



**SOUTH  
KESTEVEN  
DISTRICT  
COUNCIL**

## Planning Committee

13 May 2022



### S22/0502

<b>Proposal:</b>	Outline application for residential development (up to 650 dwellings), a local centre (up to 3,000 sq. metres of gross floorspace for uses within Class E (a-g) and F2(a) and F2(b)), open space including country park, access, drainage and landscaping (Access only) (Rutland County Council Ref: 2022/0227/MAO)
<b>Location:</b>	Land at Quarry Farm, Old Great North Road, Little Casterton, Rutland
<b>Applicant:</b>	Allison Homes Limited (formerly Larkfleet Homes)
<b>Application Type:</b>	Adjoining Authority Consultation (Rutland County Council)
<b>Reason for Referral to Committee:</b>	Major Development Public Interest
<b>Key Issues:</b>	Principle of Development Access and Highways Impacts Design Quality and Visual Impact Impacts on Ecology and Biodiversity Affordable Housing Contributions Infrastructure for Growth (Section 106 Contributions)
<b>Technical Documents:</b>	Environmental Statement including chapters on: <ul style="list-style-type: none"> <li>• Transport and Access</li> <li>• Noise and Vibration</li> <li>• Air Quality</li> <li>• Ecology</li> <li>• Hydrology and Flood Risk</li> <li>• Landscape and Visual</li> <li>• Cultural Heritage and Archaeology</li> <li>• Geology and Contamination</li> <li>• Socio-Economics and Human Health</li> </ul> Design and Access Statement Concept Document – Proposed Country Park Planning Statement Utilities Assessment Travel Plan

#### Report Author

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**Corporate Priority:**

**Growth**

**Decision type:**

**Regulatory**

**Wards:**

**Two or more Wards**

**Reviewed by:**

Emma Whittaker – Assistant Director of Planning

04 May 2022



## 1. Description of site

- 1.1 The application site comprises an area of 65.97 hectares (163.01 acres) of irregular shaped land situated at Quarry Farm, between Old Great North Road / Casterton Road (B1081) and Little Casterton Road, to the north-west of Stamford. The site falls within the administrative boundaries of Rutland County Council but bounds onto South Kesteven District on its south, east and west sides.
- 1.2 The site currently comprises of a former brick works, clay and stone quarry pits and mature and scrub woodland and grassland. At the south-western side with Old Great North Road / Casterton Road is an open grassland field with informal footpaths; to the north of this field is an area of woodland, which extends to approximately 4.6 hectares. To the east of the woodland, there is an area of scrub land, which includes a telecommunications mast to the south-east of the woodland and adjacent to the existing resident properties is a further area of woodland, which again includes informal footpaths. The site benefits from clearly defined boundaries marked by mature hedgerow on all sides.
- 1.3 As referenced above, the site is bound to the south-west by Old Great North Road / Casterton Road (B1081), to the west by a BP garage and small industrial estate; beyond which lies open agricultural land; to the east by Little Casterton Road; beyond which lies open countryside, which is allocated for development within the adopted South Kesteven Local Plan (SKLP) (Site Ref: STM1:H1), to the south by the existing residential built-up area of Stamford, with the nearby estate known locally as Rutland Heights; and to the north by open countryside.
- 1.4 Existing residential development to the south of the site comprises a mix of detached, semi-detached and terraced dwellings, which are generally two-storey in scale (with some limited exceptions of bungalows and two and a half storey properties), which are arranged in a series of cul-de-sacs access from Casterton Road or Little Casterton Road. To the south of Casterton Road, there is further modern housing, however, there is a limited visual relationship between these dwellings and the application site.
- 1.5 The central and eastern areas of the site, including the areas of woodland and scrub land, have been identified as a candidate Local Wildlife Site (cLWS) due to the identification of a large area of mixed grassland habitats and several rare plant species, including a nationally rare plant species. The site is not subject to any other planning policy designations.
- 1.6 However, it should be noted that the application site, in conjunction with the adjacent land to the east (which falls within South Kesteven's administrative boundaries) has previously been identified as a proposed cross-boundary allocation for a mixed-use sustainable urban extension to the north of Stamford, comprising approximately 1950 dwellings, a distributor road, local centre, primary school and country park. The eastern part of the proposed development site, which falls within the South Kesteven boundaries, is allocated for development within the adopted South Kesteven Local Plan (Site Ref: STM1:H1), and the application site was previously identified as a proposed allocation (Ref: Policy H4) within the draft Rutland Local Plan 2018-2036, which was submitted for Examination in 2020, and subsequently withdrawn in 2021.

- 1.7 As part of the draft allocation, the application site was expected to include residential development of no more than 650 homes; a country park including appropriate mitigation of potential harm to wildlife assets; and a distributor road connection Old Great North Road and Little Casterton Road. The proposed development of the site was only to be supported, where it was accompanied with an agreed Development Brief as part of a single planning application covering the whole of the Stamford North development area. Nonetheless, as referenced above, the draft Rutland Local Plan 2018-2036 was withdrawn from Examination in 2021, and therefore, the draft allocation of the site for the development of the site holds no weight in the current decision-making process.

## **2. Description of proposal**

- 2.1 The current application seeks outline planning permission for residential development (up to 650 dwellings), a local centre (up to 3,000 sq. metres of gross floorspace for uses within Class E (a-g) and F2(a) and F2(b)), open space including a country park, access, drainage and landscaping. All matters, with the exception of access, are reserved for future determination.
- 2.2 As referenced above, the current application scheme falls entirely within Rutland County Council's administrative boundaries, and therefore, they are the Local Planning Authority who will be responsible for determining the application. Nonetheless, in view of the nature of the application proposal and the likely cross-boundary implications of the development scheme, South Kesteven District Council have been invited to submit comments on the application as an adjoining authority.
- 2.3 The current application falls to be assessed under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 and, as such, has been accompanied by an Environmental Statement (ES), which includes chapters on Transport and Access, Noise and Vibration, Air Quality, Ecology, Hydrology and Flood Risk, Landscape and Visual, Cultural Heritage and Archaeology, Geology and Contamination and Socio-Economics and Human Health. The submission has also been accompanied by an Illustrative Layout, Illustrative Masterplan and Parameters Plans, which indicate how the site could accommodate the proposed development in the following manner:
- 2.4 As previously identified, the current application is in outline with only access for approval. The proposed development is to include two points of vehicular access, one at Old Great North Road to the west; and another on Little Casterton Road to the east. Within the site, the application proposals involve the construction of the initial phase of the distributor road, which is intended to extend throughout the wider Stamford North development proposal, connecting Old Great North Road and Ryhall Road, to provide a vehicular route to the east of the town that does not require vehicles to travel through the centre of Stamford.
- 2.5 Access to the site from Old Great North Road would be via a signal-controlled junction with dedicated turning lanes. Pedestrian crossings would be provided on the site access and Old Great North Road arms of the junction, which would include central islands to allow pedestrians to cross the road. A 3m wide footway and cycleway is to be provided along the eastern side of the access, with a 2m wide footpath extending along the western side of the access.

