



Central Lincolnshire
LOCAL PLAN

Planning Obligations
Supplementary Planning Document
Consultation Statement

October 2023

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Introduction

Following the adoption of the new Local Plan in April 2023 it was necessary to update the Developer Contributions Supplementary Planning Document (SPD) 2018, in order to reflect the new policies.

The revised draft SPD was consulted upon over a six-week period between 5 July and 16 August 2023.

In accordance with regulation 12 of The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended), this document sets out the details of the consultation, the responses received and how the issues have been addressed.

Who was consulted and how

Everybody on the Central Lincolnshire Consultation Database was notified of the consultation, this includes:

- Statutory bodies, such as the Environment Agency, Historic England, Natural England;
- Infrastructure providers, such as National Grid, water companies, NHS, the Education authority;
- Local Planning Authorities within Central Lincolnshire and in neighbouring areas;
- Parish Councils in Central Lincolnshire;
- Developers and Agents and land owners;
- Other interest groups and organisations; and
- Members of the public who have registered their interest in plan-making activities in Central Lincolnshire.

Emails were sent out to all of the above setting out:

- What the document was and why comments were being sought;
- Where the document could be viewed and how representations could be submitted; and
- The dates that the consultation would run and when responses would be accepted.

Beyond this the details of the consultation were added to the Central Lincolnshire website homepage and a press notice was released to bring it to the attention of the public.

The consultation documents were made available both online and in hard copy at the receptions of each of the Central Lincolnshire authorities. Responses could be received either through email or by post to the Central Lincolnshire Local Plans Team.

Summary of main issues and how they are being addressed

During the consultation, responses were received from 22 organisations or individuals with a total of 63 individual comments being received. These comments were in relation to various sections of the SPD.

The comments can be viewed in full in [Appendix 1](#) along with a summary of each issue being raised and the Central Lincolnshire response setting out what changes are being made and, where changes are not being made, justification for this.

Conclusion

The Planning Obligations SPD has been produced to assist in delivering Local Plan policies by providing additional clarity over what can be expected when applications are submitted. The draft SPD was subject to a public consultation for 6 weeks between 5 July and 16 August 2023 and as a result of the responses received, a number of amendments have been made to the document.

Details of the comments received and the response and any necessary action to address the comments are provided in [Appendix 1](#) of this Consultation Statement.

The SPD will now be brought to the Central Lincolnshire Joint Strategic Planning Committee for adoption, accompanied by this Consultation Statement.

Appendix 1: Responses to the consultation on the Planning Obligations SPD

This table provides the comments received on the Planning Obligations Supplementary Planning Document (SPD) during the consultation which ran from 5 July to 16 August 2023.

It includes the name of the individual or organisation responding (Respondent), details of where in the document the comments relate to (Location), the response in full (Comment), a summary of the key issues being raised (Key issues) and a Central Lincolnshire response to the comments received including confirmation of any actions (Response).

Respondent	Location	Comment	Key issues	Response
Canal & River Trust	Para 3.49	The Trust should be consulted regarding drainage, flood management and abstraction proposals as such development can affect the operation of our infrastructure and assets. The Trust would therefore wish to be named in paragraph 3.49 along with the other named agencies relevant to this aspect of the document.	The Canal and River Trust should be consulted on drainage and flood management proposals and therefore should be specifically mentioned in paragraph 3.49 alongside other agencies.	The Canal and River Trust are not a Risk Management Authority and so cannot be included in the list. However, it can be referenced later in the paragraph, i.e. "All relevant regulatory bodies, <i>also including the Canal & River Trust and relevant statutory water and sewage undertakers</i> , should be engaged by the applicant"
Canal & River Trust	Paras 3.114 and 3.116	We note that the plan policies require 'infrastructure schemes such as, bridges, cycle-ways, footways and footpaths, and active travel improvements' (see paras 3.114 and 3.116). Where a proposal is in proximity to our towpaths and waterways improvements to our facilities could contribute to the wider sustainable transport objectives.	Improvements to Canal and River facilities could contribute to wider transport objectives funded through development.	Noted and agreed. The wording of the SPD would allow for this.
Canal & River Trust	Paras 3.72-3.86	Where a proposal is in proximity to our towpaths and waterways improvements to our facilities could contribute to community benefits such as recreation, active commuting and social prescribing.	Proposals near to waterways could contribute to improvements to them to provide recreation and commuting infrastructure.	Noted and agreed. The wording of the SPD would allow for this.

Respondent	Location	Comment	Key issues	Response
Canal & River Trust	Paras 3.87 and 3.106	We note that the plan policies require enhancement of existing 'Green and Blue Infrastructure by creating new and improving the quality and capacity of existing open spaces and connectivity within the network' (see paras 3.87 and Fig 3). At para 3.106 'The design and layout of any on site Local Useable Greenspace will also consider and accommodate the wider green Infrastructure objectives such as any identified for Sustainable Urban Drainage, River and/or drainage system water quality protection or improvement, biodiversity opportunities and/or new cycle and pedestrian routes/linkage' Where a proposal is in proximity to our towpaths and waterways improvements to our facilities could contribute to the wider green infrastructure enhancement.	Proposals near to waterways could contribute to improvements to them to provide biodiversity opportunities and green infrastructure enhancement.	Noted and agreed. The wording of the SPD would allow for this.
Canal & River Trust	General	Thank you for your consultation on the above document. We are the charity who look after and bring to life 2000 miles of canals & rivers. Our waterways contribute to the health and wellbeing of local communities and economies, creating attractive and connected places to live, work, volunteer and spend leisure time. These historic, natural and cultural assets form part of the strategic and local green-blue infrastructure network, linking urban and rural communities as well as habitats. By caring for our waterways and promoting their use we believe we can improve the wellbeing of our nation. The Canal & River Trust (the Trust) is a statutory consultee in the Development Management process, and as such we welcome the opportunity to input into planning policy related matters to ensure that our waterways are protected, safeguarded and enhanced within an appropriate policy framework. Our waterways should be acknowledged within the policy document, as significant blue/green	Waterways should be acknowledged in the document as significant green/blue infrastructure with various benefits including encouraging regeneration, active travel resource, health facility, biodiversity resource, tourism and culture resource, and as part of a heritage landscape.	The value of our waterways is agreed. There are mentions of the need to invest in blue infrastructure within the SPD. Importantly, it should not be read in isolation with Policy S59 of the Local Plan supporting the retention and enhancement of green and blue infrastructure. The SPD and wider policy allow for improvements to waterways and no further change is needed to reflect this.

Respondent	Location	Comment	Key issues	Response
		<p>infrastructure, which can serve as a catalyst for regeneration; a sustainable travel resource for commuting and leisure; a natural health service acting as blue gyms and supporting physical and healthy outdoor activity; an ecological and biodiversity resource; a tourism, cultural, sport, leisure and recreation resource; a heritage landscape; a contributor to water supply and transfer, drainage and flood management. The waterway network forms part of the historic environment, the character, cultural and social focus of the plan area.</p> <p>Based on the documents and information available the Trust has the following general advice on how the proposed Planning Obligations SPD could make a greater contribution to achieving the objectives/vision of the plan area if amended as suggested below. We hope that the comments provided are clear and helpful. We are willing to continue to work with you, to meet and discuss these points for clarity and to seek to work together towards a high-quality plan area that relates positively with the waterway network.</p> <p>The above comments do not prejudice any further matters that might be raised at a later stage as the plan/document emerges.</p>		
Canwick PC	General	Canwick Parish Council strongly support the Draft and seek no changes.	Supports document	Support noted
Cyden Homes Ltd	Para 3.40 and Appendix 3	<p>We have noticed a certain reluctance by Registered Providers to purchase Affordable Housing in the region in the last 12 months.</p> <p>Whilst we have always been able to find an RP and deliver the agreed level of Affordable Housing it seems that going forward this may not be possible (through no fault of our own).</p> <p>The starting point of this policy is for punitive levels of commuted sum that do not resemble real life circumstances.</p>	Have experienced a reluctance of RPs to purchase affordable housing. The policy is for punitive levels of commuted sum which is not realistic. Open market values across a district is not accurate and it should instead be based on what	The basis of the commuted sum valuation is that the financial impact on a development from the provision of affordable housing is equal whether the affordable housing is delivered off site or on site, and to arrive at this calculation the difference between the open market value of a dwelling and the transfer

