



**SOUTH
KESTEVEN
DISTRICT
COUNCIL**

Planning Committee

3 October 2024



S22/1591

Proposal:	Full Planning Application for the erection of 111 dwellings including affordable housing provision, open space including access to the river, soft and hard landscaping including tree lined streets, car and cycle parking including EV charging provision, and vehicular link with the adjacent Vistry site.
Location:	Land to the north of Uffington Road, Stamford
Applicant:	Bellway Homes Ltd
Agent:	Rosanna Metcalfe, Strutt & Parker, 1 Cambridge Square, Cambridge, CB4 0AE
Application Type:	Full Planning Permission (Major)
Reason for Referral to Committee:	Major development which requires a Section 106 Agreement to secure financial contributions
Key Issues:	Principle of development Affordable Housing Design and effects on the character and appearance of the area Residential amenity considerations Highway considerations Flood risk and drainage Heritage and Archaeology Climate Change
Technical Documents:	Planning Statement Design and Access Statement Flood Risk Assessment and Drainage Strategy Ecological Impact Assessment Arboricultural Impact Assessment Minerals Assessment Statement of Community Involvement Transport Assessment Green Travel Plan Archaeological Evaluation Design Code Sustainability Statement Statement of Community Involvement Noise Assessment Contamination Assessment and Remediation Strategy

Report Author

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Corporate Priority:

Growth

Decision type:

Regulatory

Wards:

Stamford St Mary's

Reviewed by:

Adam Murray – Principal Development Management
Planner

25 September 2024

Recommendation (s) to the decision maker (s)

To authorise the Assistant Director of Planning & Growth to GRANT planning permission, subject to completion of a planning obligation and subject to conditions outlined in the report.

1 Description of Site

- 1.1 The site is approximately 3.4ha of previously developed land located on the eastern side of Stamford and north of Uffington Road. Within the site there are two vacant warehouse buildings from the previous commercial use of the site.
- 1.2 The site forms the eastern part of a wider site allocation (STM1- H2: Stamford East) for housing development in the South Kesteven Local Plan. The western part of the site was granted full planning permission under S21/0938 for 200 dwellings.
- 1.3 To the north of the site is vacant land that is allocated for employment use (ST-E1) in the Local Plan. To the east of the site is existing commercial uses and beyond this is the River Gwash. To the south is the Aldi supermarket which fronts onto Uffington Road, beyond which is a care home development.
- 1.4 The main part of the site where residential development is proposed is located within Flood Zone 1. The north-east corner of the site which is proposed to be green space is located within Flood Zone 2. Within the site there are also some areas that are at medium risk of surface water flooding.
- 1.5 There is an existing row of trees along part of the western boundary which are mainly located within the adjacent site but overhang the application site. These trees are protected by a Tree Preservation Order and run along the location of the former railway line.
- 1.6 There are differing levels across the site as a result of the previous industrial uses on the site, however the natural land levels generally fall away to the north-east where the river Gwash runs adjacent to the site.

2 Description of Proposal

- 2.1 The application is seeking full planning permission for the erection of 111 dwellings (comprising 14 different housetypes) including affordable housing provision, open space including access to the river Gwash, soft and hard landscaping including tree lined streets, car and cycle parking including EV charging provision, and a vehicular link with the adjacent Vistry site. It is noted that this is an amended version of the scheme that was initially submitted which includes a reduction in the number of proposed dwellings from 120 to the now proposed 111. The amendments have been largely as a result of design changes that have been negotiated through the Council's Design PAD process.
- 2.2 Of the 111 dwellings proposed, 98 (88%) would be open market dwellings, with the remaining 13 (12%) split between affordable rent and shared ownership. The proposed dwellings are split as follows:
 - Market Housing: 12x 2 bedroom, 77x 3 bedroom, 9x 4 bedroom dwellings.
 - Affordable Housing: 3x 1 bedroom, 8x 2 bedroom, 2x 3 bedroom dwellings.
- 2.3 The proposed 111 dwellings on the site on 3.4ha results in a gross density of 33 dwellings per hectare (dph), which is comparable to the adjacent approved Vistry scheme 34 dph gross. The densities reflect the brownfield nature of the site and a location within the built-up area of a market town and located in close proximity to services and facilities. The proposed design, layout and density of the site is discussed further below.

- 2.4 The proposed house types include a mixture of different materials including reconstituted stone to entrance and gateway buildings together with appropriate feature detailing. The remaining plots would be constructed from either buff or red brick, with grey roof tiles.
- 2.5 The proposed layout includes areas of public open space (POS) to the western side of the site, which would adjoin the open space on the adjacent Vistry site. The open space in the north-eastern corner is proposed to remain as a landscaped area of wetland. The proposed scheme includes pedestrian access, which is shown to the west of the attenuation basin and in the south-western corner of the wetland area.
- 2.6 Landscaping proposed includes retention of the existing TPO belt of trees to the western boundary and with new tree planting throughout the site, including street trees. The north-eastern public open space is proposed as meadow grassland, native scrub and native tree planting.
- 2.7 The layout plan shows pedestrian and cycle routes through the site, including connections to the adjacent Vistry site, the central open space and the wetland area to the north-east.

3 Policy Considerations

3.1 SKDC Local Plan 2011 - 2036

Policy SD1 – Sustainable Development
Policy SP1 – Spatial Strategy
Policy H1 – Housing Allocations
Policy H2 – Affordable Housing Contributions
Policy H4 – Meeting all Housing Needs
Policy EN1 – Landscape Character
Policy EN2 – Protecting Biodiversity and Geodiversity
Policy EN4 – Pollution Control
Policy EN5 – Water and Flood Risk Management
Policy ID2 – Transport and Strategic Transport Infrastructure
Policy DE1 – Promoting Good Quality Design
Policy OS1 – Open Space
Policy SB1 – Sustainable Building
Policy STM1-H2 – Stamford East

3.2 National Planning Policy Framework (NPPF)

Section 5 - Delivering a sufficient supply of homes
Section 6 – Building a strong, competitive economy
Section 9 - Promoting sustainable transport
Section 11 - Making effective use of land
Section 12 - Achieving well-designed places
Section 14 - Meeting the challenge of climate change, flooding and coastal change
Section 16 – Conserving and enhancing the historic environment

3.3 Stamford Neighbourhood Plan

4 Representations Received

4.1 **Stamford Town Council**

4.1.1 Raise objection on the following grounds:

- Transport assessment is not up-to-date;
- Green travel assessment is not up-to-date;
- Single access point to the site, which is shared with Aldi;
- Development will exacerbate existing traffic issues on Uffington Road;
- There should be consideration of an access road from the north of the site to Ryhall Road;
- There should be separate cycle and footpaths within the site;
- Proposed cycle and footpaths terminate at Uffington Road, which is narrow and busy;
- There is no access from the north of the site toward Ryhall Road/ Town centre by foot or cycle;
- The nearest Primary School is 1.7-2km away (30 minute walk) which doesn't encourage walking;
- Existing bus service is poor;
- Existing trees should be retained.

