



**SOUTH
KESTEVEN
DISTRICT
COUNCIL**

Planning Committee

17th October 2024



S24/1180

Proposal:	Construction of an extension to the existing car park, comprised of 146 parking bays, including 11 accessible bays and 8 EV charging parking bays
Location:	Car Park, Station Road, Stamford, Lincolnshire PE9 2JL
Applicant:	Mr Gyles Teasdale, South Kesteven District Council
Agent:	Mr Samuel Eccleston, William Saunders
Application Type:	Full Planning Permission
Reason for Referral to Committee:	South Kesteven District Council application
Key Issues:	Character and Appearance Heritage Impact
Technical Documents:	Design and Access Statement Archaeological Desk Based Assessment Design Risk Assessment Drainage Layout Drainage Strategy Report Outdoor Lighting Report Phase 1 Desk Study Report Phase 2 Investigation Report Preliminary Ecological Appraisal BNG Assessment Transport Statement Minerals Assessment

Report Author

Venezia Ross-Gilmore, Senior Planning Officer



01476 406080 ext. 6419



venezia.ross-gilmore@southkesteven.gov.uk

Corporate Priority:

Growth

Decision type:

Regulatory

Wards:

Stamford St Mary's

Reviewed by:

Adam Murray – Principal Development Management
Planner

9 October 2024

Recommendation (s) to the decision maker (s)

To authorise the Assistant Director – Planning to GRANT planning permission, subject to conditions



Key



Application
Boundary



1 Description of Site

- 1.1 The site is situated to the south and west of the car park on Wothorpe Road and east of the Stamford Junior School and Stamford Nursery School, in the town of Stamford. The car park (Cattle Market Car Park) is an existing South Kesteven District Council facility servicing this part of Stamford and operated by the council. There is an existing access off Station Road / Wothorpe Road. The car park is a pay and display car park providing long stay. There are 275 bays with 24 accessible bays, however, a height restriction prevents coach parking on the site.
- 1.2 The application site is a vacant, brownfield site, fenced off from the existing car parking areas. It is surrounded by temporary Heras boundary fencing and there is a brick wall to the north / northwest of the site. The site was formerly the outdoor cattle market in Stamford, and access to the site is to the immediate west of the existing car park access. The site is surfaced in a mixture of concrete and brickwork, and the southwestern section of the site is surfaced in a granular material.
- 1.3 To the north of the car park there is the River Welland and the Town Meadows park, to the east there is a hotel, arts centre, residential uses, and town centre uses. To the south an access road leading to Stamford Junior School and Stamford Nursery School, and to the west the neighbouring school sites and their associated parking area. Further to the south there is a residential area comprising of Gresley Drive, Mallard Court and Seaton Road, and to the far south, the Stamford Railway Station.

2 Description of Proposal

- 2.1 The proposal seeks full planning permission for the change of use of land, the former cattle market site, to provide an extension of the existing Long Stay car park. Access would be taken from the existing access to the car park, and a secondary exit formed in the southwestern end of the site.
- 2.2 The new car park area would comprise of 146 parking bays including 11 accessible bays and the provision of 8 EV charging bays. The accessible bays would be located to the main entrance to the car park. The 8no. EV charging bays would be located to the north of the site alongside the northwestern boundary wall. There are currently 4 EV charging bays in the Short Stay North Street Car Park in Stamford, so this will significantly increase the provision of EV charging bays in the council's public car parks in the town of Stamford.
- 2.3 The proposed car park would be surfaced in tarmac with white lining to denote the parking bays and directional arrows. It is proposed to be lit with a lighting scheme designed to provide sufficient lighting during the evenings as the car park operates 24 hours.
- 2.4 It is proposed to plant a new hedgerow along the southwestern boundary of the site providing a buffer between the car park and the existing education use. There would also be supplemental shrub planting on the boundary of the site, with existing vegetation removed and replaced with new planting. In addition, there will be buffer areas of planting between the blocks of parking bays with shrubs. The existing boundary wall will be retained.

