Local Plan for South Kesteven

Site Allocation and Policies Development Plan

Council’s response to Stamford Chamber of Trade and Commerce – Additional Matter A

2nd November 2012
1.1 This statement relates primarily to factual inaccuracies within the latter chapters of the report at Appendix A1 of the SCOTC statement of Additional Matters (A). Anthony Brown of Blue BayouEnvironment (the author of the South Kesteven Landscape Sensitivity and Capacity Study 2011(SKLSC)) as the Council’s expert on landscape issues is considering this matter from a landscape perspective and may prepare an additional rebuttal statement if he considers it necessary. This statement is prepared by the Council and seeks to clarify a number of inaccuracies and queries raised by chapters 6, 7 and 8 of the report.

1.2 On a general matter, it is uncertain from the documents submitted whether the report at Appendix 1 is the actual Munro and Whitten study or whether it is a précis of a study prepared by Munro and Whitten with additional references to the SKLSC. As such it is not clear where some of the quotes within the report originate. Without the actual Munro and Whitten report it is not clear which conclusions arise from Munro and Whitten or what the basis and evidence for those conclusions is.

1.3 Section 6.4 and 6.8 considers Land south of Uffington Road

1.3.1 Within this section sites STAM09, 10 and 11 (of the consultation document Oct 2009 [SAP1]) are all considered suitable for development and it is concluded that the whole area should be allocated solely for residential use. It is also concluded that the site could be brought forward within the first plan phase 2011 – 2016.

1.3.2 In considering the suitability of all three sites through the site assessment process the council identified a number of constraints to the development of these sites. In particular access, contamination and multiple ownership and occupancy. It was however considered that a comprehensive development package could address these constraints and that all three sites would be suitable for development. In view of the existing employment uses within sites STAM 10 and 11 a mixed use redevelopment of the site providing both new employment opportunities and residential development was considered to be a more desirable solution to ensure that existing employment uses could be retained.

1.3.3 In July 2011, when preparing the SHLAA and Five Year Land Supply paper the Council were made aware that the site STAM11 was no longer available for development. This information came from the land owner in response to the council’s letter sent to all known agents and/or owners of sites with planning permission or which had been suggested through the SHLAA and site allocation process and which were considered
suitable. (See appendix 1). This letter sought the views of the owner/agent about the availability of land for development and the anticipated timescale for development, and is part of the annual process of assessing the five year supply of deliverable land for the Five Year Land Supply paper. As a result, the council concluded that the site was no longer available for development and in accordance with national planning advice to identify a supply of deliverable and developable housing land (paragraph 47 and footnotes 11 and 12 of the Framework) the site was not included within the allocation STM1c. The non allocation of the site is not the subject of any objection from the landowner, confirming the council’s belief that the site is no longer available for development.

1.3.4 Contrary to paragraph 6.8.3 of the SCOTC statement the proposed allocation STM1c in the SAP DPD includes both sites STAM09 and STAM10 as referenced in the Site Consultation October 2009 [SAP1].

1.3.5 The SAP DPD also phases the development of the site to 2016 – 2021 because the development of the site will be complex, as it will have to resolve a number of recognised site constraints – not least of which include:
   • remedial works required to remove contamination arising from the site STAM09’s previous use as a sewage works.
   • design and provision of a new access onto Uffington Road,
   • design a scheme which satisfies multiple landowners, accommodates existing employers and occupiers of the land and satisfies Anglian Water that development will not be adversely affected by the Hudds Mill pumping station.

1.3.6 In light of these constraints it is extremely optimistic to assume that the site will be developed within the next four years (2011-2016) as claimed in paragraph 6.4.4 of the SCOTC statement.

1.4 Paragraph 7.2.4 and 7.2.5 Stamford AFC, Kettering Road

The SCOTC statement concludes that it is doubtful that planning permission for these site will be forthcoming before 2026, some 14 years away. These planning applications for these sites are linked to the planning application for a replacement football stadium off Ryhall Road. The Council has debated these applications in full and resolved that it is minded to approve all three applications subject to agreement of a S106. This S106 has largely been agreed however as it involves highway requirements outwith of South Kesteven and Lincolnshire County Council’s administrative areas it has been delayed by the administrative process of involving an additional highway authority. I am advised by the Council’s legal team that the wording of the S106 has been agreed by all parties and documents are being prepared for signing. This process should be completed in early November.