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		<p>1. Using an average open market price across a district is not accurate, the open market values should be based on what is being achieved on that specific site for a similar sized dwelling of the same specification.</p> <p>2. Using a calculation of 55% as the RP transfer value is also not correct, we have regularly achieved significantly more than that rate.</p> <p>A balanced approach would be to calculate commuted sums on the basis of the difference between the Open Market Value of that dwelling on that site less the RP transfer value for that dwelling on that site (thereby not putting the developer in a worse financial position than if the Affordable Housing was provided).</p> <p>Where there is no demand from the Councils list of approved Registered Providers for the units being provided then no commuted sum should be payable (as demand would not seem to exist on that basis).</p>	<p>is happening on the site for a similar dwelling. Using 55% as the transfer valuer is also not correct - it has frequently been higher than this. Instead should calculate the commuted sums based on the difference between Open Market Value on site less the RP transfer value. Where there is no demand from Council's list of RP for units then no commuted sum should be payable.</p>	<p>value of a dwelling to a registered provider is the basis. From consultation with Registered Providers, a blended value of the transfer values for affordable rented housing and shared ownership housing (based on an equal split 50/50) is approximately 55% of the open market value of the dwelling.</p> <p>By applying the commuted sum at 45% of OMV we seek to secure a contribution which reflects the uplift in the properties' value being able to be sold 'free' from an affordable housing restriction at full market value. This may vary on a scheme-by-scheme basis but the commuted sum and explanatory methodology set out in the SPD are intended to provide clarity for developers at the outset and to make equally clear that the commuted sum should not be assumed as a lesser contribution.</p> <p>The SPD does acknowledge that the commuted sums identified are the starting points for negotiation, so clearly evidenced and relevant information would be</p>

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				<p>considered in due course as part of any discussions about off site provision of affordable housing.</p> <p>It should also be noted that in instances where a Registered Provider offer cannot be secured this is not an indication of the lack of need for the affordable dwellings and could be due to one or more of a number of circumstances such as business planning, organisational capacity or committed funding requirements/obligations for example.</p>
Department for Education	General	<p>Under the provisions of the Education Act 2011 and the Academies Act 2010, all new state schools are now academies/free schools and DfE is the delivery body for some of these, rather than local education authorities. However, local education authorities still retain the statutory responsibility to ensure sufficient school places, including those at sixth form, and have a key role in securing contributions from development to new education infrastructure. In this context, we aim to work closely with local authority education departments and planning authorities to meet the demand for new school places and new schools. We have published guidance on education provision in garden communities and securing developer contributions for education, at [Link provided to Delivering schools to support housing growth]. You will also be aware of the corresponding additions to</p>	<p>All new state schools are now academies/free schools with DfE delivering some of these whilst LEAs are still responsible for ensuring sufficient spaces and securing contributions. Highlights guidance available.</p>	Noted.

Respondent	Location	Comment	Key issues	Response
		Planning Practice Guidance on planning obligations and viability.		
Department for Education	Page 26, para 3.65 and Appendix 4	<p>The department welcomes the confirmation, on page 26, that developer contributions will be sought for all residential developments exceeding 10 units or 1,000 sqm to meet the education needs created by new housing developments.</p> <p>The department welcomes the SPD's assertion (paragraph 3.65) that both land and funding for the provision of schools will be required, and that costs will be based on the DfE scorecards [Footnote provided with link to Local Authority School Places Scorecards 2018] - as set out in Appendix 4 of the draft SPD – this accords with our guidance and Planning Practice Guidance.</p>	Welcome confirmation that developer contributions will be sought for all residential developments of 10 or more dwellings or 1,000sqm and that land and funding for schools will be needed.	Support noted
Department for Education	Education section	<p>It would be helpful if the Education section of the document also sets out how developer contributions will be used to meet the need for additional SEND places generated by new developments. Our proposed change to the document would help to ensure greater alignment with the Central Lincolnshire Adopted Local Plan (2023), which recognises (paragraph 8.0.8) that "...new primary, secondary and SEN school provision across Central Lincolnshire will be needed to accommodate increased demand arising from development across the plan period." It would be helpful if this section of the document recognised the higher costs associated with providing SEND places, where the cost is typically, at least, four times greater than for a mainstream school place. The DfE's recently revised Developer Contributions Guidance document provides useful guidance on this subject and can be viewed here [link provided to Delivering schools to support housing growth]</p>	The education section should also set out how special education needs generated by new developments will be met, recognising that the costs of meeting these needs is typically more than 4 times higher.	Whilst this is not currently taking place, Lincolnshire County Council, as Education Authority, have plans to look into this including consideration of viability impacts.
Department for Education	Para 3.65	Calculating the amount of financial contribution (paragraph 3.65) – It would be helpful if this section of	It would be helpful if para 3.65 highlighted that costs	Suggestion noted, however Lincolnshire County Council, as

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		the document highlighted that costs will be calculated using the 2022 scorecard (https://explore-education-statistics.service.gov.uk/find-statistics/local-authority-school-places-scorecards/2022), published on the 29th June 2023. For Lincolnshire, the regional cost per place of a permanent school expansion is £20,007 for primary schools and £27,518 for secondary schools. We advise that costs are adjusted to account for inflation and higher sustainability standards that postdate the scorecard cost data – please see paragraphs 32-34 of our guidance on securing developer contributions for education.	will be calculated on the 2022 scorecard. Information on these costs provided.	Education Authority, reviews the request annually in line with the latest Department for Education Scorecards and localisation factors.
Department for Education	Paras 3.68 and Appendix 4	Provision requirements (paragraph 3.68 and Appendix 4) – The department has recently published guidance on estimating pupil yield from housing development and a Pupil Yield Dashboard containing pupil yield factors for local authorities in England, based on developments started and completed between 2008 and 2022.[Footnote provided with link to: Delivering schools to support housing growth] Our data shows higher pupil yield factors for Lincolnshire than set out in Appendix 4, which could indicate an under-estimate of education requirements arising from housing development. We recommend that you discuss this with Lincolnshire County Council and consider using the pupil yield figures in our Pupil Yield Dashboard, unless the county council advises otherwise asked on their own local evidence, such as adjustments they have applied to take account of local movement of pupils who do not require new school places.	DfE recently published guidance on estimating pupil yield from new housing development. This data shows a higher pupil yield factors than set out in Appendix 4 which could indicate an underestimate of education requirements from residential development. Suggest the DfE be considered for use.	Whilst the difference is noted, Lincolnshire County Council, as Education Authority, does not consider it necessary to amend the figure at this time, noting that such figures can often be subject to change. Future changes will be considered, but this will need to be considered carefully taking into account viability and overall local context.
Department for Education	Education section	Local authorities have sometimes experienced challenges in funding schools via Section 106 planning obligations due to limitations on the pooling of developer contributions for the same item or type of infrastructure. However, the revised CIL Regulations remove this constraint, allowing unlimited pooling of	There have been challenges with funding schools with s106, but changes to CIL regulations allow pooling funds again. This approach is	Noted

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		developer contributions from planning obligations and the use of both Section 106 funding and CIL for the same item of infrastructure. The advantage of using Section 06 relative to CIL for funding schools is that it is clear and transparent to all stakeholders what value of contribution is being allocated by which development to which schools, thereby increasing certainty that developer contributions will be used to fund the new school places that are needed. The department supports the use of planning obligations to secure developer contributions for education wherever there is a need to mitigate the direct impacts of development, consistent with Regulation 122 of the CIL Regulations.	transparent and the DfE supports securing developer contributions for education.	
Department for Education	Education section	Finally, I hope the above comments are helpful in shaping the Central Lincolnshire Planning Obligations SPD, with specific regard to the provision of land and funding for schools. Please advise the department of any proposed changes to the emerging policies and/or evidence base arising from these comments. Please do not hesitate to contact me if you have any queries regarding this response. DfE looks forward to working with Central Lincolnshire to aid in the preparation of sound policies and guidance for education.	Offer of assistance in any reshaping of policy.	Noted, with thanks.
GLNP	Para 2.28	The GLNP understands that secondary legislation is forthcoming and supports the intention to review the SPD in due course. However, it is our understanding that the Central Lincolnshire Local Plan actively requires development to achieve a 10% net gain from immediate effect, this paragraph should make it clear that this is the case and that said requirement hasn't been put on hold until legislations is published.	As the Local Plan requires 10% BNG to be delivered now para 2.28 should make this clear.	Noted and it is agreed that this should be clarified in this paragraph.
GLNP	Para 2.35	All planning authorities should recognise and implement their legal and policy duties to protect and enhance biodiversity. In light of this, an increased focus on nature recovery, identified by the	Para 2.35 should include nature or biodiversity alongside point e) <i>Open Space and Green</i>	It is agreed that nature and biodiversity is becoming an additional feature for planning. This has been added as a new

