

**Central Lincolnshire Local Plan Examination - Inspector Focused
Consultation (13.12.23 - 04.01.23) - WL/WELT/011 and
WL/WELT/008A – CONSULTATION RESPONSES FULL SUMMARY**

At the hearing session on Thursday 24 November into the proposed Local Plan allocations, two sites were discussed at Welton (Reference WL/WELT/011 and WL/WELT/008A). Following the hearing session, Examination notes EX027 and EX028 were prepared by the Committee at the request of the Inspectors. They set out the Committee's latest position on each of the allocations and whether or not they are 'sound'.

The Inspectors invited participants to comment in writing directly to the Programme Officer by no later than 5pm on Wednesday 4th January 2023. Also discussed at the hearing session, and submitted in November 2022, was a Transport Note in support of site WL/WELT/008A. In the interests of fairness, participants were also invited to comment on this evidence.

The purpose of this consultation was to seek views on these documents only. Additional or further comments on other aspects of the Plan would therefore be returned.

A full summary of the responses received during the focused consultation period has been provided as part of this document.

List of Responses:

1. Martin Bandy 39342561
2. Roger Mitchell 39403713
3. Mal Reynolds
4. Andrew Sayer 39441473
5. Ryland Residents Group 37874593
6. Beal Developments 35417313 (Barton Willmore now Stantec)
7. Turley Farms Ltd 35412769 (Brown and Co)

Consultation Response Received 14.12.22 – Mr Martin Bandy 39342561

Dear Ms Charlish

Thank you for your mail of 13/12/22.

I would like to submit the following comments:

The figures for traffic movements appear naïve. 109 houses are likely to have an average of somewhere between 1.5 and 2 cars per household. This is the country not a town or city where there is probably a much lower density of cars per household given the availability of public transport. So a figure of 175 vehicle movements is much more likely at the peak am and pm times.

The Highways authority do not address the issue of the Eastfield Lane/Ryland Road junction, which is a blind junction when coming from Dunholme. The junction needs improving possibly with the introduction of traffic lights given the limited size of the junction and therefore the impossibility to improve visibility.

The inspectors took account of the sheer number of new developments in Welton and therefore any development on this site should be postponed until the next plan period.

Did the inspectors not take note of the fact that local residents were not properly consulted by the CLLP in the initial stages? Due process was not followed and therefore the plan is not sound.

Kind regards
Martin Bandy

Sent from [Mail](#) for Windows

Consultation Response Received 13.12.22 – Roger Mitchell 39403713

Hi,

I would like to express my extreme disappointment that this ridiculous village extension is back in the plan!

I live on Ryland Road close to the coop store, the amount of traffic has now reached a really dangerous level and here you are trying to provide more housing at the complete wrong end of the village!

People from there will drive past my house to work, shops, pub, schools etc, The position where junior school children have to cross the road outside my house is close to a dangerous tee junction which is often grid locked for minutes at a time! The crossing assistant was removed a few years ago!

Can you please tell me what possible reason in this time of high fuel prices and global warming you do not centre all new housing on the edge of the city where all these people will drive every day to work and do their main shopping, coffee drinking etc?

If you need to put a few new houses at Welton put the things close to the edge of the village near the new roundabout!

This plan is so badly thought out and appears desperate to fulfill so ridiculous target it should be scrapped outright and forever!

One very cross resident,
Roger Mitchell....

Sent via BT Email App

Consultation Response Received 02.01.23 – Mal Reynolds

Dear Hannah

With reference to the TN LTP/22/4878 - Proposed Residential Development Eastfield Lane, Welton Transport Note dated November 2022.

I would like to make the following comments:

The TN does not address a choke point on Eastfield Lane adjacent to Ryland Cottage and the old Chapel. The road is 4.0m wide in this area with a pavement width of 1.3m. I note that it is deemed necessary to have a road width of 4.1m to enable the passing of two cars and in addition, the width of the pavement is deemed necessary at the site entrance to be 2 m. Furthermore, 25m further up the lane towards the junction with Ryland Road there is a footpath/right of way from the west of the proposed development that terminates at the lane. The width of the pathway at this point is 1m. The width of the roadway at this point is 4.9m, which leads to the funnelling of the roadway creating a choke point where it is extremely difficult for two vehicles to pass. Adding to these difficulties it is at the end of a driveway serving three properties. The view from this driveway is obstructed by the property at Ryland Cottage.

I note that LCC Highways para5.1.1 require Eastfield Lane to be widened to accommodate both a footway and carriage way which requires the culverting of one or both existing roadside ditches. However, no consideration is given to this choke point.

The basic structure of the road surface at the choke point is continuously in an unroadworthy, if not dangerous condition and needs to be examined as it is regularly churned up by heavy vehicles both using the lane and turning into and out of the driveway. Any repair to the surface does not last.

It appears from the TN that no consideration regarding roadway and pavement widths has been made in this location. There has been a considerable increase in the use of the pavement in this location by children walking to and from school, general public and specifically dog walkers. It is of interest that the planners feel it is necessary for a 2m wide pavement at the site entrance, but fail to address the width of the pavement at this dangerous choke point. In general the pavement in this area is in a disgraceful condition and needs a rethink and investment to accommodate the inevitable footfall from this proposed development.

I also note that the right of way adjacent to the west of the proposed development is to be resurfaced. As previously mentioned, this right of way extends beyond the housing development on Northfield Rd to Eastfield Lane. As residents we have noticed a considerable increase in pedestrians, including young unaccompanied children, dog walkers and cyclists using this right of way to access Eastfield Lane. Assuming that this resurfacing of the right of way is deemed a requirement then it should be continued to Eastfield Lane and some method of crossing of the Lane at this choke point be included.

