



## Planning Committee

12 June 2025

# S24/2198

Proposal:	Outline application for up to 268 residential dwellings (Use Class C3), up to 80 bed care home (Use Class C2), local centre, and public open space with associated access, landscaping, drainage and infrastructure (Access for approval only)
Location:	Land at Exeter Fields, Stamford
Applicant	Commercial Estates Group & Cecil Estate Family Trust
Agent	Nexus Planning
Application Type:	Outline Planning Permission (Access for approval only)
Reason for Referral to Committee:	Major development which requires a Section 106 Agreement to secure financial contributions.
Key Issues:	<ul style="list-style-type: none"><li>• Principle of Development</li><li>• Access and Highways Impacts</li><li>• Infrastructure for Growth</li><li>• Archaeological Desk Based Assessment</li><li>• Biodiversity Net Gain Feasibility Assessment</li><li>• Design and Access Statement</li><li>• Ecological Appraisal</li><li>• Energy and Sustainability Assessment</li><li>• Flood Risk Assessment and Sustainable Drainage Statement</li><li>• Framework Travel Plan</li><li>• Landscape Technical Note</li><li>• Marketing Assessment</li><li>• Minerals Assessment</li><li>• Noise Impact Assessment</li><li>• Planning Statement</li><li>• Retail Impact Assessment</li><li>• Transport Assessment</li></ul>
Technical Documents:	

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Corporate Priority:

Decision type:

Wards:

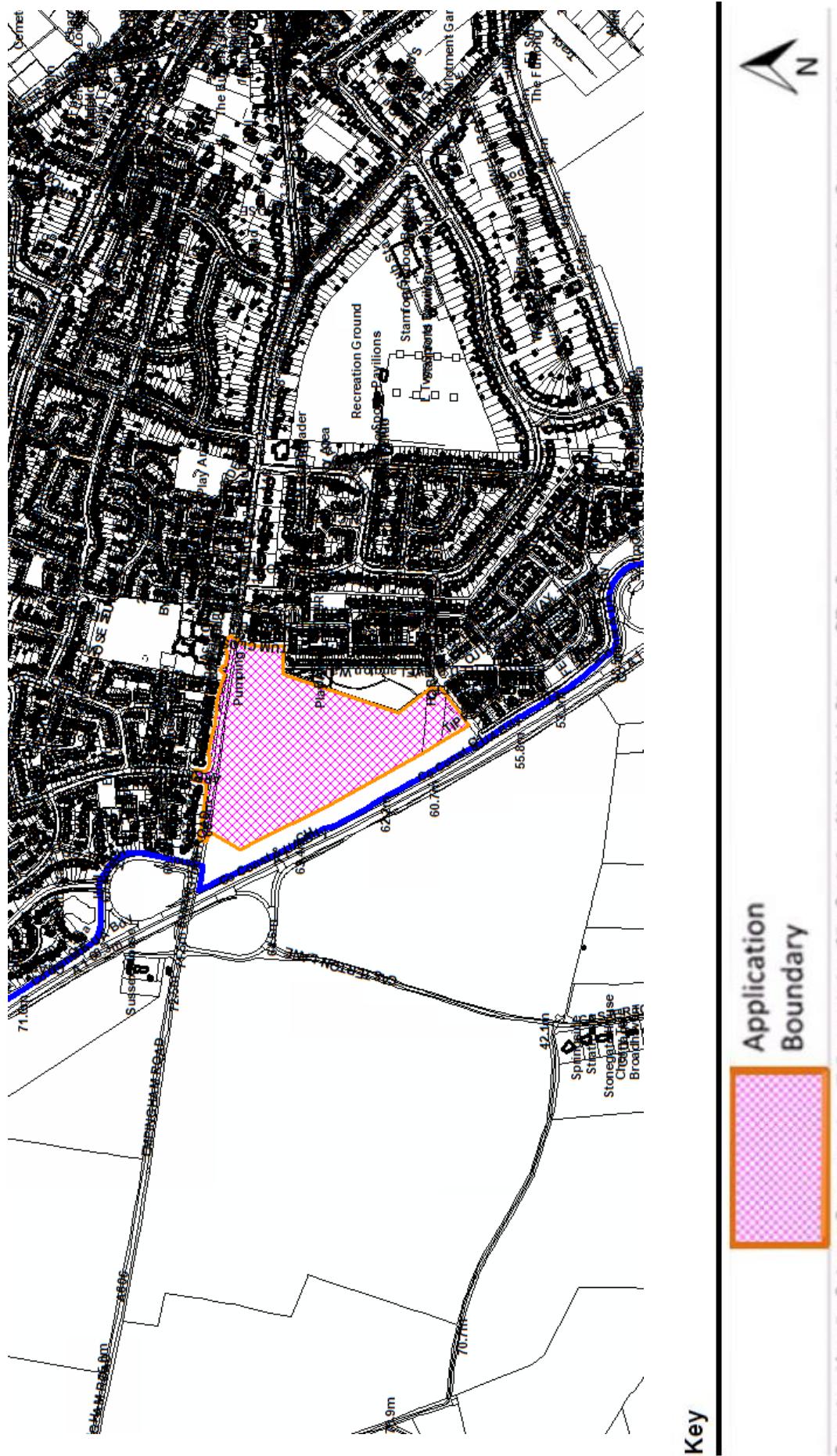
**Reviewed by:**Phil Jordan, Development Management &  
Enforcement Manager

3 June 2025

**Recommendation (s) to the decision maker (s)**

To authorise the Assistant Director – Planning to GRANT planning permission, subject to conditions and the completion of a Section 106 Agreement

S24/2198 – Land at Exeter Fields, Stamford



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## **EXECUTIVE SUMMARY**

The application site comprises an area of approximately 10 hectares of land situated to the south of Empingham Road, at the western edge of the main built-up area of Stamford.

The site is currently allocated as a strategic employment site (Site Ref: ST-SE1) under Policy E2 of the adopted Local Plan, where development for B1, B2 and / or B8 uses will be supported.

The current application seeks outline planning permission for the erection of up to 268 residential dwellings (Use Class C3), up to 80 bed care home (Use Class C2), local centre, and public open space with associated access, landscaping, drainage and infrastructure. The current application has been submitted in outline form with all matters reserved for future determination except for access.

Policy E6 of the adopted Local Plan is a permissive policy which seeks to retain and enhance existing areas of employment use, unless Applicant's meet one of a number of criteria. In this case, the application site has been subject to extensive marketing, which has demonstrated that the site is not viable for traditional employment uses, and the Council's Employment Land Study (2024) also indicates that the site is no longer suitable for employment development. As such, the application accords with criteria (a) of Policy E6. In addition, it is also appreciated that the proposed development would include a local centre, which would generate a number of employment opportunities, which could be comparable to the number that could be provided if the site was brought forward as a B8 employment development under Policy E2.

Notwithstanding the above, as of March 2025, South Kesteven District Council are presently unable to demonstrate a 5-year housing land supply and as a result, the policies most important for determining the application are deemed to be out-of-date by virtue of footnote 8 and Paragraph 11 of the National Planning Policy Framework. In these circumstances, Paragraph 11(d) requires that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework when taken as a whole; or where specific policies in the Framework, indicate that development be restricted.

In this case, it is the Case Officer's assessment that the minor adverse visual impact resulting from the change in the character of the land would not significantly and demonstrably outweigh the significant public benefits provided by the delivery of a significant number of residential dwellings, including affordable housing, employment opportunities and biodiversity net gain.

Consequently, it is the Officer assessment that the application proposals would accord with the adopted Development Plan when taken as a whole, and the material considerations, including the tilted balance required by Paragraph 11(d) of the Framework also weigh in favour of granting planning permission.

**Therefore, the Planning Committee are recommended to authorise the Assistant Director of Planning & Growth to GRANT planning permission, subject to the completion of a Section 106 Agreement and subject to conditions.**

## **1 Description of the site**

- 1.1 The application site comprises an area of approximately 10 hectares of irregular shaped land located to the south of Empingham Road, at the western edge of the main built-up of Stamford.
- 1.2 The site consists of a single field of vacant, arable agricultural land which is bound to the north, south and east by existing residential development and to the west by the A1 carriageway. The site benefits from clearly defined boundaries to the north and west, which are marked by mature hedgerows and trees, and a wide grassed verge, that separates the site from the adjacent highway.
- 1.3 It is appreciated that the proposed development site formed part of an outline planning permission ref: S12/0864, which granted permission for “a sustainable urban extension at Stamford West including a residential development (including affordable housing), a business park (10 hectares) and a local centre with associated highways improvements, pedestrian and cycle links, landscaping and open space”. Reserved matters approval was granted for the residential parcel in 2015 and has subsequently been delivered by Taylor Wimpey. The current application site formed the proposed employment land of the former outline planning application, and to that effect the site is currently allocated under Policy E2 (Strategic Employment Sites) of the adopted Local Plan (Ref: Site Ref: ST-SE1).
- 1.4 The application site is identified as being Grade 3 value on the Natural England Provisional Land Classification Maps. The site is also identified as falling within Flood Zone 1 and is similarly deemed to be at very low risk of surface water flooding. The site is designated as a Minerals Safeguarding Area for Limestone in the Lincolnshire Minerals and Waste Local Plan.
- 1.5 The proposed development site is not subject to any statutory landscape designations, but falls within the Kesteven Uplands Landscape Character Area (South Kesteven Landscape Character Assessment, 2007) and the West Stamford Character Area of the Stamford Character Study, which accompanies the made Stamford Neighbourhood Plan.
- 1.6 Similarly, the proposed development site does not contain any designated built heritage assets. The nearest designated assets are the Grade II listed The Old Vicarage and Tinwell House, located within the village of Tinwell to the south of the A1.
- 1.7 The site does not contain any statutory or non-statutory ecology; the nearest site is the Great Casterton Verges located 250m to the north of the site. As detailed above, the application site consists of a vacant parcel of agricultural land, and therefore, the internal site area is understood to be of low ecological value. However, the site boundaries do include mature boundary hedgerow and trees, and the southern area of the site does include an area of young woodland planted as part of the Taylor Wimpey development scheme, which is likely to be of some value.