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		<p>Government’s Environmental Improvement Plan (2023), and the increased on us on the mitigation hierarchy ahead of mandatory biodiversity net gain, the GLNP feels it would be appropriate to include nature or biodiversity alongside requirement e) “Open Space and Green Infrastructure” within the list of common infrastructure requirements or as an additional requirement if it is felt that this is more appropriate.</p> <p>Government guidance states that in relation to protected species “You should attach a planning condition or agree a planning obligation...with the developer so that they can put the avoidance, mitigation or compensation measures in place.” The GLNP feels that it important to recognise this to ensure proper care for existing species populations and habitats is taken in the planning decision process. This also has the potential to further support the requirement for the mitigation hierarchy to be implemented prior to seeking biodiversity net gains. This guidance can be found at:</p> <ul style="list-style-type: none"> • Protected species and development: advice for local planning authorities • Protected species decision checklist <p>Further reference should then be made in the relevant section of Part Two of the document.</p>	<p><i>Infrastructure</i> or as an additional criterion. Link to guidance provided.</p>	<p>section in the document. At present the information is limited, but the SPD will be updated in due course when more is known.</p>
GLNP	Para 3.92	<p>Paragraph 3.92. refers to “Lincolnshire Environmental Record” the GLNP feels that this is an error and perhaps refers to the Lincolnshire Environmental Record Centre. If this is the case it should also be noted that it is not managed on behalf of the Central Lincolnshire Authorities, but is managed by the Greater Lincolnshire Nature Partnership for all stakeholders. It is also possible that this refers to the Local Site System which is managed by the GLNP on behalf of the relevant Local Authorities. Both of the</p>	<p>Para 3.92 seems to have an error where it states "Lincolnshire Environmental Record" and this should be corrected.</p>	<p>This paragraph will be updated to make this correction.</p>

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		above are referred to in the Local Plan Policy library as part of the evidence report for policy S60 Protecting Biodiversity and Geodiversity and therefore should be included independently in the paragraph.		
Global Sleaford	Para 3.116	Primary emphasis needs to be given to more sustainable travel options to reduce private car use. This needs to be emphasised as the first requirement. New developments need to be laid out to encourage travel by walking, cycling and public transport in preference to private car use. As far as possible routes to local facilities must be easier by sustainable travel (walking/ cycling/ public transport) than by private car.	The primary emphasis needs to be on sustainable travel modes to reduce private car use with new layout prioritising sustainable travel too.	Policies in the Local Plan (particularly S47, S48 and S53 seek to ensure that sustainable modes of transport are at the heart of development. It is not the place of this document to introduce further policy on this matter.
Historic England	Paras 2.35, 3.121 and 3.126	Welcomed. To avoid any doubt, this does not affect our obligation to provide further advice and, potentially, object to specific proposals, which may subsequently arise (either as a result of this consultation, or in later versions of the plan/guidance) where we consider that these would have an adverse impact upon the historic environment.	Welcome document but this does not affect Historic England's obligation to advise on and potentially object to development proposals.	Noted
Historic England	General	Thank you for providing Historic England (HE) with an opportunity to comment on the emerging Planning Obligations SPD, which is an important document to support the development of infrastructure in the Borough, through the Local Plan Review. As the Government's adviser on the historic environment Historic England is keen to ensure that the protection of the historic environment is fully taken into account at all stages and levels of the local planning process.	Thanks for being consulted and clarifying Historic England's role.	Noted
Lincolnshire County Council	Para 3.114	include in list: mobility hubs.	Mobility hubs should be included in the list in 3.114	Whilst the list is not intended to be exhaustive mobility hubs can be added to better align the Transport Strategies for the area.

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Lincolnshire County Council	Para 3.122	delete Historic Environment Team and replace with Historic Places Team. Delete phone number and just use the email address.	The Historic Environment Team at Lincolnshire County Council should be called the Historic Places Team. Also delete the phone number.	Noted and these changes can be made.
Lincolnshire County Council	Para 3.126	replace 'County Archaeologist' with the 'County Council's Historic Places Manager'.	The County Archaeologist should be referenced as the Historic Places Manager	Noted and this change can be made.
Lincolnshire County Council	Para 3.46	does this paragraph need to mention that government intends to enact schedule 3 of the Floods and Water Management Act, in April 2024, which will change the current thresholds and create a SuDS Approving Body?	Should para 3.46 mention the intention of Government to enact Schedule 3 of the Floods and Water Management Act next year to change thresholds and create a SUDs approving body?	Noted. This may need to be updated in the future, but no change necessary at this time.
Lincolnshire County Council	Para 3.49	*ground water and ordinary watercourses. Does there need to be mention of foul water flood risk and the Water and Sewerage Companies?	Does there need to be mention of foul water flood risk and the Water and Sewerage Companies in para 3.49?	This paragraph has been updated to reference statutory undertakers.
Lincolnshire County Council	Para 3.50	include: To ensure that the condition can be discharged, it is likely that at outline application stage sufficient information will be provided to demonstrate that mitigation can be achieved on site.	In para 3.50 it should include, "To ensure that the condition can be discharged, it is likely that at outline application stage sufficient information will be provided to demonstrate that mitigation can be achieved on site."	This is a matter that will be dealt with in individual applications and is not necessary to include as generic in this SPD.
Lincolnshire County Council	Para 3.52	rather than Highways Specification: relevant Risk Management Authority Specification.	In para 3.52, rather than Highways Specification, it should say relevant Risk	Noted and will be updated.

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			Management Authority Specification.	
Lincolnshire County Council	Para 3.57	include: Developers will also need to ensure that surface water flood risk is considered throughout the construction phase and in any temporary conditions, such that there is no increased flood risk to adjacent properties whilst developments are being constructed.	Para 3.57 should include, "Developers will also need to ensure that surface water flood risk is considered throughout the construction phase and in any temporary conditions, such that there is no increased flood risk to adjacent properties whilst developments are being constructed."	Noted and added as new paragraph to reflect this.
Lincolnshire County Council	Para 3.125c	replace 'sufficiently importance' with 'sufficient importance'.	Text error - replace 'sufficiently importance' with 'sufficient importance'.	Error noted and will be amended.
Lincolnshire County Council	Table 5, page 32	I don't think allotments and community growing spaces is supposed to be in blue.	Top line of Table 5 should not be in blue.	Error noted and will be amended.
Marine Management Organisation	General, flood risk section	<p>Thank you for your invitation to participate in the consultation for Central Lincolnshire Supplementary Planning Documents.</p> <p>Given the inclusion of the River Trent within your Local Plan area, we advise that you consider any relevant policies within the East Marine Plan Documents in regard to areas within the plan that may impact the marine environment, including the tidal extent of any rivers. We recommend the inclusion of the East Marine Plans when discussing any themes with coastal or marine elements.</p> <p>When reviewing the East Marine Plans to inform decisions that may affect the marine environment, please take a whole-plan approach by considering all</p>	Given the River Trent is within the area it is advised that the policies within the East Marine Plan Documents are considered which should be read as a whole and should be considered when discussing any themes with coastal or marine elements.	A footnote has been added to introduce these plans.

Respondent	Location	Comment	Key issues	Response
		marine plan policies together, rather than in isolation. A copy of the standard response attached.		
McCarthy Stone	Para 3.64	We support para 3.64 in its acknowledgement that specialist older persons housing schemes should not be required to contribute towards education.	Support for not requiring older person housing to contribute to education.	Support noted
McCarthy Stone	Para 3.77	<p>We note that para 3.77 requires 'multi-tenant housing such as residential care homes, nursing homes, sheltered housing or student accommodation to be assessed for their impact on local health care on a case-by-case basis'.</p> <p>The Council should note that there is a common misconception that older person's housing places an additional burden on healthcare infrastructure and therefore rather than requiring applicants of older person's schemes to identify their impact on healthcare systems, the paragraph should be deleted with older persons housing assessed in a similar way to mainstream housing. The Council should instead recognise the health benefits that delivering older people's housing can bring to individuals.</p> <p>Older Persons' Housing produces a large number of significant benefits which can help to reduce the demands exerted on Health and Social Services and other care facilities – not only in terms of the fact that many of the residents remain in better health, both physically and mentally, but also doctors, physiotherapists, community nurses, hairdressers and other essential practitioners can all attend to visit several occupiers at once. This leads to a far more efficient and effective use of public resources.</p> <p>A report "Healthier and Happier' An analysis of the fiscal and wellbeing benefits of building more homes for later living" by WPI Strategy for Homes for Later Living explored the significant savings that Government and individuals could expect to make if more older people in the UK could access this type of</p>	<p>Noted that para 3.77 requires care homes and other specialist accommodation to be assessed for their impact on local healthcare on a case-by-case basis. It should recognise that such accommodation can alleviate pressures on healthcare services.</p> <p>Suggest deleting para 3.77.</p>	<p>It is accepted that there are benefits from specialist accommodation and that there will be cases of positive impacts on local health provision. However, this paragraph is about more than just one type of specialist accommodation. Requiring such impacts to be considered on a case-by-case basis allows the full impacts, both positive and negative, to be considered. No change is necessary.</p>

