SOUTH KESTEVEN DISTRICT COUNCIL

Planning Committee

5 December 2024

S23/0055

Proposal:	Outline planning application for the erection of up to 1,350 residential units (Use Class C2 and C3); a two-form entry primary school (Use Class F1); local centre (Use Classes E, F2 and public house, wine bar or drinking establishment; drinking establishment with expanded food provision; and hot food takeaway for the sale of hot food where consumption is mostly off premises); road between Ryhall Road and Little Casterton Road; removal of existing noise bund; associated green infrastructure including provision of public open space, landscaping, formal and informal play areas; utilities (including drainage); and associated access, including potential realignment of part of Ryhall Road, ancillary works and structures (All matters reserved)
Location:	Land to the north of Stamford
Applicant	Burghley Stamford North Limited, Burghley House Preservation Trust, John Stephen Banks and GummerLeathes
Agent	Savills (UK) Ltd
Application Type:	Outline Planning Application with Environmental Impact Assessment
Reason for Referral to Committee:	Major development which requires a Section 106 Agreement to secure financial contributions.
Key Issues:	• Principle of Development • Open Space Provision • Noise and Lighting Impacts • Access and Highways Impacts • Infrastructure for Growth

Technical Documents:	• Environmental Statement including chapters on:
	  ○ Air Quality
	  ○ Archaeology and Cultural Heritage
	  ○ Climate Change and Greenhouse Gases
	  ○ Ecology
	  ○ Ground Conditions
	  ○ Agricultural Land
	  ○ Landscape and Visual
	  ○ Noise and Vibration
	  ○ Socioeconomics
	  ○ Transport and Access
	• Design and Access Statement
	• Planning Statement
	• Flood Risk Assessment

	• Lighting Assessment • Phase I Ground Condition Assessment • Transport Assessment • Affordable Housing Report • Open Space Technical Note • Main Street Design Brief • Stamford North – Comprehensive Masterplan

Report Author

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Corporate Priority:	Decision type:	Wards:
Growth	**Regulatory**	**Two or more Wards**

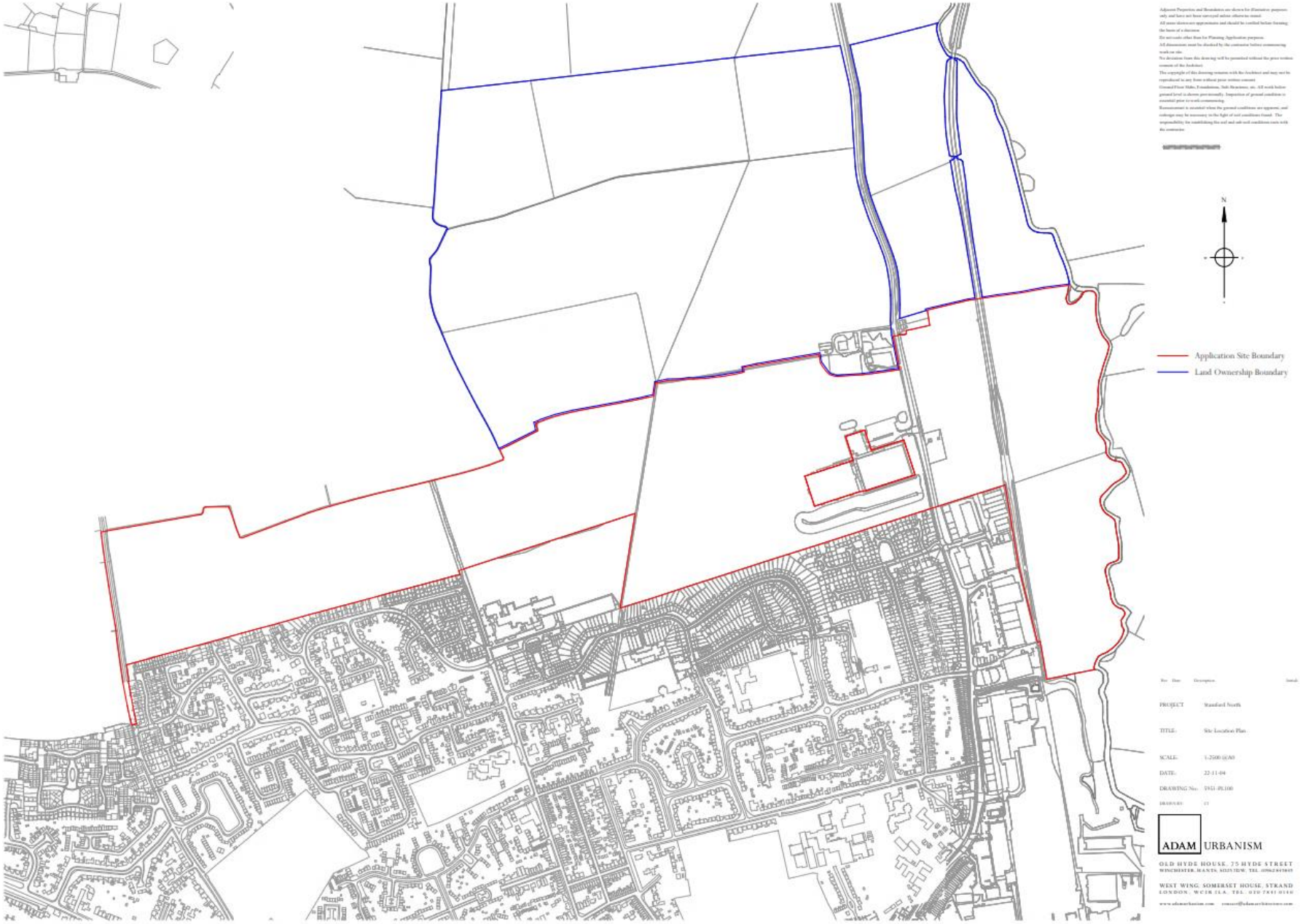
Reviewed by:	Phil Jordan, Development Management & Enforcement Manager	26 November 2024

Recommendation (s) to the decision maker (s)

To authorise the Assistant Director – Planning and Growth to refer the application to the Secretary of State with a resolution to GRANT planning permission, subject to conditions, and the completion of a Section 106 Agreement and Joint Infrastructure Planning Agreement; and

In the event that the Secretary of State does not call-in the application, the Assistant Director – Planning and Growth is authorised to GRANT planning permission, subject to conditions, and the completion of a Section 106 Agreement and Joint Infrastructure Planning Agreement

S23/0055 – Land to the north of Stamford



EXECUTIVE SUMMARY

The application site comprises an area of approximately 81.12 hectares of land situated immediately to the north of the existing main built-up area of Stamford, between Little Casterton Road and the River Gwash.

The application seeks outline planning permission (all matters reserved) for the erection of up to 1,350 residential units (Use Class C2 and C3); a two-form entry primary school (Use Class F1); local centre (Use Classes E, F2 and public house, wine bar, or drinking establishment; drinking establishment with expanded food provision; and hot food takeaway for the sale of hot food where consumption is mostly off premises); road between Ryhall Road and Little Casterton Road; removal of existing noise bund; associated green infrastructure, including provision of public open space, landscaping, formal and informal play areas; utilities (including drainage); and associated access, including potential realignment of part of Ryhall Road; ancillary works and structures.

The application site, in conjunction with land to the west between Old Great North Road and Little Casterton Road known as Quarry Farm, has previously been identified as a proposed cross-boundary allocation for a mixed use sustainable urban extension comprising approximately 1950 dwellings, a distributor road, local centre, primary school and country park. The application site is allocated for development within the adopted South Kesteven Local Plan (Local Plan Ref: STM1:H1 – Stamford North); however, the land at Quarry Farm, which falls within Rutland County, has no formal policy allocation, albeit there is a planning application for this part of the SUE currently pending consideration. In this context, the principle of development on the application site has been established by the site's allocation within the adopted Local Plan, and the proposed development would result in a significant contribution to the Council's housing requirement, together with substantial infrastructure improvements and biodiversity enhancements. Therefore, the scheme represents sustainable development when taken as a whole, and there are significant benefits to be afforded substantial weight in the assessment of the application proposals.

It is accepted that the current application site includes land outside of the Local Plan allocation which forms part of Borderville Sports Centre and land around it, including training pitches, car parking, and a 10m acoustic bund.

Sport England have raised a formal objection to the application on the basis that the proposals would result in the loss of playing fields and prejudice the use of the remaining fields at Borderville Sports Centre, and in their view the application does not secure replacement playing fields of equivalent or better provision in terms of quantity and quality in a suitable location.

However, it is the Case Officer's assessment that sufficient evidence has been submitted to demonstrate that, as a matter of principle, replacement pitches of an equivalent quality and quantity can be provided as part of the development. The definitive location of the replacement pitches would be confirmed through the subsequent reserved matters applications relating to layout. Further, the site-specific Section 106 Agreement would secure the requirement to replace the pitches, with any grass pitches of the equivalent quantity and quality, with a detailed scheme to be approved by the Local Planning Authority, completed and made available for public use before any works that would result in the loss of any of the existing playing pitches.

In addition, it is also the Case Officer's assessment that the requirement for any replacement pitches to benefit from all necessary ancillary facilities i.e., changing rooms & car parking can also be secured through the Section 106 Agreement.

With regards to the impacts associated with the removal of the bund relating to noise and light from Borderville Sports Centre, the Local Planning Authority needs to be satisfied that appropriate living

conditions can be achieved for all existing and future residents in a manner that does not prejudice the existing operations of the sports centre. In this context, the Council's Environmental Protection Team have confirmed that an alternative scheme can be designed, and the details of this can be secured through planning conditions. Conditions are recommended to be included which require further detailed assessments for each reserved matters application assessing the effectiveness of the detailed design proposals; together with a requirement for the submission of a detailed phasing plan for the removal of the bund and any temporary mitigation that may be required.

In respect of access and highways impacts, the current application requires consideration of whether safe and suitable access can be achieved as a matter of principle, together with any potential off-site impacts on highways safety and capacity.

The current application has been subject to extensive review by National Highways and Lincolnshire County Council (as Local Highways Authority) following the completion of up-to-date modelling using the latest Stamford Traffic Model. The results of this modelling demonstrate that the proposed east-west link road will assist in alleviating pressure in the town centre by providing an alternative route for vehicular traffic to navigate Stamford from the A1. The modelling indicates that 6 junctions would operate over capacity with the addition of the development traffic; however, these junctions are also shown to operate over capacity without the development, and therefore, it would not be reasonable to obligate the applicant to mitigate issues that are not directly related to the development. Similarly, National Highways have accepted that the applicant should not be required to mitigate existing capacity constraints on the A1 junctions.

It is noted that Lincolnshire County Council have requested financial contributions for a scheme of traffic calming measures on Arran Road, Sidney Farm Lane and Radcliffe Road. However, it is the Case Officer's assessment that these requests have not been demonstrated to be necessary to make the development acceptable. The evidence submitted suggests that the proposed works would be desirable to encourage traffic to follow preferred traffic routes, but there is no evidence to suggest that failure to follow these routes would result in an unacceptable highways impact. As such, it is the Case Officer's assessment that these contributions would not meet the relevant legal tests and, therefore, they are not proposed to be included within the Heads of Terms for the Section 106 Agreement.

Nonetheless, the site-specific Section 106 Agreement will secure land and financial contributions towards the provision of suitable education and healthcare facilities, public transport contributions, together with affordable and self and custom-build housing. A cross boundary, Joint Infrastructure Planning Agreement entered into alongside Rutland County Council and the Quarry Farm landowners will also secure the delivery of the link road, including obligations in relation to the phasing / timing of delivery as well as an agreed design approach.

Taking all the above into account, it is the Case Officer's assessment that the application scheme accords with the adopted Development Plan as a whole, and the material considerations in this case also weigh in favour of granting planning permission.

However, in light of the formal objection from Sport England in relation to the loss of playing pitches at Borderville Sports Centre, statutory legislation requires the Local Planning Authority to refer the application to the Secretary of State for a determination on whether they wish to call-in the application for determination. Therefore, the Planning Committee are recommended to delegate authority to the Assistant Director – Planning & Growth to **refer the application to the Secretary of State with a resolution to GRANT planning permission, subject to conditions, and subject to the completion of a Section 106 Agreement and Joint Infrastructure Planning Agreement;**

and in the event that the Secretary of State does not call-in the application, the Assistant Director – Planning and Growth is authorised to GRANT planning permission, subject to conditions, and the completion of a Section 106 Agreement and Joint Infrastructure Planning Agreement

1 Description of the site

1.1 The application site comprises an area of approximately 81.12 hectares (200.45 acres) of land situated immediately to the north of the existing main built-up area of Stamford. The site currently comprises of a range of arable agricultural fields, playing pitches, parking areas and 10m acoustic bund associated with the Borderville Sports Centre, and the River Gwash Corridor. The site also includes areas of deciduous woodland, poor semi-improved grassland, and various field boundary hedgerows; and there are also two dilapidated buildings to the east of Ryhall Road (A6121) at the eastern end of the site.

1.2 The site has a distinct topography, which includes a central valley moving west-to-east through site, following the site's general fall to the east towards the River Gwash.

1.3 The site is bound to the south by the existing main built-up area of Stamford, with the boundary predominantly defined by existing residential development; at the eastern end of the site between Ryhall Road and the River Gwash, the boundary uses are predominately industrial, and transport infrastructure uses. The site is bound to the west by Little Casterton Road, beyond which lies Quarry Farm, which falls within the administrative area of Rutland County Council; and to the east the site is bound by the River Gwash. Immediately adjacent to the north-eastern corner of the central part of the site is Borderville Farm; the historic farmhouse which is part of a complex of agricultural buildings. Beyond the Farm lies Open Countryside, with the settlement of Little Casterton located approximately 1.16km to the north of the site boundary.

1.4 The site forms part of a previously identified cross-boundary allocation for a mixed-use sustainable urban extension to the north of Stamford, comprising approximately 1,950 dwellings, an east-west link road, local centre, primary school and country park, in conjunction with the land at Quarry Farm, to the west of the application site. However, the Rutland Local Plan 2018-2036 was withdrawn from Examination in 2021, and therefore, the land falling within Rutland County, which formed part of the proposed development allocation is not formally allocated. It is noted that the Regulation 19 version of the draft Rutland Local Plan 2021-2041 does include Quarry Farm as a draft allocation. Notwithstanding this, it is appreciated that a planning application has been submitted for the Quarry Farm site, which is currently pending consideration by Rutland County Council.

1.5 The current application site comprises of the South Kesteven Local Plan allocation site, which is formally allocated within the adopted South Kesteven Local Plan (LP Ref: STM1-H1) and is identified for the proposed development of approximately 1,300 dwellings, part of the east-west distributor road, a local centre and a primary school, and the provision of contributions towards the expansion or improvement of Stamford Welland Academy to the south. The current application site also includes additional land forming part of the Borderville Sports Centre, used as training pitches, car parking, and a 10m acoustic bund, which was not included within the Local Plan allocation site boundary.

1.6 The application site contains four Public Rights of Way (PRoW), which include STAM/5/7, STAM/3/1, STAM/3/2 and STAM/4/1, which traverse the site on a broad north-south alignment. The former Stamford to Essendine railway line, which was disused in 1959, bisects the land to the east of Ryhall Road.

1.7 The proposed development site itself does not contain any designated heritage assets (Listed Buildings and Scheduled Ancient Monuments), and the site is not located within either of the Stamford Conservation Areas. However, it is appreciated that there are a large

number of designated assets within the surrounding area, including the high number of listed buildings located within Stamford Town Centre, as well as at Great Casterton, Little Casterton and Belmesthorpe, and Registered Parks and Gardens at Burghley House and Uffington, and Scheduled Ancient Monuments at Great Casterton and Uffington.

1.8 The site is predominantly identified as being within Flood Zone 1 of the Flood Map for Planning, with some limited areas of Flood Zone 2 towards the River Gwash at the eastern edge of the site. The surface water flood map indicates that the site is largely identified as being at very low risk of surface water flooding, however, there are areas of lower risk towards the northern boundary of the site, as well as towards the western side of Ryhall Road.

1.9 The proposed development site is located within 2km of two Sites of Special Scientific Interest (SSSIs) at Great Casterton Banks and Tolethorpe Road, and the south-eastern corner of the site is also within the Impact Risk Zone of the Barnack Hills and Holes SSSI and Special Area of Conservation (SAC).

1.10 The site is also located within 1.5km of four County and Local Wildlife Sites including Little Casterton Verge (east and west), Burghley Park and River Welland. In addition, it is appreciated that land within the adjacent Quarry Farm site has also been identified as a candidate Local Wildlife Site.

1.11 Approximately 0.57 hectares of the site, forming part of the access arrangements from Little Casterton Road, falls within the administrative area of Rutland County Council.

2 Description of the proposal

2.1 The current application seeks outline planning permission for the erection of up to 1,350 residential units (Use Class C2 and C3); a two-form entry primary school (Use Class F1); local centre (Use Classes E, F2 and public house, wine bar, or drinking establishment; drinking establishment with expanded food provision; and hot food takeaway for the sale of hot food where consumption is mostly off premises); road between Ryhall Road and Little Casterton Road; removal of existing noise bund; associated green infrastructure, including provision of public open space, landscaping, formal and informal play areas; utilities (including drainage); and associated access, including potential realignment of part of Ryhall Road; ancillary works and structures. The current application has been submitted in outline with all matters reserved for future determination.

2.2 The application scheme has been accompanied by an Environmental Statement, which includes chapters relating to Air Quality, Heritage, Climate Change, Ecology, Ground Conditions, Landscape and Visual Impact, Noise and Vibration, and Transport and Access. The application has also been accompanied by a series of technical assessments including Flood Risk Assessment, Lighting Assessment, Phase I and Phase II Ecological Assessment, Noise Assessment and Transport Assessment.

2.3 Furthermore, the application submission is also accompanied by a Stamford North Illustrative Masterplan, which demonstrates how the site would be capable of being developed in a co-ordinated and comprehensive manner alongside the adjacent Quarry Farm application. A Parameters Plan which outlines the extent and nature of the development which has been assessed for the purposes of the Environmental Impact Assessment regulations has also been submitted.

2.4 The submitted Parameters Plan indicates that the site would comprise of a single point of vehicular access from Little Casterton Road to the west, and Ryhall Road to the east. A limit

of deviation between these two points has been identified for the position of the east-west link road; this corridor runs centrally through the site before moving southwards to be positioned to the south of the existing Borderville Sports Centre. An area of deviation is shown for a potential realignment of Ryhall Road, to allow for further consideration of a slight re-alignment of the existing road eastwards, and subsequent engineering works to address existing topographical challenges. A 'Valley Park' is proposed to run east-west from Little Casterton Road to Ryhall Road (and beyond to the River Gwash) following the existing valley landscape, and will incorporate a recreational walking route, SuDS and play areas. The majority of the built form is to be situated between Little Casterton Road and Ryhall Road; except for a small parcel of land immediately abutting Ryhall Road to the east, which is to include residential development. The remaining land to the east of Ryhall Road is indicated as providing informal open space.

2.5 The proposed development would involve the removal of four existing grass pitches at Borderville Sports Centre, together with an area of parking, to allow for the formation of the Valley Park; a further area to the north and west of the existing Sports Centre is identified for replacement provision and further expansion of activities at Borderville Sports Centre. Immediately to the west of the Sports Centre is the proposed Local Centre, which will include up to 3,000 sq. metres of local centre uses, including Class E, F2 and Sui Generis Uses; the Local Centre is identified to include an area for the provision of a Local Health Centre. A 2 form-entry primary school is proposed to be located to the west of the site, with immediate access from Little Casterton Road.

2.6 The proposed built form is identified as being up to 3 storeys, with the exception of land immediately adjacent to existing residential properties on the southern boundary, which is to be limited to a maximum of 2-storeys.

2.7 Additional points of pedestrian and cycle access are proposed throughout the southern boundary of the site.

2.8 The submitted Stamford North Illustrative Masterplan demonstrates how the scheme could be delivered as part of the wider Stamford North development, which would include the Quarry Farm development situated between Casterton Road and Little Casterton Road. Most notably, this includes the continued provision of the east-west link road that is proposed to run between Casterton Road and Ryhall Road, which includes alignment with the proposed point of access from Little Casterton Road in the south-west corner of the current application site.

2.9 In addition, the application has also been accompanied by a Main Street Design Brief produced jointly on behalf of the current applicant's (GummerLeathes) and the applicant's for the Quarry Farm site (Allison Homes); which sets out a shared design vision for the east-west link road, with a view to providing a co-ordinated design approach across the administrative areas and application site.

3 Relevant History

Application Ref.	Description of Development	Decision
2023/0019/OUT	Cross Boundary Outline Planning application with all matters reserved except Access for up to 1,350 no. residential units (use Classes C2 and C3); two form entry primary school (use class F.1); local centre uses (use classes E and F2, public house, wine bar, or drinking	Pending Consideration [by Rutland County Council]

	establishment, drinking establishment with expanded food provision, hot food takeaway for the sale of hot food where consumption of that food is mostly undertaken off the premises); removal of existing bund; associated green infrastructure including provision of public open space, landscaping, formal and informal play areas; utilities (including drainage); and associated access, ancillary works and structures. THIS APPLICATION ONLY RELATES TO ACCESS FROM LITTLE CASTERTON ROAD.	
2022/0227/MAO	Outline application for residential development (up to 650 dwellings), a local centre (up to 3,000 sq. metre gross floorspace for uses within Class E and F2), open space including a country park, access, link road between Old Great North Road and Little Casterton Road, drainage and landscaping. Land at Quarry Farm, Rutland	Pending Consideration [by Rutland County Council]
S13/0260	Development of a football stadium, with associated infrastructure and facilities to include multi-use training pitch. Erection of sports college building to include dual use facilities for the football stadium. Provision of car and coach parking area with additional use for car boot sales on up to 30 days in any calendar year. Creation of new means of access from Ryhall Road with associated highway alterations Borderville Sports Centre, Ryhall Road, Stamford	Approved Conditionally 14/06/2013
S13/1824	Application under Section 73 to vary the wording to conditions 27 and 30 of application S13/0260 to amend requirements relating to timing of access improvements Borderville Sports Centre, Ryhall Road, Stamford	Approved Conditionally 11/12/2013
S13/2015	Application for approval of details relating to Condition 25 (Acoustic Bund) in relation to application S13/0260 Borderville Sports Centre, Ryhall Road, Stamford	Approved without Conditions 25/10/2013
S13/2240	Approval of details relating to Condition 18 and 24 of application S13/0260 relating to noise mitigation measures Borderville Sports Centre, Ryhall Road, Stamford	Approved without conditions 03/102/2013

S14/2517	Section 73 application to vary conditions relating to application S13/1824 Borderville Sports Centre, Ryhall Road, Stamford	Approved Conditionally 10/06/2024
S19/1404	Erection of two-storey extension to sports centre with associated works Borderville Sports Centre, Ryhall Road, Stamford	Approved Conditionally 16.10.2019

Quarry Farm

3.1 As alluded to above, it is noted that an outline planning application for residential development of up to 650 dwellings, a local centre, open space including a country park, access, link road between Old Great North Road and Little Casterton Road, drainage and landscaping has been submitted to Rutland County Council (RCC Ref: 2022/0227/MAO) for the land at Quarry Farm; to the west of the current application site. Members will recall that in May 2022, the Planning Committee endorsed the submission of a holding objection against the application, and reserved the right to request that the Secretary of State calls-in the application for determination in the event that Rutland County Council were minded to approve the application, prior to the following issues being addressed:

- *Insufficient evidence to confirm that the proposals would provide suitable junction improvements to mitigate the impact on the A1 strategic road network and, therefore, there is the potential that the proposals could result in consequential unacceptable impacts on the local highways network with SKDC's administrative boundaries.*
- *The application has not been accompanied by an agreed masterplan / development brief for the wider Stamford North development. As such, there are a number of matters relating to the design of the spine road and the provision of suitable pedestrian and cycle connections, which require agreement between all parties, to ensure that the scheme forms a well-designed and coherent cross-boundary development proposal.*
- *There is insufficient evidence to demonstrate that the proposals would accord with the established hierarchy to avoid, mitigate, or as a last resort, compensate for potential impacts on ecological assets. In particular, the application fails to demonstrate sufficient measures to compensate for the loss of a significant area of the candidate Local Wildlife Site.*
- *There is no legal agreement to secure the quantum and mix of affordable housing, as well as making suitable allocation / nomination arrangements for the occupation of any affordable housing provided on site. In view of the nature and location of the development proposal, SKDC requests that any affordable housing on site should be allocated in a manner which prioritises meeting the needs of Stamford in the first instance.*
- *In the absence of a Section 106 Agreement, there is currently insufficient evidence to ensure that the application proposals would make a proportionate contribution towards mitigating the impacts of the Stamford North development. Likewise, further clarification is required in relation to the application of the CIL charging schedule by RCC as part of the application, and whether an exemption / relief will be applied to reflect the cross-boundary nature of the development site.*

3.2 Since the Planning Committee's previous consideration of the Quarry Farm application, the Stamford North application has been received, and Officers have engaged in continued dialogue with both Developers and RCC Officers to address the issues previously identified. This has resulted in the preparation of a Joint Infrastructure Planning Agreement (JIPA), which will be entered into by all parties, in the event that the authorities resolve to grant planning permission. It is accepted that neither application can be approved without the formal completion of the JIPA agreement. Further details of the matters to be addressed within the JIPA are detailed later in this report; and a draft, revised consultee response to RCC on the Quarry Farm application is to be considered by the Planning Committee alongside the current application proposals.

