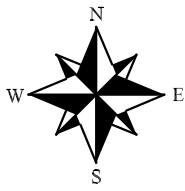
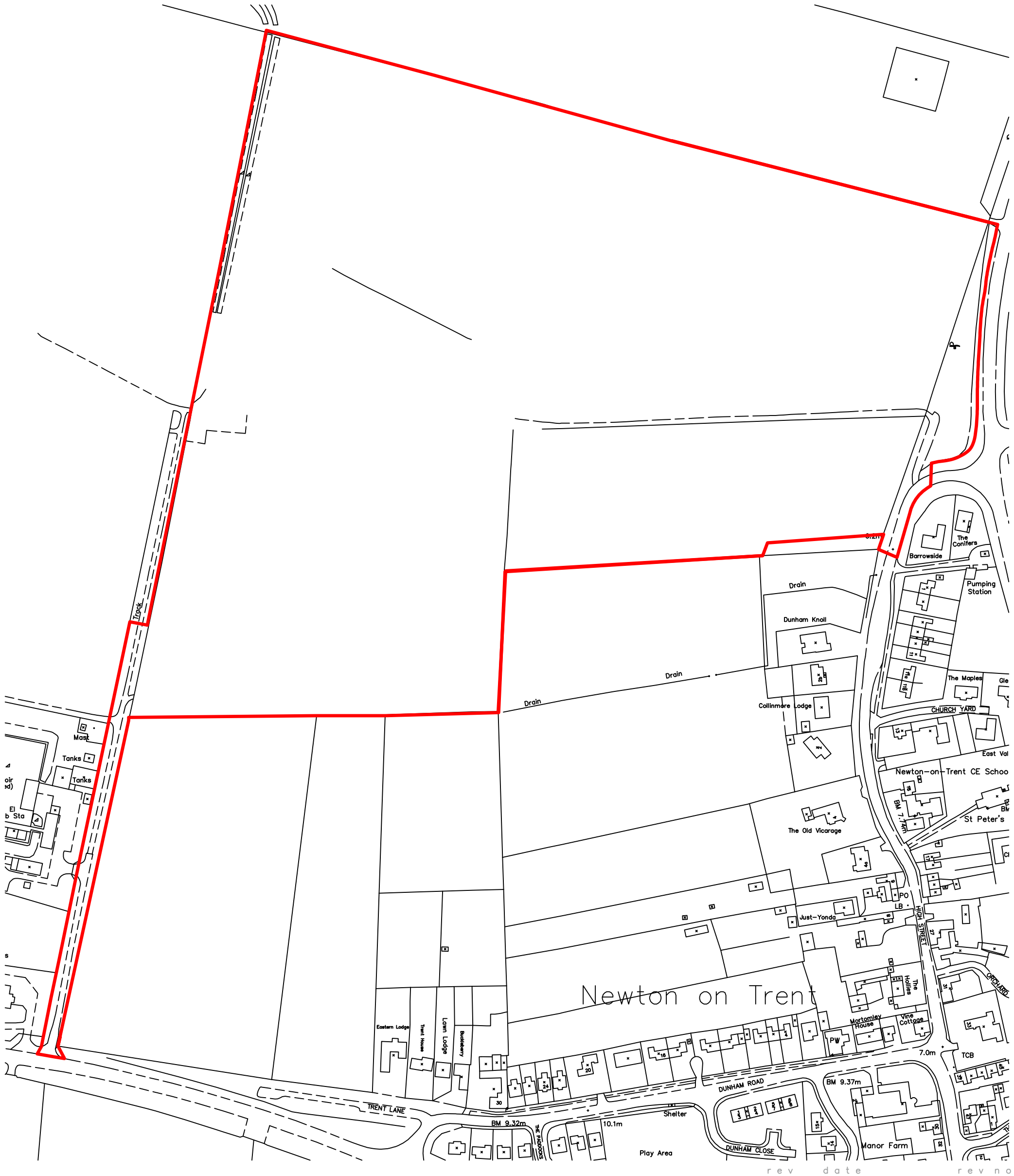


Contractors must verify all dimensions on site before commencing any work or making any shop drawings: no dimensions are to be scaled from the drawing.
All materials specified on this drawings are to be used strictly in accordance with the manufacturers recommendations and current codes of practise.

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50m SCALE 1:2500
6b Newton on Trent



STUDIO-G ARCHITECTURE LLP

The Business Centre • Rio Drive
Collingham • Newark
Nottinghamshire • NG23 7NB
T: 01636 894913 F: 01636 894909
E: studio@sga-llp.co.uk W: www.sga-llp.co.uk

DWG NO PROJECT CLIENT

FurrowFresh Ltd

Proposed Extension to Village
Newton on Trent

273-A-004 REV

TITLE

Site Location Plan

SCALE 1:2500@A3 DATE 10.03.16

Officers Report

Planning Application No: 134411

PROPOSAL: 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.

LOCATION: Land to West of A1133 Newton on Trent Lincs

WARD: Torksey

WARD MEMBER(S): Cllr S Kinch

APPLICANT NAME: Mrs BM Arden

TARGET DECISION DATE: 09/08/2016

DEVELOPMENT TYPE: Major - Dwellings

CASE OFFICER: George Backovic

RECOMMENDED DECISION: Refuse Permission

Description: Outline planning permission is sought to erect up to 325 dwellings (95% market housing 5% affordable dwellings), community meeting rooms and community “health rooms” (Class D1 – Assembly and Leisure), Class A4 (café/pub/restaurant) , sales floor space (A1), landscaping, public open space and infrastructure.

Matters of access, scale, layout, appearance and landscaping are all reserved for subsequent approval (“reserved matters”). Although access is a reserved matter the information submitted with the application indicates that access will be provided from an extension of High Street into the site.

Whilst layout is a reserved matter, an illustrative masterplan has been prepared (drawing 273-A-003) together with proposed details of phasing. The applicant envisages that it will be completed in approximately 8 – 9 years. The first phase will be the largest and will comprise approximately 125 dwellings, the construction of the “Social Hub”, the access works and the creation of large ponds as part of an integrated SUDs system together with a network of swales. The intention is that 24 of the dwellings will be delivered as bungalows for the “retirement market”, with 17 “eco exemplar” and 28 custom build dwellings envisaged. Phase 2 will include 110 dwellings and a “business barn” that will provide letting space. The final phase will comprise 90 dwellings. A village green for “community use” is also proposed as part of outdoor recreational facilities and a “trim trail”.

Supporting information submitted includes:

- BREEAM (Building Research Establishment Environmental Assessment Method) Community Sustainability Assessment;
- Ecological Impact assessment
- Flood Risk assessment (FRA)
- Green Infrastructure Report
- Archaeological Report
- Transport Assessment
- Viability Report
- Noise Report
- Appraisal of employment opportunities
- Arboricultural Report
- Landscape and Visual Impact Assessment

The site is located in the open countryside to the north west of Newton on Trent. It is bordered by agricultural land on all sides apart from the road frontage to the east. It forms an inverted “L” shape of approximately 18 hectares and is relatively flat with a number of existing structures, including a grain store, across the site in connection with the existing “organic” chicken farming operation. There are a number of hedgerows around the perimeter of the site and views of the existing poultry sheds are available from the A57 travelling eastwards. The entirety of the site is located within areas at risk of flooding (Flood Zones 2 and 3). The site area covers 18 hectares of land.

Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011:

The development has been assessed 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). Therefore the development is not ‘EIA development’.

Relevant history: Outline planning permission was granted for the erection of a village community centre and formation of a car park in 2002 (Ref: M02/P/0159) 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:

Chairman/Ward member(s): No comments received.

Newton-on-Trent Parish Council:

At a Council meeting, held on Monday 13th June 2016, my Council voted to support this application.

Local residents: Objections have been received from:
The Conifers, High Street; 9 High Street (x2); 11 High Street; 37 High Street; Sussex Cottage, Cockerels Roost; 26 Dunham Road.

- My family has lived in Newton on Trent for 26 years, and our property is situated on the A1133 / High street junction. Our close proximity to the proposed expansions only entry and exit point means we would probably be the most adversely affected home in the village. However, my concerns are also felt by many other village residents
- Traffic, noise and pollution - 2015 statistics show that the typical UK household has two cars. The proposed expansion includes 325 dwellings, which would see an additional 650 vehicles accessing the village. Even if these vehicles were used just once a day, this would mean an additional 1300 journeys would take place using the A1133 / High Street junction, causing an intolerable increase in noise and traffic, a sharp rise in air pollution, and an increased safety risk. This does not take into account additional visiting and servicing traffic which would make these issues even more concerning, pushing the total extra traffic to around 2000 per day.
- It is noted that a cafe / pub is planned. This has been made to sound very appealing by the planners, 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 recently close down as it was no longer a financially viable option. I fear that this venture has had inadequate research and is only included in the proposal as an attempt to appease current residents.
- Newton on Trent school - for many residents, including ourselves when we first moved here, one of the main draws of the village is its excellent school .What evidence is there to show that the school can cope with the additional demand?
- Parking - The Newton on Trent Garden Village leaflet distributed within the village states that a new car park will help to alleviate current congestion issues within the existing village and will provide drop off / pick up facilities for the local school as well as parking for the church for weddings and funerals? However, as the proposed car park would be over half a mile away from the church and school, I very much doubt that it would be used in this way. It is more likely that the high street will be used for parking, resulting in the village becoming seriously congested and overcrowded.
- I was born and brought up in Newton and as a youngster can remember knowing each and every person in the village. Yes the village has grown in the past few years but it has been done without creating a completely separate area of people - the people in the newer homes are part of the community - If the proposal was to go ahead it would triple the size of the village - this is not what we want. The pub in the village closed, the Chapel has closed. The village school is not big enough to take the number of children that this sort of build would

create. Add to this the traffic, I leave home at 7:15am and the village is busy then and it is difficult to get out of the village - more homes would just compound this situation. We have problems now with the sewerage flow more homes again would compound this. Lots of heavy traffic now in and out of the village if building were to commence it would be 10 times worse.

