

**Draft Developer Contributions
Supplementary Planning Document
October 2022**

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Introduction

North Lincolnshire Council has undertaken a review of its current approach to securing developer contributions from new developments. This has been developed alongside the North Lincolnshire Council emerging Local Plan (2020 – 2038) including the new policies set out in this plan period, in line with legislation within the Community Infrastructure Levy 2010 and the National Planning Policy Framework (NPPF).

Developer contributions are sought to mitigate against the impact of new development and to ensure the development is acceptable in planning terms. Planning obligations secured can support the delivery of a wide variety of infrastructure and facilities including extra capacity in schools. The details of North Lincolnshire Council's approach to securing the planning obligations are set out within this Supplementary Planning Document (SPD).

This SPD will supplement the North Lincolnshire Emerging Local Plan 2020 to 2038 the following policies in particular:

- H3: Affordable Housing
- CSC2: Health Care Provision
- CSC3: Protection and provision of open space, sports and recreation facilities
- CSC8: Educational Facilities
- CSC10: Community Facilities and Services
- DQE3: Biodiversity and Geodiversity
- DQE5: Managing Flood Risk
- DQE6: Sustainable Drainage Systems
- T2: Promoting Public Transport
- T3: New development and Transport
- ID1: Delivering infrastructure

The SPD will be updated to reflect the most up-to-date policies and assist in delivery of the policies within the Local Plan. The standards set out in this document will be applied to all planning applications.

It should be noted that although this SPD does not form part of the Development Plan of the council, it is a material consideration that will be utilised to determine planning applications where affordable housing is a relevant issue. The Glossary at Annex 2 of the National Planning Policy Framework (2021) defines Supplementary planning documents as follows:

“Supplementary planning documents: Documents which add further detail to the policies in the development plan. They can be used to provide further guidance for development on specific sites, or on particular issues, such as design. Supplementary planning documents are capable of being a material consideration in planning decisions but are not part of the development plan.”

Purpose of the document

When determining planning applications for new developments, the council must consider a wide range of factors to determine whether the proposed development is acceptable. One factor is whether the development would generate the need for new or improved facilities and infrastructure without which the development would be unacceptable in planning terms. Planning obligations help to mitigate the impacts of a development. The contributions will either be delivered directly by the developer or by financial contribution to the council who will then spend the contribution on the specific infrastructure or service.

Legislative context

Section 106 of the Town and Country Planning Act 1990 (as amended) provides the mechanism for planning obligations to be secured from development. In addition, the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) set out additional legislation on the use of planning obligations.

CIL Regulations 122 defines that for a planning obligation to be taken into consideration when granting planning permission, it must be:

- Necessary to make the development acceptable in planning terms
- Directly related to the development
- Fairly and reasonably related in scale and kind to the development

Regulation 123 of the CIL Regulations placed limitations on the pooling of planning obligation contributions, which meant that no more than five separate planning obligations could be entered into to enable the funding or provision of an infrastructure project, or a type of infrastructure. However, on 1 September 2019, CIL Regulation amendments came into force which included the removal of the restriction of pooling and the replacement of regulation 123 lists with annual Infrastructure Funding Statements. This provides the council with much greater flexibility when funding infrastructure.

National Planning Policy Framework context

The National Planning Policy Framework sets out the requirement for local planning authorities to consider whether development can be made acceptable by implementing conditions or planning obligations.

Paragraph 55 states local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.

Paragraph 57 states that planning obligations must only be sought where they meet all the following tests:

- a) Necessary to make the development acceptable in planning terms
- b) Directly related to the development
- c) Fairly and reasonably related in scale and kind to the development

Paragraph 58 goes on to state that in planning applications that comply with up to-date policies setting out expected contributions, it is up to the developer to demonstrate whether particular circumstances justify the need for a viability assessment at application stage.

National Planning Practice Guidance (PPG) states that plans should be informed by evidence of infrastructure and affordable housing need. Viability assessment should not

compromise sustainable development but should be used to ensure policies are realistic and the total contribution cost of all relevant policies will not undermine deliverability of the plan.

Local planning policy context

North Lincolnshire Council is currently preparing the emerging Local Plan which will supersede the Local Plan adopted in 2003 (saved policies), Core Strategy 2011, Housing and Employment Land Allocations Development Plan Document 2016 and the Lincolnshire Lakes Area Action Plan 2016.

The Local Plan sets out a clear vision and objectives for the future development of the area, addressing needs and opportunities in relation to housing, the economy, community facilities and infrastructure. It will also be a basis for safeguarding the environment, adapting to climate change and securing good design. Its policies and proposals will be used to guide decisions and investment on development and regeneration up to 2038.

This Developer Contributions SPD supplements Policy ID1 Delivering Infrastructure within the emerging Local Plan. Policy ID1 aims to deliver the infrastructure required to support the growth requirements across North Lincolnshire.

Policy ID1 Delivering Infrastructure

1. The Council will require all developments to meet the on and off-site infrastructure requirements needed to support the development and mitigate the impact of the development on the existing community and environment to make it acceptable in planning terms.
2. Each development will be expected to meet site related infrastructure needs. Where the provision of new, or the improvement or extension of existing, off- site infrastructure is needed to support a new development or mitigate its impacts, and it is not anticipated that the infrastructure will be provided through CIL, the development will be required to contribute proportionately through a Section 106 Agreement commuted sum, or other mechanism as agreed with the Council.
3. To address developer requirements as a whole, where development proposals on a large composite or naturally defined area are sub divided into multiple applications (or phases) over time, planning applications which form part of a more substantial proposed development, on the same or adjoining land will be treated as one application for the whole development.
4. Section 106 Agreements will apply to all major developments and some minor developments but may be varied according to:
 - a. the scale and nature of the development and its demonstrated viability;
 - b. whether or not a planning obligation meets all of the statutory reasons ('tests') for granting planning permission; and,
 - c. Where there are site-specific viability concerns, development must be accompanied by a Viability Appraisal, the council will take a pragmatic and flexible approach to planning obligations and consider their genuine impact on viability of development proposal on an independent and case by case basis, at the applicants expense and in line with the following principles:
5. Development which is unable to make the full contribution at the point at which the application is submitted may be supported where:
 - a. A robust and fit for purpose viability assessment shows that the full contribution would make the development unviable;
 - b. The possibilities for reduced, deferred, or phased contributions have been fully explored; and,
 - c. It can be demonstrated that the wider benefits of the scheme outweigh its lower level of contribution.
6. Where a lower level of contribution is agreed, this may be subject to reassessment once the development commences and/or any other suitable trigger point(s) as appropriate and agreed between the Council and the applicant.

A number of pressures can be relieved through site specific provision such as open space, children's play areas and the provision of affordable housing. However, there are other infrastructure improvements and requirements that cannot always be accommodated onsite, or that relate to strategic offsite facilities serving the whole settlement or North Lincolnshire wide. Table 1 highlights the different planning mechanisms to secure mitigation against the impact of development.

Table 1: Summary of mechanisms used to mitigate development.

Mechanism	Why these are in place	Example
Section 106 contribution	To make an unacceptable scheme allowed by mitigating the impact of the development. This can be financial and non-financial and can be provided on and offsite.	Providing affordable housing (Onsite) Education financial contribution to provide additional school places (offsite).
Planning conditions	To make unacceptable development allowed by having controls that may restrict the development use or require approval prior to commencement.	Landscaping Site working hours
Section 278 agreement	To make alterations/improvements to the public highway as part of the development.	Highway improvements

It is recognised that some development proposals may be unable to meet all of the relevant policy and planning obligation requirements while remaining economically viable and deliverable, either in whole or in part. In such circumstances the council will consider requests to reduce the level of planning obligations to a level which ensures that a scheme remains viable. In these instances, preference will be given to the needs and priorities of an area and the wider benefits of development, such as, for example, regeneration and meeting housing need.

Approach to securing and implementation of Developer Contributions

North Lincolnshire Council as the Local Planning Authority has the statutory responsibility for entering into legal agreements with developers, monitoring the progress of development, relevant triggers in the agreement, compliance with specific obligations, receiving and holding financial contributions, and ensuring that money received is spent in accordance with the legal agreement, providing public accountability over this.

Policy priorities and planning obligations

The council recognise the wider benefits of development in North Lincolnshire in terms of the associated outputs from the development such as meeting housing need and regeneration. Section 106 contributions will be secured to ensure key infrastructure and enabling requirements are provided in the first instance to make development acceptable and mitigate the impact of the development in accordance with national and local policy.

All Section 106 contributions that are requested are contingent upon the scale, type, and location of the proposed development. North Lincolnshire Council recognises that different wards across North Lincolnshire will have different priorities. For example, one ward may have sufficient school places, yet require additional doctors' places. Due to this, to ensure an equitable outcome while maintaining a degree of flexibility to deal with changing circumstances, planning obligations will be negotiated on a case-by-case basis where the identified needs of a community will be considered against the specific characteristics and potential impacts of the development proposal.

Viability

The financial viability of a development will be one of the key factors in determining the type and scale of obligations that could be secured through Section 106. The council is under no obligation to accept a reduction in the required level of planning obligations and may ultimately refuse the planning application if the applicant will not provide these.

In accordance with Policy ID1, the council will consider a request from the applicant to reduce the level of planning obligations on the basis that it is not financially viable to provide or pay (whether in part or full) any Section 106 planning obligation requirements or charges deemed necessary and appropriate. In these circumstances, the possibility of reducing the identified contributions will be assessed when a viability assessment is submitted. The viability assessment should be submitted at the planning application stage for any proposal where viability is a factor in determining the application. The viability appraisal will be independently assessed by consultants acting on behalf of the council and the cost of this will be covered by the applicant.

A viability assessment should cover and consider whether viability enhancements could improve the situation, for example deferring triggers for contribution payments. It should be an 'open book' assessment which should include information covering (but not necessarily limited to) the following:

- Existing use values.
- Proposed use values (sales and rental).
- Demolition and construction costs.
- Finance and marketing costs.
- Assumed yield.
- Construction site abnormal.
- Development phasing/timetable.

A revised viability appraisal will be required where material changes are made following the submission of the planning application, or where there are delays where issues have not been resolved within the timescales originally envisaged.

National Planning Practice Guidance provides further information on the expected requirements in relation to a viability assessment, including but not limited to assessment of land value, inputs and assumptions, as well as an open book approach and ensuring accountability. The viability assessment shall be treated as a public document and made available on the council's planning portal in line with national policy.

North Lincolnshire Council acknowledges that front loading all the contributions at the start of the scheme may make delivery hard. On larger schemes, North Lincolnshire Council will work with the applicant to ensure contributions are received without compromising deliverability of the scheme.

Viability review mechanisms

The council will consider using a viability review mechanism where obligations or covenants are agreed at lower than policy compliant levels on viability grounds. A viability review mechanism can trigger a review of the originally agreed contributions where there is an improvement in viability and/or broader economic conditions since the original viability appraisal was undertaken.

A viability review mechanism may be used for multi-phased or long-term development schemes. Viability review mechanisms may also be appropriate whereby there are large scale estimates or bespoke costs which may be subject to change or further clarification upon investigation. The trigger point(s) for review will be set out at application stage and be relevant to the reason for the inclusion of the viability review mechanism. Further developer contributions will only be required if a surplus is identified during the review, over and above the returns necessary to be deemed viable.

The applicant will be expected to pay for the full cost of a viability appraisal required by a viability review mechanism. The appraisal should meet the requirements set out above. The viability review mechanism would be included in the S106 agreement, and will, as is necessary, be bespoke based on the facts of the case and reasons for its requirements in the first place.

Planning Application Stage

Pre-application advice

When a pre application is submitted, a detailed Section 106 response will be made to determine the nature and scale of contributions that will be required, prior to submitting a planning application. Please note, in-between pre-application discussion and formal application, the policy position may change, or contributions inflated due to annual review.

Submitting planning applications

Planning applications should be accompanied by details to identify the likely impacts of a new development proposal on local infrastructure/services. Developers should give consideration to the range of planning obligations which are necessary and provide them in the supporting details.