- 2.6 Access to the site from Little Casterton Road would be via a priority-controlled T-junction. A 3m wide shared footway / cycleway would be provided along the southern edge of the access, connecting into the existing network. A 2m wide footway would also be provided to the north of the access. Little Casterton Road is proposed to be widened to 6.5m to the south of the access to enable access to the site by buses.
- 2.7 The proposed link road would run through the Quarry Farm site, connecting Old Great North Road and Little Casterton Road, and would comprise of a 6.2m to 6.75m wide carriageway with 3m wide shared footway / cycleway along the southern edge and a 2m footway along the northern edge.
- 2.8 As referenced above, the application has been accompanied by an Illustrative Layout and Indicative Masterplan, which demonstrates how the site could accommodate the development proposed. However, matters relating to appearance, layout, landscaping and scale are reserved for subsequent approval and therefore, the proposed layout of the development indicated on the submitted plans are to be treated as indicative only.
- 2.9 In the context of the above, the Illustrative Layout demonstrates how the proposed development would be arranged around the east-west distributor road, which would be a tree-lined street run through the centre of the site, bisecting the area of scrub land located between the areas of existing woodland positioned centrally within the site.
- 2.10 The proposed Local Centre would be situated within the centre of the site, to the north of the spine road and would be bound by retained woodland to the east and by an Equipped Area of Play to the west, with sports pitches to be provided on the opposite side of the spine road. The submitted Planning Statement indicates that the Local Centre will include a range of uses, including facilities falling within Use Class E, such as retail, café / restaurants, sports and recreation, medical / health or office / light industrial use. Similarly, it is also suggested that the local centre could include an educational facility (albeit this would not be a primary school, which is included within the wider allocation site, falling within South Kesteven), and could also include a community hall. A visitor centre for the Country Park is also proposed to be included within the Local Centre.
- 2.11 Residential development would be predominately split into two parcels; one located to the south-west of the site between Old Great North Road and the retained woodland; and another located along the eastern boundary of the site, between Little Casterton Road and the retained smaller woodland in the south-eastern part of the site, adjacent to the existing Rutland Heights estate.
- 2.12 The development would be arranged around the primary spine route, with a number of additional secondary roads extending from this route, which would then serve a network of cul-de-sacs, private drives and edge lanes. Residential dwellings are indicated as being arranged in a block layout, fronting onto the spine road or their respective internal road. Additional areas of open space, including equipped play areas and SuDS are indicated as being positioned within these distinctive character areas. The submitted Planning Statement indicates the development scheme will comprise a mix of 1-5 bed housing, including 30% affordable housing, and that the submitted plans have been based on a development comprising of the following mix:

	<b>1-bed</b>	<b>2-bed</b>	<b>3-bed</b>	<b>4+ bed</b>
<b>Number of units</b>	0-32	162-195	228-325	162-260
<b>Percentage of overall mix</b>	0-5%	25-30%	35-50%	25-40%

- 2.13 It is proposed that the majority of dwellings will be 2 storey, with more limited use of 2 ½ and 3-storey dwellings.
- 2.14 The remaining land within the application site boundary, positioned to the north of the retained woodland, is to provide a Country Park. The application submission has been accompanied by a Country Park Concept document which outlines the high-level proposals for the Park based on design principles relating to habitats and visitors; these principles are utilised with the overall vision of creating a location which provides a high-quality recreational asset as well as providing significant opportunities for biodiversity enhancement.
- 2.15 An outline drainage strategy has been included within the Flood Risk Assessment contained within the Environmental Statement. This identifies that the strategy for the site is to comprise a series of attenuation basins and infiltration ponds within the site. Surface water will be drained via private permeable driveways, which will infiltrate into the sub-strata. Outside of areas of infiltration, surface water will be drained in sub-surface tanks, which will subsequently transfer the water to areas of infiltration elsewhere in the site. Foul drainage is proposed to be discharged to the existing Anglian Water network via a pumped connection to Old Great North Road.

### **3. Representations Received**

#### **3.1 Heritage Lincolnshire**

3.1.1 No comments to make.

#### **3.2 Lincolnshire County Council (Education) – Full comments at Appendix 1**

3.2.1 No objections subject to Section 106 financial contributions

3.2.2 As the development would result in a direct impact on local schools, a contribution is therefore requested to mitigate the impact of the development at a local level. The level of contribution sought in this case is as follows:

3.2.2.1 Primary Education = £608,927.00 towards education provision in the Stamford Primary Area

3.2.2.2 Secondary Education = £0

3.2.2.3 Sixth-form education = £405,407 towards education provision in the Stamford Secondary Area.

3.2.2.4 **Total contribution requested: £1,014,334.00**

3.2.2.5 We would suggest that the Section 106 monies are paid at the halfway point in the development to allow timely investment by the County Council.

3.3 **Lincolnshire County Council (Highways & SuDS) – Full comments at Appendix 2**

3.3.1 No objections, subject to planning conditions and Section 106 financial contributions.

3.3.2 This proposal is for 650 houses wholly within Rutland and with site access junctions onto Rutland's highway network. However, due to the site's proximity with Lincolnshire and especially the facilities and neighbouring residential areas in Stamford, it is necessary that the development's impact, connections and appropriate mitigation are provided to make the development acceptable to LCC.

Traffic Impact

3.3.3 The traffic impact of the development on LCC's highway network, subject to the provision of appropriate mitigation at nearby junctions on the A1. Provided acceptable junction improvements are agreed with National Highways and conditioned accordingly, the traffic impact is acceptable to LCC.

Connectivity

3.3.4 It is important that footway and cycle connections are provided and serve the desire lines, to make connections to Stamford. These need to be provided along the site frontages and connect to existing facilities, and the site access junctions need to provide suitable crossing points. Pedestrian and cycle connections crossing the southern boundary of the site into the existing residential areas of Stamford should also be provided.

Street Design

3.3.5 This application is the first phase of the Stamford North development, which is to include a link road running through the entire site from Casterton Road to Ryhall Road in order to mitigate the traffic impact of the whole development. The first section of that road is included within this application, and it is essential that the street design of this part of the road is compatible with the design of the remainder of the road, which falls in Lincolnshire, in terms of road widths, access, parking, speed limits, cycle and footway provision.

Bus Services

3.3.6 Additional bus services are required to service this development and connect it to existing facilities in Rutland and Lincolnshire. A Section 106 financial contribution is requested to support these bus services.

Travel Plan

3.3.7 It is recommended that the Travel Plan is conditioned and monitored by RCC.

3.4 **Lincolnshire County Council (Minerals)**

3.4.1 No comments received.

3.5 **Lincolnshire Fire and Rescue**

3.5.1 No objections – refer to standing guidance.

3.6 **Lincolnshire Police Crime Prevention Officer**

3.6.1 No objections

3.7 **NHS Lincolnshire – Comments enclosed at Appendix 3**

- 3.7.1 No objections in principle. Section 106 financial contributions required.
- 3.7.2 We recognise that this site has been identified for housing. There will be an impact on local NHS services and therefore we would want to be party to Section 106 contributions to support the necessary infrastructure and capacity to meet this growth.
- 3.7.3 We are working with colleagues in Leicester, Leicestershire and Rutland CCG and will continue to do so around these proposals.

3.8 **SKDC Principal Urban Design Officer – Full comments at Appendix 4**

- 3.8.1 Holding objection – additional and amended details required.

East-West Spine Road

- 3.8.2 The main east-west street design needs further improvements and in some cases cross-boundary agreement – this will avoid future issues and aid clarity and certainty as the Stamford North development progresses. In particular the following issues need to be addressed:

- 3.8.2.1 A consistent approach to cycle routes (and bus stop) designs is needed across the whole site
- 3.8.2.2 The approach to parking design needs further thought and improvement, as well as agreement – with on-street parking being properly designed in, fewer rear parking spaces and improved design of rear parking areas, where they exist.
- 3.8.2.3 An agreement between LCC and RCC (as Local Highways Authorities) on the design speed of the street and the acceptable measures for achieving it.
- 3.8.2.4 An agreement between LCC and RCC on the speed limit of the street.
- 3.8.2.5 Agreement between RCC and LCC on the number of parking spaces required and the methodology to be used for calculating appropriate parking provision.

Connectivity

- 3.8.3 The well-used footpaths to the east of Little Casterton Road need to be illustrated and studied so that seamless east-west connections can be made.
- 3.8.4 There are discrepancies between the submitted plans – the Illustrative Masterplan shows a pedestrian link in the south-east corner of the site at the point of the existing link – but the more detailed Illustrative Layout does not include it. This link is important as it aligns with Fitzwilliam Road, where many existing residents will approach the site.
- 3.8.5 Due to the linear nature of the site, the southern boundary of the site runs along the entirety of the edge of Stamford. This creates a need to interconnect the new community with the existing – many opportunities exist, but only one has been included thus far.
- 3.8.6 The vehicle connection between the RCC and SKDC parts of the Stamford North needs to be appropriately agreed – at present the Proposed Illustrative Masterplan illustrates a

different to solution to that which was previously proposed within the draft Development Brief, which indicated the potential re-alignment of Little Casterton Road.

