

Late Items

Development Control Committee

26 June 2012

Agenda Number: JJ2

Application Number: S11/2288

Proposal: Development of football stadium with capacity for 1500 spectator, with associated infrastructure and facilities to include multi-use training pitch, clubhouse and function rooms, and ancillary office/administrative space. Provision of car and coach parking area with additional use for car boot sales on up to 40 days in any calendar year. Creation of new means of access from Ryhall Road with associated highways alterations. Land west of Ryhall Road, Stamford.

Summary of information received:

10 additional letters of objection have been received. The letters raise many issues which are already considered in the main agenda (noise pollution, concerns about the size of the development, parking issues, increase traffic, light pollution, impact on residential amenity, and impact on wildlife). However the following additional issues have also been raised:

- It would be better for Stamford AFC and Blackstones to relocate to a different site together,
- Concerns have been raised about the timing of the committee meeting,
- Locations nearer the A1 and public transport hubs are available and should be considered,
- Given the issues of viability how will the club be able to afford the development? When the reserved matters applications are submitted the detailed design will be watered down and result in a less considerate proposal,
- Concern that the stadium will be used for other events including pop concerts, open air festivals etc,
- Concern has been raised again at the under provision of parking. The objection indicates that using the applicants own figures the development would require parking for 435 vehicles.

A petition containing 99 signatures has also been submitted by Blackstones Sports & Social Club Ltd. The petition opposes the siting of another football club on the north eastern side of the town. The members of the club think that such a development in this area will not be beneficial to either club, at present with the clubs situated at opposite ends of the town they complement each other, but putting them next to each other would be detrimental to both clubs. Further, this would add to the congestion on Ryhall Road at weekends when traffic is heavy due to people using the shopping areas. Another thing to consider is the effect on local residents of having two sports complexes either side of them.

Stamford Chamber of Trade and Commerce has made the following comments:

- “1. PLANNING APPLICATION REF: S11/2288
LAND WEST OF RYHALL ROAD, STAMFORD
DEVELOPMENT OF FOOTBALL STADIUM WITH CAPACITY FOR 1500
SPECTATORS**

- 2. PLANNING APPLICATION REF: S11/2283
LAND AT REAR OF CORONATION VILLAS, BARNACK ROAD,
STAMFORD
AFFORDABLE HOUSING & ASSOCIATED INFRASTRUCTURE &
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- 3. PLANNING APPLICATION REF: S11/2300
STAMFORD AFC, KETTERING ROAD, STAMFORD, PE9 2JS
DEMOLITION OF EXISTING FOOTBALL CLUB BUILDINGS &
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RESIDENTIAL DEVELOPMENT WITH ASSOCIATED INFRASTRUCTURE
INCLUDING NEW MEANS OF ACCESS WITH KETTERING ROAD,
STAMFORD**

Stamford Chamber of Trade and Commerce (our Chamber) is the democratically organised representative body for those involved in Stamford's trade and commerce. It currently has about 80 members, from the largest to the smallest employer.

I write on behalf of our Chamber to lodge objection to the above three outline planning applications, all of which are categorised as being Major Applications.

On 24 May 2012 our Chamber wrote to your colleague Case Officer, Mr N Bryan with our Chamber's objections to another outline Major Application, i.e. Planning Application S12/0864 for a sustainable urban extension at Stamford West on land between Empingham Road and Tinwell Road, Stamford.

In those objections we said that the submission at this time of an outline planning application for the development of the 'Stamford West' site was a clear attempt by the site's prospective developers to bypass the Local Plan Site Allocation & Policies DPD ('SA&P DPD') Examination Hearings scheduled for 5 November 2012, thereby displacing the proper processes currently in train for the allocation of lands in our Town for development during the period 2011 to 2026. We said that the application was therefore 'premature' and should be treated as such.

We have now been advised by that it is unlikely SKDC will be considering Planning Application S12/0864 for some time.

We welcome this state of affairs. It will enable the merits of Planning Application S12/0864 and those of the other suggested strategic sustainable

urban extension sites to be fully debated in the most appropriate forum for such a debate, namely the Local Plan SA&P DPD Examination Hearings.