3 Planning History

Reference	Proposal	Decision	Date
S21/2360	Full planning permission for the change of use of Cattle Market to car park	Approved Conditionally	04/03/2022

4 Relevant Planning Policies & Documents

4.1 **SKDC Local Plan 2011 – 2036 (Adopted January 2020)**

Policy SD1 – The Principles of Sustainable Development in South Kesteven

Policy SP1 – Spatial Strategy

Policy SP2 – Settlement Hierarchy

Policy SP3 – Infill Development

Policy E6 – Loss of Employment Land

Policy EN2 – Protecting Biodiversity and Geodiversity

Policy EN3 – Green infrastructure

Policy EN4 – Pollution Control

Policy EN5 – Water Environment and Flood Risk Management

Policy EN6 – The Historic Environment

Policy DE1 – Promoting Good Quality Design

Policy SB1 – Sustainable Building

Policy ID2 – Transport and Strategic Transport Infrastructure

Stamford Neighbourhood Plan (Made July 2022)

Design Guidelines for Rutland and South Kesteven (Adopted November 2021)

4.2 **National Planning Policy Framework (NPPF) (Published December 2023)**

Section 7 – Ensuring the vitality of town centres

Section 9 – Promoting sustainable transport

Section 12 – Achieving well-designed and beautiful places

Section 15 – Conserving and enhancing the natural environment

Section 16 – Conserving and enhancing the historic environment

5 Representations Received

SKDC Conservation

5.1 The proposal is acceptable on heritage grounds.

5.2 *'The project seeks to construct an extension to the existing car park, comprised of 146 parking bays, including 11 accessible bays and 8 electrical vehicle charging parking bays. The application is regarding the former Cattle Market at Station Road, Stamford. The site is set to the west of the St Martin Character Area of the Stamford Conservation Area, and is considered to be within the buffer zone of the conservation area. The proposal therefore has the potential to impact upon the significance, setting and the appreciation of the conservation area. Any such harm will need to be weighed against the public benefit of the*

proposed works (NPPF 208). New developments within conservation area, to enhance and better reveal their significance are being treated favourably (NPPF 212)

As the site is located with the buffer zone of the Stamford Conservation Area, consideration needs to be given to the contribution of this site to the significance of this conservation area. Under the Planning (Listed Buildings and Conservation Areas) Act, 1990, special attention should be paid to the desirability of preserving or enhancing the character or appearance of conservation areas.

It is proposed to convert the former cattle market, established at the site in the 1890s, into a car park, comprising 146 parking bays. The surrounding land has already been converted into a car park, thus this proposal would incorporate an area of wasteland into the existing Cattlemarket Car Park.

The structures within the former cattle market were removed and demolished around 2011. The only feature remaining is a low buff brick boundary wall to the northwest of the site, which is currently in a derelict state. No other upstanding features associated with the cattlemarket appears to have been retained. It is noted in the Design and Access Statement that 'The existing wall will be maintained throughout construction to completion.' The current plans provided do not clearly reflect if the brick wall is to be retained, and if so, what works are proposed to it. Given the current state of the boundary wall, partially rebuilding will likely be required. Further information regarding this would be required.

The site is screened to the north by the tree line following the course of the River Welland. To the south is a cobblestone paved road, leading to Stamford Nursery School. Part of this expands into the southern section of the site. The cobblestone areas are associated with the former cattle market. Retention of, or incorporation of some of this cobblestone paving would be appreciated and could be considered to result in a positive contribution to the setting of the conservation area.

Overall, the proposal is acceptable on heritage grounds. Very little of the historic fabric of the cattle market remains, and the proposed car park is not considered to cause harm to the significance of the conservation area. There are some concerns regarding the boundary wall which could be alleviated with further information and plans provided. Incorporation of the cobblestone paving could have a positive impact upon the conservation area'.