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		<p>housing. The analysis showed that: ‘Each person living in a home for later living enjoys a reduced risk of health challenges, contributing to fiscal savings to the NHS and social care services of approximately £3,500 per year. Building 30,000 more retirement housing dwellings every year for the next 10 years would generate fiscal savings across the NHS and social services of £2.1bn per year. On a selection of national well-being criteria such as happiness and life satisfaction, an average person aged 80 feels as good as someone 10 years younger after moving from mainstream housing to housing specially designed for later living.’ In addition, specifically designed housing for older people offers significant opportunities to enable residents to be as independent as possible in a safe and warm environment. Older homes are typically in a poorer state of repair, are often colder, damper, have more risk of fire and fall hazards. They lack in adaptations such as handrails, wider internal doors, stair lifts and walk in showers. Without these simple features everyday tasks can become harder and harder. Recommendation: Delete para 3.77 as older person’s housing can provide savings to health services rather than have a greater impact.</p>		
McCarthy Stone	Paras 2.74 to 2.81	We note that para 2.74 to 2.81 aims to introduce an affordable housing review mechanism into planning permissions that may be delivering affordable housing below policy requirements. The paragraphs then set a methodology for this. We note that the newly adopted Local Plan does not include the requirement for an affordable housing review mechanism. In order to introduce such a mechanism, there must be a clear and specific policy basis for any review mechanism	Paras 2.74-2.81 seek to introduce an affordable housing review mechanism into planning permissions, and this is not included in the Local Plan. To introduce such a mechanism there must be a clear and specific policy	Whilst it is agreed that an SPD cannot introduce 'new' policy and that Local Plans need to set out the details of contributions to be sought and the general approach in order for it to be examined, the Local Plan does allow for negotiation

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		<p>being imposed in line with PPG Viability para 009 Reference ID: 10-009-20190509 that states: ‘Plans should set out circumstances where review mechanisms may be appropriate, as well as clear process and terms of engagement regarding how and when viability will be reassessed over the lifetime of the development to ensure policy compliance and optimal public benefits through economic cycles. Policy compliant means development which fully complies with up to date plan policies. A decision maker can give appropriate weight to emerging policies.</p> <p>A significant number of recent Planning Appeals and case law have reinforced this point. A review mechanism that sits within a planning obligation also needs to be considered and assessed through the Local Plan process not via an SPD. Such a requirement within an SPD is contrary to paragraph: 004 Reference ID: 23b-004-20190901 of the PPG on Planning Obligations. The PPG identifies where policies on seeking planning obligations should be set out and states: ‘Policies for planning obligations should be set out in plans and examined in public. Policy requirements should be clear so that they can be accurately accounted for in the price paid for land’.</p> <p>And ‘It is not appropriate for plan-makers to set out new formulaic approaches to planning obligations in supplementary planning documents or supporting evidence base documents, as these would not be subject to examination.’ (emphasis added)</p> <p>Therefore, to introduce a review mechanism, there must be a clear and specific policy basis and justification for any such mechanism to be brought in. A review mechanism and any detail that will form part</p>	<p>basis. Case law and PPG requires this to be set out in the Local Plan.</p>	<p>to take place in Policy S22 where it states, <i>"The Central Lincolnshire Authorities will seek the level of affordable housing on the basis of the above targets, but will negotiate with developers if an accurate viability assessment which reflects the recommended approach in the national Planning Practice Guidance demonstrates these cannot be met in full."</i></p> <p>This negotiation/negotiated aspect is not introducing new 'formulaic approaches to developer contributions'. The starting point should always be that the policy requirements of the Local Plan are factored into the land value. An important part of the negotiation process is allowing for some review mechanisms where needed. The paragraphs in this document allow for part of the negotiation to be clarified and offers developers an additional opportunity to demonstrate policy compliance where a robust viability assessment demonstrates full policy compliance cannot be met, as per the wording of Policy S22.</p>

Respondent	Location	Comment	Key issues	Response
		<p>of it also needs to be considered fully and assessed through the Local Plan process and be examined in public. This should include the consideration of variables such as trigger points, costs, land values, how surplus is split and other definitions. The Local Plan should also include an exemption from the review mechanism for smaller single phased developments. The Planning Inspectorate have repeatedly noted the review mechanisms are unnecessary for smaller sites, whilst for a large multi-phased development that maybe delivered over a long period it would make sense to determine if viability has changed with market movements over time.</p> <p>Recommendation: Paragraphs 2.74 to 2.81 should be deleted as a review mechanism cannot be requested via an SPD.</p>		
Andrew Sayer	General	<p>Please find attached my feedback to the CLLP as requested. My comments are examples of where the CLLP document has clear obligations regarding infrastructure impacts with new developments, but in my experience particularly with application 144526 they are in practice not taken into account at all. There is no joined up thinking and each application is taken in isolation with the various authorities giving what appears to be cursory feedback and the developers who have everything to gain employing consultants to get around the rules. It is then the residents who have to face the consequence when it is too late as the developments have all been approved and everyone moves on. The CLLP is in place to protect the local communities but it doesn't in practice.</p>	<p>The Local Plan has clear obligations but they are not being applied in applications with no joined up thinking where there is cumulative impacts. Residents then must face the impacts of development.</p>	<p>It is noted that there can sometimes be challenges with delivering all infrastructure needed as part of applications and it is recognised that there are areas where national policy does not allow the protection sought by communities. The Central Lincolnshire Districts will, when dealing with planning applications, seek to maximise the provision of infrastructure allowable as needed to support development.</p>
Andrew Sayer	Para 3.45	<p>All developments are to consider flood risk yet this is not the case in practice. Dunholme water treatment centre already has capacity constraints with no plans</p>	<p>In practice flood risk and water treatment capacity are not taken into account.</p>	<p>As is required by National Policy, the Local Plan and repeated in this document, all</p>

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		to invest until 2032 yet application still go in. The CLLP has makes provision but it is not applied in pratice.		developments must consider flood risk and drainage. The Lead Local Flood Authority and statutory undertakers of water and waste water provision and treatment are consulted on relevant applications and should highlight any issues and potential remedies.
Andrew Sayer	Para 3.61	My concern is that although there are clear obligations to ensure there is sufficient provision for the growth of development with the village, it is not taken into account when planning applications are approved. In Welton we are short 91 places based on developments under construction and a further 21 basis short if you include applciation 144526. Alos in Welton there is a deficiency of 53 Secondary school places amd a further 23 if application 144526 is approved.	In Welton there is a primary school shortage of 91 places at schools based on developments under construction and a further 21 places with an additional application. There is also a shortage of secondary school places (53 + 23) in the village.	Lincolnshire County Council, as education authority are consulted on sites being allocated in the Local Plan and at relevant planning applications. Planning for school places is a very complex matter and the number of places can vary greatly on an annual basis. Whilst it is accepted that there are some areas where there are current capacity challenges, this is being actively planned for.
Andrew Sayer	Para 3.8	Negative Health impacts should be avoided as per this section, but again in practice this is not the case and the views of the local Welton practice are not taken into account as they are significantly over subscribed.	Negative health impacts should be avoided as is set out in this document, but is often not to the case in reality and the views of the local GP practice are not taken into account and they are oversubscribed.	Concerns noted. Welton GP practice was discussed at the examination. - The key issue raised by the practice manager was staffing rather than surgery space. Developer Contributions being a commuted sum for capital investment, can't be used for staff and as such wouldn't be able to mitigate against this issue. As such it was concluded that Local Planning Authorities will