## **2 Description of the proposal**

- 2.1 The current application seeks outline planning permission for the erection of up to 268 residential dwellings (Use Class C3), up to 80 bed care home (Use Class C2), local centre, and public open space with associated access, landscaping, drainage and infrastructure. The current application has been submitted in outline with all matters reserved for future determination except for access.

2.2 The proposals have been accompanied by a range of technical reports, including Archaeological Desk Based Assessment, Biodiversity Net Gain Assessment, Ecological Appraisal, Flood Risk Assessment, Market Assessment and Planning Statement. The submission has also been accompanied by a proposed Parameter Plan, which outlines the nature and extent of the proposed development.

2.3 Access to the site would be taken from Empingham Road (A607) to the north of the site via the formation of a signalised junction at the existing junction with Arran Road. The primary access is to include a shared pedestrian and cycle access, with a proposed secondary point of access to be provided in the north-eastern corner of the site, opposite Malcom Sargent Primary School.

2.4 The submitted Parameter Plan shows that the proposed local centre would be positioned at the northern end of the site, fronting onto Empingham Road, and would be adjacent to a proposed area of open space position opposite Malcom Sargent Primary School. The proposed local centre would include the proposed Care Home (Use Class C2), as well as 1,788 sq. metres of uses include Class E and Sui Generis. Development within the Local Centre would be a maximum of 2 storeys. The residential development to the south of the site would be limited to 2 storeys. A central area of public open space would be provided as part of the main residential parcel.

### 3 Relevant History

Application Ref.	Description of Development	Decision
S12/0864	Outline application for sustainable urban extension at Stamford West including residential development (including affordable housing), a business park (10 hectares) and a local centre with associated highways improvements, pedestrian and cycle links, landscaping and open space	Approved Conditionally 30.05.13
S24/0596	EIA Screening Request for proposed residential led development of up to 300 dwellings, a Local Centre, a Care Home (Use Class C2), and a GP Surgery (Use Class E), with associated open space, access and infrastructure	EIA Not Required 23.05.24

### 4 Policy Considerations

#### 4.1 South Kesteven Local Plan 2011-2036 (Adopted January 2024)

Policy SD1 – The Principles of Sustainable Development in South Kesteven

Policy SP1 – Spatial Strategy

Policy SP2 – Settlement Hierarchy

Policy H2 – Affordable Housing Contributions

Policy H4 – Meeting All Housing Needs

Policy E2 – Strategic Employment Sites

Policy E6 – Loss of Employment Land and Buildings to Non-Employment Uses

Policy EN1 – Landscape Character

Policy EN2 – Protecting Biodiversity and Geodiversity

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 STM2 – Stamford Town Centre Policy  
Policy ID1 – Infrastructure for Growth  
Policy ID2 – Transport and Strategic Transport infrastructure

#### 4.2 **Stamford Neighbourhood Plan 2016-2036 (Made July 2022)**

Policy 3 – Housing type and mix on new developments  
Policy 8 – The Historic Environment  
Policy 10 – Character Areas  
Policy 11 – Sustainable Travel

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

#### 4.4 **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 6 – Building a strong, competitive economy  
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

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

### **5 Representations received**

#### 5.1 **Active Travel England**

5.1.1 No comments received.

#### 5.2 **Anglian Water**

5.2.1 No objections.

#### 5.3 **Cadent Gas**

5.3.1 No objections.

#### 5.4 **East Northamptonshire Council**

5.4.1 No comments received.

#### 5.5 **Environment Agency**

5.5.1 No comments to make.

#### 5.6 **Gardens Trust**

5.6.1 No comments to make.

## 5.7 **Heritage Lincolnshire**

- 5.7.1 No objection, subject to conditions.
- 5.7.2 The site for the proposed development lies in an area of archaeological interest. Significant archaeological remains have been identified over the eastern and northern area of the site, comprising an Iron Age enclosure with associated circular buildings and evidence of Iron working of early to middle Iron Age date.
- 5.7.3 The development proposals will necessarily have an impact on any buried archaeological remains. An Archaeological Desk Based Assessment submitted in support of the application has integrated the existing archaeological information available for the site.
- 5.7.4 Archaeological field evaluation will be required to determine the presence, significance, depth and character of any archaeological deposits that may be impacted by the proposal.

## 5.8 **Historic England**

- 5.8.1 No comments to make.

## 5.9 **Lincolnshire County Council (Education)**

- 5.9.1 Section 106 contributions requested for Secondary and Sixth Form education. £26,717 contribution per place to be provided.

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

- 5.10.1 No objections, subject to conditions and Section 106 contributions.
- 5.10.2 The proposed development has been designed to accommodate movements by all types of mode. There has been an emphasis on promoting the use of sustainable modes of travel by the provision of walking and cycling infrastructure. These include connecting to existing routes in the vicinity of the site as well as providing enhancements to benefit both future residents also allowing local residents in the area to reach the new facilities on site. The provision of the access into the site has been carefully considered to accommodate demand from the site whilst minimising the impact on current movements. It has been designed to incorporate pedestrian and cycling crossings as well as allowing enhancements to public transport infrastructure by the provision of two new bus stops.
- 5.10.3 Vehicular access will be provided via Empingham Road to the north. There will be a single traffic signal controlled junction with both Empingham Road and Arran Road that will form a crossroads junction. On the Empingham Road approaches there will be ahead/left and right turning lanes with single lanes on both the site access and Arran Road approaches. The junction has been designed to accommodate the likely quantum and type of traffic to use the junction providing sufficient capacity to minimise delays to road users.
- 5.10.4 There will be multiple pedestrian access points to the proposed development site providing a permeable, connected development. The new traffic signal junction with Empingham Road will have shared use pedestrian /cycleways either side of the access road into the development. There will be further pedestrian access points along the northern boundary providing connections to the proposed bus stops on Empingham Road and also the proposed signalised pedestrian crossing over Empingham Road in the vicinity of the Primary School. There will be pedestrian connections to the east, linking to the existing provision for pedestrians through the adjacent development. A dedicated pedestrian / cycle link will also be provided in the south of the site connecting to Barrowfield Drive that ultimately provides access onto Tinwell Road.

5.10.5 Conditions requested for a Construction Management Plan, junction improvements including relocating bus stops, Travel Plan details and drainage scheme.

5.10.6 Section 106 contributions requested for Travel Plan monitoring and bus pass provision.

5.11 **Lincolnshire County Council (Minerals)**

5.11.1 No comments received.

5.12 **Lincolnshire Fire and Rescue**

5.12.1 No comments received.

5.13 **Lincolnshire Police Crime Prevention Officer**

5.13.1 No comments received.

5.14 **Lincolnshire Wildlife Trust**

5.14.1 No comments received.

5.15 **National Highways**

5.15.1 No objection, subject to conditions requiring the submission and approval of a Travel Plan, Construction Management Plan, Noise Assessment and Drainage Strategy.

5.16 **Natural England**

5.16.1 No objection.

5.17 **NHS Lincolnshire Integrated Care Board**

5.17.1 Section 106 contributions requested.

5.17.2 Contributions requested: £660 per dwelling and £393.25 per care home occupant.

5.18 **Peterborough City Council**

5.18.1 Peterborough City Council advise that the transport implications are considered in relation to traffic on the Peterborough network.

5.19 **Rutland County Council**

5.19.1 No comments received.

5.20 **SKDC Affordable Housing Officer**

5.20.1 No objections, subject to Section 106 Agreement.

5.20.2 Note that the application has presented two separate quantities of housing delivery “up to 268 residential dwellings” (Use Class C3) and “up to 80 bed care home” (Use Class C2). The High Court rule in Rectory Homes Limited v SSHCLG and South Oxfordshire District Council (2020) EWHC 2098 that extra care developments within Use Class C2 are not exempt from providing affordable housing solely by virtue of falling within that use class. Therefore, the 3% policy requirement should be applied to all 348 units.

5.21 **SKDC Environmental Protection**

5.21.1 No objection, subject to conditions requiring the submission of a Noise Impact Assessment and Construction Management Plan.

5.22 **SKDC Principal Urban Design Officer**

5.22.1 No comments received.

## 5.23 **Stamford Civic Society**

- 5.23.1 Objection.
- 5.23.2 The Civic Society consider the removal of the employment land would be a lost opportunity to enable employment to move out of the town, thus reducing the volume of traffic passing through the historic core of the town. The majority of employment land is to the east, most notably in the Ryhall Road area and allowing employment land to the west opens up far better access straight to the A1.

