

## **LINCOLNSHIRE COUNTY COUNCIL'S RESPONSE TO CONSULTATION ON THE FOLLOWING DEVELOPMENT PROPOSAL**

**District: South Holland District Council**

**Application number: H04-0973-22**

**Application Type: FULL - Major**

**Proposal: Erection of 11 dwellings comprising 7 town houses & 4 detached dwellings and demolition of existing buildings - re-submission of H04-0035-22**

**Location: 18 High Street, Donington, Spalding, PE11 4TA**

**Response Date: 3 October 2023**

This report includes the Substantive response of the Local Highway and Lead Local Flood Authority to a planning consultation received under the Development Management Order and includes details of any planning conditions or informatives that should be attached in the event that permission is granted and any obligations to be secured by way of a S106 agreement.

### **General Information and Advice**

#### **Outline applications and contributions**

The anticipated number and type of dwellings and/or the floor space may be set by the developer at the time of application which is used to assess necessary mitigation. If not stated in the application, a policy compliant mix will be used. The number and type of dwellings used when assessing S106 planning obligations is set out on the first page of this response.

In the case of outline applications, once the unit mix/floor space is confirmed by reserved matters approval/discharge of condition a matrix (if appropriate) will be applied to establish any increase in contributions payable. A further increase in contributions may result if there is a reserved matters approval changing the unit mix/floor space.

Please note that although the Definitive Map and Statement proves the existence of any recorded rights of way, there may be further or higher rights that are not shown on this document that the County Council is not currently aware of. This would be especially relevant where the public has had informal access to the site or where there are references to routes across this in maps or other historic documents. As the County Council has received no application to recognise further rights of way affecting the site, no more informed guidance can be offered at this stage.

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## **Highway and Lead Local Flood Authority Report**

**Substantive Response provided in accordance with article 22(5) of The Town and Country Planning (Development Management Procedure) (England) Order 2015:**

### **Recommendation:**

#### **No objection:**

The proposed residential development would occupy the site of a former commercial development, within the central built-up area of Donington, and would utilise the existing vehicle access that served that commercial development. This access has good visibility in both directions for safe egress into the highway. A footpath is to be provided between the two blocks of frontage dwellings, to allow pedestrian access, separate from the vehicle access. The submitted details include sufficient parking and manoeuvring space within the site to allow vehicles to leave and enter the highway in a forward gear.

There have been some issues with vehicles parking on High Street in the vicinity of the Application Site entrance and it is therefore requested that the Applicants be required to enter into a Section 106 Agreement to make a £1,800 contribution towards the highway authority's expenses in progressing a Traffic Regulation Order (TRO) to provide KEEP CLEAR road markings at strategic positions on High Street.

In consideration of the above and having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework), Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) has concluded that, subject to the completion of the Section 106 Agreement, the proposed development would not be expected to have an unacceptable impact upon highway safety or a severe residual cumulative impact upon the local highway network or increase surface water flood risk and therefore does not wish to object to this planning application.

### **Informatives**

#### **Highway Informative 05**

All roads within the development hereby permitted must be constructed to an acceptable engineering standard. Those roads that are to be put forward for adoption as public highways must be constructed in accordance with the Lincolnshire County Council Development Road Specification that is current at the time of construction and the developer will be required to enter into a legal agreement with the Highway Authority under Section 38 of the Highways Act 1980. Those roads that are not to be voluntarily put forward for adoption as public highways, may be subject to action by the Highway Authority under Section 219 (the Advance Payments code) of the Highways Act 1980. For guidance, please refer to <https://www.lincolnshire.gov.uk>

## **Highway Informative 08**

Please contact the Lincolnshire County Council Streetworks and Permitting Team on 01522 782070 to discuss any proposed statutory utility connections, Section 50 licences and any other works which will be required within the public highway in association with the development permitted under this Consent. This will enable Lincolnshire County Council to assist in the coordination and timings of these works. For further guidance please visit the Highway Authority's website via the following link: Traffic Management - <https://www.lincolnshire.gov.uk/traffic-management>

**Officer's Name: Jon Sharpe**

**Officer's Title: Principal Development Management Officer**

**Date: 3 October 2023**

South Holland District Council  
 Development Control  
 Planning Department

Corporate Property Team  
 Lincolnshire County Council  
 County Offices  
 Newland  
 Lincoln LN1 1YL

Email: [Property\\_Strategy@Lincolnshire.gov.uk](mailto:Property_Strategy@Lincolnshire.gov.uk)

My Ref: S106/SHDC/H04-0973-22/2023  
 13 June 2023

Dear Sir/Madam

**Development – ERECTION OF 11 DWELLINGS COMPRISING 7 TOWN HOUSES & 4 DETACHED DWELLINGS AND DEMOLITION OF EXISTING BUILDINGS - RE-SUBMISSION OF H04-0035-22**  
**Application Number – H04-0973-22**

Thank you for your notification of 12 June 2023, concerning the proposed development at the above site. I have now had the opportunity to consider the impact on the local schools reasonably accessible from the development. Please see below overview in relation to the impact, and details for primary, secondary and sixth-form that follow.