- This village does attract a large amount of HGV's now, mainly due to heavy traffic going from Furrowland to Listers Wood yard at the bottom of the village. Plus HGV's that come over Dunham Bridge tend to use the village as a shortcut when delivering / collecting at Furrowland. There is a primary school in the centre of the village where people drop off and pick up daily, add to this site traffic for the proposed development it would become a very dangerous place to be. Also if this plan is approved then when all the young families begin having children the village twice a day would be a no go area because we all know that people would rather drive to collect children than walk. Bear in mind that the school and the Church work hand in hand so if the school could not cope with demand and has to close to relocate then if the school goes the Church would go too. There are approx. 169 properties in Newton and very few come up for sale that in large part is because we all enjoy the village way of life, slower, laid back and with a sense of community, I know that nobody would want to live in a concrete jungle like Saxilby where there are more properties than blades of grass. I am beginning to feel that my civil liberties are under attack as I am expected to automatically conform to a different way of life

I have lived in the area for over 20 years. I moved to the village with my family 7 years ago as we wanted a small community feel village which was the appeal. To more than double the size of the village will create the complete opposite. The junction at the end of the village across to the A1133 is already a danger spot for accidents, to add 700 plus cars to the equation will be suicide (most households have a minimum of 2 cars). The land that has been selected is close to the flood plain. That end of the village already floods in heavy rain. The school wouldn't be able to cope or the local doctors etc. There is a successful business being run on the land. This plan is unjust for our "small" village.

- The application for up to 325 new dwellings would treble the size of the existing village, which would put untenable pressure on roads, the little infrastructure the village already has and would destroy the current village. The application does not adequately provide enough social amenities for the village to offset the impact the sheer scale of the development would bring. Also phasing the project over 10 years is not a reason for not providing these amenities, or in any way does it make the plans more palatable.

- The planning application has no provision for any smaller affordable properties or indeed social housing, there are very few small houses in the existing village whereas there are many larger properties currently unsold on the property market. This application should not be allowed without the provision for this type of housing.
- It is a notable point that many applications of this scale have been refused within the West Lindsey District and also across the county of Lincolnshire. Any application should address the issue of appropriate access to Lister's wood-yard currently in the heart of the village with a least 8 HGV's using the crumbling roads daily. Provision should be made for pedestrian and cycle access to the river Trent as part of a wider social infrastructure and wellbeing measure.
- We moved here 3years ago and our property will look out on the proposed site. None of this came up in any searches prior to us purchasing. We moved from Saxilby after 28 years of seeing the extent of building and extension to the village destroy village life. We now fear this will happen to Newton on Trent and will in fact make another mega village by eventually joining up with Laughterton. The proposed amount of dwellings will more than double the existing village bringing increases in traffic and population to the area. With the increase you have the added stress on already provided services schooling/GP services and the post office. The threat of disruption and the chance of an increase in crime as a law of averages.
- The proposed drawings show cafe/ village hub/bar? How do these intend to be run/paid for do we expect an increase in council tax? The existing pub is closed why can't this property in the centre of the village be reopened?
- We understand from talking to residents who have been in the village a lot longer than us that the area proposed is also a flood plain. What plans are being considered to stop any threat of this area being flooded and if already built on the threat of run-off water to the existing village?
- We understand that every village is under pressure to be increased but the amount of proposed buildings for here is not an extension it should be a stand-alone new village development.

Local residents: Letters of support have been received from:

1 High Street; 2 High Street (x2); 31A High Street; 39 High Street; 47 and 57 High Street; Barrowside, High Street; 1 Marsh Lane, Laughterton; The Rowans, Sallie Bank Lane, Laughterton; Blossom Farm, Main Road, Laughterton; 4 and 5 Cockerels Roost; Cherry Tree Farm, Newark; Townsend, Lincoln Lane; 2 Dunham Road; Anvil House, Dunham Road; Trent Lodge, Dunham Road; 3 Orchard Close; 9 Dunham Close; Roy Waring Domestic Appliances Ltd; Aquatic Control Engineering, Main Street, Rampton:

I support this proposal, I firmly believe that this will be great for the future of the village as it is currently fading away. There is nothing in this village keeping the younger generation. This proposal will be directly opposite my address and will not have a negative impact on the household and I firmly believe this will not affect the rest of the village in a negative light. It will bring positive change. Newton-On-Trent has a great road network for commuters and a selection of different town centres surrounding it, we need to make the most of this and grow the village and attract more residents. The Village currently has a good shop and post office, school and church. The younger generation like myself need affordable housing, most that have been brought up in the village want to stay and do not want to move into the city. However, it will also be fantastic for the older generation to have more bungalows for them to downsize.

- We believe the development will bring more facilities for the present and future inhabitants of the village. The proposed development is on the outskirts of the village so will not have a visual impact on the majority of the present dwellings. With an ever increasing older population facilities and care should be available to help these people stay in their own community.
- I have previously contacted West Lindsey Council (in my maiden name of Parsons) in respect of construction of a footpath between Newton on Trent and Laughterton Village, however my request was declined due to a lack of funding. As per my previous correspondence to you, I feel that a footpath is required to not only link the two villages, but also as a matter of safety. In January of this year my Father in Law was walking from Newton towards Laughterton, towards the traffic, and was hit by a vehicle from behind who was overtaking another vehicle. He was knocked unconscious and broke his leg in two places and spent several nights in hospital. And as a result of his injuries had to take a significant amount of time off work to convalesce. This accident would have been avoided if there was a footpath and sufficient lighting in place. I am a runner, and Newton does not have any footpaths leading out the village in any direction, therefore my only option is to run on the road, or run on the footpaths in the village in a continuous line, which is not in the slightest practical. I usually run towards Laughterton towards the traffic with hi visibility clothing on, despite this I have almost been hit several times by vehicles overtaking another vehicle along the road.
- I feel that the residents of Newton would benefit from a footpath, contained within the planning application, not just for safety reasons but it would provide residents a safe walking route to link the villages for recreational purposes. Laughterton does not currently have a shop/post office and the residents would benefit by being able to visit the shop in Newton for example or the new proposed Community Hub.

And Newton on Trent does not have a pub and a footpath would enable the residents to walk to Laughterton pub and back.

- Will improve the quality of life and encourage new residents and interest in the village from elsewhere. Over the years Newton on Trent has seen a steady decline in shops and businesses and in the 8 years I have lived here I have witnessed the closure of the last pub and sale of the Methodist Chapel. For the community to thrive in the future I have no doubt that development is needed. I strongly support the proposals.
- I have been a resident of Newton on Trent since April 2015 and greatly enjoy the village atmosphere and close knit local community. I think the village would benefit from the sensitive development and extension of resources. The outlined plan would foster a stronger sense of community spirit, as well as providing buildings for a community hub and local meeting points which would increase community activities. It would be lovely to have a pub or microbrewery within the village. We sadly are lacking in places to walk or bike ride with, safe access to the river Trent being unavailable by foot from the village. Any increase of Wildlife areas, copses of trees, lake etc. could only benefit the local community and increase biodiversity. Likewise, small Enterprise units will boost the village's economy and development, giving local entrepreneurs the chance to start businesses. Newton on Trent is a lovely village but it sadly lacks many facilities. I hope this improvement will retain the feel of the village and add to its character. As such, I am hopeful that this planning application is approved.
- The phased development will bring jobs to local area. There is a shortage of high-quality homes in the area for buyers and investors there is a (remarkable) shortage of properties to rent in the area of any quality. Overall I expect that without investment in the area, Newton on Trent will fall into further decline and be increasingly unattractive as a place to live and work, which ridiculous given it has a highly advantageous location and geography given it is on the intersection of two major roads, but neither of these pass through the village (which might be unique to the area).
- Increased chances of employment opportunities during the building of the new development. I am an employer in the area and I strongly believe this will strengthen the security of the jobs for my employees during and long after the development is complete. Also I would love the concept of a new community hub/pub.
- As parents of a young and growing family my husband and I are actively looking for a local village into which to relocate, within the next few years, with good local amenities such as a community centre/village hall, a village pub and, most importantly, affordable family housing. Newton on Trent would be our location of choice as many of our family already live there, however, while it is a lovely

village, it does sadly lack these features. We would love to move to a village with lots going on for families and children and a strong sense of community spirit. We feel that if the plans for the extension of Newton on Trent are approved, the growth and industry that this would bring to the area would not only serve to boost the village's economy and development, but also, the additional community hub and local meeting points would most certainly lead to an increase in community-led activities; making the village an even more attractive option for young families, such as ours, looking to raise their children in a thriving and close knit local community. We are both fully supportive of the plans.