Environment Agency

5.3 Environment Agency position

We have reviewed the following reports submitted in support of this planning application:

- Drainage Strategy: Cattlemarket Car Park, ref: 12741-WMS-ZZ-XX-T-C-39211- S8-P2, by William Saunders, dated May 2024*
- Phase 2: Site Investigation, Station Road Car Park, Stamford, Lincolnshire; William Saunders, ref S231030, by Solmek Ltd, dated February 2024*

The drainage proposals in terms of ground conditions and proposed end use appear to be appropriately designed, providing that installation follows the design as described in the Drainage Strategy and Drainage Layout Plan, and the maintenance schedule outlined in Appendix E is adopted.

The proposed development will be served by a soakaway for surface water drainage, and is situated in source protection zone 3, which is designated for the protection of potable water used for human drinking water supplies.

The planning application has demonstrated that it is not necessary to connect to a mains sewer network in line with national planning policy, and that appropriate mitigation measures can be employed to ensure that risks to groundwater are minimised. The proposed development will therefore be acceptable if the measures detailed in the Drainage Strategy submitted with this application are implemented and secured by way of a planning condition on any planning permission. Without this condition the development would pose unacceptable risk to groundwater because the site sits within the total catchment of a public water supply, and also borders source protection zone 2 and a groundwater safeguard zone, indicating the high sensitivity of groundwater in this location.

The Anglian River Basin Management Plan requires the restoration and enhancement of water bodies to prevent deterioration and promote recovery of water bodies. The proposal could cause pollution to controlled waters because it could cause an unacceptable release of pollutants into groundwater should widespread infiltration occur across the site. The site investigation has established that the made ground should not pose a risk of contamination, however this is a limited study.

Lincolnshire County Council

5.4 No objection.

5.5 *This proposal is for an extension to the existing car park and the access arrangements remain unchanged; therefore, it is considered that the proposals would not result in an unacceptable impact on highway safety.*

As Lead Local Flood Authority, Lincolnshire County Council is required to provide a statutory planning consultation response with regard to drainage and surface water flood risk on all Major applications. This application is classified as a Minor Application and it is therefore the duty of the Local Planning Authority to consider the surface water flood risk and drainage proposals for this planning application.

Having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework), Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) has concluded that the proposed development would not be expected to have an unacceptable impact upon highway safety or a severe residual cumulative impact upon the local highway network or increase surface water flood risk and therefore does not wish to object to this planning application.

The Gardens Trust

5.6 Do does not wish to comment on the proposals.

Stamford Town Council

5.7 No comments received.

Heritage Lincolnshire

5.8 *The application area lies within the grounds of St. Michael's nunnery nunnery which was founded in 1155. Cartographic evidence suggests that the site remained undeveloped until a cattle market was established on the site in 1887. Roman, Saxon and medieval artefacts have been recovered to the south of the site in the area of Stamford Junior School.*

A programme of archaeological works is required to record archaeological remains which survive on the site in advance of their destruction. A strip, map and record excavation should be undertaken in the area of the geocellular soakaway tank. The results of the excavation

will be used to inform on the extent of archaeological monitoring which will be required during the reduction of the existing car park. Archaeological monitoring and recording should be undertaken during the construction of interceptors and drainage runs on the north and west sides of the site.

Environmental Protection

5.9 Environmental Protection has reviewed the documents in respect of the above application and has the following comments to make:

Given the intended use of the land, the contaminants identified during the phase 2 investigation are unlikely to pose a risk to current and future users of the site. Whilst we acknowledge and accept the findings of the Phase 2 site investigation report, should the developer during excavation and construction works of the said development site find any area of the site where it is suspected that the land is contaminated then all works must stop, and the local planning authority notified immediately. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared in accordance with current good practice and legislation and submitted to and approved by the Local Planning Authority, and the approved remediation shall thereafter be implemented. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Construction work

The applicant produces a management plan for controlling construction noise and dust during the development of the site (to protect the amenity of the existing residential dwellings).