You will also be aware that our Chamber made extensive and detailed formal representations in November 2011 and January 2012 in response to SKDC's Local Plan SA&P DPD Submission consultations. Our representations are also to be found at www.stamfordchamber.co.uk/dpd. In its representations, our Chamber argued that future development in Stamford should take place on land to the East and North of our Town in close proximity to our proposed Stamford Ring Road. Such a Ring Road would reduce congestion and improve accessibility in our Town. Our Chamber will pursue this argument at the Local Plan Examination Hearings.

The eastern junction on the A6121 Ryhall Road of the proposed Northern Relief Road can only be located between Borderville Farm and the existing edge of Stamford. Please see attached drawing SCT-32 Rev E overprinted with a circled 2. This location is the site proposed for the 1,500 seat football stadium. The planning system needs to take a considered decision between these developments.

Irrespective of the questionable sustainability, landscape setting, traffic and other credentials of the development intended at the site the subject of Planning Application S11/2288, approval of this application will render impossible the future construction of the strategic Stamford Ring Road's Northern Relief Road as proposed in the Local Plan process by our Chamber.

The planning system needs to take a considered decision between these two developments, or arrange matters such that both may proceed.

May we draw your attention to the adopted Core Strategy SP3 commitment relating to Stamford Roads Issues? This is to work "*in partnership with the County Council, service providers and others to develop and implement measures to reduce traffic congestion and improve accessibility*". Please see the attached extracts from the Core Strategy Inspector's Report and adopted Core Strategy SP3.

SCOT therefore urges the SKDC Development Control Committee to either decline to determine Planning Application S11/2288, or, refuse it on the grounds of prematurity so that a full debate on the future development of Stamford, including our Chamber's Stamford Ring Road proposals, can take place in the Local Plan SA & P DPD Examination Hearings.

We also ask that Planning Applications S11/2283 and S11/2300 be treated similarly by the SKDC Development Control Committee. Whilst the development proposals the subject of these applications are in themselves not controversial or likely to irretrievably damage the prospects of a Stamford Ring Road, development of these sites is inextricably linked to the re-location of Stamford AFC's existing facilities in Kettering Road."

Natural England : No objections to the proposed development but advise that

the authority consider promoting biodiversity enhancements for bats.

Officer's comments on information:

The Council's Planning Policy Team has made the following comments in relation to the comments from Stamford Chamber of Trade and Commerce:

"SCOT have made a number of representations to the Submission Site Allocation and Policies DPD (SAP). These representations relate primarily to SCOT's view that the route of an eastern relief road or town ring road should be protected and that the proposed development for the town should be located to facilitate the construction of this road, rather than on the sites which are proposed for allocation in the SAP. These representations have been submitted to the Planning Inspector and will be considered as part of the SAP examination over the coming months.

The matter of the relief road/ring road for Stamford and to 'safeguard' a line for such a road was considered in detail by the Inspector at the Examination of the Core Strategy in 2010. The Inspector concluded that as there was unlikely to be a commitment to such a proposal by either South Kesteven District Council or Lincolnshire County Council (through its Local Transport Plan (LTP)) and as no route had been agreed it was not appropriate to protect land for such a purpose. This is clear by the nature of the changes the Inspector made to the Core Strategy in this respect, i.e. there is no mention of the need to define and protect a route in either the policies or text. The Inspector also commented that she was not convinced that the likely scale and type of development anticipated for Stamford during the plan period would be capable of delivering such a scheme through developer contributions alone.

This situation remains unchanged. The current LTP makes clear that further work by LCC on a feasibility study into a bypass or relief road is on hold as it seems unlikely that funding for any major improvement will be available and that the focus will rather be on opportunities to improve sustainable travel in the town with funding through S106 agreements."

Based on the above it is considered that the application should be considered in line with the recommendations contained in the main agenda.

With regards to the additional letters of objection most of the issues are dealt within in the main agenda. Concern has been raised in relation to the lack of off street parking however the local highway authority has been consulted and raised no objections to the development. Lincolnshire County Council's guidance on Parking Standards indicates that stadiums should be assessed on the own individual merits but that usually 1 space per 15 seats will be required. The proposed development complies with this standard.

With regards to concerns about the timing of the Committee Meeting this is the usual time for the Committee Meetings and it is not considered to be

inappropriate it is however appreciated that it is not always possible for everyone objecting to a proposal to attend a meeting in the middle of the day.

