

**Independent Examination of the Central Lincolnshire Local
Plan:**

Hearing Statement Matter 5:

**Residential Allocations in Villages and Development in Hamlets and the
Countryside**

By Acorn Planning Limited

On behalf of Barbara Mary Arden

Representor no. 993.353 - Land at Manor Farm, Newton on Trent

October 2016

Issue 5e, Q14: Are the allocations in the Medium and Small Villages justified, effective and consistent with national policy?

1.INTRODUCTION

1.1 This Examination Statement has been prepared by Acorn Planning Ltd on behalf of Mrs Barbara Mary Arden in respect of land at Manor Farm, Newton on Trent. A site plan is included in Appendix 1.

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2.0 POLICY CONTEXT

- 2.1. Both the National Planning Policy Framework (“the Framework”) and the Localism Act 2012 in principal establish the potential for local communities to support and deliver small scale new garden villages to meet local housing and community facility needs.
- 2.2. Following the Taylor Report in 2009 the Government has reappraised the impact of planning policy on the viability and sustainability of rural communities. The Government in formulating NPPF and Planning Practice Guidance to the Framework (‘PPG’) are plainly recognising that the historical approach of “trickle-down” has proved counter-productive and resulted in the diminution in the sustainability and viability of rural communities. There has essentially been a sea change in the approach to development in the rural communities. “Trickle down” has gone. There is no “entry-level” size of settlement that needs to be present for housing and other development to be directed towards it.
- 2.3 Under the heading in PPG “How should local authorities support sustainable rural communities” the key advice associated with the specific policies in NPPF include the following:

“It is important to recognise the particular issues facing rural areas in terms of housing supply and affordability, and the role of housing in supporting the broader sustainability of villages and small settlements. This is clearly set out in the NPPF...”

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A thriving rural economy in a living, working countryside, depends, in part, on retaining local services and community facilities such as schools, local shops, cultural venues, public houses and places of worship. Rural housing is essential to ensure viable use of these local facilities.

*Assessing housing need and allocating sites should be considered at a strategic level and through the development plan and/or neighbourhood plan process. However, **all settlements can play a role in delivering sustainable development in rural areas and so blanket policies restricting housing development in some settlements and preventing other settlements from expanding should be avoided unless their use can be supported by robust evidence.***

*The NPPF also recognises that **different sustainable transport policies and measures will be required in different communities and opportunities to maximise sustainable transport solutions will vary from urban to rural areas.*** [emphasis added]

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2.4. It is worth drawing attention to the relevant key policies in NPPF.

(a) Rural areas and communities are not excluded from the requirement to contribute to the significant boosting of the supply of housing land;

(b) Paragraph 17 of NPPF is explicit in supporting “thriving rural communities within” the countryside;

(c) NPPF does not carry forward any form of protection of the countryside “for its own sake”. It is clear from NPPF that an objective and informed assessment of value to areas of land within the countryside is necessary to attribute weight to those features. Without which there cannot be recognition of the intrinsic character and beauty of the countryside;

(d) there is a distinction between recognition and protection; protection is afforded to the Green Belt and “valued landscapes”;

(e) NPPF does not carry forward the approach that accessibility should be a key consideration in all development decisions, nor the exhortation to locate development in or next to towns or other service centres is carried forward;

(f) Paragraph 55 of NPPF is clear in that housing should be located where it will enhance or maintain the vitality of rural communities.

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2.5 As an example of how the Framework provides for such flexibility of approach, para 52 of the Framework states:

“The supply of new homes can sometimes be best achieved through planning for larger scale development, such as new settlements or extensions to existing villages and towns that follow the principles of Garden Cities.

Working with the support of their communities, local planning authorities should consider whether such opportunities provide the best way of achieving sustainable development.”

2.6 With such provisions in the Framework in mind, the emerging Central Lincolnshire Local Plan (“CLLP”) does include mechanisms (in policy LP4) to facilitate locally driven growth, specifically, where a proposal would exceed the nominal 10% growth level for “small villages”;

“the proposal should be accompanied by demonstrable evidence of clear local community support for the scheme (with such support generated via a thorough and proportionate pre--application community consultation exercise or through a Neighbourhood Plan exercise).