Once the planning application is received, the council will consult infrastructure and service providers where there may be an impact on the services they provide, due to the proposal. The consultees will be directed to the planning application on the council's website and asked to make any comments or respond within 21 days.

Consultees who identify that a planning obligation is required should set this out clearly in a formal response. The council will then consider the requests and decide if the obligations requested meet the tests set out in the CIL regulations.

Determining planning applications

In determining planning applications, North Lincolnshire Council, as the local planning authority has responsibility for deciding which planning obligations are necessary to ensure developments are acceptable. In executing this responsibility, the council will take account of adopted guidance and responses from all service providers together with any responses from Town and Parish Councils and the views of Ward Councillors. Figure 1 sets out the stages undertaken in negotiating planning obligations.

Planning applications which require a planning obligation will need a draft Heads of Terms for S106 Obligations which sets out:

- All specific types of infrastructure/projects to be delivered.
- The contribution to any infrastructure required (where this is agreed as a financial payment).
- The timing of payment or delivery of the necessary infrastructure in relation to development.

This SPD covers the principal areas where contributions may be sought, but it should not be regarded as exhaustive. The impact of planning proposals on all types of services or infrastructure will be examined on a case-by-case basis when applications are submitted, and obligations considered to ensure development is acceptable.

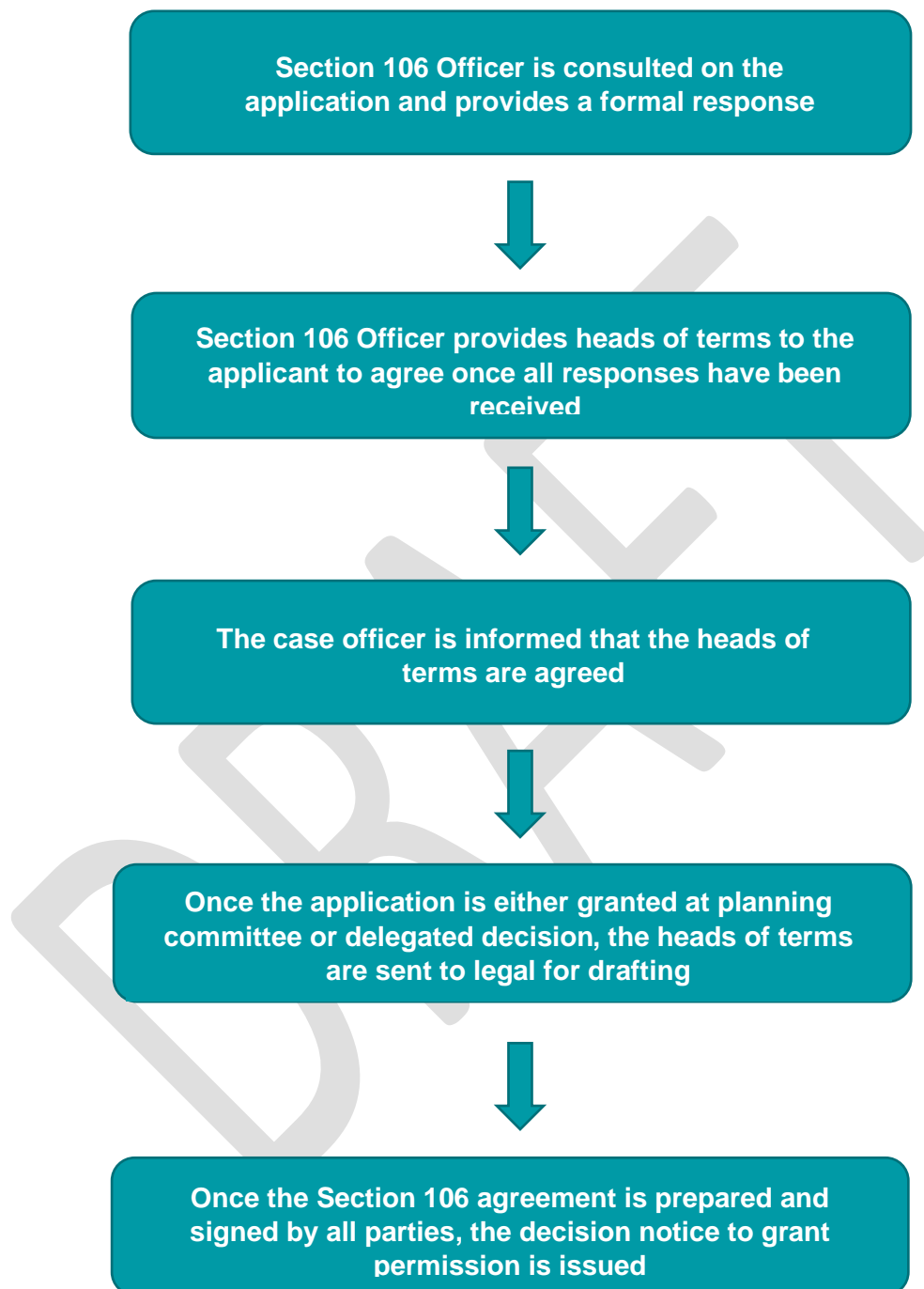
Finalising the Section 106 Planning Agreement

When a planning agreement/ obligation is necessary, the council's Legal Services team will draft the S106 agreement in accordance with the agreed head of terms. As of September 2022, North Lincolnshire Council currently charges a flat fee of £1,000 for the drafting of a Section 106 agreement including unilateral undertakings subject to annual review. In certain circumstances it may be necessary for the legal drafting to be outsourced, which will be at the expense of the applicant.

The final signed version of the agreement will be placed on the Planning Register and included as part of the decision notice.

Process of Negotiating Planning Obligations

Figure 1 shows the step-by-step process that the council's Section 106 Officer will undertake in negotiating and finalising the planning obligations for the Section 106 Agreement.



Deed of Variation

In some cases, it may be necessary to change the contents of an agreement after it has been completed and signed. In such instances, the variation would need to be agreed by all parties affected by the variation prior to the submission of any application under Section 106B of the Town and Country Planning Act 1990 (as amended). This will result in additional costs to the applicant to take into account the negotiation, preparation and drafting of the variation. These costs include the fees of the applicant's legal representation, the reasonable costs of any signatories' legal representation as well as the costs of the application to vary or modify an obligation in itself.

Factors Affecting Planning Obligations

Trigger Points for Planning Obligations

For larger development schemes payments can be staged with the payment of obligations required when specific stages of a development are reached. These stages, often referred to as trigger points, should be agreed in the S106 and linked to the time and/ or delivery of particular milestones, for example, commencement of development, first occupation, or at 50% occupation of the number of dwellings.

Trigger points will be negotiated with applicants while agreeing the heads of terms. For example, this could include a proportion of the contribution being required on occupation of the 1st dwelling and the remaining proportion required at an agreed level of occupation.

Indexation and Interest

All financial planning obligations will be index linked using the Retail Price Index from the date the agreement was signed to the date payment is due.

Late payment of financial obligations significantly beyond the stipulated trigger points will attract interest at 4% above the Bank of England base lending rate in force at the time from the date that the payment falls due to the date the actual payment is made. This rate of interest will be specified in the S106 agreement.

Bonds and Enforcement Action

The council may request that a bond is obtained to mitigate the risk of defaults on the fulfilment of planning obligations (and payments in the case of commuted sums) based on the merits of each individual case.

Notwithstanding the opportunity that exists for obligations to be varied, the council will seek to ensure that all obligations are fulfilled and may be prepared to accept staged payments if needed to ensure that the terms of the original agreement are met.

The council will use its corporate debt recovery process where necessary and its enforcement powers to stop development where the necessary obligations have not been made, are late, or paid in accordance with agreed payment schedules or "trigger" points.

Maintenance of assets secured through planning obligations

Estate Management Company

Clear maintenance and management for areas of open space and SUDS features within new developments must be agreed at application stage and contained within the Section 106 agreement. When an estate management company is the chosen method of management and maintenance, the management company must be set up prior to occupation of the first dwelling. The developer must also submit to the council and obtain consent to the management companies operating procedures prior to occupation of the first dwelling. The buyer of each property enters a covenant directly with the management company.

North Lincolnshire Council Adoption

It should not be assumed assets including open space and equipped areas of play will be taken on by the Local Authority. Each case will be considered on its own individual merits. Where the council does not take on the maintenance of an asset, the maintenance may be provided by an Estate Management Company or by a Parish or Town Council. If the open space and/or equipped area of play is up to an adoptable standard confirmed by our Parks Maintenance Team, the freehold of the land will be transferred to the council alongside a 10-year maintenance commuted sum.

The maintenance of SuDS features will be dealt with on a site by site basis and further guidance will be provided in the SUDs and Flood Risk Guidance Document.

Monitoring of Planning Obligations

North Lincolnshire Council's S106 officer will co-ordinate the monitoring of developments to ensure the planning obligations are met. Whether a planning obligation requires a developer to undertake some works on site (direct provision) or make a financial contribution to offsite infrastructure, it is important that there is confidence that each planning obligation is delivered. Once the planning obligation trigger points identified within each agreement are met, the S106 officer will invoice the developer for the financial contributions.

The council will publish an annual Infrastructure Funding Statement in accordance with the CIL regulations. The statement provides a summary of financial contributions which the council has secured through Section 106 obligations and any other infrastructure funding from new development. It will be published annually by 31 December and put on the council's website.

Summary of developer contribution requirements

Planning obligations must be considered individually and are based on the site-specific circumstances of a proposed development. It is possible to identify common obligations for most developments to mitigate the impacts of development, however, some developments may have site-specific obligations.

The council's approach to securing planning obligations is based on the following contribution types:

Affordable Housing: Developers must provide appropriate levels of affordable housing in line with the identified needs. A mixture of affordable products including first homes, discounted market and affordable rent to be included in new housing developments.

Education: A demand for school places due to rising birth rates and new housing developments has led to insufficient school places in certain areas. Therefore, developer contributions are sought to ensure the schools have capacity for the children in catchment.

Highways: Impact on current highway networks may occur as a result of a new development. If highway improvements are required, a contribution will be sought.

Sport and Recreation Facilities: Sport and physical recreation facilities will be safeguarded from development wherever possible. Where this is not possible and it cannot be demonstrated that the existing facilities can meet the additional demand developer contributions will be sought for the creation of new or enhanced facilities to accommodate increased demand or compensate for their loss.

Open Space: The provision of open space is important for communities' health and wellbeing, so developer contributions will be sought to provide new areas of open space on new residential developments.

Equipped Areas of Play: It is important that children have play park facilities close to where they live, therefore developer contributions will be sought for new equipped areas of play or for the upgrade of existing facilities.

Public Transport: Taster bus tickets may be requested or an alternative of the equivalent value as it is important within new developments to promote sustainable travel and minimise private car use where possible, by encouraging the use of public transport.

Health Care Provision: New housing developments can bring additional pressures on local healthcare provision. For example, if a GP practice did not have the capacity to support the new development, then a contribution would be sought.

Biodiversity Net Gain: To minimise the impact on biodiversity, the council aims to preserve, restore and recreate habitats. As such, contributions will be sought for on and offsite mitigation and enhancement to biodiversity to ensure a 10% net gain is achieved on all developments.

Other site-specific requirements: Occasionally a development may result in a need for a different mitigating action. This will be assessed on a case-by-case basis and is not limited to the above contributions listed.

Table 2 below sets out a summary of the thresholds for Section 106 contributions for residential developments. Site-specific contributions will be sought on commercial schemes on a case-by-case basis.