Turning to the dangerous junction at Eastfield Lane and Ryland road. This continues to be source of concern. There should have been the requirement of at least a roundabout at this location when Northfield Road site was planned. The increased traffic leads to our further concern.

Two further points - I would disagree with projected increase in traffic in the document and would assess this to be at least 25% higher. Also the speed limit of 30 mph is a joke, Eastfield Lane is continually used as a rat run from Welton to the A46 with vehicles taking little notice of the speed limit.

In the 45 years we have lived in what was the hamlet of Ryland there has been significant building and in-fill without the equivalent increase in facilities along the lane.eg the footpath outside our property has not to our knowledge been resurfaced over this period yet it continues to be in poor condition.

Conclusion:

It appears that the choke point on Eastfield Lane adjacent to Ryland Cottage and the Chapel at 38 Eastfield Lane has been overlooked. Considerable attention has been made of improving Eastfield Lane to the east and to the immediate south of this proposed development but it appears that no consideration has been made to the conditions at this dangerous choke point on the lane.

The roadway and pavement widths in this area are inadequate when considering the possible extra traffic using the lane. This is a particularly dangerous area of the lane with much increased pedestrian usage and there is insufficient width to accommodate the widening of the roadway and pavement.

The road condition at this point is poor and I would suggest that the loading bearing capacity insufficient to safely accommodate increased traffic levels.

Clearly the Eastfield Lane access to the site from the west will be used most for access to schools, doctor and shops and is least considered by the TN and is the most unsuitable.

Yours sincerely

M Reynolds

Consultation Response Received 03.01.23 – Andrew Sayer 39441473

Dear Hannah

I know that there have been detailed representations by Chris Thomas on behalf of the local residents and I would expect that this input would have had an impact to the committee's findings.

But given that our property sits on the border of this site, living at 73A Eastfield Lane we will be the most affected of all the residents we wanted to make sure you had our direct input.

Firstly I am at a loss as to why we need more housing in Welton at all, given that the villages amenities have not changed and the share that Welton has already taken in the plan, and that this discussion appears to be coming down to access as opposed to suitability. In point 10 you talk about phasing given the high volume of new developments. What does this mean for this site?

You say in point 9 that having received the Local Authority plan it 'appears that the site can deliver a suitable direct access to eastfield lane'. Can I ask if you or a representative of the committee has actually visited the site? You have seen the local residents challenge to this piece of land been included in the plan which I will not repeat here but it appears also that this letter from the Highways authority by stating its suitable gives this site the green light to go ahead. What if this assessment is incorrect? Can it be challenged?

We drive this road every day and it is clearly unsuitable for any further traffic let alone the volume that is being suggested and from one access. A few weeks ago a car drove into the ditch at night going too fast and misjudging the bend (its particularly bad when its icy) but it was cleared away by the morning and no record of this is anywhere other than what we have seen over the last 12 years where there is at least 1 or 2 cars in the ditch each year. I note that the letter from Highways mentions subject to technical approval - what does this mean and when and who does this?

Will the whole of Eastfield lane towards the A46 be resurfaced because the information regarding the width of the road is irrelevant as there are numerous pot holes on the side where the tarmac meets the grass and that means unless you want to damage your car you have to stop and pull over. It would require a proper road surface with a curb to ensure these potholes don't keep appearing. Works traffic along this section will make it very dangerous and particularly to walkers who walk to the coffee shop on the A46.

I note also the Highways Authority say they would 'push for a secondary access to the adjacent estate, purely on permeability and good design principles'. Will dual access now be a prerequisite for this to go ahead?

Unlike many of the residents, given our location on the boundary of this site and no rear garden to the north we would be significantly impacted by this development by noise levels while construction takes place and once all these properties are in. We are also concerned about been overlooked and our privacy being impacted and we would expect due consideration to this is taken into account should this development go ahead.

Regards

Andrew and Sally Sayer

Consultation Response Received 03.01.23 – Ryland Residents Group 37874593

To: Hannah Charlish
Programme Officer – CLLP Examination
Central Lincolnshire Local Plan Programme Officer
North Kesteven District Council

REPRESENTATION FROM THE RYLAND RESIDENTS GROUP

1 I refer to your email to representors dated 13th December 2022, whereby you invited comments on additional documents relating to the examination of the draft local plan currently being undertaken by the Planning Inspectors.

2. This response is submitted by the Ryland Residents Group, representing the local community impacted by the proposed allocation of site **WL/WELT008A** (land north of Eastfield Lane, Welton) for future housing development. We understand that any main modifications made to the plan following the receipt of comments and site inspections will be subject to further public consultation. These comments are without prejudice to any further representations we may submit in response in the event of such consultation.

Response to EX027 and EX028

3. We note that the Committee has sought further evidence from Lincolnshire County Council's Highways Department and, in the light of their response, has now withdrawn the proposed modification MMSC16, effectively recommending retention of this site in the draft plan (while retaining the site-specific phasing and access requirements). We are disappointed by this outcome.

4. We supported the intended effect of MMSC16 (removal of WL/WELT008A from the draft plan). **However, we did not and still do not accept that allocation of this site in the draft plan should be determined by detailed aspects of junction design for the proposed road access at the northern bend of Eastfield Lane and/or by the feasibility of widening (for passing places) between that location and the A46 junction at Welton Hill.** We submit that there is a clear risk of prejudice to future decision-making if the site is retained in the plan on the basis of this cheap and profoundly sub-optimal access solution.

