

**Examination of the Central Lincolnshire Local Plan Review  
Inspectors' Matters, Issues and Options  
Written Statement**

**Matter 7 (Housing Sites), Issue 4 – Large Villages (Policy S80), Site Reference WL/WELT/008A – Land North of 77 Eastfield Lane, Welton**

## **Introduction**

This Hearing Statement has been completed by Brown & Co JHWalter on behalf of Turley Farms Ltd.

This document provides a response to each of the questions raised by the Inspectors in their Matters, Issues and Options document with respect to:

Matter 7 (Housing Sites), Issue 4 – Large Villages (Policy S80), site reference WL/WELT/008A – Land North of 77 Eastfield Lane, Welton.

### **Question 1 – How does the proposed site area relate to the existing allocation in the adopted Local Plan in this part of the village?**

1.1 Turley Farms Ltd considers the proposed site area relates well to the existing allocation in the adopted Local Plan in this part of the village (Proposed allocation reference WL/WELT/003 – adopted allocation CL 1490). The proposed site area is situated immediately adjacent to the allocated site's eastern boundary and immediately north of existing housing fronting onto the northern side of Eastfield Lane. As WL/WELT/003 is in the process of being delivered, WL/WELT/008A is bounded on two sides by the existing developed footprint. Furthermore, the site area effectively extends the eastern boundary of the existing allocated site respecting the northern boundary of the developed area of the village. To achieve this the initial proposal was reduced by removing (at the request of the planners) the triangular area of land to the north of the site, even though this was proposed for ecological gain and public access.

1.2 It is, therefore, asserted that the proposed site would not extend intrusively into the countryside and retains the character of this part of the village and the countryside to the north, fitting in well with existing allocations and the built form of the village.

1.3 It is noted that the Central Lincolnshire Local Plan (CLLP) Team also agree that the site relates well to the existing allocation in this part of the village, concluding in the policy's evidence document<sup>1</sup>, that:

*“...has revised boundaries to better reflect the existing built line of the village to the north”.*

1.4 In addition, the CLLP Team continued with this assertion in their justification for selecting the site for allocation in the March 2022 Sustainability Appraisal Report<sup>2</sup>, concluding one of the reasons for the site being selected for allocation at the Regulation 18 and 19 stages was:

*“The site has revised boundaries (to those proposed in WL/WELT/008) to better reflect the existing built line of the village to the north”.*

1.5 The existing allocation (WL/WELT/003) was granted planning permission by West Lindsey District Council (WLDC) in February 2022 and the developer of the site, Lindum Homes, commenced work on construction of the site this summer (2022). Turley Farms Ltd have had discussions with Lindum Homes'

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<sup>1</sup> Residential Allocations Evidence Report 2022: Appendix 3 – West Lindsey: Part 2, Section 30, page 337.

<sup>2</sup> Sustainability Appraisal Report for the Central Lincolnshire Local Plan Proposed Submission Draft (March 2022) – Appendix 7: Reasons for Selecting Preferred Policies and Site Allocations (Updated August 2022), Policy S80: Housing Sites in Large Villages, page 110.

Director (Mark Foster) about their site's design and enabling the opportunity for collaboration/extension of their site into WL/WELT/008A when it was proposed for allocation. Lindum Homes agreed a Section 38 Agreement Plan<sup>3</sup> that has two adopted roads. The adopted road in the northern half of their site, which runs predominately north to south along the eastern boundary, has been designed with a spur (labelled "Road 4" on the Section 38 Agreement Plan) extending a short distance eastward. This was designed in order to make provision for this adopted road to have the potential to extend eastwards into this proposed site area (WL/WELT/008A) from the west.

1.6 This would also give access options for the Lindum Homes site and Turley Farms Ltd, see Inspector's Question 3 below.