Concerns have been raised about the site being used for outside pop concerts and festivals. These concerns could reasonably be addressed by amending condition 25 to state the following:

“The tannoy system, or any other amplification system, to be installed or operated within the football stadium hereby approved, shall not exceed a noise output level of 78dBIAeq.5min and 97 dB LAmax,f at a distance of 10m.”

This would ensure that any amplified music at such an event would be controlled to within acceptable limits. In addition the Council would also have controls over such events under the environmental protection legislation

In addition the agent has made comment in relation to the following suggested conditions:

Condition 4

It is suggested that the reference to Sport England should be omitted, as Circular advice is against conditions referring to third party bodies.

Conditions 7 and 8

A ground conditions report and FRA accompany the application. For clarity, it is suggested that the conditions should be worded to make clear how any additional requirements relate to those existing reports.

Condition 11

An archaeological investigation has already taken place. This condition should seek a watching brief only, which appears to be the intention of the County Archaeologist as set out in your report to Committee.

Condition 28

This condition could be simplified to read “The car boot sales hereby approved shall not take place outside the hours of 06:30 to 17:00.”

Condition 33

This is a duplicate of condition 5.

It is agreed that condition 4 should be amended to take out reference to Sport England.

With regard to condition 7 & 8 these conditions have been requested by Anglian Water to ensure that the development does not result in unacceptable risk of flooding downstream from the development. Notwithstanding the submitted information additional information for a scheme of surface and foul water drainage will need to be developed in discussions with Anglian Water and it is considered that these conditions are appropriate and should remain.

With regard to condition 11 the Consultant Archaeologist has advised that a scheme of works and mitigation strategy will be required prior to development taking place. Whilst this may include a watching brief it may also require additional works. It is therefore recommended that condition 11 remain as proposed.

With regard to condition 28 the agent has suggested a minor change to the wording and this is considered reasonable and will achieve the same outcome.

Changes to recommendation:

That condition 4 is amended as follows:

“No development shall take place until:-

(i) A detailed assessment of ground conditions of the land proposed for the new football pitches as shown on drawing number.....shall be undertaken (including drainage and topography) to identify constraints which could affect playing field quality; and

(ii) Based on the results of this assessment to be carried out pursuant to (i) above of this condition, a detailed scheme to ensure that the playing fields will be provided to an acceptable quality (including appropriate pitch drainage measures) shall be submitted to and approved in writing by the local planning authority.

The works shall be carried out in accordance with the approved scheme within a timescale to be first approved in writing by the local planning authority.

Reason: To ensure that the playing field is provided to an acceptable quality and standard.”

That condition 25 is amended to state the following:

“The tannoy system, or any other amplification system, to be installed or operated within the football stadium hereby approved, shall not exceed a noise output level of 78dB(A)eq.5min and 97 dB LAmax,f at a distance of 10m.”

That condition 28 is amended to state:

The car boot sales hereby approved shall not take place outside the hours of 06:30 to 17:00.

Condition 33 should be omitted from the scheme as it is a duplicate of condition 5.

Agenda Number: JJ1
Application Number: S11/2283
Proposal: Affordable housing and associated infrastructure and access and allotments, land at rear of Coronation Villas, Barnack Road, Stamford.

Summary of information received:

Stamford Chamber of Trade and Commerce has made the following comments:

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In those objections we said that the submission at this time of an outline planning application for the development of the 'Stamford West' site was a clear attempt by the site's prospective developers to bypass the Local Plan Site Allocation & Policies DPD ('SA&P DPD') Examination Hearings scheduled for 5 November 2012, thereby displacing the proper processes currently in train for the allocation of lands in our Town for development during

the period 2011 to 2026. We said that the application was therefore 'premature' and should be treated as such.

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We welcome this state of affairs. It will enable the merits of Planning Application S12/0864 and those of the other suggested strategic sustainable urban extension sites to be fully debated in the most appropriate forum for such a debate, namely the Local Plan SA&P DPD Examination Hearings.

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This situation remains unchanged. The current LTP makes clear that further work by LCC on a feasibility study into a bypass or relief road is on hold as it seems unlikely that funding for any major improvement will be available and that the focus will rather be on opportunities to improve sustainable travel in the town with funding through S106 agreements.”

Based on the above and the fact that this site would not directly affect the route of any possible relief / ring road it is considered that the application should be considered in line with the recommendations contained in the main agenda.