5. As the Committee has rescinded its recommendation to remove WL/WELT008A, we must reaffirm our objections to the allocation this site on *multiple* grounds, including (but not limited to):

- The exceptional and excessive level of housing growth proposed for Welton relative to other large villages in the CLLP area (*see Appendix 1, below*)
- The insupportable burden which this would place on local services and infrastructure
- The lack of any demonstrated (let alone compelling) need for yet another substantial housing estate in Welton, resulting in permanent loss of productive agricultural land in conflict with the principle of sustainable development

- The known potential for substantial (800+) housing expansion on a ‘brownfield’ site at former RAF Scampton, just 3 miles to the west
- The wider traffic impacts from housing development at a site which is poorly located and will rely on car commuting for access to employment, shopping, etc
- The marginal or substandard road carriageway width / footpath provision / junction design along Eastfield Lane to the west (towards the village centre), as well as to the east (towards the A46)

6. We have already registered concerns about the failure of the public consultation process at earlier stages in the development of the draft plan. There is an obvious risk that extensive engagement with the landowner/developer (dating back at least to 2018), not being moderated or counterbalanced by the voice of the local community, may lead to decisions being taken on the basis of incomplete evidence or analysis.

7. This risk has now materialised. **New evidence relevant to the allocation of WL/WELT008A has been brought to light at the Examination stage (and is confirmed in the Committee’s latest communication to representors) which has yet to be properly assessed.**

- In its Examination Note on site WL/WELT011 dated 12th December, the Committee now acknowledges that a further 100 homes can be delivered within an existing allocation on site WL/WELT011. This is undeniably material to the question of housing need and the case for retaining site WL/WELT008A in the draft plan.
- Having previously claimed that road access can only be provided onto Eastfield Lane, the developer has now disclosed that a viable western access option does exist after all (and the choice is just a question of money). This is obviously material to the analysis of roads and traffic impacts, as witness the Examination Note of 5th December which cites the Local Highway Authority thus: “*preference would be to deliver access to the west of the site through the neighbouring site which...would be achievable subject to the removal of a ransom strip*”.
- The latest advice provided by LCC Highways Department regarding access and modifications to Eastfield Lane appears to change earlier policy advice and leaves material questions unanswered. Transport Note provided on behalf of the landowner presents assumptions material to the assessment of traffic impacts which require further probing (*see Appendix 2, below*).

Conclusion

8. **The Ryland Residents Group submits that the allocation of WL/WELT008A is and remains unsound. The appropriate remedy is to remove this site allocation from the draft plan** (as previously recommended by the Committee in proposed modification MMSC16, but for wider reasons).

9. We note that the additional, post-Examination plan consultation process referred to in the latest email to representors (dated 13th December) will only take place in the event of “main modifications” being made to the submitted plan and will be restricted to any such modifications. Therefore, if WL/WELT008A is retained in the draft plan – as now recommended by the Committee – this additional process will not be triggered. Accordingly, this cannot mitigate risks arising from the failure of public consultation during the preparation of the draft plan.

10. We further note that the Committee has reaffirmed its recommendation in favour of phasing, wishing to postpone any development at WL/WELT008A in order to mitigate community impacts from excessive development pressures. The Ryland Residents Group submits that removal of the site from the plan is a better and more secure solution.

- The case for postponement is already accepted by the Committee. Removal does not preclude reconsideration of the site in the next round of plan updating.
- Removal is a better way of ensuring phasing. The examining Inspectors should be made aware that the developer actively contests the principle of phasing, has *already* made one application for outline planning consent and may be planning to appeal against refusal. The plan as currently presented does not give concrete form to the principle of phasing the multiple development sites in the Welton and Dunholme area, nor does it set any specific parameters for the phasing of site WL/WELT008A.
- Removal allows time for fresh and effective public consultation and community engagement. It provides an appropriate remedy for past failures of process.
- Removal enables all the evidence and potential choices (including the new information referred to in paragraph 7 above) to be properly debated and evaluated. It avoids the risk of prejudice arising from hasty and premature site allocation in the current (2023) draft plan.

Ryland Residents Group

4th January 2023

Appendix 1: Development Pressures and Housing Need

i. In their Examination Note on site WL/WELT011 dated 12th December, the Committee now accept that a further 100 homes can be delivered within the existing allocation, as represented by the site developer at the Examination hearings. They further accept that this additional housing growth was not allowed for or included in their assessment of overall housing growth in Welton. This is a significant omission.

ii. Allowing for the potential of WL/WELT011 increases the overall level of proposed housing growth in Welton to **23%** if the more problematic WL/WELT008A site is retained. This compares with an average growth level proposed in the draft plan for large villages of 8%. In fact:

- a third of large villages see no growth in this draft plan;

- half see growth of 3% or less; and
- 80% see growth below 9%.

(We can provide a village by village list if helpful.)

iii. 23% growth is totally out of proportion for the large village category and would place insupportable pressures on local infrastructure and services, including critical public health services. There is evident inconsistency in growth allocation. We observed a developer requesting additional housing provision in Branston during day 3 of the Examination hearings. The Committee responded that Branston had seen “appropriate” growth, which in fact is merely 3% (and Branston had less growth than Welton in 2017). The figures are shown below.

Example of planned growth for Welton and Branston. (The numbers are based on the planned growth in the submitted draft plan (see Appendix 1 table A1.1) minus the growth stated in 2017 CLLP (LP52) divided by the baseline number of villages (see the central Lincolnshire site allocations settlement analysis June 2021).