LCC Highways: The access and layout **have not been considered** at the present time as they are reserved matters. The submitted Transport Assessment (TA) is acceptable.

Two bus stops on the High Street adjacent to the development would make the existing service more accessible. The cost of these works would be approximately £10,000 per stop with a shelter. A tactile crossing should also be provided if appropriate. However, an agreement would need to be signed by the parish (permit for a structure in the Highway) for them to take on responsibility and maintenance of the shelters. If they do not wish to, then no shelters should be provided. A Section 106 contribution of £420,000, towards the bus service should also be secured.

The Travel Plan has been submitted to support planning application 134411 for up to 320 dwellings and Community Hub (small mixed use). Overall, the travel plan contains the relevant information that would be expected in a residential travel plan. However, there are some areas where additional detail is required or missing and a revised travel plan should be submitted for approval.

Severn Trent Water advises that there is a public sewer located within the application site. Public sewers have statutory protection by virtue of the Water Industry Act 1991 as amended by the Water Act 2003 and you may not build close to, directly over or divert a public sewer without consent. You are advised to contact Severn Trent Water to discuss your proposals. Severn Trent Water will seek to assist you in obtaining a solution which protects both the public sewer and the proposed development.

Conditions: No development shall take place until a surface water drainage scheme for the site, based on sustainable urban drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority.

The scheme shall:

a) Provide details of how run-off will be safely conveyed and attenuated during storms up to and including the 1 in 100 year critical storm event, with an allowance for climate change, from all hard surfaced areas within the

development into the existing local drainage infrastructure and watercourse system without exceeding the run-off rate for the undeveloped site;

b) Provide attenuation details and discharge rates which shall be restricted to 1.4 litres per second;

c) Provide details of the timetable for and any phasing of implementation for the drainage scheme; and

d) Provide details of how the scheme shall be maintained and managed over the lifetime of the development, including any arrangements for adoption by any public body or Statutory Undertaker and any other arrangements required to secure the operation of the drainage system throughout its lifetime.

The development shall be carried out in accordance with the approved drainage scheme and no dwelling shall be occupied until the approved scheme has been completed or provided on the site in accordance with the approved phasing. The approved scheme shall be retained and maintained in full in accordance with the approved details.

Environment Agency: In the absence of an acceptable Flood Risk Assessment (FRA), we **object** to this application.

We welcome the inclusion of water use efficiency techniques. However, there is very little detail on foul drainage and we recommend that confirmation is obtained of arrangements made with a public water supply company. Connection to the Anglian Water network is mentioned but it is not clear whether this includes foul water. There is a foul sewer close by which we believe leads to Laughterton sewage treatment works, operated by Severn Trent Water. This is quite a small works and from latest flow returns is close to its permitted limit (capacity).

Subsequent response: In our response of 7th July 2016 we maintained our objection on flood risk grounds. On 25th July BSP Consulting submitted a letter to address our concerns and on 11th July a revised Masterplan for the site was provided. At present additional evidence is required and **we are unable to withdraw our objection**. We understand further modelling work is being done based on our advice and will review this and provide updated comments when it is submitted to you.

Anglian Water: I write further to a letter included within the supporting documentation from Mr Featherstone to David Wooley, the EA Flood Risk Manager for this area (dated 8th December 2015) regarding proposed flood defence works Newton. I am writing to confirm that the design of the proposed work is underway, with a view to construction taking place in late summer or autumn this year. We are in discussions with the landowners and farmers and work will be timed to minimize impact on any crops etc.

Trent Valley Internal Drainage Board: A Board maintained watercourse which is partly culverted exists on the southern boundary of the site and to which Bylaws and the Land Drainage Act 1991 applies'. The Board's consent

is required to erect any building or structure (including walls and fences) whether temporary or permanent, or plant any tree, shrub, willow or other similar growth within 9 metres of the top edge of any Board maintained watercourse / the edge of any Board maintained culvert. The Boards consent is required for any works, whether temporary or permanent, in, over or under, any Board maintained watercourse or culvert. The erection or alteration of any mill dam, weir or other like obstruction to the flow, or erection or alteration of any culvert, within the channel of a riparian water course will require the Board's prior written consent. Surface water run-off rates to receiving watercourses must not be increased as a result of the development.

The Boards consent is required for any works that increase or alter the flow of water to any watercourse or culvert within the Boards district (other than directly to a Main River for which the consent of the Environment Agency will be required). The suitability of new soakaways as a means of surface water disposal should be to an appropriate standard and to the satisfaction of the Approving Authority in conjunction with the Local Planning Authority. If the suitability is not proven the applicant should be requested to resubmit amended proposals showing how the site is to be drained, Should this be necessary the Board would wish to be reconsulted. Where surface water is to be directed into a Mains sewer system the relevant bodies must be consulted to ensure the system has sufficient capacity to accept the additional surface water. The Board also requests that the applicant identify the receiving water course that the sewer discharges into and provide details on the potential effect that the proposed discharge may have on the receiving watercourse.

The design, operation and future maintenance of site drainage systems must be agreed with the Lead Local Flood Authority and Local Planning Authority. The Boards consent is required irrespective of any permission gained under the Town and Country Planning Act 1990. The Boards consent will only be granted where proposals are not detrimental to the flow or stability of the watercourse/culvert or the Boards machinery access to the watercourse/culvert which is required for annual maintenance, periodic improvement and emergency works. The applicant should therefore note that the proposals described within this planning application may need to be altered to comply with the Boards requirements if The Boards consent is refused.

A permanent undeveloped strip of sufficient width should be made available adjacent to the top of the bank of all watercourses on site to allow future maintenance works to be undertaken. Suitable access arrangements to this strip should also be agreed. The access strips must be at least 9 metres unless otherwise agreed in writing.

Housing: The current policy requirement for affordable housing is that where there is a demonstrated need the Council will seek to negotiate in the region of 25% of the total dwellings.

The Central Lincs SHMA 2015 identifies a need to provide 676 affordable units per annum to meet newly arising need in the future which will require an uplift to 911 units per annum over the period 2014 – 2019. This equates to a total of 17400 affordable homes over the period 2012 – 2036.

Based on this demonstrated housing need the 25 % requirement on 325 dwellings would equate to 81 affordable units to be secured by means of a s106 agreement. I would suggest type and tenure of the affordable housing should be agreed at a later stage by agreement with the Council - at reserved matters or on a phase by phase basis. Our preference is that affordable housing is delivered on site however the Council may wish to request an off-site contribution in lieu of on-site provision based on the policy current at the time of negotiation. This also should be agreed at a later stage – either reserved matters or a phase by phase basis.

NHS England: NHS will be requesting a financial contribution of £425.00 per dwelling x 325 = £138,125.

The development is proposing 325 dwellings which based on 2.3 per dwelling for the West Lindsey District Local Authority (WLDC) Area may result in an increased patient population of 728. There are two practices that are most likely to be affected by any increase in population; although independent practices they share a building within the village of Saxilby. They are the Glebe Practice and the Trent Valley Practice.

The average number of patients per square metre between both practices is currently just below the Lincolnshire average. This assessment is made by practice population and size of current premises. This is a monitor to gauge how any further increase in practice population may impact on building capacity issues.

A practice with a general medical services contract is obliged to accept patients who choose to register at their practice, if it is within their prescribed practice area, patient waiting lists therefore do not exist. Their combined current list is over 12000, the culmination of the proposed development may increase the combined practice population by around 6%. This increase can start to compromise the level of care. The calculations provided demonstrate an idea of the impact of the proposed number of residents requiring consultations; approximately 24.9 additional consulting hours would be needed. This in turn has an impact on staffing levels, both clinical and administratively, all requiring extra room space. Lack of consulting rooms affects the patient ability to obtain an appointment in a timely manner. Sufficient provision to mitigate the impact of an increased population on primary healthcare facilities in Saxilby must be allowed for as additional patients increase pressure on GP and primary care services and put the existing infrastructure at risk.

The s106 contribution would provide capital as an option to extend or reconfigure the building. This of course would be subject to a full business case and approval by NHS England. Any proposed expenditure would take

place when the s106 funds are released by the developer as per the agreement and within the agreed timescale for expenditure of the funds.