#### Site-wide masterplan

3.8.7 In order to more meaningfully guide the Stamford North development, it is felt that an additional tier of guidance is needed. This would be either in the form of a more detailed Development Brief or a Stamford North SPD, which brings together many of the issues discussed above to ensure a cross-boundary approach.

### 3.9 **SKDC Principal Planning Policy Officer – Appendix 5**

3.9.1 No objections in principle.

3.9.2 Policy STM1-H1 requires a high-level masterplan, supported by a detailed development brief, appropriate full transport assessment and phasing plan for the entire site, including Quarry Farm. Whilst an illustrative masterplan and layout for the Quarry Farm site has been included, a high-level masterplan has not been provided for the entire allocation. The application refers to a draft development brief which has now been superseded. The current version of the development brief was prepared in conjunction with the developers and includes design principles, which were not included in the version of the brief included with the application. The draft Development Brief has not yet been subject to public consultation or member agreement.

3.9.3 The Council will need to be satisfied that the application does not impede development of the remainder of the site, both in terms of the east-west link road, and the delivery of wider infrastructure identified within Policy STM1-H1, the South Kesteven Infrastructure Delivery Plan, and the current version of the development brief.

3.9.4 The 650 homes are included within the Council's housing land supply as set out in the 2021 Annual Position Statement; however, it should be noted that the 650 homes are not included in the Council's 5-year housing land supply, which is fixed until October 2021.

3.9.5 The Stamford Neighbourhood Plan supports the level of growth at Stamford North and Policy 1 includes a number of development principles. The Plan is currently at Examination and may be subject to modification through the Inspector's report, prior to referendum. As such, the Neighbourhood Plan should be afforded limited weight.

### 3.10 **SKDC Environmental Health Officer – Appendix 6**

3.10.1 No objections subject to conditions.

3.10.2 The Applicant has submitted a detailed Environmental Statement produced by BWB for the Quarry Farm proposed development. There are site specific environmental matters (such as ground conditions investigations) which are for Rutland County Council to assess and determine.

3.10.3 The proposed development is within the envelope of Stamford and, as such, the nature of the development may have an impact upon certain environmental issues, such as air quality impacts on the road network in and around Stamford.

- 3.10.4 The Applicant has completed an air quality impact assessment for the proposed development and modelled the predicted impact on air quality from road traffic pollutants, specifically within Stamford Town Centre. The predicted concentrations are within the National Air Quality Standards and Objectives.
- 3.10.5 The development does propose a scheme for a link road between the Old Great North Road and Ryhall Road, which would redirect some of the through traffic which currently uses Stamford Town Centre.
- 3.10.6 SKDC would recommend that the applicant produces a detailed Environmental Construction Management Plan for the proposed development to mitigate the impact to local residents from noise, dust and traffic (construction traffic), whilst ground works and construction takes place.

### 3.11 **Stamford Town Council – Appendix 7**

#### 3.11.1 Objections.

##### Absence of Masterplan

- 3.11.2 To bring forward a proposal for Quarry Farm without a fully realised masterplan for the whole of the Stamford North development is not in the spirit of RCC's unadopted Local Plan, or SKDC's Local Plan or the cross-boundary co-operation that had previously been agreed to.

##### Cross-boundary issues

- 3.11.3 The biggest issue is that Council Tax revenues and developer funds will now go to Rutland County Council and not SKDC, despite the new homes effectively being part of Stamford, which post-development, will be expected to provide healthcare, education and town facilities for Quarry Farm residents. There is no assurance that financial contributions will be ceded to SKDC by RCC.

##### Climate Change

- 3.11.4 Assuming RCC is committed to climate change and mitigation, and the ongoing welfare of residents, they need to ensure that Quarry Farm has adequate provision in this regard whilst it is under planning, since retrofitting measures later on has proven to be far more difficult and costly.

##### Lack of biodiversity and wildlife habitat

- 3.11.5 The negative ecological impact of development at Quarry Farm, which has been identified as a candidate Local Wildlife Site is of great concern. It is forecast that there will be a net biodiversity loss from the development alone and therefore will not meet the 10% net gain required from new developments.
- 3.11.6 A more thorough, independent review of all ecological mitigation proposed by the developer is needed, as is a more detailed plan for delivery (to include timeframes for net gain and reporting procedures to measure against the established baseline).
- 3.11.7 For the purposes of wildlife protection, it is recommended that the proposed link road across the site between Old Great North Road and Little Casterton Road should be routed as far away as possible from the candidate Local Wildlife Site. A more satisfactory solution would

be to locate the road along the northern edge of the Stamford North development, so that it could both service the development and serve as a much-needed east-west relief road for the town, without having to pass through residential neighbourhoods. There is a concern that if this road is not relocated, it will be used by heavy traffic as a major cut through from the A1 in the west to the shops and businesses to the east of Stamford.

#### Archaeology

- 3.11.8 It has been identified that the archaeological surveys that have been completed are not stringent enough. STC recommends that a full Archaeological Impact Assessment of the proposals is carried out before any decision on the planning application is determined.

#### Provision of healthcare

- 3.11.9 In view of the existing issues around healthcare provision for Stamford, we are concerned that there is no guarantee of sufficient increase in provision to meet demand generated as result of the proposed 650 new homes, which could comprise upwards of 1500 new patients.

#### Education

- 3.11.10 The application overstates the range of current local education provision and fails to consider the oversubscription of local schools. Current realisation of education provision is not yet agreed with the Local Education Authority and is subject to planning approval on the remaining Stamford North development by SKDC.

#### Employment

- 3.11.11 The application makes no provision to increase the amount of retail stores which are already too scarce on the north-west side of Stamford.
- 3.11.12 It has been suggested that if the link road were to be built along the northern edge of the Stamford North development, light industry such as technology companies could be located along the northern extent to boost the town's level of future proof commerce and employment.

#### Affordable Housing

- 3.11.13 Quarry Farm currently does not meet the 35% affordable housing target established within the local planning policy.
- 3.11.14 Furthermore, there is concern that people on Rutland's housing waiting list will be given priority over Stamford people on South Kesteven's housing waiting listed for any affordable housing that is built.

#### Country Park

- 3.11.15 There are significant concerns about the County Park scheme. No specific funding solution or liability commitment to long-term stewardship has been provided within the application. It has been suggested that moving forward, and with further negotiation, this might be something that the Town Council could consider.

#### Highways and Traffic Impacts

- 3.11.16 The most serious issues stem from traffic coming off the development and wanting to access the A1 and vice versa. The main through routes would be along Sidney Farm Lane, Arran

Road and possibly Stirling Road. The problem arises where Sidney Farm Lane meets the A606 and the A1 on-slip road southbound and A1 off-slip at Oakham. AECOM have highlighted some discrepancies in PBAs work, and have suggested that more work needs to be carried out for clarification.

- 3.11.17 It is also noted that the mitigation described in the Traffic Impact Assessment is the bare minimum in terms of sightlines, braking distances, and grade separations. Furthermore, given that Sidney Farm Lane is part of the Sustrans national cycleway and footpath used by school children, the mitigation proposed does not meet national safety standards. This is allied to concerns over increased congestion at peak times and school times around these residential roads and the schools.
- 3.11.18 The Traffic Impact Assessment does not consider the impact on surrounding villages or existing residential streets used as shortcuts for access to the A1.
- 3.11.19 In addition, it is felt that there has been an overestimation of the ability of public transport solutions to mitigate concerns, and an underestimation of the impact on air pollution in a compact town centre, where static traffic is created in so many places.

### 3.12 **Ward Member**

- 3.12.1 No formal comments received.

## **4. Representations as a Result of Publicity**

4.1 The application has been advertised in accordance with the Council's Statement of Community Involvement and 6 letters of representation have been received, both of which have raised objections. SKDC have also been sent a copy of a petition comprising 1,301 signatories, which has also been sent to Rutland County Council directly. The letters of representation have raised the following relevant material considerations:

1. Impact of the development on biodiversity and ecology
2. Impact of the development on highways safety and capacity
3. Impact of the development on local infrastructure capacity.