<u>Village</u>	<u>Baseline</u>	<u>Growth 2017 CLLP (LP52)</u>	<u>Growth from 2017 & submitted CLLP plan</u>	<u>Number of increased dwellings in submitted CLLP</u>	<u>Percentage increase in growth in submitted CLLP</u>
Welton	1935	524	971	447	23%
Branston	2091	362	431	69	3%

iv. The discrepancy relating to site WL/WELT011 illustrates the risk of decisions being made with incomplete information, owing to a lack of input from the local community. As the Committee confirmed to the Inspectors, “individual site assessments have been carried out, but no combined impact assessment of all the sites in Welton and Dunholme has been carried out, although one for the overall plan has been”. This does not meet the requirements of the SA and SEA regulations. It will lead Local Planning Authorities to consider the impacts of site planning applications only on their own, individual impacts and not collectively. Important comments from the local community have not been taken into account. For example, the Parish Council has demonstrated the lack of scope to expand the village centre and its facilities. Parking capacity is already inadequate. The GP Surgery has stated that its capacity is saturated. There are insufficient places in local schools, before allowing for the additional housing growth in the draft plan. The lack of clarity about the scale, phasing and cumulative impacts of development defeats accurate assessment of the funding which developers should contribute to support growth.

v. We refer to the following, directly relevant policy statements in the draft plan:

- Vision for Central Lincolnshire (1.4.1): “Growth in homes and jobs will be closely linked, with new infrastructure such as schools, roads, health facilities and open space provision planned and provided at the same time as the new buildings.”
- Growth Levels and Distribution (2.2.10): “it is also important for the Local Plan to direct the growth in both employment and housing supply to the areas best suited

and most attractive to the market, *while ensuring there are no locations that are overburdened...*” “Furthermore *development needs to be located where it can minimise the need to travel, especially by private car, to ensure that Central Lincolnshire minimises the carbon being produced by activities within the area*”.

The allocation of WL/WELT008A seems to conflict with these principles.

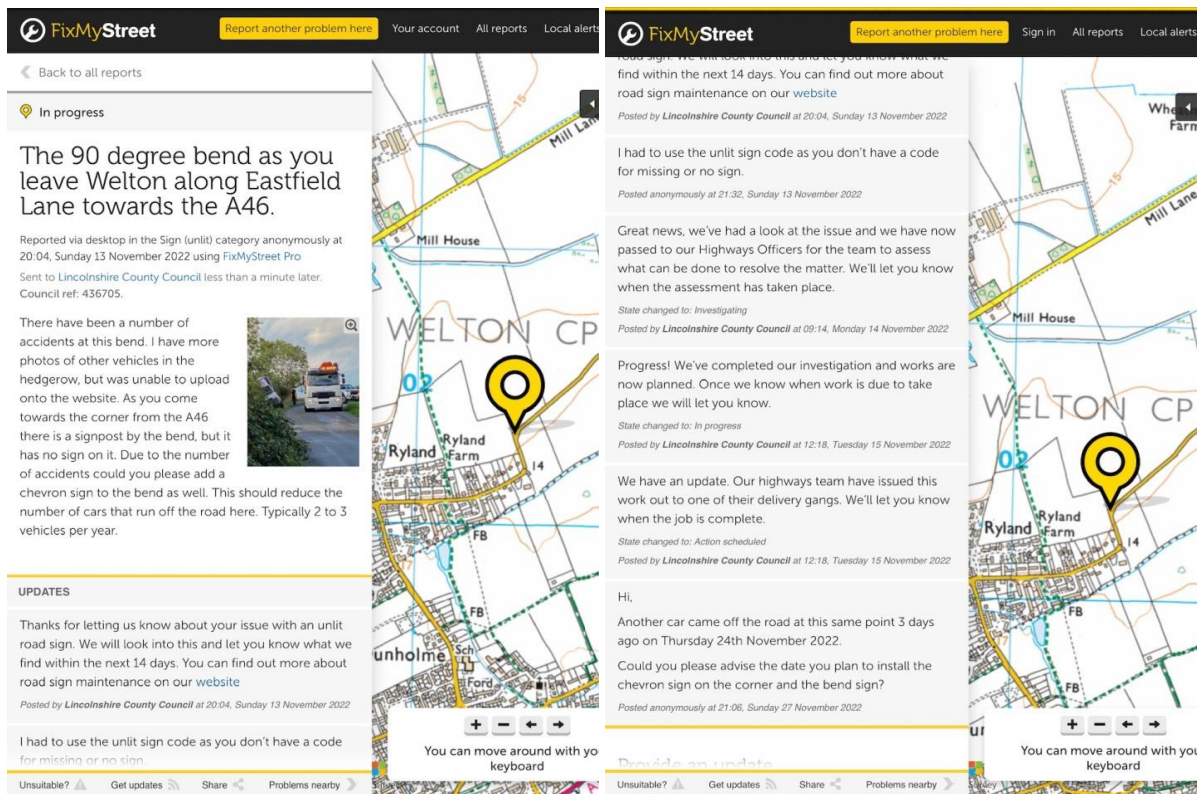
vi. In fact the local community genuinely does not understand why WL/WELT/008A was originally allocated in the draft plan, still less why the Committee is defending its retention, despite the manifold problems and drawbacks which have been acknowledged. The plan appraisal of this site in fact confirms its failure to meet the requirements of the NPPF for sustainable developments:

- Major negative effect on employment
- Major negative effect on access to services
- Major negative effect on access to facilities
- Major negative effect on healthcare
- Borderline negative / major negative effect on sustainable travel modes
- Negative effect on education (which ought to change to major negative once the additional 100 houses on site WL/WELT011 have been allowed for).

