S19/1519

Proposal: Erection of 3 detached, 2 semi-detached and 3 terraced dwellings with site access, car parking and turning areas

Location: Land Off Kettering Road, Stamford, Lincolnshire, PE9 2JS

Applicant: Simon Boon Homes Ltd, Shiremoor Mill Lane, Cotterstock, Peterborough

Agent: Mr S Machen, Barmach Ltd, 22 Charlotte Way, Peterborough, PE3 9ES

Application Type: Full Planning Permission

Reason for Referral to Committee: S106 financial contribution

Key Issues:
- Principle of development
- Impact on the character of the area and the setting of heritage assets
- Impact on residential amenity
- Highway issues
- Ecology
- Drainage

Technical Documents:
- Planning, Design & Access Statement
- Tree report
- Topographical survey
- Heritage Statement

Report Author

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Corporate Priority: Growth

Decision type: Regulatory

Wards: Stamford St Mary's

Reviewed by: Andy Booth, Principal Planning Officer

18 December 2019

Recommendation (s) to the decision maker (s)

That the application be: - Approved conditionally
S19/1519 Land Off Kettering Road, Stamford, Lincolnshire, PE9 2JS
1 Description of Site

1.1 The application site is approximately 0.4 hectares in size and is located on the edge of the built-up area of Stamford where there is a transition between the tightly-knit urban character of the town and the surrounding rural landscape. The site is located outside of the Stamford Conservation Area but is close to its boundary.

1.2 The application site comprises the front part of a single grass field bounded by trees and hedgerows which is located on the southern side of Kettering Road. The land slopes up to the south away from the road, towards the village of Wothorpe. Two public footpaths run diagonally through the site from the north-east off Kettering Road to the south-west.

1.3 To the west of the site is a residential development under construction that was granted permission under planning application S18/1207. These two sites are in the same ownership and together make up land allocated for residential development in the current, adopted local plan. To the east of the site are the rear gardens of the dwellings along Pinfold Lane. To the south of the application site is the adjacent settlement of Wothorpe, which is in the Peterborough City Council administrative boundary. Opposite the site on the northern side of Kettering Road is a recently completed residential development known as Cecil Square.

1.4 There are numerous heritage assets to the east of the site including the grade II* listed Burghley House and associated grade II* registered park and garden, grade II Burghley Lodges and gates which form the principal entrance to the historic park and garden and numerous grade II and grade II* listed buildings along the Old Great North Road.

2 The Proposal

2.1 This is a full application for a residential development comprising 3 detached, 2 semi-detached and 3 terraced dwellings together with site access and car parking. The site would be served by a new, single private drive from Kettering Road. The proposed layout would require the footpaths that run through the site to be diverted.

2.2 The dwellings would be constructed from natural stone and slate and all have elements of both vernacular and Georgian architecture which is inspired by reference to historic properties located within and around Stamford. The scheme has been designed to complement the adjacent site to the west, granted permission under planning application S18/1207 (which is in the same ownership).

2.3 The proposed layout shows the existing trees and hedgerows to be retained.

3 Background

3.1 The application site, together with the adjacent field have been subject of two previous planning applications for residential development by Kier Homes. The first of these applications (S13/3322) was for 48 dwellings and was refused by the Council in May 2014 and subsequently dismissed at appeal. The appeal was dismissed on the grounds that,
notwithstanding the site's allocation in the Local Plan, the design and layout would be out of character with the area and harmful to the setting of numerous heritage assets. The inspector did not consider that the harm was outweighed by the public benefits of that particular scheme.

3.2 The second application (S14/3078) was for 39 dwellings, later amended to 29 and was also refused by the Council in February 2017 but was allowed at appeal in March 2018. The inspector considered that the lower density, improved design and better landscaping were sufficient to mitigate any harmful impact and that this time the limited degree of harm was outweighed by the public benefits of the scheme.

3.3 Following the appeal decision for S14/3078, Kier Homes made an application to divert the public footpaths crossing the site, to enable the development to proceed. This application was later withdrawn. A similar application to divert the public footpaths would be required should planning permission be granted for this application.