Borderville Sports Centre

3.3 Planning permission was conditionally granted in June 2013 (LPA Ref: S13/0260) for the development of a football stadium, with associated infrastructure and facilities, to include multi-use training pitch; as well as the erection of a sports college building to include dual use facilities for the football stadium; which has subsequently come to be known as Borderville Sports Centre.

3.4 Condition 25 of the planning permission required the submission of details of an acoustic bund to be located to the south of the proposed playing pitches. The condition stated:

"Notwithstanding the submitted details, the proposed acoustic bund located to the south of the proposed pitches shall be at least 10m high in relation to the pitch levels directly adjacent to the bund and at least 4m high in relation to the ground level of the adjacent housing development to the south of the site. Precise details of the ground levels and acoustic bund, including cross sections, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The development shall then only be implemented in strict accordance with the approved details.

Reason: To ensure that the development does not result in noise and disturbance to the occupiers of the adjacent residential properties and in accordance with Policy EN1 of the adopted South Kesteven Local Plan.

3.5 In respect of the acoustic bund, it should be noted that this was an inherent element of the development proposals i.e., the Noise Impact Assessment submitted as part of the application did not recommend the noise bund as a form of mitigation and did not consider whether any alternative acoustic mitigation measures could have been implemented to achieve an appropriate noise level.

3.6 The approval of the details pursuant to the above condition was subsequently granted in October 2013 (LPA Ref: S13/2015). The approved details indicated the erection of landscaped bund, which is 6m high in relation to the neighbouring properties, and 10m high in relation to the football stadium.

4 Policy Considerations

4.1 **South Kesteven 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 H1 – Housing Allocations
Policy H2 – Affordable Housing Contributions

Policy H3 – Self and Custom Build Housing
Policy H4 – Meeting All Housing Needs
Policy EN1 – Landscape Character
Policy EN2 – Protecting Biodiversity and Geodiversity
Policy EN4 – 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 OS1 – Open Space
Policy STM1-H1 – Stamford North
Policy ID1 – Infrastructure for Growth
Policy ID2 – Transport and Strategic Transport Infrastructure

4.2 **Stamford Neighbourhood Plan 2016-2036 (Made July 2022)**
Policy 1 – New Residential Allocation (Stamford North)
Policy 3 – Housing Type and Mix on New Developments
Policy 10 – Character Areas
Policy 11 – Sustainable Travel

4.3 **Lincolnshire Minerals and Waste Local Plan: Core Strategy and Development Management Policies DPD (Adopted June 2016)**
Policy M11 – Safeguarding of Minerals Resources

4.4 **Design Guidelines for Rutland and South Kesteven Supplementary Planning Document (Adopted November 2021)**

4.5 **National Planning Policy Framework (NPPF) (Published December 2023)**
Section 2 – Achieving sustainable development.
Section 4 – Decision-making
Section 5 – Delivering a sufficient supply of homes.
Section 8 – Promoting healthy and safe communities.
Section 9 – Promoting sustainable transport.
Section 11 – Making effective use of land.
Section 12 – Achieving well-designed and beautiful places.
Section 14 – Meeting the challenge of climate change, flooding and coastal change.
Section 15 – Conserving and enhancing the natural environment.
Section 16 – Conserving and enhancing the historic environment.
Section 17 – Facilitating the sustainable use of minerals.

4.6 **South Kesteven Local Plan Review 2021 – 2041 (Regulation 18 Draft)**

5 Representations received

5.1 **Anglian Water**

5.1.1 No objection subject to conditions

5.1.2 We are aware of both the Stamford North allocation in the Local Plan and also the Quarry Farm site. The local foul network surrounding these sites does not have the capacity to accommodate the additional flows from the proposed developments, both individually and

collectively. We therefore require both sites to connect to the foul 1050mm foul sewer in Uffington Road, via a pumping station.

5.1.3 We recommend a foul drainage pre-commencement planning condition is applied, if planning permission is granted to ensure that the required strategic foul drainage strategy is delivered, and sewer flooding is avoided.

5.1.4 Stamford is an area where we do not currently have the water supply to meet the demand from new residential developments coming forward.

5.1.5 We have a capital investment scheme to build a new water main to bring potable water to the area, however, this scheme will take time to deliver. We therefore recommend a planning condition, phasing the connection of properties, if planning permission is granted. This will allow us time to progress our capital scheme and will ensure that existing and new customers do not suffer from low water pressure.

5.2 **Cadent Gas**

5.2.1 No objections.

5.3 **East Midlands Building Control**

5.3.1 No comments received.

5.4 **Environment Agency**

5.4.1 No objection subject to conditions.

5.4.2 Based on the available information, the majority of the site is Greenfield land. However, the presence of a former railway line on the eastern part of the proposed development site presents a potential risk of contamination that could be mobilised during construction to pollute controlled waters. Controlled waters are particularly sensitive in this location because the proposed development site is located on a principal aquifer and within Source Protection Zone 3.

5.4.3 The application's Phase I Ground Condition Assessment demonstrates that it will be possible to manage the risks posed to controlled waters by this development. Further detailed information will be required before built development is undertaken. In light of the above, the proposed development will be acceptable if a planning condition is included requiring the submission of a remediation strategy.

5.5 **Greater Lincolnshire Nature Partnership**

5.5.1 No comments received.

5.6 **Heritage Lincolnshire**

5.6.1 No objection subject to conditions.

5.6.2 The site for the proposed development lies in an area of archaeological importance. Previous archaeological investigations within the proposed development redline boundary have revealed significant remains of late Iron Age and early Roman settlement with associated agricultural and industrial activity. The Historic Environment Desk-Based Assessment undertaken as part of the submitted Environmental Impact Assessment indicates that extensive archaeological remains are likely to be preserved within the proposed area of development. In addition, a geophysical survey of the area has identified anomalies which are characteristic of prehistoric and Roman settlement.

5.6.3 Given this, further information is required in the form of trial trenching to determine the nature, date and extent of remains present and inform the scope of further archaeological work to mitigate the impacts of the proposal (mitigation strategy).

5.7 **National Highways**

5.7.1 No objection subject to conditions.

5.7.2 National Highways has engaged with the applicant's transport consultants to agree the scoping methodology for the Transport Assessment, cumulative impact assessment and modelling methodology.

5.7.3 We have reviewed the updated Transport Assessment for this site and identified a number of queries in relation to the traffic modelling. Following this, we have been liaising directly with the transport consultants regarding these and the further modelling information required to resolve this.

5.7.4 Following our review of the most recent traffic modelling submission, we concluded that, on the basis of the evidence provided, the proposed development would not have an adverse impact on the operation of the Strategic Road Network (SRN). Consequently, there is no requirement for off-site mitigation on the SRN.

5.7.5 Managing construction traffic is key to maintaining the safe and efficient operation of the SRN during the construction phase of the development. Therefore, a condition is requested for the submission of a Construction Traffic Management Plan.

5.8 **Historic England**

5.8.1 No comments received.

5.9 **Lincolnshire County Council (Education)**

5.9.1 No objection subject to Section 106 Agreement.

5.9.2 The scale of the development is significant and to mitigate the impact on the existing community is critical. The development will generate a number of primary pupils, secondary and school based sixth form pupils.

5.9.3 There is some capacity in the planning areas for the development, but these cannot fully support the number of children created therefore there is a need to secure land for a new primary school with some capital, and some capital will be required from the developer for Stamford Welland Academy.

5.9.4 Based on the scale of development the need is for (up to) 2 forms of entry at Primary = 1 site of 1.83 hectares minimum.

5.9.5 In cost terms, it is assumed that the sites are provided levelled, services, and suitable for development of a school. The costs of providing these sites will be deducted from the capital ask of primary education.

5.10 **Lincolnshire County Council (Highways & SuDS)**

5.10.1 No objections subject to conditions and Section 106 contributions.

5.10.2 A copy of the full, consolidated comments is enclosed at **Appendix 1.**

5.11 **Lincolnshire County Council (Minerals)**

5.11.1 No objections.

5.11.2 In accordance with the criteria set out in Policy M11 of the Lincolnshire Minerals and Waste Local Plan, the Applicant has identified that the proposed development is, or forms part of, an allocation in the Development Plan. It is also noted that the submitted minerals assessment states "Following current best practice guidance for the sustainable use of mineral resources, where practicable and required by site preparation of infrastructure construction works, any incidental extraction of minerals would be utilised in the development in lieu of other imported primary aggregate".

5.11.3 We therefore have no mineral safeguarding objections to the proposals.

5.12 **Lincolnshire Fire and Rescue**

5.12.1 No objections.

5.13 **Lincolnshire Wildlife Trust**

Initial Comments

5.14 Lincolnshire Wildlife Trust expect to see that mitigation measures are put into place for the impacts this development would have on the habitats and species that exist on and adjacent to the proposed development site. Of specific concern is the potential impact on the water quality of the River Gwash. We are glad to see that the mitigation hierarchy is being applied, as well as the use of plans specific to protected species.

5.15 The Trust would want to see that Biodiversity Net Gain (BNG) is delivered on site, with offsite options for gain being considered where this is not feasible. We would hope to see that a development of this scale would be able to achieve the mandatory BNG to a minimum of 10%. This site has the potential be exemplar and go beyond this minimum mandatory gain, being of a significant scale and located in the Stamford area. Stamford is an area well placed to deliver gains for biodiversity given its geology, allowing for the creation of limestone meadows which are a rapidly declining habitat in the UK.

5.16 Whilst we appreciate the subsequent species surveys were undertaken at appropriate times of the year; the initial Phase 1 habitat survey was conducted in February. We would therefore insist that another ecological survey is undertaken at an appropriate time of the year, between late March and mid-October.

A further re-consultation has been undertaken following the submission of additional information by the Applicant; this included a draft Statement of Common Ground prepared alongside the Lincolnshire Wildlife Trust. No further objections have been received following the publication of this information.

5.17 **Natural England**

Consolidated comments

5.17.1 No objection subject to conditions. Further information required to determine the impacts on designated sites at reserved matters stage.

5.17.2 As submitted, the application could have potential significant effects on Barnack Hills and Holes Special Area of Conservation (SAC), Barnack Hills and Holes Site of Special Scientific Interest (SSSI), Great Casterton Road Banks SSSI, Tolethorpe Road Verges SSSI.

5.17.3 Natural England requires a Recreational Impact Assessment with accompanying updated Habitats Regulations Assessment at reserved matters stage to determine the significance of these impacts and the scope for mitigation.

5.18 **NHS Lincolnshire Integrated Care Board**

5.18.1 No objection subject to Section 106 Agreement.

5.18.2 We recognise that additional NHS community service capacity will be needed to meet the needs of the population growth from Stamford North and adjacent developments. We estimate that this is around 450 sq. metres of space. We are comfortable with one of the options for this space being within the community centre area of the Stamford North development. It would need to be accessible and have adjacent parking for less mobile users. Visibility within the centre will be important. It could be over two floors with appropriate lifts etc. Access to adjacent community space for meetings, community well-being sessions would be useful to provide flexible space.

5.18.3 Land payments / transfers are acceptable, the value of which would be deducted from the capital contribution.

5.19 **Peterborough City Council**

Initial Comments

5.20 Peterborough City Council objects to the application as submitted.

5.21 From the Transport Assessment in the present form it is difficult to ascertain the full extent of the impact of the Stamford North site on the City Council's local highway network, as the extension of the area covered by the trip distribution and potential junction modelling to include the A1 junctions within the City Council's boundary as requested at the EIA Scoping stage has not been carried out.

5.22 There is currently no mitigation measures proposed for Peterborough City Council's local highway network, yet the applicant has failed to demonstrate no mitigation is necessary.

A formal re-consultation has been completed on the submitted additional information, and no further objections have been received from Peterborough City Council.

5.23 **Rutland County Council**

5.23.1 No comments received.

5.24 **SKDC Climate Change Officer**

5.24.1 No objections.

5.24.2 The documents provide a reasonably comprehensive summary of national / local policies relevant to climate and projections on future expected temperature and precipitation change. They do not review the implications any further for the site or make any commitments on carbon reductions or adaptation to climate change.

5.24.3 There is not further analysis provided at this stage of what adaptations the site will need to embed in order to ensure future resilience of communities and infrastructure with climate change impacts in line with the NPPF. These adaptations will need to be addressed as part of the detailed design stage.

5.25 **SKDC Conservation Officer**

5.25.1 No objections.

5.25.2 There are no objections in principle to this proposal given the distances identified from both designated and non-designated heritage assets and there are none within the site. There is

no intervisibility with neighbouring conservation areas and given the surrounding topography will see minimal impact on setting and character.

5.25.3 The proximity of the site to the environs of the setting of Grade II Listed buildings at Belmesthorpe Grange and Newstead Mill will require a high quality and sympathetic landscaping scheme or planting to mitigate any potential harm.

5.26 **SKDC Environmental Protection Officer**

Consolidated comments

5.26.1 No objection, subject to conditions.

Air Quality

5.26.2 The Air Quality and Odour Section of the Environmental Statement are accepted. The report acknowledges that a package of mitigation measures should be put in place to minimise the risk of elevated PM_{10} concentrations and dust nuisance in the surrounding area during construction. Therefore, a Dust Management Plan should be submitted and agreed prior to the commencement of each phase of the development.

Contamination

5.26.3 The Ground Condition Assessment Phase 1 by Stantec dated December 2022 recommends that a Phase 2 intrusive investigation should be carried out for the site. Therefore, this should be required by planning conditions.

Noise and Light

5.26.4 The current bund south of Borderville Sports Centre protects existing residents from light and noise pollution from the activities at the Sports Centre. However, the removal of the bund opens up development land for both the proposed access road to the site and for housing to be built between the Sports Centre and the existing residents, providing similar benefit in terms of noise and light abatement as the existing bund. These details will need to be assessed further when the type / number / nature of the proposed housing in this block. However, I am satisfied that even if the bund is removed, there will be methods / means by which the current protection afforded by the bund can be matched.

5.26.5 A detailed Noise Assessment should be required for each development parcel, and this should be secured by planning conditions. The main risk of noise from the football stadium is during the construction phase as the bund is removed and before the new development is completed; this will need to be managed through planning conditions.

5.27 **SKDC Planning Policy – Affordable Housing Officer**

5.27.1 No objection subject to Section 106 Agreement.

5.27.2 Savills would like to deviate from the H2 Policy tenure split by proposing to deliver 45% for affordable rent and 55% for affordable ownership. This would consist of the following:

- 25% First Homes – 101 units
- 30% Shared Ownership – 122 units
- 45% Affordable Rent (including Rent to Buy) – 182 units.

5.27.3 To support this, they have submitted a Housing Needs Survey. Within the report it is noted that 91.86% of the 8,692 affordable units in Stamford are affordable rent. While the percentage for affordable ownership is 6.59%. Therefore, there is a disproportionately high

number of affordable rental units in comparison to affordable ownership units. Savills proposed new mix would help to address the imbalance. Therefore, I would support this tenure split proposed by Savills.

5.27.4 The application is looking to provide 15 Almshouses within the Affordable Housing for Rent quota. Rents are to be charged in line with the existing Almshouses managed by LBHT, not to exceed 80% of the market rent. The Almshouses and Supported Living are to be provided to support a range of individuals including older people, people with a learning or physical disability, individuals and families at risk of or who have experienced homelessness, people recovering from drug or alcohol dependence, and people with experience of the criminal justice system. The proposed Almshouses would fall within the definition of Affordable Housing.

5.28 **SKDC Urban Design Officer**

5.28.1 No objections

5.29 **Sport England**

5.29.1 A full copy of the consolidated comments is enclosed at **Appendix 2**.

5.29.2 Objection.

5.29.3 Sport England had no objections to housing allocation for Stamford North SUE in the South Kesteven Local Plan as it excluded the Borderville Sports Centre site and land within the application site boundary for planning permission S13/0260. Our concerns relate to the inclusion of this playing field land in the development scheme and the impact it will have on the loss of this land and the prejudicial impact on the remaining land in an area which has a deficiency in playing field provision. The amended Stamford North Open Space document does not secure replacement playing field of equivalent or better provision in terms of quantity and quality in a suitable location as required by Paragraph 103(b) of the NPPF.

5.30 **Stamford Civic Society**

5.30.1 No comments received.

5.31 **Stamford Town Council**

5.31.1 Objection.

5.31.2 Stamford Town Council is extremely concerned by the volume and speed of expansion that is planned for the town of Stamford over the next 20 years. Stamford North will combine with several other major developments across the town to boost the number of new homes to 2,511 by the year 2036. In terms of population, this means an increase of over 6,000 new inhabitants (28%). Growth at this rate would be challenging for any small market town to sustain, but Stamford has received no infrastructural improvement in preparation and there is an ongoing lack of healthcare provision and a poor road network.

5.31.3 With the creation of so much new housing, we are concerned that there has not been enough thought given to the creation of extra sewage capacity. Stamford's sewers are already overtaxed with an undesirable incidence of foul water discharge straight into the local river network. Such a huge increase of throughput could cause major problems from the town making breakdown and overspill more frequent. Anglian Water needs to be consulted and provided assurance that the system will be fit for purpose.

5.31.4 We strongly recommend that the data from the recently completed traffic survey (Lincolnshire County Council Transport Strategy) is used to inform the development rather

than the old, outdated models that were previously being cited. The developer should be required to wait for the new data to be proved before proceeding with their application. It is thought that sampling data should also be collected. All this information is crucial to building a sustainable traffic network across the town.

5.31.5 Currently, it is unclear whether or not there will be a dedicated road planned from the link road to the school. If not, children will be dropped off by their parents halfway along the link road and they will need to walk down to the school. This twice daily event could cause major disruption and congestion on the link road. A definite plan should be confirmed, so that appropriate traffic modelling can be put in place. To avoid congestion and ensure child safety, we recommend the creation of drop-off points.

5.31.6 We are concerned that adequate attention is given to keeping the Sydney Farm Road junction with the slip road onto the A1 as safe as possible. This junction is already notoriously complex to negotiate and will become even more so with increased traffic burden. To add to these issues, there is insufficient lighting across the site and a vulnerable pedestrian crossing onto Sydney Farm Lane. It is recommended that there should be a 7.5 tonne limit on all lorries travelling along the link road.

5.31.7 We recommend the implementation of an hourly local bus service which would travel on a circular route clockwise and counterclockwise through the Quarry Farm and Stamford North developments (along the link road) and through the town. It should arrive at Stamford station to allow passengers to catch hourly trains to Birmingham and Stanstead.

5.31.8 We are concerned that the proposed removal of the bund will cause sports stadium noise and light pollution for nearby residents. It should be noted that the bund was originally built as a planning condition for the Borderville Sports Centre development. We do not consider the proposed 2 rows of housing to be an acceptable means of blocking stadium noise and light from neighbouring residences. There are serious concerns regarding the re-location of the busy link road sandwiched between rows of homes and a sports ground. There is also concern that this move is being proposed primarily to increase the number of dwellings. With this in mind, if it is decided that the bund is retained, we would oppose any plans to build houses on the Gypsy Meadow to compensate.

5.31.9 There is concern that affordable housing and more expensive homes could be separately sited i.e., low-cost dwellings on the east side of Ryhall Road and high-priced houses on the west. We would like assurance that all types of housing will be integrated throughout the development.

5.31.10 It is proposed that the link road joins Little Casterton Road at this junction. However, we are concerned that a major road is being married with a lane barely wide enough to allow two cars to pass one another and that this will create a potential bottleneck. Any congestion caused here would be seriously compounded by the proposed primary school which will be located adjacent to the junction. There are also concerns that heavy traffic from the junction will cause congestion and hazards when entering existing residential areas on Little Casterton Road.

5.32 **The Gardens Trust**

5.32.1 No comments received.

5.33 **Uffington Parish Council**

5.33.1 No comments received.

5.34 **Councillor Bisnauthsing**

5.34.1 I fully agree with the reasons why the acoustic bund was put there to protecting the neighbouring inhabitants.

5.34.2 The Stamford North development should be conditioned to keep the acoustic bund in place on health grounds, on noise pollution, and traffic fumes. We should insist that the original proposal for the road to be located on the northern side of Borderville Sports Centre should be maintained.

5.35 **Stamford Target Shooting Club**

5.35.1 Objection.

5.35.2 The application shows loss of access & overflow parking and reduced tarmac parking with no additional parking identified at Borderville Sports Centre. STSC members are seriously concerned that the loss of parking will curtail our ability to continue at this venue.

5.35.3 Expansion of housing in Stamford will see our membership grow. If participants cannot bring equipment and park nearby that will not happen. Instead of continuing to meet our goals of being an inclusive sport STSC may struggle to survive.

5.35.4 STSC strongly opposes to the submitted plans which reduce access to and parking provision at Borderville Sports Centre.

5.36 **Stamford Tennis Club**

5.36.1 We ask that the Council ensures that the developers meet the additional demand for tennis facilities arising from the development. This mitigation should be either by way of financial contribution or provision in kind.

6 Representations as a Result of Publicity

6.1 The application has been advertised in accordance with the Council's Statement of Community Involvement and letters of representation have been received from 393 interested parties; of which 368 have raised formal objections, and 2 have provided formal support. It is also appreciated that there are 2 campaign groups who have provided petitions in relation to the Stamford North application, and the Quarry Farm development. The material considerations raised within the representations can be summarised as follows:

(1) <u>Principle of Development</u>

a. Objection to the inclusion of land at Borderville Sports Centre in the application contrary to the Local Plan and Neighbourhood Plan.

b. Objection to the quantum of development proposed.

c. Objection to the inclusion of public houses and fast-food outlets as part of the development.

d. Objection to further residential development without any strategic employment development in Stamford.

e. Objection on the basis that local community support has not been demonstrated as required by Local Plan Policy SP4.

f. Objection due to the absence of evidence of need for additional housing in Stamford.

g. Objection on the basis that other allocations and developments in Stamford have not yet been completed.

h. Objection on the basis that the development is interdependent with the Quarry Farm development.

(2) Open Space Provision

a. Objection to the loss of existing public rights of way and informal green space.

b. Objection to the loss of playing pitches at Borderville Sports Centre without detailed plans for appropriate replacement.

c. Objection to the loss of parking at Borderville Sports Centre on the basis that it would harm their operations.

(3) Impact on the character of the area incl. landscape and heritage impact

a. Objection to the reduction in separation between Little Casterton and Stamford

b. Objection to the harm to the historic character of Stamford.

c. The proposed density and layout of the development would not be in keeping with the character of the area.

d. Proposals for reprofiling Ryhall Road would not be in keeping with the character of the area.

