### Applicant
Mr Steve Frisby
Council Offices
St Peters Hill
Grantham
Lincolnshire

### Agent
Mr J Thompson
205 Park Road
South Moor
Stanley Co. Durham

### Proposal
Section 73 application for the variation of Condition 2 (Approved plans) of S16/0274.

### Location
Wyndham Park Hill Avenue
Grantham
Lincolnshire
NG31 9BB

### Application Type
Full Planning Permission

### Parish(es)
Grantham

### Reason for Referral to Committee
The application is made by South Kesteven District Council

### Recommendation
That the application is:- Approved conditionally

### Report Author
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### Report Reviewed By
Sylvia Bland – Business Manager – Development Management & Implementation
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### Key Issues
- Impact on the character of the area.
1.0 Description of site and application

1.1 The site is within the grounds of Wyndham Park which is located to the north of the town centre and within the St. Anne's Conservation Area. River Witham flows past the western boundary of the park whilst a primary school adjoins the park to the east. Belton Lane and Hill Avenue define the northern boundary of the site.

1.2 In 1924, Wyndham Park became the Town War Memorial ground. It has unique heritage features including Post WW1 memorial buildings and it remains a highly valued community recreational space. The site has a number of mature trees and offers a range of facilities for the young and old.

1.3 Whilst the plans submitted include the Council's long term proposal for the overall refurbishment of the park, the applicant has however confirmed that the current application relates to amendments to permission granted under planning ref. S16/0274 for demolition of existing plant room and toilets/stores, tree removal works. Construction of new visitors centre, refurbishment of existing ticket office/changing rooms, re-lining of existing boating lake, hard and soft landscaping works and associated works.

1.4 The above mentioned permission was granted by the Development Management Committee on 5th of May 2016, subject to conditions. The amendments being sought to the permission include:

   i. Alteration of the proposed Visitor Centre layout to a linear plan with a footprint of approx 21.9m x 6.5m and overall height of approx. 4.7m
   ii. Alterations to the roof of the approved Visitor Centre including the insertion of two ventilation stacks, roof to be of clay coloured profile metal.
   iii. Alterations to the approved Old Ticket Office including insertion of four new doors on the southern elevation
   iv. Replacement of existing gate on the north elevation of the Old Ticket Office with a timber door
   v. Internal alterations to the Old Ticket Office
   vi. Reduction in the number of trees to be removed from site from 8 to 5.
   vii. Planting of 5 nos. replacement trees on the western side of the boating lake.
   viii. Installation of lighting columns along the western site boundary.

1.5 The proposed improvement works to be park will be funded through grants secured from the Heritage Lottery Funds. The applicant has advised that the aim of the refurbishment works is to reinstate design intent, improve facilities, improve accessibility, and renovate heritage features and buildings to preserve their legacy. (Left much longer, it was likely that refurbishment costs would have increased to unacceptable/uneconomic levels - compromising both the heritage of the park, the landscape of the site and ultimately our visitor experience).

1.6 Furthermore, the applicant has stated that the opportunity to construct a visitor centre is a key element of the project, in that the new building will replace the former plant room, which is structurally compromised and architecturally at odds with the adjacent building, the former ticket office.
2.0 Relevant History

<table>
<thead>
<tr>
<th>Reference</th>
<th>Proposal</th>
<th>Decision</th>
<th>Date</th>
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<tbody>
<tr>
<td>S16/0274</td>
<td>Demolition of existing plant room and toilets/stores, tree removal works.</td>
<td>Approved</td>
<td>05/05/2016</td>
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<td>Construction of new visitors centre, refurbishment of existing ticket</td>
<td>Conditionally</td>
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<td>office/changing rooms, re-lining of existing boating lake, hard and soft</td>
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<td>landscaping works and associated works</td>
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3.0 Policy Considerations

3.1 National Planning Policy Framework (NPPF)
   - Section 7 - Requiring good design
   - Section 8 - Promoting healthy communities
   - Section 12 - Enhancing the historic environment

3.2 South Kesteven District Council Core Strategy
   - Policy EN1 - Protection and Enhancement

3.3 Site Allocation and Policies Development Plan Document
   - Policy SAP10 - Open space provision

4.0 SKDC Corporate Priorities

4.1 Promote leisure, arts and culture

5.0 Representations Received

- SKDC Arboricultural Consultant: No objection subject to planting of suitable replacement trees
- LCC Highways & SuDS Support: No objection
- Historic Buildings Advisor: No objection
- Witham Third Internal Drainage Board: No objection