4.2 **Stamford Civic Society**

4.2.1 Raise the following points:

- Provision of infrastructure and services to support development is essential;
- Chimneys should be included on two-storey properties to enliven roofscape;
- High quality facing materials should be used, avoiding red brick;
- Detailing of door canopies, bay window roofs and windows should be carefully considered;
- Solar panels should be installed on all properties;
- Orientation of houses should be considered to ensure solar gain is maximised;
- New trees should be as mature as possible when planted;
- Affordable housing should be dispersed around the site;
- Amount and breakdown of affordable housing should be confirmed;
- Data should be up-to-date;
- Most residents will use the car for travel;
- Poor cycling network beyond the site;
- Archaeological works should include a timetable and results made public;
- There should be contributions towards education and waste management.

4.3 **Environmental Protection Services (SKDC)**

4.3.1 Satisfied with the further ground investigations that have been undertaken following the 2022 site investigation and report. The additional deeper ground water rotary boreholes as part of the investigation recorded significantly reducing hydrocarbon levels and that there is no near surface soil contamination

4.3.2 Satisfied with the proposed remediation scheme for the site as detailed in sections 8,9, and 10 and the proposed validation methodology in section 11.

4.4 **LCC (as Local Highway Authority and Lead Local Flood Authority)**

4.4.1 The Transport Assessment is acceptable and demonstrates that the existing access is suitable to accommodate the proposed development and that there will be no significant traffic impact. Have requested contributions towards monitoring Travel Plan and improving Uffington Road pedestrian crossings.

- 4.4.2 The principles of the surface water drainage strategy and road layout were agreed through the Design PAD process.
- 4.5 **Anglian Water**
- 4.5.1 Foul water - The foul drainage from this development is in the catchment of Stamford Water Recycling Centre that will have available capacity for these flows.
- 4.5.2 Surface water – Advise to seek advice from Lead Local Flood Authority.
- 4.5.3 **Fire Authority**
- 4.5.4 No objections, and reference relevant Building Regulations for fire safety which must be complied with.
- 4.6 **Historic England**
- 4.6.1 On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.
- 4.7 **LCC Minerals and Waste**
- 4.8 In accordance with the criteria set out in Policy M11 of the Minerals and Waste Local Plan: Core Strategy and Development Management Policies (2016), the applicant has identified that the proposed development is, or forms part of, an allocation in the Development Plan, and also that prior extraction of the mineral would be impractical. Accordingly, the County Council has no mineral safeguarding objections.
- 4.9 **LCC Education**
- 4.9.1 The County Council has no comments on this consultation in relation to education as there is sufficient capacity in the locality for the children generated by this scheme.
- 4.10 **Lincolnshire Police**
- 4.10.1 No objections.
- 4.11 **Environment Agency**
- 4.11.1 Recommend conditions to ensure that contaminated land is appropriately remediated and subsequently verified as completed.
- 4.12 **NHS England**
- 4.12.1 S106 request for £73,260 towards Lakeside Healthcare and Glenside Country Practice.
- 4.13 **Heritage Lincolnshire**
- 4.13.1 A programme of archaeological trial trenching is required to identify archaeological remains which may be preserved on the site. The trial trenching should be undertaken in accordance with the submitted Written Scheme of Archaeological Investigation.
- 4.14 **Conservation Officer**
- 4.14.1 Due to landscape character and the distance to the heritage assets, as well as the intervening buildings that would interrupt the intervisibility between the site and the heritage assets, the development of the site is not considered to result in any harm to the settings of

the heritage assets. It is therefore considered to be in accordance with NPPF Section 16 and Policy EN6 of the Local Plan.

4.15 **The Gardens Trust**

4.15.1 No comments to make.

4.15.2 **Cadent Gas**

4.15.3 No objection.

5 Representations as a Result of Publicity

5.1 This application has been advertised in accordance with the Council's Statement of Community Involvement and 4 letters of representation have been received in total, raising the following relevant points:

1. Lack of supporting infrastructure to support development;
2. Impact of noise from nearby employment site;
3. Construction access and traffic impacting on adjacent business;
4. Objections to new junction on Uffington Road and no access from Ryhall Road;
5. Poor design;
6. Lack of open space provision;
7. Traffic impacts on Uffington Road.

6 Evaluation

6.1 **Principle of Development**

6.1.1 Policy SP1 of the South Kesteven Local Plan (2020) sets out a framework guiding the location of new development within the District and provides that the majority of new development shall be focussed on Grantham and the market towns. Policy SP1 sets out that development should create strong, sustainable, cohesive communities, making the most effective use of previously development (brownfield) land (where possible). Development should also provide for a scale and mix of housing to meet identified needs.

6.1.2 Policy H1 of the Local Plan sets out that development will be delivered through a series of site allocations across the district, including to Stamford as a Market Town.

6.1.3 Policy DE1 of the Local Plan seeks to ensure high quality design is achieved, with proposals to make a positive contribution towards the character of the area, local identity, and not adversely impact on the street scene and townscape and be of an appropriate scale, density, massing, height and material and not impact on neighbouring residential amenity.