**Overview**

Please see below table in relation to the number of places required and available in local schools from/for the proposed development:

Type	Children produced by scheme	Sufficient places available 2025/26 (Y/N/Partial)	Places to be mitigated	Contribution sought
Primary	2	N	2	£ 36,734
Secondary	2	N	2	£ 51,006
Sixth-form	0	N/A	0	£ 0
			<b>Total</b>	<b>£ 87,740</b>

Please note, where an application is outline a formulaic approach will be taken in a section 106 agreement, this may result in a higher contribution if a high proportion of large houses are built. This would be finalised at the reserved matters stage. All section 106 agreements should include indexation using the Tender Price Index of the Royal Institute of Chartered Surveyors Building Cost Information Services (RICS BCIS TPI).

The above contributions would be spent on the following:

Type	Amount	Scheme
Primary	£ 36,734	Education provision in Donington Primary planning area
Secondary	£ 51,006	Education provision in Donington Secondary planning area
Sixth-form	£ 0	

Following the removal of Regulation 123 from the Community Infrastructure Levy Regulations on 01 September 2019, requests can be made toward more than one scheme to provide the ability to extend the most appropriate school to mitigate the impacts of development at the time those impacts are felt.

#### Detail

The below table indicates the number of pupils generated by the proposed development. This is on the basis of research by Lincolnshire Research Observatory utilised to calculate Pupil Production Ratio (PPR) multiplied by the number of homes proposed.

House Type (if known)	No of Properties	PPR Primary	Primary Pupils	PPR Secondary	Secondary Pupils	PPR Sixth Form	Sixth Form Pupils
3 Bedroom	7	0.17	1.19	0.17	1.19	0.034	0.238
4+ Bedroom	4	0.33	1.32	0.27	1.08	0.054	0.216
Total (rounded down)	11	-	2	-	2	-	0

Capacity is assessed using the County Council's projected capacity levels at 2025/26, this is the point when it is reasonable to presume that the development would be complete or well on the way.

Type	Local School/School Planning Area	Pupils generated	Sufficient places available 2025/26 (Y/N/Partial)	Places to be mitigated
Primary	Donington Primary planning area	2	N	2
Secondary	Donington Secondary planning area	2	N	2
Sixth-form	Donington Secondary planning area	0	N/A	0

As the development would result in a direct impact on local schools, a contribution is therefore requested to mitigate the impact of the development at local level. T

This is a recognisable and legitimate means of addressing an impact on infrastructure, accords with the NPPF (2019) and fully complies with CIL regulations; we feel it is necessary, directly related, and fairly and reasonably related in scale and kind to the development proposed in this application.

The level of contribution sought in this case is in line with the below table.

Type	Places to be mitigated	Contribution per place*	Sub-total	Local multiplier**	Lincolnshire contribution per place	Total contribution requested
Primary extension	2	£18,007	£36,014	2.00	£18,367	£36,734
Secondary extension	2	£25,003	£50,006	2.00	£25,503	£51,006
<b>Total</b>	-	-	<b>£86,020</b>	-		<b>£87,740</b>

\*current cost multiplier per pupil place based on National Cost Survey

\*\* to reflect Lincolnshire's average build cost compared to national average

We would suggest the s.106 monies are paid at the halfway point in the development to allow timely investment by the County Council whilst not adversely affecting the developer's viability.

Please note the County Council retains the statutory duty to ensure sufficiency of school places and this includes capital funding provision of sufficient places at maintained schools, academies and free schools. We would invest the funding at the most appropriate local school(s) regardless of their status, but ensure the s.106 funding is used only to add capacity as this is the only purpose for which it is requested.

I look forward to hearing from you, thank you for your notification of the application and thank South Holland District Council for your continued cooperation and support.

Yours sincerely

**Sam Barlow**  
**Strategic Development Officer**  
**Corporate Property Service**

(By e-mail)