(4) Impact on amenity

a. The development would impact on the privacy of existing properties to the north of Stamford.

b. The scale of the properties would dominate the outlook of existing properties to the north of Stamford.

c. The Parameters Plan shows 2 and 2.5 storey properties on the southern boundary, with a maximum ridge height of 12 metres, which would result in overlooking of existing properties along this boundary.

(5) Meeting All Housing Needs

a. Priority should be given to people with a local connection to Stamford

b. The proposed housing will not be affordable for local people.

c. Objection to the positioning of affordable housing in inferior locations i.e., next to Borderville Sports Centre to provide a sound buffer.

d. Support the provision of a variety of property types and prices as this would support more young people staying in Stamford.

(6) Access and Highways Impact

a. The development should be required to use the latest Stamford Transport Model.

b. The development will exacerbate existing highways capacity issues, particularly congestion in the town centre and main arterial routes.

c. The development would exacerbate issues on Water Lane, Sidney Farm Lane, Little Casterton Road, Ryhall Road and Arran Road.

d. The link road should be positioned at the northern end of the site, as shown in the Local Plan allocation.

e. The proposed development would result in an unacceptable impact on highways safety and capacity in the nearby villages.

f. The proposed link road would be unsafe and would have congestion issues, particularly due to the location of the Primary School.

g. The proposed additional bus services would result in further congestion.

h. The Transport Assessment and modelling does not take into account the existing and committed residential developments.

i. The Transport Assessment relies too much on modal shift to sustainable transport options.

j. The new development should be required to provide a new junction onto the A1 northbound and southbound.

k. The Transport Assessment and modelling does not account for the restrictions on HGVs on Sidney Farm Lane.

l. The Stamford Transport Model uses data collected during the post-Covid recovery period and so underestimates potential traffic impacts.

m. Objection on the basis that there is insufficient town centre parking to accommodate further development.

(7) <u>Flood Risk and Drainage</u>

a. The proposed development would increase surface water runoff leading to flooding of nearby properties.

b. The proposed development is at risk of flooding.

(8) <u>Pollution Control inc. noise impacts and Agent of Change</u>

a. Objection to the removal of the bund due to noise and light pollution from Borderville Sports Centre.

b. Objection due to air pollution from the development causing harm to the historic buildings in Stamford Town Centre.

c. Noise and air pollution from traffic using the link road would adversely affect existing residents and future occupiers.

d. Objection on the basis that the Noise Impact Assessment is incomplete as it has not taken any readings from the Armley Grove turning point.

e. Objection on the basis that the Noise and Lighting Assessments assume 12 metre buildings shielding existing residents. However, if this does not happen, the modelling would be incorrect.

f. Objection on the basis that the Acoustic Modelling has not carried out any measurements either side of the bund.

g. Objection on the basis that the Acoustic Model has only collected data from the main pitch and does not include the use of the training pitches and late-night use of the main pitch at Borderville Sports Centre.

h. Objection to the removal of the bund on the basis that it would result in restrictions on operations at Borderville Sports Centre.

i. Objection to the removal of the bund without specific modelled solutions for alternative mitigation being submitted.

j. Objection on the basis that the Applicant has failed to identify all sensitive residential noise receptors. The model should also acknowledge sensitive receptors on Armley Grove, Berrybut Way and Turnpole Close.

k. Objection to the proposed use of dwellings as replacement noise provision, as it would not be in accordance with ProPG Planning and Noise guidance, which requires a barrier block to be provided parallel to the noise source.

l. Objection on the basis that the noise modelling only uses data from one match and does not measure the variability in noise levels at Borderville Sports Centre.

m. Objection on the basis that the Noise Impact Assessment does not consider habituation to noise sources.

(9) Biodiversity and Ecology

a. Objection to the adverse impact that the development would have on protected species and wildlife, particularly as a result of the removal of the bund.

(10) Climate Change

a. The development would result in an unacceptable impact on carbon emissions through the construction and operational periods.

b. The carbon generated during the construction of Borderville Sports Centre should also be included in the carbon emission calculations for the development, due to the removal of the parking and the bund.

c. Objection on the basis that the development does not pursue the lowest carbon approach, particularly in light of the relocation of the mains pipes, the link road and the removal of the bund.

(11) Infrastructure for Growth

a. No development should take place until infrastructure improvements have been delivered in full.

b. Objection on the basis that there is insufficient secondary education provision in Stamford.

c. Objection on the basis that there is no guarantee that the NHS will deliver the proposed health centre.

d. Objection on the basis that the existing Lakeside Surgery is under special measures, which should be addressed before any further development is permitted.

e. Objection on the basis that there is insufficient detail on the proposed foul water drainage arrangements.

f. Objection on the basis that there is inadequate retail provision in Stamford to support the development.

g. Objection on the basis that there are insufficient recycling centres in Stamford.

h. Objection on the basis that there is insufficient utility provision to support the development.

i. Objection on the basis that there is insufficient detail about the future maintenance of green spaces.

(12) Other Matters

a. Construction traffic from the development would result in damage to the roads.

b. Objection due to impact on property values

c. Objection due to the lack of response to public consultation comments.

d. Objection due to inadequate public consultation.

e. Objection on the basis that the LPA cannot be trusted to hold the developers to account.

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 Development Plan comprises of the following documents:

- South Kesteven Local Plan 2011-2036 (Adopted January 2020); and
- Stamford Neighbourhood Plan 2016-2036 (Made July 2022).

7.2 The Lincolnshire Minerals and Waste Local Plan also forms part of the adopted Development Plan in relation to minerals planning.

7.3 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 applications.

7.4 The policies and provisions of the National Planning Policy Framework (NPPF) ("the Framework") (Published December 2023) are also a relevant material consideration in the determination of planning applications. In this regard, it is acknowledged that the

Government have recently completed a consultation on proposed changes to the National Planning Policy Framework. The draft revised NPPF is a material planning consideration; however, given that the proposed changes are currently in draft form and subject to review following the consultation expiry, they can only be given very limited weight in the determination of the current application.

7.5 It is also appreciated that the Local Planning Authority are also in the process of conducting a Local Plan Review. The Regulation 18 consultation on the draft Plan was carried out between February and April 2024. At this stage, the policies contained within the draft Plan Review can be attributed very little weight in the determination of planning applications. However, the updated evidence base which accompanies the ongoing Plan Review is a material consideration and must be taken into account in the determination of planning applications.

7.6 **Principle of Development**

7.6.1 It is acknowledged that public representations received on the application proposals have raised objections to the principle of the proposed development. In particular, public representations have objected on the basis of the lack of local community support, the absence of evidence of need for additional housing in Stamford, the absence of any strategic employment development in Stamford and on the basis that other allocations and developments within Stamford are ongoing and have not been completed.

7.6.2 As referenced above, the current application site comprises of the Stamford North allocation site identified in Policy STM1-H1 of the adopted Local Plan, which is allocated for the development of approximately 1,300 dwellings, part of an east-west distributor road, a local centre and a primary school, and the provision of contributions towards the expansion or improvement of Stamford Welland Academy. As such, the principle of development on the site has been established by virtue of the site's allocation within the adopted Local Plan. The absence of strategic employment opportunities and the status of other allocations and developments within Stamford does not outweigh the fact that the site is allocated within the adopted Local Plan.

7.6.3 It is accepted that the current application site also includes additional land forming part of the Borderville Sports Centre and land around it, including training pitches, car parking and a 10m acoustic bund, which does not form part of the Local Plan site allocation boundary. It is noted that public representations received on the application have raised objections to the principle of development on this land due to the conflict with the Local Plan allocation and the made Neighbourhood Plan policies.

7.6.4 In respect of the above, the additional land included outside of the allocation boundary currently forms an area of formal sports provision and informal open space. In this context, Policy OS1 of the adopted Local Plan adopts a permissive approach to the development of open space and allows for the loss of such land where it can be demonstrated that it meets a range of criteria. Further assessment of the development of the additional land at Borderville Sports Centre, including compliance with the criteria of Policy OS1, is set out in detail further in this report.

7.6.5 Notwithstanding the above, it is Officers' assessment that the additional land is bound on all sides by existing residential development, or the committed site allocation boundary. As such, the inclusion of this land would not result in the extension of development beyond the committed confines of Stamford, and therefore, would be in accordance with the principles of the spatial strategy, insofar as it seeks to direct development towards higher order

settlements. As such, the development of the additional land would be deemed to be in accordance with Policy SP2, when taken as a whole.

7.6.6 In respect of the nature of the development proposed, it is acknowledged that representations received from members of the public have raised objections on the basis that the quantum of residential development proposed exceeds the indicative capacity contained in the Local Plan allocation; and have also objected to the proposed public houses and fast-food operations within the proposed Local Centre.

7.6.7 With regards to these matters, it is noted that the Policy STM1-H1 refers to the development of an indicative 1,300 dwellings [emphasis added] at an approximate density of 30 dwellings per hectare. Whilst the proposed development would exceed the indicative quantum identified in the Local Plan allocation, it is noted that the proposed development would remain consistent with the approximate density of development expressed within the allocation policy. The current development proposes 1,350 dwellings on a site area of 81.12 hectares, which equates to a density of development of 16 dwellings per hectare. Furthermore, when excluding the Gwash Meadows greenspace to the east of the site, the density of development across the remainder of the site remains at 28 dwellings per hectare. This density of development remains within the density permitted by the Local Plan allocation. As such, it is Officers' assessment that the additional quantum of development would remain in accordance with the overall allocation policy and provides an appropriate density of development for an edge of settlement location. In addition, the proposed quantum of development would be consistent with the requirements of the Framework in relation to making an effective use of land.

7.6.8 Whilst the application site does include land at Borderville Sports Centre, which does not form part of the allocation policy, Officers are satisfied that the additional quantum of development is not a direct result of the inclusion of this additional land. As detailed later in the report, the submitted Design and Access Statement demonstrates how the inclusion of the land at Borderville Sports Centre has been driven by a holistic design process, which incorporate the natural valley topography, rather than being required to accommodate additional residential development. Conditions are proposed to be secured as part of the current application, which controls the overall quantum of development proposed.

7.6.9 In respect of the inclusion of public houses and hot food uses (not necessarily fast food uses) within the proposed Local Centre, it is noted that the Local Plan allocation requires the development to make provision for a local centre, to serve the needs of both the existing and new residents to the area. In this context, it is Officers' assessment that the proposed public house and hot food uses are appropriate uses for a Local Centre and would assist in providing facilities to serve the needs of residents on site, whilst also catering for the existing community to the north of Stamford.

7.6.10 Furthermore, the Local Plan site allocation policy includes a series of development principles, which are set out and commented on in relation to the application below:

(a) A high-level masterplan, supported by a detailed development brief, appropriate full transport assessment and phasing plan, is required for the entire site (to include for the land extending into Quarry Farm, Rutland with an additional capacity of 650 dwellings).

An overall masterplan for the Stamford North development, including Quarry Farm, has been submitted as part of the current application. This indicates how the two sites could deliver a comprehensive and co-ordinated development scheme: most notably through co-ordinating the connection of the east-west link road at the boundary between the

two sites on Little Casterton Road. Whilst a detailed development brief for the whole site has not been produced, a Main Street Design Brief produced jointly on behalf of the current applicant's (GummerLeathes) and the applicants for the Quarry Farm site (Allison Homes), sets out a shared design vision for the east-west link road together with the 'Valley Park'. This document has been reviewed by the Council's Urban Design Officer, who has confirmed that they are satisfied that the Design Brief will ensure a co-ordinated approach to this cross-boundary street. The JIPA sets out obligations for both developments to be carried out in accordance with the Main Street Design Brief, and conditions are proposed to require the submission of a detailed Design Code for the current application site, which will ensure a comprehensive, high-quality development is achieved.

Both applications have been accompanied by an Environmental Statement as required by the Environmental Impact Assessment Regulations 2017. This Statement has included a full Transport Assessment, which has been subsequently updated to include the results of further assessment work completed using the latest Stamford Transport Model. The results of the model have informed the trigger points for the completion of the east-west link road, which are to be secured through the JIPA and will ensure that the delivery of the development is appropriately phased to allow for the timely implementation of the link road across the application sites.

(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.*

The current application has been submitted in outline with all matters reserved. As such, detailed matters relating to layout fall to be assessed as part of subsequent reserved matters applications. Notwithstanding this, the application has been accompanied by a Proposed Parameters Plan and Stamford North Masterplan, which demonstrate that a series of pedestrian and cycle access point would be made along the southern boundary of the site to connect the site to the existing northern edge of Stamford; this would include an area for a proposed bus access immediately adjacent to Stamford Welland Academy and upgraded connections from the site into Stamford Town Centre. In addition, the scheme also includes proposals for the provision of mobility hubs, which would include commercial kiosks, day use lockers, bike pump and tool stations, bus shelters, secure bike and scooter parking, and real-time information for public transport.

Conditions are proposed to require the submission of detailed Travel Plans for the site, which are in broad accordance with the submitted Framework Travel Plan, which will include a requirement to make provision for two free annual bus passes for each dwelling in the first year of occupation, together with active travel improvements via Kings Road to Stamford Town Centre. Furthermore, Lincolnshire County Council as Local Highways Authority have requested Section 106 contributions towards monitoring the travel plan, together with financial contributions to provide improvements to the public transport serving the development; these contributions are included in the Heads of Terms below.

(c) *Safe and convenient highway, footway, cycleway connections shall be provided throughout the site connecting it to local schools, community facilities and into the wider town.*

This criterion is met through the masterplan and as detailed in criterion (b).

(d) An East-West road to be provided through from Old Great North Road to Ryhall Road. This should offer mitigation to the town centre from the traffic generated as a result of this development.

The submitted Parameters Plan indicates that the site would comprise of a single point of access from Little Casterton Road to the west, and Ryhall Road to the east. A limit of deviation between these two points has been identified for the position of the east-west link road; this corridor runs centrally through the site before moving southwards to be positioned to the south of the existing Borderville Sports Centre.

The submitted Stamford North Masterplan demonstrates how this east-west link road would be continued through the adjacent Quarry Farm development before connecting onto Casterton Road.

In addition, the application has also been accompanied by a Main Street Design Brief produced jointly on behalf of the current applicant's (GummerLeathes) and the applicants for the Quarry Farm site (Allison Homes); which sets out a shared design vision for the east-west link road together with the 'Valley Park', with a view to providing a co-ordinated design approach across the administrative areas and application site.

The delivery of the east-west link road is to be secured through the Joint Infrastructure Planning Agreement, which is to be signed by all parties, and sets out the obligation for the respective sections of the east-west link road to be completed prior to the occupation of 300 dwellings at Quarry Farm or 500 dwellings on Stamford North or no later than 8 years following the commencement of either development.

(e) The development shall accommodate specialist housing needs through the provision of retirement housing, extra care or residential care housing.

The application proposals seek permission for the provision of up to 1,350 residential unit including Use Class C2 (Residential Care) and Use Class C3 (Dwellinghouses). Conditions are proposed to be included which sets out the development specification to secure the provision of specialist accommodation.

The overall housing mix, including type, size and tenure would fall to be assessed as part of the reserved matters applications.

(f) The development shall make provision for a new primary school.

Lincolnshire County Council (as Local Education Authority) have been consulted on the application proposals and have confirmed that 1.83 hectares of land would be required for a new primary school, together with financial contributions towards the construction of the primary school.

The submitted Parameters Plans identify land at the western boundary of the site, adjacent to the proposed access from Little Casterton Road.

Due to the extended build-out period for a development of this scale, it is not currently possible to define when the new Primary School is required. As such, the Section 106 Agreement is to secure financial contributions and the amount of land to be reserved for the Primary School, as well as allowing Lincolnshire County Council to request the delivery of the school at an appropriate point in the development.

(g) *The development shall make provision for contributions towards the expansion or improvement of the adjacent secondary school.*

Lincolnshire County Council (as Local Education Authority) have been consulted on the application and have requested financial contributions towards the expansion or improvement of Stamford Welland Academy.

The requested financial contribution is to be secured through the site-specific Section 106 Agreement.

(h) *The development shall make provision for a local centre, to serve the needs of both existing and new residents to the area. The local centre should include the provision of appropriate social and community facilities.*

The current application seeks outline planning permission for a local centre, with the submitted development specification identifying that this will include up to 3,000 sq. metres of local centre uses. The proposed local centre is to include the following potential uses:

- Commercial, business and service (retail, restaurants, medical or health facilities, creche or day nursery) (Use Class E)
- Community hall or meeting place (Use Class F1)
- Public house, wine bar or drinking establishment.
- Drinking establishment with expanded food provision
- Hot food takeaway for the sale of hot food where consumption of that food is mostly undertaken off the premises)

(i) *The development should positively respond to green infrastructure opportunities and provide sensitive landscaping to the northern edge of the site.*

As detailed above, the current application has been submitted in outline with all matters reserved. As such, detailed matters relating to layout and landscaping fall to be determined as part of any future reserved matters applications.

Notwithstanding this, the submitted Parameters Plan indicates the provision of a landscaped buffer to the northern boundary of the site, together with a "valley park" to run east-west from Little Casterton Road and Ryhall Road, as well as the land to the east of Ryhall Road being used to provide informal open space.

(j) *Land to the east of the dismantled railway line should be utilised primarily for the provision of open space and strategic landscaping including surface water drainage features only, in order that the character of this area remains open and verdant.*

As detailed in criterion (i).

(k) *The development should provide net gains in biodiversity on site and contribute to wider ecological networks where possible.*

A Biodiversity Impact Assessment has been undertaken which demonstrates that, based on the submitted Parameters Plans and Illustrative Masterplan, the proposed scheme is capable of achieving a 25.52% net gain in habitat units and a 27.82% net gain in hedgerow units.

Further biodiversity assessments will be required as part of the reserved matters applications to ensure that this is achieved.

(l) *The development will provide appropriate mitigation measures to the Strategic Road Network to be agreed with Highways England.*

The application has been accompanied by a comprehensive Transport Assessment, as part of the Environmental Statement supporting the application. The application has been subject to consultation with National Highways (as Strategic Highways Authority) who have confirmed that they have no objections and accept that the development is not required to provide mitigation to the strategic road network.

7.6.11 Taking the above into account, it is Officers' assessment that the principle of development on this site has been established through its allocation within the adopted Local Plan. The proposed development would accord with the development principles included within the allocation policy, and these matters are discussed in further detail in later sections of the report.

7.6.12 In addition, it is noted that Policy 1 of the made Stamford Neighbourhood Plan sets out a requirement for development proposals to respond to an appropriate masterplan for the site and accord with a series of development principles. In this respect, it is acknowledged that these development principles are related to the detailed design of the development, and therefore, would be appropriately assessed as part of subsequent reserved matters applications.

7.6.13 It is noted that public representations received have raised objections on the basis that the proposed development is interdependent on the neighbouring Quarry Farm development; this has included the submission of a petition on behalf of the Protect Quarry Farm action group.

7.6.14 As stated previously, Officers acknowledge that the current application is inherently dependent on the Quarry Farm scheme insofar as the development requires the provision of an east-west link road from Casterton Road to Ryhall Road, which needs to run through the Quarry Farm development site. The co-ordination of this strategic infrastructure requirement is to be secured through a Joint Infrastructure Planning Agreement.

7.6.15 Furthermore, it is also noted that the allocation of the Stamford North site within the adopted South Kesteven Local Plan acknowledges the co-dependence of the site on the Quarry Farm development, and therefore, in this respect the principle of the development has been deemed acceptable by SKDC; this is reflected in the SKDC response to the Quarry Farm application.

7.6.16 Notwithstanding the above, Rutland County Council are the Local Planning Authority for the Quarry Farm development, and therefore, the decision on that application will ultimately be their decision rather than one made by SKDC.

7.6.17 In summary, it is Officers' assessment that the proposed development, as a matter of principle, would be in accordance with the overall spatial strategy for the District, as set out in Policy SP1, SP2, H2 and STM1-H1 of the adopted Local Plan, the Stamford Neighbourhood Plan, and Section 5 and 11 of the Framework.

7.6.18 Conditions are proposed to define the development specification, which confirms the overall quantum of development as well as the approved land uses for the site, to ensure that the outline planning permission is appropriately defined.

7.7 **Open Space Provision**

Effect of the development on existing facilities

7.7.1 As indicated above, it is accepted that the current application site includes land outside of the Local Plan allocation which forms part of Borderville Sports Centre, that is used as training pitches, car parking, and a 10m acoustic bund.

7.7.2 Public representations received on the application have raised objections to the loss of playing pitches at Borderville Sports Centre without any detailed plans being provided for appropriate replacement. As detailed above, detailed matters relating to layout and landscaping fall to be determined as part of any future reserved matters applications.

7.7.3 Notwithstanding this, the submitted Parameters Plan indicates that the existing grass pitches to the west of the clubhouse are to form an area for sport club alteration / expansion or development, whilst the grass pitches to the north-west of the building are to form part of the Local Centre and proposed "valley park". The existing car park is proposed to form part of the sports club alteration / expansion or development; whilst the land including the bund to the south is identified as forming the route of the proposed east-west link road, together with residential development.

7.7.4 Appendix 3 of the Environmental Statement Addendum sets out an assessment of the impact of the development proposals on the existing playing pitches at Borderville Sports Centre, and identifies the following:

- The topography of the site makes providing level playing pitches whilst retaining the inherent undulating character of the site challenging. Indeed, the existing grass pitches required levelling of the land and the loss of the valley feature in this part of the site.
- The reintroduction of the valley as a new linear park requires relocation / replacement of these grass pitches totalling 1.57 hectares. In addition, additional space will be provided to meet the needs of the new residents, which results in a requirement of 3.13 hectares of outdoor sports space.
- A number of options are being explored and precise details are to be secured through a combination of planning conditions and obligations secured via a Section 106 Agreement.

  Option 1: Kettering Road (off-site) – Given the challenge in providing level playing pitches on site, the preference is for a minimum of 1.57 hectares of formal open space and a minimum of 4 pitches to be provided off site on land owned by the Burghley House Preservation Trust southwest of Stamford Junior School on Kettering Road. Access to parking and toilets, the details of which would be agreed with the Council, would be provided alongside any off-site pitches.

  An assessment has been carried out which demonstrates that this site can provide pitches with the same flexibility and the same quality as the potential of the existing pitches at Borderville Sports Centre. Any off-site provision would be dependent on planning permission for the replacement provision being secured.

  Option 2: Little Casterton Road & Option 3: Borderville Sports Centre replacement (on-site) – Notwithstanding the challenge in providing level playing pitches on-site, if provision is not feasible off-site, provision for the replacement pitches would be made on-site. The description of development allows for public open space as part of the development and the Parameter Plan provides for this option by stating "Additional formal open space provision (playing pitches) may be located within either or both green open space and development areas".

An assessment has been carried out which demonstrates that provision could be made adjacent to the proposed primary school in the west of the site; these pitches would have the same flexibility and the same quality as the potential of the existing pitches to be replaced.

Similarly, the assessment also demonstrates that land to the west of the existing grass pitches at Borderville Sports Centre could be capable of providing replacement pitches of the same quality as the existing pitches. None of the works required to create new pitches would be different to those required to create the existing pitches, albeit it is more expensive compared to other sites.

- Whichever of these options is implemented, the planning conditions and obligations secured via the Section 106 Agreement will ensure that replacement pitches of the same area, of at least the same quality, and with access to parking and toilets would be provided. There would be no net loss of playing fields as a result of the development. The phasing of the development would also ensure that the new pitches were available for use before the existing pitches were lost, and new car parking was provided before any existing parking at Borderville Sports Centre was lost to ensure that the existing level of formal parking provision was always available.

7.7.5 Sport England are the statutory consultee for planning applications which are likely to result in the loss of use of land being used as a playing field or prejudice the use of land being used as a playing field.

7.7.6 In this case, Sport England have been consulted on the application and a full copy of their comments can be found at **Appendix 2** of this report. Sport England have raised a formal objection to the application on the basis that the application proposals would result in the loss of playing fields and prejudice the use of the remaining fields at Borderville Sports Centre, and in their view the application does not secure replacement playing fields of equivalent or better provision in terms of quantity and quality in a suitable location.

