

Application Number:	2018/1404/FUL
Site Address:	Land To Rear Of 9 Saxon Street, Lincoln, Lincolnshire
Target Date:	14th February 2019
Agent Name:	Gillick Brothers
Applicant Name:	C Burdette
Proposal:	Erection of single-storey dwelling house

Background - Site Location and Description

The application proposes the erection of a single storey dwelling house to provide two bedrooms. The application site is to the rear of No 9 Saxon Street; a mid-Victorian, three-storey end-of-terrace dwelling house with (formerly) a shopfront on the ground floor façade.

The houses on Saxon Street have small rear yards with small outbuildings, which would have housed outside toilets, coal bunkers and the like. The yard at the rear of the application site is unlike the external spaces of similar properties in the vicinity as it widens out at the end away from the house to span the width of the neighbouring two gardens; giving the piece of land an 'L' shape. It is on this 'extended' piece of land that it is proposed to erect a new building; leaving the application property with a remaining yard space similar to the other houses on the street.

The site does not lie within a conservation area but is close to the northern edge of the City of Lincoln Cathedral and City Centre Conservation Area No .1.

Site History

2003/0994/F - Erection of a two storey building to accommodate two flats – Refused.

Case Officer Site Visit

Undertaken on 25th January 2019.

Policies Referred to

- Policy LP1 A Presumption in Favour of Sustainable Development
- Policy LP2 The Spatial Strategy and Settlement Hierarchy
- Policy LP10 Meeting Accommodation Needs
- Policy LP26 Design and Amenity
- National Planning Policy Framework

Issues

To assess the proposal with regards to:-

- National and local planning policy
- Impact on visual amenity
- Impact on residential amenity
- Impact on highway safety

Consultations

Consultations were carried out in accordance with the Statement of Community Involvement, adopted May 2014.

Statutory Consultation Responses

Consultee	Comment
Environmental Health	Comments Received
Highways & Planning	Objection
Lincolnshire Police	No Objection

Public Consultation Responses

Name	Address
G Earl	No address provided
Mrs Lorna Purcell	84 Gray Street Lincoln Lincolnshire LN1 3HL
Miss Lisa Wright	88 Gray Street Lincoln Lincolnshire LN1 3HL

Consideration

Local and National Planning Policy

Paragraph 114 of the National Planning Policy Framework (NPPF) states that planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

Paragraph 122 states that planning decisions should support development that makes efficient use of land, taking into account:

- a. the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;
- b. local market conditions and viability;
- c. the availability and capacity of infrastructure and services - both existing and proposed - as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;

- d. the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change; and
- e. the importance of securing well-designed, attractive and healthy places.

Paragraph 127 further states that planning decisions should ensure that developments:

- a. will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b. are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c. are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d. establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e. optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Central Lincolnshire Local Plan (CLLP) Policy LP2 advises that the Lincoln Urban Area will be the principal focus for development in Central Lincolnshire, including housing. CLLP Policy LP1 states that there should be a presumption in favour of sustainable development and planning applications that accord with the policies in the Local Plan will be approved without delay. This presumption in favour of sustainable development reflects the key aim of the National Planning Policy Framework (NPPF).

Policy LP10 'Meeting accommodation needs' of the Central Lincolnshire Local Plan (2017) is relevant to the application site. The policy advises that 'new residential development should maintain, provide or contribute to a mix of housing tenures, types and sizes to help support the creation of mixed, balanced and inclusive communities.'

The principle of residential development in this location would therefore be supported, subject to consideration against other policy requirements.

The application is for the erection of a dwelling and therefore Policy LP26 - Design and Amenity of the Central Lincolnshire Local Plan is entirely relevant.

The following design principles within Policy LP26 of the Central Lincolnshire Local Plan would be relevant to the development.

- a. Make effective and efficient use of land;
- c. Respect the existing topography, landscape character and identity, and relate well to the site and surroundings, particularly in relation to siting, height, scale, massing, form and plot widths;
- d. Not result in the visual or physical coalescence with any neighbouring settlement;
- f. Incorporate and retain as far as possible existing natural and historic features such as hedgerows, trees, ponds, boundary walls, field patterns, buildings or structures;

- g. Incorporate appropriate landscape treatment to ensure that the development can be satisfactorily assimilated into the surrounding area;
- h. Provide well designed boundary treatments, and hard and soft landscaping that reflect the function and character of the development and its surroundings;
- i. Protect any important local views into, out of or through the site;
- j. Duly reflect or improve on the original architectural style of the local surroundings, or embrace opportunities for innovative design and new technologies which sympathetically complement or contrast with the local architectural style;
- k. Use appropriate, high quality materials which reinforce or enhance local distinctiveness, with consideration given to texture, colour, pattern and durability.

Policy LP26 further states that the amenities which all existing and future occupants of neighbouring land and buildings may reasonably expect to enjoy must not be unduly harmed by or as a result of development. Proposals should demonstrate, where applicable and to a degree proportionate to the proposal, how the following matters have been considered, in relation to both the construction and life of the development:

- m. Compatibility with neighbouring land uses;
- n. Overlooking;
- o. Overshadowing;
- p. Loss of light;
- t. Adequate storage, sorting and collection of household and commercial waste, including provision for increasing recyclable waste;

Three letters of objection have been received from residents on Gray Street the concerns relate to the increased pressure on on-street parking and emergency vehicular access. Concerns have also been raised regarding noise and disturbance and loss of light due to the increase in height of the external wall.