LCC (Education):

As no details of number of bedrooms are provided within the application, I have used the Lincolnshire-based general multiplier to illustrate the likely level of contribution and formulae will be used in the required S.106 agreement that detail the eventual total to be paid, based on the full or reserved matters application. I set out below the impact in terms of number of pupils relative to the dwellings proposed within this application:

House Type	No of Properties	PPR Primary	Primary Pupils	PPR Secondary	Secondary Pupils	PPR Sixth Form	Sixth Form Pupils
Unknown	325	0.2	65	0.19	61	0.038	12

In this instance, the County Council wishes to **object** to the proposed development. As can be seen from the factors above, 65 additional primary school places are required as a direct result of the development. It is projected that there will be 7 spaces available at the local primary school in the 2019/20 academic year – the furthest that can be accurately projected at the present time – this would be sufficient for some 35 dwellings. Unfortunately, due to the nature of the school site, it is not possible to extend the school to the extent necessary to mitigate the impacts from this application; this is already on an undersized site and relies upon a remote playing field. As the school cannot be extended sufficiently, sufficient capacity cannot be created for the development, as such, this is unsustainable from an education perspective. While it may be argued that there are three primary schools within the normal 2 mile radius of the development which would indicate acceptability for a primary school to serve a development, in this instance only the local school has a route that is suitable for school age children – as such, the only capacity to be taken into account is that within the local primary school in Newton-on-Trent.

Further comments from the applicant's representatives have indicated that 44 dwellings are intended to be for retirement purposes only; while this would reduce the number of dwellings with children to 281, this would still generate vastly more children than there is capacity for in the local primary school and could not be supported by the County Council.

Neighbourhood Plans Officer: Newton On Trent is identified as a small village with limited potential for any major housing growth. The West Lindsey Local Plan identifies Newton as a subsidiary settlement... with limited scale growth (STRAT POLICY 7) as the village has limited facilities. STRAT POLICY 7 (point f) makes it clear that no proposal should seek to increase the footprint of the village into the open countryside. The emerging Local Plan only identifies Newton as a small village and has identified the potential of around a 10% increase (17 dwellings) over the next 15 years – largely through infill or developments on previously developed land. The proposal also needs to be aware of the extensive flood risk and the identified 'Flood Zones 2 and 3' areas between the village and the River Trent. In terms of the planning application for

a large residential extension to Newton on Trent, this is contrary to the above policy position.

Newton Parish Council have not yet formally designated their Neighbourhood Area, but are likely to do so in the coming months. If the village is seeking additional growth – above the emerging Local Plan requirement – then this is achievable through the Neighbourhood Plan process.

Recommendation is to **refuse** the planning application.

Public Protection: I have concerns as regards locating the ‘Community Hub’ nearest to existing dwellings and would suggest the need for a noise impact assessment. The assumption is that the Community Hub will have or will at some point have entertainment of some description and that socialising will extend to the extensive decking. The potential for extended licencing hours would suggest that there is need to justify supposed community benefits as against impact on the community into the early hours. I have similar concern as regards to proposal to place ‘Extra Care’ retirement housing on the other side of the ‘Community Hub’ having noted that decking extends around most of the ‘Hub’. I have similar concerns as regards light impact from the ‘Community Hub’ on what is currently the edge of rural development

Environment (Trees and Landscape): The site frontage has a dense mix of hedge shrubs and trees providing good existing screening from the east. The surrounding landscape to the south, west and north of the site is quite flat and open to long views. The existing use and appearance of the site and its surroundings is agricultural land with boundary hedges and few boundary trees. There are a couple of good density boundary hedgerows, but other hedgerows to the west and south will require additional planting. A scheme of landscaping should be required for any development of the site, to incorporate boundary tree planting mainly to the north and west, and the westerly half of the southern boundary, for screening and to soften the impact of development on the surrounding countryside. A landscape buffer would help define the edge of the village and soften the impact of development within the countryside.

Potential effect on any trees or hedges on or near the site:

The few TPO trees from the Tree Preservation Order Marton to Newton on Trent 1965 no longer exist within the site. The hedgerows are species poor, but hedgerow are important wildlife corridors listed in the Lincolnshire Biodiversity Action Plan (BAP) as important habitats that should be retained where possible. The east to west hedgerow through the site has many dead elm trees along it. Elm was a prominent tree species in this area, unfortunately the large original trees are dead and gone, and as many young elm trees and elm suckers reach 20-25 years old they also succumb to Dutch elm disease. Trees to be retained across the easterly side of the site should be protected, and any access and development near the trees should be kept outside the RPA of trees to be retained.

I have no objections to development of the land in relation to its impact to existing trees and hedgerows. Trees and hedgerows should be retained, protected, and incorporated into a layout scheme where possible.

Natural England: Has no comments to make on this application. The lack of comment from Natural England does not imply that there are no impacts on the natural environment, but only that the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes. It is for the local planning authority to determine whether or not this application is consistent with national and local policies on the natural environment. Other bodies and individuals may be able to provide information and advice on the environmental value of this site and the impacts of the proposal to assist the decision making process. We advise LPAs to obtain specialist ecological or other environmental advice when determining the environmental impacts of development.

LCC Historic Services: This site has undergone pre-determination evaluation which for the most part was negative across the site. However there was a concentration of Roman material in trench 4 which appears to be connected with a corn-dryer and also evidence of a high status building. With this in mind I would recommend that, prior to development, the developer should be required undertake a scheme of archaeological monitoring and recording on all groundworks 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.

Recommendation: Prior to any groundworks the developer should be required to commission a Scheme of Archaeological Works (on the lines of 4.8.1 in the Lincolnshire Archaeological Handbook (2012)) in accordance with a written scheme of investigation submitted to and approved in writing by the local planning authority. This should be secured by an appropriate condition to enable heritage assets within the site to be recorded prior to their destruction. Initially I envisage that this would involve monitoring of all groundworks, with the ability to stop and fully record archaeological features.

“[Local planning authorities] require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible.” Policy 141. National Planning Policy Framework (2012). A brief will be produced by this department which will lay out the details above, and the specification for the work should be approved by this department prior to the commencement of works. Please ask the developer to contact this office for further details.

Bassetlaw District Council:

Having discussed the proposal with policy colleagues at this end, I would advise that Bassetlaw would wish to see the cross-county boundary implications for traffic generation and educational provision taken into

account. Has Nottinghamshire County Council been consulted on these matters? In addition, we would like to see account taken of any implications for flooding on this side of the county boundary.

Nottinghamshire County Council (email to applicants Transport consultant copied to Lincolnshire Highways): I have no objections to the proposal and understand that Lincolnshire County Council will deal with all matters of scoping and the Transport Assessment (TA).

Lincolnshire Fire and Rescue: Object on the grounds of inadequate access for firefighting appliances and water for firefighting purposes.

Relevant Planning Policies:

National guidance

National Planning Policy Framework (NPPF)
<http://planningguidance.communities.gov.uk/>

National Planning Practice Guidance (NPPG)
<http://planningguidance.communities.gov.uk/>

West Lindsey Local Plan First Review 2006

West Lindsey Local Plan First Review 2006

Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The saved policies of the **West Lindsey Local Plan First Review 2006** (WLLP) remains the statutory development plan for the district. Paragraph 215 of the National Planning Policy Framework (NPPF), a material consideration, states that due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

- **STRAT1:** Development requiring planning permission;
<http://www2.west-lindsey.gov.uk/localplan/written/cpt3a.htm#strat1>

- **STRAT3:** Settlement Hierarchy;
<http://www2.west-lindsey.gov.uk/localplan/written/cpt3a.htm#strat3>

STRAT 7: Windfall and infilling housing development in subsidiary rural settlements

<https://planning.west-lindsey.gov.uk/planning/localplan/written/cpt3b.htm#STRAT7>

- **STRAT9:** Phasing of housing development and release of land;
<http://www2.west-lindsey.gov.uk/localplan/written/cpt3b.htm#strat9>

- **STRAT12:** Development in the open countryside;
<http://www2.west-lindsey.gov.uk/localplan/written/cpt3b.htm#strat12>
- **STRAT 19:** Infrastructure Requirements;
<http://www2.west-lindsey.gov.uk/localplan/written/cpt3b.htm#strat19>
- **SUS1:** Development proposals and transport choice;
<http://www2.west-lindsey.gov.uk/localplan/written/cpt4.htm#sus1>
- **SUS4:** Cycle and pedestrian routes in development proposals;
<http://www2.west-lindsey.gov.uk/localplan/written/cpt4.htm#sus4>
- **RES1:** Housing layout and design;
<http://www2.west-lindsey.gov.uk/localplan/written/cpt6.htm#res1>
- **RES2:** Range of housing provision in all schemes
<http://www2.west-lindsey.gov.uk/localplan/written/cpt6.htm#res2>
- **RES5:** Provision of play space / recreational facilities in new residential developments;
<http://www2.west-lindsey.gov.uk/localplan/written/cpt6.htm#res5>
- **RES6:** Affordable Housing;
<http://www2.west-lindsey.gov.uk/localplan/written/cpt6.htm#res6>
- **CORE10:** Open Space and Landscaping within Developments
<http://www2.west-lindsey.gov.uk/localplan/written/cpt8.htm#core10>
- **NBE10:** Protection of Landscape Character in development proposals;
<http://www2.west-lindsey.gov.uk/localplan/written/cpt11.htm#nbe10>
- **NBE14:** Waste water disposal;
<http://www2.west-lindsey.gov.uk/localplan/written/cpt11.htm#nbe14>
- **NBE20:** Development on the edge of settlements.
<http://www2.west-lindsey.gov.uk/localplan/written/cpt11.htm#nbe20>

Emerging Planning Policy

The NPPF (paragraph 216) states that decision-takers may also give weight to relevant policies in emerging plans according to the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given); the extent to which there are unresolved objections to relevant policies and the degree of consistency with the NPPF.