## 5.24 **Stamford Town Council**

- 5.24.1 Objection.
- 5.24.2 The adopted Local Plan and Neighbourhood Plan both recognise this site as the only strategic employment land in Stamford. Current policies make it clear that strategic employment land should be protected against proposals that cause harm to the employment focus of these sites.
- 5.24.3 Whilst the Regulation 18 Local Plan Review suggests the site should be reallocated for residential, this is based on flawed analysis carried out by the Council's consultants AECOM. Their report did not have regard to Stamford's road network or specific market circumstances i.e., the chronic lack of employment space and land.
- 5.24.4 The LP Review recommends protecting and extending strategic employment land reserves in Bourne, Deepings and Long Bennington but reduces Stamford's reserves by more than 50% to less than 4 hectares.
- 5.24.5 The suggested replacement strategic land reserve for Stamford is currently undevelopable, having no highways access and being on the floodplain of the River Gwash.
- 5.24.6 Recent surveys of local commercial estate agents reveal there is little or no employment space available in Stamford and that no new space has been constructed for at least 10 years.
- 5.24.7 Neighbouring towns who have protected their employment land have seen employment-led schemes delivered over this 10-year period.
- 5.24.8 Reallocations of employment land to retail and residential has meant the loss of half the employment space identified in Stamford by AECOM. This has encouraged landowners to not bring employment sites forward as local residential land values are some 4-5 times higher than employment land.
- 5.24.9 There is no necessity to reallocate this site for residential development to meet housing targets for Stamford or SKDC.
- 5.24.10 Stamford's employment base needs protection and enhancement as the town already suffers from high rates of outward commuting. With other 3,000 homes planned for the town (including the allocation of 650 homes at Quarry Farm) during the plan period a balance must be struck by protecting employment opportunities (as required by NPPF).
- 5.24.11 SKDC has a duty to control the use of land in the public interest and therefore we respectfully suggest that Stamford needs a strategic employment land reserve and as previously identified, Exeter Fields is the best site to achieve this.

## **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 7 parties; all of whom have raised objections. The material considerations raised within the representations can be summarised as follows:

### **(1) Principle of Development**

- a. The site is needed for commercial purposes.

### **(2) Access and Highways**

- a. The development would have an unacceptable impact on highways capacity within Stamford.
- b. The development would result in additional parking on the existing estate.

### **(3) Infrastructure for Growth**

- a. Insufficient capacity in schools and health centres to accommodate development

## **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.

7.2 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).

7.3 Furthermore, the Lincolnshire Minerals and Waste Local Plan forms part of the development plan in relation to minerals planning.

7.4 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.

7.5 The policies and provisions of the National Planning Policy Framework (NPPF) ("the Framework") (Published December 2024) are also a relevant material consideration in the determination of planning applications.

7.6 It is also appreciated that the Local Planning Authority are also in the process of conducting a Local Plan Review. The initial Regulation 18 consultation on the draft Plan was carried out between February and April 2024 and a further Regulation 18 consultation on proposed housing and mixed-use allocations is due to be completed between June and July 2025. At this stage, the allocations and policies contained in the Local Plan Review can be attributed very little weight in the determination of planning applications. However, the updated evidence base which accompanies the Local Plan Review is a material consideration and must be taken into account in the determination of planning applications.

7.7 Furthermore, as of March 2025, South Kesteven District Council are presently unable to demonstrate a 5-year housing land supply and as a result, the policies most important for determining the application are deemed to be out-of-date by virtue of footnote 8 and Paragraph 11 of the National Planning Policy Framework. In these circumstances, Paragraph 11(d) requires that planning permission should be granted unless any adverse

impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework when taken as a whole; or where specific policies in the Framework, indicate that development be restricted.

## 7.8 Principle of Development

### Loss of Employment Land

7.8.1 As identified above, Policy E2 (Strategic Employment Sites) allocates sites of strategic employment importance due to their relationship with principal areas of growth. As referenced above, the current development site is allocated as a site of strategic employment importance (Site Ref: ST-SE1), where proposals for Class B1, B2 and / or B8 uses will be supported.

7.8.2 Policy E6 (Loss of Employment Land and Buildings to Non-Employment Uses) is a permissive policy, which states that the Council will seek to retain and enhance existing areas of employment use, unless it can be demonstrated that:

- (a) *The site is vacant and no longer appropriate or viable as an employment site – this may include the need for effective, robust and proportionate marketing of the land and buildings to be undertaken; or*
- (b) *Redevelopment would maintain the scale of employment opportunities on the site, or would deliver wider benefits, including regenerating vacant or unutilised land; or*
- (c) *The alternative use would not be detrimental to the overall supply of employment land within the District; or*
- (d) *The alternative use would resolve existing conflicts between land uses.*

7.8.3 It is noted that representations received from Stamford Town Council and local residents have raised objections to the loss of the land for employment uses and have indicated that there remains a demand for employment land on the western side of Stamford.

7.8.4 As stated above, Policy E6 is a permissive policy which seeks to retain existing employment allocations unless proposals meet one of a number of criteria. In this respect, the applicant has been completed a Marketing Assessment and Planning Assessment, which sets out the following:

- The Applicant has undertaken extensive marketing of the site in order to establish demand for uses compliant with Policy E2 including initial marketing between 2015 and 2020, further marketing between Summer 2015 and October 2015; and more recent marketing between October 2022 and July 2023.
- Expressions of Interest received during this period were generally not for the site as a whole and did not include employment use classes compliant with Policy E2.
- Only 2 bids were for the whole site, and even then, these were not employment led and did not include any typical employment uses. One bid was for a purely residential scheme whilst the other was for a mixed-use scheme with only a small amount of employment uses.
- Marketing evidence shows greater market demand from local service uses. The prevailing interest from local centre and road frontage users remains buoyant, with enquiries received from a range of end-users. The strong demand for the local centre and road frontage uses reflect the site's location close to the A1 but more importantly

in close proximity to a large catchment of housing (both recent and more established which are currently poorly served by existing facilities.

- 7.8.5 Furthermore, it is noted that the Employment Land Study (2023) which supports the Local Plan Review recommends that the application site is de-allocated as a strategic employment site due to its unsuitability for strategic employment uses.
- 7.8.6 Taking the above into account, it is Officer's assessment that the proposed redevelopment of the site for a mixed-use residential-led development would be in accordance with the requirements of criteria (a) of Policy E6 and therefore, would be acceptable in principle.
- 7.8.7 In addition, it is appreciated that the proposed development includes a Care Home (Use Class C2) and Local Centre, which is to include commercial uses, and therefore would provide a level of alternative employment comparable with the employment generated by a potential B1, B2 or B8 development. As such, the application scheme would also be compliant with criteria b of Policy E2.

#### Local Centre

- 7.8.8 As detailed previously, the proposed development scheme would also include a local centre which is proposed to include up to 1,788 sq. metres of commercial floorspace within Use Class E and Sui Generis. The proposed uses are intended to allow for a potential GP surgery as well as small-scale retail uses.
- 7.8.9 In view of the above, the application scheme proposes main town centre uses on land which is outside of the defined Stamford Town Centre and therefore, is subject to assessment against Policy STM2 of the Local Plan, which requires a sequential approach to be undertaken. Policy STM2 also requires the submission of a Retail Impact Assessment for main town centre uses in edge of centre locations where the gross floorspace is above 1,000 sq. metres.
- 7.8.10 In this case, the proposed Local Centre is designed to meet a localised need within the western area of Stamford and as such, it would not be possible for this need to be met elsewhere within Stamford. As such, the proposed local centre would be sequentially preferable in this instance.
- 7.8.11 The application has been accompanied by a Retail Impact Assessment (Nexus Planning) (September 2024), which confirms that the proposed development would not impact on any planned investment in the town centre and would not have any adverse impact on the viability of the town centre. Officer's have reviewed the conclusions of the report and accept the findings of the report.

#### Summary

- 7.8.12 In summary, it is Officers' assessment that the proposed development, as a matter of principle, would be in accordance the overall spatial strategy for the District, as set out in Policy SP1, SP2 and E6 of the adopted Local Plan, the Stamford Neighbourhood Plan and Section 5, 6 and 11 of the Framework.
- 7.8.13 Notwithstanding this, as detailed above, South Kesteven District Council are presently unable to demonstrate a 5 year housing land supply and, therefore, the policies most important for determining the application are deemed to be out-of-date, and the tilted balance set out at Paragraph 11 of the National Planning Policy Framework is engaged. This requires planning permission to be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the

policies in the Framework when taken as a whole; or where specific policies in the Framework, indicate that development should be restricted.

7.8.14 In this respect, the proposed development would involve the delivery of up to 268 dwellings (Use Class C3), which is a significant public benefit, that Officer's would attribute significant weight in the tilted balance. Similarly, the proposed scheme would also result in the generation of employment opportunities, which is also a significant public benefit, which Officers would attribute significant weight. In respect of other public benefits of the proposals, these are discussed in further detail below.

7.8.15 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.

## 7.9 **Meeting All Housing Needs**

### Affordable Housing

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

7.9.2 The application submission has been accompanied by a Planning Statement, which confirms that 30% of the residential dwellings (Use Class C3) would be provided as affordable dwellings.