1.5 Section 6.7- Land north of Barnack Road 8ha Employment land allocation

This site was allocated for employment use in the 1995 Local Plan as E2.5. In 2001 the owner Burghley House Preservation Trust sought outline planning permission for B1 office development. This application was approved on appeal in 2004. In 2006 a reserve matters application was submitted and approved. Correspondence on the application file
reveals that conditions were discharged in the following year and that development had commenced with the completion of work to form the access to the site and footways along the site frontage (see correspondence at Appendix 2). The application has therefore been implemented and the site is considered to be an employment commitment. It view of the availability of the site for 8ha of B1 development it was considered appropriate to retain the local plan allocation of the site for employment use. This gives the market confidence about the future use of the site for employment development and allows it to make a valuable contribution to employment land supply in the town. It also provides a means of promoting the site to new investors for employment generating uses.

1.6 **Section 5.4 and paragraphs 7.3.5 and 7.3.6 Employment land to north of Uffington Road.**

These parts of the SCOTC statement refer to the land north of Uffington Road which is currently in employment and commercial use and which has been identified within policy SAP5 of the SAP DPD as a Locally Important Existing Employment Area (ExE S3). Whilst the statement concludes that the landscape capacity of this area for development is high (a fact we would not disagree with as it is already developed with commercial and industrial buildings) the area is identified by SCOTC for redevelopment solely for residential use. No evidence is given for the loss of 5.4 ha of locally important employment land other than it would be a brownfield site and would have little impact upon the landscape. This is not sufficient justification for the loss of important employment land, in an area of predominantly employment and commercial uses, which has historically been the industrial heart of the town. It is recognised that a number of the existing premises are currently vacant and could be improved, however the general principle of retaining important local employment areas and the criteria included within the DPD for identifying such sites clearly concludes that this area is suitable and appropriate for retention for employment generating uses.

2. **Sections 7.5 and 7.6 M+W Proposed sites for the SUE to 2026**

2.1 Firstly I would comment that the proposed SUE would result in development of two distinct and separate areas of land, one to the northwest of the town and one to the east of the town. In addition, the land comprises a number of separate parcels of land within different land ownerships (some of which is known to be unavailable for the proposed development), and of which some parts are in active employment use. Availability and developability of the sites is therefore questionable. In particular it should be noted that:

- Site 1a – Multiple land ownerships and existing uses on parts of site. Part (ref STAM11) is not available for development.
- Site 1b – Locally Important Existing Employment site of 5.4 ha (multiple land ownerships). Loss of 5.4 ha of employment land – not compensated for by additional new employment land provision elsewhere. Potential contamination issues may restrict early redevelopment.
- Site 1c – Former Mirlees Blackstone site. Site not available for inclusion. Whole site within control of Morrisons who are pursuing retail and leisure use planning applications for the southern part of the site. Current undetermined planning applications: S06/1151 for 6 no. retail units adjacent to existing Morrison’s store
and S11/2782 for a Pub/Restaurant in southern part of site. Additional consultation being undertaken on the S06/1151 application – both applications likely to be determined at the same time – currently estimated to be reported to committee for determination in early December 2012. (Appendix 3 is an extract from S11/2782 which shows the extent of Morrison’s land ownership in this location). There is no indication of the land owner/developer’s support or desire to be part of a comprehensive SUE scheme. Redevelopment of site for employment and/or commercial uses would be acceptable and supported by the policy framework of Core Strategy and SAP DPD, subject to access such development could take place independently of the SUE proposal.

- Site 1f – owned by Burghley House Preservation Trust, other than as part of the larger Newstead proposal no indication that the site is available for development. No direct representation of objection to the non-allocation of the site in Submission plan from the land owner.

- Sites 1g – Within Rutland, site promoted as part of larger RUT1. It has been suggested that this area would come forward in the latter part of the plan period as it would need to be included in a jointly prepared plan.