## **5. Evaluation**

5.1 South Kesteven District Council are in receipt of the request for comments in respect of the above planning application (Rutland County Council Ref: 2022/0227/MAO), which is located within Rutland County Council's (SKDC) administrative area, but bounds onto the South Kesteven District at its east, west and southern sides. In the context of the above, as part of the current request for consultation comments, SKDC have reviewed the application details and assessed the potential for strategic, cross-boundary implications to arise as a result of the development proposals, which may impact on assets falling within this LPAs administrative control.

5.2 In this respect, it is appreciated that Rutland County Council (RCC) are the Local Planning Authority (LPA) for the current application and therefore will be the determining body. As such, in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, the application will be determined in accordance with the adopted Development Plan for

Rutland unless material considerations indicate otherwise. In this regard, it is acknowledged that the National Planning Policy Framework (NPPF) (“the Framework”) and the planning practice guidance (PPG) will form part of the material considerations against which Rutland County Council will determine the application.

5.3 In light of the above, South Kesteven District Council have reviewed the submitted information and, in light of the inadequacies of the current submission, raises a **formal holding objection** to the application, until such time as the deficiencies in the current submission has been addressed and subject to revised consultation with this authority.

#### 5.4 **Principle of Development**

5.5 As identified above, it is appreciated that the application site is located wholly within Rutland County Council’s and as such, falls to be assessed against the adopted Development Plan for Rutland.

5.6 Notwithstanding the above, it is acknowledged that the application proposals comprise the part of the wider Stamford North development site, for which the area to the east of the application site is allocated through the adopted South Kesteven Local Plan (LP Ref: STM1: H1 – Stamford North). The policy identifies the allocation to include the provision of approximately 1,300 dwellings (including land extending into Quarry Farm, Rutland, which has an additional capacity for 650 dwellings); an east-west road to be provided through from Old Great North Road to Ryhall Road; a new primary school; a local centre; and open space.

5.7 Similarly, the application site itself, was also previously identified as a draft allocation within the Rutland Local Plan 2018-2036 (LP Ref; H4 – Cross-boundary development opportunity – Stamford North), which was subsequently withdrawn from Examination in September 2021. The draft allocation policy included in the Examination Version of the Plan identified that the application site would only be brought forward for development in conjunction with the land in South Kesteven as part of a comprehensive mixed-use development, and that the proposal would only be supported where it is in accordance with an agreed Development Brief and as part of a single comprehensive planning application. The site was proposed to include no more than 650 homes within the current application site, a country park; and a distributor road facilitating the connection of Old Great North Road to Ryhall Road.

5.8 Nonetheless, it is appreciated that the aforementioned documents do not form part of the adopted Development Plan for Rutland and, therefore, do not hold any weight in the determination of the current application.

5.9 Notwithstanding the above, it is acknowledged that the policies and provisions contained within the NPPF (Adopted July 2021) are a relevant material consideration in the determination of the application. In this respect, Paragraph 73 of the Framework identifies that “*the supply of large number of new homes can often be best achieved through planning for larger scale development, such as new settlements or significant extensions to existing villages and towns, provided that they are well located and designed, and supported by the necessary infrastructure and facilities (including a genuine choice of transport modes)*”.

5.10 In the context of the above, SKDC do not raise any objections to the principle of development on the application site. In particular, it is acknowledged that the application proposals form part of the wider Stamford North development proposal and would make provision for part of the east-west link road, which is intended to connect Old Great North Road and Ryhall Road as part of the wider development scheme, and also includes provision of a local centre and country park, which has similarly been identified as a key component part of the wider allocation.

5.11 Notwithstanding the above, it is noted that the withdrawn Policy H4 of the draft Rutland Local Plan noted that development on the site would only be supported where the proposals came forward as part of a single comprehensive planning application following the agreement of a site-wide masterplan and development brief.

5.12 In light of the above, and on the basis of the available information as part of the current submission, SKDC have significant reservations about the current application proposals and therefore submit a **formal holding objection** for the following reasons:

### 5.13 **Access & Highways Impacts**

5.13.1 Paragraph 111 of the Framework states that “development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”.

5.13.2 The proposed development is to include two points of vehicular access, one at Old Great North Road to the west; and another on Little Casterton Road to the east. Within the site, the application proposals involve the construction of the initial phase of the distributor road, which is intended to extend throughout the wider Stamford North development proposal, connecting Old Great North Road and Ryhall Road, to provide a vehicular route to the east of the town that does not require vehicles to travel through the centre of Stamford.

5.13.3 Access to the site from Old Great North Road would be via a signal-controlled junction with dedicated turning lanes. Pedestrian crossings would be provided on the site access and Old Great North Road arms of the junction, which would include central islands to allow pedestrians to cross the road. A 3m wide footway and cycleway is to be provided along the eastern side of the access, with a 2m wide footpath extending along the western side of the access.

5.13.4 Access to the site from Little Casterton Road would be via a priority-controlled T-junction. A 3m wide shared footway / cycleway would be provided along the southern edge of the access, connecting into the existing network. A 2m wide footway would also be provided to the north of the access. Little Casterton Road is proposed to be widened to 6.5m to the south of the access to enable access to the site by buses.

5.13.5 The proposed link road would run through the Quarry Farm site, connecting Old Great North Road and Little Casterton Road, and would comprise of a 6.2m to 6.75m wide carriageway with 3m wide shared footway / cycleway along the southern edge and a 2m footway along the northern edge.

- 5.13.6 The Applicant has submitted an Environmental Statement, which includes a Transport and Access chapter (Chapter 5) and an accompanying Transport Assessment (TA), which assesses the impact of the application proposals, as modelling the potential cumulative impact of the whole Stamford North development.
- 5.13.7 The submitted TA states that the residential element of the development would generate 326 two-way vehicular movements in the AM peak, and 319 two-way movements in the PM peak. The TA concludes that the application proposals would result in the A1 northbound off-slip / A606 junction operating over capacity and, therefore, a mitigation scheme which includes the widening of the A1 slip road has been identified.
- 5.13.8 Furthermore, the TA states that the results of the modelling indicate that the application proposals could be delivered in full without the need for the full link road connecting from Old Great North Road to Ryhall Road i.e., development of the site can come forward in advance of the remaining part of the wider Stamford North development (including the eastern arm of the link road), without giving rise to unacceptable highways impacts.
- 5.13.9 The cumulative impact assessment, which assesses the impact of the full Stamford North development and includes the entirety of the proposed east-west link road, has identified capacity issues at a further three off-site junctions, as follows:
- Sidney Farm Lane / A606 priority-controlled junction
  - A1 southbound off slip / A6121 priority-controlled junction; and
  - Ryhall Road / Uffington Road / St Paul's Street mini roundabout.
- 5.13.10 Prospective mitigation improvements have been identified for these junctions. However, these are not included as part of the current application proposals, due to the contention that such measures are only required to accommodate the additional traffic generated from the wider Stamford North development rather than making the current application acceptable in highways terms.
- 5.13.11 With regards to the above, it is appreciated that representations submitted to SKDC as part of the current consultation have raised a number of objections in relation to highways impact and highways safety. In particular, it has been suggested that the TA does not appropriately assess the potential impact of the development proposals on the surrounding villages or the surrounding residential streets within Stamford; and in connection with this, it has been argued that there has been an overestimation of the modal split of movements.
- 5.13.12 In this respect, South Kesteven District Council have consulted with Lincolnshire County Council (as Local Highways Authority) in relation to the potential impacts of the development on the local highway network in the surrounding area, insofar as it falls within the administrative boundaries of SKDC, as well as the acceptability of the proposed link road. A full copy of their comments is enclosed at **Appendix 2**.
- 5.13.13 In short, they have confirmed that the traffic impacts of the application proposals would be acceptable, subject to suitable junction improvement arrangements being agreed with National Highways, which is considered to be necessary to mitigate the impact of the development on junctions with the A1. The agreement of these measures is also necessary

for LCC to ensure that there is no risk that traffic is diverted on LCC's local highway network due to capacity constraints on the A1.

