

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

**District: East Lindsey District Council**

**Application number: S/216/01142/23**

**Application Type: Full – Major Planning Application**

**Proposal: Planning Permission - Erection of 171no. dwellings and construction of internal access roads with associated car parking, open space, landscaping and infrastructure**

**Location: Land south of Millbrook Lane, Millbrook Lane, Wragby, LN8 5AB**

**Response Date: 26 April 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 objection subject to:**

- **Installation of a footway cycleway**
- **Construction Management Plan and Method Statement**
- **Construction to finished surface levels**
- **Estate Road Phasing and Completion Plan**
- **Surface water drainage scheme**
- **Travel Plan**

### **Comments:**

The proposal is for the erection of 171 dwellings and construction of internal access roads with associated car parking, open space, landscaping and infrastructure. The site is located to the West of Wragby. The site has a well-established junction with turning lane and does have a footway leading to the site. The main spine road through the site has been laid previous and has not been adopted, this will need some remedial works to bring this up to an adoptable standard.

To reduce the dependency on the private car for journeys to and from the development, the Highway Authority are requesting better connectivity to the site and local facilities through the upgrade of the footway to a footway / cycleway. Furthermore, a request to promote the use of public transport from the site through a bus pass scheme.

As Lead Local Flood Authority, Lincolnshire County Council is required to provide a statutory planning consultation response with regard to Drainage on all Major Applications. This application proposed to capture surface water through a series of swales providing in part cleansing the surface water before it passes through a basin and is discharged at a restricted rate into the watercourse at a flow controlled rate, the applicant has demonstrated that the watercourse is suitable to take the water from the site. Therefore the Lead Local Flood Authority does not consider that this proposal would increase flood risk in the immediate vicinity of the site.

### **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.

## **Planning Conditions:**

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

### Highway Condition 1

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 2

The development hereby permitted shall not be occupied before the footway between the site and the coop has been upgraded to a footway / cycleway, has been provided in accordance with details that shall first have been submitted to, and approved in writing by, the Local Planning Authority. The works shall also include appropriate arrangements for the management of surface water run-off from the highway.

Reason: To ensure the provision of safe and adequate pedestrian and cycle access to the permitted development, without increasing flood risk to the highway and adjacent land and property.

### Highway Condition 3

Before any dwelling is occupied, all of that part of the estate road and associated footways that forms the junction with the main road and which will be constructed within the limits of the existing highway, shall be laid out and constructed to finished surface levels in accordance with details to be submitted to, and approved in writing by, the Local Planning Authority.

Reason: In the interests of safety, to avoid the creation of pedestrian trip hazards within the public highway from surfacing materials, manholes and gullies that may otherwise remain for an extended period at dissimilar, interim construction levels.

#### Highway Condition 4

The permitted development shall be undertaken in accordance with an Estate Road Phasing and Completion Plan, which shall first be approved in writing by the Local Planning Authority. The Plan shall set out how the construction of the development will be phased and standards to which the estate roads on each phase will be completed during the construction period of the development.

Reason: To ensure that a safe and suitable standard of vehicular and pedestrian access is provided for residents throughout the construction period of the development.

#### Highway Condition 5

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 will be restricted to an agreed rate;
- 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 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.

#### Highway Condition 6

The permitted development shall not be occupied until those parts of the approved Travel Plan that are identified therein as being capable of implementation before occupation shall be

implemented in accordance with the timetable contained therein and shall continue to be implemented for as long as any part of the development is occupied.

Reason: In order that the permitted development conforms to the requirements of the National Planning Policy Framework, by ensuring that access to the site is sustainable and that there is a reduced dependency on the private car for journeys to and from the development.

### **Note to Planner**

The travel plan is to include a redeemable free bus pass for two residents per dwelling for one year, residents are to have one year to redeem this bus pass from the day they move in. The expected cost of this is up to £412,000 which will depend on the take up of the scheme.

### **Informatives**

#### Highway Informative 02

In accordance with Section 59 of the Highways Act 1980, please be considerate of causing damage to the existing highway during construction and implement mitigation measures as necessary. Should extraordinary expenses be incurred by the Highway Authority in maintaining the highway by reason of damage caused by construction traffic, the Highway Authority may seek to recover these expenses from the developer.