Table 2: Thresholds for S106 contributions

Infrastructure Type	Scunthorpe and Bottesford	Residential – Rest of North Lincolnshire (Principal Towns, Large Service Centre, Larger Rural Settlements, Smaller Rural Settlements, Rural Hamlets & Villages)
Affordable Housing	10 or more dwellings (10%)	
Education	25 dwellings or more	15 dwellings or more
Highways	Case by case basis	
Sport and Recreation	10 or more dwellings	
Open Space	10 or more dwellings	
Areas of play	1 – 9 dwellings no requirement 10 – 50 dwellings off site contribution or LAP 51 - 100 dwellings LEAP 500 or more dwellings a NEAP	
Public Transport	10 or more dwellings (excluding Scunthorpe sub regional centre, town centres and district centre boundaries)	
Health Care Provision	10 dwellings or more on specific settlements	
Biodiversity Net Gain	10% net gain on all developments	
Other requirements	Case by case basis	

Affordable Housing

Introduction

The National Planning Policy Framework sets out the Government's objective to significantly boost the supply of housing to meet, where possible, all identified housing need through the delivery of high-quality homes.

Achieving a good supply and range of high-quality affordable homes across North Lincolnshire will provide choice for those in housing need and help to deliver balanced, sustainable communities. Both open market house builders and Registered Providers of social housing will be required to contribute to the delivery of affordable homes to ensure that affordable products are delivered to meet North Lincolnshire's housing needs.

Policy H3: Affordable Housing

1. New residential housing development of 10 or more dwellings in North Lincolnshire must make provision for 10% of affordable housing provision onsite which is accessible to those unable to compete in the open housing market.
2. The exact tenure mix for individual sites should be determined following discussions with the local planning authority and informed by the latest government guidance and Local Housing Needs Assessment. At least 10% of affordable housing will be delivered per site, and as an initial basis for discussion, 25% of all affordable housing delivered through planning obligations will be First Homes. After which priority will be for the delivery of affordable rent, subject to satisfying national policy requirements for 10% of all housing being for affordable home ownership. This will form the basis of a s106 agreement to accompany the planning permission. Exemptions to this 10% requirement will be made where the site or proposed development:
 - a. Provides solely for Build to Rent homes; or,
 - b. Provides specialist accommodation for a group of people with specific needs (such as purpose-built accommodation for the elderly or students); or,
 - c. Is proposed to be developed by people who wish to build or commission their own homes; or,
 - d. Is exclusively for affordable housing, an entry-level exception site or a rural exception site.
3. Development of affordable housing should be:
 - a. Provided on-site in order to help achieve mixed and balanced communities. However, off-site provision or a financial contribution made in lieu may be considered acceptable where it can be robustly justified.
 - b. Retained in affordable use in perpetuity.
 - c. Provided to the same design and building standard as the market housing and be pepper-potted throughout the site; and,
 - d. 5% of the affordable housing component of every housing development providing or capable of acceptably providing 5 or more self-contained affordable homes, should meet Building Regulations requirement M4 (3) 'wheelchair user dwellings' to be wheelchair accessible, or be easily adapted for residents who are wheelchair users.
4. Affordable housing provision required as part of North Lincolnshire Local Plan site allocations will be provided on site without exception. In any other circumstance, the payment of a commuted sum for delivery of affordable homes off-site, to a value equivalent to on-site provision, will only be agreed where there are clear site-specific constraints that would impact the economic viability of development.
5. Where an applicant considers there are significant economic viability constraints that would prevent the provision of affordable housing in accordance with the policy, they will be required to provide full justification of exceptional circumstances to the Council's satisfaction. Where a viability assessment is required, it should refer back to the viability assessment that informed the plan, providing evidence of what has changed since then. Any viability assessment will be funded by the applicant and should reflect the government's recommended approach as set out in National Planning Practice Guidance. The applicant will be expected to fund the independent verification of the submitted viability assessment by a person appointed by the Council.
6. To ensure the development of mixed and sustainable communities, the affordable housing element of schemes should be fully integrated or distributed through the site as far as possible.

Rural Exception Sites

7. In order to meet local community needs in rural areas, affordable housing will be permitted within or adjacent to the development limit of rural settlements where:

- a. The Council is satisfied that the proposal will meet local identified need within the settlement parish;
- b. The site is not remote from existing buildings and there is an opportunity to use sustainable modes of transport (Walking, cycling and public transport) to access employment opportunities, service and facilities unless the applicant can demonstrate that there are no other suitable alternatives in the parish to address the need;
- c. The number of homes on each exception sites should reflect local community needs, the size of the village it most closely relates to, available infrastructure and services and the character of the surrounding areas; and,
- d. Housing on Rural Exceptions Sites shall remain 'affordable' in perpetuity to continue to meet local need.

8. On rural exception sites a small amount of market housing may be permitted, provided it is demonstrated as being necessary to enable the provision of significant additional affordable housing to meet local needs. At least 70% of the homes will be affordable homes, unless the applicant can demonstrate through a financial appraisal that it would not be viable to deliver the required number of affordable homes, and provided that the scheme would still predominantly be an affordable housing scheme, in accordance with the definition of a rural exception site.

9. The applicant will be expected to fund the independent verification of the submitted viability assessment by a person appointed by the Council

Basis for requiring the contribution

Affordable housing as defined in the National Planning Policy Framework, includes social rented, affordable rented and intermediate tenure types (First Homes, Discounted Market Sales and other affordable routes to home ownership) provided for eligible households whose needs are not met by the market. It also requires that at least 10% of homes on all major housing developments should be provided for affordable homes ownership.

North Lincolnshire Housing and Economic Needs Assessment November 2020 identifies an affordable housing need requirement of 115 homes per annum. It also indicates the tenure should be split 31% intermediate products (First Homes, Discounted Market Sales, and other affordable routes to home ownership) and 69% social and affordable rent products.

In May 2021, the Government introduced First Homes, a new tenure of affordable housing, to the Planning Practice Guidance. First Homes are a specific type of discounted market housing which are discounted by a minimum of 30% against market value, sold to people meeting set eligibility criteria. The Planning Practice Guidance stipulates that First Homes should make up at least 25% of all affordable housing units being delivered through planning obligations, as the Government's preferred discounted market tenure.

The council has identified that the provision of affordable housing is a priority, however it is recognised that site and market conditions can vary both between sites and in certain circumstances, particularly where abnormal costs or other circumstances apply. It is possible that there may be viability issues on specific sites, therefore the council has commissioned an assessment to review its proposed Local Plan policies to understand the individual and cumulative impact of them on development viability. The area wide viability assessment has identified that the maximum proportion of affordable housing that will be achievable to be delivered onsite is 10%. The council will continue to consider schemes that come forward with a higher proportion of affordable housing where it can be demonstrated it meets the local housing need and deliver mixed sustainable communities.

How the contribution will be calculated

The emerging Local Plan Policy H3 Affordable Housing sets an affordable housing target of 10% across North Lincolnshire on all major housing developments of 10 or more dwellings onsite. In cases where the proposal is just under the threshold of 10 dwellings, the developer

will be required to justify the proposed density on the scheme in line with Policy H2 Housing Mix and Density to ensure the land is being used effectively.

When applying the 10% affordable requirement, the number of dwellings will be rounded up if 0.5 or more, and anything below will be rounded down.

In line with Policy H3, the first 25% of the 10% requirement will be delivered as First Homes and priority will then be given to delivering affordable rent, subject to satisfying national policy requirements for 10% of all housing being for affordable home ownership. The council will support additional affordable housing onsite that meets our local housing need and supports the delivery of sustainable mixed communities.

Affordable homes available for Social or Affordable Rent and Shared Ownership (as part of an intermediate product) must be offered up to a Registered Provider (previously known as a Registered Social Landlord) to manage and make properties available at a discounted rate in perpetuity. North Lincolnshire Council does not manage or own any affordable homes and, as such, these products must be offered up to a Registered Provider through the legal framework of a Section 106 Agreement.

All affordable homeownership products will be secured through a S106 agreement and must remain in perpetuity for the lifetime of the dwelling unless agreed in writing by North Lincolnshire Council.

Exemptions to this 10% requirement will be made where the site or proposed development:

- Provides solely for Build to Rent homes.
- Provides specialist accommodation for a group of people with specific needs (such as purpose-built accommodation for the elderly or students);
- Is proposed to be developed by people who wish to build or commission their own homes; or
- Is exclusively for affordable housing, an entry-level exception site or a rural exception site.

Delivery of affordable housing within North Lincolnshire should be:

- Provided onsite to help achieve mixed and balanced communities. However, offsite provision or a financial contribution made in lieu may be considered acceptable where it can be robustly justified.
- Retained in affordable use in perpetuity.
- Provided to the same design and building standard as the market housing and be pepper-potted throughout the site.
- 5% of the affordable housing component of every housing development providing or capable of acceptably providing 5 or more self-contained affordable homes, should meet Building Regulations requirement M4 (3) 'wheelchair user dwellings' to be wheelchair accessible, or be easily adapted for residents who are wheelchair users.

Affordable Housing Product and Criteria

The National Planning Policy Framework provides a definition of affordable housing at Annex 2. For the purposes of this SPD and to ensure consistency between it and national policy, the definition of affordable housing will be as follows:

Affordable housing: housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers); and which complies with one or more of the following definitions:

a) **Affordable housing for rent:** meets all of the following conditions:

(a) the rent is set in accordance with the Government's rent policy for Social Rent or Affordable Rent, or is at least 20% below local market rents (including service charges where applicable);

(b) the landlord is a registered provider, except where it is included as part of a Build to Rent scheme (in which case the landlord need not be a registered provider); and

(c) it includes provisions to remain at an affordable price for future eligible households, or for the subsidy to be recycled for alternative affordable housing provision. For Build to Rent schemes affordable housing for rent is expected to be the normal form of affordable housing provision (and, in this context, is known as Affordable Private Rent).

b) **Starter homes:** is as specified in Sections 2 and 3 of the Housing and Planning Act 2016 and any secondary legislation made under these sections. The definition of a starter home should reflect the meaning set out in statute and any such secondary legislation at the time of plan-preparation or decision-making. Where secondary legislation has the effect of limiting a household's eligibility to purchase a starter home to those with a particular maximum level of household income, those restrictions should be used.

c) **Discounted market sales housing** is that sold at a discount of at least 20% below local market value. Eligibility is determined with regard to local incomes and local house prices. Provisions should be in place to ensure housing remains at a discount for future eligible households. Further details included in Appendix 1.

d) **Other affordable routes to home ownership** is housing provided for sale that provides a route to ownership for those who could not achieve home ownership through the market. It includes shared ownership, relevant equity loans, other low-cost homes for sale (at a price equivalent to at least 20% below local market value) and rent to buy (which includes a period of intermediate rent). Where public grant funding is provided, there should be provisions for the homes to remain at an affordable price for future eligible households, or for any receipts to be recycled for alternative affordable housing provision or refunded to Government or the relevant authority specified in the funding agreement.

First Homes: are a specific kind of discounted market sale housing and should be considered to meet the definition of 'affordable housing' for planning purposes. Specifically, First Homes are discounted market sale units which:

a) must be discounted by a minimum of 30% against the market value.

b) are sold to a person or persons meeting the First Homes eligibility criteria (Further details included in Appendix 2).

Offsite Affordable Housing Contribution

Whilst onsite provision will always be the priority option for providing affordable housing, there may be some circumstances where the inclusion of affordable housing onsite may not be practical or appropriate. In such circumstances, a commuted sum is the acceptable alternative to the provision of units of affordable housing on a site. The following are circumstances where a commuted sum may be justified:

- Where a Registered Provider is unwilling to acquire affordable units. This may occur because the affordable housing proposed may be in a location, or is of such a limited scale, that a Provider considers it unsuitable to manage efficiently.
- Where the viability of the particular form of development might be compromised by the integration of affordable housing into that development, for reasons that can be clearly set out and justified. Submitted viability appraisals will be re-appraised by the

council before consideration can be given to acceptance of a commuted sum in lieu of onsite provision of any affordable housing obligation.

If a commuted sum payment is accepted, the value will be based on the cost to the developer of meeting the affordable homes requirement using the Offsite Contribution Calculator set out below:

40% of the average house price in North Lincolnshire using the UK Land Registry House Price Index for North Lincolnshire X number of affordable units required onsite = Offsite affordable housing contribution.