WL/WELT007 and WL/WELT011 taken together contribute 10.5% growth, above the plan average for large villages. Housing growth requirements in the wider area will easily be met – and exceeded – by other allocated sites, before taking account of the substantial additional potential at the former RAF Scampton. WL/WELT/008A is not needed, its location is problematic and contentious. We have yet to hear any solid, convincing public interest case in favour of retaining it. It should *not* be retained in the plan.

Appendix 2: Highways and Traffic Issues

i It appears that LCC Highways have changed their position regarding the installation of safety measures around the proposed road entrance to site WL/WELT008A. We understood that proposals for signage (including chevrons) on the northern bend of Eastfield Lane had been accepted (see the discussion thread on ‘Fix My Street’ below). This is now contradicted by LCC’s response to the Committee. We have not had the opportunity to probe the reasons for this.



ii. There are other important roads and traffic issues which prompt as yet unanswered questions:

- LCC Highways Department apparently accepts the Transport Note submitted on behalf of the landowner, Turley Farms Ltd (or at least, has not directly challenged it). Yet we are aware that the LCC transport planning team has identified flaws with the Gravity model, amongst other things, leading to significant underestimates of vehicle traffic from this site. We have not had the opportunity to examine the figures.
- We do not regard the proposed provision of three passing places along the eastbound section of Eastfield Lane (from the northern bend to the A46 junction at Welton Hill) as an appropriate or effective response to the traffic increase which development at WL/WELT008A would encourage. The carriageway is barely more than 4m wide for most of its length and has abrupt and treacherous edges, bordered by soft earth and drainage ditches. This section of Eastfield Lane currently experiences a low volume of motor traffic and is predominantly used by pedestrians and runners, cyclists, horse riders and dog walkers, many of whom visit the coffee shop at the A46 junction. There is an equestrian centre half-way along the section. Passing places to facilitate (and therefore encourage) access by HGVs – including potential construction traffic – are completely inappropriate to local conditions and do not mitigate obvious safety risks to vulnerable (or other) users arising from restricted carriageway width, lack of road markings or footpaths, soft verges, sight lines obstructed by road bends and hedgerows. The two blind, 90 degree bends on the edge of Welton village present barriers to large/long vehicles which the proposed ‘improvement’ works do not address. All these issues are directly material to any assessment of the suitability of

WL/WELT008A for future housing development, the potential scale of any development and important decisions on site access options (see below). There is a clear risk of curtailing and/or prejudicing proper examination of these questions, should the site be retained in the plan.

- As we have mentioned in our representation (paragraph 7, bullet 2), the developer has belatedly acknowledged the existence of a potential alternative site access solution to the west of WL/WELT0008A, subject to negotiation and agreement with a local landowner. LCC Highways Department has expressed a clear preference for such a solution, as noted by the Committee. It is incontestable that such a solution would substantially alter the roads and traffic impacts of any development at this site. It would be premature and prejudicial to decide in favour of allocating this site before there is greater clarity on this issue.

Hannah Charlish
Programme Officer
Central Lincolnshire Local Plan Programme Officer
c/o North Kesteven District Council
Kesteven Street
Sleaford
NG34 7EF

Our Ref: 33148/A5/GP
Date: 14 December 2022

Dear Hannah,

Central Lincolnshire Local Plan Examination - Inspector Focused Consultation (13.12.23 - 04.01.23) - WL/WELT/011 and WL/WELT/008A

Introduction

Thank you for your email regarding the above focussed consultation regarding sites in Welton. We have prepared the following response on behalf of Beal Developments Ltd, who are the landowners of WL/WELT/011 and have participated throughout the Examination process to date.

Our response relates solely to the Central Lincolnshire Examination Note on site WL/WELT/011 dated 12 December 2022, and the discussion that was held during the hearing session on Thursday 24 November 2022.

Response

We do not disagree with the Committee's paragraphs 1 – 9 within the 'Introduction' and 'Current Status of the Site' sections on their note.

However, we are very disappointed with the view now being taken by the committee which is in complete contradiction with what was discussed and agreed at the hearing session the 24 November 2022.

The reasons for this reversal on the position are not fully explained but are to an extent articulated in the 'Mid-examination Update' section of the note.

During the hearing session we put forward the position that the safeguarded land could accommodate a further c.100 dwellings. We also highlighted that:

- From a community perspective it would be clearer to articulate what is likely to come forward in terms of housing on the Site. This is given the levels of growth being experience is Welton.

- That we have concerns if the actual potential capacity was not clearly articulated that Policy S4 (which we have also raised concerns on) could be misapplied in the future.

We believe during the hearing session it was clearly agreed with Council that the policy wording regarding the indicative capacity should be increased to reflect the c.100 additional homes to come forward on the safeguarded land.

To now find that the Committee has reversed on this decision we believe is a procedural failing. Should the Committee have disagreed with our position during the hearing session this could have been discussed in a public forum and positions put forward for the Inspector to listen and take a view on in time. As this was not a point of disagreement on the day we feel we have been disenfranchised but not being able to have an open dialogue on this point in the hearing. It is therefore unfortunate that we are having to return to this same point through this letter.

The below seeks to respond to the Council's section entitled 'Mid-examination Update' with relevant paragraphs provided alongside responses.

In paragraph 10, we would like to place on record that we also provided the same feedback to the committee regarding re-wording the policy at Regulation 18 and 19 consultation stages, as well as, through Matters, Issues and Questions and at Examination in Public.