The applicant's agent has suggested the following amendments to several conditions:

Condition 20

As above, this condition could be re-worded as follows: "Prior to commencement of the development, details of an Armco barrier or similar, to be provided where roads or parking/manoeuvring areas within the site adjoin the boundary with the railway, shall be submitted to and approved in writing by the Local Planning Authority: and the development shall be carried out in accordance with the approved details."

Condition 23

This condition has major implications for the development timetable for these linked schemes, and indeed for their viable implementation. The applicant is not aware of any specific evidence that the site has vulnerability to development during the bird breeding season. Your report to Committee simply states "The application has been assessed against Natural England's standing advice and based on the applicants submitted ecology survey it is considered that development of the site will not have any significant adverse impact on ecology. It is however considered appropriate to attach conditions requiring biodiversity enhancements to promote / enhance bat and bird box provision within the site. In addition whilst there was no evidence of reptiles found on site it is considered appropriate to require a reptile survey to be undertaken prior to any reserved matters submission being made." The applicant has no objection to bat and bird box provision or to a pre-reserved matters reptile survey, but does consider that there is no basis on which to exclude development in the bird-breeding season.

Condition 25

This condition is concerned with a matter addressed by other legislation, so in accordance with Circular advice it is suggested that it should not be imposed.

With regard to condition 20 the agent has suggested a form of revised wording. It is considered that a simplified condition should be attached to any consent the suggested wording is as follows:

"When application is made for approval of the 'reserved matters' that application shall include details of an Armco barrier or similar, to be provided where roads or parking/manoeuvring areas within the site adjoin the boundary with the railway. The development shall be carried out in accordance with the approved details."

With regard to condition 23 the agent has raised concerns about the potential restriction of development during the bird breeding season. It is considered necessary to ensure that any breeding birds are not disturbed during the bird breeding season it is however agreed that the condition could be reworded to allow a further assessment to be undertaken prior to the development taking place. It is therefore recommended that condition 23 be amended as follows:

Prior to commencement of the development, an assessment of the site for the presence of breeding birds shall be submitted to the Local Planning Authority. The assessment shall include:

1. A survey of the site to recognised standards;
2. Details of any necessary mitigation; and
3. A timetable for implementation of any necessary mitigation.

Development shall not commence until the assessment has been approved in writing by the Local Planning Authority and there shall be no development during the bird breeding season (March to August inclusive) unless satisfactory mitigation measures have been approved in writing by the Local Planning Authority.

Reason: To ensure that the development does not have an adverse impact on the local wildlife in accordance with the guidance and advice set out in the National Planning Policy Framework.

With regard to condition 25 that agent has advised that this issues relating to what animals can be kept on allotments is covered by other legislation. Whilst this is corrected in part the legislation does not make specific reference to there been no cockerels on site. This condition has been suggested in order to clarify the situation for perspective allotment owners and it is recommended that it be retained as part of any formal decision notice.

In the main agenda at the top of page 14 references is made to it been appropriate to attach a condition requiring a reptile survey to be submitted prior to the submission of any reserved matter submission being made. It is considered that the condition should actually require the details to be submitted at the reserved matters stage and state the following:

“When application is first made for the approval of the ‘reserved matters’ that application shall include a reptile survey to be submitted to and approved by the local planning authority. The survey shall include details of any mitigation measures considered necessary and the development shall be implemented in accordance with these measures.

Reason: To ensure that the development does not have an adverse impact on any local ecology / wildlife“

Changes to recommendation:

Condition 20 be amended as follows:

“When application is first made for approval of the ‘reserved matters’ that application shall include details of an Armco barrier or similar, to be provided where roads or parking/manoeuvring areas within the site adjoin the boundary with the railway. The development shall be carried out in accordance with the approved details.”

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Reason: To ensure that the development does not have an adverse impact on the local wildlife in accordance with the guidance and advice set out in the National Planning Policy Framework.

That the following additional condition be attached to any consent:

“When application is first made for the approval of the ‘reserved matters’ that application shall include a reptile survey to be submitted to and approved by the local planning authority. The survey shall include details of any mitigation measures considered necessary and the development shall be implemented in accordance with these measures.

Reason: To ensure that the development does not have an adverse impact on any local ecology / wildlife“

Agenda Number: JJ3
Application Number: S11/2300
Proposal: Demolition of existing football club buildings and structures. Residential development with associated infrastructure, including new means of access with Kettering Road, Stamford.