5.13.14 Furthermore, they have also confirmed that a Section 106 financial contribution towards additional bus services to connect the development to existing facilities in Rutland and Lincolnshire, as well as planning conditions to ensure that appropriate pedestrian and cycle connections are made to connect the site with the existing residential areas of Stamford, are required. As such, in the event that the LPA are minded to grant planning permission for the current application, SKDC would respectfully request that these contributions and conditions are included as part of any consent granted.

5.13.15 Nonetheless, as referenced above, LCC Highways (as Local Highways Authority on behalf of SKDC) have confirmed that they have no objection to the application subject to National Highways also confirming their acceptance of the scheme, which would ensure that there is no risk that traffic is diverted onto the local highway network due to capacity issues at the A1. In this respect, SKDC notes that formal comments have been submitted to Rutland County Council from National Highways (dated 30 March 2022), which state the following: *“Overall, the information provided by the Applicant is satisfactory, however, we have found some areas where we consider further clarity on the approach is required in order to agree with the proposed modelling results and mitigation”*.

5.13.16 As such, in the context of the conditional comments received from LCC Highways, SKDC concludes that there is currently insufficient evidence to confirm that the application proposals would not give rise to an unacceptable severe impact on the strategic highway network, which in turn, could result in unacceptable severe impacts on the local highway network insofar as it falls within SKDC's administrative boundaries. Consequently, **SKDC raises a formal holding objection to the application proposals until such time as sufficient evidence has been submitted to demonstrate that the scheme would not give rise to any unacceptable adverse impacts on the strategic and local highway network.**

#### 5.14 Design Quality and Visual Impact

5.14.1 As stated above, it is appreciated that the current application proposals are in outline with access only for approval and, as whilst the submission has been accompanied by an Illustrative Layout and Indicative Masterplan demonstrating how the site could accommodate the development proposed, these plans are to be treated as indicative only.

5.14.2 The National Planning Policy Framework (Section 12) states that good design is a key aspect of sustainable development, creates better places in which to live and work, and helps make development acceptable to communities. Paragraph 130 of the Framework states that development proposals should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping; and should be sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change.

5.14.3 Furthermore, Paragraph 134 of the revised Framework is unequivocal in stating that “development that is not well designed should be refused, especially where it fails to reflect

local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes”.

5.14.4 As identified above, it is acknowledged that the application site forms part of the wider Stamford North development site, for which the eastern part of the wider scheme falls within SKDC’s administrative boundaries and is allocated for development through the adopted South Kesteven Local Plan. Policy STM1: H1 (Stamford North) of the adopted South Kesteven Local Plan identifies a series of development principles which accompany the allocation. The following principles are considered to be particularly pertinent in respect to the development of the wider Stamford North site (including the current application site):

- *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 the land extending into Quarry Farm, Rutland with an additional capacity of 650 dwellings).*
- *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.*
- *Safe and convenient highway, footway and cycleway connections shall be provided throughout the site connecting it to local schools, community facilities and into the wider town.*
- *An east-west road to be provided through from Old Great North Road to Ryhall Road. This should offer mitigation to the town centre as a result of the development.*
- *The development shall positively respond to green infrastructure opportunities and provide sensitive landscaping to the northern edge of the site.*
- *The development should provide net gains in biodiversity on site and contribute to wider ecological networks, where possible.*

5.14.5 In addition, the application site itself was also previously identified as a draft allocation within the Rutland Local Plan 2018-2036. Policy H4 (Cross-boundary development opportunity: Stamford North) identified that the application site should only be brought forward for development in conjunction with the land in South Kesteven as part of a comprehensive mixed-use development, and that the proposal would only be supported where it is in accordance with an agreed Development Brief and as part of a single comprehensive planning application.

5.14.6 In this regard, it is noted that a draft Development Brief for the Stamford North development was in the process of being prepared prior to the withdrawal of the Rutland Local Plan 2018-2036, which was intended to be a Supplementary Planning Document. However, given that the RLP has since been withdrawn, and therefore, there is no formal allocation of the current application site on which to derive the Development Brief, the preparation of this document has stalled. In the context of the above, there is currently no overall masterplan for the Stamford North site.

5.14.7 It is accepted that the current documents do not form part of the LPA’s adopted Development Plan, and therefore hold no weight in the determination of the current application, as such there is no policy obligation for the current application to be supported

by a masterplan for the whole site. However, SKDC strongly contends that it remains necessary for the Stamford North development scheme to come forward as part of a single, comprehensive application and to be accompanied by an agreed masterplan to ensure consistency and coherence in the design approach across the whole scheme.

5.14.8 In this respect, it is also noted that representations received from Stamford Town Council have similarly expressed concerns about the absence of a masterplan for the whole Stamford North development.

5.14.9 In the context of the above, the Council's Principal Urban Design Officer has been consulted on the application proposals and has identified the following areas of concern, where additional / amended information is required to ensure the application proposals would contribute to the creation of a well-designed, and coherent, cross-boundary development scheme:

- A consistent approach to cycle routes (and bus stop) design is needed across the whole site
- The approach to parking design needs further thought and improvement, as we as agreement. On-street parking needs to be properly designed in, fewer rear parking spaces included, and an improved design of rear parking areas where they are to be provided.
- The design speed of the east-west link road, and acceptable measures for achieving it, needs to be agreed between all parties.
- The speed limit of the east-west link road needs to be agreed.
- The number of parking spaces required and the methodology to be used for calculating appropriate parking provision needs to be agreed.
- Footpaths to the east of Little Casterton Road need to be identified and included on the plans so that seamless east-west connections across the wider Stamford North site can be made.
- There are discrepancies between the submitted plans in relation to a pedestrian link in the south-east corner of the site – at the point of the existing link. This connection should be included as it aligns with Fitzwilliam Road, from which many existing residents will approach the site.
- There is a need to interconnect the site with the existing edge of Stamford along the southern boundary of the site. A number of opportunities exist but only one has been included so far.

5.14.10 Similar to the above, comments received from Lincolnshire County Council (as Local Highways Authority) have similar highlighted the importance of achieving consistency throughout the Stamford North development in relation to street design. In particular, they have stated "*The first section of that road [the east-west link road] is to be provided with this application and in design terms it is essential that the street design in Rutland is compatible with the design in Lincolnshire in terms of road width, accesses, parking, speed limits, cycle and footway provision*".

5.14.11 Likewise, they have also echoed the point raised by the Principal Urban Design Officer, in respect of the requirement for the current application proposals to make appropriate connections with the existing residential areas of Stamford.

5.14.12 Consequently, **SKDC wishes to raise a holding objection on the basis that the current application has not been accompanied by an agreed masterplan / development brief for the wider Stamford North development.** As a result, there are number of issues relating to the design of the spine road and provision of appropriate pedestrian and vehicle connectivity, which would currently preclude the creation of a well-designed and coherent cross-boundary development scheme, and therefore require amendment / agreement.

## 5.15 Impacts on Ecology and Biodiversity

5.15.1 As identified above, it is acknowledged that the central and eastern areas of the site, including the areas of woodland and scrubland, have been identified as a candidate Local Wildlife Site (cLWS) due to the identification of a large area of mixed grassland habitats and several rare plant species, including a nationally rare plant species. As a cLWS the site is known to meet the Local Wildlife Site criteria, but has not yet been officially designated.

5.15.2 Paragraph 174 of the National Planning Policy Framework states that planning policies and decisions should contribute to and enhance the natural and local environment by “minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures”.

5.15.3 Furthermore, Paragraph 180 identifies that when determining planning applications, local planning authorities should apply the following principles “*if significant harm to biodiversity resulting from development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused*”.

5.15.4 As referenced above, the current SKLP allocation for the wider Stamford North development site requires the development proposal to provide net gains in biodiversity on site and contribute to wider ecological networks where possible. In respect of development at the application site, and the potential impact on the identified cLWS, Policy H4 of the former draft Rutland Local Plan required the development to include a Country Park to incorporate appropriate mitigation of potential harm to biodiversity and wildlife assets, including the translocation of notable species.