7.9.3 The Council's Affordable Housing Officer has been consulted on the application proposals and has indicated that 30% provision would be required as part of the residential dwellings and the proposed 80-bed care home. However, the *Rectory Homes Limited v SSCLG* and *South Oxfordshire District Council* high court judgement referenced in the Affordable Housing Officer's comments does not cover the scope of the current application.

7.9.4 The *Rectory Homes* case determined whether extra care accommodation (Use Class C2) would be defined as dwellings and therefore, subject to affordable housing policy requirements. In that case, the proposed extra care accommodation was found to comprise of 78 units each with their own front door and private facilities, such that the High Court found that they were considered to be dwellings, irrespective of whether an element of care was provided, and as such, were subject to an affordable housing contribution.

7.9.5 In the case of the current application, the description of development defines the proposed use as an "80-bedroom care home". A care home does not comprise of independent living, insofar as it comprises of bedrooms supported by a high level of care as opposed to dwellings. The facilities to be provided within individual rooms are not to a level to support occupation of them as an independent dwelling. On that basis, the proposed care home would not be subject to an affordable housing contribution. Conditions are proposed to define the use of the care home to ensure that this is appropriately defined, and the development has been assessed as intended.

7.9.6 In view of the above, the proposed Heads of Terms for the Section 106 Agreement detailed below, includes the requirement for 30% of the residential dwellings (Use Class C3) to be provided as affordable housing, which equates to up to 80 dwellings. The proposed tenure and distribution of the dwellings would be subject to approval through an Affordable Housing Scheme, which will be required to be subject as part of the reserved matters application for the proposed residential dwellings. 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.

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

#### Housing Mix

7.9.8 In respect of the overall housing mix 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 in sustainable locations, including residential care accommodation. Policy 3 of the Stamford Neighbourhood Plan also supports a mix of housing.

7.9.9 The current application has been submitted in outline with all matters reserved except for access. As such, the proposed housing mix would be subject to assessment as part of the reserved matters application.

7.9.10 Notwithstanding this, the proposed development specification, which is to be secured via planning condition, allows for the provision of dwellings as well as a care home, which will ensure that the scheme provides a wide variety of housing types. Conditions are also proposed to ensure that 10% of all dwellings are Accessible and Adaptable as required by Policy H4.

#### Summary

7.9.11 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, the proposed development would be in accordance with Policy H2 and H4 of the adopted Local Plan, the Stamford Neighbourhood Plan, and Section 5 of the National Planning Policy Framework.

### **7.10 Effect of the development on the character and appearance of the area**

7.10.1 As the current application has been submitted in outline with access only for approval, 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.

7.10.2 Nonetheless, it is appreciated that the proposed development would invariably result in a visual impact as a result of the change for the current, undeveloped agricultural field to a mixed-use residential-led development. However, the principle of this change, and the extension of the urban form on this site, has been established through the site's allocation within the adopted Local Plan, albeit with a different use proposed.

7.10.3 The application has been accompanied by a Parameters Plan, which indicates how the proposed land uses would be distributed through the site. This Plan indicates that the existing trees and hedgerow fronting onto Empingham Road would be retained, with the exception of the proposed access to the site positioned opposite Arran Road. The proposed Local Centre, including the Care Home, would be positioned in the north-eastern corner of the site and would front onto Empingham Road. The development of the Local Centre would be limited to 3-storeys in height and would include an adjacent area of public open space, including hard and soft landscaping, which is intended to serve as a meeting space in conjunction with Malcom Sargent Primary School on the opposite side of Empingham Road.

The remainder of the site would be utilised for the proposed residential dwellings, which would be limited to 2 storeys in the southern part of the site. An area of public open space is proposed at the southern end of the site, and the development would also include a central, feature green. Furthermore, the Parameters Plan also shows the retention of a key view from Empingham Road towards All Saints Church.

7.10.4 In respect of the distribution of the land uses within the site, it is Officer's assessment that the proposed location of the Local Centre would allow for the co-location of these facilities in conjunction with the Malcom Sargent Primary School on the opposite side of Empingham Road, and the development also includes the provision of a direct pedestrian crossing point to facilitate the safe passage between these two public areas. The proposed location of the Local Centre would ensure that the future facilities would be accessible to existing residents within the western part of Stamford, as well as recognising the key desire lines between the school and local centre.

7.10.5 With regards to the proposed height and density of the built form, it is Officers assessment that the proposed variation of heights of dwellings is appropriate for the area having regard to the character and form of residential development in the area, together with allowing for the formation of key buildings and view lines, which encourage legibility of the development. In respect of the proposed density of development, the application proposes up to 268 residential dwellings on a site area of 10 hectares, which equates to a density of development of approximately 26.8 dwellings per hectare, which is appropriate for an edge of town location. Furthermore, it is acknowledged that the proposed development includes for the provision of some of the residential dwellings as part of the local centre, through the development of flats above the ground floor retail uses. It is anticipated that approximately 40 dwellings will be provided within this area. As such, it is Officers' assessment that the overall quantum of development proposed provides an appropriate density of development for an edge of settlement location and would be consistent with the requirements of the Framework in relation to making an effective use of land. Conditions are proposed to secure the development specification and compliance with the overall parameters of the development, to ensure that the future reserved matters are consistent with the outline assessment.

7.10.6 The submission has also been accompanied by an Illustrative Masterplan, which indicates how the proposed development could be delivered within the application site. The submitted Parameters Plan and Illustrative Masterplan have been the subject of extensive engagement between Officers' and the Applicant, including presentation at the Council's Design PAD service, which has resulted in a number of amendments being made, including:

- Retention of the trees and hedgerows along Empingham Road, and setting development back from these features to ensure their long-term retention.
- Removal of a secondary point of access from Empingham Road, to allow the Local Centre to front onto the main road.
- Additional access to the south of the site to allow for improved permeability.
- Pedestrian crossing point has been relocated directly opposite Malcom Sargent Primary School entrance.
- Submission of a Landscaping Strategy, which identifies various character areas and differentiates between the nature of use of the proposed public open spaces.

7.10.7 As such, it is Officers' assessment that the proposed Parameters Plan represents the principles of good design and allows for a high-quality development to be submitted as part of the detailed designs assessed as part of a future reserved matters application.

7.10.8 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, 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 and EN1 of the adopted Local Plan, the made Stamford Neighbourhood Plan, the adopted Design Guidelines SPD, and Section 12 of the Framework in this regard.

## 7.11 Impact on amenity

### Built Form

7.11.1 As discussed, 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.

7.11.2 However, as a matter of principle, it is Officer's assessment that the submitted Parameters Plan demonstrates that appropriate separation distances can be maintained between the existing and proposed residential uses to enable the delivery of the development in a manner that would adhere to the amenity standards contained within the adopted Design Guidelines SPD.

### Noise, Air Quality and Lighting

7.11.3 It is appreciated that the application site is located immediately adjacent to the A1 strategic road network and, therefore, likely to be subject to elevated levels of noise and air pollution as a result of vehicular movements. In this regard, the application has been accompanied by a Noise Impact Assessment (BWB) and Air Quality Assessment (BWB). These reports identify the following:

- The assessment shows that with appropriate consideration to noise mitigation measures, including site layout with screening buildings, the provision of localised acoustic barriers and appropriate glazing and ventilation to dwellings, an appropriate level of protection could be afforded to future noise sensitive receptors on the site.
- The development was not predicted to result in any new exceedances of the current relevant air quality objectives and the impact of the development on local air quality was predicted to be "negligible" in accordance with guidance.
- Pollutant concentrations were also predicted across the site and the suitability of the site for the proposed development was assessed with regard to air quality objectives. Pollutant concentrations were predicted to be below the current relevant air quality objectives and the site was therefore considered suitable for the proposed end use.
- Based on the assessment results, the impact of the proposed development with regards to air quality objectives was considered to be not significant. No further mitigation is required but measures included in the development that can be

considered beneficial to air quality include photovoltaic panels and electric vehicle charging points.

7.11.4 In relation to the above, the Council's Environmental Protection Team have been consulted on the application and have confirmed that they have no objection in principle to the development. However, they note that the submitted Noise Assessment indicates that mitigation measures are required to ensure appropriate internal and external noise levels are maintained and therefore a further Noise Impact Assessment and scheme of acoustic mitigation will be required as part of any reserved matters application relating to the layout of the site. National Highways have also echoed the request for conditions. As such, conditions are proposed to require 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 guidance.

7.11.5 Furthermore, it is appreciated that the proposed development is located within a residential setting, and therefore, there is the potential for short-term impacts on the residential amenity of existing properties as a result of noise, dust, and vehicle movements associated with the construction of the development. Therefore, conditions are proposed to require the submission and approval of a Construction and Environmental Management Plan prior to the commencement of development, in order to mitigate these potential impacts.

7.11.6 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 any 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 and EN4 of the adopted South Kesteven Local Plan, the made Stamford Neighbourhood Plan, the adopted Design Guidelines SPD, and Section 12 of the National Planning Policy Framework in respect of residential amenity considerations.

## 7.12 Access, Highways and Sustainable Travel

7.12.1 Representations received on the application have raised objections on the basis of the impact of the development on highways safety and capacity within Stamford Town Centre and the wider area.

