position accords with the advice from the Highway Authority.

Car parking levels are raised with respect to the scheme, but as with layout these are not matters under consideration at outline stage.

- Ecology

Policy LP21 Biodiversity and geodiversity in summary indicates all development should:

- protect, manage and enhance the network of habitats, species and sites of international, national and local importance (statutory and non-statutory), including sites that meet the criteria for selection as a Local Site;
- minimise impacts on biodiversity and geodiversity; and
- seek to deliver a net gain in biodiversity and geodiversity

The application site is not designated as a site of ecological importance and is in commercial use for agriculture (organic chicken production) and is laid to grass with mobile chicken sheds located upon them. Mature hedging surrounds most of the fields whilst a small woodland copse exists to the north east. This woodland is relatively weak, as are the hedges, due in part to incidents of Dutch Elm disease. Uncultivated field margins exist in narrow strips at the field edge but are dominated by ruderal and scrub vegetation.

The applicant has undertaken a phase 1 habitat survey including a desk top investigation and site visits. A zone of influence was established at 500m and historic records of European protected species were considered within the wider area. Great Crested Newts were recorded in 1997 in Kettlethorpe between 500 and 1km from the site whilst bat roosts and general records of bat activity were identified between 0.25km – 1.7km from the site along with various mammals on the Trent including otters and voles.

In terms of the zone of influence the survey indicates a small number of features of potential interest which were identified within 500m of the site. This includes a pond within a Furrowlands opposite the site entrance. Here a pond was considered to be of sufficient merit to survey for Great Crested Newts. The assessment was undertaken in accordance with the standing advice of Natural England and no GCN were identified only toads, a frog and on two occasions: one male smooth newt, none of which are protected.

In addition to this, bat surveys were undertaken, no roost were identified on site but several instances of bats foraging and/or commuting were identified. This included Common Pipistrelles but also small numbers of: Soprano Pipistrelles (1) but also occasional Myotis and Noctule and a single Brown Eared bat. Roosts are known to exist to the west and north of the site so this is not considered unusual.

The remaining surveys did not identify any further protected species on site and the potential landscaping (including: open spaces, enhanced hedging and SUDs features) proposed would aid ecology in the area mitigating any losses from this limited value site in ecological terms. These surveys were undertaken in 2015 and are now over 3 years old. The site however, remains in agricultural use and appears not to have changed in any meaningful way. Given this, and the nature of the A1133, the Lincolnshire Wildlife Trust has indicated that the surveys and assessments can still be considered up to date and the risks due to their age are low. This is based on advice

within the British Standard Biodiversity — Code of practice for planning and development BS 42020:2013 which indicate that assessments have a shelf life of 2 – 3 years. Similarly, Natural England do not object to the proposal.

The application is in outline with all matters reserved, however, it includes a number of proposed features which seek to promote ecology, this includes ponds (approx. 10895 sq. m) and swales (part of the SUDs systems), tree planting (woodland approx. 20000sq. m) and hedge gapping up, orchards and allotments (approx. 1015 sq. m & 7 edible pods), amenity grass land (approx. 2210 sq. m) and wildflower meadows (approx. 11905 sq. m) along with more traditional developer responses such as a range of bird and bat boxes. These are positive features and a condition is recommended that such matters should be detailed in full at reserved matters stage based on the proposals outlined in this submission.

The landscape and ecological features proposed are positive and would not, subject to mitigation and enhancements have a significant impact on protected species and would support ecology in accordance with policy LP21 of the CLLP.

- *Open space and landscaping*

Open space and landscaping can assist a number of policy objectives including providing a positive living environment for future residents, maintaining the character of an area (or mitigating the impact of the development on its surroundings), providing sufficient outdoor amenity space for recreation and sport and assisting maintain and enhance ecology.

Policy LP24 indicates that authorities will seek to:

- reduce public open space, sports and recreational facilities deficiency;
- ensure development provides an appropriate amount of new open space, sports and recreation facilities; and
- improve the quality of, and access to, existing open spaces, sports and recreation facilities.

New and enhanced provision of public open space, sports and recreational facilities will be required to accord with the Central Lincolnshire Development Contributions Supplementary Planning Document.

As noted above the applicant seeks to provide a community green 6140 sq. m, village green 685 sq. metres, Equipped Natural Play Areas for 0-4 and 0-8 year olds, woodland natural play space, 1000 sq. metres, circular walk and trim trail and edible pods on site whilst off site provision will include: possible MUGA and enhanced equipment at the existing play ground on Dunham Road and cycle and pedestrian link to Laughterton.

The applicant has not provided all the additional facilities requested by the public including football pitch, bowling green, footpath to Dunham or access to River Trent walk.

