

Meeting Feedback

Saxilby with Ingleby Parish Council / WLDC Development Management Team S106 Contributions in respect of Church Lane Large Development

Relevant Application: Outline planning application 147672 – Residential development up to 100 dwellings, Sykes Lane, Saxilby (Major – Dwellings).

Attendees:

- Russell Clarkson – Development Management Team Manager, WLDC
 - George Backovich – Development Management Team Leader, WLDC
 - Danielle Peck – Senior Development Management Officer, WLDC
 - Jane Bartle – Development Manager, WLDC
 - Lydia Hopton – Parish Clerk, Saxilby with Ingleby Parish Council
 - Cllrs Saunders, Shepherd, Wheatley – Saxilby with Ingleby Parish Council
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1. Affordable Housing

- **Current challenges:** Smaller sites are less attractive to registered providers; often only viable for “First Homes” or limited rental provision.
- **Developer contributions:** Viability is a key factor. For allocated sites, contributions shouldn’t generally be an issue unless on-site complications exist. Off-site contributions for affordable homes are recommended where low numbers of affordable homes make on-site provision unviable.
- Sums are commuted within district for affordable housing. Registered providers less likely to take on smaller sites if take on one or two. Picking and choosing more. May be delivered as first homes.

2. Requested update on Sykes Lane / Church Lane development.

- S106 for Sykes Lane: Planning Committee have recommended permission subject to S106 agreement - Officers to share S106 draft for information with Saxilby with Ingleby Parish Council; however it will mirror committee recommendations.

3. Council Representations

- Parish Council raised concerns:
 - Previous representations on S106 proposals were not included in committee papers.
 - Local voices may not be given due weight as a result
- **Representations submitted:**
 - Dog exercise area (relieve pressure on parks)
 - Allotments (meet demand, support wellbeing/sustainability)
 - Play facilities (support growing population)
 - Financial contributions for maintenance (proportionate, NDP-backed)
- **WLDC response:**
 - S106 obligations must mitigate development impact and be enforceable; contributions for wider community benefits fall under CIL, not S106.
 - To make a (S106) legal obligation it is purely to neutralise the effect of the development and has to go in as a legal obligation if outside their land (e.g. contributing to a highways change off-site, directly related to the development) to neutralise the impact and enables enforceability. WLDC advised the representation was considered against the Planning Practice Guidance tests and it was not considered necessary to make the development acceptable.

CIL / affordable housing

- The clerk noted CIL money does not fairly represent development impact – as affordable housing/self-builds excluded, which downgrades CIL contribution to the community and that off-site contributions are being recommended. It was queried how this would be spent.
- WLDC advised off-site contributions were recommended in these circumstances where the low number of affordable houses being identified makes them unviable and therefore affordable housing contributions are advised instead.

4. Wider Context

- Past developments in Saxilby have increased pressure on services/infrastructure. Examples:
 - Lindum (230 houses) – had minimal benefit to the wider community
 - Lovells (Ingleby View) – positive benefit to the community - burial ground extension, MUGA funding, junction improvements → positive precedent

5. Community Engagement

- Parish Council concerns: Major developments (10+ homes) should involve developer engagement with the community per NPPF; recent Saxilby developments lacked this.

6. Conservation Area Appraisal

- *Discussion not undertaken; query sent to Russell Clarkson, and will advise committee of the response.*

7. Moving Forward

Parish council requested improved communication from WLDC when consulting/engaging on large developments, including to encourage developers to engage with the community as per NPPF.

8. Information Shared by WLDC

Local Policy

Section 8.0 of the [Central Lincolnshire Local Plan](#) sets out the District requirements around Strategic Infrastructure. These are then required under policy S45 (Strategic Infrastructure Requirements). Our policies on affordable Housing (policy S22) and the creation of new open space, sports, and leisure facilities (policy S51) are also pertinent to larger residential developments. These set out some of the requirements that may need to be secured through a S106 planning obligation.

This should be read alongside our [Planning Obligations Supplementary Planning Document](#) (SPD) (October 2023) which set out in more detail in order to:

- a. explain how developer contributions will be secured in Central Lincolnshire;
 - b. clarify the relationship between planning conditions, planning obligations and the Central Lincolnshire Community Infrastructure Levy (CIL) and;
 - c. provide a mechanism to help ensure the timely provision of infrastructure to support growth
- **Further Guidance:**
 - National Planning Practice Guidance - [Planning Obligations](#) and [Community Infrastructure Levy](#)
 - West Lindsey website - [Section 106 Agreements](#) and [Community Infrastructure Levy](#)
 - WLDC [Community Infrastructure Levy Reporting](#)
 - WLDC [Authority Monitoring Report](#)

Local Policy References:

- Central Lincolnshire Local Plan:
 - Policy S22 – Affordable Housing
 - Policy S45 – Strategic Infrastructure Requirements
 - Policy S51 – Open Space, Sports, and Leisure Facilities

- Planning Obligations SPD (Oct 2023) clarifies:
 - How developer contributions are secured
 - Relationship between conditions, obligations, and CIL
 - Mechanism to ensure timely infrastructure provision

9. S106 Guidance Summary

Further Background Received from WLDC

A section 106 agreement is a planning obligation. Planning Practice Guidance at Paragraph: 002 Reference ID: 23b-002-20190901 (link below) sets out that these can assist in **mitigating the impact of unacceptable development** to make it acceptable in planning terms. (My **bold** and below). They cannot be used as you state as a means “of providing a benefit to the community”. They must be:

- **necessary** to make the development acceptable in planning terms;
- **directly related** to the development; and
- **fairly and reasonably related in scale** and kind to the development.

<https://www.gov.uk/guidance/planning-obligations>

- Must meet the following tests to be valid:
 1. Necessary to make development acceptable in planning terms
 2. Directly related to the development
 3. Fairly and reasonably related in scale and kind to the development
- Cannot be used solely to provide general community benefits.

Background - Local Plan

Policy S80: Housing Sites in Large Villages

The following sites, as identified on the Policies Map, are allocated primarily for residential development within Large Villages:

Ref	Site name/address	Site Area (ha)	Planning Status	Indicative dwellings during plan period (2018-2040)*	Site specific requirements (e.g. what is needed to be achieved on the site to make it acceptable – may be left blank on some sites)
WL/SAXI/004	Land off Sykes Lane, Saxilby	7.17	None	134	• Development of the site will need to assess drainage and surface water flood risk on the site • Provide frontage footway connecting to existing footway on Sykes Lane. • Access to be provided at south-east corner or if access is to be provided via Sykes Lane it will require widening and may require footpath provision. • Design to be sensitive to the local rural context and in keeping with the local vernacular.