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				continue to consult the NHS on relevant applications to understand what contributions will be necessary to alleviate capacity issues.
Chris Thomas	General	<p>Once a local plan has been approved it goes live immediately. This gives no time for Parish Councils (PC) and other bodies to prepare the Neighbourhood Plans (NP). Developers can submit planning applications before PC's have had the chance to update their plans, consult with their communities and get approval from the district planning committees. Any opportunity for the community to integrate these developments into their towns and villages NP's, in a consultative way, during this period is lost. Example of WELT/008A.</p> <p>As the local plan is a 25 year plan, giving time for PC's to include the site allocations into their NP's to determine what obligations are required (ie how "to connect" the site allocation to the village, what green pathways are required, etc) should be allowed.</p>	There is no time for parish councils to prepare Neighbourhood Plans following the adoption of the Local Plan. This should be allowed for.	It is appreciated that there is no interim or transitional period for neighbourhood plans to be made following the adoption of a local plan and before those policies become live. This is perhaps a shortcoming of the planning system and there is nothing that could reasonably be done locally to justify such an approach.
Chris Thomas	Para 2.3 and general	<p>The IDP is only useful if the initial assessment was correct and developments are brought forward in line with the Land Supply Trajectory.</p> <p>Example - Dunholme water treatment centre is stated to have capacity constraints (ref CLLP data). Planned investment is said to occur in 2031/32. One must assume this is based on currently approved site allocations and the supply trajectory. Application for WELT/008A has been submitted, which is years ahead of the forecast. Should this be approved, then this would increase the demand on the centre ahead of time.</p> <p>The response from the authoritative body is that no funding is required, presumably because in the planning process only the site under application is</p>	Concerns about capacity of Waste Water Treatment Works in Dunholme including timing of funding with sites coming forward sooner than envisaged and issues with capacity now given it has discharged sewerage in 2022. Also concerns about school places and the lack of ability to seek funding from development where there is capacity today, not taking account of wider	Cumulative impact and phasing of unrelated developments to mitigate the impact on infrastructure was discussed at length during the Local Plan Examination. Suggestions were made to include wording in the Local Plan policy to try and overcome the issue described, however it was concluded by the Local Plan Examiners that any changes to CLLP policies would not conform with National Policy and as such it was concluded

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		<p>considered and does not the cumulative effect of all the other sites that already have planning permission. To make matters worse the Environment Agency has published figures that show the treatment centre discharged sewerage for 16 continuous days last year 2022. The capacity is not there now, yet still no funding.</p> <p>Another example is in funding for school places. In Welton the current number of junior school places required from site allocations with planning permission will significantly exceed the number of school places available once they are built out. But, due to LCC funding rules, the new planning application will not be asked to make contributions because there is capacity today. It takes no consideration of the overall impact of all the allocations already granted, nevermind ones still to come.</p> <p>If planning applications were to be submitted for all the sites allocations, say within 2 years, then very little funding would be received for infrastructure for schools, roadways, utilities, etc.</p> <p>This shows that the funding process is fundamentally flawed.</p>	allocations. The funding process is fundamentally flawed.	the policy as drafted was sound. The SPD can only provide interpretation of the policy and cannot create additional burdens on the developer outside those already contained in National and Local Policy.
Mary Cummins	Paras 3.112-3.120	<p>All transport infrastructure should be planned:-</p> <ul style="list-style-type: none"> • to function within a fossil-fuel-free environment • to enhance public transport such that no resident should need private transport for all normal transport needs • such that all settlements should be interconnected by safe cycling and walking routes • for resilience in the event of flooding or wild-fire 	All transport should be part of fossil fuel-free environment, with enhanced public transport to remove any need for private transport, all settlements connected with safe walking and cycling routes and resilient to flooding and wild fires.	It is agreed that climate change is a major challenge and addressing this is a key element of the Local Plan. It is also agreed that infrastructure is a key part of this and will also need to be resilient.
Mary Cummins	Paras 3.1-3.44	All public and private buildings constructed from now on should:-	All buildings should be heated exclusively by renewable energy	The local plan seeks to achieve many of these aspirations.

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		<ul style="list-style-type: none"> • be heated and powered by exclusively renewable energy sources • be constructed to passivhaus standards of insulation • be constructed such as to maximise use of re-used/re-usable materials • minimise wastage of water by re-use of grey water and other water saving measures • have enhanced flood resilience and fire prevention facilities • have their own, or be situated within 20 metres of, vehicle charging points • be within safe cycling and walking distance of all essential amenities and green space • be accessible by public transport 	sources, be constructed to passivhaus standards, be constructed of recycled materials, minimise wastage, be resilient to flood and fire, have vehicle charging points, be within safe cycling distances of amenities and be accessible by public transport.	
Mary Cummins	Paras 3.87-3.111	<p>Given the national crisis of biodiversity loss – which may be severe in areas of intensive arable farming in Lincolnshire – the current obligations do not seem adequate. For example, in Fig.3 p31, the example given indicates that green space provision of less than 1ha is considered sufficient for a development of 100 houses. Furthermore, the total provision could be considerably less than this because “it may be possible to provide some open space types within the boundary of another”.</p> <p>Green space, particularly Natural and Semi-Natural, should be maximised:-</p> <ul style="list-style-type: none"> • to increase biodiversity • for the well-being of residents • for sequestration of carbon • for improvement of air quality • for ground surface permeability and potential flood attenuation 	The current obligations for open space are not adequate given the national biodiversity crisis. E.g. fig 3 in this document indicates that green space of less than 1ha is sufficient for development of 100 homes. Green space should be maximised: to increase biodiversity; for the well-being of residents; to sequester carbon; to improve air quality; and to improve ground surface permeability.	There is an obligation in the Local Plan for developments to deliver 10% biodiversity net gain and this will be required nationally soon. Figure 1 does not relate specifically to biodiversity, but to different open space types for the recreational benefit. The standards are set in the Local Plan and this SPD cannot adjust them.

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		In light of these five important considerations, obligations for the provision of green space should be reviewed and amended.		
Mary Cummins	General	<p>The glaring omission throughout this entire document is any reference to the global and local Climate and Ecological Emergency which is already affecting the lives of all Lincolnshire residents.</p> <p>Local and national planning obligations are central and crucial to the attainment of carbon-neutrality, restoration of biodiversity and the overall sustainability of settlements within this county and the UK.</p> <p>Planning obligations which implement the rapid transition to fossil-free communities must be applied immediately if the UK and the rest of the world are to avoid climate disaster.</p> <p>With reference specifically to the changing climate, flood mitigation and wild-fire control measures must be updated to reflect the increased frequency of extreme weather events such as increased rainfall, sea level rise and severe drought. In anticipation of these changes, adaptations to mitigate the effects of changing weather patterns (such as flood resilience and fire resistance) must be applied to every new development application immediately. This will not be a waste of time and resources as the climate situation will only continue to deteriorate.</p>	This document omits the global climate emergency. This should be central in all local and national policy and planning obligations should implement the rapid transfer to fossil-free communities. This includes the frequency of extreme weather events to ensure development is resilient.	It is agreed that climate change needs to be central to decisions being made and this is why the Local Plan was brought forward with arguably the most forward thinking and proactive policies on climate change in the country. Decisions will be made against the policies of the Local Plan and planning obligations may be part of what helps to deliver this, however, at this time, there is no specific additional guidance required to be in this SPD.
National Highways	Para 2.82	With regards to obligations for highway infrastructure required on the SRN, please note that we recommend agreements are linked to the Tender Price Index of Road Construction (ROADCON). This index measures the movement of prices in tenders for road construction contracts in England, Scotland and Wales.	Highways England recommend that agreements for highways infrastructure are linked to the Tender Price Index of Road Construction (ROADCON).	Paragraph updated
National Highways	Para 3.117	Under the Transport heading paragraph 3.117, we welcome that “the LPA may seek a financial contribution or works from the applicant to provide any	Welcome text in para 3.117, however from experience there is risk	Noted. No change needed.

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		<p>necessary mitigation measures in the form of a Section 278 and/or S106 obligation". Section 106 obligations can be an effective way of securing developer investment towards necessary highways mitigation. However, National Highways has found that securing the 'forward funding' of highways infrastructure in the timescales necessary to deliver growth cannot be guaranteed, and any shortfalls in funding could jeopardise the delivery of a scheme. As such, there is a risk to highway authorities in accepting a S106 contribution which effectively allows the development to proceed without necessarily having the required mitigation in place. At the planning application stage, National Highways would therefore need to assess (on a case-by-case basis) the risk of accepting a S106 contribution without a capacity improvement scheme in place. If this risk is deemed too great, this would ultimately delay the development coming forward. A Section 278 planning obligation is therefore preferable as it puts the developer(s) in control of the highway infrastructure delivery, and subsequently more in control of when their development can come forward. For infrastructure on the SRN, National Highways would oversee the delivery of the required works via the Section 278 process under the 1980 Highways Act, but it would be fully designed, delivered and funded by the developer(s).</p>	<p>associated with securing funding for highways infrastructure through s106. National Highways would need to consider the suitability of a s106 being used on a case-by-case basis. S278 planning obligations are preferred.</p>	
Natural England	Paras 3.87-3.111	<p>Natural England generally welcomes the SPD on Planning Obligations particularly the section on Open Space & Green Infrastructure. We are pleased to note that the SPD references Natural England's new Green Infrastructure Framework Standards & Principles (Green Infrastructure Home (naturalengland.org.uk)). The GI Framework will better support planning for good quality GI. It includes a set of principles and</p>	<p>Natural England generally welcomes the SPD in particular the section on Open Space and Green Infrastructure, including reference to NE's website and framework. This GI Framework also includes</p>	<p>Access to green space is important and the standards set out in the Local Plan and repeated in this SPD should ensure that such accessibility is available to all. However, this SPD cannot introduce new standards and thresholds so</p>