Stamford Town Council

5.10 Stamford Town Council object to the application and submitted the following comments:

Following a review of the proposed car parking charges increase, it was recommended that there should be a further assessment completed on the future capacity requirements for additional parking in Stamford. This was ratified at the SKDC Cabinet meeting on September 24th. This can be noted in point number 6 of the enclosed printed minutes. Therefore, we would like to object to this current application until the revised assessment has been completed – once this assessment has been received, we will comment further

6 Representations as a Result of Publicity

6.1 This application has been advertised in accordance with the Council's Statement of Community Involvement and 1 letter of representation has been received in support of the proposed development. The points raised can be summarised as follows:

- no clear details of the proposed EV charging infrastructure so it's hard to determine the value of the proposed provision and any impacts that might be associated e.g. rapid DC or slower AC charging, the design of the chargers and associated switchgear and/or transformers.
- supports the provision of EV chargers in this location

7 Evaluation

- 7.1 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. In this case, the adopted Development Plan comprises of the following documents:
- (a) South Kesteven Local Plan (Adopted January 2020); and
 - (b) Stamford Neighbourhood Plan (Made July 2022)
- 7.2 In addition, the Local Planning Authority have also adopted a Design Guidelines Supplementary Planning Document (SPD) (Adopted November 2021) and this document is a material consideration in the determination of planning application.
- 7.3 The policies and provisions set out in the National Planning Policy Framework (NPPF) ("the Framework") (Published December 2023) are also a relevant material consideration in the determination of planning applications.

Principle of Development

- 7.4 Policy SP2 confirms that Stamford is one of the three market towns and development which maintains and supports the role of the town will be allowed, provided that it does not compromise the towns nature and character. Priority will be given to sustainable sites within the built up part of the town and appropriate edge of settlements extensions.
- 7.5 Moreover, paragraph 108e of the NPPF (2023) states that 'patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places'. Paragraph 112 continues that 'In town centres, local authorities should seek to improve the quality of parking so that it is convenient, safe and secure, alongside measures to promote accessibility for pedestrians and cyclists'.
- 7.6 The site is a brownfield site that is currently unused and located within the market town of Stamford. Local Plan Policy SP3 confirms that infill development in settlements defined in Policy SP2 will be supported provided that
- a. it is within a substantially built up frontage or re-development opportunity (previously developed land)
 - b. it is within the main built up part of the settlement
 - c. it does not cause harm or unacceptable impact upon the occupiers amenity of adjacent properties
 - d. it does not extend the pattern of development beyond the existing built form, and it is in keeping with the character of the area, and is sensitive to the setting of adjacent properties.
- 7.7 It is deemed that the development proposal constitutes infill development as it is within a built up part of Stamford (b) and offers a redevelopment opportunity as a brownfield site (a). Criterion (c) and (d) are related to design and layout discussed in detail below. However, it is not thought that the development would cause an unacceptable impact on the residential amenity of adjacent dwelling houses to the east and south, or the amenities of the neighbouring schools. The reuse of this site would not cause harm or unacceptable impact, and the proposal is an appropriate use in an area that already has car parking as well as

residential and education uses, and would be in keeping with the character of the area which is a mixture of heritage and modern uses.

- 7.8 The site's previous use was as the cattle market for Stamford. This use ceased and the site was cleared, and has been vacant since October 2010. Policy E6 (Loss of Employment Land and Buildings to Non-Employment Uses) states that 'The Council will seek to retain and enhance existing areas of employment use...unless it can be demonstrated that:
- a) The site is vacant and no longer appropriate or viable as an employment site – this may include the need for an effective, robust and proportionate marketing of the land and buildings to be undertaken; or
 - b) Redevelopment would maintain the scale of employment opportunities on the site, or would deliver wider benefits, including regenerating vacant or unutilised land; or
 - c) The alternative use would not be detrimental to the overall supply and quality of employment land within the district; or
 - d) The alternative use would resolve existing conflicts between land uses.'