Policy LP24 indicates that there are two specific types of infrastructure: Strategic Formal Playing Fields and Local Useable Greenspace (Rural towns & villages). The applicant has not proposed any contribution to strategic space and most facilities are within the required access distance. The development, however, should contribute to strategic needs as there are facilities within the distances that have limitations and shortfalls which should be addressed by this development to meet the needs of future occupiers.

It is noted that strategically that sports pitch provision includes pitches at Saxilby which are overused, although further provision is available at Gainsborough and Lincoln, similarly the cricket pitches at Lea and Saxilby are available but have limitations in their quality and need enhancement and the tennis courts available at Saxilby, some of which are poor quality and floodlighting is requested to enhance usage. It is also noted that Laughterton has a tennis court but it is unclear as to its quality, availability and ownership. Nevertheless, however, the lack of any strategic provision or where facilities within the area are limited development should contribute to mitigating the impact of this development.

More localised needs for outdoor recreation (Local Useable Green Space) such as playgrounds, informal sport pitches (local) and open space and footpaths through semi natural areas are proposed by the applicant to meet the needs of future residents. This includes a LAP (formal equipment and open space play for 0- 4) a LEAP (formal equipment and open space play or 0-8), a community open space and village green, a Trim Trail for adults and young people, allotments/ edible plods and country walk. Contributions are also offered for a MUGA/ NEAP to the Dunham Road Park. It is recommended that this is placed within an s106 to ensure provision and future maintenance of these facilities to meet the needs of policies LP24, for Local Useable Green Space and indeed LP9 for health and amenity.

The proposed landscaping and amenity open space is such that it would assist to assimilate the development within the countryside as outlined above within the design and character stage subject to detail plans at reserved matters stage.

- Heritage and Archaeology

Policy LP25 indicates Development proposals should protect, conserve and seek opportunities to enhance the historic environment of Central Lincolnshire. It states that *'Unless it is explicitly demonstrated that the proposal meets the tests set out in the NPPF, permission will only be granted for development affecting designated or non-designated heritage assets where the impact of the proposal(s) does not harm the significance of the asset and/or its setting.'*

Newton on Trent accommodates a number of listed buildings within the vicinity of the site including St Peters a Grade 2* listed church and Hall Farmhouse Grade 2. The positioning of the site away from the village, intervening development and the location of the main village access roads and public footpaths is such that the impact on the setting of these heritage assets would be minimal. Careful consideration of any future layout would also allow new views of these assets to be created which is positive.

Heritage matters which includes archaeology, is given significant weight within the NPPF and is given a specific chapter in the same way as housing, the economy etc. and it forms a key element of assessing whether a development is sustainable or not. It notes at paragraph 184 that Local Planning authorities should plan positively for the conservation and enjoyment of the historic environment and states: *'In doing so, they should recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance'*.

It then further notes *'Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.'* National Planning Policy Framework Section 16, para 189. This site has already undergone pre-determination evaluation which for the most part was negative across the site, however, there was a concentration of Roman material in one of the trenches which appeared to be connected with a corn-dryer and also evidence of a high status building. This is capable of being resolved by condition as recommended by LCC Historic Services.

- **Planning Balance & Conclusion**

Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.

The proposed development provides 325 houses, a community facility and business barn along with supporting open space and other features. Notwithstanding previous determinations, it is considered that the vast majority of the site would fall within the open countryside, designated category level 8 within policy LP2. The development does not accord with the restricted range of uses deemed appropriate for the countryside, or other policies and so falls contrary to policy LP2 and LP55 of the CLLP.

Should it be determined, however, that the development would fall within Newton on Trent, the development would represent a significant departure from the small scale development usually allowed within small villages, category level 6, of policies LP2 and LP4 and would therefore represent a substantial quantum of development in an unsustainable location.

Policy LP2 and LP4 provides some flexibility on the quantum of development allowed if clear local community support can be demonstrated. Despite further community consultation and a vote, clear local community support not been established for the scheme but rather a mixed view with a substantial minority of votes being cast against the proposal. The positive support of the parish council whilst important would not form a casting vote within policy LP2 as sufficient response has been received to ascertain the level of support and objection to the scheme. It is considered therefore that the proposal would be contrary to policies LP2 and LP4 of the CLLP as clear local community support has not been demonstrated.

In addition, to this Policy LP4 also requires developers to undertake a sequential approach to development sites in appropriate locations. The scale of development would mean that the development would fall within the least preferable site due to its

scale and would not meet the appropriate location test as the proposal would not retain the core shape and form of the settlement indeed it would practically double the number of dwellings in the village and its footprint into the countryside.

The application site measures approximately 18 hectares in area, and is located within a mineral safeguarding zone as designated within the Lincolnshire Minerals and Waste Local Plan Core Strategy and Development Management Policies. No assessment has been submitted to indicate that sand and gravel minerals would not be sterilised as a result of the proposal contrary to policy M11 nor that it could not be extracted before development or why the development could not be located elsewhere or indeed whether there are any overriding economic reasons that would outweigh the importance of mineral extraction at the site.