7.7.7 In respect of above, there have been extensive discussions between Officers and Sport England to understand the objections raised and potential options to overcome the identified concerns. It is important to note that there is agreement between all parties about the quantum of playing pitch land which requires replacement, and therefore, the primary area of objection relates to whether appropriate replacement can be secured through the planning application.

7.7.8 In this context, it is noted that Sport England have raised objections on the basis that the submitted Parameters Plan does not include sufficient areas to allow for replacement pitches to be provided on site, and specifically that it does not provide opportunities for the replacement pitches to be provided at Borderville Sports Centre, which is their preferred option. In this regard, the Case Officer notes that the submitted Parameters Plan identifies an area for “sports club alteration / expansion and / or development” immediately to the north-west and west of the existing Borderville Sports Centre, which includes the land assessed as part of the Agronomy Assessment of the potential quality of replacement pitches that could be achieved. Indeed, during the application, the Applicants have provided indicative plans demonstrating how adequate replacement pitches could be delivered on the land identified within the Parameters Plan.

7.7.9 Furthermore, the Parameters Plan also notes that additional formal open space provision (playing pitches) may be located within either, or both, green open space and development

areas. Therefore, the Parameters Plan is sufficiently flexible that it allows all future options to be pursued.

7.7.10 Whilst it is appreciated that Sport England wishes to have confirmation on the location of any replacement pitches to be provided prior to the determination of the current application and have indicated their preference for any replacement pitches to be provided at Borderville Sports Centre, the current application is submitted in outline with all matters reserved. As such, detailed matters of layout are not for consideration as part of the current application, and therefore, even if the Parameters Plan were updated to provide a specific location for the replacement pitches, this could not be relied upon for the assessment of the current application. Consequently, for the purposes of the current application, the key consideration is whether as a matter of principle, replacement provision of equivalent quality and quantity can be secured.

7.7.11 In this regard, the submitted Open Space Report has been accompanied by Agronomy Assessments, which conclude that the soils on site are capable of providing grass playing pitches of as a minimum the same quality and flexibility as the potential use of the existing pitches at Borderville Sports Centre. As alluded to above, this includes the areas identified as potential replacement pitches within the submitted Parameters Plan. As such, the Case Officer is satisfied that, as a matter of principle, replacement pitches of an equivalent quality and quantity could be provided as part of the development. The definitive location of the replacement pitches will be confirmed through the subsequent reserved matters applications relating to layout, which will be required to be in broad compliance with the Parameters Plan. Notwithstanding this, the site-specific Section 106 Agreement secures the requirement to provide 1.57 hectares of playing pitches to replace those lost at Borderville Sports Centre and requires a detailed scheme relating to the location of the replacement pitches to be submitted and approved by the Local Planning Authority. The replacement pitches must then be completed and made available for community use before any works commence that would result in the loss of playing pitches at Borderville Sports Centre.

7.7.12 In respect of the concerns raised in relation to future maintenance and management costs for the replacement pitches, the Applicants have confirmed that they will not impose any additional financial burden on the future users. Nonetheless, the details of the future maintenance and management of the replacement pitches is to be secured through the Section 106 Agreement.

7.7.13 Likewise, it is noted that Sport England have indicated their preference for the replacement pitches to be provided at Borderville Sports Centre because it benefits from existing ancillary facilities i.e., changing rooms & car parking. As above, the requirement for any replacement pitches to also include ancillary facilities, such as changing facilities and parking, can be secured through the Section 106 Agreement; and this is included in the Heads of Terms set out below.

7.7.14 To summarise, it is the Case Officer's assessment that, in principle, appropriate replacement pitches can be secured as part of the development; with formal details to be secured through the Section 106 Agreement prior to the loss of any of the existing pitches on site. As such, it is the Case Officer's assessment that all of the concerns raised by Sport England can be addressed through the Section 106 Agreement.

7.7.15 Nonetheless, in circumstances where a proposed development involves the loss of a playing field and Sport England have submitted a formal representation objecting to the development on such grounds, statutory legislation requires the Local Planning Authority to

refer the application to the Secretary of State prior to the granting of planning permission. The Secretary of State then has 21 days in which to determine whether they wish to call-in the application. Therefore, Members are asked to resolve to delegate authority to the Assistant Director – Planning & Growth to refer the application to the Secretary of State with a recommendation for approval, subject to conditions and completion of the necessary legal agreements.

7.7.16 It is noted that representations received from members of the public and Stamford Target Shooting Club have raised objections to the development on the basis that the proposal would result in the loss of parking at Borderville Sports Centre and would therefore be harmful to the operation of this existing site.

7.7.17 In relation to the above, the Case Officer notes that the submitted Parameters Plan identifies an area for "sports club alteration / expansion and / or development" immediately to the north-west and west of the existing Borderville Sports Centre, which includes sufficient space to accommodate the reconfiguration of the car park to replace any parking spaces lost to the proposed linear park. Indeed, the submitted Illustrative Masterplan for the scheme demonstrates how the existing car park could be re-located to the rear of the existing clubhouse and could be expanded to accommodate any increase in demand as a result of the proposed development. Whilst matters relating to location of any replacement parking provision would be subject to determination as part of any reserved matters relating to layout for that part of the site, it is considered reasonable and necessary to impose planning conditions to require details of replacement car parking to be submitted and approved prior to the removal of any of the existing parking at Borderville Sports Centre.

7.7.18 Public representations have also raised objections in relation to the loss of existing public rights of way and the existing informal open space, which is stated to be used recreationally by existing Stamford residents.

7.7.19 In this regard, four Public Rights of Way (PRoW), which include STAM/5/7, STAM/3/1, STAM/3/2 and STAM/4/1, traverse the site on a broad north-south alignment. These are shown dotted pink in Figure 1 below:

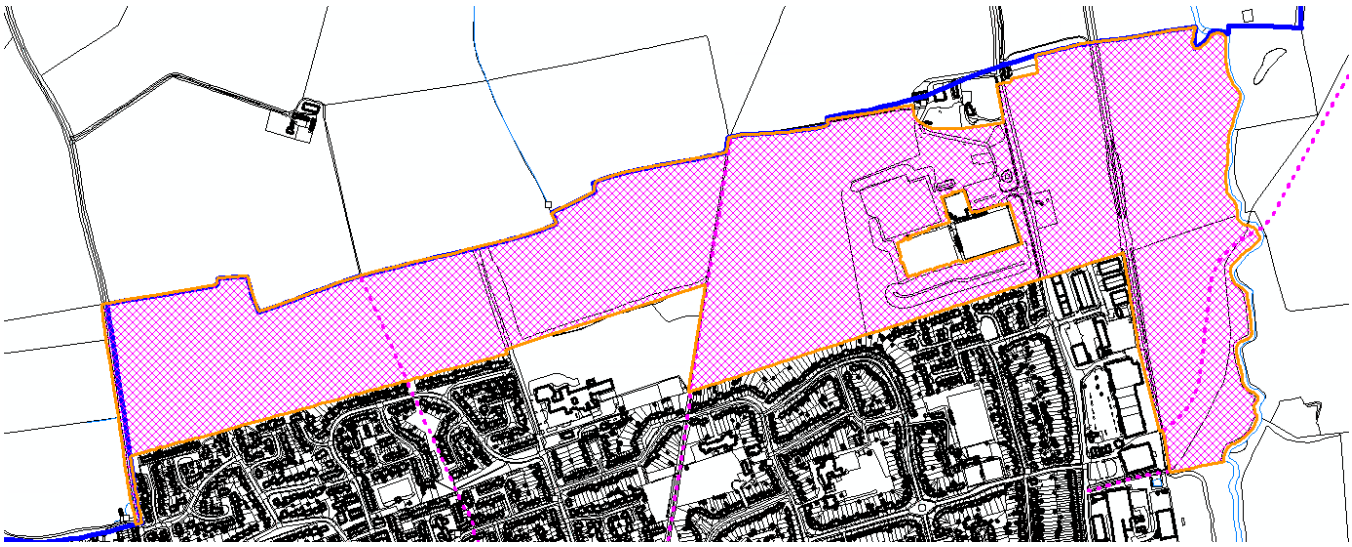


Figure 1: Public Rights of Way

7.7.20 In relation to the above, the submitted Parameters Plan demonstrates that these existing public rights of way will be retained and incorporated into the development; they are to form part of an active travel corridor connecting the site with Stamford Town Centre.

7.7.21 With regards to the loss of the existing informal open space, as stated previously, the principle of development on this site has been established through the site allocation within the adopted Local Plan and, therefore has been deemed to be acceptable. The application scheme includes the provision of new formal and informal open space, which is discussed in further detail below.

Provision of new open space to mitigate the impact of the development

7.7.22 In respect of the provision of new open space to mitigate the increased population as a result of the development, matters of layout and landscaping as reserved for future determination. However, the current application, as a matter of principle, falls to be assessed against the requirements of Policy OS1 of the adopted Local Plan, to ensure that the application secures sufficient provision of open space to meet the needs of the development.

7.7.23 In connection with the above, it is noted that Stamford Tennis Club have submitted representations which has included a request for Section 106 funding or provision in kind for additional tennis facilities.

7.7.24 The proposed development would generate a requirement to provide 6.26 hectares of informal / natural greenspace. The application proposals, which are indicated on the Parameters Plan, includes the provision of the "Valley Park" running east-west across the site, following the historic valley landscape, and will include recreational walking routes and play areas; as well as the "Gwash Meadows" which is the extensive area of open space to be provided to the east of Ryhall Road and the River Gwash. These areas would result in a total of 25 hectares of informal open space being provided as part of the development; a significant overprovision against the policy requirements.

7.7.25 In respect of outdoor sports space, the application proposals generate a requirement of 3.13 hectares of formal outdoor sports space to be provided. The application proposals would include the provision of playing fields at the proposed Primary School, and these playing fields are to be dual-use and subject to a Community Use Agreement to ensure that they are made available to the public when not in use by the school. In addition, the submitted Open Space Assessment indicates that the Applicant is seeking to provide new pitches at Borderville Sports Centre (in addition to any replacement pitches required). The quantum of outdoor sports space to be provided is to be secured through the Section 106 Agreement, with a detailed scheme confirming the amount of outdoor sports space provided on site in accordance with a programme to be agreed. Alternatively, financial contributions may be paid in lieu of enhancing the existing sports facilities within Stamford; such funding would be available to bidding by local sports clubs.

7.7.26 With regards to other open space (equipped play space, allotments and parks), the proposed development generates a requirement for 2.51 hectares of other open space. The submitted Parameters Plan includes the provision of 3 equipped play areas, together with areas of allotments and parkland running through the development proposals. The submitted Parameters Plan indicates sufficient greenspace to meet these requirements.

Summary

7.7.27 Taking all of the above into account, it is the Case Officer's assessment that, subject to the imposition of conditions and obligations secured via the Section 106 agreement, the application scheme would not result in any loss of existing playing pitches and would provide sufficient new open space to meet the needs of the development. As such, the application would be in accordance with Policy OS1 of the adopted Local Plan and Section 8 of the National Planning Policy Framework.

7.7.28 Nonetheless, in light of Sport England's formal objection, the LPA will be required to refer the application to the Secretary of State for a decision on whether they wish to call-in the application, prior to planning permission being granted.

7.8 **Pollution Control (Noise, Light and Air Quality)**

Removal of the bund – Effect on existing residents

7.8.1 Representations received from members of the public and Stamford Town Council have raised objections due to the adverse effects of noise and light from Borderville Sports Centre, following removal of the bund. Similarly, public representations have also raised objections to the removal of the bund in the absence of any detailed scheme of alternative / replacement mitigation being set out as part of the application.

7.8.2 In this respect, the application has been submitted in outline with all matters reserved, and as such detailed design matters relating to the scale and layout of the development proposals, which may assist in mitigating noise and light from Borderville Sports Centre will be determined as part of future reserved matters applications. As such, for the purposes of the current application, the Local Planning Authority needs to be satisfied that, as a matter of principle, suitable noise and lighting conditions can be achieved for all existing and future residents.

7.8.3 In the context of the above, the Chapter 14 of the Environmental Statement assesses matters of noise and vibration, which includes the impact of the removal of the bund. The ES sets out the following key conclusions in relation to the impact on existing residents:

- Detailed design proposals are not confirmed for the development area between SAFC (Borderville Sports Centre) and the existing receptors. However, the assessment has been undertaken on the basis of an indicative layout provided by the design team.
- Calculations indicate that replacing the bund with the proposed development has the potential to reduce noise levels during a football game by around 2dB at the nearest noise sensitive receptors.
- It is proposed that should planning consent be granted it should include a suitable noise condition. The condition should require that a noise assessment taking into account noise from SAFC on both existing and proposed receptors is undertaken during the detailed planning stage of the development, and that mitigation measures outlined within that assessment are included within the finished development.

7.8.4 The Council's Environmental Protection Team have been consulted on the application and have confirmed that they have no objections, subject to conditions requiring the submission of a Noise Assessment following confirmation of the final site layout, and the submission of a Construction Management Plan.

7.8.5 In light of the above, it is proposed to include conditions for the submission of a further Noise Impact Assessment as part of any reserved matters application, which will be required to

take account of the detailed site layout and identify any acoustic mitigation measures necessary to ensure that noise levels meet the recommended standard. In addition, conditions are also proposed to require the submission of a detailed Phasing Plan relating to the removal of the existing acoustic bund, and the subsequent development of that part of the site; this will include identification of any temporary mitigation measures necessary to mitigate the effects of noise and light from Borderville Sports Centre in the intervening period until this phase of the development proposals is completed.

7.8.6 In respect of lighting impacts, the application has been accompanied by a Lighting Assessment (Stantec) (December 2022), which identifies the following:

- Calculations have shown that the removal of the bund does not result in significant quantifiable changes to lighting conditions at the properties across open ground. New residential properties although in different locations to the bund are expected to provide similar screening. A neutral / negligible effect is recorded.
- Within the emerging masterplan it is understood that any residential dwellings will be sufficiently distanced from the pitches that obtrusive light thresholds for the E2 Environmental Lighting Zone will not be exceeded (based on photometric studies undertaken). Light on the vertical plane to residential dwellings may near the 5lux threshold as cumulative from any highways lighting and sports pitch lighting pre-curfew. For residential receptors a minor adverse effect is predicted, in potential elevated lighting levels compared to the surrounding areas. This is subject to confirmation through the detailed design process.

7.8.7 The Council's Environmental Protection Team have been consulted on the application and have not raised any objections in relation to potential lighting impacts of the development. Nonetheless, conditions are proposed to require the submission of an updated Lighting Assessment as part of any reserved matters application, which will be required to take account of the detailed design of the development and identify any necessary scheme of mitigation to ensure that lighting does not adversely affect residential amenity.

<u>Removal of the bund – Effect on Borderville Sports Centre</u>

7.8.8 Representations received from members of the public and Sport England have raised objections on the basis that the proposed development would have a prejudicial impact on the use of Borderville Sports Centre. In particular, public representations have raised concerns that the removal of the bund is likely to result in statutory noise nuisance complaints from existing and future residential occupants.

7.8.9 As detailed above, the submitted Environmental Statements demonstrate that, as a matter of principle, suitable alternative noise mitigation measures can be implemented as part of the development to ensure that the proposals would provide an appropriate internal and external noise environment for existing and future residents.

7.8.10 Furthermore, the submitted Statement indicates that the proposed development could result in a reduction in noise levels at the nearest noise sensitive receptors, and therefore, the scheme would provide a betterment in respect of the relationship between Borderville Sports Centre and the nearest existing residential properties.

7.8.11 As identified, conditions are proposed to require the submission of a Noise Impact Assessment as part of the reserved matters applications, together with validation testing to ensure that the alternative scheme of mitigation is demonstrably effective.

Link Road – Effect on residential amenity

7.8.12 Public representations received on the application have raised objections on the basis that noise and air pollution from traffic using the east-west link road would have an unacceptable adverse impact on the amenity of existing and future residential properties. Furthermore, it is noted that representations received from members of the public have also raised objections to the proposed use of dwellings as part of an alternative scheme of acoustic mitigation. In particular, it has been suggested that such practice would not be in accordance with professional guidance, which requires a barrier to be provided parallel to the noise source.

7.8.13 As detailed above, Chapter 14 of the Environmental Statement consider the impact of the development in relation to noise and vibration. This Statement, which has been updated to consider the results of the additional modelling completed using the Stamford Transport Model, sets out the following conclusions:

- The proposed development includes a section of the Main Street. The creation of a new road has the potential to effect noise levels at the existing noise sensitive receptors identified in the ES.
- At this stage of the outline application, there is no detailed design or housing layout. As the built form will provide a significant amount of acoustic screening, the assessment considers the development of two stories in residential areas as per the submitted parameter plan.
- The change in traffic noise levels for existing receptors when compared to the future baseline are considered to be negligible and not significant to moderate beneficial.
- The change in traffic noise levels at the majority of receptors located close to the road links are negligible / minor adverse / beneficial and not significant.

7.8.14 As identified, conditions are proposed to require the submission of a Noise Impact Assessment as part of the reserved matters applications, together with validation testing to ensure that the alternative scheme of mitigation is demonstrably effective.

7.8.15 In respect of the impact of the proposed east-west link road on air quality conditions, Chapter 7 of the Environmental Statement identifies the following:

- Concentrations of NO_2, $PM_{10,}$ and $PM_{2.5}$ have been predicted for a number of worst-case locations representing existing properties adjacent to the road network. Predicted concentrations are well below the relevant objectives at all existing receptor locations with the proposed development in place. Therefore, the development is considered to comply with the relevant requirements of the NPPF in relation to impacts on air quality.

7.8.16 The Council's Environmental Protection Team have accepted the findings of the Air Quality chapter and have raised no objections, subject to the imposition of conditions requiring the submission of a dust management plan. These details are proposed to be secured as part of the Construction Environmental Management Plan that will be required to be submitted and approved prior to the commencement of each phase of the development.

Living conditions for future occupants

7.8.17 The submitted Environmental Statement identifies the following in relation to the noise conditions for future residential occupants of the site:

- Based on the results of the acoustic modelling, noise associated with the operation of the football club is unlikely to exceed noise levels associated with both the existing and proposed roads at the proposed residential receptors. Measures to mitigate noise from these elements are therefore expected to be sufficient to also control noise from the operation of the football club. Appropriate internal and external noise levels are achievable provided the detailed design of the scheme considers aspects of good acoustic design. The impact of noise from the operation of the football club on proposed receptors is therefore considered to be minor and not significant.
- Subject to detailed assessments undertaken at the detailed design stage, the assessment indicates that:
    - With appropriate specification of building elements, internal ambient noise levels are likely to fall below the guideline levels of BS8233:2014.
    - Open windows could form part of the overheating mitigation strategy and still result in compliance with the noise requirements within Approved Document O.
    - Appropriate noise levels in private external amenity areas are achievable.

7.8.18 As outlined above, the Council's Environmental Protection Team have reviewed the submitted documents and have confirmed that they accept the findings. As such, they have raised no objections to the proposed development, subject to the imposition of conditions requiring the submission of further Noise Assessments as part of the detailed design approval process.

Impact of pollution on heritage assets in Stamford Town Centre

7.8.19 Public representations received on the application have raised objections on the basis that pollution from the additional vehicular movements generated by the development would result in harm to designated heritage assets located within Stamford Town Centre.

7.8.20 Chapter 7 of the Environmental Statement identifies the following:

- Concentrations of NO_2, $PM_{10,}$ and $PM_{2.5}$ have been predicted for a number of worst-case locations representing existing properties adjacent to the road network. Predicted concentrations are well below the relevant objectives at all existing receptor locations with the proposed development in place. Therefore, the development is considered to comply with the relevant requirements of the NPPF in relation to impacts on air quality.

7.8.21 The Council's Environmental Protection Team and Conservation Officer have both been consulted on the application and neither have raised any concerns in relation to the effect of air pollution on heritage assets in Stamford Town Centre.

Adequacy of the Assessment

7.8.22 A number of representations received from members of the public have raised objections to the development and have questioned the adequacy of the assessments undertaken, particularly in relation to the noise and lighting impacts of the removal of the bund. Specifically, public representations have stated that the noise assessment does not include measurements of existing noise conditions at all sensitive receptors, it has not modelled noise either side of the bund, and that it only uses noise measurements collected from one match. Furthermore, public representations have also raised concerns that the Noise and

Light Assessment assume that mitigation will be provided by 12m buildings, which are the maximum height indicated on the Parameters Plan.

7.8.23 Sport England have also raised concerns that the submitted Assessment contains baseline data from the use of the stadium pitch but does not account for use of the training pitches or late-night use of the pitches at Borderville Sports Centre.

7.8.24 Section 14.3 of the Environmental Statement details the methodology of the Noise Survey undertaken as part of the assessment. This confirms that the survey comprised of an unattended sound survey undertaken from 1500 hours on Friday 9 September 2022 to 1730 hours on Tuesday September 2022. Therefore, the survey collected data representative of a typical weekday and weekend period. Noise monitoring equipment was placed in 5 locations determined to be most representative of noise sources and sensitive receptors: this included data taken from Borderville Sports Centre and to the rear of the existing bund.

7.8.25 In view of the above, Officers are satisfied that the baseline noise assessment has been based on a representative noise survey, which accounts for potential late night use of the pitches, and dual use of the training pitches at Borderville Sports Centre.

Summary

7.8.26 Taking all of the above into account, subject to the imposition of conditions, it is the Case Officer's assessment that the application proposals would not give rise to any unacceptable adverse impacts on residential amenity in respect of noise, light or air pollution, and would not result in any unacceptable adverse impacts on the operations of Borderville Sports Centre. As such, the application proposals would be in accordance with Policy EN4 of the adopted Local Plan, the made Stamford Neighbourhood Plan, the Design Guidelines SPD, and the NPPF in respect of noise, light and air quality considerations.

7.9 **Access and Highways Impacts**

7.9.1 The current application has been submitted in outline with all matters (including access) reserved. Nonetheless, the proposed development would include the provision of part of an east-west link road from Casterton Road to Ryhall Road, which would span the current application and the adjacent Quarry Farm development. The scheme also includes the potential realignment of Ryhall Road, as part of the formation of the new access into the site.

7.9.2 The submitted Parameters Plan indicates that the access to the site would comprise of a single point of access from Little Casterton Road to the west and Ryhall Road to the east. Additional points of pedestrian and cyclist access are shown to be provided along the southern boundary from the existing residential estates. A limit of deviation between Little Casterton Road and Ryhall Road has been identified for the position of the east-west link road; this corridor runs centrally through the site before moving southwards to be positioned to the south of the existing Borderville Sports Centre. Similarly, an area of deviation has also been identified for the potential realignment of Ryhall Road, to allow for re-alignment eastwards together with engineering works to address the existing topographical variations.

7.9.3 Whilst submitted in outline, the current application requires consideration of the impacts of the development in respect of whether a safe and suitable access can be achieved together with any potential off-site impacts on highways safety and capacity, as a matter of principle.

Background

7.9.4 Representations received from members of the public and Stamford Town Council during the initial statutory consultation undertaken in 2023 raised objections on the basis that the Transport Assessment submitted did not use the Stamford Transport Model being developed by Lincolnshire County Council.

7.9.5 In this respect, the original submission was supported by Transport Assessments produced using traffic modelling undertaken in 2018 in support of the allocation in the adopted South Kesteven Local Plan. However, following completion of the Stamford Transport Model in 2023, it was requested that the whole development (including the Quarry Farm proposals) was re-assessed using the new model. This information was submitted in March 2024, which included an addendum to the Environmental Statement, and subject to a further period of formal consultation. The submitted modelling results has since been subject to extensive analysis by Lincolnshire County Council (as Local Highways Authority) and National Highways (as Strategic Highways Authority) to ensure that the impacts of the development on the local highways network and the A1 are fully assessed.

7.9.6 Further representations received on the Transport Assessment Addendum have raised objections suggesting that the updated Assessment does not take into account all existing and committed developments in Stamford; it underestimates the transport impacts due to using traffic count data during the post-Covid recovery period; it is suggested that the modelling assumes too much use of sustainable travel options; and it has also been suggested that the modelling does not account for weight restrictions on Sidney Farm Lane.