3.4 Land to the west of the site was granted permission by S18/1207 for five dwellings which is in the same ownership (Simon Boon Homes) as the current application site and together make up the area of the Local Plan allocated site - STM1a.

4 Relevant History

<table>
<thead>
<tr>
<th>Reference</th>
<th>Proposal</th>
<th>Decision</th>
<th>Date</th>
</tr>
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<tbody>
<tr>
<td>S13/3322</td>
<td>Residential development comprising 48 houses and associated parking spaces and garages together with access road and turning areas, open space and landscaping, foul water pumping station, surface water balancing pond and open space</td>
<td>Refused</td>
<td>30/05/2014</td>
</tr>
<tr>
<td>S14/3078</td>
<td>Residential development comprising 29 houses and associated parking spaces and garages together with access road and turning areas, open space and landscaping, foul water pumping station, surface water balancing pond and open space</td>
<td>Refused – allowed at appeal</td>
<td>09/02/2017</td>
</tr>
<tr>
<td>S18/1207</td>
<td>Erection of 5 detached houses</td>
<td>Approved Conditionally</td>
<td>18/07/2019</td>
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5 Policy Considerations

5.1 National Planning Policy Framework (NPPF)
Section 5 - Delivering a sufficient supply of homes
Section 9 - Promoting sustainable transport
Section 12 - Achieving well-designed places
Section 16 - Conserving and enhancing the historic environment

5.2 South Kesteven District Council Core Strategy
Policy EN1 - Protection and Enhancement
Policy EN2 - Reduce the Risk of Flooding
5.3 Site Allocation and Policies Development Plan Document
Policy STM1 - Housing allocations in Stamford

6 Representations Received

6.1 Parish Council
6.1.1 No objection, subject to any affordable housing contribution being allocated and spent in Stamford. Neighbouring properties amenities should also be respected.

6.2 LCC Highways & SuDS Support
6.2.1 No objection to access, subject to provision of a footway connection. Requested further details of refuse collection point and drainage.

6.3 South Kesteven District Council Footpaths Officer
6.3.1 Diversion of footpaths likely to be a contentious issue.

6.4 Lincolnshire County Council - Footpaths Officers
6.4.1 Kettering Public Footpath Nos. 14 and 15 are affected by the proposed development. Diversion requirements added as a formal note to applicant.

6.5 Minerals And Waste Planning (LCC)
6.5.1 Lincolnshire County Council raise no mineral safeguarding objections.

6.6 Heritage Lincolnshire
6.6.1 The site offers potential for archaeological remains. Insufficient information is available from previous investigations and therefore a scheme of archaeological investigation is recommended to be secured by condition.

6.7 Peterborough City Council
6.7.1 Object on the basis that the harm to designated heritage assets is not outweighed by the public benefits of the scheme.

6.8 Environmental Protection Services (SKDC)
6.8.1 No further land survey work required beyond that completed for previous, approved applications on this site.

6.9 Affordable Housing Officer (SKDC)
6.9.1 Agreed an affordable housing contribution of £595,931 to be used towards the provision of an affordable 'Extra Care' housing development in Stamford would be acceptable in lieu of any on-site provision.
6.10 Historic England
6.10.1 No comments to make - suggest seeking the views of specialist conservation and archaeological advisers, as relevant.

6.11 Natural England
6.11.1 Refer to standing advice.

6.12 Welland & Deeping Internal Drainage Board
6.12.1 No comments to make.

6.13 Highways England
6.13.1 No objection

6.14 Wothorpe Parish Council
6.14.1 Object for the following reasons:

1. site not allocated in emerging Local Plan
2. site not allocated in draft Stamford Neighbourhood Plan
3. harm to heritage assets including setting of Stamford
4. limited public benefits from 8 market houses
5. harm to visual amenity value of footpaths
6. highway safety

6.15 Garden’s Trust
6.15.1 Do not wish to comment at this stage.

6.16 Stamford Civic Society
6.16.1 Object on the impact of the proposal on designated heritage assets.

6.17 Conservation Officer
6.17.1 There would be less than substantial harm to the setting of identified heritage assets.

7 Representations as a Result of Publicity

7.1 This application has been advertised in accordance with the Council's Statement of Community Involvement and 26 letters of representation have been received. The points raised can be summarised as follows:

1. site not allocated in emerging Local Plan
2. site not allocated in draft Stamford Neighbourhood Plan
3. harm to heritage assets including setting of Stamford
4. limited public benefits from 8 market houses
5. harm to visual amenity value of footpaths
6. increased traffic
7. highway safety
8. increased flood risk
9. harm to biodiversity
10. lack of consultation
11. overlooking neighbouring property
12. lack of infrastructure to support new development
13. Additional housing not needed

7.2 In response to point 10, a site notice was displayed to the front of the site, the application was advertised in the Stamford Mercury and neighbouring properties were sent letters of notification regarding the application.
8 Evaluation

8.1 Principle of Development

8.1.1 Planning law requires that the Local Planning Authority make decisions in accordance with the local development plan, unless material considerations indicate otherwise. The local development plan is currently made up of the Core Strategy (2010) and the Site Allocation and Policies Development Plan Document (SAP DPD 2014). However, this is due to be replaced with a new Local Plan early next year. As that plan progresses increased weight can be attributed to those emerging policies.

8.1.2 In terms of principle, the relevant adopted development plan policies for this proposal are Core Strategy Policies SP1 and H1 and Site Allocation and Policies Development Plan Document (SAP DPD) Policy STM1.

8.1.3 Core Strategy Policy SP1 states that new development that helps to support the role of Stamford as a market town will be allowed. It further states that preference will be given to brownfield sites within the built-up part of the town and sites allocated in the site specific Site Allocation and Policies Development Plan Document.

8.1.4 Core Strategy Policy H1 seeks to achieve the proper distribution of development across the District during the plan period and states that development rates in Stamford should be maintained at a modest level to meet the needs of the town.

8.1.5 The application site is part of land allocated for residential development in the current, adopted Site Allocations and Policies Development Plan Document (2014) - allocation ref: STM1a. That policy proposed an indicative number of 50 dwellings across the total allocated site and stated the site should be developed as a single site with a single point of access. The policy also requires development of the site to preserve and enhance the setting of Stamford and nearby heritage assets

8.1.6 The site is not allocated in the draft Stamford Neighbourhood Plan; however no weight can currently be attributed to that plan which is yet to be formally submitted for examination. The site is also not allocated within the emerging Local Plan, however planning permission has previously been granted for the whole site, which is a material consideration to which weight can be given.

8.1.7 The National Planning Policy Framework (section 5) provides further support for the delivery of new homes. This section provides support for both allocated sites and windfall sites. In particular, paragraph 68 states that small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly.

8.1.8 The suitability of developing the site for housing has been previously established through allocation STM1a and planning permission S14/3078. The additional access and reduced number of dwellings suggest the proposal is not strictly in accordance with the wording of SAP Policy STM1a. However, it should be noted that the NPPF (section 5), requires great weight to be given to using suitable sites within existing settlements for new homes.
8.1.9 Taking the above policies and guidance into account, the principle of development is considered to be acceptable. Further environmental and technical considerations which support this conclusion, are discussed in more detail below.

8.2 Impact on the Character of the Area and the Setting of Heritage Assets

8.2.1 Core Strategy Policy EN1 requires that development must be appropriate to the character and significant historic and cultural attributes and features of the landscape within which it is situated, and contribute to its conservation, enhancement or restoration. The policy requires consideration of, amongst other things: historic assets; historic character, patterns and attributes of the landscape; the layout and scale of buildings and designed spaces; visual impact; public access to and community value of the landscape and biodiversity and ecological networks within the landscape. Further, paragraph 127 of the NPPF provides that planning policies and decisions should ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change.

8.2.2 With regard to the impact of the development on the setting of any listed buildings, there is a duty under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 that requires the Local Planning Authority to have special regard to the desirability of preserving listed buildings and their setting.