### Effect of the development on highways safety and capacity

7.12.2 The application has been accompanied by a Transport Assessment (Bryan G Hall) producing using traffic modelling using the latest Stamford Transport Model and using the results of traffic counts from the adjacent completed Taylor Wimpey development. The submitted modelling has been subject to 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 A1 are fully assessed.

7.12.3 The results of the modelling are as follows:

- Details of the predicted trip generation of the proposed development and a comparison with the trip generation for the extant approval for employment development on the site has been provided (N.B. the extant approval for employment

development of the site has now lapsed, but the site is allocated for employment uses within the Local Plan).

- The proposed residential and local centre development is anticipated to generate 223 and 242 two-way vehicle trips during the weekday morning and evening peak hours respectively. This trip generation is 455 fewer two-way trips during the morning peak hour and 294 fewer two-way trips during the evening peak hour, than the employment development. This is clearly a significant reduction in future development generated trips on the local and strategic road networks in the vicinity of the site.
- The tidal impact of the proposed development traffic flows when compared to the extant approval has also been considered. When considering both the net change in two-way flows and the tidal net changes in additional vehicle trips, this will not have a significant impact and, on the majority of links, there is a net reduction in development generated traffic flow.
- The operation of the proposed signalised site access junction with the A606 (Empingham Road) / Arran Road has been assessed. It has been demonstrated that the proposed signalised site access junction will have sufficient capacity to serve the proposed residential development with local centre.

7.12.4 Lincolnshire County Council (as Local Highways Authority) have extensively reviewed and accepted the results of the modelling and have raised no objections.

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

7.12.6 In respect of the public representations raising concerns about the potential for increase in off-street parking in the surrounding residential estates, this falls to be assessed as part of any future reserved matters application relating to layout, which will need to ensure adequate parking provision is provided within the site to meet the needs of the development.

#### Access

7.12.7 As stated above, the current application has been submitted in outline with access for detailed approval. The application has been accompanied by a Proposed Site Access Plan which demonstrates that access into the site from the A606/Empingham Road will be via a signalised junction which will incorporate the existing junction with Arran Road. The proposed site access arrangements will also incorporate signalised shared pedestrian and cycle crossing points over Arran Road, the site access, and Empingham Road. There will be either a 2m wide footway or 3m wide shared footway/cycleway on each side of the junction.

7.12.8 The existing bus stop that are located on Empingham Road in the vicinity of the Arran Road junction are to be relocated to the east and enhanced with the provision of bus cages, shelters and raised kerbs. Pedestrian connection points will be provided from the site for the westbound bus stop.

7.12.9 Two other pedestrian / cycle access points are to be provided as part of the development. One will be provided onto the Empingham Road opposite the Malcom Sargent Primary School, which will connect with a proposed signalised crossing facility. The other will be to the south of the site connecting to facilities on Barrowfield Drive.

7.12.10 Lincolnshire County Council (as Local Highways Authority) have been consulted on the access arrangements and have confirmed that they have no objections and have acknowledged that the proposed arrangements would provide betterment for existing residents in the area in terms of providing better accessibility and safety for non-car modes of transport. Conditions are proposed to ensure the delivery of the proposed site access and associated improvements.

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

#### Sustainable Travel

7.12.12 The application has been accompanied by a Framework Travel Plan, which includes a wide range of active travel improvements, together with proposals to encourage use of non-car modes of transport by future occupants.

7.12.13 Lincolnshire County Council (as Local Highways Authority) have reviewed the Framework Travel Plan and have raised no objections. A financial contribution of £5,000 has been 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 Section 106 Agreement; and conditions are proposed to require the submission of a detailed Travel Plan based on the Framework Travel Plan, prior to the commencement of development.

7.12.14 Furthermore, it is noted that Lincolnshire County Council have also requested the provision of 2 free travel passes per dwelling in the first year of their occupation. Whilst the comments received from Lincolnshire County Council referred to a financial contribution, engagement with Officers at Lincolnshire County Council has identified that this is more appropriately secured through planning conditions, which requires the Developer to make provision directly to occupants, as this reduces the administrative burden and therefore, increases the likelihood of future occupants accessing the passes. As such, this is proposed to be secured via planning conditions to ensure that the development accords with Policy ID2 of the adopted Local Plan, and Policy 11 of the made Stamford Neighbourhood Plan.

#### Summary

7.12.15 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 the use of sustainable modes of transport as well as active travel opportunities. Consequently, the application proposals would be in accordance with Policy ID2 of the Local Plan, the made Stamford Neighbourhood Plan, and Section 9 of the National Planning Policy Framework.

### **7.13 Flood Risk and Drainage**

7.13.1 The proposed development site is identified as falling within Flood Zone 1 of the Flood Map for Planning, and the surface water flood map also indicates that the site is predominantly at very low risk of surface water flooding. As such, the site is deemed to be at low risk of overall flooding.

7.13.2 The application has been accompanied by a Flood Risk Assessment and Sustainable Drainage Strategy, which sets out the following:

- It is recommended that finished floor levels are raised a minimum of 150 above immediate surrounding ground levels, where possible, to help mitigate residual risk of flooding from pluvial and sewer sources. Ground levels should be profiled to encourage pluvial runoff and overland flows away from the built development and towards the nearest drainage point.
- To mitigate the impact of the proposed development on the current drainage regime, it is proposed to incorporate surface water attenuation and storage as part of the development proposals. It is proposed to drain foul water from the proposed development separately to surface water.
- Based on the topography of the site, a pumped foul solution will be required to connect to the existing public foul water sewer. The proposed pumping station will convey flows through the development and towards the 225mm public foul water sewer located within Empingham Road.

7.13.3 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. Conditions are proposed to require the submission of a detailed surface water drainage strategy as part of the reserved matters application relating to layout. Similarly, conditions are also proposed to require the submission of a site levels strategy to ensure that the topographical variations within the site are appropriately addressed.

7.13.4 In respect of foul water drainage, Anglian Water have been consulted on the application proposals and have confirmed that there is sufficient capacity within the Empingham Road point of connection to accommodate the new development.

7.13.5 Taking the above into account, subject to the imposition of conditions requiring the submission of a detailed surface water drainage strategy, the application proposals would accord with Local Plan Policy EN5 and Section 14 of the Framework.

#### 7.14 Open Space Provision

7.14.1 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 are 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.

7.14.2 The proposed development would generate a requirement to provide a minimum of 1.48 hectares of public open space, which comprises of 1.28 hectares as informal / natural greenspace, 0.1 hectares of equipped play space and 0.1 hectares of young persons play space, which is to be provided on-site as part of the development. The submitted Parameters Plan indicates that this will be provided as part of the development and can be appropriately secured through planning conditions and the Section 106 Agreement.

7.14.3 In respect of the requirements for outdoor sports provision, it is noted that there are no proposals for provision of such facilities within the application site. As such, appropriate financial contributions will be required towards improving existing facilities in Stamford, which have been identified as being at capacity without the development and therefore are required to mitigate against the impacts generated by the additional population generated by the development. In this case, a financial contribution of £253,215.06 would be

proportionate to the scale of development proposed and is proposed to be included within the Heads of Terms for the Section 106 Agreement.

7.14.4 In terms of the management of the on-site open space, it is anticipated that this would be undertaken via a private management company. However, conditions are proposed to require the submission of a Landscape and Ecological Management Plan, and the details submitted pursuant to this condition would be required to confirm the long-term management arrangements.

7.14.5 Taking the above into account, subject to the imposition of conditions and the completion of a Section 106 Agreement, the application scheme would provide sufficient 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.

## 7.15 Biodiversity and Ecology

7.15.1 The application has been accompanied by an Ecological Impact Assessment (Baker Consultants) (July 2024), which identifies the following conclusions:

- The site is dominated by a single arable field with linear sections of scrub to the west and south. A small section of unmanaged grassland is also present to the south and species-poor hedgerows on the northern boundary.
- Mitigation measures should be considered through the masterplan design process with actions during the construction and operation phases agreed and established in a Construction Environmental Management Plan and Landscape and Ecological Management Plan.
- Compensation for any loss of scrub and hedgerows will be considered for inclusion within the final design. Compensation may include the planting of native trees and shrubs, ideally comprising wildlife friendly species, providing nectar rich flowers, fruit and seeds. The development provides the potential to trade up the loss of arable land through the creation of grassland, ponds and urban trees. The inclusion of additional lengths of hedgerow with trees enhancing this habitat resource across the site, will provide wildlife corridors and stepping stones that are currently absent from the site.

7.15.2 Lincolnshire Wildlife Trust have been consulted on the application proposals and have not raised any objections. Conditions are proposed to require the submission and a detailed Landscape and Ecological Management Plan, as well as the submission of a Construction and Environmental Management Plan, which will include a requirement to appoint an Ecological Clerk of Works and evidence of compliance with Natural England's licencing requirements; this will ensure that there is no unacceptable adverse impact on existing ecological assets.

