

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

District: West Lindsey District Council

Application number: 147988

Application Type: Full and Outline

Proposal: Hybrid planning application comprising of: Outline planning application for the erection of up to 53no. dwellings with access to be considered and not reserved for subsequent applications; and, full planning application for erection of boundary wall and new driveway associated with No.36 St Germain's Way

Location: Land south west of Dunholme Road, Scothern, Lincoln, LN2 2UD

Response Date: 29 May 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.

No objection subject to:

- **Planning Conditions** as detailed below.

Comments:

The application is for Outline with access to be considered for 53 Dwellings at Dunholme Road Scothern. The application is an extension to the existing site at St Germain's Way and access is to be from the existing estate road. Included within this is a full application for the erection of boundary wall and new driveway associated with No.36 St Germain's Way to which the highway authority would not object. St Germain's Way has recently been adopted as public highway under a S38 agreement.

Introduction/Site Location

The site is off Dunholme Road, Scothern and is an extension to the existing site at St Germain's Way which comprises of 33 dwellings. The site is allocated in the Local Plan for residential development.

Existing Conditions

The existing site at St Germain's Way has been recently adopted under a S38 agreement and comprises of 33 dwellings. This application seeks to extend to the next phase of the site. The site currently manages surface water through a system of swales and ponds that discharges at a restricted rate into Scothern Beck. The recently adopted site provides a new access onto Dunholme Road and a frontage footway which will serve this proposal.

There are good pedestrian links within the village however public transport provision is lacking in the area with limited bus services connecting the village to surrounding areas.

Highway safety

A new access has been provided as part of the previous application for the first phase of the site onto Dunholme Road. The access is in good condition and is suitable to serve the proposals subject to this application. The site benefits from a frontage footway and tactile crossings which link the site to the existing footway network. The access to phase 2 of the site is from an existing field access and is 5.5m wide which is suitable to accommodate this phase of the development. It's unlikely the proposals will have an adverse impact on highway safety.

Highway capacity

The application seeks to provide 53 new dwellings as an extension to St Germain's Way. The transport statement provided states that the increase in traffic is within the permitted parameters and Dunholme Road is able to accommodate the traffic increase in the area.

Site Layout

Site layout is not to be considered at this stage but thought should be given to providing connectivity within the site. The indicative layout shown as part of this application is acceptable in general, however consideration should be given to incorporating Placemaking and Building for a Healthy Life design codes and principles into the submitted layout. The HLLFA encourages permeability and circulation for all modes of movement within the site and promotes the adoption of alternative highway designs. Parking should be provided in line with Lincolnshire County Council guidelines and tandem parking should be avoided if possible.

Flood Risk and Drainage

The proposed drainage strategy is acceptable in principle with water being managed on site within a swale network and attenuated before being discharged at a restricted rate into Scothern beck.

Off-Site Improvements

Off site improvements to the footway network in Scothern are requested to upgrade the pedestrian crossings within the village. Tactile crossings points should be provided at the following locations to improve accessibility within the village;

Tactiles and dropped kerb at the Main St/junction with the Church.

Tactiles at both ends of Main St/School Crescent

Tactiles at Main St/Lime Tree Paddock

Tactiles at Main St/Weir Farm Paddock

Dropped kerb and tactiles at Meadow Close

S106 Contribution Requests

In light of the limited bus service provision within the village. A S106 sum of £309,608.000 is requested to provide an hourly bus service for the duration of 2 years from Scothern to Lincoln and a 2 x 6 monthly bus pass provision for each new dwelling (to be applied for by homeowners).

Reason - To improve the bus service in the locality and encourage uptake of the new service provided.

Breakdown of S106 sum requested:

2 year, hourly bus service - £260,000.00

2 x 6 monthly bus passes per household - £49,608.000

Total - £309,608.00

Planning Conditions:

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

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.

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 the provision of tactile crossing points at Main st/junction with the Church, Main St/School Crescent, Main St/Lime Tree Paddock, Main St/Weir Farm Paddock and a dropped kerb and tactiles at Meadow Close) 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.

Informatives

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>

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 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>

Officer's Name: Laura Rowett

Officer's Title: Senior Development Management Officer

Date: 29 May 2024

West 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

My Ref: S106/147988/2024
 13 March 2024

Dear Sir/Madam

**Development – Land south west of Dunholme Road Scothern Lincoln LN2 2UD Hybrid planning application comprising of: Outline planning application for the erection of up to 53no. dwellings with access to be considered and not reserved for subsequent applications; and, full planning application for erection of boundary wall and new driveway associated with No.36 St Germain's Way.
 Application Number – 147988**

Thank you for your notification of 12 March 2024, 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 2026/27 (Y/N/Partial)	Places to be mitigated	Contribution sought
Primary	15	N	15	£297,202.50
Secondary	8	N	8	£0
Sixth-form	3	N	3	£0
			Total	£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 at Scothern Ellison Boulters Primary School to include outdoor education provision and the purchase of additional land for the school
Secondary	£218,010.72	N/A - CIL
Sixth-form	£81,754.02	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
Unknown	53	0.30	15.9	0.1611	8.5383	0.060	3.18
Total (rounded down)	53	-	15	-	8	-	3

Capacity is assessed using the County Council's projected capacity levels at 2026/27, 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 2026/27 (Y/N/Partial)	Places to be mitigated
Primary	Scothern Ellison Boulters Primary School	15	N	15
Secondary	Welton William Farr Church of England Academy	8	N	8
Sixth-form	Welton William Farr Church of England Academy	3	N	3

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	8	£26,717	£213,736	2.00	£27,251.34	£218,010.72***
Sixth-form extension	3	£26,717	£80,151	2.00	£27,251.34	£81,754.02***
Total	-	-	£585,262	-		£596,967.24

* 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

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)