The Preliminary Draft Central Lincolnshire Local Plan (PDCLLP) was released in October 2014 and has been subject to public consultation. The second Further Draft Central Lincolnshire Local Plan (FDCLLP) ran its formal six week public consultation period between 15 October and 25 November 2015.

The Proposed Submission Central Lincolnshire Local Plan (SCLLP) was agreed on the 14th March 2016 and completed its final public consultation on 26th May 2016. Following the collation of the comments received the Plan was **formally submitted to the Planning Inspectorate for examination on 30th June 2016. Examination has formally commenced.** The final adopted CLLP will replace the West Lindsey Local Plan. The Submission Local Plan represents an advanced stage in the development of the Central Lincolnshire Local Plan (having been through three stages of the consultation) and now formally submitted. Its policies can therefore be attached some weight, in accordance with NPPF paragraph 216. The exact weight of each policy will depend on individual circumstances and the extent to which there are unresolved objections to the policy.

Relevant Draft Policies:

LP1: A presumption in favour of sustainable development
 LP2: The spatial strategy and settlement hierarchy
 LP3: Level and distribution of growth
 LP4: Growth in villages
 LP6: Retail and town centres in Central Lincolnshire
 LP9: Health and wellbeing
 LP10: Meeting accommodation needs
 LP11: Affordable housing
 LP12: Infrastructure to support growth
 LP13: Transport
 LP14: Managing water resources and flood risk
 LP15: Community facilities
 LP17: Landscape, townscape and views
 LP18: Climate change and low carbon living
 LP20: Green infrastructure network
 LP21: Biodiversity and geodiversity
 LP24: Creation of new open space, sports and recreation facilities
 LP25: The historic environment
 LP26: Design and amenity
 LP53: Residential allocations: Medium and small villages
 LP55: Development in hamlets and in the countryside

Main issues

- Planning Policy
 - i) Provisions of the West Lindsey Local Plan First Review
 - ii) National Policy
 - iii) Emerging Local Policy
 - iv) Housing Delivery and Affordable Housing Provision
- Flood Risk and Drainage
- Accessibility and Public Transport
- Local Infrastructure
- Landscape Character and Visual Impact
- Highways Impact and Safety
- Design, Layout and Landscaping
- Archaeology

- Ecology
- BREEAM (Building Research Establishment Environmental Assessment Method) Community Sustainability Assessment

Assessment:

1) Planning Policy

(i) Provisions of the West Lindsey Local Plan First Review

Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The saved Policies of the West Lindsey Local Plan First Review 2006 (WLLP) remains the statutory development plan for the district. The Proposed Submission Central Lincolnshire Local Plan (SCLLP) is a material consideration to be considered against its provisions.

It is therefore relevant to determine as to whether the development proposal accords with the provisions of the development plan, being the West Lindsey Local Plan (First Review) in the first instance. Newton on Trent is defined as a Subsidiary Rural Settlement under policy STRAT 3. These are villages that provide a “smaller range of day to day facilities”.

Within the “existing built up area “ of Newton on Trent “infill housing “ is permitted subject to meeting certain criteria under policy STRAT 7. The application does not meet the criteria as it is outside the “built up area” and clearly does not constitute “infill development” which under this policy is “envisaged as being the erection of a single dwelling in a small gap in an otherwise substantially built up road frontage”.

The justification to STRAT 7 at A74 is considered helpful:

“Residential development in subsidiary rural settlements will only be permitted where the local facilities and services can support new residents. The existing services and facilities are highly unlikely to be able to support large-scale developments; in subsidiary rural settlements residents would need to travel to access them. This would not meet with sustainability goals, which aim to reduce the need to travel by the private car. Larger scale proposals could also cause a significant detrimental impact on the character of the settlement.”

The site also comprises agricultural land and therefore falls to the bottom rung of policy STRAT 9’s sequential approach to site selection. Lying outside the settlement boundary, it is within the Development Plan’s definition (paragraph A99) of open countryside. Policy STRAT12 applies which states that:

“Planning permission will not be granted for development proposals in the open countryside that is, outside of the settlements listed in Policy STRAT 3, unless the development is essential to the needs of agriculture, horticulture, forestry, mineral extraction or other land use which necessarily requires a

countryside location, or otherwise meets an objective supported by other Plan policies.”

As the development is a mixed use development for up to 325 dwellings, it does not accord with policy STRAT12.

The principle of development as proposed on this site is contrary to the provisions of the statutory development plan, and the application falls to be refused planning permission unless there are material considerations which indicate otherwise. Development therefore falls to be refused unless there are material considerations which would indicate otherwise.

(ii) National Policy

The National Planning Policy Framework (NPPF) and online Planning Practice Guidance, are material considerations to take into account alongside the development plan.

The NPPF post-dates the Development plan and requires¹ Councils to *“identify and update annually a supply of specific deliverable sites sufficient to provide five years’ worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land.”* The buffer raises to 20% where there is a consistent record of under delivery.

The Central Lincolnshire Land Supply Report (September 2016) identifies a need of 12,092 dwellings across five years, which includes a 20% buffer and previous undersupply. The assessment identifies a land supply of 5.26 years (12,712 dwellings) in the five year period 2016/17 to 2021/22. The assessment includes:

- sites under construction;
- sites with full planning permission, but development has not started;
- sites where there is a resolution to grant planning permission;
- sites with outline planning permission;
- sites allocated in an adopted Local Plan; and
- sites not allocated in a Local Plan or without planning permission and which have no significant infrastructure constraints to overcome
- A windfall allowance (from year two)

Planning Practice Guidance states that *“Where evidence in Local Plans has become outdated and policies in emerging plans are not yet capable of carrying sufficient weight, information provided in the latest full assessment of housing needs should be considered. But the weight given to these assessments should take account of the fact they have not been tested or moderated against relevant constraints.”*

¹ Paragraph 47

The latest released five year supply figures are based upon an overall housing requirement for the plan period of 36,960 dwellings - this figure is based on a published Strategic Housing Market Assessment (SHMA). It is acknowledged that the methodology employed is yet to have been formally tested within the Local Plan examination. This examination has begun and it is expected to be concluded by the second week in December 2016.

Paragraph 49 of the NPPF states that “Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.” The relevant policies are not therefore made ‘out of date’ by virtue of paragraph 49.

As the identified five year supply relies upon departures from the West Lindsey Local Plan Review 2006, then the extant plan no longer meets the objectively assessed housing needs of the Authority – its housing supply policies may be considered not fully up to date.

Applying NPPF paragraph 215 the WLLP’s policies for the supply of housing could therefore be considered to have less weight in any determination. However, the test is the consistency with the NPPF, it can therefore be considered that some or parts of policies could maintain their full weighting. Nonetheless, even where policies are not deemed to be fully consistent with the NPPF whilst this may limit the weight to be afforded to them within the planning balance it does not mean they should be disregarded or otherwise carry no weight. It is for the decision maker to determine the weight which each policy should be given, taking account the provisions of the NPPF.

The application should be considered against the NPPF’s presumption in favour of sustainable development, which for decision-taking means:

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:

any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or

specific policies in the Framework indicate development should be restricted.

Given that the WLLP housing allocations are largely built out and that Greenfield sites will be required to meet Central Lincolnshire’s housing need it is considered that the spatial housing policies of the WLLP are deemed to be largely out of date and the planning balance is activated. WLLP policies

however, that remain fully compliant with the NPPF should be given full weight.

(iii) Emerging Local Policy

In the event Central Lincolnshire is now proceeding at an advanced stage with a replacement Local Plan which is considered NPPF compliant and the NPPF paragraph 216 provides advice on the weight to be afforded to emerging policies.

Paragraph 216 is clear that decision makers may give weight to relevant policies of emerging plans from the day of publication. The weight attached to such policies however, depends on:

- the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

The emerging Central Lincolnshire Local Plan is a material consideration to take into account against the policies of the statutory development plan. The NPPF (paragraph 216) states that decision-takers may also give weight to relevant policies in emerging plans.

The Submission Central Lincolnshire Local Plan (CLLP) is considered to be at an advanced stage in the adoption process having completed three consultation stages and is now at examination, with public hearings taking place. Its policies can now attract at least a moderate weighting in any planning balance subject to the consideration of outstanding objections to any particular policy.

