

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

District: West Lindsey District Council

Application number: 145142

Application Type: Outline

Proposal: Outline planning application for the erection of up to 12no. single storey bungalows with all matters reserved

Location: Land at 75 Church Lane, Saxilby, Lincoln, Lincolnshire, LN1 2PE

Response Date: 23 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 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 all matters reserved for 12 dwellings.

Introduction/Site Location

The site is located at Church Lane Saxilby on a parcel of land towards the edge of the village.

Existing Conditions

The site is currently brownfield with an existing associated use. The site currently drains to the ditch at the rear of the site at an unrestricted rate.

Highway safety

The site is unlikely to have an unacceptable impact on highway safety in the area, however a suitable footway should be provided to connect the site to the existing network. The current footway serving the site is narrow in width and not suitable for all users.

Highway capacity

The site is unlikely to cause any highway capacity issues in the area.

Site Layout

Layout has not been considered as part of this application but guidance can be found in the Lincolnshire County Council Design Guide.

Flood Risk and Drainage

The drainage strategy is acceptable in principle. Water will be attenuated on site and discharged at greenfield run off rates to a ditch at the rear of the site. At reserved matters stage, the applicant will need to demonstrate the suitability of the onward culverted section of ditch to show that it's suitable to receive the water from the site.

Off-Site Improvements

Footway improvements will be required to provide a safe pedestrian link to the footway network in the village.

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 20

The development hereby permitted shall not be occupied before footway improvements to connect the development to the existing footway network, 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.

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

Highway Condition 12

Within seven days of the new access being brought into use, the existing access onto Church Lane to the west shall be permanently closed in accordance with details to be agreed in writing with the Local Planning Authority.

Reason: To reduce to a minimum, the number of individual access points on Church Lane, in the interests of road safety.

S278 Request

Speed limit extension required.

The proposed development triggers the requirement to alter the existing 30mph speed limit traffic regulation order. Please can a S106 sum of £2800 be secured for this purpose.

Informatives

O/L Informative

Outline with all matters reserved

The principle of development is acceptable. As this is an outline application with all matters reserved, access and layout have not been considered. Please make the applicant aware of the requirements for access, parking, visibility, turning and layout as detailed within the Lincolnshire County Council Design Approach.

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 04

The road serving the permitted development is approved as a private road which will not be adopted as a Highway Maintainable at the Public Expense (under the Highways Act 1980). As such, the liability for the future maintenance of the road will rest with those who gain access to their property from it.

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

Officer's Name: Laura Rowett

Officer's Title: Senior Development Management Officer

Date: 23 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/WLDC/145142/2023
 19 September 2023

Dear Sir/Madam

Development – Outline planning application for the erection of up to 12no. single storey bungalows with all matters reserved.

Application Number – 145142

Thank you for your notification of 13/09/2023, 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	£0
Sixth-form	0	N/A	0	£0
			Total	£ 36,734

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 the Saxilby Primary planning area
Secondary	£ 51,006	N/A - CIL
Sixth-form	£ 0	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	12	0.2	2.4	0.19	2.28	0.038	0.456
Total (rounded down)	12	-	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	Saxilby primary planning area	2	N	2
Secondary	Lincoln North Secondary planning area	2	N	2
Sixth-form	Lincoln North 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.

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***
Total	-	-	£86,020	-		£87,740

* 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)