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		standards, design guidance and a mapping tool which will help identify priorities for GI enhancement and creation, and to address inequalities in access to green space. The GI Framework includes the Green Infrastructure Standards document [link provided to Green Infrastructure Standards for England - Summary] which includes the updated Natural England's Accessible Natural Greenspace Standards (ANGSt) which have been re-named the Accessible Greenspace Standards. The headline commitment within these standards is that the public should be able to access green space or water, such as woodlands, wetlands, parks and rivers, within a 15-minute walk from their home. This may be useful to refer to in your authority's discussions on the provision of open space and green infrastructure.	the Green Infrastructure Standards document (link provided) which includes the standards seeking key pieces of GI to be accessible within 15 minutes of everyone.	cannot seek to require 15-minute journey times to GI as suggested.
NHS Lincolnshire ICB	Para 3.73	Paragraph 3.73 requires correcting as it refers to 4 ICBs rather than a single ICB.	Paragraph 3.73 requires correcting as it refers to 4 ICBs rather than a single ICB.	Noted, this can be updated in the final draft.
NHS Lincolnshire ICB	Paras 3.84-3.85	Paragraphs 3.84 and 3.85 reference to the algorithm and states a figure. We would like to suggest that this wording is tweaked to confirm that there is a formula to ascertain a value/contribution per house which has been agreed with the District Valuer, which was implemented from 1st August 2018. The local GP practices work as part of a PCN and therefore the capital request will be viewed considering the PCNs ability to support the planned development. Patient choice needs to be considered to avoid funding being restricted to the nearest Practice.	Paras 3.84-3,85 should be amended to confirm that there is a formula to ascertain the contribution per house which has been agreed by the District Valuer and was implemented from August 2018. As GP practices work as part of a primary care network capital requests will consider the PCNs ability to support the development, taking into account patient choice.	Noted, the wording can be amended to reflect this.

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NHS Property Services	Paras 2.35 and 3.72-3.86	<p>NHSPS supports the identification of healthcare in sections 2.35 and 3.72- 3.75 as a key consideration when assessing planning applications and the seeking of contributions to mitigate the impacts of development on local infrastructure. Large residential developments often have very significant impacts in terms of the need for additional healthcare provision for future residents, meaning that a planning obligation requiring developments make provisions for a new healthcare facility is often necessary. Furthermore, the significant cumulative impacts of smaller residential developments and their need for mitigation should also be recognised.</p> <p>Instances where the planning obligation is secured for health infrastructure should be index linked, since it reflects the change in costs between the grant of the planning application and the development taking place. It would be acceptable to link the index to the Building Cost Information Service ("BCIS") All-in Tender Price Index. BCIS is generally recognised in the construction industry and is frequently used to updates cost estimates and budgets where appropriate.</p>	<p>NHS Property Services supports the identification of healthcare as a key consideration and seeking contributions. Large developments have a significant impact and this often requires a new healthcare facility. The cumulative impact of smaller developments should also be recognised. Where planning obligations are secured these should be index linked to the BCIS All-in Tender Price Index to reflect the change in costs between permission being granted and it taking place.</p>	<p>It is agreed that the need to provide for health infrastructure is important. Index linking is covered in paragraph 2.82 of the SPD.</p>
NHS Property Services	Paras 3.77-3.78	<p>The developer contribution for schemes with more than 150 dwellings and concentrated or multi-tenant housing may need to be evaluated on a case-by-case basis, and depending on the impact of the development, appropriate mitigation measures will need to be secured.</p> <p>The NHS and its partners should work with the council on these major and strategic sites in the formulation of appropriate mitigation measures and developer contributions for these schemes. These schemes may need to consider whether a new healthcare facility is required, or an existing centre can be renovated to mitigate adverse development impacts. Information</p>	<p>The NHS will work with councils on schemes of 150 or more dwellings or multi-tenant housing to calculate appropriate measures and contributions on a site-by-site basis. This may include the need to provide a new facility or the renovation of an existing centre. Information such as</p>	<p>Noted.</p>

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		such as healthcare construction costs and development population impacts could be used to help determine the mitigation required for these schemes.	healthcare costs and development population impacts could be used to help determine the mitigation needed.	
NHS Property Services	Paras 3.84-3.85	From NHSPS' experience on construction costs and methodologies for calculating planning contributions, the proposed cost assumptions in the SPD does not appear to not fully reflect the full cost to mitigate development impact if the mitigation measures involves extending or refurbishing existing healthcare facilities. Therefore, NHSPS request that the council review the assumptions used. Furthermore, NHSPS would advise the council incorporate BCIS Tender Price Indices to adjust any fixed assumptions where appropriate to keep cost estimates up to date	The costs set out in paragraph 3.84 does not fully reflect the full cost of mitigating healthcare facilities and these should be reviewed and should incorporate the BCIS Tender Price Indices.	The cost has been set by NHS in previous discussions and it is understood that this is kept under review by the NHS. S106s are typically BCIS index linked to take account of cost increases. NHS should continue to engage in plan-making and decision-making activities in Central Lincolnshire and further changes to any cost may be considered at the appropriate time and factored into viability calculations.
Robert Doughty Consultancy	General	Thank you for providing the opportunity to comment on the draft Supplementary Planning Document (SPD). As a local practice representing numerous local developers, we welcome the principle of an SPD to provide clarity on this complicated area. The need for developers to contribute towards the provision of social and physical infrastructure is not challenged, but we do have comments on the detailed approach. We note the SPD and the parent policy is, rightly, informed by the Whole Plan Viability report prepared in 2021 to support the revised Local Plan. There have been a number of significant changes in circumstances even since the publication of the Whole Plan Viability Report, however, which may justify the submission of Viability Assessments to support specific Planning Applications. These changes include: the cost of living crisis, increased interest and	The SPD is rightly informed by the Whole Plan Viability Assessment but there has been substantial change to viability since it was published including the new policies in the Local Plan on climate change and Biodiversity Net Gain (list of matters provided). Recognise that typically in the period following a plan adoption that viability should not normally be challenged but the global change in circumstances	Additional guidance has been published on the provision of Energy Statements and the Checklist allows for a simplified approach to be taken to demonstrating policy compliance. Many Energy Statements have already been submitted and so the cost does not seem to prohibit development in many cases. Government Biodiversity Credits are a last resort and are priced to deter their use. Offsetting markets are being developed locally to be ready for use soon. Delivery of BNG

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		<p>inflation rates, the war in Ukraine and, the impact of Local Plan Policies, including S6 and S7 – “Design Principles for Energy Efficiency” and “Reducing Energy Consumption” as well as S60 and 61 “Protecting Biodiversity and Biodiversity Opportunity” and “Delivering Measurable Net Gain”, the true costs of which are just becoming apparent.</p> <p>We are aware that, in principle, viability should not normally be challenged in the period immediately after the adoption of the Local Plan, however, the change in circumstances needs to be reflected in the operation of the plan. As stated by the NPPF and PPG, the weight to be given to a viability assessment is a matter for the decision maker and, as such, it seems reasonable for the SPD to set out the approach to apportioning weight to different factors impacting on the viability of development. This could range from highlighting assumptions which can be agreed at an early stage, such as the approach to calculating established Use Values and the premiums that may be expected by landowners promoting land for development and exploring what approach should be taken in a Viability Appraisal to reflect the many changes in circumstance.</p> <p>The House Building Industry is expecting a drop in demand and building rates which will impact on development viability. Barratt Homes are indicating a reduction in homes built nationally in the year to June 2024 due to drop in demand, as reported by Reuters. [Link provided to Reuters article about housebuilding]</p> <p>The Reuters report refers to a similar predicted reduction in House Building by Berkeley Homes. The drop in production is not a change in circumstances in itself but is indicative of the challenges facing house builders across the country.</p> <p>The Whole Plan Viability Assessment explored the</p>	<p>needs to be reflected in operation. House building industry is expecting a drop in demand and building rates which will impact viability, and this demonstrates the challenges facing the industry.</p> <p>The costs of implementing policies in the plan relating to energy efficiency and biodiversity are higher than the assumptions in the Whole Plan Viability (Energy Statements are costing approx. £2,000 per home - this again provides justification for using viability appraisals at an early stage of the Local Plan lifetime.</p> <p>The cost of Biodiversity Units are also more expensive than expected, the amount used in the WPV was an assume £11,000 per unit, but in experience this is more like £25,000 per unit and the cost of Government credits is £42,000 per unit and this will be charged twice. The SPD should revisit the costs of</p>	<p>on site should make up a major part of most schemes. Policy in the Local Plan allows for negotiation to take place and it is recognised that the context has changed since the WPV was undertaken, but an update in early 2022 also indicated that development remained viable.</p>