- 7.9 The site has not been used for several years and has laid vacant since October 2010 (a), it is surrounded by residential uses and the existing car park. The redevelopment of the site to provide further public car parking will provide wider benefits to the public including the provision of additional spaces to meet demand on busy days and further the EV charging points for the town of Stamford (b). The use is considered appropriate in this location without conflict with the surrounding uses of car parking, education and residential. The alternative use would not be detrimental to the overall supply of employment land (c) as it was a use that was an intermittent use of the site. The provision of additional car parking will support the economic function of the town centre and businesses, such as the hotel, in the area.

- 7.10 The redevelopment of the site to provide additional car parking is considered to be acceptable in principle, being an infill opportunity within Stamford, and having been a vacant brownfield site for over a decade. This is subject to the assessment against site specific criteria including the impact of the proposal on the character and appearance of the area, impact upon heritage assets, impact on the residential amenities of neighbouring uses and the impact on the public highway, which are discussed below.

Impact on the Character and Appearance of the area

- 7.11 It is proposed to create an extension to the existing car park utilising this area of the former Cattle Market. The site is bounded by the existing car park to the north and further car parking to the west related to the schools, and it is considered that the extension would be in character with the site's location in Stamford.
- 7.12 The site has a dilapidated character, overgrown and unkept. The proposal would ensure the provision of new public realm providing additional long stay car parking. The proposal would ensure a suitable layout and design for the site, and is considered to enhance the character and appearance of the area providing a reuse of the site. The proposal includes the retention of hedging and vegetation on the boundary of the site as well as a new area of planting. The soft landscaping will provide a more pleasant verdant character to the hard landscaped car parking areas.
- 7.13 Taking the above into account, it is considered that the proposed use, layout and scale would be acceptable, and the proposed development would not result in an adverse impact

to the character or appearance of the area. The development proposal is in accordance with Local Plan Policy SP3 and ID2, and section 12 of the NPPF.

Heritage Impact

- 7.14 Policy EN6 (The Historic Environment) is the primary development plan policy through which the Council exercises its statutory responsibilities. This policy states that the Council will seek to protect and enhance heritage assets and their settings in keeping with the policies in the National Planning Policy Framework, and proposals will be expected to take Conservation Area Appraisals into account, where these have been adopted by the Council. Development that is likely to cause harm to the significance of a heritage asset or its setting will only be granted permission where the public benefits of the proposal outweigh the potential harm.
- 7.15 In connection with the above, Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities to have special regard for the desirability of preserving listed buildings and their settings, or any special architectural or historic interest which it possesses. Similarly, Section 72 of the Act 1990 requires Local Planning Authorities to give special attention to the desirability of preserving or enhancing the character or appearance of Conservation Areas.
- 7.16 The adjacent Conservation Area is located with adequate separation from the site, including separation by the existing car park site. It is considered that the Conservation Area would not be adversely impacted, and the reused and regenerated site would provide public benefit. The site is separated from the Town Meadows park by the river and a line of mature trees and vegetation, providing a verdant buffer to the north. It is considered that the proposal would not cause an unacceptable impact to the character or appearance of the area, or cause harm to the nearby Conservation Area or heritage assets.
- 7.17 The Conservation Officer has been consulted and has commented that overall the proposal is acceptable on heritage grounds. The Conservation Officer has noted that very little of the historic fabric of the cattle market remains and the proposed car park is not considered to cause harm to the significance of the conservation area. The Officer did raise concerns regarding the retention of the boundary walls and request further information. Additionally, the Officer commented that the incorporation of the cobblestone paving could have a positive impact upon the Conservation Area.
- 7.18 The agent responded to the Conservation Officer's comments and confirmed that there will be a provision within the works to carry out minor repairs and re-building work where required to the boundary walls. The agent has also replied regarding the Conservation Officer's request to incorporate the cobblestone paving into the surfacing, and verified that this would not be practical for a car park as it would provide an uneven surface for wheelchair users and would lead to the loss of lining over time. The agent considers that the site is outside the conservation area and would not have a suitable conservation value to be considered in the buffer zone.
- 7.19 The submission included an Archaeological Desk Based Assessment, and the report concluded that the site has the potential for Saxon, medieval and postmedieval remains. It is proposed to mitigate the potential impact from the development using the imposition of a planning condition for a watching brief.
- 7.20 Taking the above into account, it is considered that the proposed use, layout and scale would be acceptable, and the proposed development would not result in an adverse impact

to the Conservation Area and any neighbouring heritage assets. The development proposal is in accordance with Local Plan Policy EN6, and section 16 of the NPPF.