The location of the proposed development within Flood Zones 2 (medium probability) & 3 (high probability) is considered to place future occupiers and development at potential risk from flooding without adequate overriding reasons due the level of allocated, less vulnerable, sites available within the CLLP suitable for a housing led schemes, and is therefore contrary to the provisions of the NPPF and policy LP14 of the CLLP. The scheme does not include adequate reasons to limit the sequential search to Newton on Trent and would provide a scheme which would not generate a sustainable development, which even with enhancements to facilities and transport connections proposed would still be likely to cumulatively increase the level of car usage overall within the village with access the majority of day to day services/ employment facilities away from the village. The proposal would also place existing village facilities under pressure and would not accord with the NPPF (033 Reference ID: 7-033-20140306) and create a significant sustainable extension to Newton on Trent.

Policies LP10 and LP11 seek development to provide an appropriate mix of housing types, sizes and tenures including affordable housing. The housing mix proposed is generally deemed acceptable in scale and type, however, the affordable housing tenure proposed has not been justified and may not meet the housing need for affordable homes within Central Lincolnshire contrary to the affordable rented tenure advocated within the adopted Development Contributions Supplementary Planning Document (adopted July 2018) and as justified by the Central Lincolnshire Strategic Housing Market Assessment 2015. Similarly, the retirement units should include a percentage of affordable homes to meet housing need.

Finally, strategic playing field contributions are required to meet a shortfall in need and standard at Saxilby with respect to the tennis courts contrary to policy LP24 of the CLLP.

Opposing this, the engagement and consultation with the community over the design and additional facilities provided by the proposal is positive even if it did not provide clear local community support for the proposal overall and should be given positive weight.

The flood risk assessment submitted is also positive would provide a development which would not only create a safe development for its life time without increasing risk elsewhere but would also reduce the level and extent of flood risk currently endured

by some adjoining residents in Newton on Trent. This should also be given positive weight.

The BREEAM accreditation for the development is very positive and indicates that the development itself would present an energy efficient buildings with additional community and employment facilities, which the settlement does not currently have and would increase some transport options for existing and future occupiers alike. This should therefore be given positive weight within the planning balance.

However, this is not considered to offset the otherwise unsustainable credentials of a development of this scale, in a rural location.

The limited impact on the character of the area, highway safety and capacity, ecology and character of the area are noted and should be given limited positive weight in the planning balance.

Concluding whilst the positive elements of the scheme are recognised, together they do not outweigh the limitations of the scheme contrary to the sustainable spatial strategy of the development plan, adopted SPG on developer contributions, the Lincolnshire Minerals and Waste Local Plan Core Strategy and Development Management Policies and national policies of the NPPF supported by guidance within the NPPG.

RECOMMENDATION: Refuse permission for the following reasons:

1. The development proposed would be located within open countryside and would not accord with the limited development types usually acceptable outside settlements contrary to the sustainable spatial strategy advocated within the Central Lincolnshire Local Plan. As an extension to Newton on Trent the development would vastly exceed the small scale development of a limited nature typically supported within a small village. There has not been a clear demonstration, through evidence, of local community support. At the scale proposed, it would result in the growth of this small village at unsustainable levels in view of its limited facilities and being heavily dependent on private vehicles to access employment, retail and other basic facilities. The application site would expand the village in housing numbers and area substantially and it would not retain a tight village nucleus, and would instead extend away from the village into the open countryside almost doubling in size. The adverse impacts of development would significantly and demonstrably outweigh the benefits of development and the development does not meet the NPPF presumption in favour of sustainable development. Development does not comply with the policies of the Central Lincolnshire Local Plan, namely policies LP2, LP4 & LP13.
2. The application proposes a non-mineral development within a Mineral Safeguarding Area for Sand and Gravel. The development would sterilise mineral resources within the Mineral Safeguarding Area, and it has not been demonstrated that the development could not be reasonably sited elsewhere. Development does not therefore comply with policy M11 of the Lincolnshire

Minerals and Waste Plan: Core Strategy and Development Management policies.

3. The proposed development would be located within flood zones 2 & 3 contrary to policies: LP4, LP14 and the provisions of the NPPF as the proposal fails to provide sufficient evidence that sites less vulnerable to flooding were not available to accommodate this level of development and sufficient exceptional reasons have been provided to support the scheme.

Other matters

Human Rights Implications:

The above objections, considerations and resulting recommendation have had regard to Article 8 and Article 1 of the First Protocol of the European Convention for Human Rights Act 1998. The recommendation will not interfere with the applicant's and/or objector's right to respect for his private and family life, his home and his correspondence.

Legal Implications:

Although all planning decisions have the ability to be legally challenged it is considered there are no specific legal implications arising from this report