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		<p>cost of implementing polices, including those relating to energy efficiency and biodiversity. In reality the costs of implementing those policies are significantly higher than the assumptions made in the Whole Plan Viability Report. As such, the viability of development will be impacted to a significant extent, both in relation to the overall costs and the time at which the costs are experienced. These alone would support the use of Viability Appraisals at an earlier stage of the Local Plan lifetime than would otherwise be the case. It should be stressed that the Whole Plan Viability is not challenged in itself, as it used the best information available at the time, but circumstances have changed dramatically, and the assumptions that were used at that time are no longer sound. Key differences are:</p> <ul style="list-style-type: none"> • Policy S6 and S7 design Principles for Energy Efficiency and Reducing Energy Consumption. The Whole Plan Viability report assumed the impact on build costs, which is not an unreasonable approach. In operation, however, the policy increases costs at the application stage in producing the assessment and undertaking detailed design work at a much earlier stage than would normally be the case, at a time when the scheme may be subject to more change. As such the detailed design may need to be revisited, at a cost to the application. Undertaking extra work at this early stage will increase the amount of finance required at an early stage, increasing borrowing costs and the overall cost of development. <p>Indications at this time suggest the preparation of the Energy Report to support a planning application are coming in at five figures for a scheme of 10 to 20 units, in the region of £2,000 per unit. This is significantly more than other reports that may be required for flood risk, tree assessments, etc. Whilst accepting that some of this work would be required</p>	<p>development at each stage.</p>	

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		<p>across the development process, the Whole Plan Viability Report has not addressed the increased cost at application stage and has only looked at the impact on build costs.</p> <p>Policy S6 and S7 are adding significant costs to the early stage of a scheme and may impact on the assumed proportion of professional costs fed into a viability assessment.</p> <p>Paragraph 2.68 of the consultation documents states that details of project finance, related to phasing of construction and sales should be clearly set out, in any Viability Appraisal. As such, the SPD provides an opportunity to identify the cost of operation of the policy as a legitimate factor to justify the preparation and submission of Viability Assessment, regardless of the weight to be given to the report by the decision maker.</p> <ul style="list-style-type: none"> • S60 and S61 Protecting Biodiversity and Biodiversity Opportunity and Delivering Measurable Net Gain. Again, the Whole Plan Viability Report used an assumed cost for delivering Biodiversity Units of £11,000 per unit, whether these were delivered on or off site. This was not unreasonable at the time because this was the figure used by Government in the assessment of the impact of the Environment Act. Putting aside the fact that this policy requires preparation of detailed reports to support applications at an early stage (Having a similar impact on development costs as the Energy Statement discussed above), the Whole Plan Viability Report assumptions regarding costs of Biodiversity Units is also increasing dramatically. Instead of £11,000 per unit, experiences from locations with a more established operation of similar policies indicates the costs is in the region of £25,000 per unit. The Government's published fees as a deliverer of last 		

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		<p>resort for offsite Biodiversity Units is £42,000 per unit (which will be charged twice, so £84,000 per unit). This is for the cheapest Habitat type. In reality costs will be much higher.</p> <p>Both the market and Government costs detailed are far more than the costs assumed in the Whole Plan Viability Report. This change in circumstances of the scheme and, as such, may need challenging through the application process.</p> <p>The costs for delivering Biodiversity Units does not consider the potential increased land take to provide BNG on site or not, which would impact the relationship between gross and net development areas and land values. But without details of the reduction in development area for specific sites, it is not possible to make a general comment, other than the reduction this would have on net land values.</p> <p>The SPD should revisit the reality of costs to development at each stage, and the impact this will have on financing a scheme and the potential impact on a viability appraisal.</p> <p>We would welcome the opportunity to discuss the implications of new policies on the viability of development, as part of a wider Developers and Agents Forum.</p>		
Robert Doughty Consultancy	General	<p>In addition to the change in circumstance, the SPD offers the opportunity to set out baseline assumptions to include in any future Viability Assessment. Negotiations can often become protracted because of a failure to agree baseline assumptions and approaches to a viability appraisal. A key issue which indicates the area of discussion would be the establishment of an Existing Use Value (EUV) and the subsequent agreement of a premium to be assumed for development land value. The value of development land, after considering costs and profit,</p>	<p>The SPD offers the opportunity to set out baseline assumptions to include in future viability assessments such as the Existing Use Value and the premium to be presumed for development land value. This includes the provision of a EUV for greenfield land. It could</p>	<p>This SPD is intended to provide overarching guidance to support the implementation of the plan and should not seek to deal with every eventuality or site-specific consideration. These matters are appropriate to be considered in negotiation on a site-by-site basis and, as such, no change is needed.</p>

Respondent	Location	Comment	Key issues	Response
		<p>should exceed the existing use value by a “satisfactory margin” according to paragraph 2.45 of the consultation draft. The Whole Plan Viability report, when discussing benchmark land values, indicates the appropriate approach is to take the EUV plus a premium. The Whole Plan Viability indicates that for greenfield sites that premium is the EUV plus 10%. We note the Whole Plan Viability report states at paragraph 6.69 the Greenfield value has not been varied across value areas, as the value areas do not appear to affect greenfield land values. Can the SPD set out key starting point for the EUV to be fed into future site appraisals, although we appreciate the applicant and the Local Planning Authority will reserve the right to challenge the EUV and level of premium in some circumstances, subject to provision of appropriate justification? The SPD could also set out an approach to dealing with other factors that influence land values, including the impact of “abnormals.”</p> <p>In addition to the impact of costs and the assumptions to feed into Viability Appraisals, the SPD could set out guidance on how Planning Obligations meet the test set out in the CIL regulations and National Planning Policy Framework, which are that contributions must be:</p> <p>(a) necessary to make the development acceptable in planning terms;</p> <p>(b) directly related to the development; and</p> <p>(c) fairly and reasonably related in scale and kind to the development.</p>	<p>also include provision for how things such as abnormals should be dealt with and how planning obligations meet the tests in the CIL regs and NPPF.</p>	
Robert Doughty Consultancy	Education section	<p>We accept that contributions towards key infrastructure is legitimate, but it is our experience that of late some requests do not appear to meet all those tests.</p> <p>Recent requests for contributions towards expansions</p>	<p>Recent experience of requests for contributions do not appear to have met the tests for obligations. For example the assumed</p>	<p>Developer contributions are required to meet the statutory tests. It is not necessary for this SPD to reiterate this. Any question marks over specific</p>

Respondent	Location	Comment	Key issues	Response
		<p>of primary schools, for instance, do not appear to meet these tests. The assumed number of school aged children was based on an assessment in the early 2000s. Although the draft SPD suggests this has been updated, it is not clear where this information may be interrogated. Clarification of expected demand on school places would demonstrate that the request is directly related to the development.</p> <p>The level of contribution is also based on the projected school roll based on the existing population, with the developer not expected to pay where there is capacity in the local schools. Whereas in the past assessments assumed some capacity in local primary schools, which was taken off the assumed demand, recent assessments assume there is no capacity in local school place, thereby increasing the number of places the developer is expected to fund. We are aware of a recent application for 120 dwellings in North Hykeham where the developer is being expected to fund 24 places (because there is no assumed capacity in the local schools). However, this application is a resubmission of an earlier application for the same number of dwellings, and the previous request for education contributions assumed a capacity of 20 places in the local schools. Given the short passage of time we are unsure where the capacity has gone, given what we understand there to be a reduction in the local birth rate. For details of these requests, please see applications 23/0628/OUT and 20/0657/OUT on North Kesteven's Planning Online system.</p> <p>The County Council website does suggest evidence is available of current and anticipated capacity of each school, but when the link is followed, the only information is the name and address of the school.</p> <p>Requests for future contributions to support the</p>	<p>number of school aged children was based on an assessment from the early 2000s, whilst the SPD suggests this has been updated the information behind this is not clearly available. The level of contribution is also based on projected school roll based on the existing population. Previously it was assumed that there was capacity that developers were not expected to fund, whereas recently it is assumed there is no capacity. Example given of a North Hykeham scheme where the provision of places has increased between two applications where there is a reduction in the birth rate. County Council website suggests evidence of capacity is available but the link on the website does not provide this.</p>	<p>requests should be dealt with as part of the application.</p>