It is worth noting that in terms of allocated housing supply approximately 60% of the 5 year supply now has the benefit of planning permission, in addition to this, a further 20% of allocated sites have reached examination stage without objection. Finally, taking account of windfall development rates over a significant period some 7% of housing will come forward through these means. On this basis it is considered that the vast majority of predicted housing supply can be considered achievable. Of the 13% of sites which do have objections and will be considered in detail at examination some have only minor objections to them. On these grounds it is therefore considered that the housing policies of the CLLP can be attached moderate weight.

Draft Policy LP2 sets out a spatial strategy and settlement hierarchy from which to focus growth. Newton on Trent is designated as a Small Village. Category six of six hierarchical categories. The Submission CLLP (policy LP2) states that “unless otherwise promoted by a Neighbourhood Plan, these settlements will accommodate small scale development of a limited nature, proposals will be considered on its merits but would normally be limited to 4 dwellings”

Policy LP2 should be read alongside LP4: Growth in villages. Growth is typically limited to 10% across the Plan Period unless expressly stated otherwise. Newton on Trent is envisaged for 10% growth. A blanket 10% growth policy was not considered appropriate for all settlements. In some cases the growth was adjusted upwards based on a consideration of the following sustainability criteria

- Key facilities - where a settlement includes a primary school, convenience store, and some employment ;
- Proximity to Lincoln, Sleaford, and Gainsborough (LSG) - where a settlement is not overly constrained and is within 5km of Lincoln, Sleaford, and Gainsborough centres; and
- Proximity to a Strategic Employment Area (SEA) -within 2km of a strategic employment area.

Conversely in the opposite direction, some settlements in levels 5-6 of the settlement hierarchy have known, significant, strategic constraints. In these settlements, whilst the growth level has not been altered to take account of these constraints, it is questionable whether development proposals will be able to overcome these constraints. One of the constraints relates to Flood risk which applies to Newton on Trent as it is located in its entirety within areas at risk of flooding.

Appendix B of the Submission CLLP sets out that Newton on Trent has a base number of 167 dwellings. 10% growth would account for an additional 17 dwellings within the plan period to 2036.

At up to 325 dwellings, the application proposes to effectively increase the number of dwellings already within Newton on Trent by almost double (a 195% increase on the base number). It would be nineteen times the housing growth that is envisaged for Newton on Trent during the whole of the Plan’s lifetime (up to 2036). The development is therefore considerably in excess of the limited growth envisaged by the emerging draft Plan, and such an uplift would conflict with the planned growth strategy set out in the Local Plan.

Whilst policy LP4 does not limit growth absolutely, it does require proposals that would exceed this level significantly to demonstrate an appropriate level of community support. There is a level of support for the application although objections have also been received. Notwithstanding this, the application still requires assessment in accordance with the development plan and any other material considerations.

(i) Housing Delivery and Affordable Housing Provision

The development would contribute up to 325 dwellings towards an identified need for housing within Central Lincolnshire. If the site was not within an area at risk of flooding contrary to the sequential approach to site selection (discussed later in this report) this would normally be attached positive weight.

However, it should also be noted that the Sep 2016 5yr HLS Statement, and emerging Central Lincolnshire Local Plan, both recognise a five year supply of housing land without the inclusion of the application site. Although it is recognised that the 5 year supply has yet to be independently tested the emerging plan has reached an advanced stage and as such this figure should be given weight within the planning balance.

Saved WLLP policy RES6 states, “Where there is a demonstrated need the provision of affordable housing will be sought, the Council will seek to negotiate in the region of a 25% contribution towards affordable housing”.

The Lincs Homefinder CBL Partnership, of which West Lindsey is one of 4 partners, provides evidence of a demonstrable need for affordable housing with in excess of 1500 households registered for affordable housing in the district and in excess of 5000 households requiring affordable housing across the partnership area of Central Lincolnshire.

The emerging Further Draft Central Lincolnshire Local Plan also identifies a need, evidenced in the Strategic Housing Market Assessment (SHMA) for 17,400 affordable dwellings across the plan period (2012-2036). It sets a 20% requirement to meet this need (draft policy LP11).

The applicants are only offering a 5% on site contribution based on their own viability report which has not been independently assessed. It is considerably below the 25% requirement of the WLLP, and proposed 20% requirement of the SCLLP. Thus the provision of this level of affordable housing is given limited weight in its favour.

Flood Risk and Drainage

Policy STRAT 1 requires that amongst other matters development must be satisfactory with regard to “*avoiding utilising land subject to flood risk*” This is in accordance with the NPPF which indicates that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere (para. 100).

The NPPG also requires the submission of a Flood Risk Assessment to show that proposals have fully considered flood risk by directing development away from those areas most at risk of flooding, both at site selection stage but also within the site. Proposal would also be required to show that flooding would not be made worse elsewhere surrounding the site.

The majority of the application site has been shown to fall within Environment Agency Flood Zone 3 which is land with a “high probability of flooding” which is land having a 1 in 100 or greater annual probability of river flooding; or land having a 1 in 200 or greater annual probability of sea flooding. The remainder of the site falls within Flood Zone 2 which is land having between a 1 in 100 and 1 in 1,000 annual probability of river flooding; or Land having between a 1 in 200 and 1 in 1,000 annual probability of sea flooding.

The River Trent is the primary source of flood risk for the locality of Newton on Trent. The River Trent flows from south to north 600m to the west of the site. The land to the west of the site that is served by the Fenton Marsh Drain is identified as being functional floodplain. There is a defence line along the right bank of the River Trent. A topographical survey of the site indicates that the site falls from 8m AOD in the south west to 6m AOD in the east. A raised earth bund forms the western site boundary. This raised bund has a crest level at or about 8m AOD. Peak water levels from all breach scenarios range from 6.2m AOD to 7.95m AOD. Peak water levels from a 1:1000 year overtopping scenario range from 7.66 m AOD to 8.1m AOD (above existing ground levels). The intention is to raise the land above breach levels across the site and locate the “hub” to the east which is classed as a “less vulnerable use” It is proposed that the minimum finished floor level of the proposed buildings are raised 450mm above the modelled 1:100 year plus climate change breach level. Never the less there is an outstanding objection to the submitted Flood Risk Assessment (FRA) from the Environment Agency.

A sequential test is also required in accordance with the NPPF for land that has a lesser probability of flooding (Zone 1). This has been discounted by evidence submitted in support of the application, namely that due to the wider planning benefits of the proposal the geographical search should extend no further than the Parish of Newton on Trent. Planning Practice Guidance states that “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.” However, the case for this development being specific to the needs of the Parish have not been convincingly demonstrated and so the application must be considered to have **failed the sequential test** with the primary aim of directing development to those areas at lowest risk of flooding.

Although each application is considered on its own merits it is still nevertheless considered helpful and relevant to look at the approach adopted by an Inspector in considering flood risk and the application of the sequential test on a recent appeal decision (APP/N2535/W/16/3150272). Planning permission was refused for a development of up to 37 dwellings including 10 affordable homes at land off Granary Close, Morton (LPA Ref 133918) and the appeal was subsequently dismissed. The site fell within Zone 3. The Inspector, within the context of out of date housing policies in the Local Plan also considered draft policies within the emerging Central Lincolnshire Local Plan. He considered Draft policy LP 2 which permitted development of up to 9 dwellings although this was capable of being increased to 25 as an exception,

as Morton is classed as a "Medium Village" where no new housing allocations were proposed. Growth of 15% was proposed which equated to 72 dwellings (compared to 17 for Newton on Trent). On this basis he concluded that the village was not identified for any significant level of growth.

He felt the proposal would exceed the scale of development provided for in the emerging Plan. Although he gave the Plan limited weight because of its status weight however was given having regard to the *level of flood risk in the village*. Also taken into account was the "identified local need" for affordable housing, however the sheer scale of the proposed development was such that it needed to *"be applied over a wider area than just the parish of Morton"*. The application currently before committee is over 8 times the size of the proposal for Marton. There are clearly other potential sites within the district that are not at risk of flooding. For the Morton appeal the Inspector opined *"that whether or not other sites would be suitable or available for the proposed development I find ...that the requirements of the sequential test as set out in the Framework and the Planning Practice Guidance have not been met"*

Foul Drainage Details are to be agreed.

Accessibility and Public Transport

Saved Policy STRAT 1 refers to the scope *"for reducing the length and number of car journeys"* and the scope *"for providing access to public transport."* Saved Policy SUS 1 is permissive of large scale development proposals *"provided that they are located where they can be easily and efficiently served by an existing or expandable public transport service, and where there are good local pedestrian and cycle links available or to be provided."* This is consistent with the National Planning Policy Framework, a core objective of which is to *"effectively manage patterns of growth to make the fullest possible use of public transport, walking and cycling and focus significant development in locations which are or can be made sustainable"*.

Key to considering the sustainability of a development is how easy it is to access life services required by future occupiers in their everyday lives.

Newton on Trent has a limited amount of services and facilities. These principally consist of a post office with small shop attached to it; an outdoor recreation area, a primary school which is close to capacity and which is incapable of accommodating the pupil numbers arising from the current proposal (discussed later on in this report) and a timber merchants.