2.2 As a result of the M+ W proposal (outlined in section 7.5 of the SCOTC statement) some 15.2 ha of new employment land would become available late in the plan period, however the effective loss of 6.2 ha of employment land arising from the redevelopment of part of 1a (STAM10 and 11) and all of 1b to residential development beginning in the first phase will result in a significant loss of supply of employment land and premises in the early part of the plan period. This is likely to have a significant impact upon the economy of the town, and would be contrary to Objective 8 of the Core Strategy and Objectives 3 and 4 of the SAP DPD.

2.3 The proposal would deliver a new road to the east of the town linking Uffington Road and Ryhall Road (It is noted that this link is required by the highway authority to service and access the development of land in this location). This would be at best a distributor road serving the development of just over 500 homes and almost 9 ha of employment land. Based on evidence considered by the Inspector at the Core Strategy Examination in relation to the delivery of the larger Newstead proposal, it was apparent that in excess of 1000 new homes were considered necessary to fund the provision of a link road. In this context the Inspector concluded (para 3.28 of SK15) that the scale of development required to deliver a new link road was greater than the scale of development required to meet the remaining housing requirement for the town in the plan period.

2.4 In addition the area of employment land to the north west of the town (within Rutland) is expected to deliver a new access road which will eventually form part of the ring road. In the plan period this road will in effect be a dead end serving just over 15 ha of employment land. Whilst this site is located closer to the strategic highway network it is still some distance from the A1 and any access to the site from the A1 would be through either the historic stone settlement of Great Casterton (which has significant traffic calming measures already in place) or via the Sydney Farm housing estate. Thus the site has no strategic highway presence and would cause a significant increase in commercial traffic through unsatisfactory streets in
predominantly residential areas. The proposed access road would provide no benefit or relief to these increases in traffic movement either in the plan period or beyond if phase two takes place.

2.5 No viability or feasibility testing has been provided to support the masterplan for the SUEs, thus there is no evidence to support the viability of a privately financed road. Instead SCOTC have indicated elsewhere in their submissions that they expect the proposal to be funded via a CIL type of tariff on development in Stamford. The M+W proposal does not however accept development in any other location other than the two SUE locations set out in their masterplan. Thus the road links will be provided for only by the development it is serving and each part of the development is required to provide its own new highway link and junctions as well as undertake significant remedial work to treat previously developed and contaminated land.

2.6 In light of these comments both the availability of the land and the viability of the proposal are questioned. These factors alone make the deliverability of the proposal unsure and thus render the scheme unsuitable for allocation within the SAP DPD for this plan period.

3. Section 7.7 M+W Masterplan Beyond 2026

3.1 This section of the SCOTC statement proposes swathes of land for future development to the north of the town, the objective of which is to complete the northern section of a ring road connecting the Old Great North Road in the northwest to Uffington Road on the east. The effect of such a proposal would be to surround the entire northern and eastern edges of the town with new development which will, in totality, have a significant impact upon the setting of this historic town.

3.2 Much of the land proposed for the period beyond 2026 is in agricultural use and is recognised in the SKLSC 2011 as being of medium sensitivity with a medium capacity to absorb development. As such the area of land, in landscape terms is less suitable than the proposed allocation of land at Empingham Road (STM3).

3.3 It should be noted that part of this next phase of development includes land (identified as the eastern parts of 2j and 2k adjacent to Ryhall Road, which are the subject of a planning application for the relocation of the town football stadium [S11/2288]. As referred to in paragraph 1.4 above the council has resolved to approve this and the two associated planning applications subject to agreement of S106. The proposed access to the stadium is off Ryhall Road, however the location of the access does not reflect the positioning of the roundabout proposed within the M+W masterplan, this together with the location of the proposed stadium within the site would present considerable problems for achieving the roundabout access (and therefore connection to the Ryhall Road- Uffington Road link road proposed as phase1) as indicated in the masterplan.

3.4 Much of the land in this location is in the control of the Burghley House Preservation Trust. The trust is a major land owner in and around the town and has, actively sought planning permission for development which it considers supports the future of the town. (For example the employment land off Barnack Road, and the current football stadium proposals) However the trust has at no point through the plan
preparation process promoted the development of, or indicated the availability of this section of land, as such it is considered unlikely that the land would be available for the proposed development.