8.2.3 In relation to proposals affecting designated heritage assets, paragraph 193 of the NPPF provides that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

8.2.4 Paragraph 195 of the NPPF provides that: 'Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss.'

8.2.5 However, paragraph 196 of the NPPF provides that: 'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.'

8.2.6 The 2018 appeal decision has established that development of this site has the potential to affect the settings of the following heritage assets:

i. Stamford Conservation Area and the listed buildings which make up the skyline within it including various grade I listed churches;
ii. Grade II listed Fryer's Callis Almshouses;
iii. Grade I listed Burghley House and its Grade II* Registered Park and Gardens;
iv. Grade II listed Burghley House Bottle Lodges;
v. Wothorpe Special Character Area (undesignated heritage asset) and grade II listed The Elms within it.
8.2.7 The appeal decision concluded that the significance of Fryers Callis Almshouses is largely derived from its historic and architectural features rather than any long distance views or countryside setting. However it was established that the rural countryside forms part of, and contributes positively to the setting of all the other heritage assets mentioned above.

8.2.8 The appeal decision concluded that the appeal proposal would result in 'less than substantial' harm, but at the lower end of 'less than substantial'. In other words a very low degree of harm to the rural setting of the heritage assets mentioned above.

8.2.9 The current proposal involves development of only the front part of the eastern half of the land allocated by STM1a and granted permission by S14/3078 and is a much less intensive form of development with relatively large plots and dwellings, similar to those found in the surrounding context.

8.2.10 This part of the allocated land is particularly sensitive in terms of the views from First Drift, Wothorpe and as the setting to Stamford. Views towards the Bottle Lodges from within the site are also sensitive and would be preserved through the submitted layout. Users of the public rights of way which cross the site would inevitably experience a change of character through the site itself. However, this is a relatively short section and the overall experience of this footpath would not change significantly. It is also noted that a separate process is required to divert the footpaths, should planning permission be granted.

8.2.11 The scheme has been designed to complement the adjacent development granted permission by S18/1207. The scale and setback of the proposed dwellings along Kettering Road is appropriate, would help to maintain a sense of local distinctiveness, and to some extent would help to lessen the impact of the 3 storey townhouses opposite. A suitable boundary treatment to those properties along Kettering Road would be an important aspect of the scheme and these details can be secured by condition. To ensure the Local Planning Authority maintained some control over these boundary treatments in the long term it is also recommended to remove permitted development rights for fences, means of enclosure etc.

8.2.12 The existing trees and hedges that bound the site are considered to be an important feature and contribute positively to the character of the area. Some enhanced planting and landscaping to the front and rear of the site would also help to mitigate the impact of the development from views from the south and along Kettering Road and further details in this respect can also be secured by condition.

8.2.13 The reduced site area and less intensive nature of the proposal, from that previously consented by S14/3078, would result in significantly less impact and therefore less harm to the setting of heritage assets than the approved scheme. The approved scheme was deemed in the appeal decision to result in harm that would be at the lower end of less than substantial. Therefore it follows that any harm from the current scheme would be very low. The applicant has submitted a Heritage Statement to accompany the application which reaches the same conclusion. Historic England have not objected to the proposal and the Council's Conservation Officer has also concluded that the harm to setting of the designated heritage assets would be considered less than substantial.
8.2.14 Taking the above into account there would be limited conflict with Core Strategy Policy EN1 and SAP Policy SMT1a through the less than substantial harm caused to the designated heritage assets. The material considerations and public benefits that would weigh against this harm area are discussed in the planning balance and conclusion below.

8.3 Affordable Housing

8.3.1 Core Strategy Policy H3 (read in conjunction with the National Planning Practice Guidance and South Kesteven Planning Obligations DPD) requires developments of 10 or more dwellings or a site area of >0.5ha to provide 35% affordable housing. As the site has been developed in two phases the Council is required to consider the cumulative impacts of both this site and the adjacent site granted permission by S18/1207, despite the application site being below the 0.5ha and 10 dwelling threshold. As a commuted sum for affordable housing has already been secured from the approved scheme S18/1207, the requirements for this site have been considered on a proportionate basis to the quantum of development proposed.

8.3.2 Affordable housing would in most cases be expected to be provided on site. However Policy H3 also states that on smaller developments of between 5 -15 dwellings, provision may be made off site or as a commuted sum in lieu of provision. In this case a commuted sum is the preferred option, given the nature of the development.