6.1.4 Paragraph 123 of the NPPF sets out that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land.

Local Plan Allocation

- 6.1.5 The site forms part of Local Plan allocation site STM1-H2: Stamford East. The overall site allocation is for an indicative 162 dwellings in total which equates to approximately 30dph. The allocation incorporates the proposed development site, with the western part of the site having already been granted full planning permission under S21/0938 for 200 dwellings. It is also noted that part of the allocated site has been used to deliver the Aldi convenience store and a part of the Vistry site to the west extends into the allocated employment site, ST-E1.
- 6.1.6 The policy includes the following criteria:
- (a) A comprehensive masterplan is required for the entire site.
 - (b) The layout of the development should provide appropriate transport infrastructure measures to encourage walking, cycling and use of public transport in order to maximise opportunities for sustainable modes of transport.
 - (c) This site represents a gateway location and this should be recognised in the design and layout of development proposals.
 - (d) Highway, footway, cycleway connections shall be provided throughout the site which connect the site into the wider area.
 - (e) To ensure the development achieves good, high quality design, a design code will be prepared for the site.
 - (f) Any contaminated land should be remediated to recognised standards.
 - (g) This site is situated within a Minerals Safeguarding Area. A Minerals Assessment will be required as part of any planning application.
- 6.1.7 The proposal is considered to meet the relevant criteria e), f) and g) above. The applicant has prepared and submitted a design code of the site to comply with criteria e). A ground investigation report and geoenvironmental report have been provided for compliance with criteria f) and both the Council's Environmental Protection team and the Environment Agency are satisfied with the proposed remediation strategy. For criteria g) the applicant has provided the necessary Minerals Assessment and LCC Minerals and Waste have reviewed this and do not have any objections to the proposal.
- 6.1.8 A masterplan for the overall site allocation was submitted and approved as part of the Vistry application, S21/0938. The approved masterplan covers the wider allocation site and sets out constraints across the wider site, including areas of noise impact, the TPO tree belt, changes in land levels and foul water and storm water sewer easements across the whole allocation site. A site allocation wide street hierarchy has been identified that utilises two access from Uffington Road, each serving each side of the site and the constructed Aldi. The masterplan shows the two access roads to link in a loop to the northern end of the site.
- 6.1.9 The approved masterplan includes the identification of key buildings and feature squares through the site and also highlights the linkages across the allocation of blue and green infrastructure, including linked tree lined streets and linked public open space. Within the public open space, the masterplan shows a footpath/cycle path to continue through the site, initially to the west of the TPO tree belt, before moving east to the neighbouring site and then north of the site to join an existing footpath alongside the River Gwash and to enable a circulatory footpath around the town with future links into Stamford North.
- 6.1.10 The amended proposal for this application is considered to be in accordance with the broad principles of that masterplan and therefore criterion a is complied with. Criteria b) and d) are

linked, with a requirement for a layout that maximises sustainable transport opportunities and that sufficient connections are made to the wider area. Outside of the main access (and access adjacent to Aldi) from Uffington Road, a single walking / cycling connection point is shown in the masterplan, with this route shown to connect to the north-east to the allocated employment land to the Stamford North allocation. No connections are shown to the west to Ryhall Road or its associated retail and employment opportunities. Whilst a connection point directly through to Ryhall Road would be preferable, a combination of changes in land levels, existing site boundaries and land ownership constraints prevent such a connection being made. LCC (as Local Highway Authority) do not object to the proposal and in this respect, and the application is considered to be in accordance with criteria b) and d).

- 6.1.11 With regards to criteria c), the masterplan, design code and application acknowledge the gateway location of the site, with the application amended through the process to amend the proposed gateway buildings to ensure an appropriate gateway feature in this context. While the number of dwellings across the two sites would exceed the indicative number of dwellings in the policy criteria, the proposed density is similar to that of the approved Vistry scheme. Likewise, the layout proposed complies with the principles of the approved masterplan. Further discussion on the design merits of the scheme is provided in the relevant section below.

Principle of Development Conclusion

- 6.1.12 The site is allocated for residential development within the Local Plan and is previously development land, and this weighs significantly in favour of the proposal. Local Plan allocation Policy STM1-H2 sets-out the criteria for residential development of the site.
- 6.1.13 The layout of the proposed scheme has been through several iterations, following extensive discussion through the Council's Design PAD service. This has resulted in a scheme that accords with the principles of the approved masterplan and also complies with the other allocation policy criteria.
- 6.1.14 The amended proposal is now therefore considered to be in accordance with Policy STM1-H2 of the South Kesteven Local Plan and Section 11 of the NPPF. Specific design, environmental and technical issues, which support this conclusion are discussed further in the following sections below.

6.2 **Affordable Housing and Housing Mix**

- 6.2.1 Firstly, it is noted that the adjacent part of the allocated site includes a significant over provision of affordable housing with 127 of the units proposed as affordable units. This over provision was possible as the scheme was promoted in partnership with a registered affordable housing provider and the over provision of affordable housing was supported by grants.
- 6.2.2 Local Plan policy SD1 (Sustainable Development) states: *Development proposals shall consider how they can proactively encourage, as appropriate:*
- g. the use of previously developed land, conversions or the redevelopment of vacant or unutilised land or buildings within settlements*
- 6.2.3 Policy H4 of the Local Plan promotes a mix of types of housing provision, including housing to enable older people and the most vulnerable to promote, secure and sustain their independence in a home appropriate to their circumstances, including through the provision of specialist housing accommodation in sustainable locations. Likewise, Policy 3 of the

Stamford Neighbourhood Plan seeks to ensure that the housing mix on new developments meets the needs of young families, first time buyers and the needs of the elderly population. It also requires that 30% of new homes are affordable and are integrated with market homes on the site.