7.9.7 As outlined above, the submitted Transport Assessment Addendum, including the results of the modelling completed using the Stamford Traffic Model has been subject to validation by Lincolnshire County Council and National Highways and both of whom have confirmed that they accept the findings of the Assessment Addendum, and have no objections subject to conditions.

7.9.8 It is important to note that the Transport Assessment Addendum explicitly confirms that the committed development projects have been included in the impact assessments, whilst the additional traffic from more recent completed developments are included within the baseline conditions. Furthermore, the existing 7.5 tonne weight restriction in Stamford has been accounted for in the modelling, and the potential trip dispersal assumptions.

7.9.9 The up-to-date modelling for the site has been completed accounting for 0% modal shift, and therefore, presents a worst-case scenario in relation to the potential vehicular impacts of the development. However, the application scheme has been accompanied by a Travel Plan, which includes extensive proposals to encourage the use of sustainable modes of travel; this is discussed further below.

Access

7.9.10 As part of the current application, assessment must be made as to whether a safe and suitable access can be achieved as a matter of principle.

7.9.11 The submitted Parameters Plan indicates a single point of access to the site from Little Casterton Road to the west and Ryhall Road to the east. Access to the site will be taken using the proposed east-west link road (Main Street), which is proposed to run between Casterton Road and Ryhall Road. A further additional point of access is proposed on Ryhall Road to serve the built form to the east of this existing route.

7.9.12 Whilst the detailed design of the access is a matter for future consideration, the application has been accompanied by a Main Street Design Brief, which sets out a shared vision for the

east-west link road and ensures that a comprehensive point of connection can be provided from Quarry Farm to the current application site at the shared boundary on Little Casterton Road.

7.9.13 Lincolnshire County Council (as Local Highways Authority) have been consulted on the application and have raised no objections in relation to matters of access to the site, subject to conditions.

7.9.14 These conditions require the formation of a new point of access from Little Casterton Road and Ryhall Road to be completed prior to the occupation of the development; this is in recognition of the fact that there are no existing accesses into the site, which can accommodate the volume of traffic generated. However, as matters of access design are subject to future determination at reserved matters stage, it would not be appropriate to include these conditions on the outline planning permission; these could form planning conditions for the future reserved matters application relating to access.

7.9.15 Conditions are also recommended, which would require the submission and approval of an Estate Road phasing plan, to ensure that the roads within the site are not left at unsuitable levels whilst construction activities are continuing.

Effect of the development on highways safety and capacity

7.9.16 Public representations received on the application have raised objections on the basis that the application scheme would result in unacceptable off-site highways impacts. In particular, it has been stated that the development would exacerbate existing capacity issues within Stamford Town Centre, including the main arterial routes into the town centre; as well as resulting in unacceptable adverse impacts on the residential roads on the neighbouring estates, and on Sidney Farm Lane and Arran Road, as a result of vehicles seeking to access the A1.

7.9.17 As previously identified, a key element of the proposed development, which underpins the allocation in the adopted Local Plan, is the provision of an east-west link road running between Casterton Road and Ryhall Road, including the adjacent Quarry Farm development, as well as the current application scheme. The rationale for the east-west link road is to mitigate the impact of the proposed development together with alleviating congestion in the town centre by providing an alternative route across the town.

7.9.18 The submitted Transport Assessment Addendum has modelled the impact of the development on the town centre, including the impacts on all key junctions within Stamford. In short, the results of the modelling identify the following key conclusions:

- There will be additional traffic from this development and the Quarry Farm development combined of around 1,000 vehicles per hour (vph) in the AM and PM peaks, these will be spread across the network due to the multiple access points from the development and there is clear tidal flow to / from the A1 in the AM / PM peaks.
- The traffic modelling also shows this dispersal with limited increases in peak hours of trips on existing roads, whilst the modelling also estimates that around 300 vph will transfer from existing links and use the proposed Main Street.
- Modelling results of the individual 17 junctions across the network show that for 12 junctions, the RFC (Ratio of Flow to Capacity) will remain below the theoretical capacity.

- Of the 6 junctions that would go over 100% capacity, all 6 would be over capacity in the 2041 “Do Minimum without any development scenario”, and the additional development traffic would not have a materially different impact on this scenario.

7.9.19 Lincolnshire County Council (as Local Highways Authority) have extensively reviewed and accepted the results of the modelling and have raised no objections. A copy of their full comments is enclosed at **Appendix 1**.

7.9.20 In respect of the above, it is important to note that the submitted modelling indicates that of the 6 junctions predicated to operate over 100% capacity with the development flows included, all of these junctions are already anticipated to operate over capacity by 2041 without the development taking place. Therefore, mitigation would be required for these junctions without the development taking place and, as such, it is not reasonable or justified to require the developer to mitigate an existing issue.

7.9.21 Similar to the above, it is noted that the comments received from Lincolnshire County Council (as Local Highways Authority) has included a request for Section 106 contributions towards traffic calming measures on Arran Road, upgrading the crossing on Sidney Farm Lane to a signalised crossing, and for traffic calming on Little Casterton Road / Radcliffe Road / Scotgate.

7.9.22 Based on the current information, it is the Case Officer’s assessment that there is insufficient evidence to demonstrate that the requested contributions would meet the legal tests set out in the CIL Regulations and National Planning Policy Framework. In particular, it is considered that it has not been demonstrated that the contributions are necessary to make the development acceptable in planning terms, directly related to the development or proportionate to the development.

7.9.23 As stated above, the results of the Stamford Traffic Model demonstrate that the local highways network would either operate under capacity or, where the network would operate over capacity, it would do so without the development taking place. As such, it is unreasonable to request the Developer to provide mitigation for an issue that is not directly related to the impacts of the development. Officers at LCC have advised that the traffic modelling provides a comprehensive assessment of what is likely to happen, but that it is possible that the driving patterns are not as predicted and therefore mitigation would be required. However, it should be noted that planning applications are required to be determined on the basis of the evidence available at the point of determination, this available evidence demonstrates that there are no highway safety or capacity issues which require mitigation. Furthermore, the Case Officer notes that the highways modelling assumes 0% modal shift and therefore assumes a worst-case scenario. However, the Developer is making a significant contribution towards active travel improvements and bus service enhancements, therefore, it is likely that any discrepancies between the predicted and the actual traffic flows may result in reduced impacts on junctions rather than requiring mitigation. There is no evidence to suggest that the requested contributions are necessary to mitigate any highways safety issue.

7.9.24 Whilst it is appreciated that it would be desirable for vehicles to use Sidney Farm Lane rather than Arran Road due to the lack of frontage development, there is no evidence to suggest that this is necessary to make the development acceptable in planning terms, and the proposed mitigation would not necessarily ensure that this situation would be realised. Notwithstanding this, it is noted that the results of the modelling combine both the current

application and the Quarry Farm application, and therefore, it is inappropriate that contributions are being sought solely from the current applicant.

7.9.25 As alluded to above, the proposed east-west link road is intended to mitigate the impact of the development, as well as alleviating some of the existing traffic pressures within the town centre. Consequently, the results of the modelling have been used to determine the phasing of the completion of the link road, which is to be secured through the JIPA that will cover both the Quarry Farm development and the current application. The terms of the JIPA requires the respective sections of the link road to be completed prior to the occupation of 300 dwellings at Quarry Farm or 500 dwellings on Stamford North or no later than 8 years following the commencement of either development, whichever is the sooner. The wording of the JIPA means that the Developers will be required to complete their section of the link road even if they have not commenced development on site, and therefore, ensures that the link road will be provided even if one development does not commence or is stalled.

7.9.26 It is appreciated that public representations received on the application have raised objections on the basis that the proposed development would have unacceptable impacts on highways safety and capacity in the neighbouring villages, namely Little Casterton and Great Casterton.

7.9.27 With regards to this, the modelling indicates that the proposed development would result in a reduction in vehicle movements through these villages as the proposed east-west link road would take some of the vehicle movements that were previously passing through these villages. Notwithstanding this, these villages fall within the administrative area of Rutland County Council and the impacts on these villages are a matter for their consideration. RCC have been consulted on the current application and have raised no objections.

7.9.28 Furthermore, it is acknowledged that representations received from members of the public and Stamford Town Council have raised objections due to the potential impact of the development on the A1. Public representations have also suggested that the development should be required to provide a new junction onto the A1.

7.9.29 National Highways (as Strategic Highways Authority) have been consulted on the submitted proposals and have confirmed, that following extensive review of the modelling results, they have accepted that no mitigation is required to the A1 junctions.

7.9.30 In relation to the above, it is noted that Peterborough City Council submitted an objection to the initial round of consultation on the basis that further consideration of the development on the A1 junctions within their administrative area was required. These additional junction assessments were carried out as part of the updated modelling and the results contained in the Transport Assessment Addendum. Peterborough City Council have been consulted on the revised Assessment and have not made any further comments. Nonetheless, as stated above, National Highways have considered the impact of the development on the A1 trunk road, including areas along the A1 outside of the District, and have confirmed that they have no objections.

7.9.31 It is noted that public representations received on the application have indicated that there is insufficient town centre parking to accommodate further development.

7.9.32 In respect of this, Lincolnshire County Council have raised no objections in relation to the impact of the development on parking capacity. Whilst it is likely that the proposed development will increase demand for parking within the town centre, the current application

is seeking to facilitate sustainable travel options to minimise the need to travel by private vehicle, which are discussed in further detail below.

7.9.33 It is acknowledged that the Protect Quarry Farm Campaign Group have submitted a 3rd party report completed by Railton TPC Ltd. which comments on the adequacy of the Transport Assessment Addendum and raises concerns about the results of the Stamford Traffic Model.

7.9.34 Lincolnshire County Council (as Local Highways Authority) have reviewed the matters raised within the "Railton Report" and a copy of their response is enclosed at **Appendix 1**. LCC Highways have confirmed that the Railton Report does not raise any issues which would alter their own assessment of the application proposals.

Link Road

7.9.35 Public representations received on the application have raised objections on the basis that they consider that the east-west link road should be positioned at the northern end of the site and should be a bypass for the town. Furthermore, it is suggested that the Parameters Plan does not accord with the Local Plan allocation, which indicated that the link road would be at the northern end of the site.

7.9.36 Figure 10 of the adopted Local Plan (as shown below) shows the location of the allocated sites within Stamford. The Local Plan clearly states that the plan below is intended to be contextual and illustrate the location of the allocations within the wider Stamford context only. The Stamford North development shown in pink (and Quarry Farm development in green) indicates that the development is to include the east-west distributor road. The routing of this road on the contextual map below is for illustrative purposes only and does not establish any policy obligations in relation to the route of the link road.

Policies maps have been prepared and are contained within the Policies Maps Appendix 2: the policies maps depict all land allocations and other policy designations. The contextual plan below is for purely illustrative purposes and details allocations

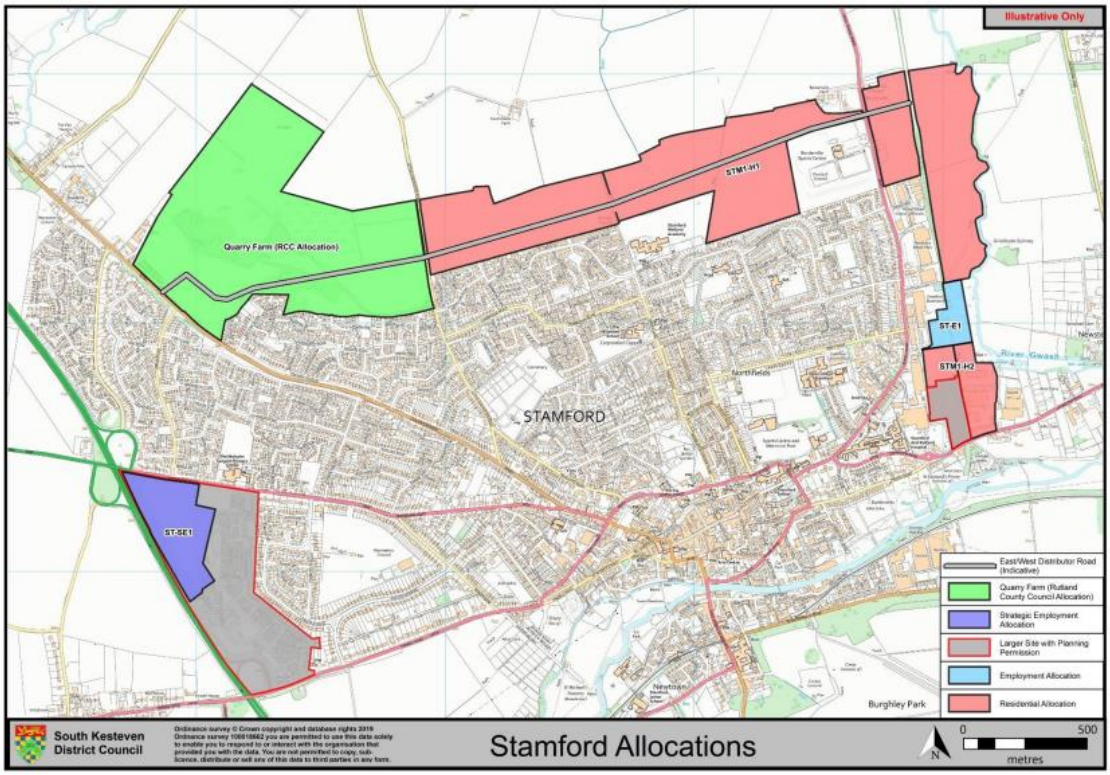


Figure 10: Stamford Illustrative Map

7.9.37 The current application has been submitted in outline with all matters reserved. As such, the final routing of the east-west link road will be determined as part of a future reserved matters application. Nonetheless, the submitted Parameters Plan demonstrates a limit of deviation for the route of the link road to ensure that it aligns with the Quarry Farm proposals. The corridor for the link road has been informed by the design objectives for the link road, which has been for it to form a street with frontage development, rather than a bypass; as well as enabling the realisation of the "valley park" along the north of Borderville Sports Centre, which is reflective of the historic topography of the site. The submitted Main Street Design Brief includes a series of principles to ensure that the east-west link road would operate in this manner, including a series of traffic calming measures. Compliance with the Main Street Design Brief is to be secured through the JIPA.

7.9.38 Furthermore, it is noted that comments received on the application have also raised concerns that the proposed link road would be unsafe and experience traffic congestion without the provision of a formal drop-off point for the proposed Primary School as well as for Stamford Welland Academy to the south of the site.

7.9.39 The provision of a drop-off point would be a matter of detailed design and would be subject to consideration as part of the future reserved matters application relating to the layout of the site. An informative is proposed to be included to highlight this requirement to future developers.

Sustainable Travel

7.9.40 As detailed above, the up-to-date modelling completed using the Stamford Traffic Model has been completed using a worst-case scenario which assumes 0% modal shift as part of the development. Notwithstanding this, the Applicants have submitted a Travel Plan, which includes a wide range of active travel improvements together with proposals to extend and enhance the existing bus services, so that they provide a viable alternative to private car travel.

7.9.41 Lincolnshire County Council (as Local Highways Authority) have reviewed the proposed active travel and public transport strategy contained within the Transport Assessment Addendum and have confirmed that it is acceptable. A Section 106 contribution of £40,000 per annum for 5 years is requested to cover the cost of delivery the bus service enhancements identified within the Transport Assessment Addendum, as well as subsidising the service whilst occupations of dwellings are being established. Furthermore, Lincolnshire County Council have also requested provision of 2 free travel passes per dwelling in the first year of their occupation. Whilst the comments received from Lincolnshire County Council have indicated that this should be secured through a financial contribution, discussions with Officers at LCC have confirmed that the more appropriate method would be to secure this through planning conditions which requires the Developer to make provision directly to occupants; as this reduces administrative burden and therefore, increases the likelihood the future occupants will access the available passes. In addition, a financial contribution of £5,000 is requested to allow for monitoring of the implementation of the Travel Plan, this is proposed to be included within the Heads of Terms for the site-specific Section 106 agreement; and conditions are proposed to require the submission of a detailed Travel Plan based on the Framework Travel Plan, as part of each reserved matters application.

7.9.42 Furthermore, conditions are proposed to require the completion of the active travel improvements linking the application site via Kings Road to the Town Centre. Whilst the

comments received from LCC Highways requested that these improvements are delivered prior to occupation of 200 dwellings, it is the Case Officer's assessment that this trigger point is unjustified and could result in safety issues if these improvements are provided whilst construction is still ongoing in the phase where the travel corridor enters the site. As such, it is proposed that details of the timetable for delivering this active travel enhancement is provided as part of the phasing plan for the site, with subsequent completion to be in line with the agreed phasing.

7.9.43 Finally, it is noted that LCC Highways have also recommended conditions requiring the realignment of Ryhall Road, as well as works to improve Little Casterton Road. It is the Case Officer's assessment that these are matters relating to the detailed access to the site, and therefore, would be appropriately assessed and conditioned as part of the future reserved matters application.

Summary

7.9.44 Taking all of the above into account, it is the Case Officer's assessment that, subject to the imposition of conditions and Section 106 contributions, the application proposals would not give rise to any unacceptable impacts on highways safety and capacity, and would include appropriate arrangements to encourage use of sustainable models of transport as well as active travel opportunities. Consequently, the application proposals would be in accordance with Policy STM1-H2 and ID2 of the adopted Local Plan and Section 9 of the Framework.

7.10 **Meeting All Housing Needs**

Affordable Housing

7.10.1 Policy H2 (Affordable Housing Contributions) requires all developments comprising 11 or more dwellings to make provision for 30% of the scheme's total capacity as affordable housing.

7.10.2 Representations received on the application have given support for the provision of a variety of property types and tenures on the basis that it would enable young people to stay within Stamford. However, concerns have been raised that priority for affordable housing will not be given to people with a local connection to Stamford, and that the price of housing will not be affordable for local people. In addition, Stamford Town Council have also highlighted concerns about the potential for affordable housing to be positioned in inferior locations.

7.10.3 The application has been accompanied by an Affordable Housing Proposals Report (Savills) (August 2023), which contains the results of a local housing needs assessment for Stamford; this has included direct engagement with Stamford Town Council to understand the localised housing needs.

7.10.4 The Affordable Housing Report confirms that the site will provide 30% affordable housing on the whole; and, based on the local housing need assessment, it is proposed to deliver 45% as affordable rent and 55% as affordable home ownership, which is intended to address an existing imbalance in which the number of affordable rent units in Stamford is disproportionately high in comparison to affordable ownership units. As part of the 30% provision, the proposed development also includes the provision of up to 13 Almshouses and up to 2 Supported Housing units (up to 15 in total), which are to be provided to support a range of individuals including those at risk of or who have experienced homelessness, people recovering from drug or alcohol dependence, or people with experience of the criminal justice system.

7.10.5 The proposed Heads of Terms for the Section 106 Agreement detailed below, includes the requirements for the scheme to provide 30% affordable housing across the site as a whole, in line with the identified tenure split. In view of the phased nature of the delivery of the development, together with the infrastructure burden associated with the initial phases of development, it will be necessary for the developer to submit an Affordable Housing Scheme prior to the commencement of each phase of the development. This will allow for variation in the quantum of affordable housing to be delivered in each phase dependent on the costs of infrastructure to be provided as part of that phase of the development; whilst also ensuring that the site fulfils the obligations to deliver 30% affordable housing. The Heads of Terms requires that no less than 15% of each phase is delivered as affordable housing; this ensures that the affordable housing is appropriately distributed across the site. The submitted Affordable Housing Scheme will also require the developer to identify which plots of the relevant phase are to be delivered as affordable housing; this will allow the Local Planning Authority to control the distribution of affordable housing throughout each phase, to ensure that they are not located in inferior locations or inappropriately clustered. The Section 106 Agreement will also include an obligation for priority to be given to people with a local connection to Stamford as part of the nomination and allocations process for affordable housing.

7.10.6 The Council's Planning Policy – Affordable Housing Officer has been engaged extensively in the application proposals, and has confirmed that, subject to the completion of a Section 106 Agreement, the application proposals would be acceptable.

7.10.7 As such, subject to the completion of a Section 106 Agreement, the scheme would be in accordance with Policy H2 of the Local Plan.

Housing Mix

7.10.8 In terms of the mix of property types and sizes to be provided across the development, Policy H4 (Meeting All Housing Needs) requires all major proposals for residential development to provide an appropriate type and size of dwellings to meet the needs of current and future households in the District. This includes supporting the provision of specialist housing across all tenures in sustainable locations, which shall include retirement accommodation, extra care and residential care housing.

7.10.9 The current application has been submitted in outline with all matters reserved. As such, the proposed housing mix would be subject to assessment as part of each reserved matters application for the residential parcels of development.

7.10.10 Notwithstanding this, the proposed development specification, which is to be secured via planning condition, allows for the provision of Class C3 (Dwellinghouses) as well as Class C2 (Residential Institutions); this will ensure that the scheme provides a wide variety of private dwellings as well as a range of specialist residential accommodation opportunities.

Self and Custom-Build Housing

7.10.11 Furthermore, the Local Planning Authority has a statutory duty to grant sufficient permissions for enough serviced plots to meet the demand for self-build and custom housebuilding in the area, based on the number of entries on the Self Build Housing Register. Policy H3 (Self and Custom Build Housing) requires 2% of the plots, on developments of 400 dwellings or more, to be provided as self-build and custom housebuilding in accordance with the statutory definition.

7.10.12 In view of the above policy requirement, the proposed Section 106 Heads of Terms secures the requirement for the development to provide 2% of the proposed residential plots as serviced plots made available to people on who meet the definition of Self-Build and Custom Housebuilding. In view of the large scale, and phased nature of the development, the Section 106 Agreement secures the requirement to provide 2% of plots as serviced plots, together with the requirement to submit a scheme highlighting the location of self-build plots within a Phase together with the strategy for their disposal. This allows for plots to be sold directly to individuals who meet the definition, or to an operator who specialises in building custom dwellings for individuals, which also accords with the definition.

Summary

7.10.13 Taking the above into account, it is Officers assessment that, subject to the completion of a Section 106 Agreement to secure the required affordable housing contributions and self-build and custom housebuilding plots, the proposed development would be in accordance with Policy H2 and H3 of the adopted Local Plan, the Stamford Neighbourhood Plan, and Section 5 of the National Planning Policy Framework.

7.11 **Effect of the development on the character and appearance of the area**

7.11.1 Public representations received on the application have raised objections to the effect of the development in reducing the separation distance between Little Casterton and Stamford; whilst concerns have also been raised on the basis that the density of development and the layout would not be in keeping with the character of the area.

7.11.2 As the current application has been submitted in outline with all matters reserved, detailed design matters relating to appearance, layout, landscaping and scale are reserved for future determination and would be subject to assessment as part of a future reserved matters application.

7.11.3 Nonetheless, it is appreciated that the proposed development would invariably result in a visual impact as a result in the change from current, undeveloped agricultural fields to a mixed-use urban extension. However, the principle of this change, and the extension of the urban form of Stamford towards Little Casterton and Great Casterton, has been established through the site's allocation within the adopted Local Plan.

7.11.4 As highlighted previously, in order to secure a high quality and comprehensive development, which is appropriate for the local context, the Local Plan allocation includes a series of development principles, which are further supplemented by the development principles contained within the Stamford Neighbourhood Plan. This includes a requirement for the development to provide sensitive landscaping to the northern edge of the site, and for land to the east of the former railway line to be used for open space and strategic landscaping only.

7.11.5 In this regard, the submitted Parameters Plan indicates the provision of a landscaped buffer to the northern boundary of the site, together with a "valley park" to run east-west from Little Casterton Road to Ryhall Road; as well as the land to the east of Ryhall Road forming an area of informal open space referred to as "Gwash Meadows". As such, it is the Case Officer's assessment that the submitted Parameters Plan is consistent with the development principles identified with the adopted Development Plan.