For example: 20 dwellings

The site is required to deliver 2 affordable dwellings onsite, however if an offsite contribution has been agreed, then the amount would be worked out as below:

Average house price in North Lincolnshire is £180,718 (April 2022)

$£180,718 \times 0.4 (40\%) = £72,287.20$

$£72,287.20 \times 2$ (dwellings required to be affordable) = £144,574.40 offsite affordable housing contribution.

Rural Exception Sites

Policy H3 Affordable Housing allows for rural exception sites, and states that affordable housing will be permitted within or adjacent to the development limit of rural settlements where the council is satisfied that the proposal will meet local identified need within the settlement parish. Exception sites are usually supported by a Local Housing Needs Survey. The council would expect such surveys to follow the best practice methodology of a parish level two-part survey which is independently undertaken and analysed including a pre-survey consultation with the council and Town or Parish Council to raise awareness of the survey. Where surveys find evidence of a demand for open-market housing within a parish it is useful that this is reported, but it must be noted that this provides evidence of demand, not local housing need.

Housing on Rural Exceptions Sites shall remain 'affordable' in perpetuity to continue to meet local need. Each occupant of the affordable dwellings will be required to meet the local connection criteria to ensure the additional provision meets the local community needs, which will be confirmed through a Section 106 agreement. In some circumstances (most likely due to viability), it will be acceptable to provide an element of market housing on rural exception sites, to cross subsidise the affordable housing.

On rural exception sites a small amount of market housing may be permitted, provided it is demonstrated as being necessary to enable the provision of significant additional affordable housing to meet local needs. At least 70% of the homes will be affordable homes, unless the applicant can demonstrate through a financial appraisal that it would not be viable to deliver the required number of affordable homes, and provided that the scheme would still predominantly be an affordable housing scheme, in accordance with the definition of a rural exception site. The applicant will be expected to fund the independent verification of the submitted viability assessment by a person appointed by the council.

How the obligation will be delivered and spent

Affordable Housing will be delivered either onsite or via an offsite contribution in accordance with Policy H3 Affordable Housing. Offsite contributions will be spent on providing additional affordable housing units in accordance with local needs requirements set out in the most recent Local Housing and Economic Needs Assessment.

To create balanced, mixed, and sustainable communities, the provision of affordable housing onsite should be dispersed amongst the market housing in clusters of a size proportionate to the scale of the development. All affordable housing provision should be indistinguishable from other development on the site. The size and type of affordable housing units provided should reflect those that are built to be sold on the housing market.

The council advocates that applicants should aim to involve an affordable housing provider, where appropriate, at the earliest opportunity to avoid any delays through the formal planning application process.

Where Discounted Market Value (DMV) units are proposed as an intermediate tenure, local connection and eligibility criteria will apply. The level of discount will be a minimum of 20%. Similarly, First Homes will also have a local connection and eligibility criteria with the level of discount sitting at 30%.

Affordable Housing Units and type, including the type of intermediate tenure proposed, must be shown on the proposed site plan submitted as part of the planning application and should be secured in the Section 106 Agreement.

Education

Introduction

North Lincolnshire Council has a statutory duty to ensure sufficient, appropriate education provision is available for each young person. Education establishments for an area need to be sufficient in number, character, and equipment to provide all pupils with the opportunity of appropriate education. Appropriate education means education which offers such variety of instruction and training as may be desirable in view of the pupils' different ages, abilities, and aptitudes; and the different periods for which they may be expected to remain at school, including practical instruction and training appropriate to their different needs.

In some instances, new development puts pressure on the capacity of existing education provision and in such cases, it is reasonable to seek a financial contribution towards the cost of improving existing educational facilities or new facilities from a developer creating new housing development. The approach set out in this chapter ensures that the council has adequate resources to respond to the increased demand and fulfil its statutory responsibility to ensure the sufficiency of educational places.

The National Planning Policy Framework sets out the importance of ensuring adequate choice of school places is available, to meet the needs of new and existing communities. Paragraph 95 of the framework states local planning authorities should take a proactive, positive, and collaborative approach to meet this requirement and towards development that would in turn widen the choice in education. In accordance with paragraph 95 the council will:

- Give great weight to the need to create, expand or alter schools through preparation of plans and decisions on applications; and
- Work with school promoters, delivery partners and statutory bodies to identify and resolve key planning issues before applications are submitted.

The 'Securing Developer Contributions for Education' document (November 2019) states it is important that the impacts of development are adequately mitigated, requiring an understanding of:

- The education needs arising from development, based on an up-to-date pupil yield factor.
- The capacity of existing schools that will serve the development, taking account of pupil migration across planning areas and local authority boundaries.
- Available sources of funding to increase capacity where required.
- The extent to which developer contributions are required and the degree of certainty that these will be secured at the appropriate time.

Central government Basic Need Grant, the DfE free schools programme and other capital funding does not negate housing developers' responsibility to mitigate the impact of their development on education. When the DfE free schools programme is delivering a new school for a development, we expect the developer to make an appropriate contribution to the cost of the project, allowing DfE to secure the school site on a peppercorn basis and make use of developer contributions towards construction.

The Local Education Authority (LEA) make forecasts of future school capacity and population growth. If, following these calculations, the local school is deemed to be at capacity or deficient in facilities, contributions will be sought based on the number of houses included in the detailed planning application. If an application amendment is submitted to increase the number of units onsite, then this will generate additional contributions on top of the previously agreed amount.

North Lincolnshire Council does not intend to provide mobile classrooms to meet demand and is determined that the planning of school places is co-ordinated and any improvements or enhancements to school provision is permanent.

Policy CSC8: Educational Facilities

1. It is important that a sufficient choice of school and educational places is available to meet the needs of existing and new communities and requirements of education provision can be met (including early years and childcare).
2. The following sites are allocated for new and extended school and college facilities:-
 - a. Land at Bowmandale School, Barton Upon Humber
 - b. Strategic Site Allocation Lincolnshire Lakes, Scunthorpe
 - c. West Common Lane, Scunthorpe
3. A new or improved education facility will be supported where:
 - a. the scale, range, quality and accessibility of education facilities are improved;
 - b. there is a need to create, expand or alter an existing school;
 - c. it meets a recognised need in the area it is expected to serve in line with the council's legal responsibility to provide sufficient school places;
 - d. the proposed development is of a scale and design appropriate to the location;
 - e. an area of open space and playing fields sufficient to meet the needs of pupils is incorporated;
 - f. the development is capable of a joint or dual use for community benefit, in agreement with the school/academy and this has been incorporated into the design;
 - g. proposals that involve the relocation of existing education facilities outside settlement boundaries (and redevelopment of the original site for alternative use) will only be supported where the new site would demonstrably better meet the identified education needs and is acceptable in terms of its impacts on the countryside;
 - h. the proposal is readily accessible by the community by public transport and by means other than the car; and,
 - i. sufficient car parking, drop off zones and pedestrian crossings are provided.
4. New school development should seek to ensure effective protection of environmental features/assets and that the design of such development should seek to achieve multiple benefits, including environmental enhancement, low carbon design and renewable energy generation.
5. Where major new housing proposals would result in an increased demand for education facilities which cannot be met by existing schools and colleges, a developer may be required to enter into a S106 planning obligation in order to secure the provision of, or contribution towards new or extended facilities in accordance with the Developer Contributions SPD.
6. Major new housing proposals applies to:
 - a. 25 or more dwellings in the Scunthorpe and Bottesford urban area,
 - b. 15 or more dwellings in principal, medium, and minimum growth settlements.
7. Calculations are based on the DfES basic need allowance for new places and is linked to the DfES index. The contribution required will be set out in the Developer Contributions SPD and any updates.
8. At the Planning Application Stage the council will stipulate if necessary to have Community Use Agreements as part of their planning conditions in order to make the facilities of the school available (when their use is not required by the school)

Basis for requiring the contribution

A number of factors are considered when calculating the number of school places that are required in North Lincolnshire.

Early years education

In addition to demand caused through increased local birth-rates, recent government policy introduced the entitlement for eligible parents to access 15 hours free childcare for 2-year-olds and for eligible parents to receive up to 30 hours free childcare for 3- and 4-year-olds. The impact of this is that a greater age range and number must be considered when identifying the availability of nursery places required to serve any new housing development.

Primary education

Primary school places are governed by Infant Class Size Regulations in Key Stage 1. This aims to ensure that, unless exceptional circumstances are demonstrated, the maximum number of children in any Key Stage 1 class is limited to 30 pupils per teacher and is also recommended for Key Stage 2.

Secondary education

Within North Lincolnshire, most secondary schools operate in class sizes of 30 or less within Key Stages 3 and 4. Specialist teaching spaces are also required for practical subjects like science and technology.

Tertiary education

Class sizes tend to be smaller within the post 16 sector. The majority of provision is met by the two tertiary colleges with a small sixth form provision in Brigg.

Special school education

A small proportion of North Lincolnshire pupil population will attend a special school appropriate to the key stages above.

Capacity calculation

The physical capacity required by schools to deliver an effective curriculum is identified through a Net Capacity calculation. This is the Department for Education (DfE) measurement of required teaching space within each school based on identified and available class spaces which evaluates the number of students that can be accommodated in the school and identifies any shortfall in capacity to take in additional pupils. The current capacity of an academy is determined by their Education and Skills Funding Agency (ESFA) funding agreement. The DfE are currently reviewing the capacity measurement for academies to bring it more into line with the net capacity calculator.

In addition to classroom space, any expansion would need to take into consideration the requirements for support areas such as dining, welfare, and staff spaces.

The council uses GP registration and historical trends data to determine the future demand for school places within North Lincolnshire.

Each school in North Lincolnshire has a defined catchment area which can be accessed via the council website. North Lincolnshire Council has an interactive map for school catchments that can be accessed via this link: <https://map.northlincs.gov.uk/mycouncil.aspx?tab=maps>

How the contribution will be calculated

Developer contributions will be sought for all housing developments that comprise of:

- 25 or more dwellings in the Scunthorpe and Bottesford urban area
- 15 or more dwellings in the remaining North Lincolnshire settlements.

Residential development within Use Classes C2 and C2A as defined by the Use Classes Order 1987 (as amended), developments for student accommodation and for older persons (over 55's accommodation) will be exempt from education planning obligations.

In assessing the requirement for a Section 106 contribution the council will consider the following:

- Current pupils in early years, primary, secondary, and tertiary education provision that serve the area of the development.
- Future 5-year pupil projections for early years, primary, secondary and tertiary education provision that serve the area of the development.
- Capacity and Pupil Admission Number of early years, primary, secondary and tertiary education provision that serve the area of the development.
- The cumulative impact of planning applications with either full or outline permission which may impact on the availability of places in early years, primary secondary and tertiary education provision that serve the area of the development.

Where it is identified that additional pupil places will be required as a consequence of new developments, the calculation below will be applied:

Pupil yield per dwelling X number of eligible dwellings X cost per pupil place = Contribution amount.

Pupil Yield

The pupil yield calculation is based on the number of early years, primary, secondary and tertiary aged pupils, resident at North Lincolnshire postcodes as of 2022 divided by the number of dwellings in the area.

Table 3: Pupil Yield by education type

	Pupil Yield
Early Year	0.11
Primary	0.25
Secondary	0.17
Tertiary	0.05

Cost Per Place

North Lincolnshire Council will use the DfE published Pure Basic Need Rates in 2022, that take account of regional location factors, to calculate the overall cost of new places. These will be updated annually in line with the DfE rates and in the absence of published DfE rates they will be inflated by [Retail Price Index](#).

Table 4: Cost per place by education type

	£ Per Pupil Place	£ Per Dwelling
Early year	16,837.35	1,852.11
Primary	16,837.35	4,209.34
Secondary	21,634.03	3,677.79
Tertiary	21,634.03	1,081.70

If the council considers the number of current and projected placements to be sufficient to meet the needs of a development, no request will be made.

How the contributions will be delivered and spent

Developer contributions will be used to fund costs associated with capital expenditure, e.g., the creation of new pupil places. It will not be used to meet the revenue requirements of any increase in capacity, such as the employment of additional teaching staff. It will not be used for any condition work that is not linked to increasing capacity or ensuring existing space is suitable to accommodate increased pupil numbers.

