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Ref: S106/DOV/H03-1042-25  
04 November 2025

Dear Dan Allen

**Development** – Home Farm Littleworth Drove  
**Application Number** – **H03-1042-25**

The Education Act 1996 states that Local Authorities have a duty to secure school places for all children of statutory school age who are resident in the Authority. Whilst subsequent Education Acts have amended various aspects of school organisation, this obligation on the County Council has not changed.

Therefore, Lincolnshire County Council is legally responsible for ensuring that there are sufficient school places in the county for the children of Lincolnshire.

S106 education requests for contributions towards infrastructure must be compliant with both the 2018 National Planning Policy Framework ("NPPF") at paragraph 56 and the Community Infrastructure Levy Regulations 2010 ("CIL Regulations") at Regulation 122. These state 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; and
- c) fairly and reasonably related in scale and kind to the development.

The contribution requested for this development was necessary, directly related to the development and was fair and reasonable in relation to the scale and kind of the development.

The original S106 agreement was agreed and signed with an ask which was allocated to fund an extension of Deeping St Nicholas Primary school and The Deepings Secondary, without that funding the schools would be unable to expand.

The two schools identified in the consultation were Deeping St Nicholas primary and The Deepings.

Deeping St Nicholas primary school itself which is the directly related school for the children to attend from the development was projected to be FULL when the application was first received and is continues to be projected as FULL with its numbers predicted to be standing at being over 100% full (based on 2028/2029 pupil projections) when this development is expected to be being built.

The development going ahead without making any of the requested education contributions will affect the local school that serves this development, Deeping St Nicholas primary school. There are no other primary schools within a reasonable walking distance of under 2 miles therefore the additional children created will be required to attend schools further away from their home address and this in turn will create additional budget pressures for Lincolnshire County Council School transport and for the parents of the children.

The school is unlikely to be able to accommodate any additional children created by the dwellings from this development. To add some context to the pressures for the school, the 3 classrooms across the school are all below 54sqm which means no classroom for any key stage meets the guidance of recommended class size for 30 children set by the DFE. The school currently organise with Key stage 1 pupils in one class (Reception, Year 1 and Year 2) and the Key stage 2 pupils (Year 3,4,5 and 6) are in the other two classrooms.

If classes are pushed to over 30 in this school for Key Stage 1 they would be in breach of the DFE guidance, the additional children for Key Stage 1 will have to attend the schools further away that are not local to this development because the school cannot accommodate further children without compromising the quality of education or going against statutory guidance given by the DFE.

The Key stage 2 classrooms as mentioned are below the recommended size for a standard classroom for 30 pupils therefore they face the same pressures as the Key Stage 1 class.

The mitigation request was made in order to fund a project to provide the school with an extra classroom to enable them to accommodate additional pupils from development in the area.

Looking at the secondary school ask that was initially provided for the original S106 agreement, we can reassess at today's position and the allocated school for the agreement The Deepings Academy based on 2028/2029 projections would be able accommodate additional children from this development therefore we would not be looking to push for this mitigation to be kept.

If any further information is required to reinforce that Lincolnshire County Council Education strongly believe that the education mitigation from this development is crucial to ensure that children are able to attend the local primary school, please feel free to contact me.

Many Thanks  
**Sam Barlow**  
**Strategic Development Officer**  
**Corporate Property Service**