Newton on Trent only has one regular bus service the 106 which only runs 4 times daily Monday to Saturday. Travelling towards Lincoln the earliest departure is at 10.28 and then at 12.28; 14.28 with the last departure at 16.42. This service also serves Saxilby. The return journey from Lincoln starts at 09.42, followed by the 11.24, the 13.24 departure with the final bus service departing at 18.08. There is a call connect service available, however with a requirement for 2 hours' notice to be given to utilise it much less weight is given to it rather than the operation of a regular bus service. It can therefore be reasonably concluded that the village at present is not a sustainable

location for significant development due to the paucity of alternatives to the car. In terms of whether the location “can be made sustainable” the application simply proposes two new bus stops and a shared footway / cycle way along the A1133 linking Newton-on-Trent with Laughterton. These are very minor improvements and can be considered to represent a marginal increase in the sustainability of the site. When asked to provide further detail and justification for sum of £420,000 requested for bus service provision LCC Highways replied that *“the bus service is currently being reviewed with Stagecoach as it costs £50K per year for the fixed route service. With our budget under pressure if there is no external funding the service could either be cut all together or severely cut back leaving Call Connect as the only option. A Call Connect service costs in the region of £80K a year plus we have to provide the vehicle (£40K). A Call Connect service based on Saxilby or Lincoln might be an alternative for the whole area. Therefore it is difficult to say how much funding is required at the present time but with such a large development I think the size of the contribution is appropriate”* Given the high level of funding sought (however not agreed by the applicant) part of the funding is required simply to maintain the existing limited level of service and the reliance on transport provided by Call Connect it is another indication of the sites unsustainability in transport terms. If the applicants provided the required sum it could be construed as a benefit of the proposal in terms of keeping the existing service going. The addition of an increased population could help the future viability however there is no evidence that indicates that the assumed paucity of use simply relates to the lack of custom from Newton on Trent, a single stop as part of a wider journey.

Some places cannot be made sustainable, which is a requirement of the NPPF when placing “significant” development in such locations. This is considered to be the case for Newton on Trent.

In terms of day to day living, the availability of work is probably one of people’s main considerations. Other than at the Timber Merchants there is little or no employment opportunity. The potential for employment at the proposed hub and business barn is noted although it is reasonable to conclude that other than for home working, for the majority of people of working age this development would give rise to a need to travel. Given the paucity of bus services this is most likely to be by use of a private car. This would thus be contrary to the advice of NPPF paragraph 34. It is accepted that the primary school would be within a reasonable walking distance however this is tempered by the fact that it will not be able to cater for the demand arising out of the proposal which will in turn displace demand further afield with the attendant increase in the number of journeys undertaken once again contrary to paragraph 34. In terms of secondary education the closest schools appear to be the Tuxford Academy in Newark and the Lincoln Castle Academy in Lincoln. I note that there is an existing school bus service between Tuxford and Newton on Trent although there does not appear to be a service to the Lincoln Castle Academy. This would therefore lead to a further increase in travel.

In terms of medical facilities the closest Practices serving Newton on Trent are the “Glebe Practice” and “Trent Valley” within Saxilby. As there is only a single bus in the morning which travels to Saxilby it would be reasonable to assume that the most likely mode of transport utilised will be the private car. I note that “Health Rooms” are proposed however the exact scope and delivery of this as part of the development is not certain and does not alter my conclusions. Shopping for food is less of a daily activity than once it was but it is still an important consideration in people’s day to day needs. The shop attached to the post office is limited in terms of its “offer” with the nearest food store located in Saxilby. Larger retail facilities for a weekly shop and for less frequently required services such as financial would be located in higher order centres such as Lincoln approximately 16 km from the application site. I note that the development seeks permission for an A1 use but in terms of what this will retail and also with no guarantee this could or would be delivered I do not attach limited weight to it as a material consideration.

Section 55 of the NPPF is also helpful as it sets out that in order to promote sustainable development in rural areas “*housing should be located where it will enhance or maintain the vitality of rural communities. For example where there are groups of smaller settlements development in one village may support services in a village nearby*” I note that the nearest village to Newton on Trent is Laughterton approximately 1 km to the north which also contains a post office with shop attached. The only additional facility is a public house.

Local Infrastructure

STRAT9 indicates that proposals for the development and other use of land must take account of the need to provide on- and off-site service and social/community infrastructure and other services in accordance with the requirements of statutory undertakers and other providers of essential services. Development that increases demand on infrastructure that cannot be satisfactorily provided for within the existing capacity of on- and off-site service and social/community infrastructure or other services will not be permitted unless extra capacity will be provided to serve the development.

Following consultations with health and education authorities it has been determined that this proposal would impact upon these services. In terms of medical services the required extra capacity as a result of the development can be catered for by the provision of a financial contribution of (£425.00 per dwelling x 325) £138,125 as set out earlier in this report which could be delivered by way of a section 106 legal agreement.

It is not possible however to provide the required capacity in terms of school spaces on or off the site. It is worth repeating the earlier comments from the Education Authority:

In this instance, the County Council wishes to object to the proposed development. ... 65 additional primary school places are required as a direct result of the development. It is projected that there will be 7 spaces available at the local primary school in the 2019/20 academic year – the furthest that can be accurately projected at the present time – this would be sufficient for

some 35 dwellings. Unfortunately, due to the nature of the school site, it is not possible to extend the school to the extent necessary to mitigate the impacts from this application; this is already on an undersized site and relies upon a remote playing field. As the school cannot be extended sufficiently, sufficient capacity cannot be created for the development, as such, this is unsustainable from an education perspective. While it may be argued that there are three primary schools within the normal 2 mile radius of the development which would indicate acceptability for a primary school to serve a development, in this instance only the local school has a route that is suitable for school age children – as such, the only capacity to be taken into account is that within the local primary school in Newton-on-Trent. Further comments from the applicant's representatives have indicated that 44 dwellings are intended to be for retirement purposes only; while this would reduce the number of dwellings with children to 281, this would still generate vastly more children than there is capacity for in the local primary school and could not be supported by the County Council.

This therefore represents a reason to withhold consent. Other indicators in terms of infrastructure are the need to raise existing ground above flood risk levels together with insufficient public transport infrastructure. These are all indicators of the sites unsuitability for a significant development in excess of 300 dwellings.

Landscape character and visual Impact

The West Lindsey Landscape Character Assessment shows that the application site falls within the Trent Valley Landscape Area. The key characteristics of which include:

- *Low-lying, gently undulating land form with higher terrain to the east and south of Gainsborough;*
- *The River Trent and its adjacent washlands are enclosed by steep flood embankments*
- *Views towards the west are dominated by power stations along the River Trent*

In terms of landscape sensitivity views are generally “*contained by tall hedgerows, woodlands and tree groups, “giving the landscape some capacity to absorb change”*”

The West Lindsey character assessment identifies principles for landscape management and accommodating new development:

- *Hedgerows and hedgerow trees should be managed to retain the existing landscape pattern, screen settlements and contribute to local identity;*

- *take account of key views and entrance to settlements which would often benefit from distinctive planting schemes;*
- *Further linear development along principal roads in the area would be detrimental to local landscape character;*
- *New development on the periphery of settlements should always be bounded by new or existing hedgerows and native hedgerow trees so that the buildings are visually ‘anchored’ within the wider landscape pattern.*

The application site is part of the River Trent floodplain and there is a bund along the western edge as part of the local flood scheme. The site has little variation due to the wide floodplain location. Hedgerows along the north and east are relatively mature, high hedgerows, which have good visual structure. The hedgerows along the western and southern boundary have more “gaps”, allowing some views out across fields. There will clearly be a change to the landscape simply by virtue on building on agricultural land. Subject to detailed proposals for planting reinforcing the existing hedgerows around the perimeter of the site, and the implementation of areas of manageable planting including orchard trees, woodland copse, hedgerows and meadow as set out in the submission details this would partially buffer the built form and help it to assimilate in the wider landscape with the use locally native trees. On this basis there although there will be an impact on the landscape it will be primarily a localised one and is considered acceptable.

Highway Safety

Although access is a reserved matter and has not been considered by Highways no objections have been raised to the submitted Transport Assessment (TA). On this basis the site can be considered capable of being developed without detriment to the interests of Highway safety.

Design, Layout and Landscaping

This application is in outline form with all matters reserved. The detail of the layout is, therefore, difficult to assess. An indicative layout has been provided however. The shows the access road extending from the road in the shape of an inverted “U” with development branching off both sides. The village hall / community “hub” and “Business Barn” will be located at the entrance to the site separated by a pond and grassed area from the access to the east. North of the access road is shown a “community green” and “pond with wetland margins”. Housing is shown on both sides of the spine road with “extra care retirement housing” to the south“. A woodland copse is shown in the north eastern edge of the site with another pond with wetland margins in the south western section of the site. The site area is 18 hectares with approximately 12.5 hectares being developed for housing. Approximately 5.5 hectares will be allocated as public open space, with water features and landscaped areas.