1.7 In addition, Lindum Homes have also confirmed in writing<sup>4</sup> their willingness to work with Turley Farms Ltd with any proposed housing development on the site, stating this will ensure good and proper planning of development within this area of the village by a reputable local house builder. This clearly demonstrates that the proposed site is not only well related to the existing allocation by potential future road/footway connections which could effectively link the two sites, but also a sustainable approach could be taken by not requiring the setting up of a new development compound infrastructure for a second site.

1.8 Turley Farms Ltd assert that the site is well related to the existing allocation as it is immediately adjoining it; the northern boundary of this site area extends the northern boundary of the allocation site eastwards to reflect it's and the village's existing built line; and demonstrates it is well related by potential future road connections, which could link the two sites and help with access away from main roads through the residential areas to the Welton village services.

## **Question 2 – What is the justification for the proposed phasing of the site?**

2.1 A review of the examination documents clarifies that proposed phasing of the site was included throughout the consultation stages. The proposal was to phase back WL/WELT/008A behind WL/WELT/001A and WL/WELT/007. No detailed justification was provided for this phasing until after completion of the Regulation 19 public consultation stage.

2.2 As detailed in Turley Farms Ltd's Regulation 19 consultation response, the policy's evidence document<sup>5</sup> provides a positive analysis on why the site is proposed for allocation but no justification for the proposed phasing and concludes:

*"The site is considered a sustainable location which would provide access to a range of services within the village, including schools. The site is proposed to be allocated".*

2.3 In the "Constraints" section of the site analysis it states that any development on the site would be subject to an archaeological investigation prior to determination and "...any new access would either need to come through the allocated site to the west or positioned on the bend of Eastfield Lane to enable full visibility splays to be achieved".

2.4 The CLLP's Site Allocations Sequential Test<sup>6</sup> provides another assessment of the site, stating it is situated within Flood Zone 1; is compatible with neighbouring land uses; passes the locational Sequential Test of being situated in an appropriate location in relation to the existing village; and in the concluding comments section states the site is "*adjoining an existing allocation*". Again, phasing is included but there is no justification provided for the proposed phasing of the site.

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<sup>3</sup> Included in appendix 1.

<sup>4</sup> Email confirmation from Lindum Homes (Mark Foster) included in appendix 2.

<sup>5</sup> Residential Allocations Evidence Report 2022: Appendix 3 – West Lindsey: Part 2, Section 30, page 337.

<sup>6</sup> Central Lincolnshire Local Plan Site Allocations Sequential Test (March 2022), page 32.

2.5 The CLLP Team first provided reasoning for the phasing of the site when they had reviewed all the Regulation 19 consultation representations and responded to the comments received<sup>7</sup>. The justification proposed for the phasing was:

*“Welton is receiving a substantial amount of development from this plan. In order to manage the amount of growth that comes forward at any time, both to avoid risks of local market saturation creating uncertainty, and to help ensure that impacts on infrastructure are managed it is important that not all sites come forward in early stages of the plan period”.*

2.6 Turley Farms Ltd is disappointed that the CLLP Team provided no justification for the proposed phasing throughout the Local Plan consultation stages, until after the final public consultation stage had closed. This appears to be unreasonable, as it does not provide Turley Farms Ltd with the opportunity to respond to the above justification other than via this hearing statement and attendance at the hearing session.

2.7 In short while Turley Farms Ltd have some sympathy with the plan proposal to manage the amount of growth coming forward at any one time, market forces alone would usually achieve this. In relation to the proposed phasing there is:

- No justification for, or reasoning why, this site has been selected for phasing back, rather than one of the other allocated sites in the village.
- No explanation as to why it should be phased behind the sites identified in the policy - WL/WELT/001A and WL/WELT/007
- Some confusion was created by West Lindsey District Council's (WLDC) Head of Policy Strategy (Rachael Hughes) Regulation 19 consultation response, where WLDC state that the sites referred to in relation to phasing (WL/WELT/001A and WL/WELT/007) are a mistake and instead the site should be phased back behind the neighbouring allocated site of WL/WELT/003. If there is to be any phasing this appears to make more sense.
- No evidence that either WL/WELT/001 or WL/WELT/007 are being brought forward and are presently available, as there is no known approval or public evidence of the submission of an application for planning permission.
- Although a note from the CLLP evidence documents suggest that WL/WELT/001 is available, it is however unknown whether there are any material considerations which will make the site undeliverable.
- There is a response to the Regulation 18 consultation requesting changes to the policy wording stating the site access for WL/WELT/007 be linked to the neighbouring allocated site of WL/WELT/011 to the south. The CLLP Team added this wording to the “site specific requirements” of the site's allocation by stating “Access preferred from existing allocation to the south” within the Proposed Submission Draft Local Plan, as submitted to the Inspectors for examination. The draft Local Plan suggests the land can only be brought forward once the neighbouring site (WL/WELT/011) has been developed and, the details of the allocation states that as of January 2022, 261 of the 288 dwellings are not yet constructed. If the developer is waiting for the neighbouring site to be completed and given the number remaining to be built, it suggests this land is not going to be available nor deliverable for some time.
- WL/WELT/003, the neighbouring allocation, already has planning permission and is currently being built out by Lindum Homes.

2.8 Turning to this site (WL/WELT/008A), an outline application was submitted in March 2022<sup>8</sup> and, although refused in May 2022, it was only refused by WLDC for one reason - the site being premature to the new Local Plan<sup>9</sup>. WLDC considered all material planning considerations, including the suitability of the

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<sup>7</sup> Undertaken in document STA020 Central Lincolnshire Local Plan; Summary of Main Issues from Regulation 19 Consultation (July 2022), Chapter 13 – Site Allocations, Policy S80 (Housing Sites in large Villages), pages 75 - 77.

<sup>8</sup> WLDC planning application reference 144526.

<sup>9</sup> Decision notice of application included in appendix 3.

access from Eastfield Lane; ecology; flood risk and drainage; impacts on heritage assets; residential amenity impact; landscape impact and impacts on infrastructure (with S106 contribution payments to LCC Education and NHS England) were all deemed acceptable<sup>10</sup>.

2.9 The neighbouring allocated site (WL/WELT/003) already has permission and is currently being built out by the developer (Lindum Homes). Turley Farms Ltd have been in discussion with Lindum Homes' Director (Mark Foster), who has confirmed via email<sup>11</sup> that their site is under construction with completions programmed for early 2023. He also confirmed Lindum Homes' willingness to work with Turley Farms Ltd with any proposed housing development on the site. This demonstrates that the site is available and deliverable.

2.10 When considering time for the emerging CLLP to go through its examination stage and become adopted, and for a planning application to be submitted and approved on WL/WELT/008A, it is clear that it will be phased back after WL/WELT/003. The response from Lindum Homes confirming their willingness to work with Turley Farms Ltd with any proposed housing development further demonstrates the site is available and deliverable and likely to be phased back after WL/WELT/003.

2.11 Given the above and the recent planning application demonstrating that there are no material considerations which could affect deliverability, it is considered that the CLLP Team's justification for phasing the site behind three other sites in the village is not justified nor effective. Market forces would be a more than effective mechanism to phase development in the village and CIL and Section 106 receipts would grow infrastructure and address the very concerns of the local populace regarding these matters.

2.12 While Turley Farms Ltd do not support the phasing back of their site and are uncertain that any phasing back is required in Welton, if the CLLP/Inspector feels that phasing back of some development in Welton is required, Turley Farms Ltd asserts that other sites would be sequentially preferable for such an approach:

- It is unknown whether WL/WELT/001A is actually deliverable.
- WL/WELT/011 appears to be unavailable and undeliverable for some time, given the access considerations, until the site to the south has been completed.