3.5 My comments regarding viability and availability to deliver the phase 1 proposal also apply to phase 2. In light of so many uncertainties it would be inappropriate and unnecessary to allocate such large areas of land for future development.
Appendices:

Appendix 1: Completed SHLAA proforma in respect of STAM11

Appendix 2: Letter regarding commencement of development at Barnack Road

Appendix 3: OS map showing extent of Morrison's land ownership off Uffington Road
# FIVE YEAR HOUSING SUPPLY POSITION PRO FORMA

## Site Details:

<table>
<thead>
<tr>
<th>SHLAA Ref:</th>
<th>DPD Consultation Ref:</th>
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<tr>
<td>SK/STA/02</td>
<td>STAM11</td>
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<tr>
<th>Site Address:</th>
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<tr>
<td>Land East of Meadow View, Uffington Road Stamford</td>
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<tr>
<th>Question</th>
<th>Answer</th>
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<tr>
<td>Is this site available for development now? ie, is it free from legal, ownership and/or other constraints to allow it to be developed?</td>
<td>No</td>
</tr>
<tr>
<td>If under construction, when do you expect the site to be completed?</td>
<td>N/A</td>
</tr>
<tr>
<td>Have there been any changes in circumstances that may mean that the site is not longer suitable for residential development?</td>
<td>No</td>
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<tr>
<td>Is it likely that the site will be developed within 5 years from the date of this letter?</td>
<td>No</td>
</tr>
<tr>
<td>If the site is not likely to be developed within the next 5 years, what is the anticipated timescale for development?</td>
<td>DO NOT KNOW</td>
</tr>
<tr>
<td>Are you intending to develop the site yourself, or is development dependant on a third party?</td>
<td></td>
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<tr>
<td>Do you have any evidence to justify the answers to the above questions about the deliverability of your site? If so, please attach to this questionnaire.</td>
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Date: 16 June 2011

Hindmarch and Co
Uffington Road
Stamford
Lincs
PE9 2EX

Dear Sir/Madam

Review of Housing Land Supply in South Kesteven

I am in the process of reviewing the district council’s Five Year Land Supply Paper which shows how much deliverable housing land is available within the district. As a Local Planning Authority we should identify sufficient available and deliverable sites to deliver a five-year housing land supply.

Paragraph 54 of PPS states that, to be considered deliverable sites should:

- **be available** - the site should be available now
- **be suitable** - the site offers a suitable location for development now and would contribute to the creation of sustainable, mixed communities
- **be achievable** - there is a reasonable prospect that housing will be delivered on the site within five years.

Drawing on information from the Strategic Housing Land Availability Assessment and the Site Allocation process, the following land has been identified to us in the past as being available for residential development.

**Land East of Meadow View, Uffington Road, Stamford**
DPD site reference **STAM11**  SHLAA site reference: **SK/STA/02**
Suggested on behalf of:

To enable me to ascertain whether the site is deliverable please complete the enclosed pro-forma and return it to me, either by post in the enclosed prepaid envelope or by email, by 1 July 2011. Thank you for your assistance in this matter.

Yours faithfully

Karen Sinclair
Planning Policy and Partnerships Service Manager
Development Services
South Kesteven District Council
Council Offices, St. Peter's Hill
Grantham, Lincolnshire, NG31 6PZ
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Wilbraham Associates Limited
18a Regent Place
Rugby
Warwickshire
CV21 2PN

Your Ref: HMB7
Our Ref: S06/0551/69
Date: 26 February 2008

Ian Wright
Telephone: 01476 406457
e-mail: i.wright@southkesteven.gov.uk

Subject: Barnack Road Business Park.
Address: Barnack Road, Stamford.

Dear Mr Flood,

I refer to your letter of the 24th January 2008 and subsequent e-mails regarding the commencement of development at the above site and would confirm, on the basis of the information provided, in particular the 'Job Start Notice' from BWB Consulting to the Divisional Highways Manager (albeit to East Lindsey rather than South Kesteven) and photos, that the development approved under planning permission S01/0659/69 had commenced within the meaning of the Section 56 paragraph d of the 1990 Act prior to the expiry date of the 4th of January 2008

I have also visited the site and confirmed for myself completion of the works to form the access to the site and footways long the site frontage have been completed, although this was after the critical 4th January date.

Yours sincerely

Ian Wright
Principal Planning Officer (South Area Team)