7.15.3 In addition, a Biodiversity Net Gain Feasibility Assessment and statutory metric have been submitted, which indicates that the development can achieve a 27.9% net gain in habitat units and a 42.7% net gain in hedgerow units. This net gain is to be delivered through a mixture of on-site provision as well as off-site improvements to the adjacent mixed scrubland to the west of the site. The development is subject to the statutory biodiversity gain condition, which requires the submission of a Biodiversity Gain Plan and Habitat Management and Monitoring Plan prior to the commencement of the development. However, given that this is to be secured through a mixture of on-site provision and off-site provision on additional land within the Applicant's ownership, it is necessary for this to be secured through a Section

106 Agreement to ensure the appropriate management of the additional land. Furthermore, a financial contribution based on the number of units to be provided, and would be subject to a review mechanism, is proposed to be included within the Heads of Terms.

- 7.15.4 The application submission also includes an Arboricultural Survey Report (BWB) which confirms that the site includes 11 individual trees, 2 tree groups, 2 hedgerow and 1 woodland, all of which are of moderate quality. To facilitate the proposed access, a small group of low value trees will need to be removed and there are also likely to be impacts on the tree protection areas of neighbouring trees. However, given that the access design has been slightly updated during the course of the application, it is appropriate to impose conditions requiring the submission of an updated 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.
- 7.15.5 The submitted Landscaping Strategy demonstrates that any trees lost to facilitate the access can be appropriately mitigated through compensatory planning. Further details of which would be provided as part of any reserved matters application relating to landscaping.
- 7.15.6 Taking the above into account, it is Officers' assessment that subject to the imposition of conditions and completion of a Section 106 Agreement, the proposed development would result in a biodiversity net gain and would not result in any unacceptable ecological or arboricultural impacts. As such, the proposed development would be in accordance with Local Plan Policy EN2, Section 15 of the National Planning Policy Framework and the Environment Act 2021.

## 7.16 **Climate Change**

- 7.16.1 Local Plan Policy SB1 (Sustainable Buildings) sets out the requirement for all development proposals to mitigate against and adapt to climate change.
- 7.16.2 In this respect, the application has been accompanied by an Energy and Sustainability Statement (BWB), which outlines that the scheme will incorporate a number of sustainable development principles, including sustainable sourcing of materials, adherence to the energy hierarchy and consideration of waste management. However, detailed proposals will be formulated as part of the detailed design of the development. As such, conditions are proposed to require the submission of a detailed Sustainability Statement, which should be in accordance with the submitted Energy and Sustainability Strategy, which outlines which sustainability measures will be incorporated within each building, including the provision of electric vehicle charging points. It is important to note that these matters are also addressed through Building Regulations and, therefore, compliance with the proposed condition would not override any obligation to achieve higher energy efficiency standards imposed through Building Regulations.
- 7.16.3 Therefore, subject to the imposition of conditions securing details of sustainable building measures as part of the detailed design approval process, the proposals 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 **Impact on heritage and archaeology**

- 7.17.1 With regards to the impact of the development on heritage and archaeology, the proposed development site 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 views towards the Grade II\* Listed Church of All Saints in Tinwell and the Grade I Listed Church of All Saints in Easton on the Hill.

7.17.2 In relation to the above, the Council's Conservation Officer has been consulted on the application and has raised no objections. They have advised that the retained view of the Grade I Listed Church of All Saints is a positive feature of the development that is supported. Similarly, Historic England have also raised no objections.

7.17.3 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, and conditions are proposed to require the submission of a Written Scheme of Investigation.

7.17.4 Therefore, subject to the imposition of conditions, the application proposals would not result in 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.

## 7.18 Infrastructure for Growth

7.18.1 Representations received on the application 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 adequate education and healthcare facilities to serve the development.

7.18.2 In this respect, Lincolnshire County Council (as Local Education Authority) have been consulted on the application, and they have confirmed that there is sufficient primary education capacity to accommodate the development but have requested contributions towards secondary and sixth form education. These contributions would be calculated based on the number and mix of dwellings proposed, which determines the number of school places required to support the development. The contribution per school place is £26,717 per place to be provided.

7.18.3 Furthermore, Lincolnshire Integrated Care Board (LICB) have been consulted on the application and have confirmed that the development will impact on healthcare capacity within the local area. It is noted that the proposed local centre has the potential to include a health centre, and the submitted Planning Statement indicates that this could be a 555 sq. metre facility. However, in this case, the LICB have requested a financial contribution towards the delivery or improvement of other facilities. Notwithstanding this, the development specification does allow for the provision of a health centre should the ICB engage positively with the Applicant to bring this forward. The contribution requested is £660 per residential dwelling and £393.25 per care home bedroom.

7.18.4 Taking the above into account, the application proposals are for a major, residential-led mixed use development which results in the need for a Section 106 Agreement to secure contributions and planning obligations to mitigate the impacts of the application scheme on local infrastructure.

7.18.5 The proposed Heads of Terms for the Section 106 Agreement are as follows:

- **Open Space** – 1.28 hectares as informal / natural greenspace, 0.1 hectares of equipped play space and 0.1 hectares of young persons play space, which is to be

provided on-site as part of the development and £253,215.06 towards improving existing sports facilities in Stamford.

- **Affordable Housing** – 30% of all residential dwellings (Use Class C3) on site with the type and tenure to be agreed through an Affordable Housing Scheme, which will also set out details of the distribution of affordable housing within the application site. The Nominations Agreements will also be secured as part of the Section 106 Agreement.
- **Highways (Travel Plan)** - £5,000.00 towards the monitoring of the Travel Plan
- **Biodiversity Net Gain (Off-site management for net gain)** – Secures land outside the site boundary, but within the Applicant's ownership, for the delivery biodiversity net gain. This includes the requirement to complete a baseline habitat survey, net gain plan, and management and monitoring plan.
- **Biodiversity Net Gain (Monitoring Fee)** – Calculated based on the number of units to be provided: £31,458.00 payable with review mechanism.
- **Education** – Financial contributions towards expanding secondary and sixth-form education provision within the Stamford secondary planning area; calculated based on the number of dwellings confirmed at reserved matters.
- **Healthcare** – Financial contributions towards expanding healthcare capacity in the Primary Care Network; £660 per residential dwelling and £393.25 per care home bedroom; confirmed at reserved matters stage.
- **Monitoring Fee** - £15,000.00

7.18.6 As such, in the event that the application was deemed to be acceptable in all other respects, the above financial contributions would ensure that local infrastructure is appropriately upgraded to cope with the additional population generated by the development. As such, it is concluded that these financial requests are compliant with the statutory tests of the CIL regulations, as well as local and national planning policy requirements.

7.18.7 Therefore, subject to the completion of a Section 106 Agreement, the application proposals would accord with Policy OS1, ID1, ID2 and H2 of the adopted South Kesteven Local Plan and the Environment Act 2021.

## 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.

### Ground Conditions

7.19.4 The application has been accompanied by a Phase 1 Geo-Environmental Assessment (BWB) (June 2024), which concludes that the development is considered to pose a moderate to low risk to human health and the risk to controlled waters is considered to be

low due to the lack of a contaminant source. It recommends the completion of a detailed ground investigation to confirm ground conditions.

7.19.5 The Council's Environmental Protection Officer has been consulted and have confirmed that they accept the findings of the report. Conditions are requested for the submission of a detailed ground investigation.

## **8 Crime and Disorder**

8.1 It is concluded that the proposals would not result in any significant crime and disorder implications.

## **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 268 residential dwellings (Use Class C3), up to 80 bed care home (Use Class C2), local centre, and public open space with associated access, landscaping, drainage and infrastructure. The current application has been submitted in outline with all matters reserved for future determination except for access.

10.3 The proposed development site is allocated as a site of strategic employment importance (Site Ref: ST-SE1), where proposals for Class B1, B2 and / or B8 uses will be supported. Policy E6 of the adopted Local Plan is a permissive policy, which seeks to protect existing and allocated employment sites, unless applicant's demonstrate compliance with one of a number of criteria. In this case, the application site has been subject to extensive marketing, which has indicated that the site is not viable as a traditional employment development, and that the market interest in the site is for local centre uses, as part of a residential-led development. Furthermore, it is acknowledged that the Employment Land Study (2024), which supports the emerging Local Plan Review, indicates that the site is no longer suitable for employment uses and therefore recommends de-allocation of the site. As such, the application accords with criteria (a) of Policy E6. Similarly, it is also appreciated that the proposed development of the local centre would entail the provision of a number of employment opportunities and this is likely to be similar to the levels of employment that could have been realised as part of a B8-led employment development. Therefore, the proposed development would still provide employment opportunities albeit in an alternative form. Taking the above into account, it is Officers' assessment that the application would accord with Policy E6 of the adopted Local Plan, and therefore, is acceptable in principle, subject to material considerations.

10.4 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.

10.5 Notwithstanding the above, as of March 2025, South Kesteven District Council are presently unable to demonstrate a 5-year housing land supply and as a result, the policies most important for determining the application are deemed to be out-of-date by virtue of footnote 8 and Paragraph 11 of the National Planning Policy Framework. In these circumstances, Paragraph 11(d) requires that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework when taken as a whole; or where specific policies in the Framework, indicate that development be restricted.

10.6 As identified, the proposed development scheme would make provision for up to 268 residential dwellings, including 30% affordable housing, and an 80-bed care home, this would make a significant contribution towards meeting the identified housing needs of the District, including the acute need for affordable housing, as well as contributing to addressing the identified housing land supply shortage. The provision of this additional housing is a significant public benefit, which Officers advise should be given significant weight. Similarly, the scheme would also provide a number of direct and indirect employment opportunities, both through the on-site employment provision made within the Local Centre, and the construction of the scheme, as well as the increased patronage of local services and facilities. The scheme represents sustainable development when taken as a whole, and there are significant benefits to be afforded significant weight in the assessment of the application proposals.