7.11.6 In respect of the distribution of land uses within the site, it is noted that the Parameters Plan identifies the co-location of the proposed Local Centre adjacent to the existing / upgraded Borderville Sports Centre. It is Officers' assessment that this co-location of facilities is

appropriate and would enhance the likelihood of access through sustainable modes of travel. In addition, the proposed location would also ensure that the proposed facilities would be accessible to existing residents at the northern end of Stamford with access being made available from the Main Street as well as the upgraded active travel route from Kings Road.

7.11.7 With regards to matters of density, it is noted that the Policy STM1-H1 refers to the development of an indicative 1,300 dwellings [emphasis added] at an approximate density of 30 dwellings per hectare. Whilst the proposed development would exceed the indicative quantum identified in the Local Plan allocation, it is noted that the proposed development would remain consistent with the approximate density of development expressed within the allocation policy. The current development proposes 1,350 dwellings on a site area of 81.12 hectares, which equates to a density of development of 16 dwellings per hectare. Furthermore, when excluding the Gwash Meadows greenspace to the east of the site, the density of development across the remainder of the site remains at 28 dwellings per hectare. This density of development remains within the density permitted by the Local Plan allocation. As such, it is Officers' assessment that the additional quantum of development would remain in accordance with the overall allocation policy and provides an appropriate density of development for an edge of settlement location. In addition, the proposed quantum of development would be consistent with the requirements of the Framework in relation to making an effective use of land.

7.11.8 As detailed above, in order to ensure a comprehensive approach to the full Stamford North Development, a Main Street Design Brief has been produced on behalf of the current applicants and the Quarry Farm applicants. This document sets out a shared design vision for the east-west link road, which will ensure that the future reserved matters applications for this key cross-boundary infrastructure is comprehensively designed and have a consistent character. This document has been reviewed by the Council's Urban Design Officer, who has confirmed that they accept the details contained within the Design Brief will ensure that the co-ordinated approach is achieved. The JIPA sets out obligations for both developments to be carried out in accordance with the Main Street Design Brief.

7.11.9 With regards to ensuring a comprehensive approach to the residential parcels of the development site, conditions are proposed to require the submission of a detailed Design Code, which will set out the overall principles for each part of the site including principles in relation to street hierarchy, the provision of open space, the approach to parking, identification of key gateways and landmark properties; and specifications for areas with the public realm i.e. the approach to street trees, lighting, and street furniture. This document will need to be submitted and agreed by the Local Planning Authority prior to the determination of any reserved matters applications for the site.

7.11.10 Consequently, it is Officers' assessment that, subject to the imposition of conditions requiring future reserved matters applications to be in broad accordance with the submitted Parameters Plan together with the submission and approval of a Design Code, as a matter of principle, the development of the site would be appropriate for the site's context and would not result in any unacceptable adverse impacts on the character and appearance of the area. As such, the application proposals would be in accordance with Policy DE1, EN1 and STM1-H1 of the adopted Local Plan, the made Stamford Neighbourhood Plan, the adopted Design Guidelines SPD, and Section 12 of the Framework in this regard.

7.12 **Impact on amenity**

7.12.1 It is noted that public representations received on the application have raised objections on the basis that the proposed development would have an adverse impact on the amenity of residents at the northern edge of Stamford. Comments have stated that the scale of the development would mean that the proposed dwellings would dominate the outlook of existing properties and would result in a loss of privacy.

7.12.2 The current application has been submitted in outline with all matters reserved. Therefore, the appearance, layout and scale of the built form would be subject of a future reserved matters application. Any consideration of that application would require an assessment of the proposals against the Council's adopted Design Guidelines SPD, which sets out the relevant standards for assessing the provision of an appropriate standard of amenity.

7.12.3 However, as a matter of principle, it is Officers' assessment that the submitted Parameters Plans demonstrate that appropriate separation distances would be maintained between the existing and proposed residential parcels to enable the delivery of the development in a manner that would adhere to the amenity standards contained within the adopted Design Guidelines.

7.12.4 In respect of the impact of construction activities, it is appreciated that the proposed development site borders the existing residential edge of Stamford, and therefore, there is the potential for construction activities to impact on residential amenity. In view of the above, conditions are proposed to require the submission and approval of a Construction and Environmental Management Plan prior to the commencement of each phase of the development; and such scheme will also include a requirement to include appropriate dust suppression measures.

7.12.5 Taking the above into account, subject to the imposition of conditions, it is Officers assessment that, as a matter of principle, the application proposals would not give rise to unacceptable adverse impacts on the privacy, outlook or loss of light of existing properties, and would be capable of providing an appropriate level of amenity for all future occupants of the proposed development site. As such, the application proposals would accord with Policy DE1 of the adopted South Kesteven Local Plan, the made Stamford Neighbourhood Plan, the adopted Design Guidelines, and Section 12 of the National Planning Policy Framework in respect of residential amenity considerations.

7.13 **Flood Risk and Drainage**

7.13.1 Representations received on the application have raised objections on the basis that the application site is at risk of flooding, and that the proposed development would increase surface water runoff leading to flooding of neighbouring dwellings.

7.13.2 The proposed development site is identified as being within Flood Zone 1 of the Flood Map for Planning, with some areas of Flood Zone 2 towards the River Gwash on the eastern edge of the site. The surface water flood map also indicates that the site is predominantly at very low risk of surface water flooding; however, there are areas of low risk towards the northern boundary of the site, as well as on the immediately west of Ryhall Road.

7.13.3 The application has been accompanied by a Flood Risk Assessment (Stantec) (October 2022), which sets out the following:

- A sequential approach, as advocated by national planning policy, has been followed such that all built development will be located in Flood Zone 1 and outside the area at risk of surface water flooding.

- Preliminary infiltration testing has been carried out across the site and the results conclude that there are good infiltration rates where the Upper Lincolnshire Limestone bedrock is present at shallow depth, and infiltration rates are good throughout the central valley running through the site where infiltration features are proposed.
- The outline surface water drainage strategy has been developed, and the surface water sub-catchments consider the development phasing and are based on the different land-use areas, separated by the Main Street and access roads. The flow routes follow the natural drainage paths conveying flows towards the dry valley which runs west to east across the site; however, the surface water runoff will discharge by infiltration into the ground throughout the central green spine. SuDS features to maximise infiltration as close to source as feasible will minimise surface water runoff and will include swales and permeable paving. The Gwash wetland park in the eastern part of the site has been designed to be a floodable area of wetland landscape in an extreme rainfall event.
- The detailed surface water drainage design will be developed at the detailed design stage with consideration of the above. For the purposes of the outline application, the outline strategy has been developed to demonstrate that it is feasible for the site to meet the requirements in relation to infiltration / attenuation of surface water runoff.

7.13.4 Lincolnshire County Council (as Lead Local Flood Authority) have been consulted on the application proposals and have confirmed that they have no objections, subject to the imposition of conditions requiring the submission of a detailed drainage strategy. Following discussions between the Case Officer and Officers at Lincolnshire County Council, it has been confirmed that the detailed drainage strategy can be determined on a phase-by-phase basis. As such, conditions are recommended to require the submission of a detailed surface water drainage strategy as part of each reserved matters application relating to the layout of each phase of the development.

7.13.5 In addition, the Environment Agency have been consulted and have confirmed that they have no objection subject to the imposition of conditions requiring compliance with the submitted Flood Risk Assessment which requires built development to be located in Flood Zone 1. These measures are secured by the aforementioned surface water drainage strategy condition as well as conditions requiring compliance with the submitted Parameters Plans.

7.13.6 In respect of foul water drainage, Stamford Town Council have raised concerns that insufficient consideration has been given to foul drainage capacity within the Town.

7.13.7 Anglian Water have been consulted on the application proposals and have confirmed that there is insufficient localised capacity to accommodate the development, and therefore a new connection will be required through the site to a new foul water sewer in Uffington Road via a pumping station, which is to be located on the application site. Furthermore, Anglian Water have confirmed that the absence of capacity to accommodate new development also includes the adjacent Quarry Farm proposals, and as such, the same Grampian planning conditions will need to be imposed on both applications should they be recommended for approval. As such, subject to the imposition of conditions, the proposed development will benefit from adequate foul drainage capacity.

7.13.8 Furthermore, Anglian Water have also advised that there is insufficient clean water supply to accommodate the Stamford North proposals in full. A capital investment project has been identified, and is being progressed by Anglian Water, which involves the provision of a new water supply from a site near Tallington; however, the delivery of the development will need to be phased to ensure that properties are not occupied until the capital investment project has been delivered. As such, Grampian conditions are proposed to be replicated on the Stamford North and Quarry Farm applications, which will require the development to be phased, and no dwellings to be occupied until it can be demonstrated that they benefit from adequate clean water supplies.

7.13.9 Taking the above into account, subject to the imposition of conditions requiring the submission of a detailed surface water strategy, clean water strategy, and foul water drainage scheme, including details for the phasing and implementation of the strategy, the application proposals would accord with Local Plan Policy EN5 and Section 14 of the Framework.

7.14 **Biodiversity, Ecology and Arboriculture**

Effect of the development on on-site features

7.14.1 Public representations received on the application have raised objections on the basis that the proposed development would have an adverse impact on protected species, wildlife and ecological assets, particularly as a result of the proposed removal of the bund.

7.14.2 The effect of the development on biodiversity and ecology is assessed as part of the Environmental Statement (Chapter 10), as well as the accompanying Phase I and II Ecological Assessments. These reports identify the following key conclusions:

- The site is dominated by large areas of arable fields which are of low biodiversity value, punctuated with some areas of elevated value including woodland, scrub and hedgerows.
- It is recognised that the bund and the area around it to the south of the football club has acquired biodiversity value since it was installed. Its removal has been assessed as part of the BNG calculation with similar habitats and condition (in terms of neutral grassland) being provided over larger areas within the Gwash Meadows. There will also be an element of grassland compensation within the Valley Park with similar wildflower grassland being provided there.
- The development proposals include designs that retain the important features present within the site (including hedge and tree features, mature trees, woodland and the existing scrub) with these features incorporated into green infrastructure corridors, which include new habitat and open space areas and also SuDS features. These areas form corridors that connect into the existing River Gwash corridor along the eastern boundary of the site.
- Proposed mitigation and enhancement measures are proposed to include habitat retention and protection, appointment of an Ecological Clerk of Works, implementation of Natural England licences as required – with all details to be included with Construction Environmental Management Plans for each development phase.
- New habitat areas are proposed with the enhancement of retained features and creation of specific wildlife features such as hibernacula and installation of bird and

bat boxes. Further enhancements and habitat management proposals would be set out in supporting Landscape and Environmental Management Plans for each detailed phase, including long-term maintenance and monitoring commitments for species and habitats.

- A Biodiversity Impact Assessment has been undertaken which demonstrates that, based on the indicative plans, the proposed scheme could achieve a 25.52% net gain in habitat units and 27.82% net gain in hedgerow units. Further assessments of the scheme would be undertaken at the detailed design stage.

7.14.3 Lincolnshire Wildlife Trust have been consulted on the application and have registered a holding objection; and have requested the submission of a Biodiversity Net Gain Report, updated site surveys, and evidence that the scheme would not impact nearby SSSIs.

7.14.4 As part of their comments, it is noted that Lincolnshire Wildlife Trust have requested a 10% net gain in biodiversity, which is a requirement of the Environment Act 2021. The current application was submitted in advance of the statutory BNG obligations for major development coming into effect. As such, whilst the proposed development falls to be assessed against the site allocation policy and Policy EN2 of the Local Plan, which require the scheme to achieve an on-site net gain, there is no policy basis for the site to be required to achieve a minimum 10% net gain. Notwithstanding this, the submitted assessments demonstrate that, as a matter of principle, the site can achieve a 25.52% net gain in habitat units and 27.82% net gain in hedgerow units.

7.14.5 Furthermore, it is noted that Lincolnshire Wildlife Trust has also expressed concerns in relation to the timing of the surveys undertaken to support the application. In this respect, it is acknowledged that the Preliminary Ecological Appraisal was undertaken outside of the optimal survey season. However, the application has also been accompanied by a Phase II Ecological Assessment, which has included the results of further ecological surveys undertaken at the appropriate time of the year, in accordance with the recommended professional guidance. As such, the Case Officer is satisfied that the application has been accompanied by sufficient evidence on which to make an informed assessment of the impacts.

7.14.6 Nonetheless, in view of the time-limited validity of ecological surveys, it is the Case Officer's assessment that it is reasonable and necessary to require the submission of an up-to-date Ecological Impact Assessment and Biodiversity Plan, prior to the commencement of each phase of the development. This will ensure that the impacts of the detailed designs can be appropriately assessed and mitigated within each phase. In addition, a Construction Environmental Management Plan will be required to mitigate the impacts of construction activities on site; this will include a requirement for an Ecological Management Plan, containing details of an Ecological Clerk of Works and evidence of compliance with Natural England's licencing requirements. Conditions are also proposed to require the submission of a phased Arboricultural Method Statement and Tree Protection Plan to ensure that construction activities on site do not result in any unnecessary loss of trees and hedgerow.

<u>Effect of the development on off-site ecological assets</u>

7.14.7 Barnack Hills and Holes SSSI is approximately 4.7km to the south-east of the site. The site is also a National Nature Reserve (NNR) and a designated Special Area of Conservation (SAC) in recognition of its national and international importance for biodiversity. The site is designated as a result of its semi-natural dry grasslands and scrubland habitats, including orchid sites which have developed on an area of Jurassic Limestone Grassland. These

habitats are identified as Annex 1 priority habitats, which are important at the European scale.

7.14.8 The Council has a legal duty to ensure that it carries out an Appropriate Assessment to determine whether a proposal would be likely to have a significant adverse effect on the integrity of an internationally important site. The Conservaton of Habitats and Species Regulations 2017 ("the Habitats Regulations") is a highly precautionary piece of legislation which places the burden on the Council as the "competent authority" to be sure, beyond reasonable scientific doubt, that such harm will not occur.

7.14.9 Officers have carried out a Screening Assessment and have concluded that the proposals are likely to have a significant effect on Barnack Hills and Holes, due to potential increased recreational pressure. The potential for recreational pressures to adversely affect this designated site is referenced in the consultation response from Natural England.

7.14.10 Therefore, an Appropriate Assessment has been carried out to examine the nature and extent of the potential adverse effects on the SAC, as well as mitigation measures which might be secured to avoid or reduce those impacts. The screening process and the Appropriate Assessment are contained in a Habitat Regulations Assessment document at **Appendix 3**.

7.14.11 It is possible to mitigate some of the recreational pressures arising from the development by providing Suitable Alternative Natural Greenspace (SANG). In this respect, the application proposals include an extensive area of informal open space to the east of Ryhall Road referred to as Gwash Meadows. The submitted details indicate that this area would provide a significant resource for public use, which would ensure that a large proportion of future residents remain within the site for recreational activities rather than travel to the SAC; but also, the proposed development may attract visitors who currently travel to the SAC for recreational use. Therefore, it is suggested that the proposed development would result in no net increase in recreational visits to the SAC. Consequently, Officers are satisfied that it can be concluded beyond reasonable doubt that the proposed development would not have an adverse effect on the integrity of the Barnack Hills and Holes SAC.

7.14.12 During the drafting of the HRA, consultation has taken place with Natural England (as the statutory nature conservation body), Barnack Parish Council and Lincolnshire Wildlife Trust; and no formal objections were received from these bodies.

7.14.13 Natural England have confirmed that a further Recreational Impact Assessment and updated Habitats Regulations Assessment will be required at reserved matters stage; this should inform the final design of the Gwash Meadows, which is proposed to form a SANG feature. As such, conditions are proposed to require the submission of a Recreational Impact Assessment as part of the reserved matters applications relating to the areas of open space identified on the Parameters Plan. An informative is proposed to be included on the design to require the Applicant to demonstrate how the Recreational Impact Assessment has informed the final design of the Gwash Meadows as part of the relevant reserved matters application.

7.14.14 As such, subject to the imposition of conditions, the application proposals would satisfy the requirements of the Habitats Regulations, and Policy EN2 and STM1-H1 of the adopted Local Plan, the made Stamford Neighbourhood Plan, and Section 15 of the Framework.

7.15 **Heritage and Archaeology**

7.15.1 With regards to the impact of the development on heritage and archaeology, the proposed development site itself does not contain any designated heritage assets (Listed Buildings or Scheduled Ancient Monuments), and the site is not located within either of the Stamford Conservation Areas. However, it is appreciated that there are a large number of designated assets within the surrounding area, including the high number of listed buildings located within Stamford Town Centre, as well as at Great Casterton, Little Casterton and Belmesthorpe, and Registered Parks and Gardens at Burghley House and Uffington, and Scheduled Ancient Monuments at Great Casterton and Uffington.

7.15.2 Public representations received on the application have raised objections on the basis that the proposed development would cause harm to the historic character of Stamford.

7.15.3 In this regard, the Council's Conservation Officer has been consulted on the application and has confirmed that they have no objections. They have confirmed that there would be no harm to the setting or significance of any designated heritage assets.

7.15.4 Similarly, Historic England and the Gardens Trust have both been consulted and neither party has raised any objections.

7.15.5 With regards to the impact of the development on archaeology, Heritage Lincolnshire (as Local Archaeological Advisors) have been consulted on the application and have confirmed that the site offers the potential for archaeological remains to be present. Therefore, further investigation is required, which should include a programme of trial trenching. These works are proposed to be secured via pre-commencement conditions.

7.15.6 Therefore, subject to the imposition of conditions, the application proposals would not have any unacceptable adverse impacts on any below ground archaeological assets, or any designated heritage assets. As such, the proposals would be in accordance with Policy EN6 of the Local Plan, and Section 16 of the Framework and Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

7.16 **Climate Change**

7.16.1 Public representations received on the application have raised objections on the basis that the proposed development would have an unacceptable impact on carbon emissions throughout the construction and operational periods. In addition, comments have also raised objections that the development proposals do not pursue a low-carbon approach, particularly due to the location of the link road and the removal of the bund.

7.16.2 In this respect, the application has been accompanied by an Environmental Statement, which includes a chapter specifically relating to the Climate Change. However, it should be noted that the whole ES considers the effects of each technical matter in relation to climate change, and the application has been accompanied by a Sustainability Strategy (Stantec), which also identifies the following:

- Throughout the design and construction stages, it is crucial that Stamford North's use of resources is considered and monitored, so that it has the lowest impact on the surrounding environment. To minimise energy use and waste generation the design of the masterplan has brought in both energy and waste hierarchies – focusing on the most sustainable options possible for the development.
- The homes at Stamford North will use high fabric energy efficiency standards, as well as low carbon energy technologies such as heat pumps and solar power. These will

allow houses to be zero carbon ready, as well as providing safe, healthy, ventilated and warm spaces for residents during climate change induced weather patterns.

- Stamford North will take a holistic approach to reducing its environmental impact. By adopting a whole lifecycle carbon assessment, the development will be able to measure and assess carbon across its infrastructure and buildings.

7.16.3 The Council's Sustainability & Climate Change Officer has been consulted on the application and has confirmed that they have no objections. They have stated that the application provides a comprehensive assessment of relevant matters relating to climate. However, further details of the site-specific climate adaptations will be required as part of the detailed design stage. As such, conditions are proposed to require the submission of a detailed Sustainability Statement, that should be in accordance with the submitted Sustainability Strategy, which outlines how each phase of the development will comply with the requirements of Policy SB1. It is important to note that these matters are also addressed through Building Regulations and, therefore, compliance with the proposed condition will not override any obligation to achieve higher energy efficiency standards imposed through Building Regulations.

7.16.4 Therefore, subject to the imposition of conditions securing details of sustainable building measures as part of the detailed design approval process, the proposal would represent sustainable development when taken as a whole, and as such would fulfil the requirements of Policy SB1 and SD1 of the adopted Local Plan.

7.17 **Ground Contamination**

7.17.1 The Environmental Statement includes a Ground Conditions chapter, which details the results of the initial ground investigations undertaken to date. These studies have identified radon, arsenic and vanadium present on the site. These components are naturally occurring site contaminants which do not preclude development but will require appropriate mitigation and management throughout construction and operation of the site.

7.17.2 In relation to the above, the Council's Environmental Protection Team have raised no objections, subject to conditions requiring the completion of an intrusive site investigation together with the submission of a remediation scheme and subsequent verification.

7.17.3 The Environment Agency have also been consulted and have echoed the comments from the Council's Environmental Protection Team.

7.17.4 Therefore, subject to the imposition of conditions, the proposed development would not give rise to any unacceptable risks of ground contamination and, therefore, the application proposals would be in accordance with Policy EN4 of the adopted Local Plan and Section 15 of the Framework on these matters.

7.18 **Infrastructure for Growth**

7.18.1 Comments received on the application from Stamford Town Council and members of the public have raised objections on the basis that there is insufficient infrastructure capacity within the town to accommodate new development. In particular, representations have referred to an absence of education, healthcare, utility and waste management provision to serve the development.

7.18.2 In relation to the above, it is acknowledged that the site allocation policy requires the development to make provision for a new Primary School, and to make provision for contributions towards the expansion of improvement of Stamford Welland Academy. With

regards to this, Lincolnshire County Council (as Local Education Authority) have been consulted on the application and have confirmed that there is some existing capacity within the area to accommodate the development, but this is not sufficient to accommodate the development in full. Therefore, financial contributions and 1.83 hectares of land would be required to accommodate the provision of a new Primary School. In addition, a financial contribution is required to accommodate additional teaching and playing field capacity at Stamford Welland Academy. LCC Education have also confirmed that financial contributions are required towards providing sixth form education facilities to support the development.

7.18.3 It should be noted that the timing for the delivery of the Primary School is to be determined by the birth rates over the course of the construction of the site i.e., higher birth rates means that the school will be required earlier in the phasing of the development. Therefore, the Heads of Terms are to include an appropriate "notification period" through which the County Council can notify the Developer when the school will be required, and the Developer subsequently has to make the serviced site available to meet the notification timescales. In addition, the Applicant has engaged with the County Council to agree the option for the master developer to build the new primary school; this provides the potential for the school to be developed at a higher specification than would normally be required if it were to be built out by County Council. The minimum specification is set out by the Department for Education, and the Section 106 Agreement will ensure that the school specification is agreed in writing with the County Council prior to the master-developer building the school. The Section 106 Agreement also includes arrangements for capital contributions to be paid by the Developer in the event that the County Council serves notice of the requirement for the school, and the Developer elects to revert back to the County Council building the school under the usual terms. These Section 106 contributions are to be secured as part of the Heads of Terms detailed below.

7.18.4 In respect of healthcare provision, the Lincolnshire Integrated Care Board (LICB) have been consulted on the application proposals and have confirmed that additional capacity will be required to accommodate the development. However, the ICB are currently in the process of undertaking a capital assets review in which they are reviewing their existing assets and establishing a plan for meeting their clinical needs of the future; until this review process has been completed the ICB cannot confirm whether a new community care facility will be required to be provided on site. Therefore, the Heads of Terms for the Section 106 Agreement refers to 450 sq. metres of land for the provision of a new health centre as part of the Local Centre within the Development. In the event that the centre is not provided on site by the Applicants, the Applicants will be required to provide the financial contribution in full.

7.18.5 In connection with the above, it is appreciated that comments on the application have raised objections on the basis that the existing health services in Stamford is currently under special measures. In this regard, the quality of care provision within Stamford is a matter for the Care Quality Commissioner and relates to the operators of the facility the planning requirement is ensure that there is sufficient capacity in respect of space available to meet the needs of the development. Matters relating to the number of doctors available, or the quality of care are not within the control of the Applicant and, therefore, cannot be addressed through planning obligations.

7.18.6 Similarly, public representatives have raised objections on the basis that there is no guarantee that the NHS will secure a new health centre as part of the Stamford North development. As referenced above, Officers have sought to engage with the NHS

throughout the consideration of the application; this has included invitations to attend meetings of the Stamford North Strategic Project Board, as well as joint meetings between Lincolnshire ICB and Leicestershire and Rutland ICB. As identified, the Lincolnshire ICB are currently undertaking a strategic review and are unable to confirm whether they require a new facility on land at Stamford North until this process has been completed. However, the proposed Heads of Terms requires the Applicants to deliver a health centre or make a financial contribution to meet the needs of the development.