6.2.4 In this respect, the 2023 Local Housing Needs Assessment, which accompanied the Regulation 18 consultation on the Local Plan Review, advises the following housing mix over the period to 2041:

Number of bedrooms	Market	Affordable Ownership	Affordable Rent
1 bedroom	1% – 5%	10% - 15%	30% to 35%
2 bedrooms	30% – 35%	40% - 45%	45% to 50%
3 bedrooms	45% - 50%	30% - 35%	20% to 25%
4 bedrooms	10% - 15%	5% - 10%	1% to 5%
5+ bedrooms	1% - 5%	1 to 5%	

6.2.5 The submitted proposals would provide housing of the following mix:

Number of bedrooms	Market (98 dwellings)	Affordable (13 dwellings)	Overall (111 dwellings)
1-bedroom	0 (0%)	3 (23%)	3 (27%)
2-bedrooms	12 (12%)	8 (62%)	20 (18%)
3-bedrooms	77 (78%)	2 (15%)	79 (71%)
4-bedrooms	9 (9%)	0 (0%)	9 (8%)

6.2.6 In respect of the above, it is acknowledged that the proposed housing mix, when considered as a whole, delivers a higher proportion of 3-bedroom dwellings than the recommendations of the latest Housing Needs Assessment. Nonetheless, a range of dwelling sizes and tenures are proposed, which would make a significant contribution towards meeting local housing needs. It is also noted that the proposed development would provide 10% accessible adaptable dwellings that would comply with the requirements of Building Regulations M4(2). It is Officers' assessment that the proposed development scheme would provide a range of housing options, which would cater for a variety of market and affordable housing needs.

6.2.7 Taking the above into account, it is concluded that, the proposed housing mix would be in accordance with the principles of Policy H2 and H4 of the adopted Local Plan, Stamford Neighbourhood Plan Policy 3 and Section 5 of the National Planning Policy Framework.

6.2.8 The NPPF para 65 states: *To support the re-use of brownfield land, where vacant buildings are being reused or redeveloped, any affordable housing contribution due should be reduced by a proportionate amount.*

- 6.2.9 Footnote 31 further advises: *Equivalent to the existing gross floorspace of the existing buildings. This does not apply to vacant buildings which have been abandoned.*
- 6.2.10 In respect of whether or not a building is considered to be abandoned National Planning Practice Guidance states: *The vacant building credit applies where the building has not been abandoned. The courts have held that, in deciding whether a use has been abandoned, account should be taken of all relevant circumstances, such as:*
- *the condition of the property*
 - *the period of non-use*
 - *whether there is an intervening use; and*
 - *any evidence regarding the owner's intention*
- Each case is a matter for the collecting authority to judge.*
- 6.2.11 The policy is intended to incentivise brownfield development, including the reuse or redevelopment of empty and redundant buildings. In considering how the vacant building credit should apply to a particular development, local planning authorities should have regard to the intention of national policy. Officers are satisfied that for the purposes of applying Vacant Building Credit, the existing buildings within the development have not been abandoned. As the Local Plan is silent on the use of Vacant Building Credit, National Planning Policy is afforded significant weight on this issue.
- 6.2.12 The existing buildings to be demolished within the proposed development amount to 5,848 sqm. This floorspace can therefore be used as a credit against the proposed floorspace of the amended development scheme 9,771 sqm. Local Plan Policy H2 requires that 30% of the scheme be affordable dwellings. Based on a scheme of 111 dwellings, the policy requirement would therefore be 33 affordable dwellings. This requirement is therefore reduced through the application of Vacant Building Credit to 13 affordable units, which are proposed as 70% affordable rent and 30% shared ownership. It is recommended that the S106 agreement is drafted in such a way that allows flexibility on the final tenure mix, to ensure that local housing needs are appropriately met at the time that the final affordable housing scheme is submitted for approval.
- 6.2.13 Taking account of National Planning Policy on the application of Vacant Building Credit, the proposed scheme of 13 affordable housing units is therefore considered to be in accordance with the requirements of the Local Plan, when considered as a whole.

6.3 **Design and effects on the character and appearance of the area**

- 6.3.1 The proposal is for the erection of 111 dwellings on a site allocated for residential development in the Local Plan and that is previously development land. The proposal is residential in nature that will result in a change from the existing context, however this will be appropriate considering the allocated nature of the site and the on-going, adjacent residential development.
- 6.3.2 The proposal on an allocated site for residential use and on previously development land, is slightly higher in density than the suggested approximate density of 30dph in Policy STM1-H2. While the proposed density of 33dph gross density is slightly above the approximate policy density of 30dph, it is comparable with the adjacent Vistry scheme (34dph). Further, given the location of the site within the town, adjacent to two supermarkets and on previously developed land, it is considered to be an appropriate density for this context.

6.3.3 The amended scheme proposes two areas of open space; a central area that links into the open space being provided by the Vistry site to create a central area of open space is available to all residents. The other area of open space is in the north-eastern corner of the site which would provide access to the river and countryside beyond. However, as a result of the increased density of the proposed site, there remains an under provision of on-site open space, as required by Policy OS1. As such, the applicant has proposed an off-site contribution of £23,130, which is considered to be fairly and reasonably in scale to the proposed development. It is recommended that this off-site contribution is used towards improvements to the existing facilities at Uffington Road playing fields.

6.3.4 As discussed above, significant changes have been made to the scheme as a result of discussions through the Council's Design PAD process and to ensure that the proposed scheme accords with the approved masterplan for the wider allocated site. In summary, this has resulted in the following key changes to the proposed layout:

- A reduction in the overall number of dwellings from 120 to 111;
- Addition of street trees;
- The creation of a large central open space, fronted by residential properties;
- The provision of footpath and cycleway connections to the central open space;
- Ensuring back-to-back relationships within development blocks to provide active frontages to roads and open spaces;
- The inclusion of an east-west pedestrian connection;
- Greater retention and connectivity to the existing wetland area to the north-east of the site;
- Consideration of levels across the site to reduce need for retaining structures.

6.3.5 The amendments made to the layout result in a proposal with reduced density, increased public open space, increased internal and external connectivity, and a scheme that now accords with the principles of the approved masterplan for the wider allocation site. The nature of the site, being of previously development land, is noted, and the development of the site is not considered to negatively impact on the wider landscape or views to the site. However, the final details of the materials of the proposed dwellings, and hard and soft landscaping (including boundary treatments) are an important component in the final appearance of the development and ensuring the development has a distinctive character that is appropriate for the area. It is appreciated that material and landscaping schemes have been submitted and the broad principles of these plans are accepted. However, there are important details where there remains some concern such as the lack of chimneys on any of the dwellings which are referenced as an important local characteristic and included on some dwellings on the Vistry part of the scheme. Likewise, the use of red and buff brick and reconstituted stone is accepted, but the final choice of material will be important in achieving a locally distinct character. As such, it is recommended that approval of the final details of these schemes is reserved by condition to ensure there is both control over these details and flexibility in terms of any future amendments that may arise.