The delivery of any additional places will be based on anticipated demand as a consequence of the development. To effectively meet demand, the council will request financial contributions to be spent on education facilities serving the area of the development for the phase of education where there is demand for places, including special education places.

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Open Space

Introduction

The built and natural environments are important determinants of health and wellbeing. Access to a network of high-quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities. The attractiveness of streets and green spaces as well as the availability of green spaces have also been shown to influence the level of walking and their use for physical activity.

Open space can be classed as formal (playgrounds/play equipped parks) or informal (open areas of green space).

Policy CSC3: Protection and provision of open space, sports and recreation facilities

1. The council will work with its partners, appropriate agencies and the voluntary sector to ensure the provision of good quality, well maintained sport and recreation facilities, which meet the needs of the local communities, will be secured, accessible and improved.
2. In particular, provision will be sought to address identified deficiencies or that will benefit deprived groups and meet the needs of local communities and to improve the quality of, and access to existing open spaces, sports and leisure facilities.
3. Development proposals for new sports and recreational buildings and land, children's play facilities, Multi use games area, playing pitch and open space or the extension/ enhancement of an existing facility should be on a scale appropriate to the type and size of settlement. Wherever possible facilities that attract large numbers of people should be located in the larger settlements and be accessible by walking, cycling and public transport.
4. Proposals will be permitted provided that:
 - a. They support local wildlife and there is no adverse impact to nearby properties, European sites or habitats, by reason of noise, general disturbance, fumes or external lighting;
 - b. They are multifunctional, fit for purpose and support health and outdoor recreation.
 - c. They are associated with identified needs of the community.
 - d. They offer greatest accessibility to the public and are easily accessible by means of pedestrian connections.
 - e. They consider the context of any existing provision/shortfall and maximise any opportunities for improvement within the wider area where these are relevant to the development of the site.
 - f. When new provision is provided, have appropriate mechanisms secured which will ensure the future satisfactory maintenance and management of the open space, sport, recreation and leisure facility; and,
 - g. They will create a sense of safety, including natural surveillance by overlooking public spaces and encourage Secured by Design guidance
5. To fulfil the obligations under the Equality Act (2010) park and playground developments must have wheelchair play equipment and that the park/playground should attain the standards set out in the Plan Inclusive Playground Play Areas (PiPA) guidelines.
6. Development proposals that will result in the loss of an existing sport and recreational building, land and facility, children's play facility, natural greenspace or open space will not be supported unless:
 - a. There is currently an excess of provision; or
 - b. Satisfactory alternative provision equivalent or better quality and quantity in a suitable location is made; or
 - c. Measurable biodiversity net gain is achieved; or
 - d. The ecological network is protected or enhanced; or
 - e. The facility is no longer needed.
7. Proposals that result in the loss of a sport facility will be supported where there is an up to date and robust evidence base in the form of a Playing Pitch Strategy or Built Sports Facility Strategy that clearly evidences that the specific sport facility that will be lost be the development is genuinely surplus to both current and future sporting requirements.

Provision in New Housing Developments

8. In all new residential developments of 10 dwellings or more (or on sites of 0.5ha or more), the council will require provision of high-quality open spaces and sports and recreation facilities to meet the needs of additional residents. The types and required standards of these spaces and facilities will be identified in the new Developer Contributions SPD.

9. On sites of less than 0.5 ha, the developer will be expected to make an appropriate commuted payment to off-site recreational open space provision within the catchment area and to contribute to future maintenance in accordance with the Developer Contributions SPD.

10. The council will seek to enter into an agreement with developers which will set out the date of provision and arrangements for the maintenance and management of such areas during the course of development and thereafter.

11. As first preference, the provision of informal Open Space should be provided on-site in a suitable location. Where on site provision is not feasible or suitable within a local context, consideration of a financial contribution to the upgrading and improvement of an existing usable facility will be considered as per the criteria set out in the Developer Contributions SPD and in accordance with national legislation.

12. Developers will be expected to contribute towards improving catchment sports and recreation facilities or the provision of a new sports and recreation facility if the current sports and recreation facilities could not cope with the additional demand. Such facilities may address issues with formal outdoor sports pitch provision and/or in door sport and leisure facilities. Consideration for the criteria for the financial contributions will be set out in the Developer Contributions SPD for Sport facilities.

13. A holistic approach to the design of new open space should be taken including considering the contribution to place making, the green network and protecting and enhancing nature conservation and the water environment. New provision should also aim to protect, enhance and manage integrated paths for active travel and/or recreation, including new and existing links to the wider countryside.

Basis for requiring the contribution

The importance of open space is highlighted in the Promoting Healthy and Safe Communities section of the National Planning Policy Framework. Paragraph 99 of the National Planning Policy Framework states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- an assessment has been undertaken which has clearly shown the open space, buildings, or land to be surplus to requirements; or
- the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

The emerging Local Plan Policy CSC3 Protection and Provision of Open Space, Sports and Recreation Facilities aims to protect and provide provision of open space, sports, and recreational facilities. It also requires new open space to be provided in association with new housing development and sets out the criteria for this. The council assessed recreational need for open space by considering minimum acceptable standards of provision for different types of open space. The required standards are summarised in respect of quantity, quality and accessibility of open space and playing pitch provision within North Lincolnshire and have been used to inform the provision requirements for new development.

In all new residential developments of 10 dwellings or more (or on sites of 0.5ha or more), the council will require provision of high-quality open spaces and areas of play to meet the needs of additional residents, in line with the standards identified in North Lincolnshire Open Space Study 2019.

The North Lincolnshire Open Space Study 2019 provides a robust audit and assessment to set locally derived standards for the provision of open space, outdoor sport and recreational

facilities. The assessment also shows the open spaces, buildings or land that is surplus to requirement.

The North Lincolnshire Open Space Study 2019 also calculated the number of people generated from the net increase in dwellings in the proposed scheme, using the average household occupancy rate of 2.33 people per dwelling as derived from the Census. On this basis, 1,000 persons at 2.33 persons per household equates to 429 dwellings.

The next stage is to calculate the open space requirement per dwellings and is set out below:

- Amenity Open Space based on current demand = 0.53ha per 1,000 population = 5300m² per 1000 population
- 5300m² divided by 429 dwellings = 12m² per dwelling

How the contribution will be calculated

Onsite Contribution

In accordance with Policy CSC3, for all major residential developments of 10 dwellings or more the following open space provision should be provided onsite:

- 12m² per dwelling of high-quality open space should be provided onsite.
- Provision of new open space should be provided by the developer to a design and specification first approved in writing by the council along with a maintenance and management plan having regard to the location and characteristics of the site. The provision should be retained as open space in perpetuity by the developer and monitored as such through the Section 106 process. If the preference is for North Lincolnshire Council to adopt and maintain the open space, a financial maintenance contribution should be provided and is calculated using the offsite contribution calculation set out below.
- New or enhanced greenspace must be publicly useable and available. Grass verges should not be included in any calculations and heavily engineered Sustainable Urban Drainage (SUD) solutions will not be considered acceptable within greenspace provision.
- The council will consider adopting new areas of open space within a development with a commuted sum for maintenance over a 10-year period at a cost of **£34.52 per m²** (Index Linked).
- Alternatively, an estate management company may be set up by the developer to maintain the open space in perpetuity. This will be detailed in the Section 106 agreement.

Open space requirement per dwelling (12m²) X number of eligible dwellings = total open space area requirement.

Example: 10 dwellings

Size open space: 12m² x 10 dwellings = **120 m²**

Open space maintenance contribution if adopted by North Lincolnshire Council: 120 m² x £34.52 = **£4,142.40**

Offsite Contribution

An offsite contribution will be required on sites of less than 0.5ha or any residential development of 10 dwellings or more where an onsite provision is not feasible or suitable within a local context. A financial contribution will be secured through a Section 106 agreement to upgrade and improve an existing usable facility, or to provide new facilities where appropriate within the catchment area. This contribution will be calculated as follows:

Open space requirement per dwelling (12m²) X number of eligible dwellings X cost per square metre (£34.52) = total contribution amount.

Example: 15 dwellings

12m² x 15 dwellings = 180m²

180m² x £34.52 = **£6,213.60**

The standard costs for the enhancement of existing open space and provision of new open spaces will be reviewed regularly by the council and annual indexation will apply in accordance with Securing Planning Obligations section of this document.

How the contribution will be delivered and spent

All financial contributions secured for open space will be directed towards the improvement, enhancement and maintenance of existing open space or new open space adopted by the council as part of any new development.

Offsite contributions will be spent in existing areas of open space that will benefit from improvement works to cope with the extra use as a result of the new development. This could include, but is not limited to:

- Provision of additional or replacement bins and seating.
- Increasing and improving footpaths, lighting, fencing, gates and signage near the new development.
- Provision of new and improvement of existing planting and soft landscaping.

Equipped Areas of Play

Introduction

The provision of equipped areas of play for children is important in facilitating opportunities for play and physical activity, as well as the development of movement and social skills. The National Planning Policy Framework also highlights that access to a network of high-quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities. North Lincolnshire Council wants to ensure all children have access to a safe area of play.

Basis for requiring the contribution

The council recognises the importance of play as a part of a child's life, and that all children have the right to access quality fixed play provision near to their home. The council is committed to providing a quality standard of play provision within North Lincolnshire through the delivery of new play facilities and improvements to existing facilities within our parks.

The council is committed to ensuring improvements and new provision of play across North Lincolnshire:

- Provide high quality play provision
- Maintain safe play provision
- Promote high standards of equipped play
- Ensure inclusive play provision

Policy CSC3 requires new development to contribute towards the provision of new play equipment and improvement to existing provision. Developer contributions will be sought on developments of 10 dwellings or more, or sites of 0.5ha or more.

How the contribution will be calculated

Developer contributions will be calculated by considering the number of dwellings being delivered on the site and the type of playground required as set out below:

The three types of playgrounds recognised are:

- Local Area for Play (LAP), is a small area of unsupervised space specifically designated for young children for play activities close to where they live, containing two items of equipment. This is 100 m² in size.
- Local Equipped Area for Play (LEAP), is an unsupervised play area equipped for children of early school age, containing five items of equipment. This is 400 m² in size.
- Neighbourhood Equipped Area for Play (NEAP), is a supervised site serving a substantial residential area, equipped mainly for older children but with opportunities for play for younger children, containing eight items of equipment. This is 1000 m² in size.

As stated above, a LAP is a small park only containing two pieces of equipment. North Lincolnshire Council's preferred option is an offsite contribution to be spent on additional play provision on an existing park within close proximity to the proposed development. If a developer does choose to proceed with a LAP on their development, this will have to be maintained by an estate management company in perpetuity.

Playground standard required for development thresholds:

- 1 LAP to be provided for developments of 10 - 50 dwellings through an offsite contribution to be spent at parks within close proximity of the proposed development, or a LAP onsite maintained through an estate management company in perpetuity.
- 1 LEAP to be provided for developments of 51 - 100 dwellings through an onsite provision and thereafter to be provided per 51 dwellings.
- A NEAP to be provided for developments of 500 dwellings through an onsite provision

Examples:

- 10 dwellings: 1 LAP offsite contribution
- 170 dwellings: 2 LEAPS onsite provision
- 600 dwellings: 1 NEAP and 1 LEAP onsite provision

These playground standards and requirements have been set based on the recommended benchmark guidelines for provision of equipped play space within Fields of Trust – Guidance for Outdoor Sport and Play Beyond the Six Acre Standard for England.