This will be in excess of the required 10% of the site as open space set out in RES 5. These would be available for informal recreation. It is considered that

the site is large enough in order to be able to provide for a satisfactory design, layout and landscaping at reserved matters.

Archaeology & Heritage

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 126 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 that: '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 12, para 128. 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.

Ecology

An Ecological Impact Assessment was submitted in support of the application including a phase 1 protected species report.

In conclusion the site was found to offer limited habitat value, with quality being greatly limited by the existing land use for chicken production. The associated degree of soil disturbance, limited grassland diversity and presence of the predatory pressure of the chickens themselves being likely to limit the size and diversity of potential invertebrate populations and the ensuing food web which would prey on them.

Great Crested Newts - The submitted report indicates the presence of Great Crested Newt within a 1 km grid square of the application site. It is unlikely however that the proposed development will have an adverse impact on the species. The proposed landscape features are likely to offer conservation opportunities for species. Features include the provision of wetland areas in the form of ponds and swales as well as significant improvements to the terrestrial habitat through planting of native species and provision of natural refugia.

Bats - Bat species roosts are found from 1.2 km to 1.7 km from the site with records for a range of bat species within 2km of the application site. During the course of the phase 1 survey the onsite buildings were considered to be of low habitat potential for roosting bats. The proposed development has the potential to adversely impact on bats through increased artificial lighting and

the report recommends that lighting schemes should be designed to minimize light increase, particularly in proximity to the surrounding hedgerows. The indicative plans show that hedgerow removal is likely to be minimal with much of the existing hedgerow network being enhanced through the planting of a wider range of appropriate native species. Proposals also show the creation of a number of new hedgerows within the interior of the site as well as the widespread planting of trees. Wetland creation through the establishment of new ponds is likely to generate foraging opportunities for existing bat populations.

Badgers- During the construction phase, foraging badgers could potentially enter the site. To avoid badgers becoming trapped in any open trenches the report recommends such earth works should be filled in at the end of each day. Where this is not practical, a ramp should be placed at one end of any open trenches to allow any badgers which fall in to be able to escape.

Reptiles - It is unlikely that the proposed development will have an adverse impact on these species.

Nesting birds – The report recommends that operations on the site avoid the bird breeding season (late February - early September inclusive) to avoid damage to nesting species and that a total of three starling boxes and three sparrow terraces are provided to enhance existing nesting opportunities within the site.

Hedgehogs - The site is likely to provide foraging opportunities for European hedgehogs, although the limited habitat diversity is likely to limit this.

Nectar Resource - The sites main grassland compartments provide a significant nectar resource with an abundance of white and red clover as well as dandelion. It is recommended that the loss of this habitat is compensated through the provision of large areas of native wildflower meadow, nectar rich tree species and a diverse range of nectar bearing floral species to be incorporated within the wider Landscaping scheme.

Subject to the incorporation of the recommendations of the report together with the landscaping suggested in the submission information it is reasonable to conclude that there would be an increase in the biodiversity value of the site.

BREEAM (Building Research Establishment Environmental Assessment Method) Community Sustainability Assessment

BREEAM (BRE Environmental Assessment Method) is an environmental standard that rates the sustainability of buildings in the UK. The BREEAM environmental assessment aims to minimize environmental impact by ensuring best practices are in place while lowering costs through energy efficiency. The submitted information addresses:

- Water Strategy

- Utilities
- Light Pollution
- Resource Efficiency
- Drainage/ Water Pollution
- Energy Strategy
- Sustainable Buildings
- Low Impact Buildings
- Rainwater Harvesting
- Micro Climate

There is a draft waste management strategy; and sections on:

Sustainable Urban Drainage Systems; Hot Water Cylinders; Waste Water Heat Recovery; Infra-red radiant panels ; Electric Heating; Green Building Guide; Insulation; Construction details; Anglian Water Climate Change report and lighting specifications. A “BREEAM Communities Sustainability Assessment” has also been submitted. This states that the development is committed to achieving a high BREEAM communities rating with an aspiration of at least “Very Good” to “Excellent”. Buildings are proposed to be built to a minimum Code Level 4 and where feasible to Code 5. It is not in dispute that the buildings could be constructed to achieve “sustainable” standards of development that minimise environmental impact achieving a reduction in carbon footprint and energy savings. This is a potential benefit of the scheme to be considered in the overall planning balance.

Overall Planning Balance and Conclusions

Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The application site is within an area defined as open countryside in the West Lindsey Local Plan (First Review) 2006. It is found that the proposed development would be in direct conflict with policies STRAT 1, STRAT 12, STRAT 19, SUS 1 and RES 6. The application falls to be refused unless there are material considerations which would indicate otherwise.

The NPPF requires (paragraph 49) that Housing applications should be considered in the context of the presumption in favour of sustainable development (paragraph 14).

The development would not meet the first bullet-point of the presumption test – it does not accord with the development plan.

The second bullet point is applicable *“where the development plan is absent, silent or relevant policies are out-of-date”*.

In terms of housing supply the NPPF (paragraph 49) does state that:

“Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of

housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.”

Recent case law² finds that “*policies for the supply of housing*” should not be narrowly defined only to policies that provide positively for the delivery of new housing. It considers that restrictive policies may have the effect of constraining the supply of housing land. Whether a particular policy of the plan, properly understood, “*is a relevant policy “for the supply of housing” in the sense we have described is not a question for the court. It is... a question for the decision-maker.*”

Policy STRAT12 may properly be considered, on the law as it is at present, as a policy for the supply of housing. Nevertheless, the latest five year housing land assessment (September 2016), produced by the Central Lincolnshire Joint Planning Team demonstrates a 5.26 year supply of housing, albeit this is being formally tested at the Local Plan examination Accordingly policy STRAT12 should not be rendered as being not ‘up to date’ by virtue of paragraph 49.

It is accepted that the West Lindsey Local Plan First Review, as a consequence of its age, no longer has sufficient residential allocations to meet the objectively assessed housing needs of the area, in conflict with NPPF paragraph 47 which seeks to “*boost significantly the supply of housing*”. Because STRAT12 is applicable to all areas outside of the defined settlement boundaries, there is an inevitability that departures from the policy are required in order to meet the objectively assessed housing needs. STRAT12 may be afforded less than full weight, in application of paragraph 215. The remaining policies STRAT 1, STRAT 19, SUS 1 and RES 6 attract full weight as they are considered to be consistent with the guidance within the NPPF.

It can be concluded therefore that the proposal on the above basis does not constitute sustainable development.

It is important to note that there are also benefits which are material to the consideration of the application. The first is the provision of new housing that at this outline stage is stated to cater for a range of demands ranging from extra care retirement housing to family housing and affordable accommodation , although in terms of the latter less than the amount normally required. The community hub is to be used as a café during the day and as a restaurant / public house in the evenings. Meeting rooms are available and it is intended also to function as the “Village Hall”. This attracts positive weight as a contribution towards community facilities and the vitality of the existing village and it is noted that permission was granted for a Village Hall and car park in this location previously. It is estimated that this will give rise to 2 full time and 4 part time employees which is a positive consideration. An increased population could also help to support the existing facilities within the village

² *Richborough Estates v Cheshire East Council* [2016] EWCA Civ 168

Health rooms are proposed which are intended to cater for a satellite surgery however limited weight is given to this part of the proposal as this is simply an aspiration with the nearest medical practice located in Saxilby. The provision of B1 floor space in the form of what is called a Business Barn is to be welcomed as supporting information with the application indicates that the level of accommodation proposed is sufficient for 30 “workers” although again at this stage this is aspirational rather than a reflection of unmet demand. The creation of a village green with outdoor recreational opportunities including a new footpath is to be welcomed together with opportunities to increase the biodiversity value of the site including the provision of “Green Infrastructure”.

The applicant’s submission estimates that during the construction phase of this development over a period of 7 years 650 jobs will be created. This is a significant material consideration in favour of the proposal.

The development is however proposed on an area at risk of flooding contrary to the sequential approach to site selection advocated by the NPPF which is a significant adverse impact.

The NPPF requires significant development to be focused in locations which are or can be made sustainable. As discussed earlier in this report this is not a sustainable location nor can it be made one. Future occupants of the development would have poor access to day to day services and facilities by sustainable means and there is likely to be a significant and harmful reliance on the use of private vehicles particularly as the application proposes effectively doubling the size of the existing village leading to a significant increase in travel. Again this is a significant adverse impact of the proposal.

The level of development proposed will effectively increase the number of dwellings already within Newton on Trent by almost double (a 195% increase on the base number). It would also be nineteen times the housing growth that is envisaged for Newton on Trent during the whole of the Plan’s lifetime (up to 2036). A further indicator of the sites unsuitability for development on the scale proposed is the inability to meet the additional educational infrastructure requirements with a recommendation of refusal from LCC Education. Other indicators in terms of infrastructure are the need to raise existing ground above flood risk levels together with insufficient public transport infrastructure. These are all indicators of the sites unsuitability for a significant development in excess of 300 dwellings.

Recommendation. That planning permission is refused on the following grounds:

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. 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.