6.3.6 Subject to the above recommended conditions and obligations, and by virtue of its scale, design and appearance, the proposal is considered to be acceptable in the surrounding context and street scene and is therefore in conformity with Policies EN1, OS1 and DE1 of the Local Plan and Sections 11 and 12 of the NPPF.

6.4 Residential amenity considerations

- 6.4.1 The proposed development adjoins the adjacent Vistry scheme and the development block in the north-west of the site shares a back-to-back relationships with the approved dwellings to the west. The separation distance between these dwellings is appropriate to ensure a good standard of amenity for occupiers of all properties. The remainder of the site is not located in close proximity to existing dwellings, with non-residential uses to the east and north, and with a single dwelling only in close proximity albeit across Uffington Road to the south.
- 6.4.2 The application site is located to the north of a new Aldi store and to the west of a number of light industrial / commercial units. A noise assessment has been submitted in support of the proposals completed by LF Acoustics.
- 6.4.3 The report states: *“noise surveys indicated generally low levels of noise within the site. Noise from the operation of the Aldi plant was noted to be just audible, with noise from the industrial units generally not audible, apart from an infrequent delivery vehicle, that was loaded / unloaded during normal daytime working hours. The design of the proposed development has sought to take noise from these sources into account by locating car parking adjacent to the Aldi plant and ensuring the dwellings closest to the industrial units are constructed end on. Calculations and an assessment of the noise levels attributable to the operation of the Aldi plant indicated a potential for an adverse noise impact at the closest property, based upon worst-case conditions. To ensure any potential adverse noise impacts are minimised, it is proposed to construct an additional acoustic fence along the boundary adjacent to the plant, to ensure the plant is screened from the upper floors of the dwellings. Noise levels from the industrial units were observed to be low. To ensure potential adverse impacts attributable to the occasional delivery are minimised it is proposed to construct acoustic fencing along the garden boundaries of the two properties which are adjacent to the main loading area.”*
- 6.4.4 The conclusions of the report are accepted and it is recommended to secure the recommended mitigation measures by condition.
- 6.4.5 The applicant has not submitted a Construction Management Plan (CMP) to include proposed mitigation measures to take account of neighbouring impacts including dust and noise. Any impacts on neighbours during the construction period will be temporary during construction only and subject to a planning condition requiring submission of a CMP.
- 6.4.6 Taking into account the scale and nature of the proposal, there is not considered to be an unacceptable adverse impact on any existing or future residential amenity, subject to conditions to include a CMP and securing landscaping details and compliance with the recommendations of the acoustic report. The proposal is considered in this respect to comply with Policy DE1 of the Local Plan.

6.5 Highway considerations

- 6.5.1 The applicant has submitted a Transport Assessment (TA) in support of the application (updated May 2024). The vehicular access for the site is proposed to be provided via a priority T-junction off Uffington Road immediately to the south of the site. The access has already been constructed as part of the Aldi scheme to the south of the site. The access has been constructed as a 6.5m wide carriageway with a 3m wide shared footway/cycleway on the eastern side and a footpath on the western side of the carriageway.

- 6.5.2 The shared footway/cycleway and footpath connects into the existing network along Uffington Road with a tactile paving dropped kerb crossing also provided. Currently this access road and footway/ cycleway terminate at the site boundary and will be extended into the development site. A vehicular link will also be provided in the northernmost part of the site, providing access to and through the residential development to the west. The central open space area also provides a connection to the pedestrian links within the Vistry site, which provide an alternative pedestrian route to Uffington Road. The layout shows an appropriate level of off-street and cycle parking. Collectively, the walking and cycling routes and connections proposed are considered to sufficiently encourage walking and cycling and the scheme is therefore in accordance with the approved masterplan and criteria b) and d) of Policy STM1-H2.
- 6.5.3 LCC (as Local Highway Authority) have requested a financial contribution of £5,000 towards monitoring the Travel Plan. This request is considered to be fairly and reasonably related in scale and kind to the development.
- 6.5.4 The transport assessment states that there is not a current accident-related problem that exists in the vicinity of the proposed development site and that the safety of road users on the local highway network will not be put at risk as a result of the proposed development. Further, the assessment concludes that the proposed development would not result in any significant adverse traffic impacts on the existing network. Lincolnshire County Council (as Local Highway Authority) have raised no highway safety or traffic concerns that would be required as counter evidence to support a refusal of permission on either of these grounds.
- 6.5.5 Representations have been made stating that access to the site should be provided from Ryhall Road and not Uffington Road, with use of the permitted Aldi access from Uffington Road only and a vehicular route through to Ryhall Road. Through the assessment of the Vistry site, it was considered that an access into the site from Ryhall Road would be preferable as access to the allocated employment site to the north, allowing for a separation in employment and residential traffic, with the existing access road to the north of McDonalds already providing access to commercial uses. Notwithstanding the above, the link to a second access from Uffington Road in the Vistry site is a beneficial access scenario for residential uses, providing a loop road through the site, with such an access also previously approved for residential development under S17/0613.
- 6.5.6 In summary, the proposal would result in adequate access, parking and turning facilities and would not have an unacceptable adverse impact on highway safety. A Travel Plan has been submitted, which is recommended to be secured by planning condition, as well as securing a financial contribution of £5,000 towards monitoring. The proposed access is considered appropriate for the development and the traffic movements at the access and potential impacts on the existing network are not considered to be severe. As such the proposal is in accordance with Local Plan Policy ID2 and Section 9 of the NPPF.
- 6.5.7 A request has also been made to contribute towards improvements to a pedestrian crossing over Uffington Road. Further detail has been requested in order that this request and any potential delivery mechanism can be fully considered and will be reported through the late items paper.

6.6 **Flood Risk and Drainage**

- 6.6.1 The flood maps provided by the EA demonstrate that the majority of the site sits within a Flood Zone 1 area, with just the north eastern corner located within a Flood Zone 2, where residential development is not proposed.