Ecology and Trees

- 7.21 There is a line of mature trees and vegetation to the north of the existing car park site adjacent to the River Welland. On the application site, it is proposed to plant a new hedgerow along the southwestern boundary of the site. There would also be supplemental shrub planting on the boundary of the site, with existing vegetation removed and replaced with new planting. In addition, there will be buffer areas of planting between the blocks of parking bays with shrubs.
- 7.22 A preliminary Ecological Appraisal was undertaken and provided with the submission of the application. The report confirms that there are no existing habitats recorded on the site and it has a low value to wildlife. The application proposes the enhancement of the site by the provision of the additional hedgerow on the western boundary and areas of new planting on the site to create buffers.
- 7.23 In terms of Biodiversity Net Gain, the provision of the new hedgerow and vegetation to the northern boundary and within the site, will achieve in excess of the 10% net gain target. The total net percentage change would be 62.37% for habitat units and 597.36% for hedgerow units. This evidence is contained in the submitted Small Sites Metric table.
- 7.24 It is considered that the proposed use and mitigation measures to improve biodiversity on the site would be acceptable, and in accordance with Local Plan Policy EN2 and EN3 and section 15 of the NPPF.

Impact on the Residential Amenities of Neighbouring Uses

- 7.25 The development site is located within a mixed-use area, and this includes residential uses in proximity. The wider site includes a large car park and there is an adjacent car parking associated with the educational use. The proposal is not considered to cause a significant adverse impact in terms of noise, or light pollution. It will provide an addition to the public realm, replacing a vacant brownfield site. The previous use of the site as a cattle market would have generated a level of noise and disturbance to the surrounding area. The now vacant site is unsightly, and as a derelict site it is presenting a negative impact on residential amenity, as well as the environment and economy.
- 7.26 The previous use of the site as a cattle market has been investigated in consideration to the potential for pollution. The submission was accompanied by a Phase 2 report which has confirmed that there is made ground on the site, but no groundwater was recorded. The report concluded that the levels of contamination on the site are unlikely to pose a significant risk to the users of the site and proposes mitigation measures. Environmental Protection has been consulted and commented that they accept the findings of the Phase 2 site investigation report. However, should contamination be suspected on the site during construction, then an investigation and risk assessment must be undertaken and a remediation scheme prepared, and a subsequent verification report prepared. It is therefore proposed to mitigate any potential impact from the development using the imposition of a planning condition for pollution.
- 7.27 Taking the above into account, it is considered that there would be no significant unacceptable adverse impact on the residential amenities of the neighbouring area, and the reuse and regeneration of the site would provide betterment to the amenity of the area and

a valuable contribution to the town centre economy. As such the proposal accords with Local Plan Policy DE1 and section 12 of the NPPF.

Climate Change

- 7.28 Policy SD1 (The Principles of Sustainable Development in South Kesteven) sets out the overarching obligation for development proposals to minimise its impact on climate change and contribute towards a strong, stable and more diverse economy. The policy requires consideration of a number of matters including minimising the use of resources and the production of waste; meeting high environmental standards in terms of design and construction; encouraging the use of sustainable construction materials and proactively enhancing the District's character and natural environment.
- 7.29 Similarly, Policy SB1 (Sustainable Buildings) states that all development proposals will be expected to mitigate against and adapt to climate change. This includes a requirement for development proposals to support low carbon travel, including the provision of electric car charging points. All development proposals should therefore include information on energy consumption in particular demonstrating how carbon dioxide emissions have been minimised in accordance with the energy hierarchy, and on water resources, to promote enhanced sustainability.
- 7.30 Contributing to low-carbon travel has been demonstrated with the provision of 8no. electric car charging bays. This provision will significantly increase the number of EV charging bays in the council's public car parks in the town.
- 7.31 The development proposal has addressed its potential impact on climate change through the provision of EV charging bays, therefore the proposal would be in accordance with Policy SB1 of the Local Plan, and section 12 of the NPPF.

