

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

District: Lincoln City Council

Application number: 2023/0819/FUL

Application Type: Major

Proposal: Erection of 2no. four storey buildings accommodating 8no. one bedroom and 34no. two bedroom apartments. Associated external works including car parking, cycle and bin storage, temporary access in boundary wall, new pedestrian access in boundary wall, tree removal and landscaping

Location: 12 Lindum Terrace, Lincoln, Lincolnshire, LN2 5RS

Response Date: 22 March 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

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 and therefore does not wish to object to this planning application.

No objection subject to:

- **Planning Conditions** as detailed below.

Introduction/Site Location

The application is for 2no. four storey buildings accommodating 8no. one bedroom and 34no. two bedroom apartments located on Lindum Terrace. The site is currently vacant but has a previous use as a medical facility.

Lindum Terrace is located in a sustainable location with good pedestrian links to the surrounding area including central Lincoln and uphill, as well as having good links to the hospital. There is good public transport connections in the area including bus stops within walking distance of the site.

There is designated on street parking opposite the site and waiting restrictions on Lindum Terrace.

There is area's of local amenity in the area and occupants of the site would not be reliant on travel by car.

Existing Conditions

The site has an existing vehicle access which is to be widened to accommodate two way traffic entering the site. There are existing pedestrian connections to the site from Sewell Road which are to be maintained.

Highway safety

The current access is to be widened so that two vehicles can pass in the access to avoid waiting on the highway. There is sufficient turning space within the site for cars and delivery vehicles to be able to access and egress the site in a forward gear. Therefore there would not be an unacceptable impact on highway safety.

Highway capacity

The site is located in a sustainable location and residents wouldn't be reliant on the use of a car, therefore the impact on highway capacity would be minimal. The junction in the local area would be able to accommodate the minor increase in traffic.

Site Layout

Site layout has been considered to allow for turning within the site with a sufficient amount of parking spaces provided for the proposals. Cycle storage is to be provided within the site layout to encourage sustainable travel options. Alternatively there is designated on street parking available on Lindum Terrace should it not be available within the site.

Flood Risk and Drainage

A drainage strategy has not been determined at this point however it will be required to provide a sustainable urban drainage system which follows the suds hierarchy. It has been noted that the drainage strategy may change the site layout at a later stage and this is something the applicant has considered.

Off-Site Improvements

Off site improvements via the provision of tactile crossing points at the junction of Lindum Terrace and Eastcliffe Road will be required to improve pedestrian connectivity in the area.

Planning Conditions:

In the event that permission is to be given, the following planning conditions should be attached:

Highway Condition 00

The development hereby permitted shall be undertaken in accordance with a Construction Management Plan and Method Statement that shall first be approved in writing by the Local

Planning Authority. The Plan and Statement shall indicate measures to mitigate the adverse impacts of vehicle activity and the means to manage the drainage of the site during the construction stage of the permitted development. It shall include;

- the phasing of the development to include access construction;
- the on-site parking of all vehicles of site operatives and visitors;
- the on-site loading and unloading of all plant and materials;
- the on-site storage of all plant and materials used in constructing the development;
- wheel washing facilities;
- the routes of construction traffic to and from the site including any off-site routes for the disposal of excavated material and;
- strategy stating how surface water run off on and from the development will be managed during construction and protection measures for any sustainable drainage features. This should include drawing(s) showing how the drainage systems (temporary or permanent) connect to an outfall (temporary or permanent) during construction.

Reason: In the interests of the safety and free passage of those using the adjacent public highway and to ensure that the permitted development is adequately drained without creating or increasing flood risk to land or property adjacent to, or downstream of, the permitted development during construction.

Highway Condition 21

No part of the development hereby permitted shall be occupied before the works to improve the public highway (by means of a tactile crossing point at the junction of Lindum Terrace and Eastcliffe Road) have been certified complete by the Local Planning Authority.

Reason: To ensure the provision of safe and adequate means of access to the permitted development.

Highway Condition 33

The permitted development shall be undertaken in accordance with a surface water drainage scheme which shall first have been approved in writing by the Local Planning Authority.

The scheme shall:

- be based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development;
- provide flood exceedance routing for storm event greater than 1 in 100 year;
- provide details of how run-off will be safely conveyed and attenuated during storms up to and including the 1 in 100 year critical storm event, with an allowance for climate change, from all hard surfaced areas within the development into the existing local drainage infrastructure and watercourse system without exceeding the run-off rate for the undeveloped site;
- provide attenuation details and discharge rates which shall be restricted to greenfield run off rates;

- provide details of the timetable for and any phasing of implementation for the drainage scheme; and
- provide details of how the scheme shall be maintained and managed over the lifetime of the development, including any arrangements for adoption by any public body or Statutory Undertaker and any other arrangements required to secure the operation of the drainage system throughout its lifetime.

No dwelling/ no part of the development shall be occupied until the approved scheme has been completed or provided on the site in accordance with the approved phasing. The approved scheme shall be retained and maintained in full, in accordance with the approved details.

Reason: To ensure that the permitted development is adequately drained without creating or increasing flood risk to land or property adjacent to, or downstream of, or upstream of, the permitted development.

Informatives

Highway Informative 07

The highway improvement works referred to in the above condition are required to be carried out by means of a legal agreement between the landowner and the County Council, as the Local Highway Authority.

For further guidance please visit our website;
www.lincolnshire.gov.uk/highways-planning/works-existing-highway

Highway Informative 03

The permitted development requires the formation of a new/amended vehicular access. These works will require approval from the Highway Authority in accordance with Section 184 of the Highways Act. Any traffic management required to undertake works within the highway will be subject to agreement. The access must be constructed in accordance with a current specification issued by the Highway Authority. Any requirement to relocate existing apparatus, underground services, or street furniture because of the installation of an access will be the responsibility, and cost, of the applicant and must be agreed prior to a vehicle access application. The application form, costs and guidance documentation can be found on the Highway Authority's website, accessible via the following link:
<https://www.lincolnshire.gov.uk/licences-permits/apply-dropped-kerb>.

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: 22 March 2024

City of Lincoln Council
 Development Control
 Planning Department

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

Email: Property_Strategy@Lincolnshire.gov.uk

My Ref: S106/COLC/2023/0819/FUL/2023
 17 November 2023

Dear Sir/Madam

Development – Erection of 2no. four storey buildings accommodating 8no. one bedroom and 34no. two-bedroom apartments. Associated external works including car parking, cycle and bin storage, temporary access in boundary wall, new pedestrian access in boundary wall, tree removal and landscaping

Application Number – 2023/0819/FUL

Thank you for your notification of 14 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	7	Y	0	£ 0
Secondary	2	N	2	£ 0
Sixth-form	1	N	1	£ 0
			Total	£ 0

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	£ 0	
Secondary	£54,502.68	N/A - CIL
Sixth-form	£27,251.34	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	34	0.225	7.65	0.0785	2.669	0.032	1.088
Total (rounded down)	34	-	7	-	2	-	1

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	Lincoln North primary planning area	7	Y	0
Secondary	Lincoln North secondary planning area	2	N	2
Sixth-form	Lincoln North secondary planning area	1	N	1

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
Secondary extension	2	£26,717	£53,434	2.00	£27,251.34	£54,502.68***
Sixth-form extension	1	£26,717	£26,717	2.00	£27,251.34	£27,251.34***
Total	-	-	£80,151	-		£81,753.68

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

** 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

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

Yours sincerely

Sam Barlow
Strategic Development Officer
Corporate Property Service

(By e-mail)