2.13 Of the two sites, the quantum of WL/WELT/011 (104 dwellings) is similar to WL/WELT/008A (109 dwellings) and, therefore, phasing back this site would achieve the CLLP Team's aims of avoiding risks of local market saturation. It is reiterated that Turley Farms Ltd asserts that this issue will be more than adequately dealt with by market forces and phasing back in Welton is not considered necessary.

**Question 3 – What is the justification for the primary access being taken from Eastfield Lane? Is a safe access achievable and how have effects on the highways network and safety been considered?**

3.1 A review of the examination documents for policy S80 suggests the CLLP Team preferred the access to the site from its western boundary through the existing allocated site of WL/WELT/003. The policy also stated that access from the east, from Eastfield Lane, is possible if adequate visibility, road widening and provision for a footway could be provided.

3.2 Lincolnshire County Council Highways (LCC) also supported the view that access could be achieved from the west and the east of the site. LCC Highways comments in the policy's evidence document<sup>12</sup>, states:

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<sup>10</sup> Case officer's committee report for the application is included in appendix 4.

<sup>11</sup> Included in appendix 2.

<sup>12</sup> Residential Allocations Evidence Report 2022: Appendix 3 – West Lindsey: Part 2, Section 30, page 337.

*“Access would need to be positioned on the bend to enable the full 2.4 x 215 metre visibility required for a 60mph road to be achieved. Eastfield Lane would need to be widened to a minimum of 5.5 metres with a 2-metre frontage footway to link to the existing footway on Eastfield Lane. The presence of roadside ditches on Eastfield Lane will make this difficult to achieve. Please also refer to comments on WELT/003 if access to be provided through this site. If both to be delivered then two access points may be required”.*

3.3 The CLLP Team continued to identify the possibility of an access from the west or east when continuing to identify the site for allocation. When submitting the draft Local Plan to the Planning Inspectorate for independent examination, one of the “Site Specific Requirements” for the site’s allocation in policy S80 stated:

*“Access preferred via development at adjoining allocation to the west. If access has to be achieved through Eastfield Lane adequate visibility splays will be required and road widening, and footway provision may be required”.*

3.4 The site specific requirements above suggest that the CLLP Team could be supportive of the site being accessed from Eastfield Road if it could be clearly demonstrated that suitable visibility splays could be achieved for the site’s entrance and any necessary scheme for the site including road widening and footway provision, if the assessment of the potential impacts of any scheme, deemed them necessary.

3.5 Although the CLLP Team appeared supportive to either access route during the Regulation 18 and 19 consultation stages, they have since suggested the site’s allocation is deleted<sup>13</sup> due to concerns that the access is unsuitable from the west and the access from Eastfield Lane is not deliverable or developable. Turley Farms Ltd disagrees and considers the access from the Eastfield Lane is justified, deliverable and developable.

3.6 As detailed in the outline application submitted for the site to WLDC in March 2022<sup>14</sup>, Turley Farms Ltd designed the access from Eastfield Lane to respond directly to concerns raised during the determination for the application of the neighbouring allocated site (WL/WELT/003). At planning committee members and residents raised objections that the roads to the west were too narrow to sustain further development. This was based mainly on the fact that resident’s vehicular parking along the feeder roads causing a narrowing of the roads. Although both LCC Highways and WLDC were content that the access was more than adequate for WL/WELT/003 and subsequently WL/WELT/008A, Turley Farms Ltd listened to the objections raised by the residents and formulated a design with an access from Eastfield Lane to overcome the resident’s concerns. The application included a Transport Assessment<sup>15</sup>, completed by LTP Ltd, and their assessment included a Highways Access Appraisal, which concluded the relevant visibility splays could be achieved and the design included a 2-metre-wide footway linking the site to the existing footway to the south of the site.

3.7 The Transport Assessment submitted as part of the application also analysed the potential impacts on Eastfield Lane. The Assessment also included the assessment on impacts of the Eastfield Lane access on the wider local highways network by calculating the proposed traffic generation from the site; modal split calculations; projected trip distribution and assignment of the proposed scheme.

