
Site Submissions: South Kesteven Local Plan Issues & Options

Land to the West Millfield Road/East of A15, Market
Deeping

FINAL

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South Kesteven Local Plan Issues & Options

Representations on behalf of Lincolnshire County Council Corporate Property



1. Introduction

- 1.1. Savills UK Ltd on behalf of Lincolnshire County Council Corporate Property are making the following site submission as part of the South Kesteven District Council Local Plan Issues and Options consultation which extends until 23rd November 2020.
- 1.2. These representations accompany a site plan and pro forma relating to Land to the West Millfield Road/East of A15, Market Deeping which is submitted for consideration by the LPA as a location for potential future housing development.
- 1.3. A site location plan is included within Appendix 1.

2. Background

Site Description

- 2.1. LCC own the 11.1 hectare (27.5 acres) site in its entirety which comprises two roughly rectangular fields which are currently in agricultural use, and let to an agricultural tenant. The topography of the site is predominately flat.
- 2.2. The site is located to the west of Market Deeping and is enclosed by the A15 which extends along the entire western boundary. It is bordered by extensive mature trees and hedging along its eastern, southern and western boundaries. The northern boundary of the site has limited containment, with two agricultural fields beyond. An earth bund runs the length of the eastern boundary separating the site from the A15. The two fields are separated by one another by a brook that connects to a ditch which runs the length of the western boundary between the site and Millfield Road.
- 2.3. A Public Right of Way (PROW) runs east to west across the centre of the site separating the two fields.
- 2.4. The site is not subject to any statutory designations. It is not located within the Green Belt, an Area of Outstanding Natural Beauty, a Site of Scientific Interest or a Special Conservation area, nor is it located within the vicinity of any Listed Buildings or Scheduled Ancient Monuments.
- 2.5. The site is located within Flood Zone 1 in accordance with the Environment Agency's Flood Map for Planning and, therefore, has a low probability of flooding.
- 2.6. The Agricultural Land Classification England identifies the land as Grade 3.

3. Planning Context

3.1. The South Kesteven Local Plan, adopted January 2020 highlights that the focus for the majority of growth in the district should be in and around the four market towns, of which The Deepings is one. The Local Plan currently includes two housing allocations in Market Deeping (DEP- H1 and DEP-H2).

3.2. The land to the West Millfield Road/East of A15 was proposed as an allocation for housing in the Regulation 18 Consultative Draft Local Plan 2017 (CDLP) under 'DEP1 H2' for 200 dwellings (indicative). The policy was as follows:

"DEP1-H2: Millfield Road (SKLP30)

Indicative Unit Numbers: 200

Assumption Density: 30 Dwellings per hectare

The following development principles accompany this allocation:

- A comprehensive masterplan is required for the site.*
- Highway, footway, cycleway connections shall be provided throughout site which connect the site into the wider town.*
- The development shall make a land based contribution towards future community uses, specifically the relocation of the leisure centre to allow an expansion of the secondary school.*
- This site represents an important gateway location and this should be recognised in the design and layout of development proposals.*
- Noise mitigation shall be incorporated along the A15 aspect of the site.*
- Sensitive landscaping shall be incorporated along the northern and western edges of the site.*
- To ensure the development achieves good, high quality design, a design code will be prepared for the site.*
- This site is situated within a Minerals Safeguarding Area. Before considering a planning application or allocation for this site a Minerals Assessment will be required."*

3.3. The site was only removed from the Regulation 19 Pre-Submission version of the Local Plan pending the outcome of the subsequently unsuccessful application for Village Green status. The outcome of the Village Green Application was not published until July 2019, over two months after the Local Plan Examination sessions had closed.

- 3.4. To reflect this uncertainty, the adopted Local Plan includes the following paragraph specifically in relation to the land to the west of Millfield Road:

“3.48 A provisional site allocation at Millfield Road was put forward for public consultation in summer 2017 as part of the Consultative Draft Local Plan, under Regulation 18 of the Local Plan regulations. After the start of the consultation, an application was submitted to the County Council to designate this site as a Village Green. The outcome of this application is yet to be determined and so this site has not been considered as available for development in this Local Plan. If the application is not successful then the status of the site could be reviewed through the preparation of the Deepings Neighbourhood Plan or by the first review of this Local Plan, subject to its availability and suitability as well as consideration of any additional housing requirements.”