Further, in paragraph 10 the Committee state that the c.100 figure for additional dwellings would need to be tested through a planning application. This runs somewhat counter to the position taken in the Local Plan on other sites. Each housing site in policies S76 – S82 contains an indicative housing number in the plan period. A significant number of these sites will not have submitted for planning permission yet, however the Committee has been able to make an informed judgement of the potential capacity of those sites. It therefore makes little sense that the safeguarded land is treated differently in this regard.

In paragraph 11 the committee advise that the position in relation to the safeguarded land is clear. However, that is not the case. In two hearing sessions we attended there was confusion about this land both with the residents association and the committee. This ambiguity is caused by no reference to the potential indicative additional capacity it can provide or text clarifications under the 'Site Specific Requirements' column for the policy.

In paragraph 12 the committee explain that the purpose of Policy S4 is to set out that development in villages will largely be based upon allocated sites in the plan. We do not dispute this point. However, as raised in our Matters, Issue and Questions response and during recent hearing sessions, we believe having an indicative housing number for the Site, which differs from the reality of what it can clearly deliver runs the risk of a decision maker in the future incorrectly engaging this policy.

This is because the wider policy seeks to prevent sites of more than 10 homes coming forward that are not allocated. If an officer is posed with an application for 100 dwellings more than indicatively shown in policy S80, they may be led to Policy S4 being a material consideration as the growth is significantly greater than previously envisioned.

Our response to paragraph 13 is largely the same as paragraph 10 above.

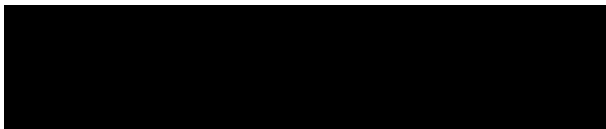
In response to paragraph 14, we have been making representations in regard to this land for some time. The Site area is 4.27ha and based on a density of 35 dwellings per hectare could achieve c.149 dwellings. Beal's initial work shows including areas open space, SuDs, etc that the indicative capacity is c.100 dwellings which is clearly comfortably achievable. This should be read in the context of the wider work on the whole Site including the significant over-provision of recreation land through the original approval which will be a significant community asset in the future. However, it makes very little sense to have an indicative number that has little overall correlation with the actual site capacity.

As such, we are of the view that the approach the committee is now proposing to take is unsound for the reasons highlighted above. We are also disappointed that procedurally something agreed at the hearing has effectively been rowed back on.

We respectfully recommend that the Inspector considers amending the policy wording for site WL/WELT/011 to provide a clearly worded policy for soundness and clarity for all involved.

Should you have any questions, we would be happy to discuss these.

Kind regards,



Gareth Pritchard

Planning Associate Director

**Examination of the Central Lincolnshire Local Plan Review
Inspector Focussed Consultation**

Response to Central Lincolnshire Examination Note, Site WL/WELT/008A – Land North of 77 Eastfield Lane, Welton

Introduction

1.1 This written document has been completed by Brown & Co JHWalter on behalf of Turley Farms Ltd.

1.2 It provides a response to the comments raised by the Central Lincolnshire Policy Committee in their Examination Note dated 5th December 2022 in relation to site WL/WELT/008A – Land North of 77 Eastfield Lane, Welton.

1.3 After reviewing the Examination Note, it appears that the Central Lincolnshire Policy Committee have raised two main points, as outlined below:-

- The removal of proposed modification MMSC16, which sought to remove the site's allocation; and
- The proposed allocation to continue to include site-specific phasing.

1.4 These two points are covered in the following sections of this document.

Removal of Proposed Modification MMSC16

1.5 Turley Farms Ltd welcomes and agrees with the Central Lincolnshire Committee that the proposed modification MMSC16 should be removed.

1.6 The Transport Note submitted as part of Turley Farms Ltd's Examination Hearing Statement clearly demonstrates that the site can deliver a suitable direct access to Eastfield Lane to the east of the site, removing the deliverability concerns the Committee appeared to have. It is welcomed that Lincolnshire County Council (LCC) Highways have also reviewed the technical evidence and confirm the access to Eastfield Lane is deliverable and the proposed road widening achievable without requiring third-party land.

1.7 Turley Farms Ltd notes the Committee comments that the preference would still to be to deliver an access to the west of the site through the neighbouring site, subject to the removal of a ransom strip. Although, as stated in the Examination Hearing Statement, the access from Eastfield Lane is acceptable as a sole access for the site, Turley Farms Ltd have explored opportunities to utilise this access with the neighbouring developer (Lindum Homes) and will continue to do so to allow good access links to the west, enhance permeability, reduce pressure of vehicle movements on Eastfield Lane and to apply good design principles.

1.8 Finally, it was noted during the Examination Hearing Session that residents raised concerns about potential highway safety improvements along Eastfield Lane which could have an impact on the proposed site access. During the session, no clarification was provided on the matter. Therefore, Turley Farms Ltd welcomes the clarification provided in the final paragraph of LCC's response stating the planned highways work is the replacement of a double bend warning sign on the approach to the bend and does not have a bearing on accessing the proposed site. The only impact being further traffic calming and a safer access by clearer bend warning due to the erection of the new signage

Site Specific Phasing

1.9 Turley Farms Ltd continues to question the recommendations from the Committee that the proposed site-specific phasing should be retained.

1.10 The Committee provided no reasoning for the site-specific phasing until they had reviewed all the Regulation 19 consultation representations. As previously detailed in Turley Farms Ltd's Examination Hearing Statement, the Committee's justification 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".