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

2.7. Issue 3f, Q27 will consider in detail the operation of this provision in policy LP4, though I would emphasise that the Representor supports the existing policy wording.

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3.0 ALLOCATING LAND AT MANOR FARM

- 3.1. The requested allocation is a 17.21 hectare site at Manor Farm, Newton on Trent, Lincolnshire. Located just off the High Street, to the north of the village, the site at present comprises two fields which are currently in use as an organic free range chicken enterprise with associated infrastructure.
- 3.2. A Planning Application for a mixed use sustainable village extension was submitted in respect of the site in May 2016, and at the time of writing has yet to be determined, a Mid November Planning Committee meeting currently agreed as the likely determination date.
- 3.3. It must be emphasized that the Responder is quite cognascent of the fact that the proposal must be consistent with all aspects of both the Framework and the emerging CLLP, particularly in terms of the overarching requirement for delivering sustainable development. It has never been the case that the Responder has relied solely on emerging policy LP4. The proposal is in fact to create a highly sustainable extension to the village that will meet BREEAM Communities ‘Excellent/ Outstanding’ based on Garden Village principles. These will be applied to Newton on Trent to reflect the best of traditional rural life, whilst meeting the needs of the community. The proposal is therefore in essence an exemplar project and will set a “gold standard” for how sustainable rural settlement extension in the CLLP area will be achieved.
- 3.4. The proposed development will be delivered by way of a Master Planned approach, in phases over a period of 10+ years. For the sake of brevity the very extensive study background to the project has not been appended to this statement but can be viewed at <http://>

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docs.west-lindsey.gov.uk/WAM/showCaseFile.do?appName=planning&appNumber=134411

3.5. To summaries key findings of the application submission:

Land ownership: The site is in the responders ownership and presents no impediment to scheme delivery, i.e. There are no land assembly issues, “ransom strips”, restricted rights of access etc.

Viability: It had been determined that the site’s location and the proposed layout and design could provide an opportunity to create a unique selling point that is intended to attract premium unit prices relative to the local market norm. In this instance the intention is to create a ‘Garden Village’ featuring an attractive landscaped setting, low density layout with low energy costs. A viability matrix concludes acceptable residual land value to make the scheme commercially viable.

Constraints: There are no unresolved constraints on development;

i) Landscape and Ecology - the proposed development enhances the ecological and landscape value of the site, including a range of new and enhanced ecological features. Landscape proposals respond to the character of the surrounding area with the subtle introduction of appropriately sized broadleaved woodland copses to help visually connect the site with the surrounding landscape character.

ii) Soils and Agricultural Land Value - Soil analysis has concluded that top soil is mainly loamy sand with low organic matter content and low soil fertility, and hence the site is conclusively of low Agricultural Land Value.

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iii) Flooding -The site is noted to be at risk of flooding from the River Trent as some flows are able to flow around or overtop the existing flood defences in extreme flood events. In liaison with the Environment Agency, the project team has developed models of a range of flood risk and breach scenarios to identify the area of land on the site that could be developed without risk to the site, or to properties within Newton on Trent. Measures taken to achieve this included extending the original flood defence bund, raising the low levels of land within the development site, incorporating a range of SUDs, ponds and swales to manage water coming on and offsite, and raising floor levels to between 450mm and 600mm.

Locational Sustainability. One of the main criteria for determining settlement hierarchy in the emerging CLLP has been community infrastructure capacity. Indeed, neighboring settlements to Newton on Trent, such as Saxilby, have been designated as growth settlements based on existing facility offer, despite being in a broadly comparable travel distance to the higher tier towns and urban area. The proposal can upgrade community infrastructure in Newton on Trent to a commensurate level to growth settlements such as Saxilby. This approach is considered to be entirely in line with the principle set out in the NPPF, as summarized at Section 2 above, particularly those relating to maintaining the viability of rural communities.