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		provision of school places should provide evidence to demonstrate the actual demand for places that meet the CIL tests.		
Robert Doughty Consultancy	Health section	Similarly requests for Health Care Contributions also need to include an analysis of current and future capacity provided by the existing facilities. Increasingly requests for developer contributions apply a fixed contribution per dwelling, without any assessment of existing capacity.	Requests for health contributions need to include analysis of current and future capacity.	Contributions for health are considered on a case-by-case basis, in discussion with the NHS and taking into account the local context, including capacity at local facilities.
Robert Doughty Consultancy	Open spaces section	In addition to the above issues we are also concerned about the lack of guidance on the provision of open space. Although the SPD attempts to set out the requirements for open space, there is still a lack of clarity. Thresholds for on-site and offsite open space provision are set out in table three, indicating that development will provide the range of open spaces set out in local plan policy S51 (the table itself is copied from appendix 3 of the adopted Local Plan.) There is, however, an assumption that there is already open space in the area, and as such the development should be able to rely on the existing open spaces. There is, however, no detailed analysis of current open space provision: its capacity or condition. The developer is expected to liaise with the Development Management teams at an early stage in the development process – but will have to review a range of documents to assess the specific needs of development as specified in paragraph 3.92. These documents are: <ul style="list-style-type: none"> • Central Lincolnshire Interactive Map; • Lincolnshire Biodiversity Action Plan; • Central Lincolnshire Biodiversity Opportunity Mapping Study; • Central Lincolnshire Green Infrastructure Study; 	Concern at the lack of guidance for open space provision despite attempts to set this out in the SPD. There is an assumption that the development will be able to rely to a degree on existing open space, but there is no analysis of this current open space in terms of capacity or condition. It points to other documents to discuss with DM officers. It gives no information regarding current provision, not how to identify a 1,000 population to assess current demand, nor if there is a shortfall in provision. Delivery may also prove challenging - example of playing pitches where it is usual to rely on a club to manage the facility, yet there is no requirement for	The SPD provides a guiding starting point for the provision of open space. It cannot and should not seek to deal with every eventuality. There will be numerous cases where a different approach is needed and this is part of the application process where such matters can be considered in detail.

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		<ul style="list-style-type: none"> • Local Environmental Record (managed on behalf of Central Lincolnshire Authorities by the Greater Lincolnshire Nature Partnership); • Lincolnshire County Council public rights of way network; • Central Lincolnshire Playing Field Needs assessment; and • Central Lincolnshire Open Space Audit and Provision Standard Assessment <p>The open space assessments, however, do not give any information regarding current provision in the local area, or how to identify a 1000 population to assess current demand, and whether there is a deemed shortfall in provision.</p> <p>Delivery may also prove challenging. Provision of playing fields for instance, tend to rely on the presence of a sports club to manage the site and oversee its uses. There is no requirement for local clubs, which are generally voluntary and/or charity organisations, to take on increased playing fields, especially if they are remote from the club. There are other issues arising from the delivery of allotments, where the City of Lincoln Council and parish and town councils across West Lindsey and North Kesteven have a statutory duty to seek to provide allotments should six of their residents on the electoral register or persons liable to pay Council Tax make a request. As such, there is a conflict in the approach for delivering these facilities, even before the assessment of demand is discussed. Allotments can be provided in any shape and size. As such it is not reasonable to require developers to provide allotments, given the statutory duty imposed on The City of Lincoln and the parish and town councils, although developers would be at liberty to provide allotments, should they so wish.</p>	<p>local clubs to take on increased facilities. Also for example for allotments where there is a duty to provide them should six people make a request for them. As such there is a conflict for the approach in delivering these facilities and given they can be provided in any shape or size it is not reasonable to require developers to provide them given who the statutory duty falls on. The SPD should provide more clarity on different mechanisms for providing and maintaining open space of all types. Without an assessment of supply it is often impossible for developers and officers to understand the real need of an area.</p>	

Respondent	Location	Comment	Key issues	Response
		<p>The SPD should include more clarity on the different mechanisms for the provision and maintenance of open space, whether this is amenity space, local play areas, sports fields, allotments or parks. This approach also needs to take account of the difference in approach that may be appropriate in Lincoln, Gainsborough and Sleaford, as larger settlements, compared to the wider range of smaller communities covering most of the area. Without current assessments of supply (both in terms of quality and quantity) it is often impossible for developers and Planning Officers to understand the real need of an area and the appropriate method of providing new open spaces in the right locations and ensuring their future management.</p>		
Robert Doughty Consultancy	General	<p>In summary, we ask for the SPD to:</p> <ul style="list-style-type: none"> • Provide an update on the assumptions used in the Whole Plan Viability Report, whether these are external factors, such as the war in Ukraine, or local factors such as the true costs of implementing policies in the new local plan. • Take the opportunity to set out common assumptions to be used in future viability assessments, including the calculation of Existing Use Values. • Provide guidance to ensure requests for Planning Obligations meet the requirements of the CIL regulations. • Provide further guidance on the demand, delivery and management of Public Open space. <p>Thank you again for providing the opportunity to comment on the Development Contributions SPD. We trust you will find our comments useful, and please do not hesitate to contact us should you need clarification on any aspects.</p> <p>We would also welcome the opportunity to discuss the</p>	<p>In summary we are seeking for the SPD to provide an update on the assumptions in the WPV report, take the opportunity to set out common assumptions to be used in viability assessments, provide guidance to ensure obligations meet the tests, provide further guidance on the demand, delivery and management of open spaces. We welcome the opportunity to discuss this through a Developers and Agents Forum.</p>	<p>As with responses to specific comments, this SPD provides additional clarity for the principle of planning obligations but does not seek to go into levels of detail that are more appropriate for the consideration at a planning application level.</p>

Respondent	Location	Comment	Key issues	Response
		approach to Development Contributions through a Developers and Agents Forum.		
Sport England	General	Thank you for consulting Sport England on the above consultation document. I can confirm that we have no comments to make on its contents.	No comments to make.	Noted
Stow PC	General	Unable to make specific comments as most of document is written in bureaucrat speak to make understanding impossible. In general why use 1 word when you can use 50. Is it a strategic or an operational document as it doesn't seem able to decide. Too many acronyms. Needs proof reading. Paragraphs are written with a statement and followed with which means and further clarification. If you need to clarify within the same paragraph the opening statement is badly written.	Document is not clear or accessible and is badly written.	Comments noted. This document needs to be technical due to its purpose and therefore cannot always be as accessible as may be desired.
Upper Witham, Witham 1st & Witham 3rd IDB	Para 3.51	A constant issue with planning applications is establishing and recording who will have maintenance responsibility for existing watercourses and drainage features in and adjacent to the site post development. It would be helpful if this could be added to the paragraph below as an addition to the 'new' drainage. 3.51. Through the use of planning conditions or planning obligations, the LPA will ensure that clear arrangements are in place for maintenance and/or adoption of the proposed drainage system and/or flood defence.	Regular issue with planning applications is establishing and recording who will maintain existing watercourses and drainage features - it would be helpful if this could be added to para 3.51.	Issue noted. However, there are limitations on what can be required from developers in relation to this, specifically relating to obligations relating to land outside of a developers control and relating to existing watercourses. Instead it is more appropriate for the IDB to be engaged at pre-app and application stages.
Upper Witham, Witham 1st & Witham 3rd IDB	Para 3.57	Further to comment on para 3.51 - It could be argued it is included in the paragraph below because it says 'relevant' rather than 'proposed'. But again, it would be clearer if it included existing watercourses or drainage features. 3.57. The relevant cost of construction will be addressed by the applicant as part of drainage and landscaping design. The applicant will be responsible for putting measures in place for maintenance costs of the relevant drainage system and/or flood defence.	Further to comments on para 3.51 existing watercourses could potentially be covered by para 3.57, however, the use of the term 'relevant' leaves some lack of clarity so the use of the term existing is preferred.	Given the wide range of cases that may apply, it is more appropriate for this to be considered at pre-applications and application stage than in this SPD.

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		This could potentially include adoption of the drainage system by an agreed third party with relevant maintenance agreements to enable maintenance costs to be recovered from the households using the drainage system. Such parties could include Lincolnshire County Council and/or Anglian Water/ Severn Trent.		
Sleaford Town Council	Table 3 and Para 3.94	Sleaford Town Council has considered the Central Lincolnshire Local Plan Planning Obligations SPD Consultation document and would ask that the amounts set out in table 3.94 (Open Space Provision Type - Quantity Standard) on p.30 are all increased.	The standards for open space should be increased.	The open space standards are set in the Local Plan and cannot be adjusted in the SPD.