3.8 The Transport Assessment concluded the impacts of the proposed development were considered to be acceptable and considered to be in accordance with paragraph 111 of the Framework which states that:

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<sup>13</sup> As detailed in document STA020 Central Lincolnshire Local – Summary of Main Issues from Regulation 19 Consultation – July 2022: Policy S80: Housing Sites in Large Villages, pages 75 - 77.

<sup>14</sup> WLDC planning application reference: 144526.

<sup>15</sup> Transport Assessment included in appendix 5.



*“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”.*

3.9 LCC Highways<sup>16</sup> responded during the determination of the application, stating:

- the visibility splays were acceptable;
- 3 number passing places were required along Eastfield Lane between the site and the A46/Eastfield Lane junction;
- footway provision to link the site with the existing footway to the south; and
- the above would be dependent on gaining the relevant permissions and consents.

3.10 The application was refused but, as previously detailed, the only reason WLDC stated for refusal was the application being premature to the new Local Plan. This demonstrates that WLDC and LCC Highways considered the access from Eastfield Lane and the potential impacts on Eastfield Lane were acceptable with the mitigation measures identified.

3.11 In response to the questions raised over the delivery of the Eastfield Lane access, Turley Farms Ltd again instructed Local Transport Projects (LTP) Ltd to undertake further analysis of Eastfield Lane to demonstrate whether the primary access from Eastfield Lane is achievable and that the impacts on the road network and safety have been fully considered. As part of this analysis, LTP Ltd have completed a Transport Note<sup>17</sup>, which has included a full assessment of the road network and road safety, as detailed in sections 2 (Traffic Distribution), 3 (Road Widths) and 4 (Proposed Site Safety) on pages 7 to 13. The Transport Note refers to their previous Transport Assessment completed for the planning application for the site submitted in March 2022, which is also appended to this statement in appendix 5.

3.12 The assessment clearly re-confirms that the traffic generated from this site would not be expected to have a significant impact on the operation of the local highway network. Therefore, the proposed access from Eastfield Lane is considered to be in accordance with paragraph 111 of the Framework which states that *“development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”*.

3.13 In order to respond to the specific concerns about the delivery of a design incorporating LCC Highways requirements, LTP Ltd have also undertaken a preliminary highway design for a proposed access onto Eastfield Lane and the required works to widen the carriageway to the south of the site and provide a footway. The design, included as appendix 2 in LTP Ltd’s Transport Note, clearly shows:

- the access onto Eastfield Lane at the bend is safe with sufficient visibility splays, subject to vegetation clearance within the highway boundary; and
- the provision of a footway and widening of the carriageway can be undertaken within the highway boundary and does not require any third-party land. The widening may require culverting of ditches, but the necessary consents can be obtained from LCC Highways, and it is not uncommon for such consents to be required for schemes requiring road widening.

3.14 The Transport Note also demonstrates that the existing width of Eastfield Lane is measured at 4.3m on average which is sufficient for the two-way safe passage of two cars, as demonstrated in figure 4 on page 10 of the Transport Note. However, as requested by LCC Highways in their consultation response to Turley Farms Ltd’s planning application in March 2022, the assessment confirms that three passing places are required between the site’s proposed entrance and the A46 junction to allow/mitigate the two-way passage of a car and an HGV.

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<sup>16</sup> LCC Highways response to the planning application is included in appendix 6.

<sup>17</sup> Included in appendix 7.

3.15 LTP Ltd have undertaken a preliminary highway design<sup>18</sup> for the 3 passing places, which demonstrates they can be provided in suitable positions along Eastfield Lane within the highway boundary and on land owned by the applicant. The proposed passing places do not require third-party land and, in turn, third-party landowner consents.