5.15.5 The supporting text of this policy provided the following useful statement in relation to the principle of development on the site in the context of the identified cLWS:  
“*A part of the Quarry Farm site is identified as a candidate wildlife site and would not normally be considered appropriate for development. However, the wider economic and social benefits arising from a comprehensive development in this location, which delivers the new road connection is considered to outweigh the potential impact of development on wildlife in this instance. The candidate status of the site is due to the identification of important flora on site. The Leicestershire County ecology service has worked with the County Council to assess the potential impact of development on the wildlife interest and how this could be mitigated. The development proposal therefore requires the creation of a new wildlife site and the translocation of the notable species*”.

5.15.6 The submitted Environmental Statement, which accompanies the currently application includes a chapter on Ecology (Chapter 8). This section of the Statement has been

supported by a Preliminary Ecological Appraisal, Biodiversity Impact Assessment, Arboricultural Impact Assessment and a range of protected species surveys.

- 5.15.7 The Environmental Statement identifies that the development would result in the loss of 14.24ha of semi-improved grassland and scrub which currently form part of the cLWS and without mitigation would result in a major adverse effect on the cLWS. To mitigate against this impact, it is proposed that 11.56ha of land in the north of the site would be subject of habitat creation and form a new cLWS boundary. This habitat creation would include mainly grassland to compensate for the loss of this habitat from the cLWS. It is stated that whilst the overall area will be slightly less than the existing cLWS boundary, the new habitat created will be a qualitative improvement as it will be the subject of specific targeted management as part of the proposed country park. Subject to the proposed mitigation, the ES concludes that the development will have a minor adverse impact of non-significant level.
- 5.15.8 In respect of impacts on other ecological assets, including protected species, the ES identifies that the Great Casterton Road Banks SSSI, which is located on the opposite side of Old Great North Road to the west could experience a moderate adverse impact as a result of air pollution generated by construction traffic, but this could be mitigated through appropriate controls to ensure a minor adverse impact of non-significant level. In respect of protected species, the assessment concludes that there would be a negligible impact on all species.
- 5.15.9 The submitted Biodiversity Impact Assessment identifies that the proposed development would result in an overall loss of -5.35% (-21.37 habitat units), and an increase in hedgerow units with a net gain in biodiversity of 4.94% (+1.01 hedgerow units). The Assessment states that whilst there is an overall loss in the area of habitats, the assessment has been based on a high-level masterplan and therefore it is likely that an increase in overall biodiversity would be achieved through the formulation of the detailed development proposals.
- 5.15.10 In connection with the above, it is appreciated that comments received from Stamford Town Council and public representations have raised objections to the application proposals on the basis of the impact of the development on biodiversity and loss of wildlife habitats. Specifically, it has been suggested that further detailed information should be requested as part of the current application in respect of mitigation measures to ensure biodiversity net gain, including the timescales for establishment of any new habitats to be created.
- 5.15.11 Furthermore, a number of representations received have also stated that, in the interests of protecting ecological assets including the cLWS, the proposed east-west link road should be re-routed along the northern edge of the site.
- 5.15.12 In this respect, SKDC notes the formal comments that have been submitted to Rutland County Council on behalf of Leicestershire County Council Ecology service, which has highlighted the requirement for further information to be submitted by the Applicant. In particular, the following comments are noted:
- *“The Biodiversity Impact assessment has been submitted for this planning application and confirms that the assessment has been undertaken using the Biodiversity Metric*

3.0. However, the Metric does not appear to have been submitted as an Excel document, which will be required before further comments can be made.

- *The Reptile Survey is acceptable. However, the survey didn't identify any reptiles, which is unusual since there is suitable habitat present. Section 5.7 of the report states "if the works do not commence within the next 12 months, a further walkover appraisal will be required". The initial walkover survey of the site was carried out in April 2021 and the last visit in September 2021, so revised surveys may be required.*
- *With regard to the Preliminary Ecological Appraisal, this is not satisfactory as this was carried out out-of-season. This is not acceptable and previous surveys do not seem to have been taken into account. The report dismisses the grassland on site as "semi-improved" and didn't find species that were found in the previous surveys. The assessment does not meet with the findings of the Botanical and National Vegetation Classification Assessment report and the findings of the invertebrate survey report.*
- *If the planning position is to allow development within these areas [the cLWS] compensation for the loss and damage to important habitats / species is needed. This should include:*
  - *Conservation management of off-site grassland (the Country Park) in perpetuity*
  - *Conservation management of habitats within the development areas, in perpetuity*
  - *Creation of new calcareous grassland of an equivalent area to that lost, in an area of low ecological value (for example, the arable field to the north, currently outside the wildlife park); and*
  - *Translocation of rare plants and pockets of species-rich habitats to areas of current low ecological value.*

*The submitted Biodiversity Improvement Plan does not follow the above requirements"*

5.15.13 Taking the above into account, **SKDC raises a formal objection on the basis that there is currently insufficient information to demonstrate that the application proposals would accord with the established hierarchy set out in Paragraph 180 of the Framework, to avoid, mitigate, or as a last resort, compensate for potential impacts on ecological assets.** In particular, the current application fails to demonstrate sufficient measures to compensate for the loss of a significant area of the candidate Local Wildlife Site, and there is also insufficient evidence to demonstrate that the proposals would achieve a biodiversity net gain when taken as a whole.

## 5.16 Affordable Housing Contributions

5.16.1 Section 5 of the Framework sets out the requirement to provide sufficient amount and variety of land to meet the size, type and tenure of housing to meet the needs of different groups in the community, including making provision for those who require affordable housing.

- 5.16.2 Paragraph 64 of the Framework requires major residential development proposals to provide a minimum of 10% of homes for affordable home ownership.
- 5.16.3 It is noted that the former draft allocation of the application site under Policy H4 of the emerging Rutland Local Plan 2018-2036 identified that any planning application on the site was to include no more than 650 homes (on the site within Rutland) of a mix of type, size and tenure as evidenced in the latest SHMA, and to include 30% of the site capacity as affordable homes to meet the need arising in Rutland.
- 5.16.4 Nonetheless, as previously acknowledged, the draft Plan was withdrawn from Examination in September 2021 and, therefore, the above policy does not form part of the adopted Development Plan and, as such, has no weight in the determination of the current application.
- 5.16.5 In this respect, it is appreciated that Policy CS11 (Affordable Housing) of the Rutland Core Strategy DPD (Adopted July 2011) sets out the current RCC policy position for affordable housing, which identifies an obligation for a minimum of 35% of affordable housing on all new housing developments, and should include a mix of affordable housing for rent and intermediate housing.
- 5.16.6 In the context of the above, Paragraph 9.83 of the submitted Planning Statement identifies that the application has been prepared on the basis of 30% affordable housing and the indicative housing mix included within the proposals is reflective of the needs identified in Figure 4 of the Rutland County Council Strategic Housing Mix Assessment (SHMA) (2019). It is stated that the exact mix and size of the affordable housing provision, will be subject to negotiation with the LPA having regard to the evidence in the SHMA.
- 5.16.7 Taking the above into account, SKDC acknowledges that the current application falls to be assessed against Rutland County Council's adopted development plan and in this regard the proposed development fails to meet the identified policy obligations.
- 5.16.8 Notwithstanding the above, SKDC contends that it is imperative that there is a clear agreement between all parties on the overall quantum and mix of affordable housing that is to be delivered across the wider Stamford North allocation, to ensure the provision of a coherent development scheme that contributes towards meeting the local need for housing.
- 5.16.9 In connection with the above, in view of the nature and location of the development proposal insofar as it forms part of the wider Stamford North development scheme which immediately bounds the existing built-up area of Stamford (a settlement which falls within the South Kesteven district), SKDC would respectfully request that the affordable housing to be delivered at Quarry Farm, as part of the wider Stamford North development, should be subject to an allocation / nomination agreement, which prioritise the needs of Stamford residents and / or those with a local connection to Stamford in the first instance.
- 5.16.10 Recent Appeal Decisions in Stamford (Ref: APP/E2530/W/21/3274139), (**Appendix 7**) coupled with the latest evidence provided by SKDC's Housing Register, identifies that there is an immediate acute need for affordable housing within Stamford. An extract of the current housing register data for Stamford is provided below:

One bed house/flat aged 55 years and under	363
Two bed house aged 55 years and under	178
Three bed house aged 55 year and under	101
Four bed house aged 55 years and under	28
One bed bungalow aged 56 year and over	203
Two bed bungalow aged 56 years and over	71
<b>Total</b>	<b>944</b>

5.16.11 Similarly, representations submitted by Stamford Town Council have expressed concerns that the current application proposals would result in people on Rutland's housing register being given priority over the needs of people in Stamford, who are including on SKDC's housing register.

