



**SOUTH
KESTEVEN
DISTRICT
COUNCIL**

Planning Committee

28 October 2020



Additional Information Report

This report sets out additional information in relation to planning applications for consideration at the Planning Committee on 28 October 2020 that was received after the Agenda was published.

S18/2146

Proposal: Construction of up to 260 dwellings and new vehicular access from Millfield Road, public open space and associated infrastructure. Outline application with the matter of access for consideration

Site Address: Land Off Millfield Road, Market Deeping, PE6 8AD

Summary of Information Received:

Two further representations have been received. All issues raised in the first representation are already discussed in the main report. The second representation has been submitted by a local resident who is also a practising planning consultant and member of Deepings First (the Deepings Neighbourhood Plan Group) and raises some new issues.

The note suggests that a refusal based on non compliance with Local Plan Policy SP4 criterion a. (failure to demonstrate substantial community support) would not be sufficient grounds on its own to stand up at appeal. Further, that in order to stand up at appeal, there would need to be an identification of material harm from the development. A 2017 appeal decision relating to a site in Cambridgeshire has been referred to as evidence that this may be the case, and an additional reason for refusal has been suggested relating to the loss of a green space which plays an important role in the setting of the town which would result in a harmful effect on the open character of the area.

Officer Comments:

Officers have considered the appeal decision and have concluded that there are some quite significant differences in the circumstances and that it is not directly comparable to the Millfield Rd application.

The Inspector who examined the SK Local Plan (adopted Jan 2020) was very clear about the purpose of SP4 criterion a. in his final report stating in para 66:

“A chief concern is that the policy sets too high a bar in that edge of settlement proposals must demonstrate local community support through public consultation and/or town or parish council feedback. This criterion, however, appropriately reflects the principle of localism now embedded in neighbourhood planning. It is an entirely appropriate provision for locations where, ordinarily, communities may reasonably expect development not to take place. I see nothing inherently unsound in community support being part of the basis for what are exceptional circumstances. I have been referred to a similar policy in the recently adopted Central Lincolnshire Local Plan and

whilst the effectiveness of that policy is disputed, Policy SP4 in this plan should be given time to be implemented and its effectiveness monitored.”

Taking the above into account, officers consider that refusal on Policy SP4 criterion a. is sufficient to stand up at appeal.

The main officer report concludes that whilst there would inevitably be a significant impact, through change from open countryside to built development, that on balance, overall the site is capable of being developed, with appropriate design, landscaping, open space etc without undue harm to the character of the area. Officers continue to take this view. However, if Members felt that on balance there would be an unacceptable adverse impact on the character and appearance of the area, contrary to Local Plan policies DE1, EN1 and criteria b. and d. of SP4, it would not be unreasonable for them to add this as an additional reason for refusal.

Officers have also further scrutinised the Local Plan Inspector’s Final Report and considered whether Local Plan policy SP4 criterion e. is satisfied. This criteria states that development under SP4 must *“in the case of housing development, meet a proven local need for housing and seeks to address, a specific targeted need for local market housing”*.

In para 119 of his final report, the Local Plan Inspector stated:

“Land at Millfield Road to the west of The Deepings was provisionally allocated for housing in earlier iterations of the plan but was subsequently involved in a Village Green application leading to a justified decision to remove the site prior to submission given the uncertainty on availability/deliverability. The July 2019 decision of the tribunal not to approve the application for Village Green Status was issued after plan submission and after the examination hearings. Nonetheless, it remains that there are sufficient sustainably located sites to meet identified needs in the District both for housing and employment. There is no need as a result of this examination to allocate additional development land in The Deepings as part of this plan. Without prejudice and noting the site has been subject to an extant planning application since November 2018, from a local plan perspective the latest situation at Millfield Road should feed into the usual evaluation of land requirements as part of any plan review process and the submitted plan at paragraph 3.47 is sound in this regard.”

These comments confirm that the housing needs of the Deepings will be adequately met by the other suitably located allocated sites. No compelling evidence that contradicts this conclusion has been submitted with the application. Officers therefore propose a change to the reason for refusal to include conflict with SP4 criteria e.

Changes to Recommendation: The officer recommendation remains to refuse the application, with the Reason for refusal updated below.

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.