8.3.3 In this case, the required 35% affordable housing for the scheme would be 2.8 dwellings, which has been rounded up to 3 dwellings for the purposes of calculating an off-site commuted sum. The equivalent off-site contribution for these 3 dwellings has been calculated to be £595,931 and agreed with the Council's Partnership Project Officer that this would be used towards the provision of an affordable 'Extra Care' housing development in Stamford.

8.3.4 Taking the above into account, in this respect the proposal accords with Core Strategy Policies SP4 and H3, the South Kesteven Planning Obligations SPD, the NPPF (section 5) and national planning guidance for planning obligations.

8.4 Impact on Residential Amenity

8.4.1 Core Strategy Policy EN1 states that development proposals will be assessed in relation to (amongst other criteria) the layout and scale of buildings and designed spaces. Paragraph 127 of the NPPF states planning decisions should create places with a high standard of amenity for existing and future users.

8.4.2 The closest of the proposed dwellings to any neighbouring property would be plot A, with the side elevation of the dwelling between 3.8m and 4.2m from the neighbouring boundaries which have west facing rear gardens of 25m - 30m. The scheme has been designed to complement the adjacent development to the west and would provide a high standard of amenity to future occupiers of this development.

8.4.3 Taking into account the scale and nature of the proposal, and adequate separation distances from the nearest properties, there would be no unacceptable adverse impact on
the residential amenities of future occupiers or the occupiers of adjacent properties in accordance with the Core Strategy Policy EN1 and the NPPF (section 12).

8.5 **Highway Issues**

8.5.1 Concerns regarding highway safety and increased traffic have been raised through the public consultation. However, it is noted that Lincolnshire County Council (as Highway Authority) stated that a separate access from Kettering Road to this part of the site could be provided without unacceptable highway safety implications and no objection on highway safety or traffic grounds has been raised as part of this proposal. Further, no objection for the proposal from Highways England has been received. A condition requiring provision of a new footpath along the frontage to link with the existing footpath has been included as requested by the Highway Authority.

8.5.2 Plans demonstrating the ability for refuse and emergency vehicles to access and turn within the site have been submitted in support of the application.

8.5.3 The proposal would result in adequate access, parking and turning facilities and would not have an unacceptable adverse impact on highway safety in accordance with Core Strategy Policy SP3 and the NPPF (section 9).

8.6 **Ecology**

8.6.1 Core Strategy Policy EN1 together with NPPF (section 15) requires developments to contribute towards conservation and enhancement of biodiversity and avoid and/or mitigate any adverse impacts.

8.6.2 Concerns have been raised in relation to the impact of the development on local wildlife and ecology. A Phase 1 Habitat Survey was originally undertaken in 2013, with an update undertaken in 2016 in relation to the extant permission. That Phase 1 Habitat Survey indicated that development of the site would not have any significant adverse impact on any protected species, although it did recommend some mitigation measures including the provision of additional bat and bird boxes. It is recommended that a condition requiring the proposed mitigation measures be attached to any consent.

8.6.3 In this respect the proposal is acceptable and in accordance with Core Strategy Policy EN1 and the NPPF (section 15).

8.7 **Drainage**

8.7.1 Core Strategy Policy EN2 together with NPPF (section 14) seeks to direct development to areas with the least probability of flooding, together with implementation of SuDS drainage where possible, in order to minimise surface water runoff.

8.7.2 The site is in flood risk zone 1 which means it is at low risk of flooding. Limited detail has been submitted in respect of surface water drainage, although the submitted planning statement indicates a preference for a SuDS approach. The Local Lead Flood Authority have raised no objections, subject to a condition requiring further detail of the surface water drainage system.
8.7.3 In this respect the proposal is in accordance with Core Strategy Policy EN2 and the NPPF (section 14), subject to the recommended condition.

9 Section 106 Heads of Terms

9.1 The proposed development would necessitate financial contributions via a section 106 agreement. The requirements would be £595,931 to be used towards the provision of an affordable 'Extra Care' housing development in Stamford.