3.16 It is accepted that the site could be accessed from the west through existing housing and the Lindum Site as supported by WLDC and found to be acceptable by LCC Highways. This could be provided should the Eastfield Lane access be undeliverable for any reason, and it is respectfully suggested that the Inspector's should see access from the west as a fallback position, should any unexpected issue make the Eastfield Lane access undeliverable. It is, however, considered by Turley Farms Ltd and their highway advisors that the Eastfield Lane access would create less local traffic on small "estate" roads, reacts to local concerns and allows traffic to take a route through the village but also to divert traffic away from the village on journeys to the east or at busy times when residents may prefer not to travel through the village to the A46 and the main highway network. The access and footway will also supply an additional route for foot traffic to enjoy circular walks to the east of the village with good footpath linkage.

3.17 It is asserted that there is clear justification for the primary access to be taken from Eastfield Lane, but furthermore rather than have access problems, the site has two clear deliverable access options and as such the reasons for deletion do not stand scrutiny.

#### **Question 4 – What is the justification for suggested modification MMSC16? Why is this necessary for soundness?**

4.1 It appears the CLLP Team's justification for suggested modification MMSC16 is due to the reasons detailed within "Reason for Change" column on pages 12 and 13 within document labelled "Central Lincolnshire Local and Policies Map: Schedule of Post-Submission Suggested Modifications – Version 1 (22<sup>nd</sup> September 2022)". To summarise these reasons, include:

- Details of the planning application in March 2022 being refused and the committee being made aware of this at the Regulation 19 consultation stage;
- The evidence submitted by the applicant in the planning application confirms the access through the site to the west would not be acceptable as roads would be too narrow;
- The Highways Authority clarified the verges along Eastfield Lane would require widening and the culverting of ditches and this would require third party land – no evidence of the availability of this land has been provided as part of the application or the submission to the Local Plan; and
- As a result of the above, the deliverability and developability of this site within the plan period cannot be demonstrated and this means that the allocation of this would not meet the tests of soundness as it would not be effective.

4.2 Turley Farms Ltd considers that the above reasons are not fully justified nor effective justification for the suggested modification MMSC16 for the reasons set out below.

4.3 It is noted that the CLLP appear to have only relied on information provided by Turley Farms Ltd in the planning application submitted to WLDC in March 2022 that access through the allocated site to the west would be unacceptable as the road will be too narrow. Given the CLLP Team are suggesting a "major" modification of deleting the site, one would have expected the CLLP Team to have provided significantly more justification and information to justify their suggestion, rather than relying purely on information provided during a planning application for the site and in particular to have consulted the landowner and statutory undertakers on the points raised. This is an odd position to take, and Turley Farms Ltd would be interested in hearing further justification for this approach from the CLLP Team at the Local Plan hearing.

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<sup>18</sup> Included in appendix 1 of LTP Ltd's Transport Note.

4.4 An example of the confusion regarding the approach taken is demonstrated by the conclusion drawn regarding the access from the west of the site. This is particularly the case given, as stated in question 3, the planning application submitted to WLDC in March 2022, stated the roads to the west of the neighbouring allocated site (WL/WELT/003) were only too narrow in response to concerns raised during the determination for the application of WL/WELT/003 at planning committee by members and residents that the roads were unsuitable to sustain further development. It is important to note that both LCC Highways and WLDC did not accept that the roads were too narrow in the determination of the application and the road widths/specifications were acceptable, it is the parking of vehicles on the road that they considered the problem. It is for this reason that LCC Highways nor WLDC raised any objections with the application in relation highways safety and access and granted approval. Furthermore, it is noted that LCC Highways have provided no comments during the Regulation 18 and 19 consultation stages to suggest that the access from the west is not suitable or achievable.