1.11 Although the matter was touched upon during the Examination Hearing Session, the Committee provided no further reasoning other than their justification at the end of the Regulation 19 consultation stage, as detailed in paragraph 1.10 above. As previously stated in Turley Farms Ltd's Examination Hearing Statement, 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 with no further justification provided during the Examination Hearing Session by the Central Lincolnshire Committee.
- 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. There was no discussion of this point during the Examination Hearing Session. One would presume the District Council Policy Team know their District better than the CLLP Policy Team covering the whole Local Plan area and three districts.
- 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.
- A note from the CLLP evidence documents suggesting that WL/WELT/001 is available, it is however unknown whether there are any material considerations which will make the site undeliverable.
- 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.

1.12 Turning to this site (WL/WELT/008A), as previously made aware to the Inspectors, all material planning considerations have been deemed acceptable by WLDC during an outline application which was submitted in March 2022 and was only refused for the site being premature to the new Local Plan¹. This

¹ Information on the planning application was previously provided to the Inspectors as part of Turley Farms Ltd's Examination Hearing Statement.

is further evidenced by the additional Transport Note confirming that the access to Eastfield Lane is achievable and deliverable which has now been confirmed by LCC Highways.

1.13 The neighbouring allocated site (WL/WELT/003) already has permission and is currently being built out by the developer (Lindum Homes). As detailed in their Examination Hearing Statement and during the Examination Hearing Session Turley Farms Ltd have been in discussion with Lindum Homes' Director (Mark Foster), who has confirmed 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.

1.14 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. As previously highlighted to the Inspectors, Lindum Homes have confirmed their willingness to work with Turley Farms Ltd with any proposed housing development, which further demonstrates the site is available and deliverable and will be phased back after WL/WELT/003. Furthermore, given Lindum Homes have already started construction on their site, there are significant environmental benefits of this site coming forward immediately after the completion of the site for example the use of a single site compound for development of both sites and access for raw materials from Eastfield Lane rather than HGV's having to transit through the estate roads to the west of WL/WELT/003.

1.15 Chapter 5 of The Framework (NPPF) *Delivering a sufficient supply of Homes* clearly sets out the issues to consider when "supporting the Government's objective of significantly boosting the supply of homes". The Inspector will be familiar with chapters 60 – 77 and the fact that the focus is on delivery, not restriction of such. The only focus on timescales being the 5-year supply and in paragraph 74 reference to "all plans should consider whether it is appropriate to set out the anticipated rate of delivery of specific sites". This is further supported by the NPPG, which includes specific advice on what constitutes "deliverable" (Paragraph: 007 Reference ID: 68-007-20190722 and Annex 2 of the Framework). The lack of clarity over deliverability could bring into question the soundness of a Local Plan. Therefore it would seem incumbent for soundness of the CLLP proposed 5-Year Supply to support allocated sites that have clearly demonstrated deliverability such as WL/WELT/008A; deliverability that is so far only restricted by WLDC's refusal of planning application for prematurity in relation to allocation in the emerging Local Plan. It should be noted that from the submission of an outline planning application, a site of 109 houses would normally take at least 6-10 years to be delivered, over this time there will be at least one further review of the Local Plan.

1.16 Finally it is clear that given the above and the confirmation from LCC Highways that the proposed access on to Eastfield Lane is achievable and deliverable, it is considered the Committee's justification for phasing the site behind three other sites in the village is not justified nor effective. This is assuming that the wording is correct in the policy, given Rachael Hughes response to the Regulation 19 consultation stating that the site should only be phased behind the neighbouring site of WL/WELT/003. Nevertheless, it is considered that market forces alone would be a more than effective mechanism to phase development in the village to:

- Avoid local market saturation, and
- The S106 and CIL contributions would add significantly to the resources available to address infrastructure concerns, as would the ability to access development in this part of the village from access points east and west of the site.

The site therefore fits the delivery emphasis stated in chapter 5 of the NPPF, and importantly the CIL and Section 106 receipts would grow infrastructure and address the very concerns of the local populace expressed at the Local Plan Hearing regarding these matters.

1.17 As stated in both the Examination Hearing Statement and at the Examination Hearing Session, 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, in the absence of any justification for choosing L/WELT/008A, 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.

1.18 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 also 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. Choosing just one site with no justification or demonstrated analysis of the decisions around the sequential phasing of sites in Welton appears to be an unsound approach to Local Plan housing delivery across Welton and the wider Local Plan Area. If this phasing back approach is required why is it not being applied more rigorously across the Local Plan Area.

Conclusion

1.19 As detailed within this document, Turley Farms Ltd welcomes and agrees with the Committee that the proposed modification MMSC16 should be removed. The information provided throughout the Local Plan Review Process and the additional evidence submitted as part of Turley Farms Ltd's Examination Hearing Statement clearly demonstrates that the site can achieve and deliver a suitable access from Eastfield Lane, whilst also having a deliverable option of an access from the west through the neighbouring site and would therefore deliver in relation to the test of soundness.

1.20 Turley Farms Ltd does not however support the proposed site-specific phasing for the reasons set out in paragraphs 1.10 to 1.18 of this document. In fact Turley Farms Ltd would question whether the Inspector should consider the presently proposed phasing back of WL/WELT/008A as an unsound approach. Due to the uncertainty about the delivery times for WL/WELT/001A and WL/WELT/011, if phased back behind these two sites, it is entirely uncertain as to whether WL/WELT/008A would be deliverable not only in 6-10 years, but also 11-15 years. The NPPG at paragraph 020 reference ID: 68-020-20190722 states:

A pragmatic approach is appropriate when demonstrating the intended phasing of sites. For example, for sites which are considered developable within 6-10 years, the authority may need to provide a greater degree of certainty than those in years 11-15 or beyond. When producing annual updates of the housing land supply trajectory, authorities can use these to provide greater certainty about the delivery of sites initially considered to be developable, and those identified over a longer time span.