#### 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 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 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](http://www.lincolnshire.gov.uk/highways-planning/works-existing-highway)

## 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: Joseph Walden**

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

**Date: 26 April 2024**

Chief Fire Officer: Mark Baxter

My Ref: GS  
Your Ref: S/216/01142/23Lincolnshire Fire and Rescue  
Skegness Fire Station  
Churchill Avenue  
Skegness  
Lincolnshire  
PE25 2RNHighways SuDS Support  
Lincolnshire County Council  
County Offices  
Newland  
Lincoln  
LN1 1YL**FAO The Case Officer**Sent by email to [HighwaysSUDsSupport@lincolnshire.gov.uk](mailto:HighwaysSUDsSupport@lincolnshire.gov.uk)

3 August 2023

Dear Sir/Madam

**TOWN AND COUNTRY PLANNING ACT 1990****PLANNING CONSULTATION: Erection of 171no. dwellings and construction of internal access roads with associated car parking, open space, landscaping and infrastructure - Land South Of Millbrook Lane, Millbrook Lane, Wragby, LN8 5AB**

I refer to the planning application reference S/216/01142/23. The Fire Authority would make no objection to the application provided that the following items were included within the development:

- I. Access to buildings for fire appliances and fire fighters must meet with the requirements specified in Building Regulations 2010 Part B5. These requirements may be satisfied with other equivalent standards relating to access for fire-fighting, in which case those standards should be quoted in correspondence.**
- II. Lincolnshire Fire and Rescue also requires a minimum carrying capacity for hard standing for pumping appliances of 18 tonnes, not 12.5 tonnes as detailed in the Building Regulations 2010 part B5. This weight limit would also apply to any private/shared access roads in order to achieve the above item.**
- III. Lincolnshire Fire and Rescue recommends that fire hydrants be installed within this development at the developer's expense. However, it is not possible, at this time, to determine the number of fire hydrants required for fire-fighting purposes. The requirement will be determined at the water planning stage when site plans have been submitted by the water companies. Developers completing their applications to Anglian**

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**Water Services for a new water mains scheme shall inform the water undertakers that fire hydrants are required by the Fire Service. The Anglian Water Main-laying Design Team will send consultation drawings to the Fire Service Water Officer to confirm the required hydrant locations. Fire hydrants shall conform to BS750-2012 and acceptance testing will be carried out by a Hydrant Inspector on completion. Following adoption the Fire Service will be responsible for the ongoing maintenance and repairs for the lifetime of the fire hydrant(s). The Hydrant Inspector will fix a standard yellow "H" hydrant marker plate nearby.**

Should the developer need to consult with Lincolnshire Fire and Rescue please email the address below.

Yours faithfully

Lincolnshire Fire and Rescue  
Fire Safety Inspector

Telephone: 01754 898980

Email: [fire.safety@lincolnshire.gov.uk](mailto:fire.safety@lincolnshire.gov.uk)



East Lindsey 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/ELDC/S/216/01142/23/2023  
19 July 2023

Dear Sir/Madam

**Development – PLANNING PERMISSION - ERECTION OF 171NO. DWELLINGS AND CONSTRUCTION OF INTERNAL ACCESS ROADS WITH ASSOCIATED CAR PARKING, OPEN SPACE, LANDSCAPING AND INFRASTRUCTURE**

**Application Number – S/216/01142/23**

Thank you for your notification of 07 July 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	26	N	11	£202,037
Secondary	25	N	25	£637,575
Sixth-form	5	Y	0	£0
			<b>Total</b>	<b>£839,612</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	£202,037	Education provision in Wragby primary planning area
Secondary	£637,575	Education provision at Cherry Willingham Priory Pembroke Academy
Sixth-form	£0	<a href="#">Click here to enter text.</a>

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
2 Bedroom	61	0.09	5.49	0.09	5.49	0.018	1.098
3 Bedroom	96	0.17	16.32	0.17	16.32	0.034	3.264
4+ Bedroom	14	0.33	4.62	0.27	3.78	0.054	0.756
Total (rounded down)	171	-	26	-	25	-	5

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	Wragby Primary planning area	26	Partial	11
Secondary	Cherry Willingham The Priory Pembroke Academy	25	No	25
Sixth-form	Welton Secondary planning area	5	Yes	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. 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	11	£18,007	£198,077	2.00	£18,367	£202,037
Secondary extension	25	£25,003	£625,075	2.00	£25,503	£637,575
<b>Total</b>	-	-	<b>£823,152</b>	-		<b>£839,612</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 East Lindsey District Council for your continued cooperation and support.

Yours sincerely

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

(By e-mail)