6.0 Representations as a Result of Publicity

6.1 This application has been advertised in accordance with the Council's Statement of Community Involvement and one letter of representation have been received. The points raised can be summarised as follows:

1. Potential light pollution
2. Loss of some street furniture such as benches, litter bins etc
3. Toilets should be retained within the memorial arch building and not within the proposed Visitor centre.
4. Tennis court needs resurfacing
5. More facilities should be provided for teenagers and young adults
6. Inappropriate roof materials to the memorial shelter

7.0 Evaluation

7.1 Principle of development

7.1.1 With regard to the protection of existing Open Spaces, SAP DPD Policy SAP10 (Open Space Provision) provides that:

'All existing open space including allotments, parks, equipped play space, sport pitches and informal natural open space, route ways and corridors will be protected. Development proposals for existing open spaces will only be permitted where it is demonstrated that the proposal will provide increased or improved open space and/or recreational facilities'.

7.1.2 Similarly, para 70 of the NPPF provides that:

'To deliver the social, recreational and cultural facilities and services the community needs, planning policies and decisions should plan positively for the provision and use of shared space, community facilities (such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments'.

7.1.3 Furthermore, the importance of public open spaces was stressed within para 73 of the NPPF which states that:

'Access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities. Planning policies should be based on robust and up-to-date assessments of the needs for open space, sports and recreation facilities and opportunities for new provision. The assessments should identify specific needs and quantitative or qualitative deficits or surpluses of open space, sports and recreational facilities in the local area. Information gained from the assessments should be used to determine what open space, sports and recreational provision is required'

7.1.4 The proposed development would enhance quality and quantity of facilities provided on site and thus contribute positively towards the health and well-being of the users of the park. It is therefore considered that the proposal would be in accordance with the above local and national policies and would thus be acceptable in principle. Importantly, the acceptability of the development has been established via permission granted under S16/0274.

7.2 Impact of the use on the character of the area

7.2.1 The site is within St. Anne's Conservation Area and is sylvan in character. With regard to the impact of development on the character of an area, Core Strategy Policy EN1 requires that development must be appropriate to the character and significant natural, historic and cultural attributes and features of the landscape within which it is situated, and contribute to its conservation, enhancement or restoration.

7.2.2 Similarly, para 58 of the NPPF provides that planning policies and decisions should aim to ensure that developments respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation.

7.2.3 Furthermore, the Council has a general duty to give special attention to the desirability of preserving or enhancing the character or appearance of Conservation Areas under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act, 1990. Paragraph 132 of the NPPF also provides that the Council should assess the impact of a proposed development on the significance of a heritage asset including its setting.:
7.2.4 The proposed new building (Visitor Centre) would replace an existing building that is not of any significant architectural merit and therefore contributes little to the character of the Conservation Area. The materials and design of the proposed new build have been confirmed to be acceptable by the Conservation Officer. The works to the Ticket Office would not lead to an increase in footprint and would not significantly alter the appearance of the building.

7.2.5 Five trees would be lost in order to facilitate the erection of the Visitor Centre. However, the applicant has proposed to plant five replacement trees in close proximity of the location of the trees to be removed. Significantly, it should be noted that the previous permission allows for the removal of ten trees without any requirement for planting of replacement trees. The current proposal would affect a lesser number of trees and would not lead to an overall net loss in number of trees on the site. It is considered that the impact of the removal of the trees would be mitigated by the replacement trees and accordingly, the proposal would not significantly detract from the area's visual amenity.

7.2.6 Having regard to the foregoing therefore, it is considered that the proposals would comply with Core Strategy Policy EN1 and would preserve the character and appearance of the Conservation Area.

7.3 Impact on the neighbouring properties

7.3.1 The proposed development would be located within the park and would be well separated from properties adjoining the park. Having regard to its scale and location, it is therefore considered that the development would not lead to any significant adverse impact on the amenities of the occupiers of neighbouring properties.

7.4 Highway issues

7.4.1 The development would not lead to any severe detrimental highway issues. There is provision on site for parking and turning of vehicles and the highways Authority has raised no objection to the proposal.

7.5 External Lighting

7.5.1 It is noted that the applicant intends to install 6 nos. 6m lights along the western perimeter of the site, adjacent the river bank. Specific details of the lighting have not been provided apart from the height of the columns. The applicant has advised that they have requested details of the specifications of the lighting from the Consultant Lighting Engineer and these details are yet to be received. A condition requiring that no development commences until the lighting details have been submitted to and approved by the Local Planning Authority should be attached to any grant of permission.