7.18.7 In relation to the provision of adequate utilities and waste management services, matters relating to water supply and management have been discussed elsewhere within this report, and conditions are recommended to ensure that the development is appropriately phased to allow for the timely upgrades to these utilities. In respect of waste management, Lincolnshire County Council are the Waste Planning Authority, and have been consulted on the development, and have raised no objections in relation to waste management capacity.

7.18.8 Public representations have also commented that no development should take place until the infrastructure improvements are delivered. As referenced above, the statutory consultees have identified whether there is an existing capacity within the town to accommodate the development, and where appropriate, have recommended delivery triggers to ensure that mitigation is available when required to meet the needs of the development. These triggers are secured through the Heads of Terms and recommended conditions detailed below to ensure that mitigation is delivered in a timely manner.

7.18.9 Furthermore, comments have also been received raising concerns about the lack of detail on the maintenance of open spaces to be provided as part of the development. These details are secured through the proposed conditions requiring the submission of a Landscape and Ecological Management Plan.

7.18.10 In respect of concerns relating to inadequate retail provision to support the development, this is a matter which would be determined by market forces. The adopted Local Plan includes policies which encourage the delivery of retail development; however, market forces will determine whether a retailer considers there to be sufficient demand to support their business.

Planning Obligations Heads of Terms

7.18.11 Taking the above into account, the application proposals are for a major, cross-boundary residential-led urban extension which results in the need for a Section 106 Agreement to secure contributions to mitigate the impacts of the application proposals specifically, together with a Joint Infrastructure Planning Agreement to secure the delivery of cross-boundary infrastructure.

7.18.12 The proposed Heads of Terms for the site-specific Section 106 Agreement are as follows:

<u>Section 106 Agreement</u>

- **Open Space**
    - Replacement Playing Fields
        - 1.57 hectares of land for playing pitches with additional land for changing rooms, toilet facilities, and car parking if required.
        - Replacement pitch location and details of maintenance and management to be provided prior to the first reserved matters application containing dwellings. Scheme must confirm that there will

be no additional costs of maintenance to the users than the existing playing pitches.

- Replacement pitches must be of equivalent or better quality than those to be lost at Borderville Sports Centre
- Replacement pitches to be made available for use before any loss of existing playing field land at Borderville Sports Centre.

- New Playing Fields
  - 3.13 hectares of land for new outdoor sports space, including the playing fields at the Primary School, which are to be subject to a community use agreement.
  - Details to be provided as part of a Programme which must be determined by the Council prior to the first reserved matters application containing dwellings.
  - In the event that land requirements cannot be achieved in full, financial contributions equivalent to land requirements to be payable in accordance with the timetable contained within the Programme. Financial contribution to be used towards improving facilities at Borderville Sports Centre or at other existing sports facilities in the Stamford area.

- **Affordable Housing**
  - 30% of the total number of dwellings consisting of:
    - 25% First Homes, 45% Affordable Rent and 30% Shared Ownership, unless otherwise agreed in writing by the Council.
    - Almshouses and Supported Housing Units to be provided as part of the Affordable Housing provision.
    - Nominations Agreement to be secured as part of the Section 106 Agreement which prioritises local connection to Stamford.
    - An Affordable Housing Scheme will be submitted for each phase of the development setting out how the affordable housing will be distributed throughout the site.
    - No more than 15 affordable dwellings or 20 apartments in a single cluster
    - A minimum of 15% of dwellings on each phase will be provided as Affordable Housing.
- **Self-Build and Custom Build Housing**
  - 2% of all dwellings to be provided as Self-Build and Custom Build Housing in accordance with statutory definition.
  - Scheme to be submitted detailing the location of Custom and Self-Build Plots within a phase and how these are to be made available to those meeting the definition of Self-Build and Custom Housebuilder.
  - Developer to provide the plots to purchasers as serviced plots.

- **Healthcare**
    - Applicants to deliver a health centre of no less than 450 sq. metres; or
    - £891,000.00 financial contribution towards the construction of the health centre.
    - The land will be safeguarded until the occupation of the 650th dwelling. If the land has not been requested by that time, the full financial contribution will be payable.
- **Highways**
    - Public Transport
        - £40,000 per annum for 5 years towards improving public transport to serve the development.
    - Travel Plan Monitoring
        - £1,000 per annum for 5 years towards the cost of monitoring the implementation of the travel plan.
- **Education**
    - Primary Education
        - 1.83 hectares of land to be made available as a serviced site for a 2-form entry (2FE) school.
        - Financial contribution towards the construction of the school.
        - The financial contribution will be reduced by the cost of providing the serviced site.
        - The County Council will service notice on the Owner when the Primary School is required. At which time, the Developer will have the option to build the school or confirm that the County Council will be responsible for delivery of the school.
        - Subject to the responsible party, additional financial contributions may be payable between each party.
    - Secondary Education
        - Financial contribution towards expanding secondary education provision at Stamford Welland Academy calculated based on number of dwellings confirmed at reserved matters.
    - Sixth Form Education
        - Financial contribution towards expanding sixth-form provision calculated based on number of dwellings confirmed at reserved matters.
        - Priority to be given to providing sixth-form education at Stamford Welland Academy
        - If there are no sixth-form facilities at Stamford Welland Academy, expansion to be made at Bourne Academy.

Monitoring Fee – £30,000.00

7.18.13 The proposed Heads of Terms for the Joint Infrastructure Planning Agreement, which is to be signed by the SKDC, Rutland County Council and the Landowners and Applicants for the Stamford North and Quarry Farm applications are as follows:

- **Link Road**
  - Quarry Farm Link Road
    - Completion before first occupation of 300 dwellings on Quarry Farm site or 8 years from the commencement of either development (whichever is the sooner)
  - Stamford North Link Road
    - Completion before first occupation of 500 dwellings on Stamford North site or 8 years from the commencement of either development (whichever is the sooner)
- **Main Street Design Brief**
  - Requirement for all reserved matters applications relating to the Main Street to be in compliance with the details contained with the Main Street Design Brief.

As stated above, the trigger points relating to the completion of the link road include a backstop date which is initiated by the commencement of either development. Therefore, in the event that only one Developer commences their permission, the other party will still be obligated to complete their section of the link road within the 8-year time period, even if they have not commenced delivery of dwellings on site.

7.18.14 Taking the above into account, it is Officers assessment that the completion of the Joint Infrastructure Planning Agreement will provide appropriate legal security to the delivery of the link road, together with ensuring that the design of the link road is consistent across the administrative boundaries.

7.18.15 In addition, in the event that the current application was deemed to be acceptable in all other respects, the site-specific Section 106 Agreement secures the necessary infrastructure improvements on site and / or financial contribution to ensure that the impacts of local infrastructure are appropriately mitigated. As such, it is concluded that these obligations are compliant with the statutory tests of the CIL regulations, as well as local and national policy requirements.

7.18.16 Therefore, subject to the completion of the site-specific Section 106 Agreement and the Joint Infrastructure Planning Agreement, the application proposals would accord with Policy STM1-H1, ID1, H2 and H3 of the adopted South Kesteven Local Plan.

7.19 **Other Matters**

Minerals Safeguarding

7.19.1 As identified, it is appreciated that the application site falls within a Minerals Safeguarding Area as designated in the Lincolnshire Minerals and Waste Local Plan.

7.19.2 Lincolnshire County Council (as Minerals Planning Authority) have been consulted on the application and have confirmed that they have no objections.

7.19.3 As such, the application is deemed to comply with the requirements of Policy M11 of the Lincolnshire Minerals and Waste Local Plan.

Public Consultation

7.19.4 It is noted that comments received on the application have raised objections on the basis that there has been inadequate consultation with members of the public, and that the Applicant has failed to respond to matters raised through public representations.

7.19.5 In this respect, Officers can confirm that public notification on the application has been caried out in accordance with the statutory requirements of the Town and Country Planning (Development Management Procedure) Order, the Town and Country Planning (Environmental Impact Assessment) Regulations, and the Council's Statement of Community Involvement. This has involved formal notification sent to properties immediately adjacent to the site, displays of site notices at multiple points across the perimeter of the site, and formal publication of a notice within the Stamford Mercury. This process has been completed as part of an initial consultation process upon receipt of the application and repeated as part of the publication of the Environmental Statement Addendum. As such, the public consultation undertaken by the Local Planning Authority has fulfilled the statutory obligations.

7.19.6 With regards to public consultation undertaken on behalf of the Applicant, there is no statutory obligation for an Applicant to engage with the local community prior to the submission of a planning application, and likewise there is no statutory obligation for an Applicant to demonstrate how they have responded to any formal consultation responses. Paragraph 40 of the National Planning encourages Applicants to engage with the local community and statutory and non-statutory consultees prior to the submission of an application; but it would be unreasonable for the Local Planning Authority to refuse planning permission due to failure to consult with members of the public. The LPA would need to demonstrate how the development was unacceptable as a result of poor public engagement.

Impact on property values

7.19.7 A number of public representations received on the application have raised objections on the basis that the proposed development would devalue their property; this is not a material planning consideration.

Potential breaches of conditions and planning obligations

7.19.8 Public representations have also raised objections on the basis that the Local Planning Authority will not enforce any suggested planning conditions and / or planning obligations. Any future potential breaches of proposed planning conditions and / or obligations and subsequent consideration regarding formal enforcement action is not relevant to the determination of the current application.

Damage during construction activities.

7.19.9 Comments received on the application have also raised objections on the basis that the proposed development would result in damage to property and roads during the construction period. Any damage caused by construction of the development would be subject to private civil action and would not be a material planning consideration. Similarly, as advised by Lincolnshire County Council, where extraordinary damage occurs to the public highway as a result of construction activities, the Developer may be liable to paying the costs of repairing the damage under Section 59 of the Highways Act. This is a separate legislative regime outside of the planning process.

8 Crime and Disorder

8.1 It is concluded that the proposals would not result in any significant crime and disorder implications. Lincolnshire Police Crime Prevention Officer and Lincolnshire Fire and Rescue have both been consulted on the application and have raised no objections.

9 Human Rights Implications

9.1 Article 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 concluded that no relevant Article of the Act will be breached in making this decision.

10 Planning Balance and Conclusions

10.1 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.

10.2 The current application seeks outline planning permission for the erection of up to 1,350 residential units (Use Class C2 and C3); a two-form entry primary school (Use Class F1); local centre (Use Classes E, F2 and public house, wine bar, or drinking establishment; drinking establishment with expanded food provision; and hot food takeaway for the sale of hot food where consumption is mostly off premises); road between Ryhall Road and Little Casterton Road; removal of existing noise bund; associated green infrastructure, including provision of public open space, landscaping, formal and informal play areas; utilities (including drainage); and associated access, including potential realignment of part of Ryhall Road; ancillary works and structures. The current application has been submitted in outline with all matters reserved for future determination.

10.3 As identified, the proposed development site forms Local Plan allocation STM1-H1, which is allocated within the adopted Local Plan for a cross-boundary sustainable urban extension, to include land at Quarry Farm within Rutland County Council's administrative area. As such, the principle of development on the site has been established by the site's allocation within the adopted Local Plan, and is acceptable in principle, subject to material planning considerations. The proposed development scheme would make a significant contribution towards meeting the identified housing needs of the District, together with the provision of key strategic infrastructure improvements for the local area, these are significant public benefits which Officers advise should be given substantial weight. Therefore, the scheme represents sustainable development when taken as a whole, and there are significant benefits to be afforded substantial weight in the assessment of the application proposals

10.4 In this respect, it is acknowledged that the application site also includes land outside of the Local Plan allocation boundary, which currently forms playing pitches, car parking and an acoustic bund at Borderville Sports Centre and land around it. Whilst the application proposals would result in the loss of playing fields, it is the Case Officer's assessment that appropriate replacement provision, including ensuring that any replacement grass pitch provision is of equivalent quality, benefits from the required ancillary facilities, and does not impose additional maintenance costs on future users can be secured through obligations contained within a Section 106 Agreement. Sport England, as the statutory consultee, have registered a holding objection and, therefore, in accordance with the statutory requirements, the Local Planning Authority will be required to refer the application to the Secretary of State for consideration on whether to use their powers to call-in the application.

10.5 With regards to all technical matters, it is the Case Officer's assessment that, subject to the imposition of conditions and planning obligations, as a matter of principle, the proposed development is capable of complying with the adopted development plan.

10.6 As referenced above, the proposed development forms a cross-boundary urban extension, which includes the provision of an east-west link road from Casterton Road to Ryhall Road across the width of the proposed development. A Joint Infrastructure Planning Agreement is required to be completed by South Kesteven District Council, Rutland County Council and the Owners of the Quarry Farm site, and Stamford North site, to ensure that this cross-boundary infrastructure is delivered in a comprehensive, co-ordinated and timely manner.

10.7 A site-specific Section 106 Agreement would also ensure that local infrastructure is appropriately upgraded to mitigate the impacts of the additional population generated by the development.

10.8 Taking the above into account, it is Officers' assessment that the application proposals would accord with the adopted Development Plan when taken as a whole, and the material considerations in this case also weigh in favour of granting planning permission.

11 Recommendation

11.1 To authorise the Assistant Director – Planning and Growth to refer the application to the Secretary of State with a resolution to GRANT planning permission, subject to conditions, and the completion of a Section 106 Agreement and Joint Infrastructure Planning Agreement; and

11.2 In the event that the Secretary of State does not call-in the application, the Assistant Director – Planning and Growth is authorised to GRANT planning permission, subject to conditions, and the completion of a Section 106 Agreement and Joint Infrastructure Planning Agreement.

Schedule of Condition(s)

Time Limit for Commencement

Time Limit for Commencement

1) The development hereby permitted shall be commenced before the expiration of three years from the date of this permission, or two years from the approval of the last reserved matters for the first phase, whichever is the later.

   Reason: In order that the development is commenced in a timely manner, as set out in Section 92 of the Town and Country Planning Act 1990 (as amended).

Reserved Matters

2) Details of the reserved matters set out below shall be submitted to the Local Planning Authority for approval:

   i. Access

   ii. Appearance

   iii. Layout

   iv. Landscaping

   v. Scale

   Approval of all reserved matters shall have been obtained from the Local Planning Authority in writing before any development is commenced in respect of that reserved matters area.

   Reason: To enable the Local Planning Authority to control the development in detail and in order that the development is commenced in a timely manner, as set out in Section 92 of the Town and Country Planning Act 1990 (as amended)

Time Limit for Reserved Matters

3) Details of the reserved matters set out in Condition 2 for the 1st phase of development shall have been submitted for approval within three years of the date of this permission.

   An application for the approval of reserved matters must be made no later than 15 years from the date of this permission.

   Reason: In order that the development is commenced in a timely manner, as set out in Section 92 of the Town and Country Planning Act 1990 (as amended).

Approved Plans

Approved Plans

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

   i. Site Location Plan (Ref: 5951-PL00) received 06 January 2023

   Unless otherwise required by another condition of this permission.

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

Parameters Plans

5) The development hereby permitted shall be carried out in accordance with the broad principles of the following plans:

   i. Parameter Plan (Ref: 5951-PL102A) received 28 May 2024

   Unless otherwise required by another condition of this permission.

   Reason: To define the permission and for the avoidance of doubt, and to ensure that the development operates as assessed.

Before the Development is Commenced

Phasing Plan

6) Prior to the submission of the 1st reserved matters application, a detailed phasing plan for the development, which identifies the order at which they shall be commenced, completed and made available for use, together with a programme for the provision of site wide infrastructure including active travel improvements, and open space provision, including the equipped play areas, shall be submitted to and approved in writing by the Local Planning Authority.

   Thereafter, the Phasing Plan and programme shall be implemented as approved (or an alternative Phasing Plan and programme submitted to and approved in writing by the Local Planning Authority).

   Reason: To ensure that the development comes forward in a timely and co-ordinated manner.

Site Levels and Groundworks Strategy

7) Prior to the determination of the 1st reserved matters application, a Groundworks Strategy detailing the existing and proposed site levels and land profiling (areas of cut, areas of fill, mounding, shaping and contouring works), with reference to an off-site datum point, shall have been submitted to and approved in writing by the Local Planning Authority. Site Levels Plans shall then be submitted as part of each reserved matters application in broad accordance with the approved Groundworks Strategy.

   Thereafter, the development shall be carried out in accordance with the approved details.
   Reason: In the interests of visual and residential amenity and in accordance with Policy DE1 of the adopted South Kesteven Local Plan 2011-2036.

Open Space

Replacement Parking

8) As part of any reserved matters applications involving any of the existing 109 car park spaces at Borderville Sports Centre, a detailed parking plan(s) (which may include temporary and permanent plans) showing the location of the replacement parking, and which must ensure that the number of parking spaces is not reduced at any time, shall be submitted to and approved in writing by the Local Planning Authority.
   Thereafter, the replacement parking shall be laid out in accordance with the approved details, and made available for public use, prior to the removal of any existing parking spaces; and thereafter shall be retained for use for the lifetime of the development.

Reason: To ensure that the development does not adversely affect the operations of the existing sports facilities as required by Policy OS1 (Open Space) of the adopted South Kesteven Local Plan.

Pollution Control

Construction Management Plan

9) Before the development hereby permitted is commenced on each phase, a detailed Construction and Environmental Management Plan (CEMP) for that phase shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall include measures to mitigate against the adverse effects of vehicular movements, noise, dust and vibration and means to manage drainage and ecological impacts during the construction stages of the development. The submitted CEMP shall include:

   i. Access construction and build routes.
   ii. The hours of construction work and delivery hours.
   iii. The parking of all vehicles of site operatives and visitors.
   iv. The loading and unloading of all plant and materials.
   v. The storage of all plant and materials used in constructing the development.
   vi. Wheel washing facilities.
   vii. The routing of all vehicles associated with the construction of the development, including any offsite routes for the disposal of excavated material.
   viii. A strategy stating how surface water will be managed during the construction stage and protection measures for any sustainable drainage features. This should include drawing(s) showing how the drainage systems (temporary or permanent) connect to an outfall (temporary or permanent) during construction.
   ix. A Dust Management Plan.
   x. Ecological Management Plan, including appointment of an Ecological Clerk of Works, and the implementation of Natural England licences as required.

   Any variation of the approved CEMP shall be submitted to and approved in writing by the Local Planning Authority. The approved CEMP shall be strictly adhered to throughout the construction period.

   Reason: To minimise the effects of the construction stage of the development on the amenity of existing residents, and to ensure that the proposed development does not result in unacceptable adverse impacts on highways and drainage assets.

Noise Assessment

10) As part of any reserved matters applications, a detailed Noise Impact Assessment considering the impact of the development on all residential receptors, shall be submitted to and approved in writing by the Local Planning Authority. The Assessment must be carried out in accordance with the current best practice and shall be based on up-to-date modelling of all noise sources.

   Where necessary, the submitted Noise Assessment shall identify a scheme of acoustic mitigation to ensure that internal and external noise levels meet the recommended professional standards.

Reason: To ensure that the proposed development does not give rise to any unacceptable impacts on residential amenity, and to ensure that the proposed development does not result in an adverse impact on the operations of the existing sports facility.

Lighting Assessment

11) As part of any reserved matters applications, a detailed Lighting Assessment and Lighting Spillage Plan of the existing and proposed sports facility lighting within or adjoining the site shall be submitted to and approved in writing by the Local Planning Authority. The assessment must be carried out in accordance with the current best practice and guidance at the time of submission.

Where necessary, the submitted Assessment shall identify a scheme of mitigation to ensure that the proposed development meets the recommended professional standards.

Reason: To ensure that the proposed development does not give rise to any unacceptable impacts on residential amenity, and to ensure that the proposed development does not result in an adverse impact on the operations of the existing sports facility.

Bund Removal Phasing Plan

12) No works relating to the removal of the existing acoustic bund to the south of Borderville Sports Centre shall commence until a detailed Phasing Plan for the removal of the bund and the implementation of the mitigation measures identified in the Noise Impact Assessment approved under Condition 10 above and Lighting Impact Assessment approved under Condition 11, has been submitted to and approved in writing by the Local Planning Authority. The submitted Phasing Plan shall include:

- The programme for the removal of the bund;
- The programme for the completion of the identified acoustic mitigation measures;
- The programme for the completion of the identified lighting mitigation measures;
- Where necessary, any temporary acoustic mitigation measures to be provided to ensure that the proposed development provides an appropriate internal and external noise level for all existing and future residents, during any period following the removal of the bund and prior to the completion of the alternative acoustic mitigation measures; and
- Where necessary, any temporary lighting mitigation measures to be provided to ensure that the proposed development provides appropriate lighting condition for all residential properties during any period following the removal of the bund, and prior to the completion of the alternative mitigation measures.

Reason: To ensure that the proposed development does not give rise to any unacceptable impacts on residential amenity, and to ensure that the proposed development does not result in an adverse impact on the operations of the existing sports facility.

Access and Highways

Active Travel Improvements

13) A detailed scheme for active travel connections from the site to Stamford Town Centre along Green Lane / Kings Road (as shown indicatively in Plate 5.1 of the Transport Assessment Addendum by Stantec, March 2024), shall be submitted to and approved in writing by the

Local Planning Authority. Thereafter, the active travel connections shall be provided in accordance with the Phasing Timetable approved under Condition 6.

Reason: To ensure the provision of safe and adequate means of access to the permitted development.

Estate Road Phasing & Completion Plan

14) Before the development hereby permitted is commenced on each phase, an Estate Road Phasing and Completion Plan for that phase shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall set out how the construction of the development will be phased and the standards to which the estate roads on each phase will be completed during the construction period of the development.

Thereafter, the development shall be carried out in accordance with the approved details.

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.

Travel Plan

15) As part of any reserved matters applications relating to layout, a detailed Travel Plan for that phase shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall be in broad accordance with the approved Framework Travel Plan (Stantec) (Ref: 332210767/2010.4) and shall set out measures for that phase which will contribute to the attainment of the site-wide targets set out within the approved Framework Travel Plan. This shall include a scheme making available 2 free annual travel passes per dwelling for the first year of their occupation.

Thereafter, the Travel Plan shall be implemented in accordance with the approved details prior to first occupation and shall be in place/action for the lifetime of the development.

Reason: In order that the permitted development conforms to the requirements of the National Planning Policy Framework, by ensuring that access to the site is sustainable and that there is a reduced dependency on the private car for journeys to and from the development.

Design Quality and Visual Impact

Design Code and Masterplan

16) Prior to the determination of any reserved matters application, a detailed design code and masterplan covering the whole of the site shall be submitted to, and approved in writing by, the Local Planning Authority. The design code shall be formulated having regard to Parameters Plan (Ref: 5951-PL102A) received 28 May 2024, and shall include the following details:

i. The character area objectives and principles for each part of the site in support of the overall vision for the scheme to guide the design for each component of the development
ii. The proposed movement network delineating the primary, secondary and tertiary streets and pedestrian and cycleway connections, setting out the approach to estate design, treatment of non-vehicular routes and car and cycle parking.

iii. The proposed layout, use and function of all open space and green infrastructure within the development
iv. The approach to and design principles applied to parking (on street and off-street)
v. Layout principles to include urban structure, form and layout of the built environment, building heights, densities, legibility, means of enclosure, key gateways, landmark buildings and key groups
vi. Specifications for areas within the public realm including landscaping and hard surface treatments, lighting, street trees, boundary treatments, street furniture and play equipment
vii. Servicing, including utilities, design for the storage and collection of waste and recyclable materials
viii. The design principles that will be applied to the external appearance and layout of dwellings.
ix. The design principles that will be applied to the development to encourage security and community safety.
x. The specific design principles that will be applied to the local centre
xi. The specific design principles that will be applied to the green infrastructure; and
xii. The design principles for the incorporation of SuDS throughout the development.

Any variations to the approved Design Code shall be submitted to and approved in writing by the Local Planning Authority.

Any reserved matters application for any phase of development shall comply with the principles established.

Reason: To ensure a comprehensive and co-ordinated approach to development.

Drainage

Foul Water Strategy

17) No development shall commence until a strategic foul water strategy has been submitted to and approved in writing by the Local Planning Authority, in consultation with Anglian Water. This should identify the connection point to the 1050mm sewer network along Uffington Road, unless otherwise agreed in writing by the Local Planning Authority, in consultation with Anglian Water.