1.21 The proposed phasing back will not create certainty but could be considered as a mechanism that would effectively make the site "undeliverable". It would appear to be challengeable as unsound unless a sequential phasing back approach is undertaken across all of the proposed allocations in **Policy S79 - Housing Sites in Large Village** and any phasing back justified with clear material planning considerations.

1.22 It is noted that the only other reference to phasing in Policy S79 is in relation to WL/CW/001, 002 and 003 sites at Cherry Willingham (see figure 1 overleaf). It is suggested that the sites are developed numerically in the order of their allocation reference numbers. This makes sense as the sites are all adjacent to each other and there are material planning justifications for this approach in relation to connectivity with each site for pedestrian and cycle ways as well as roads and phased development would also help manage the opening up and utilisation of accesses from the neighbouring completed residential developments. This approach gives more credence to Rachel Hughes suggestion that the phasing back should be in relation to WL/WELT/003. While Turley Farms Ltd would prefer not to be phased back, the similar material planning considerations to the Cherry Willingham sites (access, connectivity etc) does in the opinion of Turley Farms Ltd give justification for phasing behind WL/WELT/003, which would appear to be a sound decision, but clearly not WL/WELT/001A and WL/WELT/011.

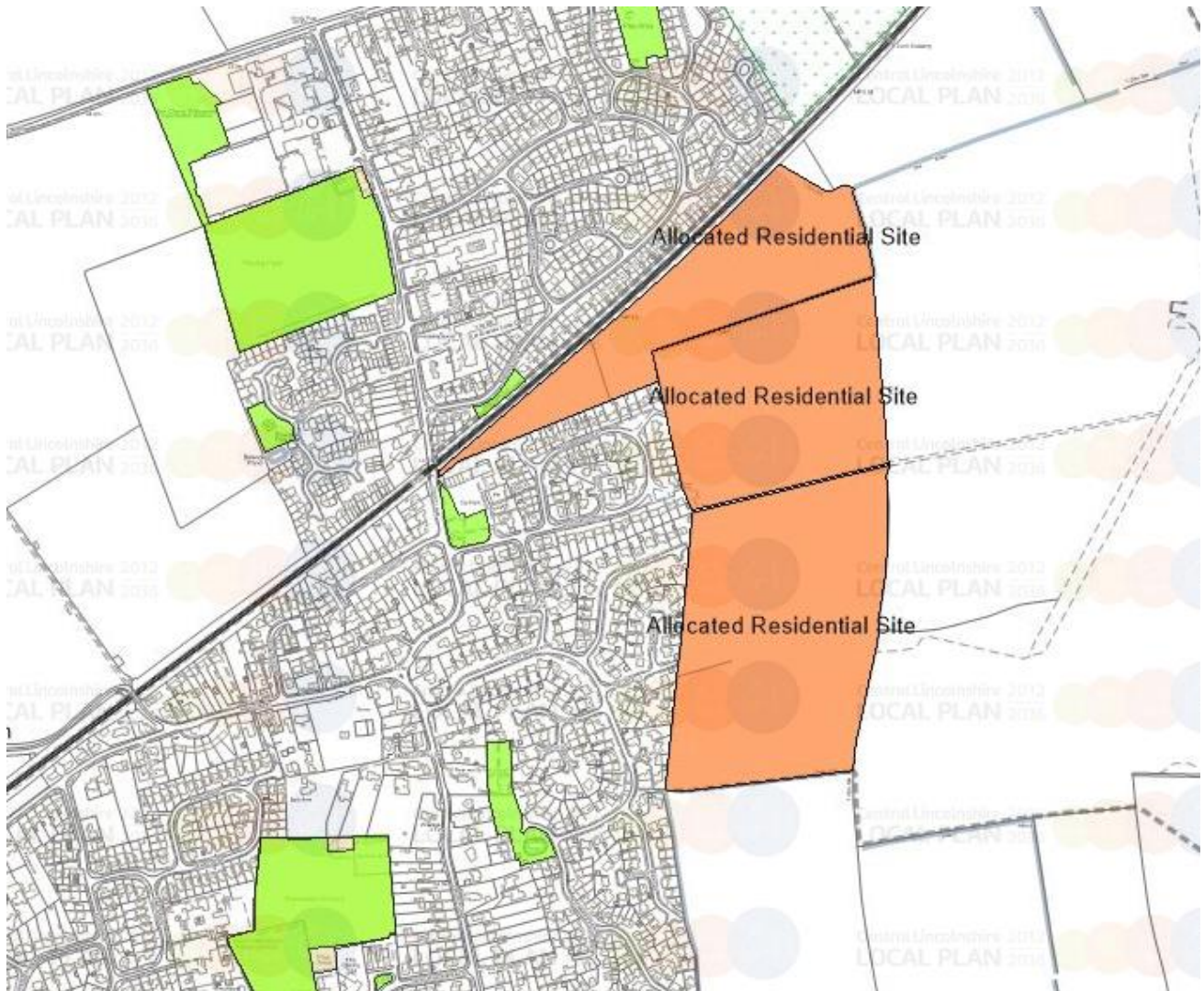


Figure 1 – Housing Allocations in Cherry Willingham running from the north southwards:

- WL/CW/001 – Land North of Rudgard Avenue, Cherry Willingham
- WL/CW/002 – Land East of Rudgard Avenue, Chery Willingham
- WL/CW/003 – Land East of Thornton Way , Cherry Willingham