7.6 Response to issues raised in letter of representation

7.6.1 It is noted that a number of the issues raised in the letter of representation do not fall within the consideration of this application. With regard to lighting, an appropriate condition would be attached to the permission to ensure that the lighting is acceptable. With regard to loss of trees, it is considered that the replacement trees would mitigate any amenity impact resulting from the loss of the trees.

7.7 Conclusion

7.7.1 Having regard to the scale and design of the proposed development, it is considered that the proposal would be in accordance with relevant provisions of Core Strategy Policy EN1 in that it would not lead to any significant adverse impact on the character of the area and would not significantly detract from the amenities of the occupiers of neighbouring properties. Accordingly, it is recommended that permission be granted, subject to conditions.
8.0 Section 106 Heads of Terms

8.1 Not applicable.

9.0 Crime and Disorder

9.1 It is considered that the proposal would not result in any significant crime and disorder implications.

10.0 Human Rights Implications

10.1 Articles 6 (Rights to fair decision making) and Article 8 (Right to private family life and home) of the Human Rights Act have been taken into account in making this recommendation.

10.2 It is considered that no relevant Article of that act will be breached.

11.0 RECOMMENDATION: that the development is Approved subject to the following conditions

Time Limit for Commencement

1 The development hereby permitted shall be commenced before the expiration of three years from the date of the permission granted under S16/0274.

Reason: In order that the development is commenced in a timely manner, as set out in Section 91 of the Town and Country Planning Act 1990 (as amended).

Approved Plans

2 The development hereby permitted shall be carried out in accordance with the following list of approved plans:

i. Drawing No. 1024/200 (Masterplan) received 14/06/2017
ii. Drawing No. OTO_100_01 Rev A (Old Ticket Office Plan as Proposed) received 14/06/2017
iii. Drawing No. OTO_200_01 Rev A (Old Ticket Office Elevations as Proposed) received 14/06/2017
iv. Drawing No. VC_100_01 Rev C (Visitor Centre Plan as Proposed) received 14/06/2017
v. Drawing No. VC_200_01 Rev B (Visitor Centre Elevations as Proposed) received 02/05/2017
vi. Drawing No. VC_300_01 Rev B (Visitor Centre Sections) received 02/05/2017

Unless otherwise required by another condition of this permission.

Reason: To define the permission and for the avoidance of doubt.

Before the Development is Commenced

3 No works pursuant to this permission shall commence, unless otherwise agreed in writing by the Local Planning Authority, until there have been submitted to and approved in writing by the Local Planning Authority:

(a) A desk top study documenting all the previous and existing land uses of the site and adjacent land;
(b) A site investigation report assessing the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study; and

(c) A detailed scheme for remedial works and measures to be undertaken to avoid risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring. Such scheme shall include nomination of a competent person to oversee the implementation of the works.

Reason: Previous activities associated with this site may have caused, or had the potential to cause, land contamination and to ensure that the proposed site investigations and remediation will not cause pollution in the interests of the amenities of the future residents and users of the development; and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010) and guidance contained in National Planning Policy Framework.

4 Before the development hereby permitted is commenced, plans showing the existing and proposed land levels of the site and the finished floor levels of all buildings with reference to neighbouring properties or an off site datum point shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the visual amenities of the area and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

5 Before the development hereby permitted is commenced, a scheme detailing how existing trees to be retained, and their Root Protection Areas, are to be protected in accordance with BS 5837.

No works including:

i. removal of earth,
ii. storage of materials,
iii. vehicular movements or
iv. siting of temporary buildings

shall be permitted within these protected areas.

Reason: To prevent unnecessary damage to existing trees and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

6 Before the development hereby permitted is commenced, a scheme for the treatment of surface and foul water drainage shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the provision of satisfactory surface and foul water drainage is provided in accordance with Policy EN2 of the adopted South Kesteven Core Strategy (July 2010).

During Building Works

7 The development shall be carried out in strict accordance with the Asbestos Pre-Refurbishment Survey Reports Job Reference Numbers:

- 91865
- 91868

Submitted with application ref. S16/0274.

Reason: Previous activities associated with this site may have caused, or had the potential to cause, land contamination and to ensure that the proposed site investigations and remediation will not cause pollution in the interests of the amenities of the future residents and users of the
Before any of the works on the external elevations for the building(s) hereby permitted are begun, samples of the materials (including colour of any render, paintwork or colourwash) to be used in the construction of the external surfaces shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory appearance to the development and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

Before the Development is Occupied

9 Before any part of the development hereby permitted is occupied/brought into use, the works to provide the surface and foul water drainage shall have been completed in accordance with the approved details.