4.5 The CLLP Team's conclusion and, therefore, justification appears to be incorrect and not justified.

4.6 In the responses to questions 1 and 2 above, it is stated that since the determination of the application for this site, the developers (Lindum Homes) of the neighbouring site (WL/WELT/003) has agreed the adopted highways within their site with LCC Highways<sup>19</sup>. The Section 38 Plan shows one of the adopted highways, running north to south along the eastern boundary has been designed with a spur (labelled "Road 4" on the Section 38 Agreement Plan) extending a short distance eastward, immediately adjacent the western boundary of this site (WL/WELT/008A). This clearly now demonstrates that the roads within the neighbouring site's scheme would be of a suitable width and specification for accommodating further traffic associated with the development of the site and can be extended into this site.

4.7 This information was available to or could have been provided to the CLLP Team to aid their deliberation with respect to the site.

4.8 Given the neighbouring site's adopted roads now being formally agreed, which had not occurred when this site's application was submitted in March 2022, together with the fact that LCC Highways and WLDC deem the roads to the west of the neighbouring allocated site are of suitable width and specification and LCC Highways raising no comments about the access from the west being unsuitable during the Regulation 18 and 19 consultation stages, demonstrates that the access from the west is suitable for the development of this site. This is further demonstrated by the confirmation from Lindum Homes' Director (Mark Foster) confirming by email their willingness to work with Turley Farms Ltd with any proposed housing development on the site, stating this will ensure good and proper planning of development within this area of the village by a reputable local house builder with its own local workforce.

4.9 In relation to the CLLP Team's comments stating that the comments received from LCC Highways on this site's application confirming the verges along Eastfield Lane would require widening and the culverting of ditches which will require third-party consent, Turley Farms Ltd considers this justification is misleading. The comments from LCC Highways during the determination of the application for the site clearly states *"...such will be dependent on gaining the relevant permissions and consents"* and does not say that it would be necessary or proves that, if necessary, it would not have been possible<sup>20</sup>. It is also noted that neither the CLLP Team or LCC Highways, have provided information or evidence to demonstrate that third-party land or culverting of ditches would be required. Furthermore, both LCC Highways and the CLLP Team were aware at the previous Regulation 18 and 19 consultations that if access were to be achieved from Eastfield Lane, then the road's widening could be required, and they raised no concerns and continued to support the site's allocation. Therefore, it is considered that it is unreasonable for the CLLP Team to justify the site's allocation is deleted, given they already knew the possible limitations and provided no justification or evidence to demonstrate that it is required. It is also considered particularly unreasonable given the CLLP Team have suggested the modification after the completion of the Regulation 19 consultation meaning Turley Farms Ltd did not have the opportunity to respond to such concerns.

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<sup>19</sup> As demonstrated in their Section 38 Agreement Plan, included in appendix 1

<sup>20</sup> LCC Highway's comments on the planning application are included in appendix 6.



4.10 Given the recommendation to delete the site's allocation occurred after the final public consultation stage, Turley Farms Ltd has provided additional information compiled by LTP Ltd to address the CLLP Team's concerns. Turley Farms Ltd would have provided this information to the CLLP Team if they were given the opportunity to at an earlier stage of the consultation process or indeed if the issues had been raised with the landowner at any time by the CLLP Team. Representations to the Inspectors is, therefore, the first opportunity for Turley Farms Ltd to demonstrate why the recommendation for deleting the site's allocation is not justified, effective nor meets national planning policy.

4.11 Based on the above information and the justification provided by LTP Ltd<sup>21</sup>, Turley Farms Ltd considers the CLLP Team's suggested modification MMSC16 is not justified nor effective. It is also considered the suggested modification is not consistent with national policy, given the predicted impacts of the proposed scheme does not meet the severity test in paragraph 111 of the Framework. Furthermore, the information clearly demonstrates that the access from the west through the neighbouring allocated site is suitable and achievable whilst the preferred access from Eastfield Lane is clearly deliverable and developable within the plan period, meaning the site has two possible accesses and the site should continue to be allocated.

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<sup>21</sup> Transport Assessment and Transport Note included in appendices 5 and 7, respectively.