10.7 The proposed development would also provide a 27.9% net gain in habitat units and 42.7% net gain in hedgerow units, which exceeds the statutory requirement for 10% net gain, and therefore, Officers would also advise that this should be attributed moderate weight.

10.8 Balanced against the proposals would be the minor visual impacts as a result of the change of use of the land. However, it is Officer's assessment that subject to the delivery of a high-quality development at reserved matters stage, these impacts can be mitigated to a negligible level.

10.9 Taking all of the above into account, it is Officer's assessment that the adverse impacts of the development do not significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework when taken as a whole, such that the tilted balance set out within Paragraph 11(d) weighs in favour of the development.

10.10 Consequently, it is Officers assessment that the application proposals would accord with the adopted Development Plan when taken as a whole, and the material considerations, including the tilted balance required by Paragraph 11(d) of the Framework also weigh in favour of granting planning permission.

## **11 Recommendation**

### **Recommendation – Part 1**

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

### **Recommendation – Part 2**

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

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

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

## **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, which ever is the latter.

Reason: In order that 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

- 2) Details of the reserved matters set out below shall have been submitted to the Local Planning Authority for approval within three years from the date of this permission:
  - i. Appearance
  - ii. Layout
  - iii. Landscaping
  - iv. Scale

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

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)

## **Approved Plans**

### Approved Plans

- 3) The development hereby permitted shall be carried out in accordance with the following list of approved plans:
  - a. Site Location Plan (Ref: COMU3000\_01/Rev A)
  - b. Proposed Site Access with Crossing Points and Bus Stops (Ref: 23/215/TR/003/Rev B)

Unless otherwise required by another condition of this permission.

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

### Parameter Plan

- 4) The development hereby permitted shall be carried out in accordance with the broad principles of the following plans:
  - i. Parameter Plan (Ref: COMU3000\_02/Rev F)

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 Development is Commenced**

### *Meeting All Housing Needs*

#### Part M4(2) Details

5) Before any part of the development hereby permitted commences, a plan indicating the provision of 10% of the residential dwellings (Use Class C2) to be provided as Accessible and Adaptable in line with the standards set out in Part M4(2) of the Building Regulations shall have been submitted to and approved in writing by the Local Planning Authority.

Thereafter, the development shall be completed in accordance with the approved details and the dwellings shall be retained as such for the lifetime of the development.

Reason: To ensure that the development meets the needs of all future residents as required by Policy H4 of the adopted Local Plan.

### *Residential Amenity*

#### Construction and Environmental Management Plan

6) Before the development hereby permitted is commenced, a detailed Construction and Environmental Management Plan (CEMP) 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 and site operatives
- 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. Ecological Management Plan, including appointment of an Ecological Clerk of Works, and the implementation of Natural England licences as required.

Any variation to 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 any unacceptable adverse impacts on highways, drainage and ecological assets.

#### Noise Impact Assessment

- 7) As part of any reserved matters applications, a detailed Noise Impact Assessment considering the impact of the development and its location adjacent to the A1, shall be submitted to and approved in writing by the Local Planning Authority. The Assessment must be carried out in accordance with 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 or the submission of a Noise Management Plan, 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.

#### *Access and Highways*

#### Estate Road Phasing & Completion Plan

- 8) Before any part of the development hereby permitted is commenced, an Estate Road Phasing and Completion Plan 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 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 a safe and suitable standard of vehicular and pedestrian access is provided for residents throughout the construction period of the development.

#### Travel Plan

- 9) Before any part of the development hereby permitted is commenced, a site-specific Travel Plan 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 (Bryan G Hall) (June 2024) and 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 in accordance with the approved timescales.

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 there is a reduced dependency on the private car for journeys to and from the development.

## *Drainage*

### Surface Water Drainage

10) As part of any reserved matters application relating to layout, a surface water drainage scheme shall have first 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. Where necessary, provide details of how run-off will be safely conveyed and attenuated during storms up to and including the 1 in 100 year critical storm event, with an allowance for climate change, from all hard surfaced areas within the development into the existing local drainage infrastructure and watercourse system without exceeding the runoff rate for the undeveloped site.
- v. Where necessary, provide attenuation details and discharge rates which shall be restricted to the 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 will 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.

Thereafter, no part of the 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 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.

### Site Levels and Groundworks Strategy

11) Prior to the determination of the 1<sup>st</sup> 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: To ensure that the proposed development is adequately drained without creating or increasing flood risk to land or property adjacent to, or downstream of, or upstream of, the permitted development; and in the interests of visual and residential amenity.

#### *Biodiversity / Ecology*

##### Arboricultural Method Statement and Tree Protection Plan

12) Notwithstanding the submitted details, before the development hereby permitted is commenced, a detailed arboricultural method statement and tree protection plan for the protection of retained trees, including a tree protection programme for the provision and retention of trees 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 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.

#### *Ground Contamination*

##### Land Contamination Risk Management Phase II Investigation

13) 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.

#### *Archaeology*

## Archaeological Investigation

14) Before the development hereby permitted is commenced, a written scheme of archaeological investigation shall have been submitted to and approved in writing by the Local Planning Authority.

Thereafter, the archaeological investigations shall be completed in accordance with the approved details.

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

## **During Building Works**

### *Climate Change*

### Sustainable Construction

15) No development above damp-proof course shall commence until a Sustainability Statement outlining how the proposed development would comply with the requirements with Local Plan Policy SB1 has 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/building in accordance with the agreed scheme, prior to first occupation/use of each dwelling/building.

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

## **Before the Development is Occupied**

### *Residential Amenity*

### Noise Mitigation – Implementation and Retention

16) Before any residential dwelling (Use Class C3) or care home unit (Use Class C2) is 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 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.

## *Access and Highways*

### Access Implementation

17) Before any part of the development hereby permitted is occupied or first brought into use, the works to proposed access and works to improve the public highway (by means of a signalised junction with Arran Road, two enhanced and relocated bus stops and a signalised pedestrian crossing opposite Malcom Sargent Primary School along with all associated works) (as shown on drawing ref: 23/215/TR/003/Rev A) shall have been certified complete by the Local Planning Authority.

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

### Estate Road Completion Compliance

18) Before any part of the development hereby permitted is occupied or brought into use, all of that part of the estate road and associated footways that form the junction within the main road or Empingham Road, which will be constructed within the limits of the existing highway, and which serves that part of the development, 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 hazards within the public safety from surfacing materials, manholes and gullies that may otherwise remain for an extended period at dissimilar, interim construction levels.

## *Biodiversity / Ecology*

### Landscape and Ecological Management Plan

19) 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

20) 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

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

- i. Up to 268 residential dwellings (Use Class C3 – Dwellinghouses)
- ii. Up to 80-bed residential care home (Use Class C2 – Residential Institutions)
- iii. Up to 1,788 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. Public house, wine bar or drinking establishment
  - iii. Drinking establishment with expanded food provision
  - iv. Hot food takeaway for the sale of hot food where consumption of that food is mostly taken off the premises.
- iv. Associated green infrastructure including provision of public open space, landscaping and informal play areas.
- v. Utility provision (including drainage); and
- vi. Associated access and ancillary works.

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

### Residential Care Home (Use Class C2)

22) Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (or any order revoking or re-enacting that order with or without modification), the proposed 80-bedroom residential care home (Use Class C2) shall only be used for those purposes and for no other purpose (including any other use falling within Class C2 of the Order). It shall

comprise of individual rooms within a residential building where a high level of care (as defined in the Order) is provided to meet all activities of daily living. It shall not include support services for independent living, such that occupiers have independent "dwellings".

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

#### *Biodiversity / Ecology*

#### Landscape and Ecological Management Plan

23) Following first occupation of any part of the development hereby permitted, 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.

#### 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 (December 2024).
- 2) The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that development may not begin unless:
  - (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
  - (b) the planning authority has approved the plan.