Prior to the occupation of any phase of the development, the foul drainage works relating to that phase must have been carried out in complete accordance with the approved scheme, or any variation to the approved scheme submitted to and approved in writing by the Local Planning Authority.

Reason: To reduce the impacts of flooding and potential flood risk.

Surface Water Drainage

18) As part of the reserved matters application relating to layout for each phase of the development, a surface water drainage scheme shall first have been submitted to, and approved in writing by, the Local Planning Authority. The submitted scheme must:

i. Be based on the results of evidenced groundwater levels and seasonal variations

ii. Be based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development
iii. Provide flood exceedance routing for storm events greater than 1 in 100 year
iv. Provide details of how runoff 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 runoff rate for the undeveloped site
v. Provide attenuation details and discharge rates which shall be restricted to greenfield runoff rate
vi. Provide details of the timetable for and any phasing of implementation for the drainage scheme; and
vii. Provide details of how the scheme shall be maintained and managed for 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.
viii. Provide details of an assessment of the risks to controlled waters.

Thereafter, no dwelling / part of that phase of development shall be occupied / brought into use until the approved scheme has been completed or provided on 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.

Ecology and Arboriculture

Recreational Impact Assessment

19) As part of any reserved matters relating to layout and landscaping of the areas identified as "green open space" on the approved parameters plan, a Recreational Impact Assessment shall be submitted to, and approved in writing by, the Local Planning Authority.

The assessment should include an assessment of direct impacts from the proposed development to the qualifying features of the Barnack Hills and Holes Special Area of Conservation from recreational disturbance.

Reason: To ensure that the proposed development adheres to the requirements of the Conservation of Habitats and Species Regulations 2017, and Local Plan Policy EN2.

Ecological Impact Assessment

20) Before the development hereby permitted is commenced on each phase, an Ecological Impact Assessment and Biodiversity Plan for that phase, shall have been submitted to and approved in writing by the Local Planning Authority.

Thereafter, the development shall be carried out in accordance with the approved details.

Reason: To ensure that the development as a whole achieves a Biodiversity Net Gain as required by Policy EN2 and STM1-H1 of the adopted South Kesteven Local Plan, and in accordance with Section 15 of the National Planning Policy Framework.

Arboricultural Impact Assessment and Tree Protection Plan

21) Before the development hereby permitted is commenced on each phase, a detailed arboricultural method statement and tree protection plan for the protection of retained trees, including a tree protection programme for provision and retention of the tree protection measures within that phase, shall be submitted to and approved in writing by the Local Planning Authority. The method statement and plan shall meet with the standards set out in BS5837:2012 Trees in relation to Design, Demolition and Construction – Recommendations. The protection scheme and plan shall be completely implemented prior to site preparation, clearance on building works starting on that phase, and shall be retained in accordance with the approved programme, unless otherwise agreed in writing by the Local Planning Authority. The protection scheme must include details of all trees to be retained and positioning of tree protection fencing, and ground covers to create construction exclusion zones. No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be pruned in any manner without the prior written approval of the Local Planning Authority.

Reason: In the interests of visual amenity, tree health and for the avoidance of doubt.

Heritage and Archaeology

Written Scheme of Investigation

22) Before the development hereby permitted is commenced, a Written Scheme (WSI) of Archaeological Investigation shall have been submitted to and approved in writing by the Local Planning Authority.

Thereafter, all works on site shall be carried out in accordance with the approved WSI.

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.

Ground Contamination

Land Contamination Risk Management Phase II Investigation

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

i. A site investigation report assessing the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the submitted desk based study; and if required
ii. A detailed scheme for remedial works (should such works be required) and measures to be undertaken to avoid risk from contaminants and / or gases when the site is developed and proposals for future maintenance and monitoring. Such a scheme shall include nomination of a competent person to oversee the implementation of the works.

Reason: Previous activities associated with this site may have caused, or had the potential to cause, land contamination and to ensure that the proposed site investigations and remediation will not cause pollution in the interests of the amenities of future residents and

users of the development; and in accordance with Policy EN4 of the adopted Local Plan and guidance contained in the NPPF.

During Building Works

Climate Change

Sustainable Construction

24) No development above damp-proof course on each phase shall commence until a Sustainability Statement outlining how the proposed dwellings would comply with the requirements of Local Plan Policy SB1 have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of how carbon dioxide emissions have been minimised through the design and construction of the development, details of water efficiency, and the provision of electric car charging infrastructure.

The approved sustainable construction measures shall be completed in full for each dwelling, in accordance with the agreed scheme, prior to first occupation of each dwelling.

Reason: To ensure that the development mitigates against, and adapts to climate change, in accordance with Policy SB1 of the adopted South Kesteven Local Plan.

Ground Contamination

Precautionary Ground Conditions

25) Any contamination that is found during the course of construction of the approved development that was not previously identified shall be reported immediately to the Local Planning Authority. Development on the part of the site affected shall be suspended and a risk assessment carried out and submitted to and approved in writing by the Local Planning Authority.

Where unacceptable risks are found, remediation and verification schemes shall be submitted to and approved in writing by the Local Planning Authority.

These approved schemes shall be carried out before the relevant phase of the development is resumed or continued.

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 future residents and users of the development; and in accordance with Policy EN4 of the adopted Local Plan and guidance contained in the NPPF.

Before the Development is Occupied

Pollution Control

Noise Mitigation – Implementation and Retention

26) Before any dwellings hereby permitted are occupied, the acoustic mitigation measures identified within the Noise Impact Assessment shall have been completed and a Validation Report shall be submitted to, and approved in writing by, the Local Planning Authority, which demonstrates the scientific and technical effectiveness of the noise mitigation measures.

Thereafter, the acoustic mitigation shall be maintained and retained in full for the lifetime of the development, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the proposed development does not give rise to any unacceptable impacts on residential amenity, and to ensure that the proposed development does not result in an adverse impact on the operations of the existing sports facility.

Access and Highways

Estate Road Completion Compliance

27) Before any dwelling hereby permitted is occupied, all of that part of the estate road and associated footways that form the junction with the Main Street, Little Casterton Road or Ryhall Road, which will be constructed within the limits of the existing highway, and which serves that dwelling 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.

Drainage

Water Supply Strategy

28) Before any development hereby permitted is occupied / brought into use, a potable water strategy shall be submitted to, and approved in writing by the Local Planning Authority, in consultation with Anglian Water. This strategy shall provide confirmation that there is sufficient potable water to supply each phase of the development.

Thereafter, the approved development shall be carried out in accordance with the approved strategy.

Reason: To ensure a supply of potable water to new and existing customers; and to ensure new and existing customers do not suffer from low water pressure.

Ecology and Arboriculture

Landscape and Ecological Management Plan

29) Before any part of the development hereby permitted is occupied / brought into use, a Landscape and Ecological 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 landscaped areas, other than privately owned, domestic gardens.

Reason: Soft landscaping makes an important contribution to the development and its assimilation with its surroundings and in accordance with Policy EN2 of the adopted Local Plan.

Ground Contamination

Verification Report

30) No part of the development hereby permitted shall be occupied or brought into use until a verification report for that part of the development has been submitted to and approved in writing by the Local Planning Authority. The report shall have been submitted by the agreed competent person and identify that the approved remedial works have been implemented. The report shall include, unless otherwise agreed in writing:

i. A complete record of remediation activities, and data collected, as identified in the remediation scheme to support compliance with the agreed remediation objectives.
ii. Photographs of the remediation works in progress; and
iii. 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 details.

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 future residents and users of the development; and in accordance with Policy EN4 of the adopted Local Plan and guidance contained in the NPPF.

Ongoing Conditions

Development Specification

31) The development hereby permitted shall not exceed the following development parameters:

i. Up to 1,350 residential units (Use Class C3 – Dwellinghouses and Use Class C2 – Residential Institutions)
ii. Two-form entry Primary School (Use Class F1)
iii. Up to 3,000 sq. metres Local Centre, to include:
    I. Commercial, business and service uses (Retail, restaurant, medical or health facilities, creche or day nursery – Use Class E)
    II. Community hall or meeting place (Use Class F2)
    III. Public house, wine bar or drinking establishment
    IV. Drinking establishment with expanded food provision
    V. Hot food takeaway for the sale of hot food where consumption of that food is mostly taken off the premises)
iv. Road between Little Casterton Road and Ryhall Road
v. Removal of existing bund
vi. Associated green infrastructure including provision of public open space, landscaping, formal and informal play areas
vii. Utility provision (including drainage); and
viii. Associated access, potential realignment of part of Ryhall Road, ancillary works and structures.

Reason: To define the permission and for the avoidance of doubt, and to ensure that the development proceeds as assessed.

Ecology and Arboriculture

Landscape and Ecological Management Plan

32) Following first occupation of any dwellings, the approved Landscape and Ecological Management Plan shall be adhered to in full, unless otherwise agreed in writing by the Local Planning Authority.

Reason: Soft landscaping makes an important contribution to the development and its assimilation with its surroundings and in accordance with Policy EN2 of the adopted Local Plan.

Standard Note(s) to Applicant

1) In reaching this 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 Paragraph 38 of the National Planning Policy Framework (2023).
2) In accordance with Section 59 of the Highways Act 1980, please be considerate of causing damage to the existing highway during construction and implement mitigation measures as necessary. Should extraordinary expenses be incurred by the Highway Authority in maintaining the highway by reason of damage caused by construction traffic, the Highway Authority may seek to recover these expenses from the developer.
3) All roads within the development hereby permitted must be constructed to an acceptable engineering standard. Those roads that are to be put forward for adoption as public highways must be constructed in accordance with the Lincolnshire County Council Development Road Specification that is current at the time of construction and the developer will be required to enter into a legal agreement with the Highway Authority under Section 38 of the Highways Act 1980. Those roads that are not voluntarily put forward for adoption may be subject to action by the Highways Authority under Section 219 (Advanced Payments Code) of the Highways Act.
4) Any reserved matters application relating to the layout of parcels in the vicinity of the proposed Primary School and Stamford Welland Academy will be required to make appropriate provision for drop off / collection points for use in relation to the school(s).
5) The results of the Recreational Impact Assessment required by Condition 18 must be used to inform the design of the Suitable Alternative Natural Greenspace to be provided on site to ensure that it meets the requirements of local residents and provides an effective alternative
6) The presence of a former railway line presents a potential risk of contamination. Sustainable drainage systems (SuDS) proposed in areas of potentially contaminated ground present a risk of contamination that could be mobilised by surface water infiltration. This could pollute controlled waters. Ground conditions should be established in any proposed locations for SuDS where contamination may be present, and an appropriate risk assessment undertaken.
7) We strongly recommend the use of flood resistance and resilience measures. Physical barriers, raised electrical fittings and special construction materials are just some of the ways you can help to reduce flood damage. To find out which measures will be effective for this development, please contact your building control department.
8) Under the Environmental Permitting (England and Wales) Regulations 2016, permission must be obtained from the Environment Agency for any proposed activities which will take place:
    a. In, over, under or within 8m of a main river (16m if tidal)
    b. On or within 8m of a flood defence structure or culvert
    c. On or within 16 metres of a sea defence
    d. Within 16m of any main river, flood defence (including a remote defence) or culvert for quarrying or excavation.
    e. In a flood plain more than 8m from the river bank, culvert or flood defence structure if planning permission has not already been granted for the works.

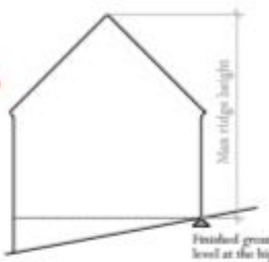
Site Location Plan

Proposed Parameter Plan

Site boundary
Proposed pedestrian and / or cycle access
Proposed all modes access and inter SDE connectivity
Zone for Active Travel inter SDE connectivity
Public Right of Way
Limit of deviation for Main Street (Link Road)
Rythall Road to remain within this limit of deviation. Alignment and position of access points to be determined at reserved matters stage.
Indicative location of NEAP/LEAP Play areas
Location for 2FE Primary School site, buildings, associated equipment and structures.
Location for Mobility Hub
Area for public highway
Current use unchanged
Retained buildings
Location for landmark building or structure with a height in excess of surrounding built form. Max 18m eaves height (1) Max footprint 7x7m of building or part of building
Option for bus gate / bus access alongside pedestrian and cycle access

Green open space including amenity space, drainage and SUDs, play areas, footpaths/cycleways, vegetation and/planted areas and retained trees. Routes for occasional vehicular access between development parcels are permitted.
Development abutting existing dwellings
Area for sport club alteration / expansion and/or development (see below note re. max 3 storey development)
Additional formal open space provision (playing pitches) may be located within either or both green open space and development areas.
Max 2 storey C2/C3 residential development (2). Max ridge height 12m (1)
Max 2.5 storey C2/C3 residential development (2). Max ridge height 12.0m (1)
Max 3 storey C2/C3 residential development (2). Habitable rooms in roof space permitted. Max ridge height 15.0m (1)
Zone for residential and mixed use local centre including use classes C.2/C.3, E, F.2 and Sui Generis (2). Max 3 storey development. Room in roof space permitted. Max ridge height 15.0m (1)
The residential and mixed use local centre will be the focus of the up to 1,000m² (NIA) of local centre uses, but up to 1,000m² (NIA) of that total may be located outside of the local centre and within the remainder of the site.

Notes
(1) Above finished ground level at the highest point of site gradient
(2) To include secondary and tertiary streets, footways/cycleways, incidental open space and attenuation ponds/basins
All land use areas and features subject to a location tolerance of +/- 10m unless stated otherwise



Adjacent Properties and Boundaries are shown for illustrative purposes only and have not been surveyed unless otherwise stated.
All areas shown are approximate and should be verified before forming the basis of a decision.
Do not scale other than for Planning Application purposes.
All dimensions must be checked by the contractor before commencing work on site.
No deviation from this drawing will be permitted without the prior written consent of the Architects.
The copyright of this drawing remains with the Architects and may not be reproduced in any form without prior written consent.
Ground Floor Slabs, Foundations, Sub-Structures, etc. All work below ground level is shown provisionally. Inspection of ground conditions is essential prior to work commencing.
Reassessment is essential when the ground conditions are apparent, and redesign may be necessary in the light of soil conditions found. The responsibility for establishing the soil and sub soil conditions rests with the contractor.

A	19.12.18	Changes to extent of Area B adjacent to St. Rythall Road, green corridor, pathways and offset, amendments to key, edges of parcels to be cross and symbols made hollow. Removed accompanied. Minor adjustments to Eagle main Key.
Rev	Date	Description

PROJECT	Stratford North
TITLE:	Parameter Plan
SCALE:	1:5000 @A0
DATE:	27.11.18
DRAWING No.	1011.PL.1018.
REVISION	-

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Illustrative Stamford North Masterplan

Appendix 1 – Lincolnshire County Council (Highways & SuDS)

Appendix 2 – Sport England 29 August 2024

Thank you for sending through additional information submitted for the above application. The additional information relates to a revised Stamford North Open Space Document, a letter from Alex Vickers at Grounds Management Association (GMA) entitled "Alternative pitch layouts and re-provision of Borderville" and an email from Andy Moffat at Savills dated 5 August 2024.

Assessment of the Additional Information against Sport England's Playing Fields Policy and the NPPF

Paragraph 103 in the NPPF requires that open space including playing fields shall be protected from development unless one of 3 criteria are satisfied, Sport England's Playing Fields Policy and Guidance (PFPG) is the published guidance of Sport England who are a statutory consultee. Exception 4 in the PFPG requires that the replacement area of playing field should be "of equivalent or better quality and of equivalent or greater quantity." Policy OS1 (Open Space) in the South Kesteven District Council Local Plan (2020) also protects open space and sports pitches from development unless one of 3 criteria are satisfied and that the site does not support important or protected habitats or species.

The proposal to create a new linear park as shown on the Parameters Plan, the Illustrative Masterplan, the Design Brief for Stamford North – Main Street and included in the application submission documentation would lead to the loss of 1.57 hectares of playing field marked out as playing pitches along with the loss of Borderville Sports Centre's car park and playing field land around the stadium pitch and Artificial Grass Pitch (AGP). The definition of playing field in the NPPF is "*the whole of a site which encompasses at least one playing pitch as defined in the Town and Country Planning (Development Management Procedure) (England) Order 2015*" and so does not just relate to land marked out as a playing pitch.

The additional information submitted by the applicant maintains their view that the proposal satisfies criterion b) in paragraph 103 and exception 4 in the PFPG in that "the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location."

The amended Stamford North Open Space document submitted with the information includes a section on the replacement pitches which would be loss. The document states that a minimum of 1.57 hectares and a minimum of 4 pitches would be lost along with car parking. The document includes two options that are being explored. The document confirms that the final details for a replacement site would be agreed at a later date and so included in planning conditions/S. 106 Agreement for these details to be agreed.

Option 1 is shown as off-site provision at land southwest of Stamford Junior School on Kettering Road. The report "An assessment of the current quality of the natural turf pitches at Borderville Sports Centre and an evaluation of three potential re-provision sites" (GMA document) is appended to this document (Appendix B). This assessment shows that pitches of similar quality to the site to be lost could be replaced. However, as confirmed by the report, this

mitigation site would require more maintenance compared to the site to be lost. The site would also require changing room facilities to be built along with car parking, access road and other ancillary facilities to enable the site to have an equivalent quality as the site to be lost. Paragraph 59 of the PFPG requires that a new area of playing field should allow the same level of competitive play to take place without requiring any additional maintenance input. The site at Kettering Road would require additional maintenance input for the grass pitches as confirmed by the GMA report in that intensive primary and secondary drainage coupled with heavy sand amelioration would be required to create pitches capable of achieving the quality of those to be lost. The maintenance of these drainage systems would be expensive and would require specialist contractors. In comparison, the pitches to be lost at Borderville (as included in the GMA document) are situated on naturally well drained soils with lateral drains at 5m centres. The Kettering Road site would also require maintenance of the new ancillary facilities. This cost would be an additional cost to the operator when compared to the site to be lost as the operator would still need to maintain the existing site at Borderville Sports Centre as they would be operating across two sites which would further increase their maintenance costs as confirmed by comments made by the Football Foundation that a satellite site would place additional operational strain on local sports operations.

The Kettering Road site would require planning permission for this change of use proposal as confirmed in the Open Space document – "*any off-site provision would also be dependent on planning permission for the use of the land being secured.*" There would be a need for cut and fill earthworks to create the grass pitches along with the construction of changing facilities, a car park and access. As the site is located within the functional floodplain of the River Welland, there is no certainty that planning permission would be granted and so the delivery of this site cannot be assured. This is a view which has been held by Planning Inspectors at appeal when considering proposed replacement playing field sites which do not have planning permission secured. They have found that where there are no guarantees that the specific works would be secured and, as a necessity to make the proposed development acceptable in planning terms, they would fail to meet the test set out in Paragraph 57 in the NPPF. Therefore, it is Sport England's opinion that the loss resulting from the proposed development would not be replaced by equivalent or better provision in terms of quantity and quality in a suitable location at the Kettering Road site.

Option 2 in the amended Stamford North Open Space document is for on-site provision if it is not feasible for off-site replacement provision to be provided. The document cites challenges with providing level playing pitches on the application site. Therefore, the document states that the precise location of the replacement provision would need to be agreed pursuant to the planning conditions/ S. 106 Agreement. Neither the Indicative masterplan or the Parameters Plan has been amended and so also fails to include land that could accommodate this large replacement provision. The report "An assessment of the current quality of the natural turf pitches at Borderville Sports Centre and an evaluation of three potential re-provision sites" confirms that this replacement provision needs to be provided in a single location only and not divided between sites. Any outline permission granted by the Council would likely require that the reserved matters are in general compliance with the parameter and master plans. As such,

the outline permission would not secure a suitable replacement site on the application site which is of equivalent or better provision in terms of quality and quantity and in a suitable location.

Sport England's concerns remain that allowing these 2 options for the replacement provision to be secured prior to the grant of the first reserved matters approval would not allow an assessment to be made on whether the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location as required by paragraph 103 of the NPPF and that planning permission would already have been approved for their loss. The challenges of providing level playing pitches on the application site are raised in the Open Space document. A satellite replacement site detached from the main hub of Borderville Sports Centre would dilute the facilities at this site. The Council is currently producing its Playing Pitch Strategy for the District. It is understood that this work is looking at the impact the loss of these grass pitches and so the dilution of the facilities at this site would have not just on the football club who use the site but also on the use of the site as a sports college. Borderville Sports Centre was granted planning permission under ref: S13/0260 for the construction of the grass pitches, stadium pitch, AGP, buildings and car parking as a replacement facility for Stamford FC's football ground off Kettering Road which was developed for housing and as a sports college for Stamford College.

As raised by the Football Foundation there would need to be separate management and maintenance arrangements secured for a satellite site and this would place additional operational strain on local sports operations and so would not meet the quality requirement in paragraph 103 of the NPPF.

Sport England notes that the GMA letter submitted as part of this additional information includes a new site option at Borderville. However, the whole of this site does not appear in the amended Open Space document or in the GMA report appended to the Open Space document. Appendix 2 in the GMA letter shows a proposed layout for the Borderville Sports Centre site with the replacement pitches provided to the west of the site along with car parking provided to the north of the site, a MUGA to the north and a Main Street with wide verges and vegetation separating the proposed residential development from the sports pitches. Whilst the GMA has provided some detail on the construction of these grass pitches, there is a need for an agronomy report to be submitted on this land and a detailed specification of the work that would be required to construct good quality pitches. Information would also be required on the on-going maintenance required for these pitches. Once Sport England is in receipt of this additional information, we can involve the Football Foundation to assess whether this option would be a suitable replacement scheme for the loss of the playing field.

Impact of the proposal on Borderville Sports Centre and paragraph 193 of the NPPF
Sport England is a statutory consultee on proposals which could have a prejudicial impact on the use of playing field. As discussed previously, paragraph 193 of the NPPF and the 'agent of change' principle applies to sports clubs and seeks to ensure that these existing facilities can continue without additional restrictions being placed upon them by development permitted

after they were established. As discussed, both the stadium pitch and AGP can both be used up to 2230 hours each evening under permission ref: S13/0260. The stadium pitch also has use of a PA system. The parameters plan shows housing proposed within 7 metres of the stadium pitch and AGP However, the Noise Assessment Scheme published on the Council's website does not include data on night time noise levels and the cumulative impact of the use of both the stadium pitch and AGP at the same time up to 2230 hours. It is noted that the applicant states that the Council's Environmental Health Department considers that the residential part of the development could be adequately protected from noise from the adjacent sports pitches and sports centre use. It would be helpful if the Environmental Protection Officer's comments were published on the Council's website on noise and lighting as presently the published comments are restricted to construction activity, air quality and contamination.

As raised previously there is also concern that the loss of parts of the site approved under planning permission ref: S13/0260 could breach planning conditions on this consent such as the provision of 110 car parking spaces. The proposal would involve the loss of this car park. There is a need to ensure that a replacement car park is secured.

Conclusion
As previously stated, Sport England had no objections to Housing Allocation STM1-H1 for Stamford North SUE in the South Kesteven DC's Local Plan (2020) as it excluded the Borderville Sports Centre site and land within the application site boundary for planning permission ref: S13/0260. Our concerns relate to the inclusion of this playing field land in the development scheme and the impact it will have on the loss of this land and the prejudicial impact on the remaining land in an area which has a deficiency in playing field. The amended Stamford North Open Space Document would not secure replacement playing field of equivalent or better provision in terms of quantity and quality in a suitable location as required by Paragraph 103b) of the NPPF.

Based on the above assessment Sport England continues to **object** to this proposal.

Notwithstanding the concerns raised above and without prejudice to Sport England's objection, comments have been provided on a new site option at Borderville as included in the GMA letter. In providing further information on this site Sport England would ask that the applicant submits this to the local planning authority and not to Sport England directly. That way it forms part of the planning application submission and its associated audit trail. The local planning authority can then consult Sport England on receipt of this information.

Appendix 3 – Habitat Regulations Assessment