- 6.6.2 The applicant has submitted a Flood Risk Assessment which states that most of the site is located within a very low surface water flood risk area. However, there is a band of low risk located adjacent to the northern boundary and between two of the existing buildings, both of which appear to flow from west to east, towards the river Gwash. There are also two areas of medium flood risk located between the existing buildings, and one area of high flood risk which appears to relate to an area which is trapped behind one of the buildings.
- 6.6.3 Surface water is proposed to be attenuated throughout the site, including the proposed detention basin in the north-east corner before discharging into the River Gwash at a controlled rate. The proposed onsite foul network will discharge to a pumping station which will connect to the adopted system in Uffington Road (manhole reference 1503), via a pumped main.
- 6.6.4 No flood risk concerns have been raised by Lincolnshire County Council (as Lead Local Flood Authority) and Anglian Water have accepted the proposed foul drainage strategy. Subject to conditions securing the proposed drainage scheme, the proposal is considered to comply with Local Plan Policy EN5.

6.7 Ecology

- 6.7.1 The application site is previously developed land, with extensive areas of hardstanding on the site, existing buildings and a western boundary of TPO protected trees. It is noted that the amended scheme results in the existing wetland area to the north-east of the site being retained and enhanced, which will both preserve and enhance habitats in that part of the site.
- 6.7.2 The applicant has submitted an Ecological Impact Assessment (Sept 2024) in support of the proposal. Key findings from that assessment include confirmed common pipistrelle bat day roosts within one of the buildings, as well as one common pipistrelle bat night/feeding roost, one common pipistrelle bat day/feeding roost within another building and a common pipistrelle, soprano pipistrelle and brown long eared *Plecotus auratus* bat day/night/feeding roost within a further existing building. The report also assumes a low population of grass snake *Natrix natrix* following an incidental finding, as well as habitat for generalist nesting bird species.
- 6.7.3 Mitigation measures have been recommended for loss of priority habitat, roosting bats, reptiles and invertebrates. Precautionary measures have been recommended for nesting birds, commuting bats and badgers.
- 6.7.4 The proposal is considered to comply with Local Plan Policy EN2 subject to the recommended mitigation and enhancement measures identified being secured by condition.

6.8 Heritage and Archaeology

- 6.8.1 The site is located approximately 500m from the Stamford Conservation Area, 270m from the closest listed building (Grade II Stamford Hospital site) and approximately 280m from St Leonard's Priory (Grade I and Ancient Monument). The proposal, for residential development on previously developed land, with the site flanked by existing commercial and residential developments and intervening buildings, is not considered to result in any harm to the setting of those heritage assets in accordance with Policy EN6 of the Local Plan and Section 16 of the NPPF.

6.8.2 While the nature of the site is previously developed land and includes significant areas of made ground, the applicant has submitted a Written Scheme of Archaeological Investigation (WSI) which recommends trial trenching and recording prior to development. This approach is supported by Heritage Lincolnshire and is recommended to be secured by condition.

6.9 **Climate Change**

6.9.1 The proposal is for the erection of 111 dwellings in a sustainable location on brownfield land. The applicant has provided a Sustainability Statement (Sept 2024). This statement proposes compliance with Part L of the Building Regulations, provision of water restrictors to minimise water use to a 100 l/pp/per day, and provision of PV arrays on every dwelling. The statement also provides measures for site waste management and energy efficiency during the construction phase of the development. Further, EV charging points would also be secured the Building Regulations process.

6.9.2 The site is an allocated site for residential development and located in close proximity to a number of services and facilities, with supermarket provision, wider retail and employment opportunities all located within 1km from the site.

6.9.3 Subject to an appropriate condition to secure sustainable measures on site, the proposal in this respect is considered to be in compliance with Local Plan Policy SB1.

6.10 **Section 106 Heads of Terms**

6.10.1 The proposal is major development for 111 dwellings and would result in the need for S106 contributions including:

- (i) NHS England - £73,260 towards Lakeside Healthcare and Glenside Country Practice;
- (ii) Affordable Housing – 13 dwellings (70% Affordable Rent, 30% Shared Ownership with cascade mechanism);
- (iii) Provision of on-site open green space and contribution of £23,130 towards improvements at Uffington Road Playing Fields.
- (iv) Travel Plan – monitoring contribution of £5,000
- (v) Section 106 Monitoring Contribution = £1,500 minimum monitoring fee plus 5% of all financial obligations (capped at £15,000)

6.10.2 In the event that the application was acceptable in all other respects, these contributions would ensure that local infrastructure is suitably upgraded to cope with the additional population. It is considered that these requirements would be compliant with the statutory tests of the CIL regulations as well as local and national policy requirements.

7 **Crime and Disorder**

7.1 It is considered that the proposal would not result in any significant crime and disorder implications. Lincolnshire Police have been consulted and have no objections to the proposal.

8 Human Rights Implications

- 8.1 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.

9 Conclusion and Planning Balance

- 9.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.
- 9.2 The current application seeks full planning permission for the erection of 111 dwellings including affordable housing provision, open space including access to the river Gwash, soft and hard landscaping including tree lined streets, car and cycle parking including EV charging provision, and a vehicular link with the adjacent Vistry site.
- 9.3 The proposal is on a site allocated for residential development, and is identified as previously developed land. These factors are significant benefits that weigh in significantly in favour of the proposal. Development on previously developed land and on an allocated site is strongly supported, as is the over provision of dwellings beyond the indicative numbers in the allocation policy in this sustainable location. The reduced provision of affordable housing results in conflict with the development plan, however this is considered to be outweighed by the benefits of developing a brownfield site and through the application of Vacant Building Credit, as supported by the NPPF.
- 9.4 The proposal is considered to be in accordance with the allocation policy criteria set-out in Policy STM1-H2 of the South Kesteven Local Plan, including relevant highway considerations (noting further update to be provided regarding request to upgrade Uffington Road crossings), footway and cycleway connectivity. Development of the site would require appropriate remediation of any contaminated land and would not impact on any mineral resources.
- 9.5 In respect of the design and visual impact of the scheme, the application scheme has been the subject of revision following extensive engagement with the Council's Design PAD service, and this has resulted in a development proposal which would be high-quality and perform positively against Building for Healthy Life. The proposals are an appropriate layout, appearance, landscape and scale of development, which would integrate with the existing and committed residential development to the west. Furthermore, having regard to the proposed scheme and the relationship with existing residential properties, the development would not give rise to any unacceptable impacts on residential amenity.
- 9.6 Taking the above into account, it is Officers' assessment that the application proposals would accord with the adopted Development Plan, including the Stamford Neighbourhood Plan, when taken as a whole. There are no material considerations that indicate that planning permission should not be granted; although appropriate conditions and obligations are recommended.

