

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

**District: West Lindsey District Council**

**Application number: 147514**

**Application Type: Full Major**

**Proposal: Planning application for erection of 38no. dwellings**

**Location: Land off Crickets Drive, Nettleham, Lincoln, LN2 2GS**

**Response Date: 8 February 2024**

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 Objections**

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 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.

### **Comments:**

The site has been subject to previous planning applications, the initial application, 131975, was for 68 dwellings. Subsequent applications have been submitted increasing the site to 80 dwellings. 11 of the dwellings subject to this application have been included within the previous applications therefore the total increase in dwellings is 27.

The site has received technical approval and the revised layout broadly correlates to the road layout that has been technically approved through the S38 process.

### **Introduction/Site Location**

The application is to amend the housing layout for phase 3 and phase 2 (private drive) to what has previously been approved via the planning and S38 process.

### **Highway safety**

It's unlikely these changes will have an unacceptable impact on highway safety.

### **Highway capacity**

It's unlikely the increase of 27 dwellings will have an unacceptable impact on highway capacity in the area and would not be classed as a severe increase.

### **Site Layout**

The site layout is an amendment to that which has been previously approved. There is sufficient parking provision within this portion of the site accommodate the increase in dwellings.

A revised S38 layout may need to be submitted to incorporate the revised layout.

### **Flood Risk and Drainage**

The surface water system on the site is to be adopted by Anglian Water under a S104 agreement, therefore Anglian Water would need to approve the revised layout and consider if this will affect the previously approved S104 layout. The highways layout remains unchanged.

### **Informatives**

#### **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: Laura Rowett**

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

**Date: 20 February 2024**

West Lindsey District Council  
 Development Control  
 Planning Department

Corporate Property Team  
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 Lincoln LN1 1YL

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

My Ref: S106/WLDC/147514/2023  
 09 November 2023

Dear Sir/Madam

**Development** – Planning application for erection of 38no. dwellings.Land off Crickets Drive Nettleham Lincoln LN2 2GS  
**Application Number – 147514**

Thank you for your notification of 06 November 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	15	N	15	£ 297,202.50
Secondary	11	N	11	£0
Sixth-form	4	N	4	£0
			<b>Total</b>	£ 297,202.50

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	£297,202.50	Education provision in the Nettleham primary planning area
Secondary	£299,764.74	N/A - CIL
Sixth-form	£109,005.36	N/A - CIL

Following the removal of Regulation 123 from the Community Infrastructure Levy Regulations on 01 September 2019, requests for items formerly on a Regulation 123 list are now permitted; the Central Lincolnshire Developer Contributions Supplementary Planning Document (2018) still restricts secondary and school-based sixth form to CIL only. Requests can also 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
2 Bedroom	6	0.225	1.35	0.0785	0.471	0.032	0.192
3 Bedroom	11	0.373	4.103	0.2169	2.3859	0.078	0.858
4+ Bedroom	21	0.492	10.332	0.3903	8.1963	0.144	3.024
Total (rounded down)	38	-	15	-	11	-	4

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	Nettleham Primary planning area	15	N	15
Secondary	Welton Secondary planning area	11	N	11
Sixth-form	Welton Secondary planning area	4	N	4

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.

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	15	£19,425	£291,375	2.00	£19,813.50	£297,202.50
Secondary extension	11	£26,717	£293,887	2.00	£27,251.34	£299,764.74***
Sixth-form extension	4	£26,717	£106,868	2.00	£27,251.34	£109,005.36***
<b>Total</b>	-	-	£692,130	-		£705,972.60

\* Current cost multiplier per pupil place based on National Cost Survey70

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

\*\*\*amounts for indicative purposes only, request reduced to £0 in line with Developer Contributions Supplementary Planning Document

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 West Lindsey District Council for your continued cooperation and support.

Yours sincerely

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

(By e-mail)