Reason: To ensure the provision of satisfactory surface and foul water drainage is provided in accordance with Policy EN2 of the adopted South Kesteven Core Strategy (July 2010).

10 Before any building/dwelling hereby permitted is occupied/brought into use, the finished floor levels for that building shall have been constructed in accordance with the approved land levels details.

Reason: In the interests of the visual amenities of the area and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

11 Before any part of the development hereby permitted is occupied/brought into use, details of hard landscaping works shall have been submitted to and approved in writing by the Local Planning Authority. Details shall include:

i. hard surfacing materials;
ii. proposed finished levels and contours;
iii. any means of enclosure;
iv. pedestrian access and circulation areas;
v. minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc.);
vii. proposed and existing functional services above and below ground (e.g. drainage power, communications cables, pipelines etc. indicating lines, manholes, supports etc.);
viii. retained historic landscape features and proposals for restoration, where relevant.

Before any part of the development hereby permitted is occupied/brought into use, all hard landscape works shall have been carried out in accordance with the approved hard landscaping details.

Reason: Hard and soft landscaping and tree planting make an important contribution to the development and its assimilation with its surroundings and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

12 Prior to the development hereby permitted being brought into use, details relating to the species, planting plan and specification for five replacement trees as shown on the approved Masterplan shall be submitted to and agreed in writing by the Local Planning Authority. The tree planting shall be carried out in its entirety before the end of the first planting season following the first use of the hereby approved development by the public.

Reason: The replacement trees will soften the impact of the development and contribute towards its assimilation with its surroundings and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).
Prior to the development hereby permitted being brought into use, details of any external lighting/floodlighting shall have been submitted to the Local Planning Authority for written approval. The details shall include the location, lighting materials, level of illuminance etc and the development shall be implemented in accordance with the approved details.

Reason: In order to prevent light pollution in the interest of protecting the amenity of the area.

Before any part of the development hereby permitted is occupied/brought into use, a verification report confirming that remedial works have been completed shall have been submitted to and approved in writing by the Local Planning Authority. The report shall have been submitted by the nominated competent person approved, as required by condition above. The report shall include:

i. A complete record of remediation activities, and data collected as identified in the remediation scheme, to support compliance with agreed remediation objectives;
ii. As built drawings of the implemented scheme;
iii. Photographs of the remediation works in progress; and
iv. Certificates demonstrating that imported and/or material left in situ is free from contamination.

The scheme of remediation shall thereafter be maintained in accordance with the approved scheme.

Reason: Previous activities associated with this site may have caused, or had the potential to cause, land contamination and to ensure that the proposed site investigations and remediation will not cause pollution in the interests of the amenities of the future residents and users of the development; and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010) and national guidance contained in the NPPF paragraphs 120 and 121.

Ongoing Conditions

The development hereby approved shall be carried out in strict accordance with the recommendations contained within the Extended Phase 1 Habitat Survey prepared by Environmental Services dated 9th September 2015 and submitted as part of S16/0274.

Reason: In the interests of preventing harm to protected species and their habitats in accordance with section 11 of the NPPF.

The development shall be carried out in strict accordance with the Flood Risk Assessment prepared by Pick Everard dated 25 February 2016 (issue number 2) and submitted as part of S16/0274.

Reason: To protect the development and surrounding land uses from flood risk and to ensure flood resilience is built into the development in accordance with Section 10 of the National Planning Policy Framework 2012.

If within a period of five years from the first occupation of the development hereby permitted, any trees provided as part of the approved planting scheme, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective, they shall be replaced in the first planting season following any such loss with a specimen of the same size and species unless otherwise agreed by the Local Planning Authority.

Reason: To help assimilate the development into the surrounding landscape in accordance with the requirements of Policy EN1 of the adopted South Kesteven Core Strategy.

Standard Note(s) to Applicant:

In reaching the decision the Council has worked with the applicant in a positive and proactive manner by determining the application without undue delay. As such it is considered that the decision is in accordance with paras 186 - 187 of the National Planning Policy Framework.
2 Notwithstanding the extent of works indicated on the approved Masterplan, this permission only relates to amendments proposed to the permission granted under S16/0274.
Visitor Centre Elevations

Memorial Arch Elevations