10 Recommendation

Recommendation – Part 1

- 10.1 To authorise the Assistant Director – Planning & Growth to GRANT planning permission, subject to the completion of a Section 106 Agreement securing the necessary financial contributions set out within the report above, and subject to the proposed schedule of conditions detailed below.

Recommendation – Part 2

- 10.2 Where the Section 106 Agreement has not been concluded prior to the Committee, a period not exceeding twelve weeks after the date of Committee shall be set from the completion of the obligation.

- 10.3 In the event that the agreement has not been concluded within the twelve-week period and where, in the opinion of the Assistant Director – Planning & Growth, there are no extenuating circumstances which would justify a further extension of time, the related planning application shall be refused for the following reason(s):

1. The applicant has failed to enter into a planning obligation to secure the required level of affordable housing, as well as necessary financial contributions to healthcare and open space as required by Policy ID1, ID2, H2 and OS1 of the adopted South Kesteven Local Plan 2011-2036.

Recommended 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:

- Location Plan drawing no. BW251EC-OP4-PL-01 Rev C
- Development Layout drawing no. BW251EC-OP12-PL-02 Rev E
- Detailed Layout BW251EC-OP12-PL-03 Rev C
- House type drawing nos. BW251EC-HA-MNLa-01 Rev B Manciple – MNLa, BW251EC-HA-TIa-01 Rev B Tillman – Tia, BW251EC-HT-AKa-01 Rev B Arkwright – Aka, BW251EC-HT-BXa-01 Rev B Baxter – Bxa, BW251EC-HT-CHa-01 Rev B Chandler – Cha, BW251EC-HT-CHb-02 Rev B Chandler – CHb, BW251EC-HT-JOa-01 Rev B Joiner – Joa, BW251EC-HT-JOa-02 Rev B Joiner – Job, BW251EC-HT-MAa-01 Rev B Mason – Maa, BW251EC-HT-MAb-02 Rev B Mason – Mab, BW251EC-HT-MIa-01 Rev B Milliner – Mia, BW251EC-HT-SCa-01 Rev B Scriviner – Sca, BW251EC-HT-TAa-01 Rev B Tailor – Taa, BW251EC-HT-TAb-02 Rev B Tailor – Tab, BW251EC-HT-THa-01 Rev B Thespian – Tha, BW251EC-HT-THb-02 Rev B Thespian – THb, BW251-AP-POL-01 Rev B Floor Plans, BW251-AP-POL-02 Rev B Elevations, BW251EC-GR-01 Rev B Garages

Unless otherwise required by another condition of this permission.

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

Pre-Commencement

Archaeology

- 3 Before the development hereby permitted is commenced, the archaeological investigations must have been completed in accordance with the submitted RPS Group WSI (ref: JAC27693 v2).

Reason: In order to provide a reasonable opportunity to record the history of the site and in accordance with Policy EN6 of the adopted South Kesteven Local Plan and the NPPF (section 16).

Demolition and Construction Management Plan

- 4 The development hereby approved shall be undertaken in accordance with a Demolition and Construction Management Plan and Method Statement which shall first be approved in writing by the Local Planning Authority. The Plan and Statement shall indicate measures to mitigate against the impacts of traffic movement and the drainage of the site during the construction stage of the proposed development and shall include;
- i) the phasing of the development to include access construction;
 - ii) the parking of vehicles of site operatives and visitors;
 - iii) the loading and unloading of plant and materials;
 - iv) the storage of plant and materials used in constructing the development;
 - v) wheel washing facilities;
 - vi) a strategy stating how surface water run off on and from the development will be managed
 - vii) method statement for how demolition and removal works for the concrete base pad and buried infrastructure will be undertaken

Reason: In the interests of the safety and free passage of those using the neighbouring highways and to ensure that the permitted development is adequately drained without creating or increasing flood risk to land or property adjacent to, or downstream of, the permitted development during construction in accordance with Policies EN4 and DE1 of the South Kesteven Local Plan

Surface Water drainage

- 3 The permitted development shall be undertaken in accordance with a surface water drainage scheme which shall first have been approved in writing by the Local Planning Authority.
The scheme shall:

- be based on an assessment of the hydrological and hydrogeological context of the development;
- provide flood exceedance routing for storm event greater than 1 in 100 year;
- provide details of how run-off will be safely conveyed and attenuated during storms up to and including the 1 in 100 year critical storm event, with an allowance for climate change, from all hard surfaced areas within the development into the existing local drainage infrastructure and watercourse system without exceeding the run-off rate for the undeveloped site;
- provide attenuation details and discharge rates;
- provide details of the timetable for and any phasing of implementation for the drainage scheme; and
- provide details of how the scheme shall be maintained and managed over the lifetime of the development, including any arrangements for adoption by any public body or Statutory Undertaker and any other arrangements required to secure the operation of the drainage system throughout its lifetime.

No dwelling shall be occupied until the approved scheme has been completed or provided on the site in accordance with the approved phasing. The approved scheme shall be retained and maintained in full, in accordance with the approved details.

Reason: To ensure that the permitted development is adequately drained without creating or increasing flood risk to land or property adjacent to, or downstream of, or upstream of, the permitted development and to be in accordance with Policy EN5 of the South Kesteven Local Plan.

During Building Works

Materials

- 4 Notwithstanding the submitted details, before any of the works on the external elevations of the dwellings in each phase are begun, details of the materials to be used in the construction of the external surfaces for the dwellings in that phase shall have been submitted to and approved in writing by the Local Planning Authority. Details must include:

- Facing brickwork, stonework and/or any render to be used;
- Roof tiles;
- Porches;
- Chimneys;
- Finish of verges and eaves;
- Header and cill detail.

Reason: To ensure a satisfactory appearance to the development and in accordance with Policy DE1 of the adopted South Kesteven Local Plan.