Impact on the Local Highway

- 7.32 The site is located within the town of Stamford and is well connected for walking, cycling, and public transport. The proposal seeks the change of use and construction of a public car park to expand an existing car park utilised by visitors to Stamford. Access will be taken from the existing access to the wider car park area.
- 7.33 The application was supported by a Transport Statement, which details the potential impact of the development. The report confirms that the existing car park is very popular, particularly on Friday market days, where the provision can reach full occupancy in the afternoon. With insufficient car parking provision in the car park, it leads to vehicles circling looking for spaces or pressures on other car parks in the town and on-street parking where vehicles seek alternative provision. The proposed increase in car parking will relieve parking pressure.
- 7.34 Lincolnshire County Council was consulted and had no objection to the proposed development. LCC commented that this is for an extension to the existing car park and the access arrangements remain unchanged. The officer considered that the proposals would not result in an unacceptable impact on highway safety.
- 7.35 The application is therefore in accordance with the requirements of Policy ID2 of the Local Plan and Section 9 of the NPPF in so far as it has regard to highways matters

Drainage and Flood Risk

- 7.36 The application site is located within Flood Zone 1, with a low risk of surface water flooding. The proposed development would increase hard surfaces that generate surface water run-off and therefore an effective surface water drainage strategy is necessary. The application has been supported by a Drainage Strategy Report and a Drainage Layout Plan.
- 7.37 The Environment Agency was consulted and has commented that the drainage proposals appear to be appropriately designed. The development would be served by a soakaway, and is it not necessary for the site to connect to the mains sewer network. The proposed development would be acceptable if the measures detailed in the Drainage Strategy are implemented and secured by planning condition/s on any planning permission.
- 7.38 In this regard, the proposal would therefore be in accordance with Local Plan Policy EN5.

8 Crime and Disorder

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

9 Human Rights Implications

- 9.1 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.

10 Planning Balance and Conclusion

- 10.1 In summary, the principle of the development is acceptable, and the proposals would result in the provision of additional car parking provision in the market town of Stamford. The proposals would provide 146 parking bays including 11 accessible bays and the provision of 8 EV charging bays, utilising a vacant brownfield site adjacent to the existing public car park. The use is considered appropriate as it is a mixed-use area, with car parking provision already present, and offers an infill opportunity. The redevelopment of the site would provide wider benefits to the public including the provision of additional parking spaces to meet demand and further the EV charging points that are publicly accessible.
- 10.2 The proposed car park scheme would provide new public realm in this area of Stamford, and the design incorporates practical surfacing, lining and lighting to provide 24-hour operation. It includes the retention of hedging and vegetation on the boundary of the site as well as new areas of planting, providing a verdant buffer between the car park and the neighbouring education use, as well as additional planting to the boundary of the site and between the blocks of parking areas. It is considered that the proposals would enhance the character and appearance of the area and be beneficial to the residential amenities of neighbouring dwellings by providing a reuse and regeneration, and improvement from the current derelict site.
- 10.3 In heritage terms the proposed use is acceptable, and the remaining historic fabric, the boundary walls to the cattle market, will be retained additionally there will be minor repairs and re-building work where necessary. It is considered that the with the site's location outside of the Conservation Area that the proposed use, layout and scale would be acceptable, and the proposals would not result in an adverse impact to the Conservation Area and any neighbouring heritage assets.

- 10.4 Taking the above into account, it is considered that the proposal, proposing a car park, is appropriate for its context and would be in accordance with Policy SP2, DE1, EN6, and ID2 of the South Kesteven Local Plan and Sections 9, 12 and 16 of the NPPF. There are no material considerations that indicate otherwise although conditions have been attached.