Onsite Provision

Equipped play provision provided onsite requires the design and specification to be approved in writing by the council prior to commencement of the development, taking account of the guidance below:

- Equipment should be of metal construction and all major playground manufacturers are accepted. In the long run metal constructed playgrounds are superior to predominately wooden ones which are more prone to vandalism, particularly fire damage, and generally they do not wear so well.
- To appeal to children, playground equipment can be painted in bright colours.
- Boundaries should be defined by 1.2m galvanised steel bow fences, coloured green and including self-closing gates.
- Seats and litter bins should be provided.
- Equipment should require minimal maintenance and meet British Safety Standards.
- Permanent safety surfaces should be used beneath play equipment and needs to be of the wet pour type. Safety tiles and sand/shingle would not be accepted. Any wet pour should either be imposed upon a hard surface if available or a minimum of 150mm of Type 1 base. Playground surfacing requires a 5-year minimum guarantee.
- To fulfil the obligations under the Equality Act (2010) park and playground developments must have wheelchair play equipment and the park/playground should attain the standards set out in the Plan Inclusive Playground Play Areas (PiPA) guidelines.
- North Lincolnshire Council adopted playground standard is British and European Standard for playground equipment and surfacing is BS EN 1176.
- For NEAPs in particular we would encourage Play Learning.

All onsite provision must be retained and maintained in perpetuity by an estate management company or adopted by North Lincolnshire Council.

If the preference is for North Lincolnshire Council to adopt and maintain the play provision, a financial maintenance contribution must be provided for 10 years maintenance using the cost set out below (Further details are provided in Appendix 3):

- 1 LAP: 33,668
- 1 LEAP: £54,106
- 1 NEAP: £62,506

On completion of the park, a member of the Parks Maintenance team will come and inspect the park and confirm to the developer if the park is up to an adoptable standard. If the park is not up to an adoptable standard and in line with British Safety Standards, North Lincolnshire Council will not take ownership or responsibility of the park until the standards have been met and will require the developer to bring the park up to adoptable standard in accordance with the terms set out within the S106 agreement.

Offsite Provision

In some circumstances it may be decided that an equipped area of play onsite may not be the best option. For example, if the development is next to an existing park with limited pieces of equipment, then North Lincolnshire Council would request an offsite contribution towards improvements to the park that is in close proximity of the development in accordance with the playground standard required for development thresholds set out above.

The following contribution will be sought for each type of play provision and takes account of the required amount of equipment, installation, and maintenance over a 10-year period.

- 1 LAP: £33,668
- 1 LEAP: £54,106
- 1 NEAP: £62,506

How the contribution will be delivered and spent

Onsite provision

All new equipped areas of play adopted onsite by North Lincolnshire Council will be accompanied by a 10-year maintenance contribution. The money received will be safeguarded for that specific park. The maintenance contribution will be spent on regular inspections of the park, including any work and repairs that need to be completed to ensure the park is safe to play in. At the end of the 10-year period, the council will have been given sufficient notice to build the extra maintenance cost into its budget and continue to maintain the park for its lifetime.

Offsite contribution

Any offsite contribution received will be spent in providing additional equipment and improvements to the existing park provision within close proximity of the new development. In many parts of rural North Lincolnshire, parks are owned and managed by respective Parish Councils. In these circumstances, once North Lincolnshire Council have received the offsite contribution from the developer, the council will notify the Parish Council to inform them of the total amount received. Once the Parish Council have a scheme or project in place which North Lincolnshire Council are satisfied with and relevant quotes/invoices have been sent across, the money will be transferred to the Parish Council to improve the parks in these localities.

Sport and Recreation Facilities

Introduction

The provision of high quality and accessible leisure facilities in North Lincolnshire is essential to improving the health, community cohesion, prosperity and wellbeing of our residents. Taking part in sport and recreational activities can improve your mental and physical wellness, as well as relieving boredom and stress.

Basis for requiring the contribution

The occupiers of new developments, especially residential, will generate demand for sport and recreation provision. Policy CSC3 requires all new residential development of ten or more dwellings to contribute towards sport and recreation facilities to meet the need of the additional residents.

There are elements of existing sport and recreation provision within North Lincolnshire which will not be able to accommodate the increased demand without exacerbating existing and/or predicted future deficiencies. Developers will be expected to contribute towards improving catchment sports and recreation facilities, or the provision of a new sports and recreation facility if the existing facilities cannot cope with the additional demand. Such facilities may address issues with formal outdoor sports pitch provision and/or indoor leisure facilities. The 'Playing Pitch Strategy', 'Facilities Planning Model for North Lincolnshire Swimming Pools', 'Facilities Planning Model for Indoor Bowling Centres' and 'Facilities Planning Model for Sports Halls' highlight the areas in North Lincolnshire that cannot cope with additional demand that new developments will put on them. A copy of these documents can be found on the North Lincolnshire Council Local Plan website within the Evidence Base.

How the contribution will be calculated

The contribution will be calculated using the Sports England Sports Facility and Playing Pitch Calculators (<https://www.activeplacespower.com/>). These calculators are used to determine the contribution amount required as a consequence of the development, to support improvements at the catchment leisure facilities and playing pitches.

The 'sports facility calculator' has been developed by Sport England for planning obligation purposes associated with leisure, sport and recreation facilities. The Sport Facility Calculator (SFC) is a planning tool which estimates the amount of demand for key community sports facilities that is created by a given population. The SFC covers swimming pools, sports halls, Artificial Grass Pitches (AGPs) and indoor bowls centres.

The Playing Pitch Calculator, also developed by Sports England, looks at the additional demand put on playing pitches as a result of population increase from new development.

Sport England have also produced an advice note based on Sports England's current understanding of the use of CIL and planning obligations. It explains the approach to take for developer contributions based on the relevant planning legislation and guidance. This can be viewed at [Sport England CIL and Planning Obligations Advice Note](#)

Other provisions outside the scope of the calculators may be requested if deemed suitable for a specific application where there is justifiable evidence that the new proposal generates different recreational needs.

How the contribution will be delivered and spent

All financial contributions secured for recreation will be spent on a provision highlighted within the Facilities Planning Models and Playing Pitch Strategy documents to support the demand of the facility. It will be specified in the Section 106 agreement which facilities the contribution will be spent.

This could include but is not limited to:

- Providing upgrades and additional changing room facilities.
- Improving quality of pitches so they can accommodate more time being played on.
- Additional equipment to allow residents to attend group classes etc.
- Increasing the facility or provision.

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Health Care Provision

Introduction

North Lincolnshire Council recognises that new developments may bring an increased pressure on local health care facilities. Integrated Care Systems (ICS) containing an Integrated Care Board (ICB) and Integrated Care Partnership (ICP) is the NHS organisation responsible for designing, developing and buying local health services in the North Lincolnshire area. One of the roles of the ICB is to assess the health needs of the North Lincolnshire population and make sure safe, sustainable and high-quality healthcare services are in place. The North Lincolnshire Council: Local Plan Housing and Primary Health Care Analysis (October 2021) has been produced to assess the primary health care accommodation requirements across North Lincolnshire based on predicted growth within the new Local Plan.

Developers will be expected to make an appropriate contribution towards necessary improvements, additional provision improvements or additional provision for health care services and facilities arising from their development proposals.

Policy CSC2: Health Care Provision

1. The council will support the implementation of health care provision in North Lincolnshire, in order to modernise and improve the primary health care facilities, and to improve the health of residents through safeguarding and enhancing open space, facilities for sports and recreation and improving walking and cycling routes.
2. Where appropriate, developers should consult with health care commissioners at an early stage in order to understand the need for new or enhanced health care infrastructure and improved access to primary and mental health care facilities.
3. That the healthcare infrastructure implications of any relevant proposed development have been considered and addressed.
4. Proposals for new health care facilities should provide high standards of accessibility to all sectors of the community and should connect well to public transport services, walking and cycling routes and be easily accessible to all sectors of the community. Proposals which utilise opportunities for the multi-use and co-location of health facilities with other services and facilities, and thus co-ordinate local care and provide convenience for the community, will be particularly supported.
5. The loss of health care facilities or land allocated for such purposes will be resisted, unless there is no longer a need for the land or building in any form of health care use, or there is an acceptable alternative means of meeting such need to the same or higher standard in terms of community benefit.
6. On proposals of 10 dwellings or more in areas with the greatest health care impact including Scunthorpe, Barton Upon Humber, Brigg, Kirton in Lindsey, Winterton, Crowle and Barrow upon Humber developers will be expected to make a payment towards health care provision.
7. The level of Section 106 contribution for health is proposed number of dwellings in development x dwelling rate £723.16. This calculation is based on an analysis of future requirements and standardised BCIS building rates for health centre accommodation and any future updates.
8. The implementation of new facilities supported by this policy will be permitted subject to other relevant plan policies.

Basis for requiring contribution

In accordance with Policy CSC2 Health Care Provision, where any major new housing proposals of 10 or more dwellings increase the demand for health care facilities but cannot be met by existing health care accommodation, a developer will be required to enter a Section 106 planning obligation in order to secure the provision of, or contribution towards new or extended facilities.

North Lincolnshire Council has worked in partnership with North Lincolnshire ICB to develop a methodology which produces the future clinical room requirement, which is based on estimated population growth and increase in patient activity. New proposed housing development allocations have been considered as part of the growth calculation. The increase in housing unit numbers is applied to a multiplier of average number of people per

household and average number of GP visits per annum. Primary health care resource is also factored into the analysis, considering availability of staff resource and clinical space.

The clinical room requirement is broken down per locality area and an assumption is made where the space requirement is less than half a clinical room per locality, that new space is unlikely to be constructed to accommodate this due to it being such a low level of space requirement. Instead, it is assumed that operational changes and efficiencies would accommodate the additional space requirement. Existing primary care premises would be considered to accommodate the space requirements for less than half a room.

Table 5: Highlights the additional clinical room requirement and estimated costs for the additional dwellings in each locality.

Locality Area	Clinical Room Requirement (Number of rooms)	Clinical Room with Support Space SQM	Total Estimate Cost
Scunthorpe	15.43	1080.1	£3,512,917.24
Brigg	4.01	280.7	£739,195.28
Barton Upon Humber	2.23	156.1	£390,281.22
Kirton in Lindsey	1.83	128.1	£337,338.54
Winterton	1.09	76.3	£200,928.42
Barrow Upon Humber	0.68	47.6	£119,009.52
Crowle	0.65	45.5	£116,789.40
Total	25.92	1814.4	£5,416,459.72

How the contribution will be calculated

The contribution has been calculated using a proposed rate per dwelling based on the estimated build cost of the additional accommodation, divided by the total number of proposed new housing units for North Lincolnshire, as set out in the emerging Local Plan.

Proposed rate per dwelling

Estimate build cost £5,416,459.72

Proposed number of new housing units ÷ 7490

Rate per dwelling = £723.16 (index linked)

On proposals of 10 dwellings or more in areas with the greatest health care impact including Scunthorpe, Barton Upon Humber, Brigg, Kirton in Lindsey, Winterton, Crowle and Barrow upon Humber developers will be expected to make a payment towards health care provision.

The level of Section 106 contribution for health care provision is:

Proposed number of dwellings in development x dwelling rate (£723.16).

This calculation is based on an analysis of future requirements and standardised BCIS building rates for health centre accommodation and any future updates.

Example: 10 dwellings

10 dwellings x £723.16 = £7231.60

How the contribution will be delivered and spent

Any financial contributions received by the council will be transferred to NHS England/Integrated Care Board to be spent on additional clinical floor space with the development locality catchment in accordance with the S106 agreement.

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Highways

Introduction

North Lincolnshire Council in their role as Local Highways Authority have the responsibility of safety, maintenance, and management of the transport network within North Lincolnshire. This includes bus provision and all adopted roads, excluding parts of the strategic network that are managed by Highways England.

Transport infrastructure requirements will be funded by a range of different mechanisms which will vary depending on site-specific circumstances and over the timescale of the North Lincolnshire Local Plan.

The National Planning Policy Framework seeks to balance the transport system in favour of sustainable transport modes, giving people a real choice about how they travel. It requires development to give priority to pedestrian and cycle movements and have access to public transport.

Local Plan Policy T3 New Development and Transport, requires any new development proposals to bring forward necessary transport infrastructure to accommodate expected movement to and from the development, and seeks to provide an opportunity to modify travel demands and habits to promote sustainable development in accordance with the National Planning Policy Framework.