Effect on Residential Amenity

The proposal would have a flat roof construction which would be located 6 metres from the rear elevation of 7 and 9 Saxon Street and 11 metres from the rear elevation of 8 Saxon Street. It is considered that given the separation distance and single storey nature of the building there would be no issues of the dwelling appearing overbearing. A high level window is proposed in the facing elevation, it is considered that given the sill level would be 2.2 metres above ground level there would be no opportunity for overlooking. This relationship should be maintained and should you be minded to grant the application a condition is recommended removing permitted development for any further windows or openings in this elevation. Although located to the west given the single storey nature of the building it is considered that loss of light would not be exacerbated to a harmful degree which would justify a refusal of planning permission. As such, the proposals would not unacceptably harm the living conditions of the residents of these properties and therefore would be in accordance with the amenity requirements of Policy LP26 of the Central Lincolnshire Local Plan.

The proposed dwelling would sit 8 metres from the side elevation of 43 and 47 Gray Street and 9 metres from the front elevation of 88 and 90 Gray Street; these properties are located on the opposite side of the road to the proposed development. This relationship is not uncommon in an urban context such as this therefore we are satisfied this relationship is acceptable and would not unacceptably harm the living conditions of the residents of those properties and therefore would be in accordance with the amenity requirements of

Policy LP26 of the Central Lincolnshire Local Plan.

Effect on Visual Amenity

It is considered that the site is of a sufficient size to comfortably accommodate the proposed dwelling along with the associated bin storage. This development is an infill and therefore it is considered that it represents a good use of land.

The proposed new building would occupy the whole of one end of the site, between the existing boundary walls. Currently there is a single storey outbuilding in a relatively poor state of repair on the site. The new dwelling would be orientated towards the street where it would have a front door within a small covered courtyard. The proposed dwelling would measure 11.3 metres wide x 7.6 metres deep. The proposal would measure 3 metres high. The design is of a contemporary nature with the use of traditional materials red brick and copper colour single ply roofing membrane, to blend the design into its context. Wooden windows and doors are also proposed. While the proposal does not replicate the more traditional features and proportions of other properties in the area it has clearly been designed to fit the context. Officers are satisfied, that the design is acceptable and, despite being open to limited public views, would not have an unacceptable visual impact on the visual amenity of the wider area.

The proposal would therefore relate well to the surrounding properties in terms of its height, scale and mass, and would sympathetically complement the local architectural style, in accordance with Policy LP26. The proposal would also meet the requirements of paragraph 131 of the NPPF, which requires that great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

Highway Safety

Lincolnshire County Council as the Highway Authority has objected to the proposal for the following reason: *'There is insufficient provision made within the application site to accommodate the parking of vehicular traffic likely to be generated by the proposed development, alongside the removal of existing off-street parking provision within the proposed development's curtilage. This deficiency is likely to result in the indiscriminate parking of vehicles along access roads in the surrounding area. Such parking of vehicles is likely to lead to unsafe conditions in terms of pedestrian and vehicle movement in and around the site including access for emergency and service vehicles. Furthermore, the inadequacy of the parking provision is likely to be regarded as setting a precedent for other developments both within the site and elsewhere.'*

Although there is no parking provision for this application, the site is close to the city centre, so there is good access to shops, places of work and public transport options for the proposed accommodation, to be suitable for those without a motor vehicle. It is expected that the main mode of transport would be either walking or cycling, which would greatly reduce the need for vehicle usage, due to its location.

The objection from the Highway Authority relates to the lack of parking provision for the new dwelling and the loss of the existing parking on the site and as a consequence of this a perceived subsequent pressure on the existing on-street parking. The host property No. 9 Saxon Street has recently been granted a Certificate of Lawful Use for the use of the

property as a House in Multiple Occupation. When considering proposed applications of this use the Highway Authority do not request the provision of onsite parking and the existing parking on the site could be disused at any time without the need for consent and no requirement to provide it elsewhere. The Council does not have a policy which prescribes the level of parking a development should provide. Apart from the yellow lines to the front of the site the road is not subject to any parking restrictions.

The application is for one additional dwelling and it is the advice of your officers that any additional traffic or parking that might be generated will be negligible in the context of the surrounding area.

Therefore notwithstanding the objection from Highways, this site is a sustainable location for a dwelling and any potential increase in on street parking would not cause harm sufficient to warrant a refusal of planning permission.

Other Matters

Environmental Health have commented on the application with general observations and recommendations for conditions. These are summarised as follows *'due to the site being previously developed and the close proximity to neighbouring sensitive uses, there is potential for significant problems due to noise from the construction phase of the development, particularly during the noise sensitive hours.'* conditions are therefore requested relating to the discovery of unexpected contamination and hours of work on site. It is considered that these requests are not unreasonable and could be included as planning conditions should you be minded to approve.

Application Negotiated either at Pre-Application or During Process of Application

Yes - Pre-application advice.

Financial Implications

None.

Legal Implications

None.

Equality Implications

None.

Conclusion

The scale, massing and design of the proposed dwelling is considered to be acceptable and would have a satisfactory relationship with the host dwelling and the wider area, and the use of high quality materials would make a positive contribution to the appearance of the wider Area. The proposal would also not cause undue harm to the residential amenities of neighbouring occupants. The proposal is therefore in accordance with Policies LP1, LP2, LP10 and LP26 of the Central Lincolnshire and with the guidance contained within the National Planning Policy Framework.

Application Determined within Target Date

Yes.

Recommendation

That the application is granted conditionally.

Proposed Conditions

- Time limit of the permission
- Development in accordance with the approved plans
- Removal of Permitted Development for new windows and doors (openings)
- Hours of work and associated deliveries
- Unexpected contamination.