- 3.5. As noted in 3.2, the decision on the VGA was issued in July 2019. Lincolnshire County Council as the determining body in the VGA considered the recommendation of the Inspector (Mr Edwards), which was to reject the application, at the Planning and Regulation Committee on 2nd September 2019. The LCC Committee voted in favour of accepting the recommendation of the Inspector as summarised in paragraph 41 of the report, which is included as Appendix 2. This states:

“Mr Edwards concludes that the application fails because the applicant has failed to satisfy all of the requirements of the statutory tests. He therefore recommends that the application be rejected.”

- 3.6. No subsequent challenge was made by the Village Green applicants following the decision being issued and the and the statutory period as now passed.
- 3.7. Since the latter stages of the preparation of the now adopted Local Plan, there has been a material change in circumstances and the VGA is no longer a barrier to the availability of the site for housing. Therefore, in accordance with paragraph 3.48 of the Local Plan, it is requested that the site is reviewed as a future allocation for Market Deeping.

Planning History

- 3.8. A planning application for the land was submitted to SKDC in November 2018 (reference S18/2146). The indicative layout is submitted at Appendix 3. As the layout demonstrates, the scheme includes a large area of Public Open Space, 2.6ha in size, which equates to 22.5% of the site. The scheme could therefore contribute a generous amount of recreational space which could be used not only by the new residents of the proposed housing scheme, but also by those already living nearby.
- 3.9. The supporting technical work accompanying the application demonstrates that there are no known constraints which would prevent the site being developed for housing. Responses from the statutory consultees confirm this position.
- 3.10. On 28th October 2020, the planning application was determined by planning committee. The reasons for refusal relate primarily to the concerns of residents living close to the site.

“1. The submitted Statement of Community Involvement, together with the feedback from the public, Town Council and Neighbourhood Plan Group during consultation on the application has very clearly demonstrated that the proposal does not have substantial community support. Furthermore, the proposal would not meet a proven local need or address a specific targeted need for local market housing, that is not already provided for by allocated sites. It is therefore contrary to Local Plan Policy SP4 criteria (a) and (e). There are no overriding material considerations that outweigh this fundamental conflict with the Development Plan.

2. The proposal would result in an unacceptable adverse impact on the open and rural character and appearance of the area, contrary to Local Plan policies DE1, EN1 and criteria b. and d. of SP4.”

3.11. The decision notice and committee report and provided within Appendix 4. The committee report confirms that there are no technical reasons which would prevent the site from being developed.

3.12. The decision notice makes reference to policy EN1 and DE1 and the impact on the open and rural character of the area. However, the officer’s assessment in the committee report confirms:

“The existing rural “country lane” character of the rest of Millfield Road is capable of being retained and enhanced through retention of existing trees and hedgerows and creation of a green corridor adjacent to it, which could incorporate the Deepings Green Walk. Furthermore, the centre of the site, through which the existing footpath passes, together with the northern and southern edges could function as green corridors and landscaped open spaces.

Taking the above into account, the proposal in this respect is acceptable and capable of accommodating a suitable layout, design and landscaping that would be in keeping with the form and character of the area in accordance with Local Plan Policies EN1, DE1, DNP policies DNP1, DNP2, DNP3, DNP9, DNP10 and DNP12 and NPPF section 12.”

3.13. This is further supported in the SKDC Landscape Character Assessment (January 2007) which notes with specific reference to this site:

- The site presents unremarkable landscape character;
- Most of the development to the western fringe of the town is mid-to-late 20th century or early 21st century, and as such has little historical significance; and
- The site’s proportion, with a long boundary to the town and a shorter depth to the outer edge would suggest that the development of the site would have a negligible impact upon any landscape setting or historic form of the town.

3.14. LCC are currently reviewing the decision with a view to submitting an appeal as soon as possible.

4. Site submission

- 4.1. The SKDC Issues and Options consultation which is taking place alongside the Call for Sites identifies that within the district the Local Plan Review is seeking capacity for an additional 1,763 - 4,436 new dwellings, of which 293 – 675 new dwellings are sought in Market Deeping.
- 4.2. The land to the west of Millfield Road/east of the A15 is put forward as a potential location for housing and it is suggested that it could accommodate up to 260 dwellings. Indicative site layouts are included within Appendix 3, and show:
- 2.5-2.6 ha of Public Open Space;
 - Green walk extending along the site boundary parallel to Millfield Road;
 - Retention of existing public right of way and incorporation into wider area of Public Open Space;
 - Creation of new 'green corridor' and public footpaths around and through the site.