Hard Landscaping

5 Before any development above dpc is commenced, 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. means of enclosure;
- iii. car parking layouts;
- iv. other vehicle and pedestrian access and circulation areas;
- v. hard surfacing materials;
- vi. minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc.).
- vii. timetable for implementation.

The works must be completed in accordance with the approved timetable for implementation.

Reason: Hard landscaping makes an important contribution to the development and its assimilation with its surroundings and in accordance with Policy DE1 of the adopted South Kesteven Local Plan.

Soft Landscaping

6 Before any development above dpc is commenced, 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;
- iv. timetable for implementation.

The works must be completed in accordance with the approved timetable for implementation.

Reason: Soft landscaping and tree planting make an important contribution to the development and its assimilation with its surroundings and in accordance with Policies DE1, EN3 and OS1 of the adopted South Kesteven Local Plan.

Ecological Appraisal

7 The development must be carried out in accordance with the mitigation and enhancement recommendations in the SES Ecological Impact Assessment (Sept 2024).

Reason: To provide ecological enhancement and comply with Policy EN2 Adopted South Kesteven Local Plan and Section 15 of the NPPF

Tree protection

- 9 During works on site, all existing trees shown on the approved plan to be retained shall have been fenced off to the limit of their branch spread 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, with all works to be in accordance with the recommendations of Trees and construction, Implications Assessment and Method Statement, Cotswold Wildlife Surveys, April 2021.

Reason: To prevent unnecessary damage to existing trees and in accordance with Policies EN2 and OS1 of the adopted South Kesteven Local Plan.

Accessible and Adaptable

- 10 Before any development above dpc is commenced, details demonstrating that at least 10% of the dwellings would be constructed as "Accessible and Adaptable" in line with the standard set-out in Part M4(2) of the Building Regulations must be submitted to and approved in writing by the Local Planning Authority.

The development must be carried out in accordance with the approved details.

Reason: To ensure the development meets the needs of all potential future occupiers in accordance with Local Plan Policy DE1.

Before the Development is Occupied

Noise mitigation

- 11 The development hereby permitted shall not be occupied or brought into use until mitigation measures identified within the noise report (acoustic fencing to certain boundaries) (LF Acoustics, Sept 2024) have been implemented. These mitigation measures shall be retained in perpetuity.

Reason: To mitigate any noise impact to dwellings resulting from neighbouring land uses and to comply with Policy EN4 of the South Kesteven Local Plan.

Verification report

- 12 The development hereby permitted shall not be occupied or brought into use until a verification report has been submitted to and approved in writing by the Local Planning Authority. The report shall be submitted by the agreed competent person and identify that approved remedial works have been implemented. The report shall include, unless agreed in writing:

- (a) A complete record of remediation activities, and data collected as identified in the remediation scheme (Additional Contamination Assessment & Remedial Strategy (ref: BRD3988-0R3-B, dated April 2024) by BRD Environmental), to support compliance with agreed remediation objectives;
- (b) As built drawings of the implemented scheme;
- (c) Photographs of the remediation works in progress; and
- (d) Certificates demonstrating that imported and/or material left in situ is free from contamination.

Thereafter the scheme shall be monitored and maintained in accordance with the approved remediation 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 EN4 of the adopted South Kesteven Local Plan.

Energy efficiency

- 13 Prior to occupation of each dwelling, works shall be undertaken to conform with the recommendations of the Sustainability Statement (JSP Sustainability, Sept 2024).

Reason: To ensure the scheme is energy efficient and in accordance with Policy SB1 of the South Kesteven Local Plan.

Estate Roads

- 14 Before any dwelling is occupied, all of that part of the estate road and associated footways that forms the junction with the main road and which will be constructed within the limits of the existing highway, shall be laid out and constructed to finished surface levels in accordance with details to be submitted to, and approved in writing by, the Local Planning Authority.

Reason: In the interests of safety, to avoid the creation of pedestrian trip hazards within the public highway from surfacing materials, manholes and gullies that may otherwise remain for an extended period at dissimilar, interim construction levels.

- 15 The permitted development shall be undertaken in accordance with an Estate Road Phasing and Completion Plan, which shall first be approved in writing by the Local Planning Authority. The Plan shall set out how the construction of the development will be phased and standards to which the estate roads on each phase will be completed during the construction period of the development.

Reason: To ensure that a safe and suitable standard of vehicular and pedestrian access is provided for residents throughout the construction period of the development.

Ongoing Conditions

- 16 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, that 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 and in accordance with Policies DE1, EN2 and OS1 of the adopted South Kesteven Local Plan.

- 17 The approved Travel Plan (191113/GTP (B)) must be implemented and adhered to in accordance with the timetable contained in the plan.

Reason: In order that the local planning authority conforms to the requirements of the National Planning Policy Framework, a Travel Plan has been conditioned to ensure that access to the site is sustainable and reduces dependency on the car.

Proposed Site Plan



Site sections

Section D - D

IG



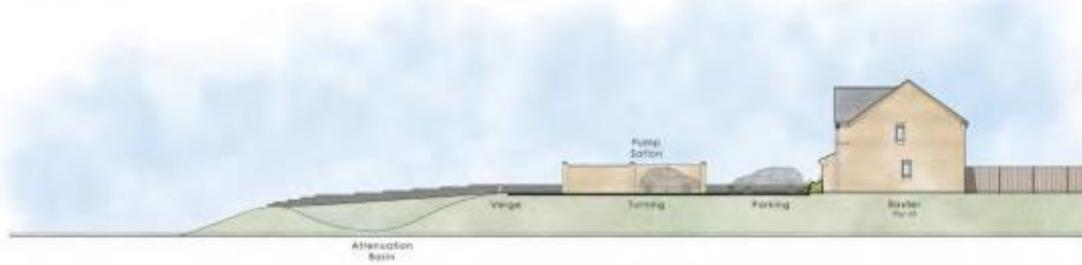
Section E - E



Section F - F



Section G - G



Section H - H



Section I - I



Section J - J



Section A - A



Section B - B



Section C - C



Street Scenes

- Street Elevations 'A'



- Street Elevations 'B'



- Street Elevations 'C'