5.16.12 As such, it is SKDC's position that it is necessary that the affordable housing to be delivered as part of the Stamford North development should meet the needs for affordable housing in Stamford as a matter of priority.

5.16.13 Taking the above into account, **in the absence of an appropriate legal agreement to secure the quantum and mix of affordable housing, as well as an allocation / nomination agreement which ensures that affordable housing provision is allocated towards meeting the needs for Stamford in the first instance, SKDC wishes to place on record a formal, holding objection until such time as an appropriate agreement has been secured.**

## 5.17 Infrastructure for Growth

5.17.1 Paragraph 124 of the Framework states that planning policies and decisions should support development that makes efficient use of land, taking into account the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use.

5.17.2 As referenced previously, Policy STM1: H1 (Stamford North) of the adopted South Kesteven Local Plan identifies that the development should make provision for the east-west road to be provided through from Old Great North Road to Ryhall Road and should offer mitigation to the town centre from traffic generated as a result of the development; as well as making provision for a new primary school; contributions towards the expansion or improvement of the adjacent secondary school [Stamford Welland Academy]; and include a local centre to serve the needs of both existing and new residents to the area, which should include the provision of social and community facilities.

5.17.3 Similarly, Policy H4 (Cross-boundary development opportunity – Stamford North) of the draft Rutland Local Plan 2018-2036 identified the requirement for the application site to provide a distributor road to facilitate the connection of Old Great North Road and Ryhall Road, as well as appropriate community infrastructure to support the scale of development on the site – through the payment of CIL and either by direct on site provision or as a site specific financial contribution to off-site provision serving the wider Stamford North development.

- 5.17.4 With regards to the above it is appreciated that the draft Development Brief, which was being progressed to support the wider Stamford North proposals, identified that the site for proposed Primary School was to be located within the eastern part of the Stamford North development (adjacent to Little Casterton Road, within the area of land allocated by Policy STM1:H1 of the adopted South Kesteven Local Plan), whilst the existing secondary school which is identified for potential expansion is the Stamford Welland Academy that is located adjacent to the southern boundary of the eastern part of the allocation site. On the other hand, the proposed Local Centre was identified as being provided as part of the current application site.
- 5.17.5 In this respect, the current application proposals include the portion of the east-west link road that runs through the application site (connecting Old Great North Road and Little Casterton Road), as well as making provision for the Local Centre (which is identified as comprising a range of Use Class E and F elements). Furthermore, the application has also been accompanied by a proposed phasing plan, which indicates that the wider Stamford North development would be phased in such a manner as to ensure that the land for the proposed Primary School in the eastern part of the site would be transferred at the completion of 200 dwellings, and the full east-west link road would be completed prior to the completion of 600 dwellings.
- 5.17.6 In connection with the above, Paragraph 9.24 of the Planning Statement, which accompanies the current application identifies that the applicant is willing to enter into a Stamford North-wide Section 106 Agreement, termed the Joint Infrastructure Planning Agreement (JIPA) to secure the provision of infrastructure that relates to the whole of Stamford North, whilst there is agreement to enter into a site-specific Section 106 Agreement for matters which relate to the individual site only. However, the Planning Statement also states that *“if suitable progress and co-operation from all required parties is not forthcoming, the Applicant will fallback on the fact that the proposal does not create any unacceptable traffic or primary education impacts”*.
- 5.17.7 In this context, it is imperative that the current application is assessed with a view to ensuring that it makes a proportionate contribution towards meeting the infrastructure requirements of the wider Stamford North development, as well as securing the timely delivery of additional infrastructure provision within the site itself. Similarly, whilst the current application site is located wholly within Rutland County Council’s administrative boundaries, future residents of the site would be largely reliant upon the existing services and facilities located within the built-up area of Stamford. This would undoubtedly place additional strain on these facilities, which fall outside of the control of RCC, and under SKDC and / or Lincolnshire County Council’s remit. As such, it is critical that the appropriate contributions are sought from the Applicant to ensure that the local infrastructure can support the needs of residents of this site.
- 5.17.8 In relation to the above, and in light of the fact that RCC is a CIL charging authority, further engagement is required to ensure that an appropriate agreement is reached in relation to the application for relief / exemption of liability from the CIL charging schedule, as part of the current application to enable a SUE-wide Section 106 Agreement to be pursued. Alternatively, formal agreement is required from RCC that funds obtained under the CIL

charging schedule will be used to fund infrastructure within South Kesteven, as per regulation 59(3) of the Community Infrastructure Levy Regulations 2010 (as amended).

- 5.17.9 It is noted that representations submitted to South Kesteven District Council by members of the public and Stamford Town Council have expressed concerns about the capacity of existing facilities to support the application proposals. Specifically, concerns have been raised regarding the availability of healthcare and education provision in Stamford.
- 5.17.10 With regards to local healthcare provision, SKDC have consulted with NHS Lincolnshire Clinical Commissioning Group in relation to the application proposals. As part of this consultation, they have confirmed that they would wish to be party to Section 106 contributions to support the necessary infrastructure and capacity to accommodate the development, and that they are working in conjunction with the LLR CCG to agree a suitable way forward.
- 5.17.11 Furthermore, in respect of local education capacity, Lincolnshire County Council Education have been consulted as part of the application and have confirmed that financial contributions would be required towards boosting primary and sixth form education provision in the Stamford area.
- 5.17.12 In addition, as referenced above, Lincolnshire County Council (as Local Highways Authority) have requested a Section 106 contribution towards enhancing local bus services so that they can appropriately serve the application proposals.
- 5.17.13 In light of the above, in the absence of an appropriate planning obligation, there is currently insufficient evidence that the application proposals would make a proportionate contribution towards mitigating the impacts of the Stamford North development, including making sufficient financial contributions towards education provision (including the delivery of the proposed Primary School located in the eastern parcel of the wider development scheme), healthcare improvements and enhancements to local public transport connections. **As such, SKDC submits a formal holding objection until such time that an appropriate cross-boundary agreement has been entered into to secure the required infrastructure improvements and further clarification has been provided in relation to the application of the CIL charging schedule by RCC.**
- 5.17.14 Notwithstanding the above, it is noted that Leicestershire County Council Ecology service have confirmed that, if planning permission is to be granted for the application site, appropriate arrangements need to be made for the management of the Country Park and the other areas of habitat within the development parcels in perpetuity.
- 5.17.15 Similarly, the representations submitted from Stamford Town Council (STC) have similarly expressed concerns about the absence of information relating to the future management and maintenance of the Country Park. Whilst STC have indicated that they would be willing to consider taking on the responsibility of maintaining the Country Park, no formal agreement has been reached.
- 5.17.16 In light of the above, SKDC respectfully contends that there is currently insufficient information with respect to the future adoption / management arrangements of the proposed

Country Park to ensure that this element of the proposal will function appropriately to provide adequate mitigation for the loss of the cLWS. In the absence of this evidence, SKDC would contend that the weight to be attributed to this element of the proposal, as a public benefit in the planning balance, should be reduced until such time as formal agreement for the management in perpetuity has been secured through a Section 106 planning obligation.

#### 5.18 **Other Material Considerations**

5.18.1 As stated elsewhere, SKDC acknowledges that RCC are the Local Planning Authority responsible for determining the current application and, as such, the current response has focused on those matters which are considered to have cross-boundary implications. The acceptability of material considerations relating to the application site in isolation are for RCC to assess. Nonetheless, SKDC have noted the comments submitted to RCC by statutory consultees and would respectfully support the following concerns:

#### 5.19 **Pollution Control**

5.19.1 Paragraph 170 of the Framework states that planning policies and decisions should contribute to and enhance the natural and local environment by preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution and land instability.

5.19.2 The current application has been accompanied by an Environmental Statement, which includes chapters on Noise and Vibration (Chapter 6), Air Quality (Chapter 7), and Geology and Contamination (Chapter 12).