Summary of information received:

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Based on the above and the fact that this site would not directly affect the route of any possible relief / ring road it is considered that the application should be considered in line with the recommendations contained in the main agenda.

In addition to the above the applicant's agent has suggested the following amendments to several conditions:

Conditions 5 and 6

I have read the Conservation Officer's comments where these conditions are suggested. To be clear, the applicant has no objection to the removal of permitted development rights where necessary, but as a matter of approach considers that such conditions should not be imposed at outline stage. It is respectfully suggested that in the absence of a detailed design, the Planning Authority is not in a position to determine whether permitted development rights need to be withdrawn, and instead this is a judgement that the Authority should properly make at the reserved matters stage.

Condition 12

There is an inappropriate reference to "commerce" in the reason for the condition.

Conditions 13 and 14

For clarity, these conditions could be combined.

Condition 16

It is suggested that the wording of this condition could be clearer.

Condition 26

It is appreciated that this condition has been provided by a consultee, but it could be clearer in its wording. It could perhaps be reworded as follows:-
“Prior to commencement of the development, details of an Armco barrier or similar, to be provided where roads or parking/manoeuvring areas within the site adjoin the boundary with the railway, shall be submitted to and approved in writing by the Local Planning Authority: and the development shall be carried out in accordance with the approved details.”

With regard to conditions 5 and 6 it is agreed that the issue of permitted development rights would be better considered at the reserved matters stage of development. As such condition 5 and 6 should be omitted from the list of conditions

With regard to condition 12 it is agreed that the reference to commerce is not appropriate and should be omitted from the reason for the conditions.

With regard to condition 13 and 14 the agent has suggested these conditions should be combined. This is not considered appropriate and it is recommended that these conditions should remain as per the main agenda.

With regard to condition 16 it is recommended that the wording be amended to state the following:

“When application is first made for the approval of reserved matters the application shall be accompanied by a scheme investigating the feasibility of improving the public highway by means of implementing a one-way scheme and providing a cycleway on Wothorpe Road. The development shall be carried out in accordance with any agreed scheme approved by the local planning authority at the reserved matters application stage and shall be fully implemented prior to the occupation of the first dwelling.

Reason: In the interests of the safety and convenience of the users of the public highway and of the users of the site and to ensure that access to the development is sustainable and reduces dependency on the car.”

With regard to condition 26 the agent has suggested a form of revised wording. It is considered that a simplified condition should be attached to any consent the suggested wording is as follows:

“When application is made for approval of the ‘reserved matters’ that application shall include details of an Armco barrier or similar, to be provided where roads or parking/manoeuvring areas within the site adjoin the boundary with the railway. The development shall be carried out in accordance with the approved details.”

Changes to recommendation:

Conditions 5 & 6 should be omitted from and subsequent decision notice

Condition 12 the word “commerce” should be omitted from the reason for this condition.

With regard to condition 16 it is recommended that the wording be amended to state the following:

“When application is first made for the approval of reserved matters the application shall be accompanied by a scheme investigating the feasibility of improving the public highway by means of implementing a one-way scheme and providing a cycleway on Wothorpe Road. The development shall be carried out in accordance with any agreed scheme approved by the local planning authority at the reserved matters application stage and shall be fully implemented prior to the occupation of the first dwelling.

Reason: In the interests of the safety and convenience of the users of the public highway and of the users of the site and to ensure that access to the development is sustainable and reduces dependency on the car.”

Condition 26 be amended as follows:

“When application is first made for approval of the ‘reserved matters’ that application shall include details of an Armco barrier or similar, to be provided where roads or parking/manoeuvring areas within the site adjoin the boundary with the railway. The development shall be carried out in accordance with the approved details.”

Agenda Number: JJ5
Application Number: S11/2472
Proposal: Outline application with all matters except access reserved for approval for residential development, Godsey Lane/Eastfield, Market Deeping.

Summary of information received:

One additional letter of objection has been received. The objections relate to concerns about additional traffic on Godesy Lane and the increase in noise and pollution. The letter states that it can now take up to twenty minutes to cross Godsey Lane because of traffic. The letter also raises concerns about the impact on the local infrastructure including the school and doctors surgery. The letter also raises concerns about the loss of natural habitats for ground nesting birds and newts.

Officer’s comments on information:

As per main report.

Changes to recommendation:

None.