Policy T3: New Development and Transport

1. In order to increase overall accessibility, minimise congestion and improve safety, new development will be supported where it is accessible, or can be made accessible, by sustainable modes of transport and addresses its likely transport impact. Development proposals should:

- a. Produce and agree a transport assessment and travel plan, where requested by the Council.
- b. Support, encourage and promote sustainable travel options, which may include walking, cycling, public transport, electric and ultra-low emission vehicles, car sharing and car clubs particularly in the Scunthorpe and Bottesford urban area, principal towns and large service centres.
- c. Bring forward other necessary transport infrastructure to accommodate expected movement to and from the development.
- d. Be provided with a satisfactory access which must ensure the safe operation of the highway. Proposals that cannot be served by a safe access and/or would adversely affect the safe operation of the highway will be refused; and,
- e. Not have an adverse impact on the network's functioning and safety. Proposals that have significant transport implications will be expected to deliver necessary and cost effective mitigation measures. Such measures shall be secured through conditions and/or legal agreements.

2. Developers will be required to demonstrate that their development is adequately served by a variety of modes of transport and will not have an adverse effect on transport near the site. The Council will require developers to contribute towards measures in the vicinity of the development to enhance the following, both on and off site:

- a. public transport services and infrastructure, providing bus stops within a 400m walk of all new developments and ensuring that there is no increase in risk at level crossings (both vehicular and pedestrian) in the vicinity of the site,
- b. Facilities for pedestrians and cyclists,
- c. On street parking controls,
- d. Traffic calming/reduction measures.

3. These measures will be secured through planning conditions and/or legal agreements.

Basis for requiring contribution

Most developments will inevitably have some impact on the transport network around them as a consequence of the construction of the development itself, or the activities that take place once the development is complete.

Given that potential transport and highways impact of a development will most likely be specific in nature, the submission of a Transport Assessment or Transport Statement and a Travel Plan, where required, will be the primary mechanism in determining what measures are required to mitigate the impacts of the development. Where the need for specific transport related infrastructure is identified through transport assessments, statements or in discussion with the Highways Authority, they will be secured through a planning obligation. This is likely to be the case for larger developments or developments that are associated with intensive patterns of traffic.

Alongside Section 106 agreements, planning conditions are the main mechanisms for the provision of essential onsite design requirements and infrastructure. These may include highway infrastructure agreements as covered by Sections 38 and 278 of the Highways Act 1980, which provide discretionary powers for the Highways Authority to enter into an agreement with a developer to adopt a new highway or improve an existing highway. The requirement for developers to enter a planning obligation to provide transport improvements will be considered on a case-by-case basis.

In accordance with Policy T3, developers will be required to demonstrate that their development is adequately served by a variety of modes of transport and will not have an adverse effect on transport near the site. Proposals that have significant transport implications will be expected to deliver necessary and cost-effective mitigation measures.

How the contribution will be calculated

The type of contribution required will be different for each development and will be dealt with on a site-by-site basis. For localities with large allocations within the new Local Plan and where more than one application/developer is expected, North Lincolnshire Council as the Local Highways Authority will look at the cumulative impact of all the developments and ensure that the cost of the highway's infrastructure is addressed by all development proposals. The full cost of the transport mitigation measures will need to be met by the applicant unless agreed otherwise by the council or a transport provider. The Infrastructure Delivery Plan has highlighted areas which require upgrades to deliver growth within the Local Plan on larger schemes, however it is not limited to just these infrastructure improvements schemes.

National Highways are a statutory consultee and will be consulted as a matter of course on planning applications deemed to potentially create an adverse impact on the Strategic Road Network. Based on the assessment of traffic impact through the planning process, National Highways may recommend highway improvements to the strategic and junction approaches on the local road network or seek the introduction of planning conditions containing mitigation measures.

How the contribution will be delivered and spent

The mitigation required to make a development acceptable will be determined by the North Lincolnshire Council Local Highway Authority. Such mitigation measures may include but is not limited to:

- Highway and junction improvements
- New, safe and easy to use road crossings where needed or the improvement of existing pedestrian/cycle facilities in close proximity to the development site
- Traffic management and traffic calming initiatives near the development site
- Introduction of interventions to restrain and reduce traffic volumes
- Provision and improvement of cycling routes
- New secure cycle parking areas and facilities

Section 106 contributions may be directed towards revenue costs associated with the future maintenance of the infrastructure, similar to a commuted sum arrangement for a period of up to 10 years, unless otherwise agreed. Maintenance requirements will cover costs associated with the upkeep and general repair of traffic signal equipment and electric vehicle charging infrastructure installed as part of highway works associated with a development proposal.

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Public Transport

Introduction

The National Planning Policy Framework states that all developments that generate significant amounts of movements should be supported by a Transport Assessment or Statement, which will inform a Travel Plan. The required level of assessment should be discussed and agreed with the Local Highways Authority, prior to submitting a planning application.

The majority of North Lincolnshire's bus services are operated from Scunthorpe Bus Station and are provided by two main bus operators, Stagecoach and Hornsby Travel, with the existing bus network split into urban and rural or inter-urban services. The rural/inter urban services operate throughout the rest of North Lincolnshire, linking the more rural settlements with key urban centres both within and outside of North Lincolnshire. Another bus service in North Lincolnshire is the JustGo North Lincs which is a demand response transport service operating for people travelling in North Lincolnshire. This system enables passengers to book and travel when they want to.

Policy T2: Promoting Public Transport

1. To support the spatial strategy and encourage sustainable transport use the Council will support measures and actively encourage through partnership working, a transformed level of public transport service provision.
2. This will include actively pursuing changes to rail franchises and timetables to improve services on the rail network to better integrate and link the key settlements.
3. Provide for improved infrastructure at key interchange points.
4. Support fixed bus services and "JustGo North Lincs"/ DRT services across the area by seeking contributions from developers.

Basis for requiring contribution

New developments will usually generate additional travel journeys. To accommodate this increase in demand and to facilitate a change to more sustainable modes of transport, improvements to infrastructure, amendments or additions to public transport services may be required to support the development. The focus will be on encouraging greater use of the public transport network within North Lincolnshire.

Local Plan Policy T2 Promoting Public Transport requires any new development within North Lincolnshire to support the fixed bus services and JustGo/DRT North Lincs service across the area by seeking developer contributions.

How the contribution will be calculated

All new developments over 10 or more dwellings, excluding development within Scunthorpe sub regional centre, town centres and district centres boundaries, will be required to provide taster bus tickets for new residents or a suitable alternative to the equivalent value. The cost of this will be calculated at the time of the planning application by the North Lincolnshire Council Transport Solutions Manager after discussions are held with the relevant bus company who serves that area. The request will be for four weeks equivalent taster bus tickets for each dwelling, or a suitable alternative agreed with the council on a case-by-case basis.

In certain circumstances there may be a requirement for infrastructure such as a new bus stop within a development, this contribution will be calculated and requested on a site-by-site basis.

How the contribution will be delivered and spent

North Lincolnshire Council will receive the commuted sum from the developer prior to occupation of the first dwelling and buy the taster bus tickets direct from the bus company, which will then be sent to the developer to distribute when people first move into their new home.

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Biodiversity Net Gain

Introduction

The Environment Act 2021 sets out Government plans to mandate net gains for biodiversity. The Environment Act amends the Town & Country Planning Act to make biodiversity net gain mandatory. The key components of mandatory biodiversity net gain include the requirement for planning applications to deliver a minimum 10% net gain.

The National Planning Policy Framework paragraphs 174 - 177 requires the council to promote the preservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species populations to minimise the impact of new development on biodiversity and geodiversity.

The emerging Local Plan Policy DQE3: Biodiversity and Geodiversity outlines the circumstances in which measures will be secured in order to safeguard the provision, maintenance and monitoring of appropriate mitigation and/or compensation measures to secure a minimum 10% biodiversity net gain.

Policy DQE3: Biodiversity and Geodiversity

1. All development schemes shall, as appropriate to their nature and scale:
 - a. protect, manage and enhance natural capital, the network of habitats, species and sites of international, national and local importance (statutory and non-statutory), including sites that meet the criteria for selection as a Local Site* unless the reasons for the scheme clearly outweigh the nature conservation value of the site itself; and b. minimise, mitigate and compensate against impacts on natural capital, ecosystem services, biodiversity and geodiversity where adverse effects are unavoidable; and,
 - c. uses the latest version of the DEFRA Biodiversity Metric to demonstrate that a proposal will deliver a minimum 10% measurable biodiversity net gain (unless national standards increase this in the future); and
 - d. retains and enhance existing landscape and natural features (e.g. trees, hedges, riverbanks, watercourses, water bodies and important habitats); or
 - e. ensures an alternative corridor can be provided to ensure equivalent ecological connectivity is maintained; and
 - f. includes provisions for the long-term management and monitoring of habitats created; and,
 - g. requires sufficient ecological surveys prior to decision-making to identify impact avoidance, mitigation, compensation and enhancement measures for protected and priority species and habitats and threats from invasive non-native species. Where appropriate, sufficient information to support site-specific or strategic species licensing decisions should be provided.
2. Proposals which may affect an SPA, SAC or Ramsar site or functionally linked land supporting these sites will be assessed according to their implications for the site's conservation objectives. Proposals not directly connected with, or necessary for, the management of the site and which are likely to have a significant effect on the site, either individually or in combination with other plans or projects, shall be subject to an Appropriate Assessment. Where it is not possible to demonstrate that development will not adversely affect the integrity of a European Site, the development will not be permitted unless it can be conclusively demonstrated that:
 - a. there is no alternative solution; and,
 - b. there are imperative reasons of overriding public interest for the development.
3. Development proposals which are likely to have an adverse effect on a Site of Special Scientific Interest (SSSI) or National Nature Reserve (NNR) will not be permitted unless the reasons for the development clearly outweigh the national nature conservation value of the site itself and the national policy to safeguard the network of such sites.
4. Sites with local designations including Local Sites*, sites that meet the criteria for designation as a Local Site, and Local Nature Reserves should be protected from significant adverse effects, unless the reasons for the development clearly outweigh the local nature conservation value of the site.
5. Where adverse effects on SSSIs, NNRs or sites with local designations are likely permission will only be granted where it can be demonstrated that the effects can be avoided and/or minimised to an acceptable level or, as a last resort, appropriate compensatory measures provided.

6. Development resulting in the loss or deterioration of irreplaceable habitats, such as ancient woodland and aged or veteran trees, will be refused unless there are wholly exceptional reasons** and a suitable compensation strategy exists.

7. Wherever possible, harm to natural capital, ecosystem services, biodiversity and geodiversity should be avoided. In all cases where development is permitted which may damage the nature conservation value of the site, such damage shall be kept to a minimum. Developers will be required to ensure that impacts are appropriately mitigated with compensation measures towards loss of habitat used only as a last resort where there is no alternative. Where any mitigation and compensation measures are required, they should be in place before development activities start that may disturb protected or important habitats and species. The use of conditions or planning obligations to ensure the protection and enhancement of the site's nature conservation value will be required, together with monitoring and remedial measures, if appropriate and practicable or to enable major development. If significant harm to biodiversity resulting from a development cannot be avoided, mitigated or compensated for, planning permission will be refused.

8. All schemes shall, as appropriate to their nature and scale, use the DEFRA biodiversity metric to demonstrate that a proposal will deliver a minimum 10% measurable net gain for biodiversity, subject to any exemptions or thresholds identified in national policy. Measures required to deliver a measurable net gain for biodiversity shall be additional to any mitigation or compensation measures required as a consequence of identified impacts. Designated sites protected species and irreplaceable habitat impacts need to be addressed separately, in accordance with criteria 1-5 in this Policy. Where possible, biodiversity units should be delivered on site. Those that cannot viably be delivered on site should be delivered locally, according to a local plan or strategy***. Where suitable compensatory habitats are not available locally then investment in national conservation priorities may take place through a tariff.