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Traffic and Movement: A range of baseline assessments have been undertaken. The assessment concludes that the site can be safely accessed within the existing design capacity and tolerances of the surrounding highway network. A new footpath/ cycleway will also be created along the A1133 to connect the village with Laughterton and from there a network of walking and cycling routes which are currently not accessible from Newton on Trent. Within the site, new car parking facilities will be created. A range of walking and cycling routes will be incorporated into the main infrastructure of the site to encourage travel without the car, as well as the provision of two additional bus stops on the High Street to allow for access to public transport. A variety of ‘soft’ transport and travel measures have been included within the proposal to help to change behaviours of regular car users and support those who do not have access to a car. The assessment concluded that car ownership levels would be in line with the current levels in the village (identified from the 2011 Census). A provisional target to reduce the percentage of car drivers during the AM and PM peak hours by 5% over 5 years is considered appropriate. This will result in a reduction of 10.38 kgCO₂ per kilometre during the combined AM and PM peak hours against the estimated baseline of 115.77 kgCO₂ per kilometre.

- 3.6. In response to the question of are the allocations in the Medium and Small Villages justified, the Responder takes issue with how the provisions of emerging Policy LP4 have been applied to the site allocation process.
- 3.7. The Manor Farm site has been promoted throughout the CLLP process. The site has also been submitted with extensive background evidential support to the Joint Planning Units Strategic Housing and Employment

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Land Assessment (SHELAA) process. The site is listed in the last published SHELAA (Jan 2015) site ref CL1399.

- 3.8. Sites included in the submission draft CLLP policy LP52 and Main Modification Main/SC/6 are derived from existing commitments, the SHELAA, and subsequent Sustainability Appraisal (SA) of draft allocations or sites. Also included are sites allocated in Neighborhood Plans. It is put forward that the submitted SA to the application scheme is of a more detailed and better evidenced nature than the SA that has been undertaken of any other proposed housing allocation sites in the submission CLLP, and is definitely of a higher standard than that required to support Neighborhood Plan allocations, where SA/SEA Regulations will not always apply.
- 3.9. Policy LP4 makes it clear that where a Parish Council do not propose at present to undertake preparation of a Neighborhood Plan, that their support for a scheme is also a viable route to consent/allocation. While Newton on Trent Parish Council, as consultees have formally supported the current application, following extensive local consultation (the “thorough and proportionate pre-application consultation exercise” required under emerging Policy LP4) in 2014, the Parish Council resolved to support the project in principle at their meeting of 9th November 2015 (minute attached as Appendix 2). This fact was made clear in representations at previous consultation stages of the CLLP.

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3.10 The issue for consideration here may be somewhat unique, but it is considered that the responder has throughout the CLLP preparation process supported an allocation in full compliance with the requirements of emerging Policy LP4, and yet no valid reason has been provided for why this site has not been allocated under LP52, when sites have clearly been allocated based on the other “route” for allocation under LP4, i.e. Neighborhood Plan inclusion. On this principle and broader principles of natural justice, it is considered that the approach to allocations in emerging policy LP52 is not justified when the operation of all of the “locally driven growth” elements of policy LP4 do not appear to have been consistently applied.

3.11. It is of course the case that if the site is consented in November 2016, then allocation under policy LP52 as a site with consent should be considered as a given outcome.

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4.0 CONCLUSION

4.1 The Manor Farm site, Newton on Trent, is a site that has been promoted throughout the CLLP preparation process and complies with the provision of emerging CLLP policy LP4 that allows growth above nominal settlement growth limits where a proposal has been subject to extensive local consultation and Parish Council support. The project is a BREAAAM exemplar for Garden Village Extensions, and is therefore considered to meet and exceed the requirements for sustainable rural developments in both the Framework and the emerging CLLP.

4.2 The approach in the submission CLLP to allocating sites under policy LP52 appears to be inconsistent with the provisions of policy LP4, and I therefore consider that it has not been positively prepared, is not justified or effective, and is therefore unsound.

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