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

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

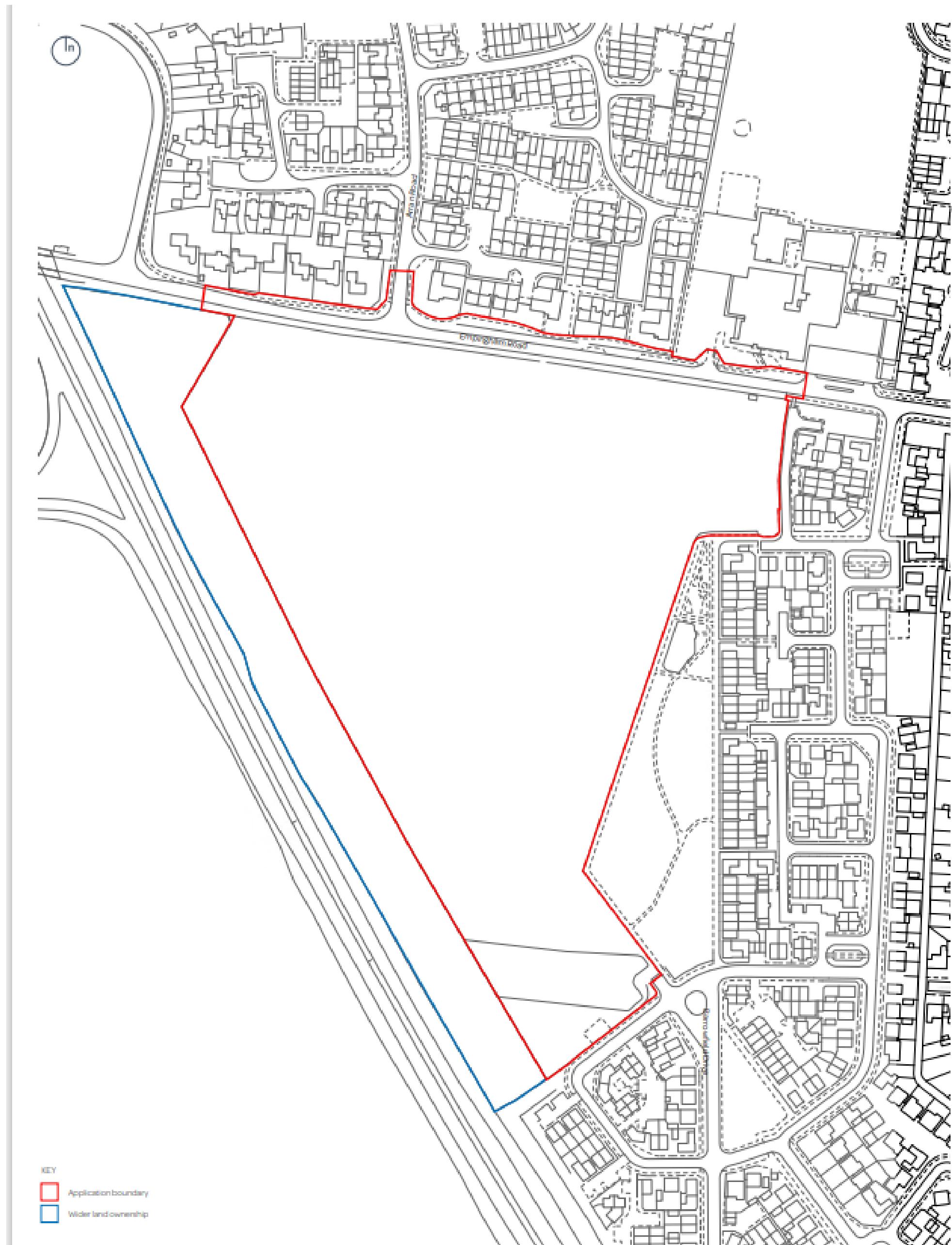
Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements listed below are considered to apply.

- 3) All roads within the development hereby permitted must be constructed to an acceptable engineering standard. Those roads that are 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 to be voluntarily out forward for adoption as public highways may be subject to action by the Highway Authority under Section 219 (Advanced Payments Code) of the Highways Act 1980.

- 4) The permitted development requires the formation of a new/amended vehicular access. These works will require approval from the Highway Authority in accordance with Section 184 of the Highways Act. The works should be constructed in accordance with the Authority's specification that is current at the time of construction. Relocation of existing apparatus, underground services or street furniture will be the responsibility of the applicant, prior to application. For application guidance, approval and specification details, please visit  
<https://www.lincolnshire.gov.uk/licences-permits/apply-dropped-kerb>
- 5) Please contact the Lincolnshire County Council Streetworks and Permitting Team on 01522 782070 to discuss any proposed statutory utility connections and any other works which will be required within the public highway in association with the development hereby permitted under this Consent. This will enable Lincolnshire County Council to assist in the coordination and timings of these works.  
For further guidance, please visit our website via the following links:  
Traffic Management - <https://www.lincolnshire.gov.uk/traffic-management>  
Licences and Permits – <https://www.lincolnshire.gov.uk/licences/permits>.
- 6) The highway improvement works referred to in the above condition are required to be carried out by means of a legal agreement between the landowner and the County Council, as the Local Highway Authority.
- 7) Notification of intention to connect to the public sewer under Section 106 of the Water Industry Act approval and consent will be required by Anglian Water under the Water Industry Act 1991. Contact Development Services on 0345 606 6087.
- 8) No building will be permitted within the statutory easement width of 3m from the pipeline without agreement from Anglian Water.
- 9) The Developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Section 104 of the Water Industry Act 1991), they should contact the Development Services Team at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.

## Site Location Plan



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CLIENT Commercial Estates Group

PROJECT Stamford Gateway

DRAWING: Site Location Plan

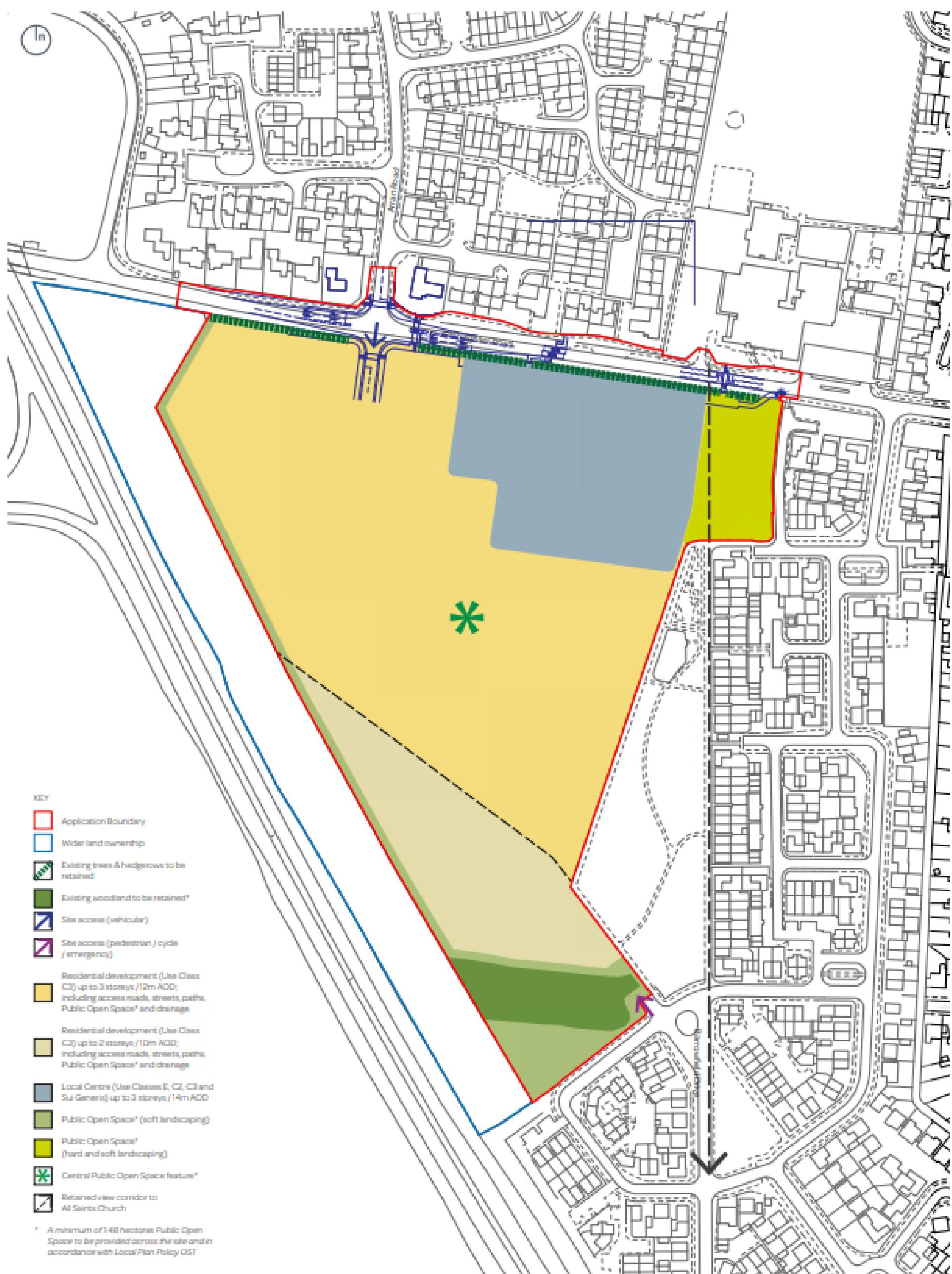
PROJECT TWO

DEPARTMENT OF  
EDUCATION

## ANSWER

# Turley

## Proposed Parameter Plan



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**CLIENT** Commercial Estates Group  
**PROJECT** Stamford Gateway  
**DRAWING** Parameter Plan

**PROJECT NO.** C00000000000000000000000000000000  
**STATUS** Final  
**DRAWING NO.** 00000000000000000000000000000000  
**SCALE** 1:20000 (1:2000)  
**REVISION** 00000000000000000000000000000000  
**DATE** July 2009  
**CHECKED BY** DC

**Turley**



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Plan Name	Landscape Strategy
Plan Number	Imcilla 1074 P04
Revision	A
Date	28/06/2024
Not to scale	
	N
Stamford Road Landscape Masterplan Incola 2024 P04	