9. Development intended to conserve or enhance biodiversity shall be supported. Provision will be made for the creation of new wildlife habitats in both rural and urban areas. In granting planning permission, the creation of such areas will be required for the following types of development:

- a. in association with the reclamation of former mineral workings and waste disposal sites.
- b. in association with schemes for derelict land clearance.
- c. on land which is no longer required for long-term agricultural use; and
- d. where habitat creation is required in order to achieve measurable mandatory biodiversity net gain.

* a Local Site is Local Wildlife Site or Local Geological Site

** for example, infrastructure projects (including nationally significant infrastructure projects, orders under the Transport and Works Act and Hybrid Bills), where the public benefit would clearly outweigh the loss or deterioration of habitat.

*** at the time of writing appropriate plans or strategies would include the Biodiversity Opportunity Mapping, Local Plan Policies reflecting the Lincolnshire Lakes or the South Humber Bank Landscape Initiative, for example. Subsequent additional or replacement plans or strategies, such as a Local Habitat Map, Local Nature Strategy or Local Nature Recovery Network should also be taken into account.

Basis for requiring contribution

All development proposals shall, as appropriate to their nature and scale, use the most up to date DEFRA biodiversity metric to demonstrate that a proposal will deliver a minimum 10% net gain for biodiversity, subject to any exemptions or thresholds identified in national policy. The biodiversity metric calculates how a development will change the biodiversity value of the area. The biodiversity metric calculates the biodiversity of the existing habitats in “biodiversity units” and planned new biodiversity enhancements created as part of the development.

Measures required to deliver a net gain for biodiversity shall be additional to any mitigation or compensation measures required as a consequence of identified impacts. Where possible, biodiversity units should be delivered onsite. Development proposals that cannot deliver 10% net gain onsite should be delivered locally on an alternative site by the developer, the details of the alternative site will be included and detailed within a Section 106 agreement. If the developer cannot find a suitable location to deliver the biodiversity net gain either on or offsite, the council will use the biodiversity metric to calculate the financial

contribution amount required and North Lincolnshire Council will deliver the biodiversity net gain.

How the contribution will be calculated

Contributions will be calculated on a site-by-site basis, taking into account the DEFRA biodiversity metric. If the biodiversity net gain is delivered onsite, then there is no financial contribution secured through the Section 106 agreement.

The DEFRA Biodiversity Metric Habitat(s) also requires the contribution on or offsite to be secured for at least 30 years via planning obligation(s) and/or conservation covenant(s).

Example

Offsite contribution (2 units required to make up biodiversity net gain)

DEFRA Matrix Units X £ Price per biodiversity net gain unit = Off site financial contribution

2 units x £ 20,000 = £40,000

How the contribution will be delivered and spent

The price per biodiversity unit within North Lincolnshire is currently £20,000 (Defra Matrix Unit Price) and will be updated in accordance with the Defra Matrix. Contributions will deliver species, habitat and geological conservation and include provision for habitat creation, establishment, maintenance, monitoring, interpretation, land acquisition, staff resources, management and/or other elements appropriate to a specific development over a 30-year period.

Other Developer Contributions

There may be situations where a development increases demand on infrastructure or service which is not specifically addressed within this document. A planning obligation maybe required in order to make the development acceptable in planning terms. In this situation the council will negotiate with the developer on a case-by-case basis.

Heritage and Archaeology

A Heritage Asset is defined within the NPPF as a building, monument, site, place, area, or landscape identified as having a degree of significance meriting consideration in planning decisions because of its heritage interest.

Archaeological remains are a finite and non-renewable resource and form an important part of our national heritage, valuable for their own sake and for their role in education and tourism. They contain irreplaceable information about the past and are highly vulnerable to damage and destruction. Where development sites are shown to contain significant archaeological remains, which would be adversely affected, the planning authority will need to be satisfied that adequate mitigation measures will be implemented. Developers may be required to provide access to heritage assets and make financial contributions towards their on-going maintenance, and appropriate display and interpretative materials.

Community Facilities and Services

Community facilities and services include amenities such as local shops, meeting places, sports venues, cultural buildings, public houses, libraries, places of worship and other local services to enhance the sustainability of communities and residential environments. There are many existing facilities embedded within our settlements that provide for the health and wellbeing, social, educational, recreational, leisure and cultural needs of the community. These facilities and services help create supportive communities by meeting day to day needs of residents and businesses. In line with Policy CSC10 Community Facilities and Services developers will be expected to make an appropriate contribution towards necessary improvements or additional provision for community services and facilities arising from their development proposals. An analysis of the need for the community facilities and services will be undertaken on a site-by-site basis, taking account of the type of asset and any existing provisions.

Sustainable Drainage Systems

Sustainable Drainage Systems (SuDS) are drainage systems which aim to holistically manage water runoff onsite, to reduce the quantity and increase the quality of surface water that drains into sewers from a development. They can take the form of, for example, ponds, permeable paving, green roofs, swales or wetlands. They are, in effect, a collection of water management techniques or practices that aim to align modern drainage systems with a natural water process.

Flood risk is a significant issue in North Lincolnshire with approximately 50% of land being located within flood zone 3; with the Humber Estuary, Rivers Trent and Ancholme and the Isle of Axholme all set in a low-lying landscape. The sources of flooding in North Lincolnshire include tidal (from the sea and tidal rivers/estuaries), fluvial (from rivers), pluvial (from surface water runoff following rainfall), and groundwater (as has been seen in recent years in the Barrow upon Humber/Barton upon Humber area). Surface water flooding has become an increasing concern because of more intensive rainfall events, and climate change is likely to increase the frequency and severity of extreme weather events and the likelihood of surface water and fluvial flooding.

North Lincolnshire Council is the Lead Local Flood Authority (LLFA) and is responsible for managing flood risk from ordinary watercourses, ground water and surface water. The LLFA is a statutory consultee for the planning application process and have published a SUDs and Flood Risk Guidance Document which is currently being updated and will provide further information on this matter.

In accordance with Policy DQE6 Sustainable Drainage Systems, development of Major Sites (of 10 dwellings or more) or equivalent non-residential or mixed development, must incorporate appropriate sustainable surface water drainage systems (SuDS) appropriate to the nature of the site, unless clearly demonstrated to be inappropriate. In some cases a commuted sum for maintenance of SuDS features are sometimes required and are agreed as part of the Construction Approval and Section 38 process.

North Lincolnshire Council as the Lead Flood Authority will provide the Local Planning Authority with appropriate planning conditions to be attached to planning permissions. The council will ensure planning conditions are in place and can be legally upheld for ongoing maintenance, inspection, implementation and enforcement of Sustainable urban Drainage Systems, where appropriate. Alternatively, planning obligations will be used when necessary to ensure the delivery and maintenance of the proposed drainage systems can be achieved. This will be determined on a case by case based taking account of the SUDs and Flood Risk Guidance Document.

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Appendix One – Discounted Market Sale Eligibility Criteria

Discounted Market Sale Eligibility Criteria

- Applicants must have a local connection to North Lincolnshire (through family, employment or ordinary residency) and meet the eligibility criteria of the S106 Agreement.
- Applicants must not be able to afford to buy a home suitable for their needs on the open market.
- Must remain as the Applicant's sole main residence and not be leased or rented out.
- Must be over 18.
- Is or are employed.
- Has an account with a bank, building society or the Post Office.
- Be a British National (or have indefinite leave to remain)
- Applicants must have a joint income (including savings) of not more than £28,000 per annum (to be recalculated on each development).
- Applicants must produce a "Decision in Principle" letter from their mortgage lender.
- Where a mortgage is not required, the Applicant must provide evidence of their means to finance the purchase through bank statements, which will be approved by the Strategic Housing Team.
- Applicants must not be in mortgage or rent arrears or in breach of their current tenancy agreement.
- Applicants must undertake their own credit search and produce the credit report to North Lincolnshire Council.

Appendix Two – First Homes Eligibility Criteria

First Homes Eligibility Criteria

- A purchaser (or, if a joint purchase, all the purchasers) of a First Home should be a first-time buyer as defined in paragraph 6 of schedule 6ZA of the Finance Act 2003 for the purposes of Stamp Duty Relief for first-time buyers.
- Purchasers of First Homes, whether individuals, couples or group purchasers, should have a combined annual household income not exceeding £80,000 (or £90,000 in Greater London) in the tax year immediately preceding the year of purchase.
- A purchaser of a First Home should have a mortgage or home purchase plan (if required to comply with Islamic law) to fund a minimum of 50% of the discounted purchase price.
- These national standard criteria should also apply at all future sales of a First Home.
- Applicants must have a local connection to North Lincolnshire (through family, employment or ordinary residency)

Appendix Three – Equipped Areas of Play Calculations

LAP example:

TASK	AREA M2	COST OF ITEM £	QUANTITY	ITEM/TASK COST PER WEEK £	NO OF WEEKS	RENEWAL FREQUENCY OVER 10 YR PERIOD	COST PER YEAR £	COMMUTED VALUE FOR 10 YEARS £
LAP (100m2)								
Grass area -Amenity High	100	100.00	0.10		16		10.00	100.00
Litter clear/sweep	50	0.05	0.05	2.50	52		130.00	1300.00
Empty Litter/Dog Bins		4.63	1.00	4.63	52		240.76	2407.60
Playground inspections (weekly, quarterley & annually)		1990.00	1.00	38.27	52		1990.04	19900.40
Post Installation Inspection (Independent)		500.00	1.00					500.00
Repairs to safety surface	2	70.00	2.00				140.00	1400.00
Replacement Seats		600.00	1.00			1		600.00
Replacement Litter Bins (pedestal)		100.00	1.00			3		300.00
Play Equipment Maintenance costs - replacement saddle, bushes, chains & swing seats							666.00	6660.00
N1.5b Leaf Clear 100%	50	100.00	0.50		1		50.00	500.00
LAP Total =								33668.00

LEAP example:

TASK	AREA M2	COST OF ITEM £	QUANTITY	ITEM/TASK COST PER WEEK £	NO OF WEEKS	RENEWAL FREQUENCY OVER 10 YR PERIOD	COST PER YEAR £	COMMUTED VALUE FOR 10 YEARS £
1 X LEAP (400m2)								
Grass area -Amenity High	400	100.00	0.40		16		40.00	400.00
Litter clear/sweep	200	0.05	0.20	10.00	52		520.00	5200.00
Empty Litter/Dog Bins		4.63	6.00	27.78	52		1444.56	14445.60
Playground inspections (weekly, quarterley & annually)		1990.00	1.00	38.27	52		1990.04	19900.40
Post Installation Inspection (Independent)		500.00	1.00					500.00
Repairs to safety surface	2	70.00	2.00				140.00	1400.00
Replacement Seats		600.00	6.00			1		3600.00
Replacement Litter Bins (pedestal)		100.00	6.00			3		1800.00
Play Equipment Maintenance costs - replacement saddle, bushes, chains & swing seats							666.00	6660.00
N1.5b Leaf Clear 100%	200	100.00	0.20		1		20.00	200.00
LEAP Total =								54106.00

NEAP example:

TASK	AREA M2	COST OF ITEM £	QUANTITY	ITEM/TASK COST PER WEEK £	NO OF WEEKS	RENEWAL FREQUENCY OVER 10 YR PERIOD	COST PER YEAR £	COMMUTED VALUE FOR 10 YEARS £
1 X NEAP (1000m2)								
Grass area -Amenity High	1000	100.00	1.00		16		100.00	1000.00
Litter clear/sweep	500	0.05	0.50	25.00	52		1300.00	13000.00
Empty Litter/Dog Bins		4.63	6.00	27.78	52		1444.56	14445.60
Playground inspections (weekly, quarterley & annually)		1990.00	1.00	38.27	52		1990.04	19900.40
Post Installation Inspection (Independent)		500.00	1.00					500.00
Repairs to safety surface	2	70.00	2.00				140.00	1400.00
Replacement Seats		600.00	6.00			1		3600.00
Replacement Litter Bins (pedestal)		100.00	6.00			3		1800.00
Play Equipment Maintenance costs - replacement saddle, bushes, chains & swing seats							666.00	6660.00
N1.5b Leaf Clear 100%	200	100.00	0.20		1		20.00	200.00
NEAP Total =								62506.00

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