10 Crime and Disorder

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

11 Human Rights Implications

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

12 Planning Balance and Conclusion

12.1 Planning law requires that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The proposal would result in limited conflict with Core Strategy Policy EN1, and SAP Policy SMT1a as a result of less than substantial harm to the setting of heritage assets. However, in this case there are also a number of factors which weigh in favour of this proposal. It is therefore necessary to carry out a balancing exercise to determine whether such material considerations outweigh the identified conflicts with the development plan.

12.2 NPPF paragraph 196 states "Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal."

12.3 The level of harm would be less than that of the previous permission S14/1207 which was deemed by the inspector to be at the lower end of the scale of "less than substantial harm". The main public benefits of the scheme would be the provision of 8 new market houses and a £595,931 financial contribution towards the provision of an affordable 'Extra Care' housing development in Stamford which is a sustainable location for new housing. Additional employment from construction of the dwellings and benefits from additional spend and use of local services are also to be noted. Further, the scheme would result in a new footpath connection along the frontage of Kettering Road. It is considered that these public benefits are sufficient to outweigh the very low level of identified harm to the surrounding heritage assets. Further, the site is part of land allocated for housing which has already been granted consent for a lower quality, higher density development.
12.4 **Recommendation**

12.4.1 Approve the application subject to the conditions set out in the report and subject to completion of a S106 planning obligation securing the requirements specified in section 9 of the report. Where the S106 obligation has not been concluded prior to the Committee, a period not exceeding twelve weeks after the date of the Committee shall be set for the completion of that obligation.

12.4.2 In the event that the agreement has not been concluded within the twelve-week period and where, in the opinion of the Head of Development Management, there are no extenuating circumstances which would justify a further extension of time, the related planning application shall be refused planning permission for the appropriate reason(s) on the basis that the necessary criteria essential to make what would otherwise be unacceptable development acceptable have not been forthcoming.

**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 this permission.

   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. Site location plan drawing no. 1980-01 received 21 August 2019
   ii. Block Plan drawing no. 1980-02 Rev A received 12 November 2019
   iii. Plot A floor plans drawing no. 1980-07 received 21 August 2019
   iv. Plot A elevations drawing nos. 1980-08 and 1980-09 received 21 August 2019
   v. Plot B floor plans drawing no. 1980-10 received 21 August 2019
   vi. Plot B elevations drawing no. 1980-11 received 21 August 2019
   vii. Plot C floor plans drawing no. 1980-12 received 21 August 2019
   viii. Plot C elevations drawing no. 1980-13 received 21 August 2019
   ix. Plots D, E, F floor plans drawing nos. 1980-14 and 1980-15 received 21 August 2019
   x. Plots D, E, F elevations drawing nos. 1980-16 and 1980-17 received 21 August 2019
   xi. Plots G, H floor plans drawing no. 1980-18 received 21 August 2019
   xii. Plots G, H elevations drawing no. 1980-19 received 21 August 2019

   Unless otherwise required by another condition of this permission.
Before the Development is Commenced

3 Before the development hereby permitted is commenced, a tree protection method statement including protection plan should be submitted to and approved by the LPA in writing. The method statement and plan should have regard to the BS5837 (2012) Trees in Relation to Design, Demolition and Construction-Recommendations. A plan identifying which trees are to be felled and which are to be retained should be provided. A site specific tree protection scheme for the retained trees should also be submitted taking into account the impacts from construction work, scheduling of works, foundations, hard surfaces, drainage systems, and utilities.

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

4 Before the development hereby permitted is commenced, a written scheme of archaeological investigation shall have been submitted to and approved in writing by the Local Planning Authority. The archaeological investigations shall also have been completed in accordance with the approved details before development commences.

Reason: In order to provide a reasonable opportunity to record the history of the site and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010) and Paragraph 199 of the NPPF.

During Building Works

5 Notwithstanding the submitted plans, before completion of any of the dwellings, details of hard landscaping works shall have been submitted to and approved in writing by the Local Planning Authority. Details shall include:

   i. proposed finished levels and contours;
   ii. boundary treatments;
   iii. car parking layouts;
   iv. other vehicle and pedestrian access and circulation areas including construction and surface details of the diverted footpath;
   v. hard surfacing materials;
   vi. refuse storage area.

Reason: Hard landscaping makes 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).