5. Delivery of Housing

- 5.1. The National Planning Policy Framework (NPPF) 2019 at paragraph 67 requires planning authorities examine the suitability, availability and economic viability of sites when undertaking housing and economic land availability assessment. Further detail about how these assessments should be undertaken is provided within National Planning Policy Guidance (NPPG)¹.
- 5.2. Therefore, an assessment of the site against the tests within the NPPG, is provided below, confirming that it is suitable, available and achievable for development purposes.

Suitable

- 5.3. The 2019 NPPF establishes that the purpose of the planning system is to contribute to the achievement of sustainable development. The three dimensions to sustainable development, as set out in the NPPF, require the planning system to perform an economic, social and environmental role.
- 5.4. The Deepings is identified as one of four Market Towns in the adopted Local Plan where the main growth of the district should be focused. It is therefore fundamentally a suitable location for new housing.
- 5.5. The site itself is well located and is enclosed by the A15 which extends along the entire western boundary of the town. It is bordered by extensive mature trees and hedging along its eastern, southern and western boundaries. As set out in Section 3, the site was previously considered as a suitable location for development and was proposed as an allocation for housing in the Regulation 18 Consultative Draft Local Plan 2017 (CDLP) under 'DEP1 H2 (SKLP30) for 200 dwellings (indicative). At that time, the site was considered to be sound and deliverable.
- 5.6. The 'Sites and Settlement Consultation' in July 2016 (Regulation 18) presented an assessment of those sites submitted to the Council which had development potential. SKLP30 was identified as one of only three sites within Market Deeping which was 'less constrained to housing development'. This site is of a scale which would enable a comprehensive level of development which could make a meaningful contribution to housing and community facilities, such as Public Open Space, in the area.
- 5.7. As demonstrated through the recent planning application, there are no technical reasons why the site would not be able to accommodate housing and its development, based on the indicative scheme would offer real benefits to the community, opening up this site, which does not have public access at present, and creating new areas of Public Open Space for residents.

¹ Paragraph: 018 Reference ID: 3-018-20190722/Paragraph: 019 Reference ID: 3-019-20190722/Paragraph: 020 Reference ID: 3-020-20190722

- 5.8. Following the unsuccessful VGA, The Deepings Neighbourhood Plan proposed that the land to the west of Millfield Road/east of the A15 should be included as Local Green Space (LGS). LCC have made robust representations challenging the proposed designation and clarifying that the allocation of the site as such would not meet the necessary tests in Paragraph 100 of the NPPF. A hearing session into the matter of the proposed allocation of this site as LGS is being held in December 2020. Until the examiner has considered the matter, little weight can be attributed to the LGS policy within the NP. Other policies of the NP have been challenged by LCC in their representations. A copy of LCC's representations and the basis upon which the proposed allocation of the site as LGS is provided in Appendix 5.
- 5.9. Notwithstanding the issue of LGS, the indicative layout of the site as shown in Appendix 3 directly supports the aspirations of policies DNP11 and DNP12 of The Deepings Neighbourhood Plan Submission Draft which seek to create a green walk around the town. .
- 5.10. For the reasons set out above, it is considered that the site is suitable for development.

Available

- 5.11. The land is available for development and within a single ownership. The land owners have a strong track record of bringing sites forward in the district, including allocated sites in Barrowby and Morton.

Achievable

- 5.12. The supporting information accompanying the planning application on the site confirms that there are no technical constraints preventing the development of the site and therefore it is considered that development would be economically viable.



6. Conclusion

- 6.1. This report sets out the background to the land within Market Deeping confirming that it presents a deliverable option for growth in a sustainable settlement at the top of the hierarchy. The land can make a valuable contribution to the housing needs of SKDC, bringing housing forward in the next five years.

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Appendices



Appendix 1: Land to the West Millfield Road/East of A15, Market Deeping

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