

## **LINCOLNSHIRE COUNTY COUNCIL'S RESPONSE TO CONSULTATION ON THE FOLLOWING DEVELOPMENT PROPOSAL**

**District: South Kesteven District Council**

**Application number: S22/1718**

**Application Type: Approve with conditions**

**Proposal: Outline application for redevelopment of site for mixed use development comprising of Class C3(a) (Residential) and Class E(c)(ii)(Office) (Appearance, Layout and Scale for approval)**

**Location: Ross Thain & Co Ltd, Belton Street, Stamford, PE9 2EF**

**Response Date: 21 February 2023**

This report includes the Substantive response of the Local Highway and Lead Local Flood Authority to a planning consultation received under the Development Management Order and includes details of any planning conditions or informatives that should be attached in the event that permission is granted and any obligations to be secured by way of a S106 agreement.

### **General Information and Advice**

#### **Outline applications and contributions**

The anticipated number and type of dwellings and/or the floor space may be set by the developer at the time of application which is used to assess necessary mitigation. If not stated in the application, a policy compliant mix will be used. The number and type of dwellings used when assessing S106 planning obligations is set out on the first page of this response.

In the case of outline applications, once the unit mix/floor space is confirmed by reserved matters approval/discharge of condition a matrix (if appropriate) will be applied to establish any increase in contributions payable. A further increase in contributions may result if there is a reserved matters approval changing the unit mix/floor space.

Please note that although the Definitive Map and Statement proves the existence of any recorded rights of way, there may be further or higher rights that are not shown on this document that the County Council is not currently aware of. This would be especially relevant where the public has had informal access to the site or where there are references to routes across this in maps or other historic documents. As the County Council has

received no application to recognise further rights of way affecting the site, no more informed guidance can be offered at this stage.

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## **Highway and Lead Local Flood Authority Report**

**Substantive Response provided in accordance with article 22(5) of The Town and Country Planning (Development Management Procedure) (England) Order 2015:**

**Recommendation: Approve with conditions**

- **Planning Conditions** as detailed below.

### **Comments:**

This is an Outline application for the redevelopment of the site for mixed use development comprising of class C3 (A) residential & class E, c, ii office - appearance, layout, scale for approval. It is a resubmission of S21/0683 Lincolnshire County Council - Highways and Lead Local Flood Authority did not express any concerns.

The site is located in a central urban area where services and facilities are within a reasonable distance to be accessed via sustainable travel options such as walking, cycling and public transport. Future residents of the development will not be reliant on the private car and therefore parking is not essential for this proposal. Parking is proposed for Block A and it is internal to the site. Cycle storage is also proposed. Wharf Road Car Park is near to the site – therefore users of the proposed offices will park here or at an alternative car park within the town centre. In addition to this, a parking bay is to be installed along Gas Street and to accommodate this the footway will be moved further into the site - whilst providing additional parking it will also make the road feel wider. The parking bay will be for permit holders only and will include no waiting restrictions. The existing Traffic Regulation Order will be amended to include this. Double yellow lines have previously been installed along part of Gas Street.

In terms of ensuring appropriate access to the parking spaces provided for Belton Gardens properties – lining restrictions already apply to the whole of Belton Street. Any that are faded this is a maintenance issue and not something we can secure through planning.

The planning application is supported by a transport statement which considers the impact of the proposed development on the highway network. The detailed information concludes that no significant impact will occur on the existing local highway network.

As Lead Local Flood Authority, Lincolnshire County Council is required to provide a statutory planning consultation response with regard to Drainage on all Major Applications. The Lead Local Flood Authority have requested further detailed information when an application is made for reserved matters to determine that the proposals would not increase flood risk in the immediate vicinity of the site.

## **Introduction/Site Location**

The proposal is for Offices, 5 x 3 bed, 1 x 4 bed houses & 3 X 1 Bed, 4 x 2 bed, 2 x 3 bed apartments = 15 total.

## **Existing Conditions**

Parking restrictions already exist along Belton Street and Gas Street. Tenter Lane is too narrow to permit a parked car and to allow a further vehicle to pass. The surface on Tenter Lane is of poor condition.

## **Highway safety**

A one way system was suggested by the Applicant but this won't be necessary as the traffic flows are very low and it looks like the new development won't generate vehicle movements into Gas Lane.