6 Notwithstanding the submitted plans, prior to the completion of any of the dwellings, details of any soft landscaping works shall have been submitted to and approved in writing by the Local Planning Authority. Details shall include:

   i. planting plans;
ii. written specifications (including cultivation and other operations associated with plant and grass establishment);
iii. schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate;

Reason: 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).

7 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).

8 Before any drainage works in connection with the approved development are 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).

Before the Development is Occupied

9 Before the end of the first planting/seeding season following the occupation of any part of the development hereby permitted, all soft landscape works shall have been carried out in accordance with the approved soft landscaping details.

Reason: 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).

10 The development hereby permitted shall not be occupied before a 1.8 metre footway to connect the development to the existing pedestrian footway on Kettering Road at Pinfold Lane and the footway to be provided as part of application S18/1207 has been provided in accordance with details that shall first have been submitted to and approved in writing by the local planning authority. The works shall also include appropriate arrangements for the management of surface water run off from the highway.

Reason: To ensure safe access for pedestrians to the development site without increasing flood risk to the highway and surrounding area.

11 Before any part of the development hereby permitted is occupied/brought into use, the external surfaces shall have been completed in accordance with the approved details.
12 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 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).

13 Prior to completion of any of the dwellings, a scheme for the provision of bat and bird boxes shall be submitted to and approved in writing by the local planning authority. The boxes shall be installed prior to occupation and retained thereafter.

Reason: To preserve and enhance local wildlife.

14 Before any part of the development hereby permitted is occupied, 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).

Ongoing Conditions

15 Within a period of five years from the first occupation of the final dwelling/unit of the development hereby permitted, any trees or plants provided as part of the approved soft landscaping scheme, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced in the first planting season following any such loss with a specimen of the same size and species as was approved in condition above unless otherwise agreed by the Local Planning Authority.

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs.

16 Notwithstanding the provisions of Schedule 2, Part 2, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that Order with or without modification), no gate, fence, wall or other means of enclosure shall be constructed within or on the boundary of the north (rear boundary adjacent to Kettering Road) of plots D, E, F, G and H without Planning Permission first having been granted by the Local Planning Authority.

Reason: The Local Planning Authority considers that further development could cause detriment to the character of the area, and for this reason would wish to
control any future development and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

Standard Note(s) to Applicant:

1 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 38 of the National Planning Policy Framework.

2 The permitted development requires the formation of a new/amended vehicular access. Applicants should note the provisions of Section 184 of the Highways Act 1980. The works should be constructed to the satisfaction of the Highways Authority in accordance with the authority's specification that is current at the time of construction. For further information contact 01522782070.

3 Please contact Lincolnshire County Council Streetworks and Permitting Team on 01522782070 to discuss any proposed statutory utility connections and any other works which will be required within the public highway in association with the development permitted under this consent. This will enable Lincolnshire County Council to assist in the coordination and timings of these works.

4 Kettering Public Footpath Nos. 14 and 15 are affected by the proposed development. The developer has incorporated amended alignments in the proposed layout and both routes will require formally diverting to enable development to take place. Please contact Lincolnshire County Council Countryside Service in this respect:

    countryside_access@lincolnshire.gov.uk
    (01522) 782070

   i) Stamford Public Footpath Nos. 14 and 15 will require formally diverting before any development takes place.

   ii) The proposed development should not pose any dangers or inconvenience to the public using the right of way. It is considered that a temporary closure order will be required for the duration of any construction works (please see the information in the final paragraph).

   iii) If any existing gate or stile is to be modified or if a new gate or stile is proposed on the line of the public rights of way, prior permission to modify or erect such a feature must be sought from the County Council.

   iv) The proposed section of path through the car parking area should be surfaced to a width of 2m and segregated from the surrounding parking.

   v) The section of diverted public footpath No. 15 to the south of the development should be surfaced with an appropriate material to a width of 2m (specification to be agreed prior to construction commencing).

Financial Implications reviewed by: Not applicable
Legal Implications reviewed by: Not applicable
Site Location Plan

Proposed block plan
Plot A Plans

Plot A Elevations

Plot A: North-East Elevation

Plot A: North-West Elevation
Plots D, E, F Elevations