11 Recommendation

To authorise the Assistant Director-Planning to GRANT planning permission, 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 (received 10/07/24)
- ii) Car Park General Arrangement, drawing ref. 12741-WMS-ZZ-XX-D-39501-S8-P4 (received 10/07/24)
- iii) Levels Layout, drawing ref. 12741-WMS-ZZ-XX-D-39003-S8-P2 (received 10/07/24)
- iv) Drainage Layout, drawing ref. 12741-WMS-ZZ-XX-D-39201-SB-P2 (received 10/07/24)
- v) Kerbs and Surfacing Layout, drawing ref. 12741-WMS-ZZ-XX-D-39503-S8-P2 (received 10/07/24)
- vi) Proposed Car Park Lighting Plan, drawing ref. 1274/NPL/LTG/001 (received 10/07/24)

Unless otherwise required by another condition of this permission.

Before the Development is Commenced

- 3) 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. Thereafter, the archaeological investigations shall be carried out in accordance with the approved scheme of investigation.

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.

During the Building Works

- 4) To minimise noise impacts on the existing residential dwellings, 'construction work' shall only be carried out between the hours of 7:30 am to 6:00 pm Monday to Friday and 9:00 am to 1:00 pm on a Saturday. Construction work shall not be carried out on Sundays or Public Holidays. The term 'construction work' shall include mobile and fixed plant/machinery, (e.g. generators) radios and the delivery of construction materials.

To minimise the impact of potential noise on the surrounding area, deliveries of construction materials shall only take place between 8:00 am and 5:00 pm, Monday to Friday and between 9:00 am and 5:00 pm on a Saturday. No deliveries shall take place on a Sunday or Public Holiday.

Reason: To prevent disturbance to the amenities of residents living in the locality and in accordance with Policies EN4 and DE1 of the adopted South Kesteven Local Plan.

Before the Development is Occupied

- 5) Before any part of the development hereby permitted is occupied/brought into use, the development shall have been completed using only the materials stated in the approved plans and Design and Access Statement.

Reason: To ensure a satisfactory appearance to the development and in accordance with Policy DE1 and EN6 of the adopted South Kesteven Local Plan.

- 6) Before any part of the development hereby permitted is occupied/brought into use, any lighting shall have been completed in accordance with the approved details.

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

- 7) Before any part of the development hereby permitted is occupied/brought into use, the works to provide the boundary treatments shall have been completed in accordance with the approved boundary treatment scheme.

Reason: To provide a satisfactory appearance to any boundary treatments in accordance with Policy DE1 of the adopted South Kesteven Local Plan.

- 8) Before any part of the development hereby permitted is occupied/brought into use, the works to provide the surface 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 EN5 of the adopted South Kesteven Local Plan.

- 9) Before any part of the development hereby permitted is occupied/brought into use, a landscape management plan shall have been submitted to and approved in writing by the Local Planning Authority. The plan shall include:

i. long term design objectives,

ii. management responsibilities and

iii. maintenance schedules for all landscape areas, other than privately owned, domestic gardens.

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

- 10) Before any part of the development hereby permitted is occupied/brought into use, a verification report confirming that remedial works have been completed shall have been submitted to and approved in writing by the Local Planning Authority. The report shall have

been submitted by the nominated competent person approved, as required by condition above. The report shall include:

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

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

Reason: Previous activities associated with this site may have caused, or had the potential to cause, land contamination and to ensure that the proposed site investigations and remediation will not cause pollution in the interests of the amenities of the future residents and users of the development; and in accordance with Policies EN2 and EN4 of the adopted South Kesteven Local Plan and national guidance contained in the NPPF paragraphs 178 and 179.

Ongoing Conditions

- 11) Within a period of five years from the first occupation 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, EN3 and OS1 of the adopted South Kesteven Local Plan.

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 effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that development may not begin unless:
 - (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
 - (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be South Kesteven District Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed below.

Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements listed below are considered to apply.

SITE LOCATION PLAN