5.19.3 The Noise Chapter assesses the impact of the development from a range of perspectives, including the impacts of the development itself (including construction noise and traffic generated by the scheme), as well as the impacts of existing traffic and commercial premises on the future occupation of the site. This assessment concludes that the residual effect is negligible to minor in all instances.

5.19.4 In respect of Air Quality, the assessment concludes that with the implementation of mitigation measures the residual impacts of the construction phase are considered to be not significant. In respect of traffic generated by the development, the traffic emissions generated by development traffic and pollutant concentrations are predicted to be below the relevant air quality objections and therefore no mitigation is required, and the effect of the development is not significant.

5.19.5 In terms of ground conditions, the ES concludes that subject to mitigation, the development will not give rise to any potentially unacceptable impacts on receptors and, therefore, the impact of the development is negligible.

5.19.6 In light of the above, as previously stated, it is acknowledged that site-specific matters such as ground contamination fall to be considered by RCC directly. In this regard, SKDC notes the comments submitted by Rutland County Council which have raised no objections, subject to conditions securing construction management and traffic management method

statements, the incorporating of the air quality mitigation measures within the CEMP, and further contaminated land assessment.

5.19.7 With respect to the matters of air quality and noise, which have the potential to give rise to cross-boundary implications, SKDC have consulted internally with our Environmental Protection Team, who have confirmed that they have no objections to the application proposals, subject to conditions requiring the production of a detailed CEMP. As such, SKDC would respectfully request in the event that the above application is approved, conditions are included to require the submission, approval and implementation of a CEMP. Furthermore, SKDC would also request to be consulted on any future discharge of conditions application for the above details.

## 5.20 **Impact on heritage assets**

5.20.1 It is noted that there are no designated heritage assets within the site itself. However, the Scheduled Ancient Monument "Ermine Street, Section South of Quarry Farm" (ID Number: 10005031) is located to the south-west of the site, on the opposite side of Old Great North Road, which lies within South Kesteven.

5.20.2 Section 16 of the Framework seeks to ensure the conservation and enhancement of the historic environment. Paragraph 189 sets out the following requirement when considering applications which have the potential to affect heritage assets:

*"In determining planning applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary".*

5.20.3 Chapter 11 of the submitted Environmental Statement assesses the potential impact of the development on cultural (built) heritage and archaeology, which has been informed by the results of an Archaeological Desk Based Assessment and Geophysical Survey. This assessment concludes that the development will have no significant effects upon any designated heritage assets in the vicinity of the site. The development is likely result in substantial loss of surviving archaeological assets within the development parts of the site, through groundworks associated with construction. However, it is stated that with appropriate mitigation in place, comprising archaeological investigation and recording in advance of construction, the effect on assets would be reduced to one of minor significance.

5.20.4 With regards to the above, it is noted that representations received from Stamford Town Council have raised concerns about the potential impact of the development on archaeological assets. Specifically, they contend that insufficient assessment has been carried out to date, and that a full Archaeological Impact Assessment should be completed prior to the determination of the application.

5.20.5 In this respect, SKDC notes the comments submitted by Historic England who have no objections in principle to the development, but do have concerns with the current application

insofar as there is potential for negative impacts and a degree of harm to the nearby scheduled ancient monuments. As such, they have recommended amendments are made to the current proposals in order to reduce the potential impact.

- 5.20.6 In relation to the potential impact of assets falling within South Kesteven, namely the Ermine Street Scheduled Monument, HE contends that the application site provides evidence of the undeveloped and rural landscape that the Roman road historically passed through and as such provides some contribution to the asset's overall significance. In this regard, they contend that there would be a degree of harm from the permanent loss of land within the application site, which would essentially encompass the Roman road within an area of modern housing whilst the level of harm would not be substantial, the impacts could be softened through further landscaping and screening along Old Great North Road and the frontage of the application site. As such, they strongly recommend these amendments are made in order to minimise the potential impact.
- 5.20.7 Furthermore, it is also acknowledged that comments submitted by Lincolnshire County Council Archaeology (as Archaeological Advisor to Rutland County Council) have stated that further information is required in order to determine the application. Specifically, they have requested the completion of an Archaeological Impact Assessment, comprising of trial trenching to identify any archaeological remains of significance, and propose suitable measures to avoid or minimise further damage as a result of the development.
- 5.20.8 In light of the above, it is appreciated that the current application is in outline with access only for approval and, as a result, matters of detailed design relating to landscaping and layout are reserved for future determination. In the context of the above request by Historic England, it is the content of the subsequent reserved matters applications, which will be essential for ensuring that the application proposals minimise the potential harm on the heritage and archaeological assets falling within South Kesteven. As such, SKDC would respectfully request, that in the event that the LPA are minded to approve the current application, it is placed on record that SKDC would wish to be consulted as part of any future reserved matters applications for the site.
- 5.20.9 Notwithstanding the above, in view of the comments submitted by Lincolnshire County Council Archaeology (as Archaeological Advisor to RCC), SKDC would respectfully suggest that there is currently insufficient information to determine that the application would not give rise to any unacceptable impacts on archaeological assets within the site, and therefore, further information should be requested from the Applicant.

## **6. Crime and Disorder**

- 6.1 Lincolnshire Police Crime Prevention Officer has been consulted on the application proposals and have raised no objections. As such, it is considered that the proposal would not result in any significant crime and disorder implications.

## **7. Human Rights Implications**

7.1 Articles 6 (Rights to fair decision making) and Article 8 (Right to private family life and home) of the Human Rights Act have been taken into account in making this recommendation. It is considered that no relevant Article of that Act will be breached

## 8. Conclusions

8.1 To summarise, South Kesteven District Council do not have any objections to the principle of development on the application site; it is acknowledged that the application proposals comprise part of the wider Stamford North development proposal and seeks permission for a quantum of residential development and a local centre, which has been identified as part of the wider allocation proposals. Furthermore, it is also appreciated that the application scheme would make provision of the first phase of the east-west link road that is intended to connect Old Great North Road to Ryhall Road as part of the wider scheme.

8.2 Notwithstanding the above, on the basis of the available information as part of the current submission, SKDC have significant reservations about the current proposals and therefore submit a **formal holding objection** for the following reasons:

- There is currently insufficient evidence to confirm that the proposals would provide suitable junction improvements to mitigate the impact on the A1 Strategic Highway Network. As a result, there is the potential that the proposals could result in consequential unacceptable adverse impacts on the local highway network insofar as it falls within SKDC's administrative boundaries due to constraints at the A1.
- The current application has not been accompanied by an agreed masterplan / development brief for the wider Stamford North development. As such, there a number of matters relating to the design of the spine road and provision of suitable pedestrian and cycle connection, which require amendment / agreement between all parties, to ensure that the current scheme forms part of a well-designed and coherent cross-boundary development proposal.
- There is currently insufficient information to demonstrate that the application 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 current application falls to demonstrate sufficient measures to compensate for the loss of a significant area of the candidate Local Wildlife site that falls within the application site, and similarly there is insufficient evidence to ensure that the proposals would achieve a biodiversity net gain, when taken as a whole.
- There is currently 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. It is noted that the application proposals indicate that they would provide 30% affordable housing on site, which falls short of the policy obligations set out within the adopted Development Plan. Furthermore, in view of the nature and location of the development proposal, and the acute need for affordable housing in Stamford, SKDC would respectfully suggest that any affordable housing on site should be allocated in a manner which prioritises meeting the needs of Stamford in the first instance.
- Similarly, 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,

including making sufficient financial contributions towards the education provision (including the delivery of the proposed Primary School forming part of the eastern part of the wider development), healthcare improvements and enhancements to local public transport connections. 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 scheme.

- 8.3 As such, South Kesteven District Council wishes to place on record its **formal holding objection**, until such time as the above issues have been addressed. In the event that the applicant elects to submit further evidence / amended details to overcome the above concerns, South Kesteven District Council would request to be formally consulted on any additional information to allow it to review the extent to which it sufficiently addresses the current, cross-boundary issues.

Financial Implications reviewed by: Not applicable