## **Highway capacity**

There is no precise definition of "severe" with regards to NPPF Paragraph 109, which advises that "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe." Planning Inspector's decisions regarding severity are specific to the locations of each proposal, but have common considerations:

- The highway network is over-capacity, usually for period extending beyond the peak hours
- The level of provision of alternative transport modes
- Whether the level of queuing on the network causes safety issues

In view of these criteria, the Highways and Lead Local Flood Authority does not consider that this proposal would result in a severe impact with regard to NPPF.

## **Flood Risk and Drainage**

There is no surface water flood risk to the site. The Environment Agency have recommended that SuDs is not applied to the site due to possible contamination risks. It is the intention for all SW to be disposed of via the main sewer within Belton St, as currently happens on the site from all presently hard-surfaced areas and roofs.

## **Off-Site Improvements**

To relocate the footway further into the site to be able to accommodate the permit holders parking bay - Traffic Regulation Order to be amended and footway/parking bay construction to be done under a Section 278 Minor works Agreement. A Land dedication Agreement will be required where the footway is to be installed on private land.

## **Planning Conditions:**

In the event that permission is to be given, the following planning conditions should be attached:

#### Highway Condition 00

The development hereby permitted shall be undertaken in accordance with a Construction Management Plan and Method Statement that shall first be approved in writing by the Local Planning Authority. The Plan and Statement shall indicate measures to mitigate the adverse impacts of vehicle activity and the means to manage the drainage of the site during the construction stage of the permitted development. It shall include;

- the phasing of the development to include access construction;
- the on-site parking of all vehicles of site operatives and visitors;
- the on-site loading and unloading of all plant and materials;
- the on-site storage of all plant and materials used in constructing the development;
- wheel washing facilities;
- the routes of construction traffic to and from the site including any off-site routes for the disposal of excavated material and;
- strategy stating how surface water run off on and from the development will be managed during construction 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.

Reason: In the interests of the safety and free passage of those using the adjacent public highway and to ensure that the permitted development is adequately drained without creating or increasing flood risk to land or property adjacent to, or downstream of, the permitted development during construction.

#### Highway Condition 33

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

The scheme shall:

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

Undertaker and any other arrangements required to secure the operation of the drainage system throughout its lifetime.

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

Reason: To ensure that the permitted development is adequately drained without creating or increasing flood risk to land or property adjacent to, or downstream of, or upstream of, the permitted development.

#### Highway Condition 12

Within seven days of the first occupation, the existing dropped kerbs shall be reinstated to full height kerbs on Gas Street, Tenter Lane and Belton Street as agreed with the Local Planning Authority.

Reason: In the interests of highway safety and the safety of the users of the public highway.

#### Highway Condition 21

No part of the development hereby permitted shall be occupied (apart from those works identified on drawing number 1298-02-H dated 15/02/2023) before the works to improve the public highway (by means of relocating the footway into the site and constructing a parking bay to include lining works) 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.

#### Note to Planner

We wish to request that the applicant enters into a S106 Agreement to secure the funding of £1,800 for Lincolnshire County Council to undertake a Traffic Regulation Order to install No waiting and permit holders parking restrictions on Gas Street.

We wish that the applicant enters into a S106 Agreement to secure the funding of £15,000.00 towards The Active Travel Scheme, to include The Leisure Cycle Route around Stamford, Secure Cycle Storage within the Town Centre, Signs & Lines and Cycle Infrastructure.

#### **Informatives**

Highway Informative 03

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. Any traffic management required to undertake works within the highway will be subject to agreement. The access must be constructed in accordance with a current specification issued by the Highway Authority. Any requirement to relocate existing apparatus, underground services, or street furniture because of the installation of an access will be the responsibility, and cost, of the applicant and must be agreed prior to a vehicle access application. The application form, costs and guidance documentation can be found on our website, accessible via the following link:  
<https://www.lincolnshire.gov.uk/licences-permits/apply-dropped-kerb>.

#### Highway Informative 08

Please contact the Lincolnshire County Council Streetworks and Permitting Team on 01522 782070 to discuss any proposed statutory utility connections, Section 50 licences and any other works which will be required within the public highway in association with the development 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 link: Traffic Management -  
<https://www.lincolnshire.gov.uk/traffic-management>

#### Highway Informative 01

Where a footway is to be constructed on private land, that land must be dedicated to the Highway Authority as public highway.

#### Highway Informative 07

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.

For further guidance please visit our website;  
[www.lincolnshire.gov.uk/highways-planning/works-existing-highway](http://www.lincolnshire.gov.uk/highways-planning/works-existing-highway)

**Officer's Name: Sam Wood**

**Officer's Title: Senior Development Management Officer**

**Date: 21 February 2023**